

भारत सरकार

GOVERNMENT OF INDIA

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय

MINISTRY OF ENVIRONMENT, FORESTS & CLIMATE CHANGE

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सत्यमेव जयते

F.No.4-APB046-2017-CHN/1598

Date 05 October, 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 1.81 ha of forest land for Rehabilitation and up-gradation of NH-18 from Km.108/850 to 160/200 Rayachoty to Kadapa section to two lane with paved shoulders in the state of Andhra Pradesh in favour of Executive Engineer, (R &B), NH Division, Kadapa-reg.

Sir,

Please refer to the State Government's letter No.3695/Section-II/2017 dated 25.09.2017 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, I am hereby directed to convey the Central Government's approval (Stage-I) under Section '2' of Forest (Conservation) Act, 1980 for Diversion of 1.81 ha of forest land for Rehabilitation and up-gradation of NH-18 from Km.108/850 to 160/200 Rayachoty to Kadapa section to two lane with paved shoulders in the State of Andhra Pradesh in favour of Executive Engineer, (R &B), NH Division, Kadapa, 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;
- (iii) The Compensatory Afforestation (CA) shall be raised and maintained by the State Forest Department over 3.72 ha of degraded forest land identified in Compt No 759 in Idupulapaya Redlacheruvu RF in Rayachoty Range at the cost of the user agency;

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DESPATCHED (BY SP)
Date: 05/10/17 RSL

- (iv) Identified CA land and approved CA scheme shall not be changed without the prior approval of the Central Government;
- (v) The State Government shall charge the Net Present Value of the diverted forest land measuring 1.81 ha from 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;
- (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 User Agency. User Agency shall furnish an undertaking to this effect.
- (vii) The funds received from the User Agency towards Compensatory Afforestation and Net Present Value under this project shall be deposited in the **Corporation 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;**
- (viii) The layout plan of the proposal shall not be changed without the prior approval of the Central Government;
- (ix) 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 user agency to ensure that the labourers & staff engaged in execution of work do not destruct nearby forest flora & fauna;
- (x) Removal of red sanders trees from the forest area proposed for diversion shall be done as per the rules, guidelines and procedure in vogue in consultation with the DFO concerned;
- (xi) The State Forest Department shall raise and maintain sufficient numbers of red sanders saplings in the proposed CA land as proposed by the DFO, Kadapa Division;
- (xii) The UA shall construct retaining walls and check walls wherever required by consulting the DFO concerned at the project cost;
- (xiii) The construction of culverts/bridges, if any, over the natural streams/rivers/canals should 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;

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- (xiv) Trees/Bushes standing in the diverted area shall be felled / cleared strictly as per requirement with prior permission of the Divisional Forest Officer concerned;
- (xv) The user agency shall arrange to raise avenue plantation all along the roadside at the project cost with maintenance of 7-10 years.
- (xvi) Roadside cuttings and fillings which require engineering support shall be provided as per the instructions of the DFO so as to stabilize the soil.
- (xvii) The State Forest Department shall translocate the trees, wherever feasible instead of felling, at the cost of user agency.
- (xviii) The total forest area utilized for the project shall not exceed **1.81 ha** and the forest area diverted shall not be used for any purpose other than those shown in the diversion proposal. User Agency shall furnish an undertaking to this effect.
- (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;
- (xx) 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.
- (xxi) Any other conditions that the Central Government or Addl. PCCF(Central) of 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.
- (xxii) The Progress of the Compensatory Afforestation as mentioned by the DFO, Kadapa Forest Division in SI No 12 (v) (a) & (b) of part II i.e 410.32 ha of forest land and 156.20 ha of non forest land shall be monitored by the Circle Head and a copy of such monitoring report shall be forwarded to the Regional Office to upload the same in the web portal.
- (xxiii) The user agency shall submit the annual self compliance report in respect of the above conditions to the State Govt. and to the Regional Office, regularly.

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(xxiv) 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 from the date of issue of this letter. 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. The Executive Engineer, R & B, NH Division, Rabindra Nagar, Kadapa, Andhra Pradesh-5160031.
6. Guard file.


(Dr. K. Ganesh Kumar)

Deputy Conservator of Forests (Central)

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