

GOVERNMENT OF ANDHRA PRADESH
ENVIRONMENT, FORESTS, SCIENCE AND TECHNOLOGY (Sec.II) DEPARTMENT
Letter No.2845/Section.II/2022/1938670 Dated:18.08.2023

From
The Special Secretary to Government,
E.F.S&T Department,
A.P. Secretariat, Velagapudi,
Amaravati-522503.

To
The Inspector General of Forests (Central),
Government of India, Ministry of Environment, Forests & Climate Change,
Integrated Regional Office,
Green House Complex,
Gopal Reddy Road, Vijayawada-520010 (w.e)

Sir,

Sub: Diversion of 0.52 ha forest land in Kanupuru East RF, Surveypalli RF, Surveypalli Extn RF of Nellore Range and Puduru & Yellasiri RF of Venkatagiri Range Nellore Division for laying optical fiber cable by M/s. Vindhya Tele Links Ltd., Secunderabad – Submission of Additional information - Reg.

Ref: 1)From the PCCF&HoFF, A.P.,Lr.Ref.no.EFS02-15026/17/2018-FCA-SEC-PCCF/FCA-3, Dated: 18.11.2022.
2)Govt.Lr.No.2845/Sec.II/2022, EFS&T(Sec.II) Dept., dt.10.01.2023
3)From the IGF(Central), GoI, MoEF&CC, IRO, Vijayawada, Lr.F.No.4-APB200/2023-VIJ/438, dt.31.01.2023.
4)From the PCCF&HoFF, A.P.,Lr.Ref.no.EFS02-15026/17/2018-FCA-SEC-PCCF/FCA-3, dt.06.08.2023.

With reference to your letter 3rd cited, I am to inform that the Principal Chief Conservator of Forests & Head of Forest Force, Andhra Pradesh, in the reference 4th cited, has furnished additional information for according necessary approval for the subject proposal, which is as follows:

Sl.No.	Addl.information sought by GoI, MoEF&CC letter dated 31.01.2023	Reply furnished by PCCF & HoFF
(i)	Copy of the order issued by the R&B regarding execution of work, if any;	The Executive Engineer, R&B Division, Gudur Vide Lr.No.P000903/GUDURU/D.No.000376, dated: 16.07.2018 has issued permission for execution of the work. Copy enclosed
(ii)	As reported, a case was booked vide DOR 31/2019-20 dated 27.03.2020, whereas the violation is claimed to have taken place in the year 2018. Hence, reasons for delay in initiation of action against violators may please be informed along with the present status of the offence proceedings.	A case was booked vide DoR no.31/2019-20, dated 27.03.2020. The laying of underground OFC with 0.5 mts width and 0.5 mts depth with drilling and pressure pipe laying equipment machine, the violation was noticed during the regular perambulation of RF by seeing the Pipe line cuttings at the junction points and reported by the Dy.RO who joined the section in March-2020 on promotion. Present FRO has also joined the Range in February, 2020 on promotion. As the work is underground, the violation cannot be identified by external appearance. Initially UDOR was booked on violation in the month of March-2020 itself. On enquiry

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		<p>M/s Vindhya Tele Links Ltd., Secunderabad has admitted the violation vide letter No.VTIL/IP/P3/AP/ROW/2021-22/11, dated 20.07.2021. Based on this the enquiry of site supervisor the management of Vindhya Tele Links has submitted a letter that they have done the work prior to March, 2019 before the submission of the Section-2 proposal. There is no delay in booking of case and initiation of action. Action will be taken against the concerned agency as per the AP Forest Act, 1967.</p>
(iii)	<p>Whether the reported violation has taken place before or after making application under FCA, 1980 may please be informed and extent of forest area under violation may also be provided;</p>	<p>It is submitted that, violation was took place prior to submission of proposals under Section-2 of F(C) Act, 1980. The proposals were submitted immediately after knowing the status of land as forest land to the User Agency. This was admitted by the M/s Vindya Tele Links Ltd., Secunderabad, during the enquiry and submitted their reply vide letter no. VTL/IP/P3/AP/ROW/2021-22/11, dated: 20.07.2021. OFC cable was laid to a length of 2006 meters in a trench of 0.5 mts depth and 0.5 mts width which works out the quantity of 501.5 cu.m earth work excavation was done.</p>
(iv)	<p>Upon examination of the kml file, it is noticed that the proposed OFC alignment is passing along the existing road in the RF area. Hence, may kindly provide the legal status of the existing road i.e. whether is at an admitted RoW as per the RF notification or diverted under FCA, 1980 with supporting documents. Further, as per the recent year's imageries, it appears that the road width has been increased. Hence, details on progress & improvement of the existing road carried out along with the time series information is required to be provided to examine the legality of the existing road and to process the proposal further.</p>	<p><u>Puduru RF</u></p> <p>The existing road is Right of way from Naidupeta to Mallam admitted in the Reserve Forest Notifications of Puduru RF and Yellasiri RF. In Yellasiri RF Notification the road to a width of 22 yards from the centre on either sides is excluded from the Reserved Forest. In Puduru RF the road was admitted as a Right of Way to a width of 30 feet and not excluded from the reserve Forest area. Copies of Puduru RF and Yellasiri RF and enclosed for kind perusal.</p> <p>The existing road from Naidupet to Mallam used to be maintained by the R&B Department regularly. The present width of the existing road is within the admitted width as per the Gazette notification of Puduru RF and Yellasiri RF.</p> <p><u>Surveyepalli RF:</u></p> <p>"The Surveyepalli road with vacant ground on its sides upto a width of twenty two yards from the carter will be excluded from the Reserve. The road enters the reserve on the Kanupur village boundary, eighty one yards west of the 1st mile stone, goes for one mile, two furlongs, eighty one yards and leaves it near Sundaramma Bhavi (well) or at two miles two furlongs"</p>

	<p><u>Survepalli Extn-RF: II.</u></p> <p>"The local fund road to a width of twenty two yards on either side from its centre together with the charitable well and Chakitram situated on the north side of the road close to the main reserve have been excluded from the reservation. The road enters the reserve about eight chains west of the northernmost corner of survey No.1546 of Surveyepalli and running north-west, leave it into main reserve about twenty-two chains south of the north-west corner of the extension".</p> <p><u>Kanupuru (East) RF:</u></p> <p>The Surveypalli road has been excluded from the serve upto a width of 22 yards from the centre on either side". (copies of Gazette notifications are enclosed).</p>
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2. The Principal Chief Conservator of Forests & Head of Forest Force has stated that the user Agency has carried out the work under presumption that the road is excluded from the Pudur RF as it was excluded in Yellasiri RF by obtaining permission from the concerned R&B authorities. Immediately after noticing the work in Pudur RF, the concerned Forest Range Officer has booked the case vide DoR 31/2019-20, dated 29.03.2020 u/s 20(i), C(ii), (iii), (iv) of AP Forest Act, 1967. OFC cable was laid to a length of 2006 meters in a trench 0.5 mts depth and 0.5 mts width which works out the quantity of 501.5 cu.m. earth work excavation was done and as per offence FSR, it's value was arrived at Rs.2,64290/-. Further, the work was stopped since then and not further work has been carried out by the user agency after submitting proposals for diversion. Action will be taken against the concerned user agency and the concerned staff as per the A.P.Forest Act, 1967. Therefore, no violation was done by the user agency after submitting the proposals for diversion U/s-2 of Forest (Consecration) Act, 1980. He has requested to forward the above information to GoI, MoEF&CC, RO, Chennai, Sub-office at Vijayawada to accord clearance under section-2 of Forest (Conservation) Act, 1980 as deemed fit in the matter.

3. I request you to consider the above additional information and obtain and communicate the approval of Government of India, Ministry of Environment, Forests & Climate Change, for diversion of 0.52 ha of forest land in Kanupuru East RF, Surveypalli RF, Survepalli Extn RF of Nellore Range and Puduru & Yellasiri RF of Venkatagiri Range Nellore Division for laying optical fiber cable by M/s. Vindhya Tele Links Ltd., Secunderabad, at the earliest.

Yours faithfully,


 for Special Secretary to Government


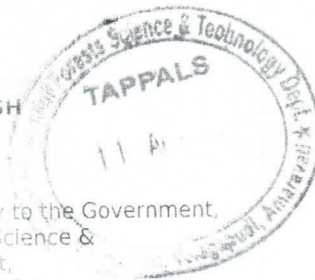
Copy to:

The Principal Chief Conservator of Forests & Head of Forest Force,
 Andhra Pradesh, Guntur. (w.e)
 M/s. Vindhya Tele Links Ltd., Secunderabad.
 SF/SC.

**GOVERNMENT OF ANDHRA PRADESH
FOREST DEPARTMENT**

From
Sri Y. Madhusudhana Reddy, IFS.,
Prl. Chief Conservator of Forests &
Head of Forest Force,
Andhra Pradesh,
Mangalagiri-522503.

To
The Spl. Chief Secretary to the Government,
Environment, Forests, Science &
Technology Department,
Andhra Pradesh Secretariat,
Velagapudi - 522 503.



Ref.no.EFS02-15026/17/2018-FCA-SEC-PCCF/FCA-3,
Dated:06/08/2023.

Sub:-APFD - F (C) Act, 1980 - Diversion of 0.52 ha forest land in Kanupuru East RF, Surveypalli RF, Surveypalli Extn RF of Nellore Range and Puduru & Yellasiri RF of Venkatagiri Range Nellore Division for laying optical fiber cable by M/s. Vindhya Tele Links Ltd., Secunderabad-Further information called for - Submitted- Reg.

- Ref:-
1. Online Proposal No.FP/AP/OFC/37050/2018, Dt: 15.11.2018.
 2. PCCF & HoFF, A.P., Guntur Rc. no. EFS02-15026/17/2018- FCA- SEC PCCF/FCA-3, dated:18.11.2022.
 3. GoI, MoEF & CC, IRO, Vijayawada Ir. F. no. 4-APB200/2023-VIJ/438, dated:31.01.2023 received through GM no. 2845/Secton.II/2022/1938670, EFS & T (Sec.II) Dept., dated: 02.02.2023.
 4. CCF, Guntur Rc. no. 2409(i)/2018-TO, dated, 21.07.2023.

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It is submitted that, the Chief Conservator of Forests, Guntur in the reference 4th cited has submitted point-wise information as desired by the Government in the reference 3rd cited. The point-wise information is as follows.

Sl. no.	GoAP memo no.	Compliance
	2845/Secton.II/2022/1938670, dated: 02.02.2023	
(i)	Copy of the order issued by the R&B regarding execution of work, if any;	It is submitted that, the Executive Engineer, R&B Division, Guduru vide Ir. no. P000903/GUDURU/D.No.000376, dated: 16.07.2018 has issued permission for execution of the work. Copy enclosed
(ii)	As reported, a case was booked vide DoR 31/2019-20 dated 27.03.2020, whereas the violation is claimed to have taken place in the year 2018.	It is submitted that, a case was booked vide DoR no. 31/2019-20, dated: 27.03.2020. The laying of underground OFC with 0.5 mts width and 0.5 mt depth with drilling and pressure pipe laying equipment machine, Hence, reasons for delay in the violation was noticed during the regular initiation of action against perambulation of RF by seeing the Pipe Line

<p>violators may please be informed along with the present status of the offence proceedings.</p>	<p>cuttings at the junction points and reported by the Dy. R.O. who joined the section in March-2020 on promotion. Present FRO has also joined the Range in February ,2020 on Promotion. As the work is underground, the violation cannot be identified by external appearance. Initially UDOR was booked on violation in the month of March-2020 itself. On enquiry M/s Vindya Tele Links Ltd. Secunderabad has admitted the violation vide letter no. VTL/IP/P3/AP/ROW/2021-22/11, dated: 20.07.2021. Based on this the enquiry of site supervisor the management of Vindya Tele Links has submitted a letter that they have done the work prior to Marct,2019 before the submission of the Section-2 proposals. There is no delay in booking of case and initiation of action. Action will be taken against the concerned agency as per the AP Forest Act,1967.</p>
<p>(iii) Whether the reported violation has taken place before or after making application under FCA, 1980 may please be informed and extent of forest area under violation may also be provided;</p>	<p>It is submitted that, violation was took place prior to submission of proposals under Section-2 of F(C) Act, 1980. The proposals were submitted immediately after knowing the status of land as forest land to the User agency. This was admitted by the M/s Vindya Tele Links Ltd., Secunderabad, during the enquiry and submitted their reply vide letter no. VTL/IP/P3/AP/ROW/2021-22/11, dated: 20.07.2021. OFC cable was laid to a length of 2006 meters in a trench of 0.5mts depth and 0.5 mts width which works out the quantity of 501.5 cu.m earth work excavation was done.</p>
<p>(iv) Upon examination of the kml file, it is noticed that the proposed OFC alignment is passing along the existing road in the RF area. Hence, may kindly provide the legal status of the existing road i.e. whether is at an admitted RoW as per the RF notification or diverted under FCA, 1980 with supporting documents. Further, as per the recent year's imageries, it appears that the</p>	<p>Puduru RF The existing road is Right of way from Naidupeta to Mallam admitted in the Reserve Forest Notifications of Puduru RF and Yellasiri RF. In Yellasiri RF Notification the road to a width of 22 yards from the centre on either sides is excluded from the Reserved Forest. In Puduru RF the road was admitted as a Right of Way to a width of 30 feet and not excluded from the reserve Forest area. Copies of Puduru RF and Yellasiri RF and enclosed for kind perusal. The existing road from Naidupet to</p>

road width has been increased. Hence, details on progress / improvement of the existing road carried out along with the time series information is required to be provided to examine the legality of the existing road and to process the proposal further	<p>Mallam used to be maintained by the R & B Department regularly. The present width of the existing road is within the admitted width as per the Gazette notification of Puduru RF and Yellasiri RF.</p> <p><u>Surveyepalli RF:</u></p> <p>"The surveyepalli road with vacant ground on its sides upto a width of twenty two yards from the carter will be excluded from the Reserve. The road enters the reserve on the Kanupur village boundary, eighty one yards west of the 1st mile stone, goes for one mile, two furlongs, eighty one yards and leaves it near Sundaramma Bhavi (well) or at two miles two furlongs"</p> <p><u>Surveyepalli Extn-RF: II.</u></p> <p>"The local fund road to a width of twenty two yards on either side from its centre together with the charitable well and Chakitram situated on the north side of the road close to the main reserve have been excluded from the reservation. The road enters the reserve about eight chains west of the northernmost corner of survey No.1546 of Surveyepalli and running north-west, leave it into main reserve about twenty-two chains south of the north-west corner of the extension".</p> <p><u>Kanupuru (East) RF:</u></p> <p>The surveyepalli road has been exclude from the serve upto a width of 22 yards from the centre on either side". (copies of Gazette notifications are enclosed).</p>
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Further, it is submitted that, the user agency has carried out the work under presumption that the road is excluded from the Puduru RF as it was excluded in Yellasiri RF by obtaining permission from the concerned R & B authorities. Immediately after noticing the work in Puduru RF, the concerned Forest Range Officer has booked the case vide DoR31/2019-20, dated: 29.03.2020 U/s 20(i), C(ii), (iii), (iv) of AP Forest Act, 1967. OFC cable was laid to a length of 2006 meters in a trench 0.5 mts depth and 0.5 mts width which works out the quantity of 501.5 cu. M. earth work excavation was done and as per offence FSR, it's value was arrived at Rs. 2,64,290/-. Further, the work was stopped since then and not further work has been carried out by the user agency after submitting proposals for diversion. Action will be taken against the concerned user agency and the concerned staff as per the AP Forest Act, 1967. Therefore, no violation was done by the user agency after submitting the

proposals for diversion U/s-2 of Forest (Conservation) Act, 1980.

Government are requested to forward the above information to GoI, MoEF & CC, RO, Chennai, Sub-office at Vijayawada to accord clearance under Section-2 of Forest (Conservation) Act, 1980 as deemed fit in the matter.

Encl:- As above

Yours faithfully
Y Madhusudhana Reddy Ifs
Prl. Chief Conservator of Forests &
Head of Forest Force

Copy to the Chief Conservators of Forests, Guntur and Tirupathi.

Copy to the District Forest Officers, SPSR Nellore and Tirupathi for information and necessary action.

Copy to the Authorized Signatory, M/s Vindya Tele links Ltd., Secunderabad for information and necessary action.

Signed by Y Madhusudhana
Reddy Ifs
Date: 06-08-2023 09:25:41
Reason: Approved