



भारत सरकार

GOVERNMENT OF INDIA

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय

MINISTRY OF ENVIRONMENT, FORESTS & CLIMATE CHANGE

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F.No.4-APB050/2018-CHN/1436

Date 6th September, 2018

To,

The Principal Secretary to the Government of Andhra Pradesh,
Environment, Forests, Science & Technology Department,
Government of Andhra Pradesh, Room No.268, 1st Floor, 4th Block,
Andhra Pradesh Secretariat, Velagapudi, Amaravati Guntur District-522503

Subject: Diversion of 2.55 ha of forest land in WLM, Proddatur Division for up-gradation on NH-67 from Km 589/000 to 641/000 i.e. from Mydukur to Dornala "T" Junction to two lane with paved shoulders in the State of Andhra Pradesh under NHDP-IV, in favour of Executive Engineer (R&B), NH Division, Kadapa-reg.

Sir,

Please refer to the State Government's letter No.4285/Section-II/2017 dated 02.11.2017 and online proposal No. FP/AP/ROAD/26324/2017 seeking prior approval of the Central Government for diversion of forest land in accordance with Section '2' of Forest (Conservation) Act, 1980 for the above mentioned project.

After careful consideration of the proposal of the State Government, I am directed to convey the Central Government's in principle approval (**Stage-I**) under Section '2' of Forest (Conservation) Act, 1980 for diversion of 2.55 ha of forest land in WLM, Proddatur Division for up-gradation on NH-67 from Km 589/000 to 641/000 i.e. from Mydukur to Dornala "T" Junction to two lane with paved shoulders in the State of Andhra Pradesh under NHDP-IV, in favour of Executive Engineer (R&B), NH Division, Kadapa, subject to the following conditions:-

- (i) Legal status of the diverted forest land shall remain unchanged;
- (ii) Demarcation of the proposed forest area shall be carried out by erecting 4 feet high cement concrete pillars duly numbered at an interval of 20 meters at the cost of User Agency;
- (iii) The State Forest Department shall carry out Compensatory Afforestation (CA) over 5.42 ha of degraded forest area in Compt No 75 in Kamalapuram Block-III RF, Kamalapuram Beat, Proddatur Range at the cost of the user agency;


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Date: 06.09.2018

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- (iv) The State Forest Department shall carry out Penal Compensatory Afforestation (PCA) in nearby degraded forest area over an extent of **2.00 ha** at the cost of the user agency. The State Government shall furnish the PCA scheme and the map of such degraded forest land along with DGPS co-ordinates, along with the compliance report;
- (v) The work in violation of Forest (Conservation) Act, 1980 carried out by the user agency without the prior approval of the competent authority in the State shall be dealt under the provisions of Section 3 (B) of the Ministry's guideline dated 29.01.2018. The State Government shall inform the Regional Office, Chennai about the details of action taken in compliance of the same. The PCCF, Andhra Pradesh shall not issue any work permit etc, without ensuring compliance to the conditions stipulated in Sec 3 (B) of the above guideline;
- (vi) The State Government shall ensure that no such violation shall take place in future and shall send a communication / directive to all the Government agencies in this regard;
- (vii) The State Government shall charge the Net Present Value of the diverted forest land measuring **2.55 ha** from the user agency as per the orders of the Hon'ble Supreme Court dated 28.03.2008 and 09.05.2008 in IA Nos.826 in 566 with related IA's in Writ Petition (Civil) No.202/1995;
- (viii) Additional amount of the Net Present Value (NPV) of the diverted forest land if any, becoming due after revision of the same by the Hon'ble Supreme Court of India in future, shall be charged by the State Government from the user agency. The user agency shall furnish an undertaking to this effect;
- (ix) The funds received from the user agency towards Compensatory Afforestation and Net Present Value under this project shall be deposited in the **Corporation bank account of the Andhra Pradesh State CAMPA. The user agency shall compulsorily deposit the NPV and other levies only by generating challan through the Ministry's website;**
- (x) Wherever feasible the State Forest Department shall carry out translocation of trees instead of resorting to felling, at the cost of user agency;
- (xi) Wherever feasible the State Forest Department shall carry out translocation of the trees instead of resorting to felling, at the cost of the user agency;


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- (xii) Felling of trees on the forest land being diverted shall be kept reduced to the bare minimum and the fellings shall be carried out under the strict supervision of the State Forest Department;
- (xiii) The user agency shall construct retaining walls and check walls wherever required, in consultation with the DFO concerned, at the project cost;
- (xiv) The construction of culverts/bridges, if any, over the natural streams/rivers/canals shall be done in such a manner that it does not hamper the natural course of water, does not give rise to water-logging, and also does not hamper movement of wild animals;
- (xv) Roadside cuttings and fillings which require engineering support shall be provided as per the instructions of the DFO concerned so as to stabilize the soil;
- (xvi) The dug out material / overburden shall be dumped outside the forest area. Storage of any material shall not be done in the forest area proposed for diversion;
- (xvii) The user agency shall arrange to raise strip plantation on either side of the road and also on the central verge at the project cost and maintain the same for 10 years or till the planted trees get established whichever is later;
- (xviii) Speed breakers shall be provided on the road within the wildlife areas / Wildlife crossings and signage boards shall be provided at frequent intervals at the project cost;
- (xix) Since the subject proposal is reported to be falling within the Eco Sensitive Zone of the Sri Penunsila Narasimha Wildlife Sanctuary, the user agency shall obtain Wildlife clearance from the competent authority before execution of the project;
- (xx) The layout plan of the proposal shall not be changed without the prior approval of the Central Government;
- (xxi) The user agency shall provide fire wood preferably alternate fuel to labourers working at the site to avoid tree felling;
- (xxii) Disturbance shall be kept minimum by creating labour camps outside the forest area as far as possible and it shall be the responsibility of the user

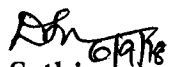
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agency to ensure that the labourers & staff engaged in execution of work do not destruct nearby forest flora & fauna;

- (xxiii) The total forest area utilized for the project shall not exceed **2.55 ha** and the forest area diverted shall not be used for any purpose other than those shown in the diversion proposal. The user agency shall furnish an undertaking to this effect;
- (xxiv) The forest land proposed for diversion shall under no circumstances be transferred or sublet to any other agency, department or person without prior approval of the Central Government;
- (xxv) The user agency and the State Government shall ensure compliance to provisions of all Acts, Rules, Regulations and Guidelines, for the time being in force, as applicable to the project;
- (xxvi) Any other conditions that the Central Government or Addl. PCCF(Central) of Regional Office, Chennai may impose from time to time in the interest of afforestation, conservation and management of flora and fauna in the area, shall be complied by the user agency;
- (xxvii) The Progress of the Compensatory Afforestation as mentioned by the DFO, Proddatur (WL) Division in Sl No 12 (v) (a) of part II i.e 225.315 ha of forest land and 1992.879 ha of non-forest land shall be monitored by the Circle Head and a copy of such monitoring report shall be forwarded to the Regional Office to upload the same in the web portal;
- (xxviii) In the event of failure to comply with any of the above conditions the user agency is liable for penal action as decided by the Additional PCCF (Central), Regional Office, Chennai.

After receipt of the compliance report on above mentioned conditions, the proposal will be considered for final approval. This in-principle approval shall be valid for a period of 5 years from the date of issue of this letter. In the event of non-compliance of the above conditions, this in-principle approval shall automatically stand revoked after 5 years.

Yours faithfully,


(D.Sathiyar)

Conservator of Forests (Central)

Copy to:-

1. The Director General of Forests & Special Secretary to Govt. of India, Ministry of

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Environment, Forests & Climate Change, Indira Paryavaran Bhavan, Jor Bagh Road, Aliganj, New Delhi - 110 003.

2. The Principal Chief Conservator of Forests, Forests Department, Govt. of Andhra Pradesh, Aranya Bhavan, K.M. Munshi Road, Nagarampalem Guntur-522004.
3. The Additional Principal Chief Conservator of Forests/Nodal Officer (FCA), Office of the Principal Chief Conservator of Forests, Forests Department, Govt. of Andhra Pradesh, Aranya Bhavan, K.M. Munshi Road, Nagarampalem, Guntur-522004.
4. The Director, RO(HQ) Division, Ministry of Environment, Forests & Climate Change, Indira Paryavaran Bhavan, Jor Bagh Road, Aliganj, New Delhi - 110 003.
5. The Executive Engineer (R&B), NH Division, Rabindra Nagar, Kadapa, Andhra Pradesh-516003.
6. Guard file.


(D.Sathiyar)

Conservator of Forests (Central)

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