



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-APC145/2022-VIJ/985

Date 10th June, 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 53.07 ha i.e. fresh forest area of 32.25 ha (revised from 29.26 ha) and re diversion of 20.82 ha of forest land in Nandyal WL and Giddalur division in favour of the deputy Chief Engineer, Construction-IV, South Central Railway, Secunderabad for doubling railway line between Guntur and Guntakal stations-Reg.

Sir,

Please refer to the State Government's letter No 2533/Section .II/2021/ (1596914) dated 04.02.2022, 2553/Section.II/2021/1596914 dated 17.03.202, 2553/Section.II/2021/1596914 dated 30.05.2023 and online application No. FP/AP/RAIL/147706/2021 seeking prior approval of the Government of India 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, I am to convey the in-principle (*Stage-I*) approval of the Government of India under Section '2' of Forest (Conservation) Act, 1980 diversion for **53.07 ha i.e. fresh forest area of 32.25 ha (revised from 29.26 ha) and re-diversion of 20.82 ha of forest land** in Nandyal WL and Giddalur division in favour of the Deputy Chief Engineer, Construction-IV, South Central Railway, Secunderabad for doubling railway line between Guntur and Guntakal stations, subject to the following conditions:-

1. The legal status of forest land shall remain unchanged;
2. 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 from the amount realized from the User Agency;

3. The State Forest Department shall raise and maintain plantation in degraded forest land identified over an extent of **70.00 Ha out of 79.21** ha in Compt No 375, 376 & 377 of Sirvel RF, Peddavangali Beat, D.V.Penta Section , Rurdavaram Range, Nandyal Division from the funds to be provided by the User Agency;
4. The approved CA land and compensatory afforestation scheme shall not be changed without prior approval of the Central Government;
5. The State Government shall charge the Net Present Value of the diverted forest land measuring **53.07 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. The NPV for the forest area over an extent of **2.99 ha** for tunnel portion shall be realized as per the Ministry's guidelines.
6. 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;
7. 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/>);
8. **As the proposal passing through tiger corridor, the UA shall obtain prior approval of the SC-NBWL under Wildlife Protection Act, 1972;**
9. **As the project is permanent and linear in nature, the UA shall conduct study (every five years) by the reputed institution like Wildlife Institute of India (WII) to examine actual impact after execution of the project and shall submit such report to the IRO Vijayawada and the WL Division of the Ministry;**
10. **The User Agency shall engage an expert in the field of wildlife to oversee the implementation of wildlife mitigation plan during project execution phase and the operational phase to ensure proper implementation of such wildlife mitigation measures;**



11. As per the information provided by the field officials, in the past, there has been mortalities of Tigers, Panthers and other Wild animals due to train accidents. Hence, more such mortalities of wildlife can be anticipated due to construction of new track. Hence, the construction of tunnels at appropriate places (based on the usual route / crossing places and other such places wherever required) shall be carried out by the UA and dimensions of such underpass / culverts shall be depend on nature of fauna existing in and around forest area proposed for diversion;
12. In parallel to the existing under passes in the existing railway line, new under passes / culverts shall be constructed while constructing new track to ensure easy passage of wild animals without getting struck in between the two tracks;
13. All other mitigation measures required as per the Wildlife Institute of India(WII) prescribed for such linear projects shall be implemented;
14. In specific to tunnels portion, sufficient safeguards and mitigation measures (including side ramps, fencing up to tunnel portion entry point for at least 50 mtrs length followed by the under pass / culvert) need to be taken to guide and ensure safe passage of wild animals above the tunnels and avoid entering of wild animals inside tunnel opening;
15. The User Agency shall include wildlife mitigation measures suggested by the subcommittee and specific suggestion given by the Shri A.V.Joseph, IFS(Retired) Former PCCF & HoFF and CWLW in the wildlife mitigation plan and the State Government shall ensure the same are also included in the proposal to be placed before the SBWL for consideration.
16. Tree felling shall be carried out wherever necessary under the strict supervision of the DFO concerned and tree felling in the upper area of 2.99 ha proposed for tunnel portion, shall be avoided without compromising safety of the tunnel;
17. While execution of the project, earth cutting involves excavation of huge quantity of materials, hence proper disposal plan to dispose such excavated material shall be implemented in consultation with the DFOs concerned and the UA shall not take soil from the nearby the forest areas for execution of the project and no additional path / road shall be made to execute the project



18. **Proper SMC plan shall be prepared and implement to check soil erosion, at the project cost;**
19. **Wherever possible, plantation of indigenous trees species within forest area of 132.31 ha diverted earlier shall be carried out by the State Forest Department at the project cost;**
20. **The construction work shall be taken up only during day time;**
21. **Proper labour camps shall be constructed in the non-forest area and in any case, labour camp shall not be made within the RF area;**
22. **Speed limit of the train may be restricted as required in consultation with the CWLW and the court orders, if any specific to the speed regulation in such wildlife habitats;**
23. **The DFOs shall monitor the project site regularly and submit such monitoring reports to the IRO Vijayawada so as to take remedial measures, if required and the UA shall submit undertaking to comply with the same at the cost of the project;**
24. **RoFR certificate in the prescribed format from the competent authority shall be submitted along with the compliance report;**
25. **Speed regulating signage will be erected along the railway line at regular intervals in the Protected Areas/ Forest Areas;**
26. **User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable;**
27. **The layout plan of the proposal shall not be changed without prior approval of the Central Government;**
28. **Sufficient firewood, preferably the alternate fuel, shall be provided by the User Agency to the labourers after purchasing the same from the State Forest Department or the Forest Development Corporation or any other legal source of alternate fuel;**



29. No additional or new path will be constructed inside the forest area for the transportation of construction materials for execution of the project work;
30. The forest land shall not be used for any purpose other than that specified in the project proposal;
31. The forest land proposed to be diverted shall under no circumstances be transferred or sublet to any other agencies, department or person without prior approval of Govt. of India;
32. Pre-fabricated structures should be used to the maximum possible extent to reduce the extent of disturbance in the habitat;
33. The debris / earth excavated during the track laying work should be disposed off or reused suitably so that the natural drainage of the area is not blocked. Materials to be used for construction of new tracks should be brought from outside the forest area;
34. The State Forest Department shall translocate the trees, instead of felling wherever feasible, at the cost of User Agency;
35. The total forest area utilized for the project shall not exceed **53.07 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;
36. The User Agency and the State Government shall ensure compliance to the all acts, rules, regulation and guidelines of the Ministry, for the time being in force, as applicable to the railway line projects;
37. Any other condition that the Regional Officer, Integrated Regional Office, 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 at project cost;
38. 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.

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. 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 non-compliance of the above conditions, this in-principle approval may be revoked as per the rules.

Yours faithfully,



(N.S.Murali)

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
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. Indian Railway South Central Railway, Office of Deputy Chief Engineer, Construction IV, South Central Railway, Secunderabad Telangana 500071-dycec4sc@gmail.com
5. Guard file



(N.S.Murali)

Inspector General of Forests (Central)