



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-APB029/2017-CHN/1344

Date 28th August, 2017

To,

The Principle 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, Guntur District-522238

Subject: Diversion of 4.79 ha (i.e. 3.07 ha for mining + 1.01 ha for safety zone area +0.71 ha for road area) of forest land for extraction of Black Granite in Compartment Nos 205 & 215 of Ragimanupenta and Paradarami RFs of Chittoor (West) Division, in favour of M/s BKR Granites-reg

Sir,

Please refer to State Government's letter No.5795/Section-II/2016 dated 03.02.2017 and online proposal No. FP/AP/MIN/10972/2015 seeking prior approval of the Central Government in accordance with Section '2' of Forest (Conservation) Act, 1980 for the above mentioned project.

As recommended by the Regional Empowered Committee and approved by the competent authority, I am hereby directed to convey Central Government's in-principle approval (*Stage-I*) under Section '2' of Forest (Conservation) Act, 1980 for Diversion of 4.79 ha (i.e. 3.07 ha for mining + 1.01 ha for safety zone area +0.71 ha for road area) of forest land for extraction of Black Granite in Compartment Nos 205 & 215 of Ragimanupenta and Paradarami RFs of Chittoor (West) Division, in favour of M/s BKR Granites, subject to the following conditions:

1. Legal status of the diverted forest land shall remain unchanged;
2. 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. User Agency shall ensure demarcation of boundary of safety zone (7.5 meter strip all along the boundary within the mining lease area;
3. Compensatory afforestation over identified non-forest land over an extent of 4.00 ha in Sy No 1347 & 1335 of Thummala (v) of Amadagur (M) of Ananthapur District shall be raised and maintained by the State Forest Department from funds to be provided by the User Agency;


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DESPATCHED (LSP)

Date 28/8/17 *RSJ*

4. Non-forest land identified in Sy No 1347 & 1335 of Thummala (v) of Amadagur (M) of Ananthapur District, Andhra Pradesh for raising compensatory afforestation shall be transferred and mutated in favour of the State Forest Department before issue of the Stage-II clearance;
5. The State Government shall charge the Net Present Value of the diverted forest land measuring 4.79 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 the guidelines issued by this ministry vide its letter No. 5-3/2007-FC dated 05.02.2009 in this regard.
6. 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;
7. The funds received from the User Agency towards Compensatory Afforestation and Net Present Value under this project shall be deposited in the respective 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;**
8. User Agency shall use specified area within the mining lease for dumping the overburden and the overburden shall be filled back to reclaim the mined out areas and user agency shall not use the nearby forest area for dumping of overburden;
9. In case of the mining leases adjoining the habitation 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;
10. Safety zone shall be maintained as green belt around the mining lease and to ensure dense canopy cover in the area, regeneration shall be taken in this area by the user agency at the project cost under the supervision of the State Forest Department;
11. State Forest Department shall carry out afforestation and its maintenance on degraded forest land, to be selected elsewhere measuring one and half times the area of forest land under safety zone at the project cost and shall provide the DGPS coordinates of the area;

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12. User agency either himself or through the State Forest Department shall undertake gap planting and soil & 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 outer perimeter of the mining lease;
13. User agency shall undertake mining in a phased manner and take due care for reclamation of the mined over area. The concurrent reclamation plan shall be executed by the User Agency in a phased manner as per the approved mining plan/ scheme and an annual report on implantation thereof shall be submitted to the Nodal Officer, Forest (Conservation) Act, 1980, Government of Andhra Pradesh and the Addl. Principal Chief Conservator of Forests (Central), Ministry of Environment & Forests, Regional Office (South Eastern Zone), Chennai. If it is found from the annual report that the activities indicated in the concurrent reclamation plan are not being executed by the user agency, the Nodal Officer or the Addl. Principal Chief Conservator of Forests (Central) may direct that the mining activities shall remain suspended till such time, such reclamation activities are satisfactorily executed;
14. 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° ;
15. The mining shall be done in the forest area in accordance with the approved mining plan from the competent authority and mining area shall not be opened up haphazardly;
16. Period of diversion of the said forest land under this approval shall be for a period of 10 years or 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 whichever is earlier;
17. User agency shall obtain Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986;
18. The consent of Andhra Pradesh State Pollution Control Board shall be obtained under the Air and Water Act before commencement of mining operations and it shall be renewed annually;
19. No labour camps shall be established on the forest land. 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;



20. The layout plan of the proposal shall not be changed without the prior approval of the Central Government;
21. As the area is located on the top of the hillock, to avoid soil erosion a deep trench / stones wall may be provided all along the periphery of the proposed area at the cost of user agency;
22. Since the CA area is surrounded by private fields on the opposite side of RF, a peripheral trench may be dug from protection point of view on these sides at the cost of user agency;
23. The User Agency and the State Government shall ensure compliance to the all Acts, Rules, Regulation and Guidelines of the Ministry, for the time being in force, as applicable to the project;
24. 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 4.79 ha (including safety zone area). User Agency shall furnish an undertaking to this effect;
25. 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;
26. A comprehensive monitoring shall be done at the end of five years to study the impact of mining. If it is found that the lessee has violated or is not complying with the stipulated conditions, then the approval given under the Forest (Conservation) Act, 1980 shall be revoked;
27. The User Agency shall submit the annual self compliance report in respect of the above conditions to the Regional Office of the Ministry and to the State Government;
28. Any other condition that the Additional Principal Chief Conservator of Forests (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;
29. 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. Transfer of forest land to User Agency shall not be effected prior to the issue of final approval. This in-principle approval shall be valid for a period of 5 years. In the event of noncompliance of the above conditions, this in-principle approval shall automatically stand revoked after 5 years.

Yours faithfully,


(Dr.K.Ganesh Kumar)

Deputy 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, Sankuratri Residency, M.G.Inner Ring Road, Agatavarapadu, Guntur-522509
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, , Sankuratri Residency, M.G.Inner Ring Road, Agatavarapadu, Guntur-522509.
4. The Director, RO(HQ) Division, Ministry of Environment, Forests & Climate Change, Indira Paryavaran Bhavan, Jor Bagh Road, Aliganj, New Delhi - 110 003.
5. M/s. BKR Granites, 1-611, Cross Road, Piler, Chittoor, Andhra Pradesh-517214.
6. Guard file.


(Dr.K.Ganesh Kumar)

Deputy Conservator of Forests (Central)

