

**GOVERNMENT OF ANDHRA PRADESH
FOREST DEPARTMENT**

From
Sri Chiranjiv Choudhary, IFS.,
Prl. Chief Conservator of
Forests &
Head of Forest Force,
Andhra Pradesh, Mangalagiri,
Guntur District.

To
The Spl. Chief Secretary to Government,
Environment, Forests, Science & Technology
Department,
Andhra Pradesh Secretariat,
Velagapudi.

Rc.No.EFS02-15034/25/2018/FCA-SEC/PCCF/FCA-3, Dated:28/05/2024

Sir,

Sub: APFD - Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 - Proposal for
- Diversion of **5.94 ha** of forest land in Nellore division for up-gradation of NH
-167 B from Km.58/500 to Km.62/963 i.e., from Porumamilla to Chandrasekhara Puram to two lanes with paved shoulders under NHDP -IV in the State of Andhra Pradesh in favour of Executive Engineer (R&B), NH Division, Vijayawada - In-principle (Stage-I) approval accorded -Condition wise compliance report - Submission - Reg.

Ref:- 1. MoEF & CC. IRO, GoI, Vijayawada Lr.F.No.4-APC191/2022-VIJ/983/
dt:2.6.2023 received through Memo No.2102/Sec.II/2022/1838119,
EFS & T (Sec-II) Dept., GoAP, Dt.27.6.2023.
2. PCCF(HoFF), A.P., Guntur Rc.No.EFS02-15034/25/2018/FCA-SEC
PCCF/FCA-3, dt.03.07.2023.
3. DFO Nellore Rc.No.759/2017-F11, dt.26.09.2023 & 28.02.2024.
4. CCF, Guntur, Rc.No.1979/2018/TO, dt.01.03.2024.

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It is submitted that, Government of India and Govt. of Andhra Pradesh in the references 1st cited have accorded in-principle (Stage-I) approval for the diversion of 5.94 ha of forest land in Nellore Forest division for up-gradation of NH -167 B from Km.58/500 to Km.62/963 i.e., from Porumamilla to Chandrasekhara Puram to two lanes with paved shoulders under NHDP -IV in the State of Andhra Pradesh in favour of Executive Engineer (R&B), NH Division, Vijayawada subject to fulfillment of certain conditions laid down therein. Accordingly, the Chief Conservator of Forests,Guntur and the District Forest Officer, Nellore in the references 3rd and 4th cited has submitted the conditions wise compliance report as detailed below.

S. No.	GOI Conditions stipulated	Compliance report of CCF/CF, Guntur
(i)	The legal status of the diverted forest land shall remain unchanged.	There is no change in the legal status of the forest land diverted.
(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	The User Agency has demarcated the forest area proposed for diversion and constructed 4 feet high cement concrete pillars 100 nos. on right side +125 nos. on left

	Agency;	side of the road(Total 225 nos) duly numbered at an interval of 20 mtrs. The details with Geo- Coordinates and photos are enclosed herewith.
(iii)	The State Forest Department shall carry out compensatory afforestation over an extent of 12.00 ha (within 13.08 ha) of degraded forest area identified in compartment no. 475 of Guderipalem RF, Udayagiri Range, at the cost of the User Agency;	An amount of Rs.1,56,20,000/- towards compensatory afforestation has been deposited by the user agency through online. A copy of the acknowledgment furnished by the user agency is enclosed.
(iv)	Identified CA area and CA scheme shall not be changed without prior approval of the Central Government;	The CCF/CF & DFO, Guntur has reported that the identified CA area and CA scheme will not be changed without prior approval of the Central Government;
(v)	The State Government shall charge the Net Present Value of the diverted forest land measuring 5.94 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)dt.6.1.2022 and clarification issued vide letter dt.19.01.2022 and 22.03.2022.	An amount of Rs.72,97,825/- towards the Net Present Value of the diverted forest land has been deposited by the user agency through online. A copy of the acknowledgment furnished by the user agency is enclosed.
(vi)	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;	The undertaking furnished by the user agency is enclosed.
(vii)	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/);	This condition is compiled by the user agency.
(viii)	Mitigation measures as per the Approved WL mitigation plan by the CWLW, shall be implemented at the cost of the User Agency and such amount shall be deposited in to the designated CAMPA account;	The District Forest Officer has reported that an amount of Rs.3,36,00,000/- towards Wild Life Mitigation plan as per the Approved WL Mitigation plan by the CWLW has been deposited by the

		<p>user agency through online.</p> <p>A copy of the acknowledgment furnished by the user agency is enclosed.</p>
(ix)	Trees shall be felled wherever necessary under the strict supervision of the DFO concerned. As the significant numbers of red sanders trees to be felled under the project. At the cost of the User Agency, the, State Government shall raise required number of red sanders in the nearby forest area in compensation to proposed felling of such species;	<p>The user agency has stated that they would fell the trees under the strict supervision of the DFO, Nellore.</p> <p>The DFO has reported that an amount of Rs.4,20,000/- towards raising of Red sander trees in the nearby forest area in compensation to the proposed felling of such species has been deposited by the user agency through online.</p> <p>A copy of the acknowledgment is enclosed herewith.</p>
(x)	The User Agency shall construct retaining walls and check walls wherever required, by consulting the DFO concerned, at the project cost;	The User Agency has furnished an undertaking stating that they will construct retaining walls and check walls wherever required by consulting the DFO concerned.
(xi)	The User Agency shall carry out avenue plantation and its maintenance on sides of the road at the cost of the project;	The user agency assured to carry out avenue plantation and its maintenance on the sides of the road at the cost of the project.
(xii)	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;	The user agency assured to take up the Construction of culverts/bridges, if any, over the natural streams/rivers/canals 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;
(xiii)	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;	The user agency assured that the Roadside cuttings and fillings which require engineering support will be done as per the instructions of the DFO so as to stabilize the soil;
(xiv)	The dugout material/overburden shall be dumped outside the forest area. Storage of any material shall not be done in the forest area;	The user agency assured that the dugout material / overburden will be dumped outside the forest area and the storage of any material will not be done in the forest area;
(xv)	The layout plan of the proposal shall not be changed without the prior approval of the Central Government;	The user agency assured that the layout plan of the proposal will not be changed without the prior approval of the Central

		Government;
(xvi)	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;	The user agency assured to provide fire wood preferably alternate fuel to labourers working at the site to avoid damage/tree felling and also assured that, no labour camp will be established inside the forest area;
(xvii)	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;	The user agency assured that disturbance will be kept minimum by creating labour camps outside the forest area as far as possible and it will be our responsibility to ensure that the labourers & staff engaged in execution of work do not destruct nearby forest flora & fauna;
(xviii)	The total forest area utilized for the project shall not exceed 5.94 ha (width of the road diverted includes 1.65 mtrs existing shoulders portion and width shall be restricted strictly as per the REC deliberation) 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;	The user agency assured that the total forest area utilized for the project will not exceed 5.94 ha (width of the road diverted includes 1.65 mtrs existing shoulders portion and width will be restricted strictly as per the REC deliberation) and the forest area diverted will not be used for any purpose other than those shown in the diversion proposal.
(xix)	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;	The user agency assured that the forest land proposed for diversion will under no circumstances be transferred or sublet to any other agency, department or person without prior approval of the Central Government;
(xx)	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;	The user agency has assured the compliance to provisions of all Acts, Rules, Regulations and Guidelines, for the time being in force, as applicable to the project;
(xxi)	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;	The user agency has assured that 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, will be complied by the User Agency;
(xxii)	In the event of failure to comply with any of the above conditions the User	The user agency has assured to comply with all the above

	Agency is liable for penal action as per the rules / guidelines issued under FCA, 1980;	conditions as per the rules/guidelines issued under Van (Sanrakshan Evam Samvardhan) Adhiniyam 1980
(xxiii)	The State Government shall process and submit compliance report on the above conditions through online (https://parivesh.nic.in/);	User agency has processed the proposal in Parivesh Portal. Hence the condition is complied.

Further the District Forest officer, SPSR, Nellore has submitted the copy of published regarding grant of the entire forest clearances in verbatim along with the conditions and safeguards imposed by the Central Government has been published in Telugu & English Daily news papers so as to make aware of the permission granted to the project proponent for use of forest land for non-forestry purposes and the copies of Forest Clearance was submitted to local bodies, Panchayats for displaying the same in their offices for 30 days.

The user agency has furnished RoFR certificate issued by District Collector, SPSR, Nellore District under the provisions of `Section 3(2) of the Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, para no.2.2((xi) of the procedure communicated by the GoI

In view of the above, while taking into consideration of the report submitted by Chief Conservator of forests, Guntur and the District Forest officer, SPSR, Nellore, the Government is requested to issue final approval (Stage-II approval) under Section-2 of Van (Sanrakshan Evam Samvardhan), Adhiniyam, 1980 for taking further action as deemed fit in the matter

Yours faithfully,
Chiranjiv Choudhary Ifs
Prl. Chief Conservator of Forests
& Head of Forest Force

Copy to the Executive Engineer R & B authorities, NH Division Vijayawada circle for information.