

I/57687/2023



भारत सरकार
GOVERNMENT OF INDIA
 पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
**MINISTRY OF ENVIRONMENT, FORESTS &
 CLIMATE CHANGE**



Sub office of the Regional Office, Chennai

Green House Complex, Gopal Reddy Road

Vijayawada – 520010, Andhra Pradesh

email: iro.vijayawada-mefcc@gov.in

F.No. 4-APB201/2023-VIJ/1377

Date 18th November, 2023

To

The Special Chief 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 forest land over an extent of 3.96 ha. in
 Compartment No.313, Gulamaliabad South Reserve Forest,
 Dhone Range, Kurnool Division & District in favour of Sri Y.
 Mahendranath Reddy, Banaganapalli (V) & (M), Kurnool
 District for grant of quarry lease for Road Metal-Reg.**

Sir,

Please refer to the State Government's letter Nos. 2416/Section.II/2022/(1868143) Dated: 02.02.2023 and online proposal No. FP/AP/QRY/120443/2021 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 and with the approval of the competent authority, I am directed herewith to convey the Central Government's in principle approval **(Stage-I)** under Section '2' of Forest (Conservation) Act, 1980 for diversion of forest land over an extent of **3.96 ha.** in Compartment No.313, Gulamaliabad South Reserve Forest, Dhone Range, Kurnool Division & District in favour of Sri Y. Mahendranath Reddy, Banaganapalli (V) & (M), Kurnool District for grant of quarry lease for Road Metal, subject to the following conditions:-

- (i) Legal status of the diverted forest land shall remain unchanged;
- (ii) Demarcation of the forest area proposed for diversion shall be carried out by erecting 4 feet high cement concrete pillars duly numbered at an interval of 20 meters at the cost of the User Agency. The User Agency shall ensure demarcation of boundary of safety zone;
- (iii) The State Forest Department shall raise and maintain plantation identified in the non-forest land as per CA scheme over an extent of **3.97 ha** in Sy.nos.780 & 781, Racherla Village, Peapully

Mandal, Kurnool District from the funds to be provided by the User Agency. **UA shall ensure fencing of the CA area at its cost;**

- (iv) The entire non-forest land proposed for CA over an extent of **3.97 ha** in Sy.nos.780 & 781, Racherla Village, Peapully Mandal, Kurnool District for raising compensatory afforestation shall be transferred and mutated in the name of Forest Department and notified as RF/PF prior to Stage-II approval. A copy of the original notification declaring the non-forest land under Section 4 or Section 29 of the Indian Forest Act, 1927, or under the relevant section of the State Forest Act, may be submitted by the State Government prior to Stage-II approval;
- (v) The approved CA land and compensatory afforestation scheme shall not be changed without prior approval of the Central Government;
- (vi) The State Government shall charge the Net Present Value of the diverted forest land measuring **3.96 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 Ministry's guideline No. 5-3/2011-FC(Vol-I) dated 06.01.2022 and clarification issued vide letter dated 22.03.2022;
- (vii) 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;
- (viii) All the funds received from the User Agency under the project shall be transferred/ deposited to CAMPA fund only through e-portal (<https://parivesh.nic.in/>);
- (ix) Dumping shall be carried out within the earmarked extent of area as specified in the mining plan. The user agency shall ensure stabilization of the overburden dumps by appropriate grading/ benching so as to ensure that that angles of repose at any given place is less than 28°;
- (x) As the mining plan submitted for the first 5 years of the mining lease period. The Approved mining plan shall be submitted to Sub Office Vijayawada / RO Chennai before commencement of mining activity from 6th year onward;

- (xi) The State Forest Department shall ensure in house monitoring of the project site every year and such monitoring report shall be submitted to Sub Office Vijayawada/ RO Chennai through State Government;
- (xii) In case the mining lease is adjoining habitation, the stretch of the 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;
- (xiii) Safety zone shall be maintained as a green belt and to ensure dense canopy cover in the area, regeneration activity shall be taken up by the User Agency at the project cost under the supervision of the State Forest Department;
- (xiv) The State Forest Department shall carry out afforestation and its maintenance on degraded forest land over an extent of **0.885 ha** (one and half times the safety zone area) in degraded forest area in Gulamaliabad South RF, Gulamaliabad Beat, Banaganaplli section, Dhone Range in lieu of safety zone area of 0.59 ha;
- (xv) The State Forest Department shall undertake gap planting and soil and moisture conservation activities to restock and rejuvenate the degraded open forest (having crown density less than 0.4), if any, located in the area within 100 meters from the outer perimeter of the mining lease using native species at the project cost;
- (xvi) The User Agency shall undertake mining and reclamation as per the approved mining plan, and submit an annual compliance report to the Sub Office Vijayawada/ RO Chennai;
- (xvii) The 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. The User Agency shall submit a copy of the mining lease once obtained, to Sub Office Vijayawada for record;
- (xviii) The User Agency shall obtain Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986;
- (xix) Consent of the State Pollution Control Board shall be obtained under the Air and Water Act before commencement of mining operations and it shall be renewed regularly;

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- (xx) No labour camps shall be established on the forest land. The User Agency shall provide firewood, preferably alternate fuel to the labourers and the staff working at the site so as to avoid any damage and pressure on the adjacent forest areas;
- (xxi) The layout plan of the proposal shall not be changed without prior approval of the Central Government;
- (xxii) The User Agency and the State Government shall ensure compliance to all the Acts, Rules, Regulations, Court Orders and Guidelines of the Ministry, for the time being in force, as applicable to such project;
- (xxiii) The forest land shall not be used for any purpose other than that specified in the proposal and total forest area utilized for the project shall not exceed **3.96 ha (including safety zone area)**. The User Agency shall furnish an undertaking to this effect;
- (xxiv) 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;
- (xxv) Any other condition that the DDG (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;
- (xxvi) In the event of failure to comply with any of the above conditions the User Agency is liable for penal action as per the rules / guidelines issued under FCA, 1980;
- (xxvii) The State Government / User Agency shall ensure submission of compliance report on above conditions through online i.e. (<https://parivesh.nic.in/>).

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

Yours faithfully,

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(Balaji Kari)

Assistant Inspector General of Forests (Central)

Copy to:

1. The Principal Chief Conservator of Forests, Forests Department & HoFF, AP Forest Department, Aranya Bhavan, P.V.S. Land Mark,

- Ground Floor, Opposite to IHC Corporate, Industrial Park, Mangalagiri, Guntur District, Andhra Pradesh-522503
2. The Principal Chief Conservator of Forests/Nodal Officer (FCA), Office of the Principal Chief Conservator of Forests, Forests Department, Aranya Bhavan, P.V.S. Land Mark, Ground Floor, Opposite to IHC Corporate, Industrial Park, Mangalagiri, Guntur District, Andhra Pradesh-522503
 3. The IGF, RO(HQ) Division, Ministry of Environment, Forests & Climate Change, Indira Paryavaran Bhavan, Jor Bagh Road, Aliganj, New Delhi - 110 003.
 4. Shri Mahendranath Reddy, H.No.2/23-4-16, Near G.M.Talkies, Banaganapalli (V) & (M), Kurnool District, Andhra Pradesh 518124.
ybtr678@gmail.com
 5. Guard file

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(Balaji Kari)

Assistant Inspector General of Forests (Central)

Signed by Balaji Kari

Date: 18-11-2023 15:35:50

Reason: Approved