



भारत सरकार

GOVERNMENT OF INDIA

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय

MINISTRY OF ENVIRONMENT, FORESTS & CLIMATE CHANGE

Regional Office (South Eastern Zone),

1st & 2nd floor, HEPC Building, No.34, Cathedral Garden Road,

Nungambakkam, Chennai - 600034, Tel.No.044-2822 2325

E.Mail: roefccc@gmail.com



F.No.4-APC025/2016-CHN/2408

Dated 02nd December, 2016

To,

The Special Chief Secretary to the Government of Andhra Pradesh,
Environment, Forests, Science & Technology Department,
Andhra Pradesh. Secretariat, Hyderabad- 500 022.

Subject: Diversion of 39.13 ha of Forest Land in Diwancheruvu RF of Kakinada Division for Establishment of Institution of Andhra Pradesh Forest Academy for imparting Trainings on Forest Protection, Management and Conservation of forests in favour of DFO, Kakinada - Additional Information / documents required-reg

Reference: 1. The State Government of Andhra Pradesh letter No. 5273/Section - II/2016 dated 03.11.2016
2. The PCCF, Andhra Pradesh letter No. 14952/2016/FCA-1 dated 18.11.2016.
3. Regional Office, MoEF&CC, Chennai letter No. 4-APC024/2016-CHN/223 dated 11.11.2016

Sir,

Please refer to subject & reference cited above and I am hereby directed to inform that the Regional Office, MoEF&CC, Chennai vide reference cited at (3) above has conveyed that the proposal in the present form cannot be considered for clearance due to the reasons cited therein (copy enclosed);

2 The PCCF, Andhra Pradesh vide reference cite at (2) above has again requested to exempt CA for the subject proposal and to convene the Regional Empowered Committee meeting to deliberate on the proposal.


3 In connection to the above, I am hereby directed to inform that, as per the Orders of the Hon'ble Supreme Court of India and rules, guidelines under Forest (Conservation) Act, 1980, the exemption of CA & NPV is not permissible for the subject proposal. Hence, it is to inform that the State Government may furnish compliance

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DESPATCHED

report on the issues raised by the Regional Office, Chennai vide reference cited at (3) above at the earliest for further consideration of the proposal.

Yours faithfully


(Dr. K Ganesh Kumar)

Deputy Conservator of Forests (Central

Copy to:

1. The Principal Chief Conservator of Forests, Forests Department, Govt. of Andhra Pradesh, Sankuratri Residency, M.G.Inner Ring Road, Agatavarapadu, Guntur-522509
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, , Sankuratri Residency, M.G.Inner Ring Road, Agatavarapadu, Guntur-522509


(Dr.K.Ganesh Kumar)

Deputy Conservator of Forests (Central)

o/c



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GOVERNMENT OF INDIA

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय

MINISTRY OF ENVIRONMENT, FORESTS & CLIMATE CHANGE

शेत्रीय कार्यालय (दक्षिणी पूर्व परिक्षेत्र)/Regional Office (South Eastern Zone)

1st & 2nd floor, HEPC Building, No.34, Cathedral Garden Road,
Nungambakkam, Chennai - 600034



F.No.4-APC024/2016-CHN/ 223

Dated: 11th November 2016

To

The Special Chief Secretary to the Government of Andhra Pradesh,
E.F.S & T. Department,
A.P. Secretariat, Hyderabad.

Sir,

Sub: Diversion of 39.13.Ha of forest land in Diwancheruvu East R.F. of Kakinada Division for the establishment of institution of Forest Academy for imparting Training on Forest Protection management and conservation of Forests in Favour of Divisional Forest Officer, Kakinada - Proposal under Forest (Conservation) Act, 1980 - Reg.

Ref: Letter No.,5273/Section-II/2016 dated 03.11.2016 of your office.

Kindly refer to the subject and reference cited above and in relation to that I am directed to inform that,

- Wherever application is made for diversion of forest land, certain compensatory levies like NPV etc. are to paid compulsorily by the user agency.
- The Hon'ble SC vide its orders dated April 24, 2008 and May 09, 2008 has made exemptions only for certain categories and the proposed project does not fall under the exempted category.
- As the proposed area is more than 1.0 ha and having a total of 3535 trees, the exemption from payment of CA levy is not applicable in the instant case.
- Since the area requested for institutional purpose is only 7.75 ha and rest are for other purposes and also it is **not** a site specific one, the proposed area may be limited to the barest minimum for any work relating or ancillary to conservation, development and management of forests and wildlife, namely, the establishment of check posts, fire lines, wireless communications and construction of fencing, bridges and culverts, dams, waterholes, trench marks, boundary marks, pipelines or other like purposes.

Therefore, the project proposal in the present form cannot be considered by this office.

Yours faithfully,


(Dr.K.Ganesh Kumar, I.F.S.)

Dy. Conservator of Forests (Central)

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GOVERNMENT OF ANDHRA PRADESH
FOREST DEPARTMENT

From:
Sri R.G.Kalaghatgi, I.F.S.,
Prl. Chief Conservator of Forests,
(Head of Forest Force)
Andhra Pradesh,
Sankurathri Residency, EVR Gardens,
MG Inner Ring Road, Agthavarapadu,
Guntur - 522 509.

To
The Addl.Prl.Chief Conservator of Forests
(Central),
Government of India,
MoEF&CC,
Regional Office (South Eastern Zone),
1st & 2nd Floor, HEPC Building, No.34,
Cathedral Garden Road,
Nungambakkam,
Chennai - 600 034.

Rc.No.14952/2016/FCA-1, dt.18.11.2016.

Sir,

Sub:- APFD - F(C) Act, 1980 - Diversion of 39.13 Ha. of forest land in Diwancheruvu East R.F. of Kakinada Division for Establishment of institution of Forest Academy for imparting training on forest protection management and Conservation of Forests in favour of D.F.O., Kakinada - Proposal submitted - Reply to the Remarks of APCCF(Central)- Request for consideration and convening REC Meeting - Reg.

Ref:- 1. FL diversion Proposal Letter from the Spl. Chief Secretary to the Govt. No. 5273/Sec.II/2016, dt.3.11.2016.
2. DCF(Central), MoEF&CC, GOI, R.O. Chennai Lr.No. F.No.4-APC024/2016-CHN/2233, dt.11.11.2016.

Kind attention is invited to the subject captioned above with reference to the letters under references cited. The observations made by the APCCF-Central, the competent authority on the forest land diversion proposal submitted by the Forest department of A.P. are noted and the following item wise remarks are further submitted for kind consideration of APCCF-Central for according required permission as sought by the State Government.

- a) It is true that the compensatory levies are essentially to be levied against every diversion proposal. However, the State Government has sought exemption as the purpose for which the diversion sought is an essential component of Forest Management. Imparting trainings to the frontline staff is statutory as per GOI norms and there should be a platform for conducting these events. As regards exemption sought, it is for the competent authority to consider as per policy in vogue taking the recommendations of the Regional Empowered Committee. Hence the request made by the State Government may kindly be placed before the REC and appropriate recommendation as deemed fit may kindly be passed.
- b) No comments against the second observation.

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- c) The number of trees as per the fact of the ground was submitted. Infact, 1395 trees are falling in girth class of 01 to 30 cms and 62 No. of trees excepting Meli adubia and Barringtonia falling in girth class of 30 to 60 Cmsm. Which are no economical value. This amounts to total of 2078 number and arrives at marginal 53 trees / Ha. Added to this, it is submitted that whatever number of trees are existing and enumerated are not going to be removed and as such the proposal includes 10.80 Ha. open spaces which is predominantly designed to leave the trees without sacrificing. Rest of the trees also will be very carefully negotiated without removal and translocating to different location within diverted area. It is also not out of place to submit that the MoEF, GOI, New Delhi while according the permission for ICFRE building in 40.00 Ha. of Dulapalli R.F. presently in Telangana vide MoEF Lr.no.8-35/96-FC, dt.5.7.1996 had not levied the compensatory afforestation. As such the prime mandate of the forest department is to plant trees and it is a regular official activity of the forest department.
- d) No doubt the area mentioned in the proposal for core institution is 7.75 Ha. But the ancillary requirements like play grounds, Hostel buildings with landscape and the internal roads with double strip avenue plantations are all the essential integral components and form part of regular curriculam.
- e) Finally, it is to submit that the proposal for locating Forest Academy is towards statutory compliance of organizing trainings which is part of Forest Management prescriptions and due to lack of infrastructure in residual A.P.

In view of the above, it is humbly requested to convene the Regional Empowered Committee to deliberate all the issues and allow the State Forest Department to justify and offer appropriate remarks against above and any further observations of the competent Authority taking into consideration of the dyre requirement of the State in view of its residuary status after the bifurcation and left with almost nil infrastructure.

Yours faithfully,
Sd/- P.A.V.Udaya Bhaskar,
for Prl. Chief Conservator of Forests
(Head of Forest Force)

Copy submitted to the Spl.Chief Secretary to Government,
Environment, Forests, Science & Technology Department, A.P.,
Velagapudi, Guntur for favour of information and necessary action.

//true copy//

for Prl. Chief Conservator of Forests

8/11/16
18/11/16