



भारत सरकार

GOVERNMENT OF INDIA

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय

MINISTRY OF ENVIRONMENT, FORESTS & CLIMATE CHANGE

Regional Office (South Eastern Zone),

1st & 2nd floor, HEPC Building, No.34, Cathedral Garden Road,

Nungambakkam, Chennai - 600034, Tel. 044-28222041,

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F.No.4-APB059/2018-CHN/0804

Date 23rd May, 2018

To,

The Principal 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 3.34 ha of Forest land in Keelapatla & Thumba North RFs in Chittoor (West) Division for improvements to Rayalpeta-Madhavaram Road, in favour of Executive Engineer (R&B) Division, Chittoor-reg.

Sir,

Please refer to the State Government's letter No.1504/Section-II/2018 dated 23.04.2018 and online proposal No. FP/ AP/ROAD/30277/2017 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, I am directed to convey the Central Government's in principle approval (**Stage-I**) under Section '2' of Forest (Conservation) Act, 1980 for diversion of 3.34 ha of Forest land in Keelapatla & Thumba North RFs in Chittoor (West) Division for improvements to Rayalpeta-Madhavaram Road, in favour of Executive Engineer (R&B) Division, Chittoor-, subject to the following conditions:-

- (i) Legal status of the diverted forest land shall remain unchanged;
- (ii) 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;
- (iii) The Compensatory Afforestation (CA) over 3.50 ha (out of 4.79 ha) of non forest area identified in Sy 106 (old Sy No 85) of Kaigallu (V) of Baireddipalle (M) in Chittoor shall be carried out at the cost of the user agency. A minimum of 3340 numbers of plants shall be raised in the identified non forest land for compensatory afforestation. In case, if the required numbers could not be planted therein, the balance shall be planted in the nearby degraded forest land identified by the State Forest Department at the cost of the user agency and map of such degraded forest area along with DGPS co-ordinates shall be furnished along with the compliance report;

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- (iv) Entire non-forest land over an extent of **4.79 ha** identified for compensatory afforestation shall be transferred and mutated in favour of the State Forest Department before issue of the Stage-II clearance;
- (v) Non-forest land which needs to be transferred and mutated in favour of the State Forest Department for the purpose of compensatory afforestation shall be declared as Reserved Forest under Section-4 or Protected Forest under Section-29 of the Indian Forest Act, 1927 or under the relevant Section(s) of the State Forest Act. The Nodal Officer must report compliance within a period of six months from the date of grant of final approval and send a copy of the original notification to this office for information and record;
- (vi) Identified CA land and approved CA scheme shall not be changed without the prior approval of the Central Government and the State Forest Department shall ensure that CA scheme is implemented in full and the amount realized from the user agency towards compensatory afforestation shall not be left unspent;
- (vii) The State Government shall charge the Net Present Value of the diverted forest land measuring **3.34 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;
- (viii) 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 User Agency. User Agency shall furnish an undertaking to this effect;
- (ix) The funds received from the User Agency towards Compensatory Afforestation and Net Present Value under this project shall be deposited in the **Corporation bank account of the Andhra Pradesh State CAMPA. The User Agency shall compulsorily deposit the NPV and other levies only by generating challan through the Ministry's website;**
- (x) The layout plan of the proposal shall not be changed without the prior approval of the Central Government;
- (xi) The user agency shall provide fire wood preferably alternate fuel to labourers working at the site to avoid damage/tree felling
- (xii) 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

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agency to ensure that the labourers & staff engaged in execution of work do not destruct nearby flora & fauna;

- (xiii) The UA shall construct retaining walls and check walls wherever required by consulting the DFO concerned, at the project cost;
- (xiv) The 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;
- (xv) The user agency shall raise Strip/ Avenue plantations on both sides and at the central verge of the road at the project cost with maintenance of 7-10 years;
- (xvi) The User Agency shall endeavor to avoid felling of trees existing on the forest land proposed to be utilized. Wherever necessary, the trees shall be felled only under the strict supervision of the DFO concerned;
- (xvii) Wherever feasible the State Forest Department shall carry out translocation of trees at the cost of user agency;
- (xviii) Roadside cuttings and fillings which require engineering support shall be provided as per the instructions of the DFO concerned so as to stabilize the soil;
- (xix) In view of the ambiguity on whether or not the proposed forest area falls within the notified boundaries of the Rayala Elephant Reserve, the State Government shall verify this aspect once again and to take necessary action to obtain clearance from the NBWL if required, with intimation to this office;
- (xx) The dug out material / overburden shall be dumped outside the forest area. No storage of any material shall be done in the forest area proposed;
- (xxi) The total forest area utilized for the project shall not exceed **3.34 ha** and the forest area diverted shall not be used for any purpose other than those shown in the diversion proposal. User Agency shall furnish an undertaking to this effect;
- (xxii) The forest land proposed for diversion shall under no circumstances be transferred or sublet to any other agency, department or person without prior approval of the Central Government;

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- (xxiii) 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 Addl. PCCF(Central) of 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;
- (xxv) The Progress of the Compensatory Afforestation as mentioned by the DFO, Chittoor Division in SI No 12 (v) (a) & (b) of part II i.e 460.58 ha of forest land and 328.99 ha of non forest land shall be monitored by the Circle Head and a copy of such monitoring report shall be forwarded to the Regional Office to upload the same in the web portal.
- (xxvi) 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.

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

Yours faithfully,

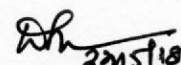


(D.Sathiyar)

Conservator of Forests (Central)

Copy to:-

1. The Director General of Forests & Special Secretary to Govt. of India, Ministry of Environment, Forests & Climate Change, Indira Paryavaran Bhavan, Jor Bagh Road, Aliganj, New Delhi - 110 003.
2. The Principal Chief Conservator of Forests, Forests Department, Govt. of Andhra Pradesh, Aranya Bhavan, K.M. Munshi Road, Guntur-522004.
3. The Additional Principal Chief Conservator of Forests/Nodal Officer (FCA), Office of the Principal Chief Conservator of Forests, Forests Department, Govt. of Andhra Pradesh, Aranya Bhavan, K.M. Munshi Road, Guntur-522004.
4. The Director, RO(HQ) Division, Ministry of Environment, Forests & Climate Change, Indira Paryavaran Bhavan, Jor Bagh Road, Aliganj, New Delhi - 110 003
5. Executive Engineer, R&B Division, Opp ZP Hall Vellore Road, Chittoor District, Andhra Pradesh-517001.
6. Guard file.

o/o

(D.Sathiyar)

Conservator of Forests (Central)