



सत्यमेव जयते

भारतसरकार  
GOVERNMENT OF INDIA  
पर्यावरण ,वनएवंजलवायुपरिवर्तनमंत्रालय  
MINISTRY OF ENVIRONMENT, FORESTS & CLIMATE CHANGE  
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F.No. 4-APC135/2021-VIJ/100

Date 11<sup>th</sup> December, 2021

To

The Principal Secretary to the Government of Andhra Pradesh,  
Environment, Forests, Science & Technology Department,  
Government of Andhra Pradesh, Room No.268, 1<sup>st</sup> Floor, 4<sup>th</sup> Block,  
Andhra Pradesh Secretariat, Velagapudi, Amaravati Guntur District-522503

**Subject: Diversion of 11.38 ha. of forest land in Compartment No 571 & 572 of Nadupuru RF, Parawada Beat, Visakhapatnam Division for laying of 400/220 KV Overhead Transmission Line works from 400/220kV Kalapaka Substation to the proposed Cable Pot Head Station for HPCL Refinery at Visakhapatnam in favor of CGM (Projects VRMP) HPCL, Visakhapatnam.-reg.**

Sir,

Please refer to the State Government's letter No. 1486/Section.II/2021(1480785) dated 14.09.2021 and 1486/Section.II/2021(1480785) dated 01.12.2021 and online proposal No. FP/AP/TRANS/65723/2020 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 as per the recommendation of the Regional Empowered Committee (REC), I am to convey the Central Government's in principle approval (*Stage-I*) under Section '2' of Forest (Conservation) Act, 1980 diversion of 11.38 ha. of forest land in Compartment No 571 & 572 of Nadupuru RF, Parawada Beat, Visakhapatnam Division for laying of 400/220 KV Overhead Transmission Line works from 400/220kV Kalapaka Substation to the proposed Cable Pot Head Station for HPCL Refinery at Visakhapatnam in favor of CGM (Projects VRMP) HPCL, Visakhapatnam, subject to the following conditions:-

1. Legal status of the diverted forest land shall remain unchanged;
2. Demarcation of the forest area proposed for diversion 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;

*U. Anand*

3. Compensatory afforestation and its maintenance in identified degraded forest area within 32.80 ha (20.55 ha in Nallakonda RF + 12.25 ha in Kambalakonda Extension RF) shall be carried out by the State Forest Department from the funds to be provided by the User Agency;
4. The Forest Department shall ensure that the CA scheme as proposed in the diversion proposal shall be implemented in its entirety and the approved 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 **11.38 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 the guidelines issued by the Ministry vide letter No. 5-3/2007-FC dated 05.02.2009 in this regard;
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. Considering violation of FCA, 1980, action required to be taken on User Agency/ Forest Department officials are as follows;
  - a. For works carried out in violation of FCA, 1980 by the UA over an extent of **6.00 ha**, as recommended by the REC, penalty (Penal NPV) of **2 times** of NPV plus 12 percent simple interest till the deposit is made for an area of **6.00 ha** as per provisions made in the comprehensive hand book under section **1.21 (ii) (a)** and as the User Agency is a Central PSU, **20 %** of the above mentioned penalty shall be charged as per the provisions made in the comprehensive hand book under section **1.21 (ii) (b)**;
  - b. The violation committed by the user agency / Forest Department officials shall be dealt as per provisions made in the comprehensive hand book under section 1.21 (ii) (c) and (d) by the State Government and the State Government shall book offence cases on User Agency i.e. HPCL;
8. No trees shall be allowed to be felled in the diverted forest area;



9. Prior approval of the Central Government shall be obtained by the user agency following due process as prescribed under the guidelines issued under the FC Act 1980 for transfer of the diverted forest area under subject project to APTRANSCO or to any other agency, department or person;
10. Width of RoW shall be maintained as per the standard specification as per the Ministry's guidelines and additional forest area shall not be utilized beyond 11.38 ha. The User Agency shall furnish an undertaking to this effect;
11. 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/>);
12. Disturbance shall be kept minimal by creating labour camps outside the forest area 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;
13. The User Agency in consultation with the State Forest Department shall prepare and execute a detailed scheme for creation and maintenance of plantation of dwarf species (preferably medicinal plants) in the right of way under the transmission line at the project cost;
14. The User Agency at its cost shall provide bird deflectors, which are to be fixed on the upper conductor of the transmission line at suitable intervals to avoid bird hits;
15. No additional or new path will be constructed inside the forest area for the transportation of construction materials for execution of the project work;
16. Future pollarding / pruning of trees will be done with the permission of the local forest officer wherever necessary for the maintenance of the transmission lines;
17. The 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;
18. The layout plan of the proposal shall not be changed without prior approval of the Central Government;



19. 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 and all other mandatory clearances required for such transmission line projects shall be obtained by the User Agency;
20. 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;
21. 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 made in the Rules / guidelines issued under FCA, 1980;
22. 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, the 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, Forests Department, Govt. of Andhra Pradesh, Aranya Bhavan, K.M. Munshi Road, Nagarampalem Guntur-522004.
2. The Additional 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. M/s. HPCL Visakh Refinery, Post Box-15, Visakahapatnam, Andhra Pradesh 530011 [harigp@hpcl.in](mailto:harigp@hpcl.in)
4. Guard file



**(N.S.Murali)**

Inspector General of Forests (Central)