



भारत सरकार
GOVERNMENT OF INDIA
 पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
**MINISTRY OF ENVIRONMENT, FORESTS &
 CLIMATE CHANGE**
**Regional Office, Chennai (Sub-Office at
 Vijayawada)**
 Green House Complex, Gopal Reddy Road
 Vijayawada – 520010, Andhra Pradesh
 email: iro.vijayawada-mefcc@gov.in



F.No. 4-APA208/2023-VIJ/ 1371
 Date 06th November, 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 38.60 ha (revised from 54.00 ha) of forest land falling in Muthukur and Markpur RF, Markapur WL Division (presently PT Markapur Division) in favour of the Regional Officer, MoRTH, Vijayawada Division for rehabilitation and up-gradation of National Highway-565 from km 133.922 to km 154.900 (Davupally to Mallapalem Junction) to two lanes with paved shoulders in the state of Andhra Pradesh under NHDP-IV- reg

Sir,

Please refer to the State Government's letter No. 559/Section .II/2023/2027951 dated 19.04.2023 and 03.10.2023 and online application No. FP/AP/ROAD/146577/2021 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 and considering the importance of the project and with the recommendation of the Regional Empowered Committee (REC), I am directed to convey the Central Government's in principle approval (**Stage-I**) under Section '2' of Forest (Conservation) Act, 1980 for diversion of **38.60 ha (revised from 54.00 ha)** of forest land falling in Muthukur and Markpur RF, Markapur WL Division (presently PT Markapur Division) in favour of the Regional Officer, MoRTH, Vijayawada Division for rehabilitation and up-gradation of National Highway-565 from km 133.922 to km 154.900 (Davupally to Mallapalem Junction) to two lanes with paved shoulders in the state of Andhra Pradesh under NHDP-IV, 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 State Forest Department shall carry out compensatory afforestation over an extent of **90.00 ha within the 115.03 ha** degraded forest area identified in the following four bits at the cost of the User Agency;

SI No	Particulars	Location	Extent of area
01	Bit -I	Compt No 193 of Gangavaran RF	25 ha (within bit area of 30.04 ha)
02	Bit -II	Compt No 187 of ENB XII RF Mallepalem Beat, Y.Palem section of Y Palem Range	25 ha (within bit area of 38.02 ha)
03	Bit -III	Compt No 188 of ENB XII RF Mallepalem Beat, Y.Palem section of Y Palem Range	20 ha (within bit area of 22.33 ha)
04	Bit -IV	Compt No 166 & 175 of ENB-XRF Komarolu Beat Y.Palem section of Y Palem Range	20 ha (within bit area of 24.64 ha)

- (iv) Identified CA area and CA scheme shall not be changed without prior approval of Central Government;
- (v) The State Government shall charge the Net Present Value of the diverted forest land of **38.60 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 and **the Ministry guidelines No.FC-11/117/2019-FC dated 15.03.2023;**
- (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;

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- (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/>) ;
- (viii) The State Government / UA shall strictly implement approved Wildlife mitigation plan and all other recommendation of the SC NBWL, at the cost of the project;**
- (ix) Trees shall be felled wherever necessary under the strict supervision of the DFO concerned;**
- (x) The User Agency shall construct retaining walls and check walls wherever required, by consulting the DFO concerned, at the project cost;
- (xi) The User Agency shall carryout avenue plantation and its maintenance on 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;
- (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;
- (xiv) The dug out material / overburden shall be dumped outside the forest area. Storage of any material shall not be done in the forest area;
- (xv) The State Government shall ensure settlement of eligible RoFR holders, if any as per the rules / regulation as per the R&R Scheme;
- (xvi) The layout plan of the proposal shall not be changed without the prior approval of the Central Government;
- (xvii) 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;
- (xviii) 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;

- (xix) The total forest area utilized for the project shall not exceed **38.60 ha** 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;
- (xx) 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;
- (xxi) 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;
- (xxii) Any other conditions that the Central Government or DDG (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;
- (xxiii) In the event of failure to comply with any of the above conditions the User Agency is liable for penal action as per the rules / guidelines issued under FCA, 1980;
- (xxiv) 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 will be revoked.

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

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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. Regional Office, Ministry of Road, Transport and Highways , American Hospital road, Punammathota, Nehrunagar, Vijayawada, Andhra Pradesh- 520002 nh56520.978@gmail.com
5. Guard file.


(Balaji Kari)

Assistant Inspector General of Forests (Central)

Signed by Balaji Kari

Date: 06-11-2023 11:01:10

Reason: Approved