

Sub: Diversion of 150.84 Ha. of forest land in favour of Andhra Pradesh Capital Region Development Authority (APCRDA) for establishment of Adventure Eco Theme Park under Capital City Infrastructure Development Projects in Kondaveedu Forest Block, Guntur Division & District of Andhra Pradesh (Online Proposal No. FP/AP/Others/30367/2017) – reg.

1. The Government of Andhra Pradesh, Environment, Forests, Science & Technology (Section. II) vide their letter No. 68/Section. II/2018 dated 11.01.2018 submitted a fresh proposal to obtain prior approval of the Central Government, in terms of the section-2 of the Forest (Conservation) Act, 1980 for diversion of 150.84 ha of forest land for establishment of Adventure Eco Theme Park under Capital City Infrastructure Development Projects in Kondaveedu Forest Block, Guntur Division & District of Andhra Pradesh, in favour of Andhra Pradesh Capital Region Development Authority.
2. The facts related to the proposal as contained in the proposal submitted by the State Government and in the site inspection report submitted by the Regional Office (SEZ) Chennai are given below in the form of fact sheet:

FACT SHEET

1.	Name of the Proposal	Diversion of 150.84 Ha. of forest land in favour of Andhra Pradesh Capital Region Development Authority (APCRDA) for establishment of Adventure Eco Theme Park under Capital City Infrastructure Development Projects in Kondaveedu Forest Block, Guntur Division & District of Andhra Pradesh
2.	Location:	
i.	State	Andhra Pradesh.
ii.	District	Guntur.
3.	Detail of user agency	
i.	Name of the user agency	Andhra Pradesh Capital Region Development Authority and Capital Authority
ii.	Nature of user agency	State Government.
4.	Particular of Forests	
i.	Name of Forest Division	Guntur Forest Division.
ii.	Area of Forest land proposed for Diversion (in Ha.)	150.84 Hectares.
iii.	Legal Status of Forest land	Reserve forest
iv.	Density of Vegetation	Density: 0.2 to 0.4 Eco Class : IV
5.	Maps	
i.	Differential GPS map of the area proposed for diversion	At page no. 22/c
ii.	Differential GPS map of the area identified for raising CA	At page no. 38/c
iii.	Survey of India toposheet on 1:50,000 scale showing the area proposed for diversion	Pg. 21/c.
iv.	Survey of India toposheet on 1:50,000 scale showing the area identified for CA	At page no. 39/c
v.	Land use plan	At page no. 66/c

vi.	Forest Cover map	Not given
vii.	Authenticated DGPS maps for Non-forest land and forest land proposed for diversion.	Pg. 22/c.
6.	Vegetation	
i.	Species-wise (scientific names) and diameter class-wise enumeration of trees to be enclosed. (In case of irrigation / hydel projects enumeration at FRL, FRL-2 meter & FRL-4 meter also to be enclosed.) and diameter class wise enumeration of trees.	Pg. 78-79/c.
ii.	Density	0.2 to 0.4
iii.	Number of trees	18,715
7.	Vulnerability of area to soil erosion	Area is not vulnerable to erosion in view of existing vegetation cover. The vulnerability for erosion is minimum.
8.	Approximate distance of proposed site for diversion from boundary of forest	0.0 Km
9.	Whether forms part of National Park, Wildlife Sanctuary, Biosphere Reserve, Tiger Reserve, Elephant Corridor etc. (if so, the details of the area the comments of the Chief Wildlife Warden to be annexed)	No
10.	Whether any rare/ endangered/ unique species of flora and fauna found in the area if so, details thereof.	No
11.	Whether any protected archaeological/ heritage site/ defence establishment or any other important monument is located in the area. If so, the details thereof with NOC from competent authority, if required.	No
12.	Whether the requirement of forest land as proposed by the User Agency in col.2 of Part-I is unavoidable and bare minimum for the project. If no, recommended area item-wise with details of alternatives examined.	Yes, as per the certification furnished by the user agency and the information furnished in part I of the proposal, the alignment through RF is unavoidable from the technical feasibility point of view and is the barest minimum required for this Project.
13.	Whether any work in violation of the Act has been carried out (Yes/ No). If yes, details of the same including period of work done, action taken on erring officials. Whether work in violation is still under progress.	No, work has been carried out in violation of Forest (Conservation) Act, 1980.
14.	Shape file / KML file CA and diversion land.	Yes, DSS report is placed (F/Y).
15.	Details of Compensatory Afforestation Scheme:	
i.	Details of non-forest area/ degraded forest area identified for compensatory Afforestation, its distance from adjoining forest, number of patches, size of each patch.	Site Suitability Certificate is attached at page no 84/c.

ii.	Map showing non-forest/ degraded forest area identified for compensatory Afforestation and adjoining forest boundaries.	Attached at Page no. 39/c
iii.	Detailed compensatory Afforestation scheme including species to be planted, implementing Agency, time schedule, cost structure etc.	The CA scheme for 150.84 ha of Non-forest land proposed to be taken – up in Revenue Survey No. 266 of Jowkulapalli and surrounding villages of Vonitmitta Mandal of Forest Division and District Kadapa from 2017-18 to 2030-31 in lieu of diversion of 150.84 Ha. of forest land in favour of Andhra Pradesh Capital Region Development Authority (APCRDA) for establishment of Adventure Eco Theme Park under Capital City Infrastructure Development Projects in Kondaveedu Forest Block, Guntur Division & District of Andhra Pradesh. The CA scheme is available at (85-87/c). However, the approved CA Scheme has not been submitted by the State Government of Andhra Pradesh.
iv.	Total financial outlay for compensatory Afforestation scheme.	Rs.1366.077 lakhs
vi.	Total amount of NPV	Rs. 660.679/- lakhs
v.	Certificate from competent authority regarding suitability of area identified for compensatory Afforestation and from management point of view. To be signed by the concerned Deputy Conservatory of Forests.	Pg 84/c and page no. 37/c
16.	Documentary evidence in support of settlement of rights in accordance with the provisions of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 on the forest land proposed to be diverted enclosed.	The District Collector, Guntur, Government of Andhra Pradesh has issued FRA certificate vide letter no. 3281/2015-85 dated 23.04.2016 and the same is available at (Pg. 27-29/c) for diversion of 150.84 hectares certifying the information in respect of all clauses of the MoEF's advisory dated 05.07.2013 i.e. diversion of forest land the for facilities managed by the Government and safeguarding the rights of Primitive Tribal Group and Pre-Agricultural Communities as required under the Scheduled Tribe and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, discussion on the proposal in meeting of concerned Gram Sabha (s) maintaining the prescribed quorum, etc. The concerned Gram Sabha (s) is available at (Pg. 27-35/c) . Documentary evidences in support of settlements of rights under the Scheduled Tribe and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 may kindly be seen at (Pg. 27-35c) .
17.	Site Inspection Report of the Divisional Forest Officer in compliance to the conditions stipulated in the col. 7 (xi, xii) 8 and 9 previous approval.	The copy of the Site Inspection Report inspect by the Chief Conservator of Forests, Guntur Circle on 21.12.2017 (Pg. 103-104/c) . And SIR inspect by the DFO, Guntur Division is available at (Pg. 81-83/c).
18.	Whether the project requires environment clearance	No.

19.	Status of Wildlife Clearance.	It is reported by the User agency in online application of Part-I under Colum I (i), the Wildlife Clearance has not been required in this project. However, The DFO, Guntur has also been reported in Part-II the wildlife movement has been seen in the proposed area. Hence, the wild life clearance is required before Stage-II approval.
20.	Catchment Area Treatment Plan	Not Applicable.
21.	Rehabilitation of Oustee	Not Applicable.
i.	Number of SC Families	
ii.	Number of ST families	
iii.	Number of Backward Families	
iv.	Copies of R&R Plan	Not applicable
22.	Cost Benefit Analysis	Not given
23.	Total Cost of the project	Rs. 76823 lakhs
24.	Employment Potential	Yes Permanent/Regular Employment (Number of persons): 10000 Temporary Employment (Number of person-days): 100000
25.	Undertakings to bear the cost of CA, NPV and Addl. NPV	Pg. 42-44/c.
26.	Profile of the District /Division.	
(i)	Geographical Area of the District	11,391.00 Sq. km.
(ii)	Total Forest Area	1,661.43 Sq.Km
(iii)	Total area diverted since 1980	Area 1137.355 ha Number of case - 28
(iv)	Total area proposed for afforested since 1980	Degraded forest land 591.945 ha Non-forest land 68.382 ha
(v)	Total area afforested since 31.03.2017	Degraded forest land 591.945 ha Non-forest land 68.382 ha
27.	Recommendation with Specific conditions, (if any)	
	DFO	Recommended (Pg. 101/c).
	CF	Recommended (Pg. 102-104/c).
	PCCF/ Nodal Officer (FCA)	Recommended (Pg. 105/c).
	State Govt.	Recommended (Pg.106/c).

- The Ministry has already granted the approval for diversion of 2087.09 ha (Tadapalli: 251.77 ha as this area falls in the proposed capital city and Venkatayapalem RF 1835 ha. for establishment of Armed Forces Training Institute and facilities such as State Police, establishment, Greyhounds., Water Survival Training Facility, Military Station, Central Prison, Railway Academy, CRPF etc. for security reasons) of forest lands (Revised proposal was for 12444.89 ha.) in Krishna and Guntur Divisions & Districts of Andhra Pradesh for establishment of Andhra Pradesh Capital vide this Ministry's letter No. F. No. 8-24/2015-FC dated 20th September, 2017 (**F/Z**).
- At point 4 of Chapter 2 of the Handbook of Guidelines, it is clearly mentioned that:- (**F/X**)

Diversion for non-site specific projects:- A large number of proposals for diversion of forest land for non-site specific projects like industries, construction of residential colonies, institutes, disposal of fly ash, rehabilitation

of displaced persons, etc. are received by the Central Government. Attention is drawn to items 1 (iv) and 8 of the Form "A" in which the proposal is to be submitted by the State Government. In these columns, justification for locating the project in the forest area giving details of the alternatives examined and reasons for their rejection has to be furnished. Normally, there should not be any justification for locating non site-specific projects on forest land. Therefore, the State Government should scrutinize the alternatives in more details and must give complete justification establishing its in-escapability for locating the project in forest area".

The motive of the above referred guideline is that the forest is a natural resource and a complete ecosystem in itself and once ecosystem is disturbed and forest land is diverted, the same cannot be restored to its original glory. Therefore the forest land shall be diverted only for those activities which are site-specific whose value is more than the ecosystem services of forest ecosystem and cannot be done elsewhere in the interest of development needs of the society. The development of Industrial corridor on forest land is certainly non site specific and can be developed on non-forest land.

5. The proposal has also been examined on DSS in FC Division. Report of the same may kindly be seen at F/Y.
6. The forest land proposed to be diverted has been inspected by Shri D. Sathiyam, Chief Conservator of Forests (Central), Regional office (South Eastern Zone), Chennai. Additional information furnished in the inspection report submitted by the Regional Office (South Eastern Zone), Chennai vide their letter No. 4-APA067/2018-CHN/1681 dated 22nd October, 2018 (Pg. 114-126/c) are as below-

7. Background:

- 7.1 The 'Andhra Pradesh Capital Region Development Authority Act 2014' (APCRDA Act) has come into force with effect from the 30th day of December 2014. This is an act to provide for the declaration of the new capital area for the State of Andhra Pradesh and establishment of the Andhra Pradesh Capital Region Development Authority for the purposes of planning, co-ordination, execution, supervision, financing, funding, promoting and securing the planned development of the capital region development area, undertaking construction of the new capital region, undertaking construction of the new capital for the State of Andhra Pradesh, managing and supervising urban services in the new capital area and for matters ancillary thereto. As per the APCRDA Act, the Capital Region was notified with an area of 8603 sq.kms. (which includes Reserve Forest area of 407.96 sq. kms. falling in Krishna and Guntur Districts of Andhra Pradesh.
- 7.2 Section 94 (4) of the Andhra Pradesh Re-organisation Act 2014 provides that "*The Central Government shall facilitate creation of a new capital for the successor State of Andhra Pradesh, if considered necessary, by de-notifying degraded forest land*". However, the Government of Andhra Pradesh decided to propose diversion of forest land as per the requirement for Capital City Infrastructure works instead of going for de-notification. Accordingly, the Government vide letter No 5446 /Sec.II /2014 dated 05.09.2015 submitted a proposal for diversion of 19,256.8 ha of forest land to be utilized for development of the Capital City for the State of Andhra Pradesh, in Guntur and Krishna Districts. Subsequently, the State Government vide letter No 5446 /Section-II/ 2014 dated 25.04.2016 has submitted a revised proposal for diversion of 12,444.89 ha.
- 7.3 The MoEF&CC, New Delhi vide letter 8-24/2015-FC dated 20.09.2017 has accorded Stage I (In-principle) approval for diversion of **2087.09 ha** (i.e. 251.77 ha in Tadepalli RF and 1835.32 ha in Venkatayapalem RF for establishment of Armed Forces Training Institute and facilities etc. Further, the Ministry has requested the State Government to come up with separate proposals, component wise or in cluster of components in due course as per their priority in accordance with the FCA guidelines.

7.4 Meanwhile, the Hon'ble National Green Tribunal, New Delhi in Original Application No. 171 of 2015 (M.A Nos. 510/2015, 1148/2015 & 1108/2016); Appeal No. 148/2015 (M.A Nos. 1325/2015 & 1326/2015); Appeal No. 05/2016 (M.A Nos. 56/2016 & 64/2016) And Appeal No. 24 of 2016 (M.A No. 399/2016), has passed its order on 17-11-2017 and one of the directions contained therein is that:

'the Capital city has 251 acres of forest land which should be preserved as green lungs of the city and not to be diverted for non-forestry uses or even for uses like parks or recreational activities & deprive the capital of the ecosystem services which a natural forest provides as opposed to plantation forests'.

As such, the above order of the NGT has stopped the diversion proceedings in respect of the 251.77 ha Tadepalli RF.

7.5 The Ministry of Environment, Forests and Climate Change (Forest Conservation Division) vide letter No 8-23/2018-FC dated 10.10.2018 has requested the Regional Office, Chennai to inspect the above eight proposal sites and to furnish reports.

Accordingly, as per the direction of the APCCF(C), the above mentioned project sites were inspected by CF(Central), RO Chennai along with the State Forest Department Officials and representatives from the User Agency during the period 17.09.2018 to 19.09.2018. Before proceeding for field inspection, the User Agency has made a detailed power point presentation on all the proposals.

8. Basic details of the proposal

As per the proposal, the APCRDA seeks diversion of **150.84 Ha** forest land for the establishment of an 'Eco Theme Park' under the 'Capital City Infrastructure projects'. The land use proposed therein is as mentioned in the Table given below. The area proposed for diversion is the foot hills portion a hillock which has steep slopes. The area has Dry Thorny Scrub Forests of canopy density of 0.2-0.3 and bamboo is also seen in a small area. Tree species like *Albizzia amara*, *Azadirachta indica*, *Grevia rotandifolia*, *Carissa spinarum*, *Acacia leucophloea*, *Manilkara hexandra*, *Gyrocarpus jacquini*, *Zyzyphus xylopyrus* and *Prosopis juliflora* are recorded in the area. Wild boar, hare, python, peafowl etc are reported in the proposed area. As reported by the DFO, Guntur Division, the area proposed for diversion is included in the 'Degraded Forest Improvement Working Circle' as per the working plan prescription and falls in Eco class IV. The APCRDA officials have informed that the area proposed for diversion falls within the re-notified boundaries of the 'Capital Region'.

Table: The Area statement as reported in the proposal area is as follows:

S.No	Land use	Area in Ha
01	Adventure Play Areas	11.87
02	Biomes & Jungle Kingdom	17.63
03	Camp Sites	4.37
04	Lazy pool & Tide pool	5.18
05	Natural Trails & Action Park	10.77
06	Resorts	10.72
07	Rope Station	0.82
08	Rope way Station no.03	2.66
09	Snow World & Shows	14.18
10	Guest Rooms & Dormitories	6.07
11	Canal Area	5.57
12	Roads	25.21
13	Common Open Spaces & Green Areas	30.07
14	Utilities	5.73
	Total	150.84

Note: It is reported in the proposal that an area of 46.35 ha, which is 55% of the area proposed for activities mentioned in Sl No 1 to 11 above, will be retained as open spaces in addition to the 30.07 ha of area proposed for common open spaces & green areas.

9. Concept plan furnished in the proposal:



10. Observations on the proposal documents:

- 10.1** Going by the activities proposed in the proposal, the project is non-site specific; however, as per the justification provided by the APCRDA in the proposal, the project site has been selected after examination of alternatives.
- 10.2** The User Agency has provided breakup of the forest area proposed for diversion in a broad thematic manner and indicated the overall quantum of open spaces and green areas in percentage terms. However, the proposal does not have finer details/break-up of the intended final certified land use and it is silent on the quantum of hill cutting involved in its execution, if any. For example, an area of 11.87 ha is proposed for the theme ‘Adventure play Areas’ but no further break-up or finer details have been given. The actual area required for each sub-component as well as the open space within it has not been reported.
- 10.3** The component wise breakup reported in the concept lay out plan differs from the area statement given in the form of a table.
- 10.4** During discussions with the User Agency, it emerged that the land use planning process for the proposed area has not been completed yet and the sub component wise details, etc. will be worked out only in future, which means the requirements indicated in the current proposal may be subject to change.

11. Observations made during site visit:

- 11.1** The forest area of 150.84 ha proposed for diversion, falling in kondaveedu RF of Guntur Range and Guntur Division, is the foothill part of hillocks. This area has sparsely distributed vegetation with a canopy density of 0.2- 0.3. This area is located behind the Kondaveedu Bit 1A & Bit 1B which have been proposed for diversion separately. It is bordered by revenue/agricultural lands on one side and the remaining part of the RF on the other sides. The proposed diversion area has a medium slope and a maximum elevation of around 276 ft MSL, as per google earth. There are 4 streams draining into this area from the hillocks.

- a. As per the layout plan, some areas have been earmarked for 'Resorts' and 'Cottages', but these details are not reflected in the break-up of area required as given in the table form in the proposal. The User Agency may be asked to clarify & rectify the mismatch between the table and the lay out plan.
- b. As per the proposal, an area of 4.37 ha is proposed for 'Camp sites & Hostels'; 10.72 ha and another 6.07 ha for 'Guest rooms & Dormitories' though diversion of forest lands for such purposes is specifically discouraged.

12. Suggestions/ Recommendation:

- a. The proposal is non-site specific and in its present form involves construction of some of the proposed infrastructures on the hill slopes. The proposal does not have finer details/break-up of the intended final certified land use and it is silent on the quantum of hill cutting, if any, involved in its execution. It is learnt from the User Agency that as per the project design, various project components will have to be executed by different agencies / departments. This will amount to transfer / sublet the diverted forest area, for which prior approval of the GoI is required in each case. Hence, **consideration of this proposal may require making enabling modifications in the existing FC guidelines in the first place if deemed fit**, which needs to be decided by the competent authority.
- b. **If the proposal is taken up for further consideration**, since the forest area required for the project does not appear to be the barest minimum, the User Agency may be directed to rationalize the actual area required by reducing the areas earmarked for residential/ commercial buildings, Camp sites, Cottages, hostels, dormitories, etc which shall be shifted to outside the forest area and the layout plan needs to be changed accordingly.
 - i. For each of the thematic zones proposed, the final certified land use indicating further breakup of the forest land required, sub-component wise and clearly depicting the area to be kept as open space and green areas under each component may be sought for from the State Government, unless the requirement is relaxed by the competent authority.
 - ii. Subject to satisfactory compliance by the User Agency to the above conditions, the proposal may thereafter be considered by the FAC for appropriate decision.
 - iii. In the event of the project being given approval by the GoI, the following conditions, among others, may be stipulated, if deemed fit;
 - a. the User Agency shall submit an under taking not to use the area earmarked for the open & Green spaces for any other purpose;
 - b. Chain link fencing or Wall along the boundary of the forest area proposed for diversion, wherever required, shall be constructed at the project cost to prevent encroachment.
 - c. The hill slopes shall be protected by the User Agency from erosion by undertaking structural as well as planting interventions wherever required.
 - d. The User Agency shall arrange to meet the energy requirement of the project components by promoting Solar Energy and other green energy sources to the maximum extent possible.
 - e. The User Agency shall not alter the natural course of the streams in the proposed area and shall undertake to strengthen its banks both structurally and by planting trees.

13. The State Government shall form a monitoring committee headed by an officer of sufficient seniority in the Forest Department along with a representative from the concerned Regional Office of the MoEF&CC, etc.

14. SITE INSPECTION REPORT (SIR) ON THE NON-FOREST LANDS IDENTIFIED FOR COMPENSATORY AFFORESTATION (CA)

- i. In lieu of the 3306.55 ha of forest lands proposed for diversion under the 8 proposals submitted by the APCRDA, Compensatory Afforestation over a non-forest area of 3520.58 ha (in 6 patches in 2 districts) has been proposed. The details are as follows:

Sl.No	District	Village	Survey No	Area in ha	Remarks
1.	Kadapa	Joukulpalli	260	1007.74	To be inspected
2.		Atloor	426, 754, 420, 58	1595.23	To be inspected
3.		Kotapadu	613	186	To be inspected
4.		Kudumaluru	401	211	To be inspected
5.	Prakasam	Magatur	118	470.04	Inspected
6.		Pothalpadu	1	50.57	inspected
Total				3520.58	

Out of the above, the undersigned has visited random points on the following 2 identified CA sites along with the State Forest Department Officials and representatives from the User Agency on 19.09.2018.

The observations on the two non-forest lands proposed for Compensatory Afforestation (CA) which were inspected by the undersigned, are as follows:

15. **Observations on Site No 1:** 50.57 ha non-forest area in Sy No 1 in Pothalpadu (Village), Tarlupadu (Mandal), Markapur (Range), Markapur (WL) Division.

The Non Forest area of **50.57 ha** is an isolated patch and not located adjacent to any Reserve Forests. The area has sandy loam soil which is full of stones and gravel. Access to the identified land is through other non-forest lands and parts of the identified CA land has been put to various uses by the local people including laying of water pipes, electric lines and for digging bore wells; this indicates the pressure of encroachment. As reported, huge biotic pressure has completely denuded the area to be a barren land now. Securing this isolated patch from possible encroachment and ensuring success of plantation will be difficult and costly. As such, **from a management point of view, the area may not be suitable for taking up compensatory afforestation.** Hence, the User Agency may be directed to find any other suitable non-forest land.

- 15.1. **Google image & Photograph of the 50.57 ha non-forest area:**





16. Observations on Site No 2: 470.04 Ha in Sy No 118 of Magatur Village, Arthaveedu Mandal in Nagulavaram section of Markapur Range.

The identified Non-Forest area of **470.04 ha** is of hilly terrain and situated adjacent to the Thurupukonda RF and Penusila RF on the Eastern side, Muthukur Beat on the northern side and Sri Peninsula Wildlife Sanctuary (Somasila back waters) on the western & Southern side. The soil type is reported to be red soil with stones and boulders.

This CA land is proposed as a compensatory Afforestation site in lieu of the 3 diversion proposals by APCRDA, i.e, 123.82 ha for 'science city; 118.30 ha for 'Éco-tourism Village' and another 227.92 ha for 'Biodiversity Park'.

On account of the site's advantage of being adjacent to the RF as well as a Protected Area, **this non-forest area is recommended** for undertaking compensatory afforestation, subject to the following conditions;

- a) Wherever required, soil shall be imported from outside for plantation purposes.
- b) CA area shall be fenced wherever required to prevent encroachment.
- c) Awareness Camps shall be organized among the public of the nearby villages regarding conversion of revenue land in to a forest area and on applicability the Forest (Conservation) Act, 1980.
- d) Concerned Circle Head shall monitor implementation of the CA and furnish detailed monitoring report to the Regional Office every year.

16.1. Google Image & Photograph of the 470.04 ha non-forest area:





17. In view of the above facts related to the proposal, it is proposed that proposal may be placed before FAC for its Consideration in its forthcoming meeting scheduled to be held on 15.11.2018.
