



भारत सरकार
GOVERNMENT OF INDIA
पर्यावरण ,वन एवं जलवायु परिवर्तन मंत्रालय
MINISTRY OF ENVIRONMENT, FORESTS & CLIMATE
CHANGE
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F.No.4-APB083/2018-CHN/37
Date 25th June, 2021

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 4.76 ha of forest land (i.e., 2.54 ha passing through Udayagiri Veligonda RF and 2.22 ha passing through Bommavaram RF of Atmakur Range of SPSR Nellore Division) for construction of Anam Sanjeeva Reddy Somasila high level lift canal from Somasila Reservoir upto balancing reservoir No. IV under phase-I in favour of EE, SSLC&SB Division No. 4, Gudur- reg

Sir,

Please refer to the State Government's letter No. EFS01-12021/126/Section .II/2018 dated 04.10.2018 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. The online proposal bearing No FP/AP/IRRIG/29783/2017 was also received through Parivesh portal.

After careful consideration of the proposal I am to convey Central Government's in-principle approval **(Stage-I)** under Section '2' of Forest (Conservation) Act, 1980 for Diversion of 4.76 ha of forest land (i.e., 2.54 ha passing through Udayagiri Veligonda RF and 2.22 ha passing through Bommavaram RF of Atmakur Range of SPSR Nellore Division) for construction of Anam Sanjeeva Reddy Somasila high level lift canal from Somasila Reservoir upto balancing reservoir No. IV under phase-I in favour of EE, SSLC&SB Division No. 4, Gudur, subject to the following conditions:-

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A. Conditions which need to be complied prior to handing over of forest land by the State Forest Department.

- (i) **The** State Government shall charge the Net Present Value of the diverted forest land measuring **4.76 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 as per the guidelines issued by this Ministry vide its letter No. 5-3/2007-FC dated 05.02. 2009. The requisite funds shall be transferred through online portal into CAMPA account of the State Concerned.
- (ii) Non-forests land identified for raising compensatory afforestation over an extent of **6 ha** in Sy No 54 of Pedanagampalli Village of Seetha Rampuram Mandal of SPSR Nellore District shall be transferred and mutated in favour of the State Forest Department and same 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 local Forest Act before **Stage II approval**. A copy of the original notification shall be submitted along with the compliance report to this office for information and record;
- (iii) The User Agency shall transfer the cost of raising and maintaining the compensatory afforestation at the current wage rate in consultation with State Forest Department in the account of CAMPA of the concerned State through online portal. The scheme may include demarcation of non forest land using chain link fencing with provision for watering and SMC works and appropriate provision for anticipated cost increase for works scheduled for subsequent years.
- (iv) 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/>);
- (v) The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>).



- (vi) The boundary of the diverted forest land, mining lease area and safety zone, as applicable shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, distance from pillar to pillar and GPS co-ordinates.
- (vii) Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as prescribed in para 1.21 of Chapter 1 of the Handbook of comprehensive guidelines of Forest (Conservation) Act, 1980 as issued by this Ministry's letter No. 5-2/2017-FC dated 28.03.2019;

B. Conditions which need to be strictly complied on field after handing over of forest land to the user agency by the State Forest Department but the compliance in form of undertaking shall be submitted prior to Stage-II approval:

- (i) Legal status of the diverted forest land shall remain unchanged;
- (ii) The Compensatory Afforestation (CA) for the whole project shall be raised and maintained by the State Forest Department over identified non-forest land over an extent of **6 ha** in Sy No 54 of Pedanagampalli Village of Seetha Rampuram Mandal of SPSR Nellore District at the cost of user agency.
- (iii) Identified CA land and approved CA scheme shall not be changed without the prior approval of the Central Government;
- (iv) The PCCF and 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 should be left unspent;
- (v) 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;



- (vi) The user agency shall not object the State Forest Department Authorities to have free rights to use the water for nursery / forestry related works and similar facilities to manage forest and fauna of the area;
- (vii) The muck generated in the earth cutting if any, will be disposed off at designated dumping sites and in no case the muck/debris will be disposed off in the forest areas;
- (viii) Tree felling in the proposed forest area shall be carried out wherever necessary, with the prior permission of the Divisional Forest Officer concerned;
- (ix) The following conditions recommended by the Standing Committee of the NBWL shall be strictly complied with by the User Agency /State Government at the cost of the User Agency;
 - a. Precautions while taking the construction work and it should be completed in the least possible time period under the supervision of the forest department;
 - b. The publicity and awareness on wildlife conservation in the form of sign boards along the diverted area in consultation with DFO (T) Division, Nellore;
 - c. Monitoring the diversion area by the Forest Department by engaging wild life watchers at the cost of User Agency to be decided by the DFO(T) Division, Nellore
 - d. The animal passage should be prepared and implemented by the User Agency in consultation with the State Chief Wildlife Warden;
 - e. The annual compliance certificate on the stipulated conditions should be submitted by the project proponent to the State Chief Wildlife Warden and an annual compliance certificate shall be submitted by the State Chief Wildlife Warden to Govt of India.
- (x) Wherever feasible the State Forest Department shall carry out translocation of the trees at the cost of the user agency;



- (xi) 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;
- (xii) The layout plan of the proposal shall not be changed without the prior approval of the Central Government;
- (xiii) Minimal disturbance should be ensured by creating labour camps outside the forest area as far as possible and it will be the responsibility of the UA to ensure that the labourers & staff engaged in execution of work do not destruct nearby flora & fauna;
- (xiv) The total forest area to be utilized for the project shall not exceed **4.76** ha and the forest area diverted shall not be used for any purpose other than those shown in the diversion proposal;
- (xv) The concerned Divisional Forest Officer, will monitor and take necessary mitigative measures to ensure that there is no adverse impact on the forests in the surrounding area.
- (xvi) Any other conditions that the Central Government or Regional Officer, IRO, 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;
- (xvii) The user agency shall comply all the provisions of the all Acts, Rules, Regulations, Guidelines, Hon'ble Court Order (s) and NGT Order (s) pertaining to this project, if any, for the time being in force, as applicable to the project.

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. In the event of non compliance of the above conditions, this in-principle approval will be revoked as per the provisions of rules / guidelines made under FCA, 1980.

Yours faithfully,


(N.S.Murali)

Inspector General of Forests (Central) NTCA
& I/c IRO, Vijayawada

Copy to:-

1. The Principal Chief Conservator of Forests, Forests Department, Govt. of Andhra Pradesh, Aranya Bhavan, K.M. Munshi Road, Nagarampalem Guntur-522004
2. 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, Nagarampalem, Guntur-522004
3. The Executive Engineer, WATER RESOURCES DEPARTMENT, SSLC&SB Division No. 4, Gudur, Andhra Pradesh- 524412.
4. Guard file.



(N.S.Murali)

Inspector General of Forests (Central) NTCA
& I/c IRO, Vijayawada