



भारत सरकार

GOVERNMENT OF INDIA

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय

MINISTRY OF ENVIRONMENT, FORESTS & CLIMATE CHANGE

Integrated Regional Office, Vijayawada

Green House Complex, Gopal Reddy Road

Vijayawada – 520010, Andhra Pradesh

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F.No. 4-APB187/2022-VIJ/574

Date 22nd September, 2022

To,

The Spl. 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 0.99 ha forest land in compartment No.4, Nizampatnam RF, Guntur Division for extension of Quay/Jetty of existing Fishery Harbor, Nizampatnam during Phase-II development in favour of Managing Director, APMIDCL, Vijayawada -reg

Sir,

Please refer to the State Government's letter No. 1923/Section.II/2022/(1818528) Dated: 08.09.2022 and online application No. FP/AP/Others/148951/2021 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 road, I am to convey the Central Government's in principle approval (Stage-I) under Section '2' of Forest (Conservation) Act, 1980 for diversion of **0.99 ha** forest land in compartment No.4, Nizampatnam RF, Guntur Division for extension of Quay/Jetty of existing Fishery Harbor, Nizampatnam during Phase-II development in favour of Managing Director, APMIDCL, Vijayawada, 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 (ten times the tree to be felled in the proposed area for diversion i.e. 53X10=530 numbers of plants)** in the degraded forest land at the cost of the User Agency. Details of DFL area i.e. Map along with DGPS co-ordinates, CA scheme etc shall be submitted along with the compliance report;

- (iv) In addition to above mandatory CA plantation, State Forest Department may carryout plantation of mangrove plantation wherever possible around diverted area at the cost of the User Agency;
- (v) No residential building shall be constructed in the diverted forest area;
- (vi) The User Agency shall obtaining of EC / CRZ clearance, if applicable to the Project;
- (vii) As proposed by the DFO, Guntur Forest Division, the State Forest Department may take up Chain link fencing along the boundary of RF area, containing mangrove growth, adjoining the proposed diversion area and erection of signage/display boards on conservation of Wildlife and forest protection, at the cost of the User Agency;
- (viii) The State Government shall charge the Net Present Value of the diverted forest land measuring **0.99 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
- (ix) 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;
- (x) 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/>);
- (xi) Felling of trees shall be carried out wherever necessary and with strict supervision of State Forest Department. The User Agency shall carry out translocation of trees wherever feasible in consultation with DFO concerned, at the project cost;
- (xii) The dug out material / overburden shall be dumped outside the forest area. Storage of any material shall not be done in the forest area;
- (xiii) The layout plan of the proposal shall not be changed without the prior approval of the Central Government;



- (xiv) 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;
- (xv) 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;
- (xvi) The total forest area utilized for the project shall not exceed **0.99 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;
- (xvii) 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;
- (xviii) 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;
- (xix) **No new path or road shall be formed while execution of the project work;**
- (xx) Any other conditions that the Central Government or Regional Officer (Central) of 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;
- (xxi) 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;
- (xxii) The State Government shall process and submit compliance report on the above conditions through online (<https://parivesh.nic.in/>);

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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 Inspector General of Forests, ROHQ, Ministry of Environment, Forest & Climate Change, Indira Paryavaran Bhavan, Jor Bagh Road Aliganj -110003
4. Managing Director, AP Maritime Infrastructure Development Corporation 4th Floor, NTR Administrative Complex, PN Bus Station, Vijayawada-Andhra Pradesh - 520013 nizampatnamfh@gmail.com
5. Guard file



(N.S.Murali)

Inspector General of Forests (Central)