

I/56725/2023



भारत सरकार
GOVERNMENT OF INDIA
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
MINISTRY OF ENVIRONMENT, FORESTS &
CLIMATE CHANGE



Sub office of the Regional Office, Chennai

Green House Complex, Gopal Reddy Road

Vijayawada – 520010, Andhra Pradesh

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F.No. 4-APB103/2020-CHN/ 1349

Date 18 October, 2023

18 NOVEMBER

To

The Special Chief 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 4.23 ha forest land in Compt No 450 of Yerragonda RF, Tummagunta (V), Kanigiri (M), Prakasham District for excavation of quartz in f/o Sri Ahobila Narasimha Minerals -Reg.

Sir,

Please refer to the State Government's letter Nos. 275/Section -II/2020 dated 14.07.2020 and 275/Section.II/2021/1086660 dated 29.08.2023 and online proposal No. FP/AP/QRY/38806/2019 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 and with the approval of the competent authority, I am herewith convey the Central Government's in principle approval (**Stage-I**) under Section '2' of Forest (Conservation) Act, 1980 for diversion of **4.23 ha** forest land in Compt No 450 of Yerragonda RF, Tummagunta (V), Kanigiri (M), Prakasham District for excavation of quartz in f/o Sri Ahobila Narasimha Minerals, 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 and the safety zone area shall be demarcated properly;
- (iii) Compensatory afforestation over identified non-forest land over an extent of **4.53 ha** of non forest area in Sy No 269/269-1 at Balayyapalli (V) Seetharamapuram (M), SPSR Nellore District,

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shall be raised and maintained by the State Forest Department from funds to be provided by the User Agency;

- (iv) Entire non-forest land identified over an extent of **4.53 ha** of non forest area in Sy No 269/269-1 at Balayyapalli (V)Seetharamapuram (M), SPSR Nellore District for raising compensatory afforestation shall be transferred and mutated in favour of the State Forest Department and shall be notified as RF/ PF before issue of the Stage-II clearance and copy of such notification shall be submitted along with the compliance report;
- (i) The State Government shall charge the Net Present Value of the diverted forest land measuring **4.23 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) dated 06.01.2022 and clarification issued vide letter dated 22.03.2022;
- (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 funds received from the User Agency towards Compensatory Afforestation and Net Present Value under this project shall be deposited in the designated CAMPA account. The User Agency shall compulsorily deposit the NPV and other levies, only by generating challan through the Ministry's website (<https://parivesh.nic.in/>);
- (vii) 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;
- (viii) Safety zone shall be maintained as green belt and to ensure dense canopy cover in the area, regeneration activity shall be taken up by the user agency at the project cost under the supervision of the State Forest Department;
- (ix) No storage of magazines shall be done in the forest area;
- (x) Mitigative measures plan for protection of forest located adjacent to the proposed quarry lease prepared by the Consultant Mining Geologist shall be carried out at the cost of the User Agency;

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- (xi) **The 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;**
- (xii) The User agency 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;
- (xiii) The User agency shall undertake mining in a phased manner and take due care for reclamation of the mined over area. reclamation activities are satisfactorily executed as per the mining plan to be approved by the competent authority
- (xiv) 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° ;
- (xv) The mining shall be done in the forest area in accordance with the mining plan to be obtained from the competent authority and mining area shall not be opened up hapazardly;
- (xvi) Diversion of the said forest land under this approval shall be for a period 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;
- (xvii) As the UA submitted mining plan for a period of 5 years, the UA shall submit mining plan for the period from 6th year of mining to the RO Chennai / sub Office Vijayawada;
- (xviii) User agency shall obtain Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986;
- (xix) The consent of State Pollution Control Board shall be obtained under the Air and Water Act before commencement of mining operations and it shall be renewed annually;
- (xx) 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;
- (xxi) The layout plan of the proposal shall not be changed without the prior approval of the Central Government;
- (xxii) The User Agency and the State Government shall ensure compliance to all the Acts, Rules, Regulations and Guidelines of the Ministry, for the time being in force, as applicable to such project;

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- (xxiii) 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 **4.23 ha (including safety zone area)**. User Agency shall furnish an undertaking to this effect;
- (xxiv) 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;
- (xxv) 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;
- (xxvi) The User Agency shall submit the annual self compliance report in respect of the above conditions to the Regional Office Chennai / sub Office Vijayawada and to the State Government;
- (xxvii) Any other condition that the DDG (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;
- (xxviii) In the event of failure to comply with any of the above conditions the user agency is liable for penal action as per the provisions of rules / guidelines framed under FCA, 1980;
- (xxix) Compliance report shall be submitted through online (<https://parivesh.nic.in/>);

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

Yours faithfully,


(Balaji Kari)

Assistant Inspector General of Forests (Central)

Copy to:

1. The Principal Chief Conservator of Forests, Forests Department & HoFF, AP Forest Department, Aranya Bhavan, P.V.S. Land Mark, Ground Floor, Opposite to IHC Corporate, Industrial Park, Mangalagiri, Guntur District, Andhra Pradesh-522503
2. The Principal Chief Conservator of Forests/Nodal Officer (FCA), Office of the Principal Chief Conservator of Forests, Forests Department,

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Aranya Bhavan, P.V.S. Land Mark, Ground Floor, Opposite to IHC Corporate, Industrial Park, Mangalagiri, Guntur District, Andhra Pradesh-522503

3. The IGF, RO(HQ) Division, Ministry of Environment, Forests & Climate Change, Indira Paryavaran Bhavan, Jor Bagh Road, Aliganj, New Delhi - 110 003.
4. Sri Ahobilam Narasimha Minerals, 4-53, Takkellapadu Village, Kanigiri Mandal, Prakasam District, Andhra Pradesh- 523230
p.babulreddy@gmail.com
5. Guard file


(Balaji Kari)

Assistant Inspector General of Forests (Central)

Signed by Balaji Kari

Date: 01-11-2023 16:25:06

Reason: Approved