

GOVERNMENT OF ANDHRA PRADESH
ENVIRONMENT, FORESTS, SCIENCE & TECHNOLOGY (Section-II) DEPARTMENT

Letter No.1725/Section-II/2022/1801428

Dated:24.04.2023

From
The Special Chief Secretary to Government
EFS&T Department,
A.P. Secretariat, Velagapudi,
Amaravati-522503.

To
The Inspector General of Forests (Central),
Government of India, Ministry of Environment, Forests & Climate Change,
Integrated Regional Office,
Green House Complex,
Gopal Reddy Road, Vijayawada-520010 (w.e)

Sir,

Sub: Diversion of 4.89 ha of forest land in compartment No.121 of Utukuru RF, Nellore Division for grant of Mica, Quartz & Feldspar in favour of Sri P. Dilip Kumar - Forest Clearance under Forest (Conservation) Act, 1980 – Reg.

Ref: 1)From the PCCF&HoFF, A.P., Lr.Ref.no.EFS02-15029/6/2021-FCA SEC-PCCF/FCA-3, dated:18.07.2022.
2)Govt.Memo.No.1725/Sec.II/2022/1801428, EFS&T(Sec.II) Dept., dt.02.09.2022.
3)From the PCCF&HoFF, A.P., Lr.Ref.no.EFS02-15029/6/2021-FCA SEC-PCCF/FCA-3, dated:31.10.2022.
4)Govt.Memo.No.1725/Sec.II/2022/1801428, EFS&T(Sec.II) Dept., dt.21.12.2022.
5) From the DMG, Ibrahimpatnam, Lr.No.8452/D8/2020, dt.23.01.2023.

I am inform that in the reference 1st cited the Principal Chief Conservator of Forests & Head of Forest Force, Andhra Pradesh, has stated that the Director of Mines and Geology vide letter dt.31.12.2021, has forwarded the application for diversion of 4.89 ha forest land in Sy.No.357 of Chaganam RF, Utukuru, Sydapuram Mandal, SPSR Nellore Division for grant of Mica, Quartz & Feldspar in favour of Sri P. Dilip Kumar. The DMG has furnished the following information submitted by the applicant through Asst. Director of Mines & Geology, Nellore.

- The Minerals applied for are not available in non-forest area since the available minerals in the existing leases are almost exhausted and available within ten years only.
- The proposed area is falling within the Chaganam Reserve Forest area, situated in North East Part of the Forest Boundary of Chaganam Reserve Forest.
- With the above information, the Director of Mines and Geology, A.P, Ibrahimpatnam has recommended for diversion of 4.89 ha forest land in Sy.No.357 of Chaganam RF, Utukuru, Sydapuram Mandal, SPSR Nellore Division for grant of Mica, Quartz & Feldspar in favour of Sri P. Dilip Kumar.

2. Further, after authentication of the said area in Sy.No.357 in Reserve Forest using DGPS survey, the forest area proposed for diversion falls in compartment no.121 of Utukuru RF, Chaganam beat, Venkatagiri Range, Nellore (T) Division. The User Agency i.e., Sri P. Dilip Kumar has uploaded proposals in the Ministry's web portal for diversion of 4.89 ha of forest land in Compartment No.121 of Utukuru RF, Nellore Division for grant of Mica, Quartz & Feldspar in favour of Sri P. Dilip Kumar. The proposal is registered with unique No.FP/AP/QR/150390/2021, dated: 21.12.2021. Accordingly, the proposals were forwarded to the District Forest Officer, SPSR Nellore for processing as per the guidelines of Forest (Conservation) Act, 1980 through the Chief Conservator of Forests, Guntur. Subsequently, the Chief Conservator of Forests, Guntur, has submitted the proposals duly processed under Forest (Conservation) Act, 1980, which are as detailed below:

(Contd.P.-2)

i) The user agency has furnished the following information in Part-I:

- The proposal is for diversion of 4.89 ha of forest land in compartment no.121 of Utukuru RF, Nellore Division for grant of Mica, Quartz & Feldspar in favour of Sri P. Dilip Kumar.
- The user agency has furnished justification letter stating that, the proposed area is well known for Mica, Quartz & Feldspar, especially for Feldspar and locally called as "Tellabodu" because of prominent white appearance due to the presence of white Feldspar which is white in colour. The mineral bearing area is already broken up area and not available in non-forest area. The available minerals in the existing leases are almost exhaust and available within ten years only.
- The user Agency has furnished the DGPS authenticated maps for the area proposed for diversion and CA land.
- The user agency has furnished the approved Mining Plan of the subject proposal for the forest area proposed to be diverted falls in Utukuru RF.
- **Statement showing the details of forest area involved:**

Sl.No.	Purpose	Area in ha
1	Mining area	4.08
2	Safety zone area	0.69
3	Approach road area	0.12
	Total area	4.89

- The User Agency has submitted the certificate under RoFR Act, 2006, as required under F (C) Act, 1980 and also obtained no objection certificate from local bodies like Gram Sabha etc.
- The user agency has indicated the safety zone area for the proposed mining in the authenticated DGPS map.
- The User Agency has submitted undertakings to bear the cost of raising and maintenance of compensatory afforestation in identified CA land, payment of NPV, Additional NPV, Environment Clearance, Reclamation and Afforestation, cost of fencing and regeneration of safety zone afforestation over one and half times of degraded forest area as per the guidelines issued under F(C) Act, 1980.
- The User Agency has identified non-forest land for compensatory afforestation over an extent of 5.16 ha in Mettupalli (V), Owk Mandal, Kurnool District, Kurnool Division in (3) bits.
- The user agency has submitted the details of non-forest land identified in Sy.No.400, Thummala Thalupur (V), Sydapuram (M), SPSR Nellore to an extent of 2.371 Ha for waste management purpose.
- The User Agency has submitted that the employment likely to be generated is 5 no. skilled and 20 no. Semi-skilled persons.
- The User Agency has certified that there is no violation occurred under provisions of Forest (Conservation) Act, 1980.

ii) The District Forest Officer, SPSR Nellore has furnished the information in Part-II as follows:

- The District Forest Officer has submitted an abstract of enumeration of Tree growth and mentioned that 119 no. of trees to be felled in the proposed area.
- The District Forest Officer, SPSR Nellore has inspected the forest area involved in the project proposal on 28.03.2022 and stated that, the density of adjacent RF is 0.50. The area falls in Eco-Class-IV (Tropical thorn forests) Dense forest. The species such as Acacia leucophloea, Azardirachta indica, Albizzia amara etc. are noticed in the proposed area.
- The area proposed for diversion is not vulnerable to erosion.
- The area proposed for diversion does not forms part of National Park, Wildlife Sanctuary, Biosphere Reserve, Tiger Corridor, Elephant Corridor etc.
- No rare / endangered / unique species of flora and fauna found in and around the area proposed for diversion.
- No protected archaeological / heritage site/defense establishment or any other important monument is located in the area proposed for diversion.

(Contd.P-3)

- The requirement of the forest land is 4.89 ha as proposed by the User Agency is unavoidable and barest minimum for the project
- It is reported that, at about 10.00 pm on 18.08.2020, **when two JCBs are illegally excavating the Quartz stone and loading the tractors in compartment No.121 of Utukuru RF, concerned Beat staff have booked a forest case in DoR No.5/2020-21. The quantity of dugout quartz has been calculated to 241.49 cmt and compound fee has been collected to a tune of Rs.11, 12, 214/- from the offenders.** Copies of the connected case reports are enclosed. It was also opined that, while preparing the mining plan, the mining authorities might have considered these pits as old mined pits. The Present User Agency has not violated the provisions of Forest (Conservation) Act, 1980.

3. The District Forest Officer, SPSR Nellore has Recommended the proposal in part-II. The Chief Conservator of Forests, Guntur has not inspected the proposed area for diversion, as the area proposed for diversion is less than 40 ha. The Chief Conservator of Forests, Guntur has agreed with the information given in Part-II by the District Forest Officer, SPSR Nellore and Recommended the proposal in Part-III. In Part-IV, the Nodal Officer (FCA), Andhra Pradesh has agreed with the information given in Part -II and Part -III by the District Forest Officer, SPSR Nellore and the Chief Conservator of Forests, Guntur and Recommended the proposal in Part -IV.

4. As per para 2.3 of Chapter -2 of Comprehensive guidelines issued by the Government of India, Ministry of Environment, Forests & Climate Change, New Delhi in letter F.No.5-2/2017-FC, dated:28.03.2019, the User Agency has identified non-forest land over an extent of 5.16 ha in Sy.no.714/4, 715/1/B, 714/1, 718/1, 718/2 & 718/4 in Mettupalli (V), Owk Mandal, Kurnool District, Kurnool Division in (3) bits for Compensatory Afforestation purpose.

5. The District Forest Officer, Kurnool has inspected the non-forest land identified for Compensatory Afforestation. As per para 2.8 of Chapter -2 of Comprehensive guidelines issued by the Government of India, Ministry of Environment, Forests & Climate Change, New Delhi in letter F.No.5-2/2017-FC, dated: 28.03.2019, the District Forest Officer, Kurnool has prepared CA Scheme to an extent of 4.20 ha with a financial amount of Rs.47.00 lakh for a period from 2023-24 to 2034-35 with 10 years maintenance. Copy of the CA scheme, map, soil suitability certificate is enclosed. Site inspection report of the District Forest Officer, Kurnool has been uploaded at Nodal Officer level.

6. The District Forest Officer, Kurnool has issued Land Suitability certificate stating that the non-forest land identified over an extent of 4.20 ha in Sy.no.714/4, 715/1/B, 714/1, 718/1, 718/2 & 718/4, Mettupalli Revenue village, Owk mandal of Dhône Range for raising compensatory Afforestation plantation is suitable for Raising of plantations with Forestry species and this site is suitable from management and protection point view. The authenticated CA land map and Survey of India map in 1:50,000 is enclosed.

7. As per para 2.6 (ii) of comprehensive guidelines issued by the Government of India, Ministry of Environment, Forests & Climate Change, New Delhi in letter F.No.5-2/2017-FC, dated:28.03.2019, degraded forest land for afforestation measuring one and half time the area of forest land under safety zone has been identified to an extent of 1.855 ha in compartment no.121, Utukuru RF, Venkatagiri Range. The District Forest Officer, SPSR Nellore has prepared CA scheme to an extent of 1.10 ha with a financial out lay of Rs.23.41 lakh for a period from 2023-24 to 2034-35 with 10 years maintenance. Copy of the map along with CA Scheme is enclosed.

8. The Principal Chief Conservator of Forests & Head of Forest Force has requested to take necessary action for onward submission of the proposal to Government of India, Ministry of Environment, Forests & Climate Change, Integrated Regional Office, Vijayawada to accord forest clearance under Section-2 of Forest (Conservation) Act, 1980 and amendments therein.

9. In this regard, the Principal Chief Conservator of Forests & Head of Forest Force, has been requested to furnish a detailed report on illegal mining and also compliance report on the stage-II conditions stipulated by the Government of India, Ministry of Environment, Forests & Climate Change, for further processing of the proposal vide in the reference 2nd cited.

10. In the reference 3rd cited, the Principal Chief Conservator of Forests & Head of Forest Force, has informed that there are no proposals for a mining lease in the said area and no such Stage-II permission accorded by the Government of India. Further, on 18.08.2020 at about 10 PM when two JCBS are illegal excavating the quartz stone and loading the tractors in compt.No.121 of Utukur RF, concerned Beat Staff booked a forest case in DOR No.5/2020-21. The quantity of dugout quartz has been calculated to 241.49 cm and the compound fee has been collected to the tune of Rs.11,12,124/- from the offenders. Hence, compliance report for the earlier mining lease does not arise for this case as there are no such permissions accorded by the Government of India.

11. However, the Director of Mines & Geology, Vijayawada, has been requested to offer his specific remarks on para 9 & 10 above for taking further action in the matter vide in the reference 4th cited. In the reference 5th cited, the Director of Mines & Geology, has informed that no quarry lease was granted in Compartment No.121 of Utukur RF, Nellore Division as on date. As per Office records no information had been received regarding illegal Mining in Compartment No.121 of Utukur RF, Nellore Division from Forest or Revenue Departments. As such no action was initiated in this regard by the ADM&G, Nellore.

12. I enclose the statutory proforma proposal together with its enclosures received from the Principal Chief Conservator of Forests & Head of Forest Force duly recommending in Part-V and request you to obtain and communicate the approval of competent authority for diversion of 4.89 ha of forest land in compartment No.121 of Utukuru RF, Nellore Division for grant of Mica, Quartz & Feldspar in favour of Sri P. Dilip Kumar under Section-2 of Forest (Conservation) Act, 1980.

Yours faithfully,


for Special Chief Secretary to Government

Copy to:

The Principal Chief Conservator of Forests & Head of Forest Force,
Andhra Pradesh, Mangalagiri.

Sri P.Dilip Kumar,
S/o.Parthasarathi, D.No:5-145,
SK Nagar, Tirupati.

PART-V

Proposal for diversion of 4.89 ha of forest land in compartment No.121 of Utukuru RF, Nellore Division for grant of Mica, Quartz & Feldspar in favour of Sri P.Dilip Kumar.

18. Recommendation of the State Government	Recommended
--	-------------

Signature



Dr. P.V. CHALAPATHI RAO, I.F.S.,
Special Secretary to Government
Environment, Forests, Science
and Technology Department
A.P. Secretariat, Velagapudi - 522238,

Official Seal

Date: 24-04-2023

Place: AMARAVATI