



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



Integrated Regional Office, Vijayawada

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F.No. 4-APB196/2022-VIJ/62

Date 6th January, 2023

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 2.99 ha of forest land in compartment
No.978, Gilman field RF, Visakhapatnam for installation of
desalination plant in favour of Divis Laboratories Ltd.,
Visakhapatnam-reg.**

Sir,

Please refer to the State Government's letters Nos. 2631/Section/2022/(1895457) dated 29.11.2022 online application No. FP/AP/Others/147251/2021 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 submitted by the State Government, I am to convey the Central Government's in-principle approval (**Stage-I**) under Section '2' of Forest (Conservation) Act, 1980 for diversion of **2.99 ha** of forest land in compartment No.978, Gilman field RF, Visakhapatnam for installation of desalination plant in favour of Divis Laboratories Ltd., Visakhapatnam, subject to the following conditions:-

- (i) Legal status of the diverted forest land shall remain unchanged;
- (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 Agency;

- (iii) The User Agency shall construct retaining wall or link fencing around the diverted area, at the project cost;
- (iv) The State Forest Department shall carry out compensatory afforestation over an extent of **2.99 ha of non-forest land i.e. 0.36 ha in Sy No 71-2 and 2.63 ha in Sy No s 72-1 & 72-2 in Kuntambadevalasa Village, Pachipenda (Mandal)**, at the cost of the User Agency;
- (v) The State Forest Department shall raise required number of seedlings in the identified nearby DFL in case it is not possible to accommodate required number of seedlings in the identified NFL; nearby DFL area where the balance seedlings are raised and details of such DFL area may be provided to the IRO Vijayawada for record and monitoring purpose;
- (vi) **Display board clearly mentioning legal status of the CA area shall be erected and DFO shall sensitize nearby villagers regarding applicability FCA, 1980 and other provisions of the IFA 1927 on such land to avoid encroachments;**
- (vii) **Since, large numbers of *Casuarina* trees are proposed to be felled under the project which are acting as a wind barrier, proper shelter belt plantations wherever possible, shall be raised, around the diverted forest area , at the cost of user agency so that such plantations may act as Shelter Belts & also tackle wind erosion. Therefore, to achieve this, the DFO concerned shall prepare a specific scheme with detailed financial outlay and submit the same along with the Compliance Report. The User Agency shall deposit such cost in to the designated CAMPA account only;**
- (viii) **Wherever possible, the User Agency shall take up similar plantations on the bordering areas within the diverted forest land at their cost. An undertaking to this effect shall be submitted by the User Agency along with the compliance report.**



- (ix) Identified CA area shall not be changed without prior approval of Central Government;
- (x) Entire non-forest land identified over an extent of **2.99 ha of non-forest land i.e. 0.36 ha in Sy No 71-2 and 2.63 ha in Sy No s 72-1 & 72-2 in Kuntambadevalasa Village, Pachipenda (Mandal)**, for raising compensatory afforestation shall be transferred and mutated in favour of the State Forest Department and shall notified as RF/ PF **before issue of the Stage-II clearance. Copy of such notification shall be submitted along with the compliance report;**
- (xi) The State Government shall charge the Net Present Value of the diverted forest land measuring **2.99 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 19.01.2022 and 22.03.2022;
- (xii) 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;
- (xiii) 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/>);
- (xiv) **The user agency shall obtain all such clearances required for the project including CRZ clearance if necessary, prior to the execution of the project and the State Government shall ensure strict compliance to that effect.**



- (xv) **The User Agency shall ensure that no discharge of effluents post desalination shall be released into the adjoining forest area and also shall ensure that no plastics or any other wastage is dumped in the adjoining forest areas. An undertaking to this effect shall be furnished by the User Agency along with the compliance report.**
- (xvi) **No residential buildings shall be constructed in the diverted forest area. An undertaking to this effect shall be furnished by the User Agency along with the compliance report.**
- (xvii) 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;
- (xviii) The dug out material / overburden shall be dumped outside the forest area. Storage of any material shall not be done in the forest area;
- (xix) The layout plan of the proposal shall not be changed without the prior approval of the Central Government;
- (xx) 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;
- (xxi) 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;
- (xxii) The total forest area utilized for the project shall not exceed **2.99** 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 along with the compliance report;**



- (xxiii) 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;
- (xxiv) 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;
- (xxv) Any other conditions that the Central Government or Regional Officer, IRO, 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;
- (xxvi) In the event of failure to comply with any of the above conditions the user agency is liable for penal action as provisions of rules /guidelines made under FCA, 1980.
- (xxvii) The State Government shall process and submit compliance report on the above conditions through online (<https://parivesh.nic.in/>);

After receipt of the compliance report on above mentioned conditions, the proposal will be considered for 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 non-compliance of the above conditions, this in-principle approval shall automatically stand revoked after 5 years.

Yours faithfully,



(N.S.Murali)
Inspector General of Forests (Central)

Copy to:-

1. The Principal Chief Conservator of Forests & HoFF, Forests Department, Govt. of Andhra Pradesh, Aranya Bhavan, K.M. Munshi Road, Nagarampalem Guntur-522004
2. The Principal Chief Conservator of Forests/Nodal Officer (FCA), Office of the Principal Chief Conservator of Forests, Forests Department, Govt. of Andhra Pradesh, Aranya Bhavan, K.M. Munshi Road, Nagarampalem, Guntur-522004
3. The IGF, RO(HQ) Division, Ministry of Environment, Forests & Climate Change, Indira Paryavaran Bhavan, Jor Bagh Road, Aliganj, New Delhi - 110 003 for information.
4. DIVIS LABORATORIES LTD, UNIT-2, Chippada Village, Bheemunipatnam Mandal, Visakhapatnam District. Andhra Pradesh 531162
ysk@divislabs.com
5. Guard file.



(N.S.Murali)

Inspector General of Forests (Central)