

**GOVERNMENT OF ANDHRA PRADESH
FOREST DEPARTMENT**

Rc.no.3771/2021/H5
Dated:22-08-2022.

Office of the District Forest Officer,
Kurnool (T) Division, Kurnool.

// DEMAND NOTICE //

Sub: APFD - F(C) Act, 1980 – Proposal for Diversion of 12.58 ha forest land in Compartment nos.93, 94, 106, 111, 112, 113 & 114 of Gani RF, Kurnool Division for construction of Integrated Corridor (Laying Transmission Line, Water Pipe Network and Road) from Gorakallu Reservoir to Pinnapuram Pumped Storage Project (PSP) in Panyam(M) Kurnool District in favour of M/s Himachal Infracon Private Ltd, Hyderabad- In-principle (**Stage-I**) approval accorded -
- Demand notice issued - Compliance report called for - Reg.

- Ref:**
1. GoI, MoEF & CC, IRO, Vijayawada, F.no.4-APC181/2022-VIJ/474, dt.27.07.2022.
 2. Govt.of A.P.Memo.no.1486/Section-II/2022 (1764447), EFS&T (Section.II), Dept., dt.28.07.2022.
 3. Prl.CCF (HoFF), AP, Guntur Ref.no.EFS02/15035/4/2021-FCA SEC-PCCF /FCA-1, dt.02.08.2022 communicated in CF, Kurnool Rc.No.4385/2021/TO, dt.02.08.2022.
 4. CF, Kurnool Rc.no.4385/2021-TO, dt.18.08.2022.

It is informed that, in the reference 1st Government of India, Ministry of Environment, Forests & Climate Change, IRO, Vijayawada have accorded in-principle (Stage-I) approval U/s 2 of Forest (Conservation) Act, 1980, for diversion of 12.58 ha of forest land in Compartment Nos.93, 94, 106, 111, 112, 113 & 114 of Gani RF, Kurnool Division for construction of Integrated Corridor (Laying Transmission Line, Water Pipe Network and Road) from Gorakallu Reservoir to Pinnapuram Pumped Storage Project (PS) in Panyam (M), Kurnool District in favour of M/s Himachala Infracon Private Limited, Hyderabad subject to fulfillment of the following conditions and while communicating the Stage-I approval, in the reference 2nd, the Government of Andhra Pradesh has requested to furnish Stage-I compliance report.

Accordingly, vide reference 3rd cited, the Principal Chief Conservator of Forests & HoFF, AP, Guntur, Kurnool has communicated the Stage-I approval accorded by the GoI for the project mentioned at subject and requested to submit the condition wise compliance report on 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 the User Agency;
- (iii) The State Forest Department shall carry out required CA activities over an extent of 12.75 ha (Bit-1-4.51 ha and Bit-II-8.24 ha) in SY.nos.1830, 1836, 1835, 1828/part, 1828/1part, 1828/2, 1829/part and 1827 in Panyam Village, Panyam Mandal, Kurnool District, at the cost of the User Agency;

- (iv) The Non forest area identified for CA purpose and CA scheme shall not be changed without prior approval of the Central Government. The CA land shall be demarcated properly and local villagers are adequately sensitized regarding the transfer of non forest land to Forest Department so as to avoid encroachments;
- (v) Entire non-forest land identified over an extent of **12.75 ha** (Bit-1-4.51 ha and Bit-II-8.24 ha) in SY.nos.1830, 1836, 1835, 1828/part, 1828/1part, 1828/2, 1829/part and 1827 in Panyam Village, Panyam Mandal, Kurnool District for raising compensatory afforestation shall be transferred and mutated in favour of the State Forest Department and shall notified as RF/PF before issue of the Stage-II clearance. **Copy of such notification shall be submitted along with the compliance report;**
- (vi) The State Government shall charge the Net Present Value for the diverted forest land measuring **12.58 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) The User Agency shall get a Wildlife Mitigation Plan prepared & get it duly approved by the Chief Wildlife Warden before lifting of water from Gorakallu Reservoir. The State Forest Department shall implement the same at the cost of User Agency. An undertaking shall be furnished to this effect by the User Agency.
- (x) The User Agency shall submit RoFR certificate in the Ministry's prescribed format before issuance of Stage-II approval;
- (xi) The forest land proposed for diversion shall under no circumstances be transferred or sublet to any other agency department or person without the prior approval of the Central Government;
- (xii) Felling of tree shall be carried out wherever necessary under strict supervision of the Forest Department;
- (xiii) As the project is linear in nature, in case of issuing of working permission, the State Government shall ensure compliance to all such necessary conditions before issuing of working permission as the case may be;

- (xiv) The User Agency shall maintain standard Right of Way for the proposed transmission line with capacity of 33 KV;
- (xv) The User Agency shall construct retaining walls and check walls wherever required, by consulting the DFO concerned, at the project cost;
- (xvi) 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;
- (xvii) The dug out material /over burden shall be dumped outside the forest area. Storage of any material shall not be done in the forest area;
- (xviii) The layout plan of the proposal shall not be changed without the prior approval of the Central Government;
- (xix) The User Agency shall provide fire wood preferably alternate fuel to labourers working at the site to avoid damage/tree felling and no labour camp shall be established inside the forest area;
- (xx) 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 Agency to ensure that the labourers & staff engaged in execution of work do not destruct nearby forest flora & fauna;
- (xxi) The total forest area utilized for the project shall not exceed 12.58 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;
- (xxii) No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
- (xxiii) The User Agency and the State Government shall ensure compliance to provisions of the all Acts, Rules, Regulations and Guidelines, for the time being in force, as applicable to the project;
- (xxiv) Any other conditions that the Central Government or Regional Officer (Central) of Integrated Regional Office, Vijayawada 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;
- (xxv) In the event of failure to comply with any of the above conditions the User Agency is liable for penal action as per the provisions under rules/guidelines issued under FCA, 1980.

**Amount demanded to be deposited in “State CA fund” of the Andhra Pradesh
State through e-challan only.**

(As per IGF, Ad-hoc CAMPA Lr.No.12-2/2010-CAMPA dated:09.06.2016 communicated vide PCCF's
Rc.No.4592/2001/FCA-4(i), dt.04.07.2016)

Sl. No	Condition No. stipulated in the stage-I of GoI/AP	Category	Unit rate (whether applicable)	Total Area (0.00 Ha)	Total Amount (Rs.0.00 Lakhs)
1	(iii)	CA	---	12.75 ha	Rs.173.00000
2	(vi)	NPV	9.5778 lakhs/Ha	12.58 ha	Rs.120.48872
3	--	Safety Zone	--	--	--
4	--	Penal CA/ACA	--	--	--
5	--	CAT	--	--	--
6	--	Any other (Please specify)	--	--	--
Grand Total					Rs.293.48872

In addition to the above, the user agency is requested to comply with the following in accordance with the Government of India instructions issued in F.No.7-23/2012-FC, dt.24.07.2013 communicated vide PCCF & HoFF, A.P., Guntur Ref.no.45921/2001-F4, dt.23.08.2013 and publish the orders at the cost of the project proponent.

1. Publish the entire forest clearances granted in verbatim along with the conditions and safe-guards imposed by the Central Government in two widely circulated daily newspapers, one in vernacular language and another in English language, so as to make people aware of the permission granted to the project proponent for use of forest land for non-forestry purposes.
2. The copies of the Forest Clearances should also be submitted to the Heads of local bodies, Panchayats and Municipal Bodies by the project proponents in addition to the relevant offices of the Government who in turn has to display the same in 30 days.

Further, it informed that, with regards to cost of value of tree extraction, logging and transportation etc., in the forest area diverted is under preparation and it will be issued separately for depositing the funds in favour of the DFO, Kurnool.

Further, the user agency is requested to furnish the compliance report on the conditions stipulated in the Stage-I approval through online in “Parivesh” portal (www.parivesh.nic.in web portal) as well as in soft and hard copies at an early date for further process.

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

Sd/-Ms.Suman Beniwal
District Forest Officer,
Kurnool (T) Division, Kurnool.

To

The AGM/Director, M/s Himachal Infracon Private Limited, Corp.Office; Plot.No.226, Road No.78, Phase III, Jubile Hills, Hyderabad, Telangana-500096. The User Agency is instructed do not start any work in the proposed diversion area before issuance of working permission, if any violations noticed, action will be initiated as per the F(C), Act 1980, Rules, Regulations and Guidelines, for the time being inforce, as applicable to the project.

Copy submitted to the Conservator of Forests, Kurnool Circle, Kurnool for favour of kind information and necessary action.

Copy to the Forest Range Officer, Kurnool for information and necessary action. He must ensure that there is no violation of Forest (Conservation) Act, 1980 by the User agency before issuance of working permission. If the User Agency violates the provisions of F(C) Act, 1980, the FRO, Kurnool and concerned staff will be personally held responsible.

Copy to Superintendent (Accounts) for information and necessary action.

Sd/-Ms.Suman Beniwal
District Forest Officer,
Kurnool (T) Division, Kurnool.

//t.c.b.o//

Technical Assistant

22/8/22