

**GOVERNMENT OF ANDHRA PRADESH
FOREST DEPARTMENT**

From
Dr. Mohd. Ilyas Rizvi, I.F.S.,
Prl. Chief Conservator of Forests,
(Head of Forest Force), Andhra Pradesh,
"Aranya Bhavan", K.M. munshi Road,
Nagarampalem, Guntur -522004

To
The Prl. Secretary to Government,
Environment, Forest, Science
and Technology Department,
Andhra Pradesh Secretariat
Velagapudi, Amaravathi.

Rc.No. 8005/2017/FCA-3, Dated :05-10-2018.

Sir,

Sub: - APFD – F (C) Act, 1980 – Proposal for diversion of 2.40 Ha of forest land in Pothukonda RF in Visakhapatnam Division for development of Sree Sree Sree Bhuvaneswari Devi Aaradhanapeetam in f/o Om Bhuvaneswari Sanstan Trust, Visakhapatnam - Submission of processed proposal U/s-2 of F(C) Act, 1980- Reg.,

Ref:- 1. Proposal uploaded in the Ministry's web site No. FP/AP/OTHERS/30831/2017.
2. Managing Trustee/Settler, Om Bhuvaneswari Sanstan Trust, Visakhapatnam Ir. Dated : 19-03-2018.
3. PCCF 's Rc. No. 8005/2017/FCA-3, dated : 23-03-2018
4. CCF /CF , Visakhapatnam Rc. No. 2845/2018/TO(I), dated : 22.09.2018

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It is informed that, the Managing Trustee/Settler, Om Bhuvaneswari Sanstan Trust, Visakhapatnam vide reference 1st cited has uploaded the proposal for diversion of 2.40 Ha (i.e. 1.76 Ha for Temple Portion and 0.65 Ha for Road Portion) in Pothukonda RF, Visakhapatnam Division for development of Sree Sree Sree Bhuvaneswari Devi Aaradhanapeetam.

The proposal was sent to the Divisional Forest Officer, Visakhapatnam for processing under F(C) Act, 1980 and amendments therein and submit the proposals through the concerned Chief Conservators of Forests/Conservator of Forests.

Accordingly, the Chief Conservator of Forests /Conservator of Forests, Visakhapatnam vide reference 3rd cited has submitted the proposals duly processed for diversion of 2.40 Ha (i.e. 1.76 Ha for Temple Portion and 0.65 Ha for Road Portion) in Pothukonda RF, Visakhapatnam Division for development of Sree Sree Sree Bhuvaneswari Devi Aaradhanapeetam

The User Agency has furnished the following information in Part-I.

- An area of 2.40 Ha (i.e. 1.75 Ha for Temple Portion and 0.65 Ha for Road Portion) of forest land is required in Pothukonda RF, Visakhapatnam Division for development of Sree Sree Sree Bhuvaneswari Devi Aaradhanapeetam.
- Cost of the project is Nil.
- The user agency has furnished justification certificate and stated that, during 1950's a Goddess by name Sree Sree Sree Bhuvaneswari Devi has taken birth at Yathapalem. The Goddess is situated 100 mtrs from the ground point and it needs pour path pay for Villagers to perform pooja to Goddess. To our belief if Goddess Sree Sree Sree Bhuvaneswari Devi not receive any poojas from Villagers. Under these circumstances forest land is required for development of Sree Sree Sree Bhuvaneswari Devi Aaradhanapeetam in Pothukonda RF.
- The user agency has furnished undertakings for payment of NPV, Addl. NPV, CA , PCA, Tree extraction charges on the forest land proposed for diversion.
- Cost benefit analysis does not arise, as the area proposed for diversion is below 20 Ha (i.e. 2.40 Ha).

- No human displacement involve due to construction of this project.
- No loss of public facilities involved in this project.
- The user agency has stated that, no Environment (Protection) Act, 1986 is required.
- Employment likely to be generated is during construction of this project 100 man days for a period of one year.

The Divisional Forest Officer, Visakhapatnam Division has submitted the following information in Part-II.

- An area of 2.40 Ha (i.e. 1.75 Ha for Temple Portion and 0.65 Ha for Road Portion) of forest land is required in Pothukonda RF, Visakhapatnam Division for development of Sree Sree Sree Bhuvaneswari Devi Aaradhanapeetam.
- Legal Status of the Forest is Pothukonda RF is notified U/s 15 of A.P. Forest Act 1967 in G.O. Ms. No. 1181, Food & Agriculture (For-III), dated : 27-10-1973.
- The Density of vegetation in the proposed area is 0.1 to 0.4
- A statement showing information regarding Species – wise and diameter class wise enumeration of trees is enclosed. The main species are Karaka (*Terminalia chebula*, Kadamba (*Anthocephalus*, Vepa (*Azadirachta indica*) etc. There are 94 Nos. of trees to be felled in the proposed area and the valuation of trees are Rs. 24,784/-.
- Regarding brief note on vulnerability of the forest area to erosion, it has been stated that no forest area will be affected to erosion.
- Approximate distance of the proposed site for diversion from boundary of forest is the proposed Temple area is 1.76 Ha and Road area is 0.65 Ha is passing through Pothukonda RF in Compt. No. 601.
- The proposed area is not a part of National Park, Wildlife Sanctuary, Biosphere Reserve, Elephant Corridor etc., .
- Regarding rare/ endangered/unique species of flora and fauna found in the area it is stated that, there are no rare/ endangered/unique species of fauna found in the proposed area.
- There are no protected archaeological heritage sites / defense establishment or any other important monument is located in the area.
- The requirement of forest land is proposed by the user agency is un-avoidable and barest minimum for the project.
- Regarding any work in violation of the Act has been carried out, it has been stated that, "YES".
- The user agency has violated the Forest Conservation Act, 1980 for digging of red earth (gravel) excavation over an area of 1.7874 Ha (451 cmt.) for which the value is Rs. 40139/- between cairn no. 42 and 43 at Compt. No. 601 of Pothukonda RF in Pothukonda Beat of Pendurthy Section on 24.09.2010.
- Action taken : Action has been taken against the user agency by imposing penalty of Rs.80,278/- (1+1) vide O.R. No. 117/2010-11 for violation of the provisions of the A.P. Forest Act, . The user agency has paid the "C" fees of Rs. 80278/- through challan on 05-02-2011.
- Action taken: The Forest Section Officer, Forest Beat Officer and Asst. Beat Officer were kept under suspension as per orders contained in Divisional Forest Officer , Visakhapatnam Rc. No. 5022/2010-P, dated : 25-09-2010 and also issued Article of Charges (AoCs) against the concerned Forest Staff as per Rule 20 of APCS (CC &A) Rules 1991.
- The Divisional Forest Officer, Visakhapatnam has inspected the area proposed for diversion on 26-05-2018 and stated that, the area is passing through Pothukonda RF in Compt. No. 601. The present place is the born place of the Goddess and holy place which is worshipped by the local/surrounding villagers for the last 50 years.

The Divisional Forest Officer, Visakhapatnam has recommended the proposal with the following conditions in the interest of Forest and Wildlife conservation.

1. Adequate signage's to be placed at regular interval to create awareness about forest, wildlife conservation, maintaining vehicle speed etc.,
 2. Display board at starting and ending point showing details of forest land involved in diversion and clearly mentioning the status of land as "Forest Land"
 3. Suitable protection structures shall be included in steep portion to avoid soil erosion.
 4. Tree felling should be done in the presence of local forest officer and large trees having wildlife importance shall not be disturbed.
 5. Adequate number of ramblers / speed breakers and underground passages shall be provided to facilitate movement of wildlife and to avoid accidents.
 6. All the material required for road work shall be brought from outside and no material shall be collected from reserve forest or Reserve land.
 7. For any kind of blasting and quarrying prior permission shall be obtained.
 8. All DGPS surveyed points shall be clearly demarcated on the field and proposed alignment shall be followed
- The Location map in (S.I) Sheet in 1:50,000 scale, authenticated DGPS maps are furnished .
- In column No. 13 of Part -II, the Divisional Forest Officer, Visakhapatnam has "Recommended" the proposal.

In part -III, the Chief Conservator of Forests /Conservator of Forests, Visakhapatnam has agreed with the information furnished by the Divisional Forest Officer, Visakhapatnam and Recommended the proposal for diversion of forest land.

As per para 3.2 (i) of guidelines of Forest (Conservation) Act, 1980 non forest land for **Compensatory Afforestation** has been identified to an extent of 3.06 Ha in Sy. No. 162/1, Sunkidi Village, Somepeta, Srikakulam. As per para (ix) (a), Chapter -3 of FC Act, 1980 guidelines and a scheme for raising Compensatory Afforestation and maintenance have been prepared to an extent of 2.50 Ha with a financial outlay of Rs. 10.42 lakhs for a period of (9) years commencing from 2018-19 to 2026-27 with artificial regeneration with Miscellaneous species.

The Divisional Forest Officer, Srikakulam has inspected the area proposed for Compensatory Afforestation in sy. No. 162/1, Sunkidi (V), Somepet(M), Srikakulam on 15-07-2018 stated that, the Compensatory Afforestation area comes to an extent of 2.50 Ha. The area is suitable for Afforestation with any species and there is no endangered and unique species of flora and fauna.

The Divisional Forest Officer, Srikakulam has furnished the authenticated DGPS maps of CA lands along with location maps.

The District Collector, Visakhapatnam District vide File No. REV-FSEC0GNR/51/2018-SA(F4)-VSKPO, dated : 03-02-2018 has issued certificate under RoFR Act, 2006, as stipulated by the MoEF, Gol, New Delhi vide Lr.No.11-9/1998-FC (pt), Dt.05.07.2013 on 18-10-2017 in the prescribed format for Projects other than linear Projects **Annexure-II (Form-II)** for evidences for having initiated and completed the process of settlement of rights under the Scheduled Tribes and Other Traditional Forest Dwellers (RoFR) Act, 2006 is enclosed with the proposal.

Further, it is submitted that as per the guidelines issued by the Gol, MoEF, New Delhi this proposal has been uploaded in the Ministry's website (www.forestclearance.nic.in) & a unique file number **FP/AP/ OTHERS/30831/2017** has been generated for this proposal. A copy of the Acknowledgment slip generated by the Ministry's website is enclosed herewith.

The Chief Conservator of Forests /Conservator of Forests, Visakhapatnam and Divisional Forest Officer, Visakhapatnam have recommended the proposal for diversion of 2.40 Ha of forest land in Pothukonda RF in Visakhapatnam Division for development of Sree Sree Bhuvaneswari Devi Aaradhanapeetam in f/o Om Bhuvaneswari Sanstan Trust, Visakhapatnam

In view of the above, the statutory proposal along with necessary enclosures for diversion of 2.40 Ha of forest land in Pothukonda RF in Visakhapatnam Division for development of Sree Sree Sree Bhuvaneswari Devi Aaradhanapeetam in f/o Om Bhuvaneswari Sanstan Trust, Visakhapatnam duly recommended in Part-IV is submitted herewith in triplicate for onward transmission to the RO, Chennai for consideration of the proposal.

Encl:- As above

Yours faithfully,
Sd/- Dr. Mohd. Ilyas Rizvi,
Prl. Chief Conservator of Forests
(Head of Forest Force)

Copy to Chief Conservator of Forests /Conservator of Forests, Visakhapatnam for information.

Copy to Divisional Forest Officers, Visakhapatnam and Srikakulam for information

Copy to Managing Trustee/Settler, Om Bhuvaneswari Sanstan Trust, Chellayamma Thota, Yathapalem (V), Sabbavaram(M), Visakhapatnam for information.

// t.c.b.o.//

Sd/-
8/10/18

Sd/-
2/10/2018
Superintendent

PART-IV

(To be filled in by the Nodal Officer or Principal Chief Conservator of Forests or Head of the Forest Department)

proposal for diversion of 2.40 Ha of FL in Visakhapatnam for development of Sree Sree Sree Bhuvanaswari Devi Temple

17	Detailed opinion and specific recommendation of the state Forest Department for acceptance of other wise of the proposal with remarks (While giving opinion the adverse comments made by concerned Conservator of Forests or Deputy Conservator of Forests Should be categorically reviewed and critically commented upon)	Recommended
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Place: Guntur

Date: 05.10.2018

Signature
Name
Office Seal