

**GOVERNMENT OF ANDHRA PRADESH
FOREST DEPARTMENT**

From: Dr. Mohd. Ilyas Rizvi, IFS., Prl. Chief Conservator of Forests (Head of Forest Force), Andhra Pradesh, "Aranya Bhavan", K.M. Munshi Road, Guntur-522004.	To, The Prl. Secretary to Government, Environment, Forests, Science & Technology Department, Andhra Pradesh Secretariat, Velagapudi, Amaravathi.
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Rc.No. 15539/2017/FCA-2, Dated: 14.10.2018

Sir,

Sub:- APFD - Forest (Conservation) Act, 1980- Diversion of 1.95 Ha of forest land in Sy.No.01/P, (Compt. No. 558) of Ellutla RF, Putturmandal Ananthapuramu Division & District for extraction of Barytes in favour Smt. J.C. Vijaya R/o Tadipatri Ananthapuramu District - In principle (Stage-I) approval accorded - Compliance report Submitted - Regarding.

- Ref:-
1. GoI, MoEF& C.C., RO Chennai F.No. 4-APB062/201 CHN/1358, Dt. 21.08.2018
 2. PCCF's Rc.No. 15539/2017-FCA-2, Dt. 28.08.2018.
 3. DFO, Ananthapuramu Ref.No.5225/2017/TO, Dt.06.10.2018.
 4. CF, Ananthapuramu Ref.No.2007/2017/TO, Dt. 06.10.2018.



It is informed that the Regional Office, MoEF&CC, Government of India, Chennai in the reference 1st cited have accorded In-principle (stage-I) approval under Forest (Conservation) Act, 1980 for diversion of 1.95 Ha. of forest land in Sy.No.01/P (compt.No.558) of Elutla RF, Puttur Mandal, Ananthapuram Division & District for extraction of Barytes in favour of Smt. J.C. Vijaya, Tadipatri, Ananthapuram District, subject to conditions stipulated therein. Further, the Government of India stated that after receipt of compliance report on fulfillment of the conditions mentioned therein, the proposal shall be considered for final approval under Section-2 of the Forest (Conservation) Act, 1980.

Accordingly, the Conservator of Forests, Ananthapuramu vide reference 4th cited has submitted compliance report.

The details of condition-wise compliance are as follows:-

Sl. No.	Condition	Reply
1	Legal status of the diverted forest land shall remain unchanged;	The Legal Status of the diverted forest land shall remain unchanged.
2	The 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. The User Agency shall ensure demarcation of	The Divisional Forest Officer, Anantapuram has reported that, the user agency has not demarcated the proposed mining lease area with 4 feet height cement concrete pillars at 20 Meters interval. Further the user

	boundary of safety zone (7.50 meter strip all along the outer boundary within the mining lease area);	agency has not demarcated the safety zone area also within the mining lease area. The UA has submitted an undertaking stating that the demarcation of proposed mining lease area will be carried out with 4 feet height cement concrete pillars at 20 Mts intervals and also demarcation of the boundary of the Safety zone area. An undertaking is enclosed.
3	Compensatory Afforestation over identified non-forest land over an extent of 2.040 Ha of non-forest in Sy. No. 207 of Anumpalli (Village) of Putlur (mandal) of Gooty Range of Ananthapuramu Division shall be raised and maintained by the State Forest Department from funds to be provided by the User agency;	<p>The Divisional Forest Officer, Anantapuram has reported that, the user agency has identified the non-forest land in Sy.No. 207 extent of 5.04 Acres (or) 2.040 Ha. in Anumpalli (Village) of Pamidi (mandal) of Gooty Range of Ananthapuramu Division. The Compensatory Afforestation scheme has been prepared over an extent of 2.04 Ha. identified by the UA, with a financial outlay of Rs. 13.700 lakh over a period of (12) years i.e. (10) years maintenance period after raising starting from 2019-20 to 2030-2031.</p> <p>The UA has deposited an amount of Rs. 13.70 lakh towards cost of CA through e-payment mode as demand notice issued by the DFO, Anantapuram vide this office Rc. No. 5225/2017/TO, dated 05.09.2018.</p>
4	Entire non-forest land identified over an extent of 2.04 ha in Sy. No. 207 of Anumpalli (Village) of Pamidi (M) of Gooty Range of Ananthapuramu Division for raising compensatory afforestation shall be transferred and mutated in favour of the State Forest Department before issue of the Stage-II clearance. The approved Compensatory Afforestation scheme shall not be changed without prior approval of the Central Government.	The Divisional Forest Officer, Anantapuram has reported that, the non-forest land identified in Sy.No. 207 of Anumpalli (v) of Pamidi (M) of Ananthapuramu District over an extent of 5.04 Acres (or) 2.04 Ha. has been transferred and mutated in favour of State Forest Department vide Tahsildar, Pamidi Proceedings Rc. No. 251/2018, dated 30.09.2018. Copy of the proceedings and mutation certificate enclosed.
5	The State Government shall charge the Net Present Value (NPV) of the diverted forest land measuring 1.95 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 and the guidelines issued by this Ministry vide its	The Divisional Forest Officer, Anantapuram has reported that, the User agency has deposited the NPV amount of Rs.12,20,700/- (Rupees Twelve lakh twenty thousand seven hundred only) 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 IAs in Writ

	letter No. 5-3/2007-FC, dated 05.2009 in this regard;	Petition (Civil) No. 202/1995 and the guidelines issued by this Ministry vide its letter No. 5-3/2007-FC, dated 05.2009.
6	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 under taking to this effect;	The Divisional Forest Officer, Anantapuram has reported that, the user agency has submitted an undertaking stating that we will pay an additional amount of NPV of the diverted forest land, if any due as per the orders of the Hon'ble Supreme Court of India. Copy enclosed.
7	The funds received from the User Agency towards Compensatory Afforestation and Net Present Value under this project shall be deposited in the respective Corporation bank account of the Andhra Pradesh State CAMPA. <u>The User Agency shall compulsorily deposit the NPV and other levies, only by generating challan through the Ministry's website;</u>	The Divisional Forest Officer, Anantapuram has reported that, the User agency has deposited an amount of Rs. 29,45,700/- (Rupees Twenty nine lakh forty five thousand seven hundred only) which includes amount of Rs. 12,20,700/- towards Net Present Value (NPV) and an amount of Rs. 13,70,000/- towards Compensatory Afforestation and an amount of Rs. 2,45,000/- Safety zone and Afforestation planting and an amount of Rs. 1,10,000 towards Gap planting including SMC works through online challan generated in Ministry's Website in Corporation Bank, Tadipatri vide Bank's Transaction No. 311220180926309132, dated 26.09.2018. Copy of payment receipt is herewith enclosed.
8	In case of mining leases adjoining habitation, the stretch of boundary of the safety zone of the lease adjacent to the habitation / roads should be properly fenced by the user agency at the project cost to protect the vegetation / regeneration activities in the safety zone;	The Divisional Forest Officer, Anantapuram has reported that does not arise since there are no habitations adjoining this mining lease.
9	Safety zone shall be maintained as green belt around the mining lease and to ensure dense canopy cover in the area, regeneration shall be taken in this area by the user agency at the project cost under the supervision of the State Forest Department.	The Divisional Forest Officer, Anantapuram has reported that, Safety zone area will be maintained as green belt and regeneration will be taken up at the project cost of Rs. 1.00 Lakh in the safety zone area. The User agency has deposited an amount of Rs. 1.00 lakh for regeneration SZ area and maintaining the same as Green belt.
10	The State Forest Dept., shall carry out afforestation and its maintenance in	The Divisional Forest Officer, Anantapuram has reported that,

	<p>degraded forest land, to be selected elsewhere measuring one and half times the area of forest land under safety zone at the project cost. The DGPS co-ordinates of the area shall be submitted along with compliance report.</p>	<p>Afforestation planting over 0.60 Ha will be raised over one and half times of safety zone area at the project cost of Rs. 1.45 lakh in degraded forest land Compt. No. 558, in Ellutla RF of Ellutla Beat of Tadimarri Section of Ananthapuramu. The user agency has not furnished the DGPS co-ordinates for the area identified for afforestation in degraded forest land.</p>
11	<p>The User agency either himself or through the State Forest Department shall undertake gap planting and soil & moisture conservation activities to restock and rejuvenate the degraded open forest (having crown density less than 0.40), if any, located in the area within 100 meters from outer perimeter of the mining lease and shall carry out the works as proposed in the mitigative measures plan for protection of forest area located adjacent to the proposed mining lease area;</p>	<p>The Divisional Forest Officer, Anantapuram has reported that, Gap planting & SMC works over an extent of 2.00 Ha in Compt. No. 558 of Ellutla RF of Ananthapuramu Range will be taken up by the Forest Department at project cost of Rs.1,10,000/-.</p> <p>The User Agency has deposited an amount of Rs. 1,10,000/- (Rupees One lakh ten thousand only) towards Gap planting & SMC works.</p>
12	<p>The user agency shall undertake mining in a phased manner and concurrent reclamation as per the approved mining plan, and submit an annual compliance report to the Regional Office, Chennai. If it is found that the activities indicated in the reclamation plan are not being executed by the user agency, the State Government or the Addl. Principal Chief Conservator of Forests (Central) may direct that the mining activities shall remain suspended till such time, such reclamation activities are satisfactorily executed;</p>	<p>The Divisional Forest Officer, Anantapuram has reported that, the user agency has submitted an undertaking stating that Mining as well as concurrent reclamation will be done as per the approved mining plan only and they will submit the annual report to the State Government and the Regional Office. Copy enclosed.</p>
13	<p>The user agency shall ensure stabilization of the overburden dumps by appropriate grading / benching so as to ensure that the angles of repose at any given place is less than 28°.</p>	<p>The Divisional Forest Officer, Anantapuram has reported that, the user agency has submitted an undertaking stating that they shall ensure stabilization of the overburden dumps by appropriate grading / benching. Copy enclosed.</p>
14	<p>Diversion of the said forest land under this approval shall be for a period co-terminus with the period of the mining lease proposed to be granted under the Mines and Minerals (Development and Regulation) amendment Act, 2015 or rules framed there under;</p>	<p>The Divisional Forest Officer, Anantapuram has reported that, the user agency has submitted an undertaking stating that the period of diversion of forest land under this approval will be co-terminus with the period of mining lease as deemed extended under the Rules made</p>

		under Section 15 of MMDR Act, 1957 as per the Ministry's guidelines No.11-51/2015-FC dated 30-11-2017. Copy enclosed.
15	User agency shall obtain Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986;	The Divisional Forest Officer, Anantapuram has reported that, the user agency has given undertaking stating that they will submit the Environmental Clearance certificate as per provisions of Environmental (Protection) Act 1986. Copy enclosed.
16	The consent of State Pollution Control Board shall be obtained under the Air and Water Act before commencement of mining operations and it shall be renewed regularly.	The Divisional Forest Officer, Anantapuram has reported that, the user agency has given undertaking stating that, they will submit the Consent of State Pollution Control Board under the Air and Water Act before commencement of the Mining operations and it will be renewed regularly. Copy enclosed.
17	No labour camps shall be established on the forest land. User agency shall provide firewood preferably alternate fuel to the labourers and the staff working at the site as to avoid any damage and pressure on the adjacent forest areas;	The Divisional Forest Officer, Anantapuram has reported that, the User agency has submitted an undertaking stating that, No labour camps will be established on the forest land and will provide firewood preferably alternative fuel to the labourers and staff working at site. Copy enclosed.
18	Only temporary storage sheds shall be set up in the diverted forest area and no permanent structure shall be constructed in the forest area;	The Divisional Forest Officer, Anantapuram has reported that, the User agency has submitted an undertaking stating that, only temporary storage sheds will be set up in the diverted forest land and no permanent structures will be constructed in the diverted forest area. Copy enclosed.
19	The layout plan of the proposal shall not be changed without the prior approval of the Central Government;	The Divisional Forest Officer, Anantapuram has reported that, the User agency has submitted an undertaking stating that the layout plan of the proposal will not be changed without approval of the Central Government. Copy enclosed.
20	The User Agency and the State Government shall ensure compliance to the Acts, Rules, Regulations and Guidelines of the Ministry, for the time	The Divisional Forest Officer, Anantapuram has reported that, the User agency has submitted an undertaking stating that to ensure

	being in force, as applicable to such project;	compliance to all the Acts and Rules, Regulations and guidelines of the Ministry for time being in force, as applicable to this project. Copy enclosed.
21	The forest land shall not be used for any purpose other than the specified in the proposal and total forest area utilized for the project shall not exceed 1.95 ha (including safety zone area). User Agency shall furnish an undertaking to this effect;	The Divisional Forest Officer, Anantapuram has reported that, the User agency has submitted an undertaking stating that the Forest land will not be used for any purpose other than that specified in the proposal and total forest area utilized for the project will not exceed 1.95 ha (including safety zone area). Copy enclosed.
22	The forest land proposed to be diverted shall under no circumstances be transferred or sublet to any other agency or Department or person without prior approval of the Central Government;	The Divisional Forest Officer, Anantapuram has reported that, the User agency has submitted an undertaking stating that the Forest land proposed to be diverted under no circumstances be transferred or sublet to any other agency or Department or person without prior approval of the Central Government. Copy enclosed.
23	The PCCF and the Nodal Officer (FCA) of the State of Andhra Pradesh shall instruct all the field level officers to implement the CA scheme in its entirety as per the proposal and no CA amount shall be left unspent;	The Divisional Forest Officer, Anantapuram has reported that, the CA scheme will be implemented as per the proposals submitted and no CA amount will be left unspent.
24	Any other condition that the Additional Prl. Chief Conservator of Forests, (Central), 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;	The Divisional Forest Officer, Anantapuram has reported that, the User agency has submitted an undertaking stating they comply with any other condition imposed by the Addl. Prl. CCF (Central), Regional Office, Chennai from time to time in the interest of afforestation, conservation and management of flora and fauna in the area. Copy enclosed.
25	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.	The Divisional Forest Officer, Ananthapuramu has reported that The User agency has submitted an undertaking stating that to liable for Penal Action as decided by the Additional PCCF (Central), Regional Office, Chennai in case of failure to comply with any of the conditions imposed by the Government of India. Copy enclosed.

In view of the above, the condition-wise compliance report submitted by the Conservator of Forests, Ananthapuramu along with enclosures are herewith submitted in duplicate for onward transmission to the Regional Office, MoEF & CC, Government of India, Chennai as called for.

Encl:- As above.

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

//True Copy//


15/10/18
for Prl. Chief Conservator of Forests


15/10/18