



भारत सरकार
GOVERNMENT OF INDIA
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
MINISTRY OF ENVIRONMENT, FORESTS & CLIMATE CHANGE
Sub Office, Vijayawada of Regional Office, Chennai
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F.No. 4-APC134/2021-VIJ /536

Dated : 11th December, 2024

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 11.03 Ha in Compartment No.253 of Kavalakuntla Extn. A and B in Porumamilla Range of Proddatur (WL) Division for Upgrading and widening of the existing road to two lane with paved configuration of NH-167B from Km 51/000 to 58/500 i.e from Porumamilla to Chandrasekhara Puram 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 Nos. 1481/Section.II/2020 dated 01.09.2021, No.1481/Section.II/2021/1226406 dated 12/10/2023 and No.1481/Section.II/2021/1226406 dated 17/11/2024 and online proposal No. FP/AP/ROAD/33887/2018 seeking prior approval of the Central Government for diversion of forest land in accordance with Section '2(1)' of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for the above mentioned project. The proposal was examined by the Regional Empowered Committee constituted under sub-rule (2) of rule 6 of Van (Sanrakhsan Evan Samvardhan) Rules, 2023 in its meeting held on 20/11/2024.

After careful consideration of the proposal of the State Government and on the basis of the approval of Regional Empowered Committee, I am directed to convey the Central Government's **in principle approval (Stage-I)** under Section '2(1)' of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for diversion of **11.03 ha** in Compartment No.253 of Kavalakuntla Extn. A and B in Porumamilla Range of Proddatur (WL) Division for Upgrading and widening of the existing road to two lane with paved configuration of NH-167B from Km 51/000 to 58/500 i.e from Porumamilla to Chandrasekhara Puram 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 road width shall be restricted to the appropriate width including the existing 1.65-meter gravel shoulders on both sides. The User Agency shall furnish an undertaking to this effect;
- (iii) 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.
- (iv) The non-forest land identified over an extent of 24.78 ha in Sy.No.506B & 507 of Nandyalampeta village, Mydukuru Mandal for raising compensatory afforestation shall be transferred and mutated in favour of the State Forest Department.
- (v) The non-forest land transferred and mutated in favour of the State Forest Department or the revenue forest land, as the case may be, shall be notified by the State Government as Protected Forests under section 29 of the Indian Forest Act, 1927 or under the relevant section(s) of the local Forest Act, before issue of the 'Final' approval under the Adhiniyam. The Nodal Officer shall report compliance in this regard along with a copy of the original notification declaring the non-forest land as PF, along with compliance of 'in-principle' approval.
- (vi) The cost of raising and maintaining the compensatory afforestation in the identified non forest land over an extent of 23 ha. (out of 24.78 ha) shall be realized from the User Agency as per the approved CA scheme.
- (vii) The approved CA land and compensatory afforestation scheme shall not be changed without prior approval of the Central Government;
- (viii) The compensatory afforestation scheme, as approved, shall be implemented by the State Forest Department at the project cost within a period of two years from the date of grant of 'Final' approval.
- (ix) The KML file of the forest area to be diverted and CA area shall be uploaded on the e-green watch portal with all requisite details.
- (x) The State Government shall charge the Net Present Value of the diverted forest land measuring 11.03 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;

- (xi) 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;
- (xii) Mitigation measures as per the Approved WL mitigation plan by the CWLW, shall be implemented at the cost of the User Agency and such amount shall be deposited in to the designated CAMPA account;
- (xiii) As the significant numbers of red sanders trees to be felled under the project, the State Government shall raise required number of red sanders in the nearby forest area to compensate the proposed felling of such species at the cost of the User Agency;
- (xiv) 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/>);
- (xv) The period of diversion under this approval shall be co-terminus with the period of lease to be granted in favour of the user agency or the project life, whichever is less.
- (xvi) Suitable signages for speed regulation and animal safety will be erected along the road through forest areas.
- (xvii) Overburden shall not be dumped outside the width of the road. The muck generated in the earth cuttings will be disposed of at the designated dumping sites and in no case the muck/debris will be allowed to roll down the hill slopes.
- (xviii) The user agency will provide retaining walls, breast walls and drainage as per requirement to make the slope stable.
- (xix) The designing 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.

- (xx) Wherever possible and technically feasible, the User Agency shall undertake afforestation measures along the roads within the area diverted under this approval, in consultation with the State Forest Department at the project cost.
- (xxi) No labour camp shall be established on the forest land by the State Government.
- (xxii) No additional or new paths will be constructed inside the forest area for transportation of construction materials for execution of the project work.
- (xxiii) The forest land shall not be used for any purpose other than that specified in the project proposal.
- (xxiv) The total forest area utilized for the project shall not exceed 11.03 ha.
- (xxv) The forest land proposed to be diverted shall under no circumstances be transferred to any other agency, department, or person without prior approval of the Central Government.
- (xxvi) No damage to the flora and fauna of the adjoining area shall be caused.
- (xxvii) The layout plan of the proposal shall not be changed without the prior approval of the Central Government.
- (xxviii) The User Agency shall obtain the Environmental Clearance as per the provisions of the Environment (Protection) Act, 1986, if applicable.
- (xxix) The concerned Divisional Forest Officer, will monitor and take necessary mitigative measures to ensure that there is no adverse impact on the forest in the surrounding area.
- (xxx) The User Agency shall submit the annual self-compliance report in respect of the above stated conditions to the State Government and Regional Office by the end of March every year.
- (xxxi) The user agency shall comply with all the provisions of all Acts, Rules, Regulations, Guidelines, Hon'ble Court Order (s) and NGT Order (s) pertaining to this project, if any, for the time being in force, as applicable to the project.

(xxxii) The State Government shall ensure settlement of rights under the scheduled tribes and other Traditional forest dwellers (Recognition of forest rights) Acts 2006, before issue of working permission and diversion as case may be.

(xxxiii) Any other condition that the Ministry of Environment, Forest and Climate Change may stipulate from time to time in the interest of conservation, protection and development of Forest and Wildlife.

(xxxiv) Violation of any of these conditions will amounts to violation Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and action would be taken as prescribed under the Act, Rules and Guidelines relevant.

After receipt of compliance report on fulfilment of the conditions mentioned above, the proposal shall be considered for final approval under Section-2 (1) of the Van (Sanrakshan Evam Samvardhan) Adihiniyam 1980.

Further, it may also be noted that this in-principle approval shall be valid for a period of 2 years from the date of issue of this letter. In the event of non-compliance of the above conditions within 2 years, the in-principle approval shall be deemed to be null and void.

Yours faithfully,

-Sd-

(Balaji Kari)

Assistant Inspector General of Forests (Central)

Copy to:

1. The Chief Executive Officer, National Compensatory Afforestation Fund Management and Planning Authority, 4th Floor, Block No.3, CGO Complex, New Delhi - 110 003.
2. The Inspector General of Forests, ROHQ, MoEF&CC, Indira Paryavaran Bhavan, Jor Bagh Road, Aliganj, New Delhi-110003.
3. 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
4. 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
5. The Executive Engineer(R&B), NH Division, Rabindra Nagar, Kadapa-516003

6. Guard file

(Balaji Kari)

Assistant Inspector General of Forests (Central)