

Minutes of the 47th meeting of Regional Empowered Committee (REC) of Integrated Regional Office, Ministry of Environment, Forests & Climate Change, Chennai held through video conference on 07.05.2021 at 10.30 AM

The 47th meeting of the Regional Empowered Committee (REC) of Integrated Regional Office, Ministry of Environment, Forests & Climate Change, Chennai was held through video conference;

The following members / special invitees were present during the meeting.

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|---|--------------------|
| 1. Shri.R.Hemanth Kumar, IFS,
Regional Officer (Central), Ministry of Environment,
Forests & Climate Change
Integrated Regional Office (SEZ),Chennai | ...Chairman |
| 2. Shri.K.Jude Sekar, IFS (Retired)
Flat No. R-33, Arihant Heirloom Apartments,
P.O. Thalambur, Off. OMR Chennai -600130 | ...Member |
| 3. Shri.B.S.S.Reddy, IFS (Retired)
107, White House Apartments, Road No.13,
Banjara Hills, Hyderabad | ...Member |
| 4. Dr.C.N. Rao, IFS (Retired) 9-10-3 Giddi Lane
Gandhi Nagar, Kakinada,
East Godavari District, Andhra Pradesh | ... Member |
| 5. Smt.R.Sobha, IFS,
PCCF (HoFF), Forest Department,
Govt of Telangana | ...Special Invitee |
| 6. Shri Jha IFS,APCCF/ Nodal Officer (FCA),
Forest Department, Govt. of Andhra Pradesh | ...Special Invitee |
| 7. Shri. A.Venkatesh IFS, APCCF
O/o PCCF (HOD) & Chennai, Tamil Nadu | ...Special Invitee |
| 8. Smt. Meera, ACF
O/o PCCF, A&N Islands | ...Special Invitee |
| 9. Shri N.S. Murali
IRO Vijayawada/ IG NTCA | ...Special Invitee |



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10. Shri. K. Karthikeyan, IFS
Assistant Inspector General of Forests (Central),
Ministry of Environment, Forests & Climate Change,
Integrated Regional Office, Chennai

... Member Secretary

At the outset, Chairperson extended a warm welcome to the members of REC and other participants. As directed by the Regional Officer (Central)/ Chairman REC, the Assistant Inspector General of Forests made presentation on action taken on the decisions made by the committee during 46th meeting held on 27.01.2021 as below;

Agenda No	State /UI	File Number/ Proposal No	Name of the proposal	Area (ha.)	Action taken report
01	Andaman & Nicobar Islands	4- <u>ANC034/2020- CHN</u>	Diversion of 17.249 ha for rehabilitation and up gradation of section from km 107.760 to 129.445 (after middle Strait Humphery) km 130.660 to 138 (after Humphery to Kadamata) km 155.00 to 181.00 (end of Jarwa to Rangat) of NH223 to 2-lane with hard shoulder in favour of NHIDCL	17.249	As recommended by the Committee, Stage I In-principle approval accorded by the IRO, Chennai
02	Andaman & Nicobar Islands	4- <u>ANC039/2020- CHN</u>	Diversion of 11.725 ha for rehabilitation and up gradation of section from km 107.760 to 129.445 (after middle Strait Humphery) km 130.660 to 138 (after Humphery to Kadamtala) km 155.00 to 181.00 (end of Jarwa to Rangat) of NH223 to 2-lane with hard shoulder in favour of NHIDCL	11.725	As decided by the Committee the IRO requested the UT Administration to submit exact extent of forest area utilized for the purpose of shifting and erecting transmission lines and other utilities i.e. water pipe line etc within this proposal of 11.725 ha and the reason for not reporting the relevant information by the concerned officials along with the proposal and review all such guidelines related to transmission lines issued by the Ministry and to submit revised proposal under FCA, 1980. Considering the geographical area and hilly terrain, the committee recommended that, the UT Administration shall explore suitable option of electricity



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					line transmission such as laying of underground lines or overhead line with insulated cables etc in forest area considering the conservation and safety of fauna in the area in consultation with the local electricity department.
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Further, the Member Secretary made presentation on proposals as per the agenda list of the meeting. The representatives of the User Agencies present in the video conference were also heard.

Recommendations / decisions of the Committee, based on the deliberations are as under;



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State: Tamil Nadu

Agenda No. 01: Diversion of 5.42 ha of forest land in Magimandalam Reserved Forests of Vellore Forest Division for Construction of 4-Lane Bangalore-Chennai Expressway by the National Highways Authority of India

The Regional Empowered Committee (REC) has noted the following facts of the proposal:

1. The State Government of Tamil Nadu vide letter No 14924/FR 10/2017-10 dated 20.06.2019 forwarded the proposal for Diversion of 5.42 ha of forest land in Magimandalam Reserved Forests of Vellore Forest Division for Construction of 4-Lane Bangalore-Chennai Expressway by the National Highways Authority of India and requested to obtain and communicate the approval of GoI MoEF&CC under Section 2 of FCA, 1980.
2. **Purpose wise breakup of the forest area required for diversion:** 685 mtrs length at RHS and 567 mtrs at LHS road to be built with width varies at different intervals
3. Legal Status of Forest land: Reserved Forest
4. Density of Vegetation: 0.4, Eco Class 3
5. Cost of the project: Rs.5,53,400 Lakhs.
6. As reported, 2800 permanent and 86000 man days of temporary employment are likely to be generated due to the project.
7. DFO, Vellore Forest Division has reported that the proposed forest area for diversion is not vulnerable for erosion
8. DFO, Vellore Forest Division has reported that the forest area proposed for diversion does not fall under Sanctuary / National Park, Biosphere Reserve, Tiger Reserve, Elephant Corridor etc.
9. DFO, Vellore Forest Division has reported that no rare/ endangered / unique species of flora is found in the area. **However, tree species like red sanders (110 trees) required to be felled in the forest area proposed for diversion. It is reported that fauna like Spotted deer, Wild hare, Porcupine, Leopard etc. are present in the proposed forest area.**
10. DFO, Vellore Forest Division has reported that no protected archaeological/ heritage site/ defence establishment or any other important monument is located in the area.
11. DFO, Vellore Forest Division has reported that the requirement of forest land for diversion as proposed by the UA is unavoidable and the barest minimum for the project.
12. DFO, Vellore Forest Division has reported that no work in violation of the Act has been carried out by the UA in the forest area proposed to be diverted



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13. DFO, Vellore Forest Division submitted the enumeration list of trees and uploaded in the online application also. It is reported that total 888 trees were marked, out of which 778 numbers of miscellaneous standing trees of spontaneous origin having girth class more than 31 cm and 110 nos of red sanders trees having girth class of 23 cm to 130 cm planted in the year 1971 has to be felled for execution of the project;
14. An extent of 10.84 ha (double the extent of proposed diversion area of 5.42 ha) in Ammoor RF of Arcot Range in Vellore Division at a cost of Rs.51,60,398/- (Rs.4,76,051/- per hectare) with plantation maintenance of 10 years i.e. 1000 seedlings per hectare of 16x30 size polythene bags planting work proposed. CA scheme, map etc have been uploaded in the web portal.
15. DFO, Vellore Forest Division recommended the proposal with a condition that underneath passage may be provided during the execution of the road work such that the fauna in the RF such as spotted deer, wild hare, Porcupine, Leopard etc could migrate without any obstruction from one side of the highway to the others
16. Conservator of Forests, Vellore Circle recommended the proposal **with a condition that 10 times of trees to be felled should be planted along the proposed expressway road on both side for stretch of 19 km near the diverted area.**
17. PCCF (HoFF) Tamil Nadu recommended the proposal for 15 years;
18. State Government of Tamil Nadu recommended the proposal for 15 years and recommended to construct underneath passage to the size of 25.0 mtrs x 3.00 mtrs at km 171+730 of Bengaluru -Chennai express way.
19. Site Inspection reports of the DFO, Vellore Forest Division and CF Vellore Circle have been furnished and uploaded in the web portal;
20. Map and kml of the Forest land proposed for diversion have been submitted and uploaded in the web portal;
21. As reported, RoFR certificate is yet to be obtained from the concerned competent authority;
22. The subject proposal has been processed through DSS cell and found to be **NOT INVIOLATE.**
23. The subject proposal has been uploaded in the web portal vide proposal number FP/TN/ROAD/8238/2014.
24. The Regional Office, Chennai vide letter dated 02.08.2019 requested to furnish the following additional information / documents / clarification;
 1. As per the km file uploaded in the online application, the forest area proposed for diversion is 5.10 ha against the 5.42 ha requested by the State Government and the degraded forest area proposed for CA is 13.45 ha against 10.84 ha as reported by the State Government in the proposal. Hence, area discrepancies may be rectified;



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2. Actual length and width of the road proposed to be constructed and variations in width of the forest area proposed for diversion need to be clarified;
3. Proposal status may be updated in the web portal;
4. Original hard copies of Part II, III & IV shall be furnished;
5. Status report on permission to be obtained from the Hon'ble Supreme Court for felling of 778 numbers of miscellaneous spontaneous origin trees and 110 numbers of red sander trees need to be provided. Subsequent orders, if any, of the Hon'ble Supreme Court of India in IA.No.113993/2017 in WP No.202/1995 may also be furnished;
6. The State Government may inform whether any court case/ Court Order are subsisting in relation to the subject proposal;
7. The State Government vide letter No 14924/FR.10/2017-15 dated 25.02.2021 submitted the additional information / clarification as sought by the Regional Office, Chennai and as reported, no court case is pending related to the subject proposal and submitted approval from the Hon'ble Supreme Court of India for felling of spontaneous trees and reported that the vide order dated 09.04.2018 Hon'ble Supreme Court of India disposed the case;
8. The CEC has given three recommendations which are as follows:
 - (i) for diversion and use of forest land approval of the competent authority shall be obtained under the Forest (Conservation) Act, 1980 and the conditions on which such approval is granted shall be fully complied with including payment of Net Present Value (NPV) and compensatory afforestation which will be undertaken in the area identified for this purpose;
 - (ii) the felling, conversion and disposal of the 110 Red Sanders plantation trees will be undertaken by the Tamil Nadu Forest Department after following the rules and guidelines issued in this regard from time to time by the Government of Tamil Nadu; and
 - (iii) Additional PCCF, Regional Office of MOEF&CC at Chennai in coordination with the Forest Department of State of Tamil Nadu will monitor the implementation of the compensatory planting of trees."

Deliberation:

Committee deliberated the requirement of the forest area for formation of the new road. Committee examined the important flora & fauna existing in the forest area and as the area is having Spotted deer, Wild hare, Porcupine, Leopard etc, committee opined that the proper wildlife mitigation measures needs to be carried out so as to limit the minimal



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impact on wildlife. Committee noted that 778 spontaneous trees & 110 red sanders trees (planted during the year 1971) to be felled and as the UA obtained permission from the Hon'ble Supreme Court of India, the committee noted the conditions imposed by the CEC and the Hon'ble Supreme Court of India. Committee opined that the State Forest Department may carry out translocation of trees instead of felling wherever feasible and forest department shall plant equal number of red sanders trees to be felled in the nearby forest area at the cost of the User Agency. To minimize the wildlife accidents, committee opined that underneath passages at appropriate places to be constructed as per the O.M. No. 13-1/2019-PE dated 12-02-2021 on "Minutes of the Meeting (held on 07.01.2021) on preventive measures on death of wild animals due to linear infrastructures that are passing through wildlife habitats" issued by the MoEFCC, New Delhi. Warning signs about the animal movement are to be displayed at vintage places and speed regulations shall be imposed based on the wildlife population in consultation with the Chief Wildlife Warden of the State. Committee noted that the State Government recommended the proposal for only 15 years, as the road is a permanent public asset and required to be utilized for a longer duration; the committee opined that forest clearance validity shall be given for a longer period.

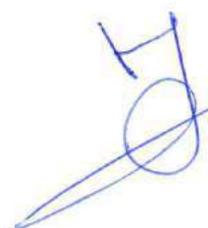
Recommendation: After detailed deliberation, the committee **RECOMMENDED** the proposal for a period of 30 years subject to standard conditions as applicable to such national highway road projects with the following additional conditions;

- a. The user agency shall get the wildlife mitigation plan prepared by any competent person /agency and the same should be approved by the Chief Wildlife Warden and implemented at the cost of the User Agency;
- b. Underneath passages at appropriate places may be constructed as per the O.M. No. 13-1/2019-PE dated 12-02-2021 on "Minutes of the Meeting (held on 07.01.2021) on preventive measures on death of wild animals due to linear infrastructures that are passing through wildlife habitats" issued by the MoEFCC, New Delhi to ensure safe movement of wildlife and to minimize the wildlife accidents;
- c. Warning signs about the animal movement are to be displayed at vintage places and speed regulations shall be imposed based on the wildlife population in consultation with the Chief Wildlife Warden of the State.
- d. The State Forest Department shall carryout translocation of trees wherever feasible at the cost of the User Agency;



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- e. The State Forest Department / the User Agency shall strictly comply with the conditions recommended by the Hon'ble Supreme Court of India and the Central Empowered Committee (CEC);
- f. State Forest Department shall plant equal number of red sanders trees to be felled in the nearby forest area at the cost of the User Agency

State: Telangana

Agenda No. 02: Diversion of 14.1439 ha (11.434 ha in Mancherial division and 2.7099 ha in Chennur Division) of forest land for widening and Strengthening of NH-63 to Two Lane with paved shoulder from Mancherial to Chennur Section in the State of Telangana in Mancherial Forest Division in favour of CE, MoRTH, GoI, Hyderabad.

The Regional Empowered Committee (REC) has noted the following facts of the proposal:

1. The Telangana State Govt. vide letter No.746/For.I(1)/2021 dated 09.03.2021, has forwarded the proposal to this office for diversion of 14.1439 ha (11.434 ha in Mancherial division and 2.7099 ha in Chennur Division) of forest land for widening and Strengthening of NH-63 to Two Lane with paved shoulder from Mancherial to Chennur Section in the State of Telangana in Mancherial Forest Division in favour of CE, MoRTH, GoI, Hyderabad and requested to communicate GoI's approval under Forest (Conservation) Act, 1980.
2. **Purpose wise breakup of the forest area required for diversion:** 14.1439 ha which is falling in two forest divisions i.e. 2.7099 ha in Chennur and 11.434 ha in Mancherial Forest Divisions respectively;
 - A. Chennur Forest Division :**1354.95 mtrs length with 20 mtrs of width
 - B. Mancherial Forest Division:** The FDO, Mancherial Forest Division has reported that the length of the proposed road varies along the RF and along the compartment towards right side and left side. However, an average total length of the proposed road is 6.621 kms and proposed diversion area width is 20 mtrs i.e. 10 mtrs either side from centre of existing track which was laid before 1980 and which is passing through the Compt. Nos 60 to 63&66,54,55,58,59 of Kundaram RF and Compt. No 312 & 313 is falling in Chennur RF of Mancherial Range. Further reported that Right of



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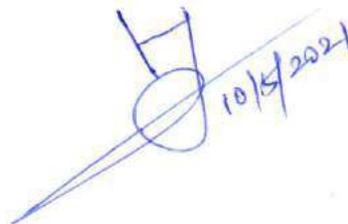
Way is mentioned in the Kundaram RF & Kundaram Ext RF notification, whereas there is no such mention of passage of existing RoW track falling in Chennur RF and area has been calculated after deducting the existing RoW from the total area proposed for diversion and it comes to 11.434 ha $(5164.5 \text{ Rmt} \times 16.5 \text{ mtrs width} / 10000) + (1456.5 \text{ Rmt} \times 20 \text{ Mtrs width} / 10000) = 11.434 \text{ ha}$.

3. Legal Status of Forest land: Reserved Forest
4. Density of Vegetation:
 - A. Chennur Forest Division: 0.3, Eco Class 3
 - B. Mancherial Forest Division: 0.3, Eco Class 3
5. Cost of the project: Rs.18,300 Lakhs.
6. As reported 3000 temporary employment are likely to be generated due to the project;
7. FDOs of Mancherial & Chennur Forest Divisions reported that no adverse impact due to the project;
8. FDOs of Mancherial & Chennur Forest Divisions reported that the forest area proposed for diversion does not fall under Sanctuary / National Park, Biosphere Reserve, Tiger Reserve, Elephant Corridor etc.
9. FDOs of Mancherial & Chennur Forest Divisions reported that no rare/ endangered / unique species of flora is found in the area. **However, FDO, Chennur Forest Division reported that, it is an important wildlife habitat having a faunal diversity such as Spotted deer, Jackal, Sloth bear, Neelgai, Porcupine, Python, Tiger etc.**
10. FDOs of Mancherial & Chennur Forest Divisions reported that no protected archaeological/ heritage site/ defence establishment or any other important monument is located in the area.
11. FDOs of Mancherial & Chennur Forest Divisions has reported that the requirement of forest land for diversion as proposed by the UA is unavoidable and the barest minimum for the project.
12. FDOs of Mancherial & Chennur Forest Divisions have reported that the User Agency has not carried out any work in violation of FCA, 1980.
13. As reported, 876 trees to be felled in the forest area proposed for diversion in the Chennur Forest Division and 1440 trees to be felled in the forest area proposed for diversion in the Mancherial Forest Division
14. As the User Agency is MoRTH, an extent of 23 ha of degraded forest area in Compt No 312 in Chennur Beat, Bheemaram Section of Mancherial Range of Chennur RF and 5.4198 ha in Compt No 272 in Chennur Beat, Section & Range of Chennur RF have been identified for compensatory afforestation. CA schemes including 10 years of maintenance with financial outlay of Rs.247.5532 lakhs and 80.524 lakhs have been submitted;
15. Site Inspection report of the FDO, Chennur and Mancherial Forest Divisions has been furnished and uploaded in the web portal;
16. RoER certificate (Form I) for an area of 14.1439 ha has been furnished;



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17. Map of the Forest land proposed for diversion has been uploaded in the web portal.
18. The subject proposal has been processed through DSS cell and found to be **NOT INVIOLETE**.
19. The subject proposal has been uploaded in the web portal vide proposal number FP/TG/ROAD/40154/2019.
20. **Though the forest area proposed for diversion falling in LWE district, since the validity of the Ministry's guideline related to general approval has lapsed on 31.12.2020, the State Government forwarded the proposal to IRO, Hyderabad.**
21. The IRO, Hyderabad requested the State Government to submit certain additional information / documents and the PCCF, Vide letter dated 04.05.2021 submitted the information as below;
- a. **As reported by the State Government, the proposed road passes through the existing RoW in Kundaram RF &Kundaram Ext RF having width of 3.5 m, hence, evidences on the same i.e., Notification etc. needs to be provided.**

The Kundaram RF & Kundaram Ext RF falls in Mancherial Division only. The information of existing RoW is mentioned in related notifications as follows:

RF	Gazette notification	Page No.	Details
Kundaram	Notified U/s. 7 vide Gazette Notification No.5, Dt.24th Dai 1347F & published U./s.10, Gazette No.28, Dt. 18th Teer 1347F, Gazette No. 36, Dt. 2nd Sherware 1949, 18th Amardad, 1349F (18 of Forest Act, No.1 of 1331)	19 at Sl. No. 3	The track of PWD goes to Chennur from Mancherial. These all passages shall be kept opened day and night for public and cattle.
Kundaram Ext RF	28, Dt. 12 th July 1951. It is notified and published under Section No.1 of 4th Azur 1357F and it published in Gazette no.376, Dt. 6th Amarbad 1358F. (U/s. 19 of Forest Act, No.2 1355F)	20 at schedule -1 and page 22 at schedule -5	It is mentioned as Track from Mancherial to Chennur. At page No. 24 it is mentioned in PASSAGES heading as Total tracks passages tracks and pedestral which are included in the RF shall be kept opened day and night for public and cattle.



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- b. Also the FDO claims that proposed road is 20m width, passes through 10m either side from centre of existing track which was laid before 1980. But as per the kml file the proposed road is deviating from the existing road in several points such as negotiating curve points etc., in such case, the existing RoW not being utilized for laying road need to be restored, hence the actual requirement width may be different at various locations which needs to be re-verified.

It is submitted that, as pointed out as per the .kml file the proposed road is deviating from the existing road in several points such as negotiating curve points etc. and also noticed in field during re-verification in Mancherial division part.

The Forest Divisional Officer, Mancherial has informed that, the KML file submitted by User Agency has been verified with respect to existing right of way as well as in the field. The revised length and width and KML as per field conditions is prepared after field inspection and submitted herewith. It is reported that, at 03 locations, deviation is noticed at curves. Hence diversion of RF area is more at these curves. At these curves the RoW is not being utilized and thus it has been verified and necessary area is restored and area of diversion calculated accordingly. The changes in the areas are as follows:

Sl. No.	Beat / RF	Compt. No.	Geo-Coordinates of proposed road widening at entry of RF		Geo-Coordinates of proposed road widening at exit of RF		Length of proposed road widening at exit of RF (in m)	Width proposed road as per field (in m)	Existing Right of way width (in m) ROW as per Gazette	Area of Proposed for diversion as per field (in Ha)	Remarks
			Lat. in °N	Long. in °E	Lat. in °N	Long. in °E					
1	2	4	5		6		7	8	9	10	11
1	Pegadapally / Kundaram	59	18.851682	79.595976	18.853932	79.610051	1063.00	15	1.75	1.408	
2		58	18.853925	79.610055	18.852256	79.623000	1025.00	15	1.75	1.358	
3		55	18.852236	79.623034	18.848384	79.639282	1687.00	15	1.75	2.235	
4	Polampally Kundaram Ext.	54	18.848384	79.639282	18.849605	79.643504	471.00	15	1.75	0.624	



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				Kundaram Block TOTAL			5193.00			7.046	
5	Bheemaram /Chennur	31 2	18.8464 8	79.68949	18.8452	79. 703 26	1458.00	7. 5		1.094	LS
6		31 3	18.8462 3	79.6895	18.84502	79. 703 24	1455.00	7. 5		1.091	RS
				Chennur Block TOTAL			1456.50			2.185	
				GRAND TOTAL			6649.50			9.231	

- c. As per Part- of Form-A in sl.No.8, the DFO, Chennur reported as "Details of wildlife present in and around the forest land proposed for diversion: Spotted deer, Jackal, sloth bear, Python, tiger", whereas in the same para in the row details of "Whether any rare/endangered /unique species of flora and fauna found in the area: is written as No." Hence, same needs to be updated.

With regard to above, it is corrected and submitted as follows for Chennur division: Whether any Rare/endangered/unique species of flora and fauna found in this forest - YES, there is movement of tiger (*Panthera tigris*) in the area.

The other Fauna that are found are Spotted deer (*Axis axis*), Sloth bear (*Melursus ursinus*), Neelagai (*Boselaphus tragocamelus*), Porcupine (*Hystrix indica*), Python (*Pythonidae*), Wild Boar (*Sus scrofa*)

The main Flora in the area of diversion - Biludu (*Chloroxylon swetina*), Gudipala (*Holarrhena antidysenterica*), Kanuga (*Pongamia pinnata*), Vepa (*Azadirachta indica*) Chennagi (*Lagerstroemia parviflora*), Vusgamsuti (*Strychnos nuxvomica*) etc.,

- d. Mancherial Division is adjacent to Chennur Division in the same District of Mancherial, reports in the Form-A of Part-II implies that no wildlife species is found in the RF of proposed area of Diversion, Whereas CF in his recommendation suggested construction of 5 numbers of underpasses due to the fragmentation of habitat. The above contradiction need to be corrected and wildlife species especially tiger is having habitat in that locality then appropriate wildlife mitigation plan with the consent of Chief Wildlife Warden of the State has to be furnished.

Regarding this, it is corrected and submitted as follows for Mancherial division: Whether any Rare/endangered/unique species of flora and fauna found in this forest - YES, there is movement of tiger (*Panthera tigris*) in the area.

The other Fauna that are found are Spotted deer (*Axis axis*), Sloth bear (*Melursus ursinus*), Neelagai (*Boselaphus tragocamelus*), Porcupine (*Hystrix indica*), Python



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(Pythonidae), Wild Boar (*Sus scrofa*)

The main Flora in the area of diversion - Biludu (*Chloroxylon swetina*), Gudipala (*Holarrhena antidysenterica*), Kanuga (*Pongamia pinnata*), Vepa (*Azadirachta indica*) Chennagi (*Lagerstroemia parviflora*), Vusgamsuti (*Strychnos nuxvomica*) etc.,

Due to movement of wildlife, in the area proposed for diversion and also due to increase vehicular movement and speed as it is NH, Animal Passages as per the MoEF and WII guidelines are now proposed at (07) locations both in Mancherial and Chennur divisions instead of earlier (05) locations.

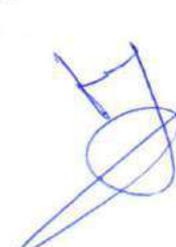
Hence the Forest Divisional Officer, Mancherial and Chennur have identified (04) locations in Mancherial division and (03) locations in Chennur division jurisdiction forests for providing under passes at the wildlife crossing points for easy and safe crossing of animals, preventing disturbance and road kills. It is submitted that, the proposed length of under pass is 30.00m and height is 2.75 m at each of the above said locations. The details of locations of said under passes are as follows:

Sl. No.	Under Pass No	Division / RF	Comp t. No.	Beat	Section	Latitude in °N (WGS84 datum)	Longitude in °E (WGS84 datum)
1	I	Mancherial /Kundaram	61	Jaipur	Jaipur	18.85390	79.61083
2	II		62	Jaipur	Jaipur	18.85399	79.61673
3	III		63	Jaipur	Jaipur	18.85037	79.63075
4	IV		312	Bheemaram	Bheemaram	18.84544	79.69944
5	V	Chennur / Chennur	314	Kistampet	Kistampet	18.84428	79.71731
6	VI		310	Kistampet	Kistampet	18.84425	79.71734
7	VII		314	Kistampet	Kistampet	18.84505	79.714276



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These (07) Animal passages for crossing of wildlife safely should be done by the user agency.

Due to movement of Tiger and other wildlife, the Wildlife Mitigation measures are proposed for a total amount of Rs. 228.93 Lakhs for period of (05) years. The copy of the wildlife mitigation plan is enclosed.

- e. **Based on the kml file it is seen that streams meandering in that RF and slopey hillocks are found, in that case appropriate SMC measures needed if any, may be verified and reported.**

In this regard it is submitted that, as pointed out on verification in field the adjoining areas are sloping and streams are noticed and hence SMC measures are proposed in the RF areas adjoining the area proposed for diversion in both the Mancherial and Chennur divisions for an amount of Rs.173.91 Lakhs (Details appended as a table below)

- f. **The need and necessity for having a 20m wide road in an area dotted with Wildlife needs to be substantiated by the UA along with the remarks of State Forest Department. The norms of standard area Width as per the project has been rejected by REC on many such cases, hence possibility of reduction of width of road in forest area may be explored and reported.**

It is submitted that, forest area proposed for diversion is having movement of Tiger and other important wildlife; due to formation of NH there will be increase in number of vehicles movement and also the speed. The proposed road width of 20m will cause disturbance to the wildlife and hence it is **proposed to reduce the width of the road in the areas proposed for diversion in RF to 15m width.** The same has been intimated to the UA.

The total area recommended for diversion after attending the deviations from existing ROW and decrease in width to 15m is **11.2634 Ha (old proposal was 14.1439 ha).** The details are as follows:

Mancherial Division as discussed in Point (b), the proposed road area is reduced from 11.434 ha to 9.231 ha, whereas in Chennur Division the area reduced from 2.7099 ha to 2.0324 ha as shown in the below Table.

But calculation of area after deduction of Right of Way needs to be verified, since similar cases it was not done so, also wrong calculation of area may reduce the amount of the mandatory collection of levies like NPV, CA etc, which is against the directions of Hon'ble Supreme Court.



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Chennur Division revised area proposed based on 15m width of road

Division	Compt. No.	Geo-Coordinates of proposed road widening at entry of RF		Geo-Coordinates of proposed road widening at exit of RF		Length of proposed road widening at exit of RF in m	Width proposed road as per field (in m)	Existing Right of way width (in m) ROW as per Gazette	Area of Proposed for diversion as per field (in Ha)	Remarks
Chennur	309								0.7424	
	310	18.845112	79.713999	18.843219	79.726438	1354.94	15	0	0.2745	
	314								1.0155	
		TOTAL CHENNUR DIVISION				1354.94			2.0324	

Deliberation:

The committee examined the proposal thoroughly along with the additional information submitted by the State Government and committee appreciated the User Agency for reduction of width of the road in the forest area without compromising the quality of the road. Committee noted that the several trees are not required to be felled due to reduction of width of the road.

The Committee deliberated in details on Right of Way (RoW) and deviation of the road from the RoW etc and after deliberation with the PCCF, Telangana and the Regional Officer, MoRTH, the Committee decided that the portion of the RoW which is left out from the road to be widened / strengthened shall be restored by planting suitable indigenous tree species. The committee noted that some portion of RoW forming part of the proposal being deducted from the proposed extent for diversion, hence committee opined that the RoW portion which was reduced from the total extent required shall be part of the diversion and the revised extent shall be proposed with the updation in the PARIVESH portal.

The Committee enquired the PCCF, Telangana regarding wildlife present in and around the forest area and the PCCF, Telangana informed the committee that (Panthera tigris) and other Fauna like Spotted deer (Axis axis), Sloth bear (Melursus ursinus), Neelagai (Boselaphus tragocamelus), Porcupine (Hystrix indica), Python (Pythonidae), Wild Boar (Sus scrofa) are found in the area and informed the committee that mitigative measures as per the Mitigation plan will be carried out at the cost of the User Agency. The Committee deliberated in details on



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activities proposed in the mitigation plan and SMC plans submitted by the State Government and agreed for the same with a suggestion of including EDC activities.

The Committee enquired Regional Officer, MoRTH and discussed various issues like alternatives examined for the project, minimum width of the road can be made in the forest area, construction of under passes etc and the User Agency agreed to construct under passes and to undertake all mitigation measures to ensure minimum impact on the wildlife.

Recommendation: After detailed deliberation, committee **RECOMMENDED** the proposal for issuing of Stage I approval subject to the standard conditions applicable to such National Highway road project with the following additional conditions;

1. Portion of the RoW which is left out from the road to be widened / strengthen shall be restored by planting suitable indigenous tree species at the cost of the User Agency;
2. The RoW portion where the proposed road to be widened / strengthened shall be part of the diversion. Hence the State Government shall revise the area required to be diverted by including the RoW portion;
3. The user agency shall get the wildlife mitigation plan prepared by any competent person /agency and the same should be approved by the Chief Wildlife Warden and implemented at the cost of the User Agency;
4. Required number of Animal Passages with suitable heights as per the MoEF and WII guidelines shall be constructed at the cost of the User Agency;

The Integrated Regional Office, Hyderabad shall issue Stage I approval after receipt of the compliance report on the following;

- a. Revised exact area for diversion by including RoW portion where the proposed road to be widened / strengthened shall be calculated and updated in the web portal;
- b. Revised kml file, map, enumeration of trees etc. shall be furnished and uploaded in the web portal;
- c. The User Agency shall submit undertaking either to pay cost towards CA as proposed at the time submission of the application or revised CA area and CA scheme as per the revised area for diversion.
- d. Amended Wildlife Mitigation Plan including components of EDC activities prepared by any competent person /agency with the approval of Chief Wildlife Warden shall be submitted



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Agenda No. 03: Diversion of 6.7076 ha of forest land in Shamshabad division for erection of 400 KV overhead DC line from Kethireddipally 400 KV SS to 400 KV Rayadurg GIS (TSPA junction to ORR junction) along outer side of ORR in favour of EE, 400 KV/Const-II, Metro, TS, TRANSCO, Hyderabad

The Regional Empowered Committee (REC) has noted the following facts of the proposal:

1. The Telangana State Govt. vide letter No.746/For.I(1)/2021 dated 09.03.2021, has forwarded the proposal to this office for diversion of 6.7076 ha of forest land in Shamshabad division for erection of 400 KV overhead DC line from Kethireddipally 400 KV SS to 400 KV Rayadurg GIS (TSPA junction to ORR junction) along outer side of ORR in favour of EE, 400 KV/Const-II, Metro, TS, TRANSCO, Hyderabad and requested to communicate GoI's approval under Forest (Conservation) Act, 1980.
2. **Purpose wise breakup of the forest area required for diversion:** 6.7076 ha (1458.18 meters length with 46 mtrs width) for laying of transmission line
3. Legal Status of Forest land: Reserved Forest
4. Density of Vegetation: 0.4, Eco Class 3.
5. Cost of the project: Rs.17663 lakhs
6. As reported 30000 number of person days of temporary are likely to be generated due to the project;
7. FDO, Shamshabad Forest Division has reported that no scope for soil erosion;
8. FDO, Shamshabad Forest Division has reported that the forest area proposed for diversion does not fall under Sanctuary / National Park, Biosphere Reserve, Tiger Reserve, Elephant Corridor etc
9. FDO, Shamshabad Forest Division has reported that no rare/ endangered / unique species of flora is found in the area.
10. FDO, Shamshabad Forest Division has reported that no protected archaeological/ heritage site/ defence establishment or any other important monument is located in the area.
11. FDO, Shamshabad Forest Division has reported that the requirement of forest land for diversion as proposed by the UA is unavoidable and the barest minimum for the project.
12. FDO, Shamshabad Forest Division has reported that the User Agency has not carried out any work in violation of FCA, 1980.
13. As reported 1851 number of trees /poles to be felled under the project and all are non-teak trees the predominant species is Neem;
14. An extent of 13.415ha of degraded forest area in Compt No 411, Mamidipally RF, Gaganpahad Beat, Shamshabad Range has been identified for CA purpose. CA scheme including 10 years of maintenance with financial outlay of Rs. 173.613 lakhs have been submitted and uploaded in the web portal;



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15. FDO, Shamshabad Forest Division Recommended subject to the following conditions;
 - a. The UA is responsible for safe guarding the adjoining flora and fauna in the surrounding area;
 - b. The NPV value as applicable shall be paid by the UA upon Stage I approval for further process of the proposal;
 - c. The UA is required to deposit Rs.7.761 lakhs to the Telangana Forest Department for the extraction charges of the tree growth in the diversion area;
 - d. The UA is required to deposit Rs.173.613 lakhs to the Telangana Forest Department towards Compensatory afforestation;
16. Proposal is recommended at all levels in the State Government;
17. Site Inspection report of the FDO, Shamshabad Forest Division has been furnished and uploaded in the web portal;
18. RoFR certificate (Form I) has been furnished.
19. Map of the Forest land proposed for diversion has been uploaded in the web portal.
20. The subject proposal has been processed through DSS cell and found to be not inviolate.
21. The subject proposal has been uploaded in the web portal vide proposal number FP/TG/TRANS/42277/2019.
22. It is reported that scheme for raising the medicinal and dwarf species within the RoW of the transmission line will be prepared and cost levied over UA after Stage I approval;
23. The IRO, Hyderabad requested the State Government to submit certain additional information / documents and the State Government vide letter No.746/For.I(1)/2021 dated 01.05.2021 submitted the following information in reply to the information sought by IRO, Hyderabad;

S. No	Information Sought	Reply
1.	As per the report of DFO & CF the "proposed area is not falling in any National Park, Wildlife Sanctuary, Tiger Reserve etc." But as per the Check List in Page No. 10 of the file it reads that the area is "falling in ESZ of Mrugvani National Park". It is also submitted that based on the DSS analysis the area violates the Protected Area Rule and falls in Mrugavani National Park. The above discrepancy needs clarification and if the	The FDO, Shamshabad has reported that the Compt No. 220 diverted area is falling in Chilkur block of Chilkur range. The total block area is 490.09 Ha out of which 360.00 Ha was declared as Mrugavani National Park, Chilkur and the balance 130.09 Ha of area is Reserve Forest. Further, it is to submit that the Eco-Sensitive Zone committee meeting was held on 19.02.2021 under the chairmanship of District Collector, Rangareddy and the committee recommended the proposals with the



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<p>area falls under ESZ, then appropriate permission is needed;</p>	<p>following conditions (copy enclosed).</p> <ol style="list-style-type: none"> 1. The power line may be erected without damaging the trees and animals in Chilkur Reserve Forest and outside also. 2. Safety measures are to be taken without damaging the human and wildlife. 3. All along the boundary the user agency has to construct the see-through wall. 4. Under the transmission line and surroundings, the user agency has to develop/maintain the green cover. 5. The caution boards shall be erected all along the boundary. <p>Further, it is submitted that as per the guideline of GoI, MoEF& CC, (WL division) in F.No.6-10/2011/WL, Dt.19.12.2012 (Para 3.5.1) and reiterated in F.No.6-60/2020WL Part(1),Dt.16.07.2020 (Para 3),wherein it is mentioned that</p> <p>Para 3.5.1 of guidelines Dt.19.12.2012.</p> <p>In pursuance to the order of Hon'ble Supreme Court dated 4th December 2006in Writ Petition (Civil) No. 460/2004, in case any project requiring Environmental Clearance, is located within the eco-sensitive zone around a Wildlife Sanctuary or National Park or in absence of delineation of such a zone, within a distance of 10 km from its boundaries, the User agency/Project Proponent is required to obtain recommendations of the Standing Committee of NBWL.</p> <p>Para 3 of guidelines Dt.16.07.2020</p> <ol style="list-style-type: none"> a. Proposals involving project/activity located within the notified ESZ (not being
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draft notification) and listed in the schedule of the EIA notification 2006 and requiring Environment clearance, prior clearance from Standing committee of the National Board for Wildlife shall be obtained.

- b. Proposals involving project/activity located within 10 km of National park/Wildlife Sanctuary wherein ESZ has not been finally notified and listed in the schedule of the EIA notification 2006 and requiring Environment clearance, prior clearance from Standing committee of the National Board for Wildlife shall be obtained.

It is submitted that the ESZ of Chilkur Mrugavani National Park is not notified, hence 10 km from the periphery of the National Park is taken into consideration, hence it is mentioned in Part II that the project area is falling inside the ESZ. The consent of the ESZ committee is taken as submitted above.

As per the above guidelines the present project doesn't require Environment Clearance, hence clearance under W(P)Act,1972 from Standing Committee of NBWL is not required.

Further, it is submitted that in the DSS portal, some incorrect/ old layers (not only related to forest department but also of other departments) are being used, which has been brought into the notice of the Ministry and the RO several times along with other shortcomings in the DSS portal. However, not rectified till date. It is once again requested to address the DGF&SS and FSI to rectify the



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		<p>same.</p> <p>The correct .kml file of ChilkurMrugavani National Park is forwarded through email to RO, Chennai.</p>
2.	<p>As per the report of UA entered in Parivesh Portal" alternative routes were not examined", hence, map clearly depicting alternative routes along with write-up on the same shall be furnished;</p>	<p>The user agency has furnished the reply regarding alternate routes (enclosed with map) and is as follows:</p> <p>A) The original route (Green Line) Line length - 41.761 Km Forest length in original route is - 1.465 Km It is the best feasible route, easily executable without ROW with minimum forest land effected and passing through the edge of Mrugavani National Park (falling in ESZ) and along the Outer Ring Road.</p> <p>B) Alternate route (1) (Blue line) Line length - 40.887 Km Forest length in Alternate route (1) - 1.8 Km In this route, length of the forest area affected is maximum and line route is passing through middle of Mrugavani National Park. Hence, this route is not considered.</p> <p>C) Alternate route (2) (Yellow line) Line length - 39.757 Km Forest length in Alternate route(2) - 1.5 km This route is proposed with some part of the line about 12 Km along the inner side of the Outer Ring Road Green corridor having forest length affected 1.5 Km which is already diverted to HMDA for Outer Ring Road. But, the HMDA/ HGCL authorities has rejected the proposal, above stating that the above corridor is reserved for Metro Rail project. Hence, this route was not feasible.</p>



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		<p>Also laying of 400 KV EHV line in the centre of ORR avoiding forest land is not considered in view of Traffic Safety reasons.</p> <p>In view of the above, the user agency has requested for approval of diversion 1.465 Km of forest land along the green line in Chilkur Reserve Forests for 6.7076 Ha as the proposed route is more feasible compare to other route. It is also to submit that many software companies are indented to extend the power supply to Hi-Tech city.</p>
3.	<p>CA land proposed is an isolated bit devoid of much vegetation hence its suitability as well as future protection from biotic and grazing pressure needs to be reported. Also, as per the data entered in Parivesh portal CA Scheme is proposed for the area of 13.415 ha whereas the area comes under DSS analysis is 14.95 ha. Hence, clarification on the above discrepancy in the data may be reported;</p>	<p>The FDO, Shamshabad has reported that the CA proposals were prepared for double the proposed diversion area (i.e., 6.7076 Ha) 13.415 Ha for development of degraded forest area in Compt. No. 415, Mamidipalli RF of Shamshabad Range of Shamshabad Division. The gross area for plantation has been taken for 14.95 Ha, but treatable area is 13.415 Ha only.</p> <p>Further, it is submitted that as the DFL CA is isolated patch, to protect from biotic and grazing pressure, cattle proof trench with bund planting is proposed in the CA scheme.</p>
4.	<p>Already a multi lane highway / ORR is passing nearby the proposed forest through RF , hence details such as total area of RF notified area and project wise details of already diverted area in the RF along with references of FCA clearances may be submitted.</p>	<p>The FDO, Shamshabad has reported that the total area of Chilkur RF is 490.09 Ha out of which 360 Ha was notified as Mrugavani National Park.</p> <p>The details of diverted area from Chilkur Reserve Forest is as follows;</p> <p>Formation of Outer Ring Road Phase-I passing through Chilkur RF, erstwhile Hyderabad WLM division from Gachibowli to Shamshabad - 17.66 ha</p> <p>Stage-II approval accorded by GoI, MoEF&</p>



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		<p>CC, Bangalore vide F.No.4-APC226/2006-BAN/2300 dated. 06.03.2007 And vide GO.MS.No.29 EFS & T (For-I),Dept.dt.15.03.2007 by State Government</p>
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Deliberation:

Committee enquired the PCCF, Telangana and the representative of the User Agency attended the meeting regarding need / justification for forest area proposed for diversion and alternative routes examined. State Forest Department submitted that the ESZ of Chilkur Mrugavani National Park is not notified, hence 10 km from the periphery of the National Park is taken into consideration, and the project area is categorized as falling inside the ESZ. The PCCF (HoFF) also informed that, the consent of the ESZ committee is taken and as per the prevailing guidelines, the present project doesn't require Environment Clearance, hence clearance under W(P)Act, 1972 from Standing Committee of NBWL is not required. Committee noted the same and examined the proposal along with the additional information submitted by the State Government and perused the proposal in all parameters as required for such 400 KV transmission line as per the guidelines issued by the Ministry.

Recommendation: After detailed deliberation, the Committee **RECOMMENDED** the proposal to issue Stage I approval subject to the standard conditions as applicable to such transmission line projects with the following additional conditions;

1. The State Forest Department shall ensure minimum tree felling and shall translocate the trees wherever feasible at the cost of the User Agency;
2. The State Forest Department shall carryout plantation of dwarf medicinal plants under the transmission line at the cost of the User Agency;
3. As the proposed forest area falls in Eco Sensitive Zone, the user agency shall get the wildlife mitigation plan prepared by any competent person /agency with the approval of Chief Wildlife Warden and implemented at the cost of the User Agency;



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Agenda No. 04: Proposal for regularization of 8.02 ha of forest area in Saidulnama RF of Suryapet Division for establishing part of the railway siding and associated activities and other permanent structures in Suryapet District in favour of M/s Deccan Cements Limited (DCL), Hyderabad

The Regional Empowered Committee (REC) has noted the following facts of the proposal:

1. The State Government of Telangana vide letter No 1632/For.I(I)/2020 dated 22.04.2021 forwarded the proposal for regularization of 8.02 ha of forest area in Saidulnama RF of Suryapet Division for establishing part of the railway siding and associated activities and other permanent structures in Suryapet District in favour of M/s Deccan Cements Limited (DCL), Hyderabad and requested to obtain and communicate the approval of GoI MoEF&CC under Section 2 of FCA, 1980.
2. **Purpose wise breakup of the forest area required for diversion:** 8.02 ha for Railway Siding, Wagon loading and Wagon tippler, etc
3. Legal Status of Forest land: Reserved Forest
4. Density of Vegetation: 0.1, Eco Class 3
5. Cost of the project: Rs.3017 lakhs.
6. As reported, 20 permanent and 600-man days of temporary employment likely to be generated due to the project.
7. DFO, Suryapet Forest Division has reported that the proposed forest area for diversion is not vulnerable for erosion;
8. DFO, Suryapet Forest Division has reported that the forest area proposed for diversion does not fall under Sanctuary / National Park, Biosphere Reserve, Tiger Reserve, Elephant Corridor etc.
9. DFO, Suryapet Forest Division has reported that no rare/ endangered / unique species of flora is found in the area.
10. DFO, Suryapet Forest Division has reported that no protected archaeological/ heritage site/ defence establishment or any other important monument is located in the area.
11. DFO, Suryapet Forest Division has reported that the requirement of forest land for diversion as proposed by the UA is unavoidable and the barest minimum for the project.
12. Violation of FCA, 1980: The entire 8.02 ha is under the violation of FCA, 1980. **The PCCF, Telangana reported the following;**

The District Forest Officer, Suryapet has reported that, works were already done by the user agency by violating the FC Act,1980 during the period from 2011-12 to 2015-16. A show cause has been issued to the user agency vide DFO, Suryapet Rc.No.789/2020/S4, Dt.01.07.2020. The proposed work was already completed and now submitting the proposals for regularization of said area.

Further, the District Forest Officer has reported that, the violation is not intentional. It occurred due to mistake of facts. The user agency has obtained forest clearance for railway



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sliding to an extent of 1.93377 ha, but extended beyond the permitted area.

Further, the District Forest Officer, has reported that, For the approved mining lease project (183.11 ha), the then DFO Nalgonda has submitted in Part-II application that, the proposed area for additional mining lease is the southern boundary within the Saidulanama RF in Compt.No.26 & 27. It seems the leased area was presumed to be up to the boundary line of RF. The situation arose due to the fact that the reserved forest boundary lines were not clearly demarcated on the ground. But, during the detailed survey of RF Block with DGPS, it is understood that, the extended railway siding is also a part of RF. Hence, it appears that, user agency has not intentionally utilized the RF area for the purpose of Railway line, extended beyond the approved diversion. DFO also reported that, the committee constituted by Hon'ble National Green Tribunal has recommended regularization of said area. Hence, necessary penalty and Penal Compensatory Afforestation may be imposed to the user agency

13. DFO, Suryapet Forest Division has reported that no trees in the proposed forest area:
14. An extent of 8.839 ha of non-forest area in two bits have been identified for the purpose of compensatory afforestation and CA scheme including 10 years of maintenance over an area of 8.02 ha and fencing & SMC works *etc.* for entire 8.839 ha with financial outlay of Rs. 184.46223 lakhs along soil suitability certificate, map etc have been submitted and uploaded in the web portal;
15. Penal Compensatory Afforestation (PCA) over 17 ha of degraded forest area Compt.No.9, Ramavaram RF, Pengadapa beat, Musalivarre (W), Ramavaram Range has been proposed and submitted CA scheme with financial outlay of Rs.120.3289 lakhs have been submitted
16. DFO, Suryapet Forest Division: Recommended with the following conditions;
 - a. The violation under F(C)Act, 1980 is committed by the UA. Hence, necessary penalty may be imposed to the UA. The UA has committed this offence unintentionally. Hence, the UA has opted for regularization of this said area. The committee constituted by Hon'ble National Green Tribunal has recommended regularization of said area.
 - b. User Agency has to provide funds for Wildlife Mitigation plan which includes provisions for taking up works like Saucer pit formation with refilling of water.
 - c. The user agency has to deposit funds for erection of the Boundary Pillars throughout the entire length of Saidulanama RF so as to ease the further discrepancies if any.
 - d. User Agency has to erect a 4 ft height parapet wall on towards the Forest Boundary all along the length of the proposed diversion.
 - e. UA has to provide fund for Penal CA land. As no suitable land is available for in this District for this purpose.



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17. Conservator of Forests, Khammam, PCCF (HoFF) Telangana and State Government of Telangana recommended for regularization;
18. Site Inspection report of the DFO, Suryapet Forest Division has been furnished and uploaded in the web portal.
19. Map and kml of the Forest land proposed for diversion have been submitted and uploaded in the web portal;
20. RoFR certificate: As reported, RoFR is yet to be obtained from the concerned competent authority;
21. The subject proposal has been processed through DSS cell and found to be not inviolate.
22. The subject proposal has been uploaded in the web portal vide proposal number FP/TG/RAIL/138554/2021
23. A case is filed by the Vakkanti Koteswar Rao, S/o. Narayana, H.No.2-8 Komatikunta (V), Nereducharal Mandal, Nalgonda District, Telangana State Hon'ble NGT Chennai vide i.e. OA No 33 of 2016 against the M/s Deccan Cements Limited and made the Union of India, Ministry of Environment, Forests & Climate Change as 1st respondent and wherein petitioner among other things, he alleged that the M/s Deccan Cements Limited encroached reserved forest and carried out work in the forest area without approval under FCA, 1980;
24. The Hon'ble NGT, Chennai has heard the matter and passed orders dated 18.12.2019 constituting a Joint Committee consisting of District Collector, Nalgonda (now Suryapet District); Senior Official from Mining and Geology Department, Government of Telangana; Senior Scientist from the Telangana State Pollution Control Board and Divisional Forest Officer, Nalgonda Division (Now Suryapet District) to inspect the unit in question and submit the present status and compliance of Environmental norms and excess of quantity of mining being done or extension of the area for mining beyond the permitted area as per the lease and if so, **any action has been taken against them and submit the factual and action taken report to the Tribunal constituted.** The "Joint committee in its report, apart from other things, mentioned (with reference to complaint concerned with encroachment of forest land) that the project Proponent i.e M/s Deccan Cements Limited has encroached in to the reserved forest for the purpose of erecting some permanent structures like the sheds and power plant to an extent of 8.00 ha and committee instructed the project proponent to go for diversion of the RF area to the extent required by the following due procedures as per rules".



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25. The Hon'ble NGT, Chennai, vide its order dated 19.08.2020 instructed the Regional Office, MoEF&CC as below;

"the Regional Office, MoEF&CC is also directed to consider the report and if any action is required on that basis, they are also directed to take appropriate action in accordance with law and submit the report to that effect"

26. As per the directions of the Hon'ble NGT in its interim order dated 19.08.2020, the Integrated Regional Office, Chennai vide letter dated 23.10.2020 requested the Telangana State Government to submit factual report regarding alleged violation i.e encroachment of forest and to an extent of 8 ha area by the project proponent;

27. To ascertain the exact extent of forest area encroached (as by then, complaints start coming up stating that the actual forest area under encroachment is more than what it is mentioned by Joint Committee) by the M/s Deccan Cements Limited, the PCCF vide letter **Rc No 53565/2008/FCA-3 dated 25.09.2020** requested the Chief Conservator of Forests, Khammam and District Forest Officer, Suryapet to take immediate necessary action on the following items in connection with all complaint petitions;

- a. **Through a joint team of forest, revenue, SSLR to fix the boundaries of the Saidulanama RF as per the Gazettee notification, maps, cadastral maps and allied records and then carry out the DGPS survey and furnish the report on extent of violation, with respect to the forest clearance and encroachments;**
- b. To check whether any pattas issued in RF, if so the details of Pattas and action taken report on cancellation of Pattas.
- c. To furnish conclusive report without any ambiguity on violations and pattas
- d. To furnish the DGPS data of Saidulanama RF the railway line the constructions, mining areas etc and Gazette notification, maps, and allied records for ascertaining the extent of areas;
- e. To furnish the notification proposals of the non-forest CA land
- f. To furnish the detailed report on the development of green belt along with DGPS data
- g. Status of reclamation and regressing of ML -1 of 22.55 ha of forest land which is closed and handed over to Forest Department on 23.12.2000.

28. After receipt of the **detailed report and DGPS survey**, it is found that **an extent of 1.9337 ha already been diverted as per order No. 4-APB633/2009-BAN/9848 dated 22.09.2011 under FCA, 1980 in favor of M/s Deccan Cements Limited by the erstwhile Regional Office, Bengaluru**, however, the project proponent has brought up some construction activities involving the **forest land to an extent of 8.02 ha** in due course of time.



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As instructed by the committee constituted by the Hon'ble NGT, the project proponent i.e. M/s Deccan Cement Limited has applied for diversion / regularization of 8.02 ha forest area which is encroachment into RF.

29. The State Government as per letter No 1312/For.I(1)/2014 dated 22.04.2021 submitted enquiry report on the orders issued by Hon'ble NGT, Chennai dated 19.08.2020 and 22.02.2021 in O.A. No 33 of 2016, and forwarded the proposal seeking regularization Proposal for regularization of 8.02 ha of forest area in Saidulnama RF of Suryapet Division for establishing part of the railway siding and associated activities and other permanent structures in Suryapet District in favour of M/s Deccan Cements Limited (DCL), Hyderabad;
30. The proposal submitted by the Telangana Govt. has been scrutinized by the Integrated Regional Office, Hyderabad and vide letter dated 23.04.2021 requested Telangana Government to submit the following additional information / documents;
- As the State Government reported that the UA utilized 8.02 ha beyond the approval accorded by the GoI for diversion of 1.9337 ha in the year 2011, hence a map clearly depicting an forest area proposed for regularization under subject proposal and an area i.e. 1.9337 ha already been diverted in favour of M/s Deccan Cements Limited may be submitted;
 - The DFO reported that no trees available in the proposed area, however, as per the kml file uploaded by the User Agency, few trees are existing in the proposed area. Hence clarification on the trees existing in the proposed area may be furnished;
31. The State Government vide letter NO 1632/For.I(1)/2021 dated 01.05.2021 submitted additional information as sought by the IRO Hyderabad and the additional information are as follows;

No	Additional information sought by the IRO Hyderabad	Reply received from the PCCF, Telangana
	As the State Government reported that the UA utilized 8.02 ha beyond the approval accorded by the GoI for diversion of 1.9337 ha in the year 2011, hence a map clearly depicting an forest area proposed for regularization under subject proposal and an area i.e. 1.9337 ha already been diverted in favour of M/s Deccan Cements Limited may	The District Forest Officer, Suryapet has reported that the Original diverted area 1.9337 ha is utilized for railway line and additional (encroached) area of 8.02 ha is contiguous to the existing 1.9337 ha area diverted for railway line siding. There is no other forest land being utilized. The total survey map of Saidulnama RF is enclosed showing both 1.9337 ha diverted for railway line and 8.02 ha additional area utilized other mining leases,



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	submitted;	road transmission line for which forest land diverted in favour of user agency;
	The DFO reported that no trees available in the proposed area, however, as per the kml file uploaded by the User Agency, few trees are existing in the proposed area. Hence clarification on the trees existing in the proposed area may be furnished	The District Forest Officer, Suryapet has reported that (200) nos of Subabul trees and (15) nos Neem trees are existing along the railway siding of proposed 8.02 ha area for regularization. It is submitted that all the trees are below 30 cm girth & with an average height of 3 mtrs. The Management of M/s Deccan Cement Limited has given an undertaking that, they will not fell any trees in the proposed 8.02 ha for regularization.

32. For the purpose of cross verification, the kml file of the forest area proposed for diversion / regularization has been analyzed by the Decision Support System (DSS) and found that no mining activities has been carried out in the forest area proposed for diversion.
33. Committee noted that The Hon'ble NGT expressed displeasure for not filling reply affidavit on action taken by the Regional Office, Chennai on allegation made under OA 33 of 2016 (interim orders dated 22.02.2021, 22.03.2021 & 26.04.2021 is enclosed) and the next date of hearing is scheduled on 7th June 2021;

Deliberation: The Regional Empowered Committee (REC) noted the interim orders issued by the Hon'ble NGT in OA 33/2016 and in specific discussed in detail the order dated 19.08.2020 and examined the proposal submitted by the Telangana State Government seeking approval for regularization of 8.02 ha of forest area.

The Committee deliberated on the above case in each issue wise as below;

1. Interim Order dated 19.08.2020 under O.A. 33/2016 filed before Hon'ble NGT, Chennai

The committee perused the interim order dated 19.08.2020 by the Hon''ble National Green Tribunal, Chennai and is as follows;

*****Extract of the Interim Order dated 19.08.2020*****

6. The committee have assessed the environmental compensation and



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they want this Tribunal to approve the same and pass appropriate orders. It may be mentioned here that it is not for the tribunal to pass any order in respect of environmental compensation. That is for the regulator to take appropriate action against the violators after giving an opportunity to the violating industry to be heard.

7. So under such circumstances, we direct the regulators to consider the report and take appropriate action against the alleged violating unit, after giving an opportunity to that unit and pass appropriate orders and submit a compliance report regarding the same to this Tribunal. We do not express any opinion regarding the report at this stage.

8. The Regional Office, MoEF&CC is also directed to consider the report and if any action is required on that basis, they are also directed to take appropriate action in accordance with law and submit the report to that effect.

9. Learned counsel appearing for the applicant as well as eighth respondent wanted time to file their objections to the committee report and they are at liberty to file the same to this tribunal before next hearing date.

10. The regulating authorities namely the Pollution Control Board and Regional Office, Ministry of Environment, Forests & Climate Change (MoEF&CC) are also directed to consider the question of alleged violations mentioned in the report and the action taken on that basis before the next hearing date

In addition, to the above, the committee of REC noted that one of the recommendations of the Joint committee constituted by the NGT is as below;

"project Proponent (i.e M/s Deccan Cements Limited) has encroached in to the reserved forest for the purpose of erecting some permanent structures like the sheds and power plant to an extent of 8.00 ha and committee instructed the project proponent to go for diversion of the RF area to the extent required by the following due procedures as per rules".

The Committee of the REC examined the operative portion of the order passed by the Hon'ble NGT, Chennai and after verifying the facts, the Committee noted the following

- a. As directed by the NGT, Chennai, the Integrated Regional Office (IRO) Hyderabad has



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- requested the Telangana State Government to submit factual report regarding alleged violations i.e encroachments into the Reserved Forest land;
- b. After continuous follow up by the Integrated Regional Office, Hyderabad, the Telangana State Government vide letter No 1312/For.I(1)/2014 dated 22.04.2021 submitted enquiry report to the IRO, Hyderabad based on the orders issued by Hon'ble NGT, Chennai dated 19.08.2020 and 22.02.2021 in O.A. No 33 of 2016, and vide letter No 1632/For.I(I)/2020 dated 22.04.2021 forwarded the proposal for regularization of 8.02 ha of forest area in Saidulnama RF of Suryapet Division for establishing part of the railway siding and associated activities and other permanent structures in Suryapet District in favour of M/s Deccan Cements Limited (DCL), Hyderabad;

2. The proposal for regularization of 8.02 ha of forest area in Saidulnama RF of Suryapet Division for establishing part of the railway siding and associated activities and other permanent structures in Suryapet District in favour of M/s Deccan Cements Limited (DCL), Hyderabad;

As the proposal is linear in nature and having area more than 5 hectares with violation of FCA, 1980, the Integrated Regional Office, Hyderabad placed the proposal before the Regional Empowered Committee (REC) for consideration and to take appropriate decision as per the provisions made under rules / guidelines framed under FCA, 1980. The Committee examined the proposal submitted by the State Government seeking approval under FCA, 1980 and as reported by the State Government, the project proponent i.e M/s Deccan Cements Limited obtained the approval under FCA, 1980 for diversion of over an **extent of 1.9337 ha vide order No. 4-APB633/2009-BAN/9848 dated 22.09.2011 in favor of M/s Deccan Cements Limited by the erstwhile Regional Office, Bengaluru**, however, the project proponent has brought up some construction activities involving the **forest land to an extent of 8.02 ha** in due course of time in addition to the forest area diverted.

The Committee heard the representatives present during the meeting, the User Agency informed the committee that the M/s Deccan Cements Limited has taken prior approval of GoI under FCA, 1980 for all the activities taken up in the forest area, however the area of 8.02 ha of RF has been utilized unintentionally and mainly because of confusion in the demarcation of the RF boundary. The Project Proponent briefed the committee that, as instructed by the committee constituted by the Hon'ble NGT, the project proponent i.e. M/s Deccan Cement Limited has applied for diversion / regularization of 8.02 ha forest area now which is termed as



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encroachment into RF and informed that the M/s Deccan Cement Limited will abide by the all rules / regulations and to make all necessary payments towards Net Present Value (NPV), Compensatory Afforestation, Penal Compensatory Afforestation, Penal Net Present Value as decided by the committee and follow all rules / regulation as applicable to such project in future also.

Committee enquired the PCCF, Telangana regarding boundary disputes, other forest clearances obtained by the M/s Deccan Cement Limited and their compliances to the conditions stipulated by the GoI. The PCCF, Telangana explained all the clarifications / details as sought by the Committee and informed that the User Agency encroached forest area over 8.02 ha in addition to the 1.9337 ha diverted earlier mainly because of dispute in the RF boundary and the PCCF, Telangana strongly recommended that though the encroachment is not intentional, the violation committed by the User Agency shall be dealt strictly and fix the penalty as per the provisions made under FCA, 1980.

After hearing both the Forest Department Officials & the representative of the User Agency the committee opined that though the M/s Deccan Cement Limited obtained the prior approval of Government of India during 2011 for diversion of 1.9337 ha for railway siding the M/s Deccan Cement Limited should have been consulted the Forest Department before taking up of any activity near to the RF boundary to avoid violation of FCA, 1980 over an extent of 8.02 ha. **The Committee opined that the encroachment of 8.02 ha of forest area is completely in violation of condition No. 06 stipulated by the erstwhile Regional Office in its order No 4-APB633/2009-BAN/9849 dated 22.09.2011 and the committee concluded that the User Agency utilized / encroached additional 8.02 ha shall be penalized as per the provision made in the comprehensive hand book under 1.21(ii) & (iii) and also decided to impose Penal Compensatory Afforestation (PCA) as proposed by the State Government;**

3. Deliberation on complaint dated 30.04.2021 received from Shri. Vakkanti Koteswar Rao S/o Narayana, R/o Komatikunta Village, Palakaveedu Mandalam, Suryapet District.

Above complaint was received to revoke the proposal of illegally encroached reserve forest and stage-1 clearance submitted by the M/S Deccan Cements Limited Bhavanipuram Named DCL railway sliding -2 proposal no: FP/TG/RAIL/138554/2021 dated: 19.03.2021 over an extent of 8.02 hectares.

Since the complaint was received only in the evening (after the REC meeting is over through VC) on 07.05.2021 the issue could not be deliberated in the meeting. Thereafter same complaint also received through email on 08.05.2021, and the mail with its annexures was forwarded to the members of the REC on 08.05.2021, for their remarks / suggestions. The



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committee members opined that, whatever the REC decided in respect of this proposal in the meeting, is as per the prevailing Act, Rules and guidelines of the Ministry, hence the decisions made in the meeting can be recommended.

Recommendation: After deliberation on all aspects and considering the directions issued by Hon'ble NGT based on the report of the Committee Constituted by the Hon'ble NGT and also need of the railway sidling as per the conditions stipulated in the Environmental Clearance, the committee opined that the established railway sidling by the M/s Deccan Cements Limited is essential for the conservation of environment and forests and hence decided to **RECOMMEND** the proposal to regularize / diversion under FCA, 1980 subject to the standard conditions as applicable to such railway projects with the following additional conditions;

1. Committee decided to impose a penalty of 2 times the NPV as per provisions made in the comprehensive guidelines hand book under section 1.21 (iii) (a) ;
2. The violation committed by the User Agency / Forest Department officials shall be dealt as per the provisions made in State Forest Act or FC Act and its Rules and guidelines made there under.
3. Penal Compensatory Afforestation (PCA) over 17 ha of degraded forest area Compt.No.9, Ramavaram RF, Pengadapa beat, Musalivarre (W), Ramavaram Range shall be carried out with financial outlay of Rs.120.3289 lakhs as per proposed PCA Scheme;
4. The user agency shall get the wildlife mitigation plan prepared by any competent person /agency and the same should be approved by the Chief Wildlife Warden and implemented at the cost of the User Agency;
5. The user agency has to deposit funds for erection of the Boundary Pillars throughout the entire length of Saidulanama RF so as to ease the further discrepancies if any.
6. User Agency has to erect a 4 ft height parapet wall on towards the Forest Boundary all along the length of the proposed diversion.
7. Trees standing within 8.02 ha shall not be felled.
8. In consultation with the DFO, Concerned, User Agency shall carryout plantation of long living and environmental tree species like Peepal (Ficus religiosa) Banyan (Ficus benghalensis), Tamarind (Tamarindus indica), Neem (Azaridicta indica), and Jamun (Syzygium cumini) etc in vacant area within the 8.02 ha,
9. The User Agency shall take prior approval of GoI for any new non forestry activity within 8.02 ha;

Committee decided that after issuing of Stage I approval, the Integrated Regional Office,



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Hyderabad may file reply affidavit before Hon'ble NGT, Chennai after addressing all other issues raised in the OA.No.33/2016 in consultation with the Ministry, New Delhi. Further, Committee decided that the Integrated Regional Office, Hyderabad shall issue letter to the Telangana State Forest Department requesting to issue instructions to the field officials to be alert / vigil so as to prevent such encroachment(s) in future.

State: Andhra Pradesh

Agenda No: 05: Diversion of 4.59 ha (Previously 3.89 ha) of forest land for quarrying of road metal in Sy.No.361 of Sangam (V) & Mandal, Sangam RF, SPSR Nellore Division/District in favour of Smt. D. Mamatha Rani, Nellore

1. After obtaining approval from the competent authority, MoEF&CC, New Delhi, the Regional Office, Chennai vide letter dated 14.03.2017 conveyed *in-principle (Stage-I) approval*. The PCCF of Andhra Pradesh vide letter No. 8454/2011-FCA-2 dated 30.11.2017 has reported compliance to the conditions stipulated in the in-principle approval. After careful consideration of the compliance report submitted by the State Government, the Regional Office, Chennai vide letter dated 18.12.2017 conveyed *final (Stage II)* for the subject proposal;
2. The purpose wise breakup approved by the competent authority are as follows;

a. For mining	: 3.67 ha
b. For road	: 0.22 ha
c. Safety zone	: 0.70 ha
Total	: 4.59 ha
3. The State Government of Andhra Pradesh vide letter No 1282/Section.II/2020 dated 04.11.2020 has stated that the User Agency has proposed a new road on the western side of the above mining lease to a length of 1.36 km (1.15 km in RF and 0.21 km in the existing RoW) so as to save mileage and avoid the heavy traffic to reach stone crusher as it is being established in the revenue land on the western side of the proposed mining area at a distance of 1.36 km from the proposed mining area. Further reported that, the Conservator of Forests, Guntur vide letter dated 27.02.2019 has submitted a report, stating that the permitted road to the User Agency is 4km distance from the stone crusher unit of the User Agency and Nellore Division is taking up Karthikavanam tree planting in Sangam RF under MNREG scheme and the vehicle movement in the permitted road will affect the developmental activities taken up by the Department and hence the User Agency has proposed a new road involving diversion of forest land to an extent



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of 0.83 ha. Further it has been reported that an extent of 0.83 ha of non forest area in Sy No 46 of Chennapanayunipally Village, C.S. Puram Mandal, Prakasham District of Giddalur Division for compensatory afforestation purpose and the Divisional Forest Officer submitted C A Scheme for period of 10 years with a financial outlay of Rs. 13.70 Lakhs. By submitting the above, the State Government requested for Gol's approval for the new road proposed by the User Agency;

4 The revised map with DGPS co-ordinates has been submitted. The revised component wise breakup of the forest area is as follows;

- | | |
|--------------------|--|
| a. For mining | : 3.67 ha |
| b. For road | : 0.83 ha (1290 mtr with 6.5 mtr average width) |
| c. Safety zone | : 0.70 ha |
| Total | : 5.20 ha |

6. The subject proposal has been processed through DSS cell and found to be not inviolate.

7. Though the State Government is requested for change in approach road, being the road is linked to the mining project; approval from the competent authority, New Delhi is required. Hence, the subject proposal was placed before 43rd REC meeting held on 27.11.2020 and committee after detailed deliberation decided to seek detailed justification for new approach road against the approved road;

8. The State Government 1282/Section.II/2020 dated 30.03.2021 submitted the following;

- As reported by the UA, the old road which was permitted by the Government of India over an extent of 0.22 ha in Sangam RF will affect the developmental activities of the division and will cause damage to the plants already raised by the Department and is the approved road (0.22 ha) is utilized by them, there will be a pollution due to vehicle traffic and loaded vehicle with which quarried material will disturb the young plantation so raised by the Forest Department;
- The PCCF(HoFF), AP stated that the Forest Range Officer, Atmakur has raised plantation and dug pits for taking up plantation under Kartheekavanam concept to saturate Sangam RF and if the road is allowed to the User Agency, there will be a lot of pollution and will affect the Plantations raised by the Department, accordingly, the DFO concluded not to allow utilizing the road under any circumstances;
- Further reported that, considering the above facts, the User Agency has proposed another approach road of 0.83 ha from the crusher unit to the quarry area with a distance of 1.50 km. this road will not affect any developmental activities of the Forest Department, accordingly, the User Agency has submitted an undertaking stating that they would not utilize the approved road (0.22 ha) in Sangam RF under any circumstances and the same will be reverted back to the Department, it was also indicated in their undertaking stating that they would not claim any amount of CA /NPV deposited by them for the earlier approach road of 0.22 ha under any circumstances;



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- d. Further, it is reported that another User Agency i.e. Sri C.V.Sesha Reddy has also submitted undertaking stating that they would leave the old road track which was approved by the Government of India for transportation of road metal and also requested to permit to utilize the same road which has to be granted to Smt D.Mamatharani. In the mean time Smt D.Mamatharani has also furnished an undertaking stating that, they would not have any objection for utilization of the proposed new road (0.83ha) by both the applicants i.e. Smt D.Mamatharani and Sri C.V.Sesha Reddy for transportation of quarried metal from the quarry area

Submitting the above, the State Government requested to accord approval for the new road.

9. The IGF, IRO, Vijayawada carried out site inspection on 26.04.2021 and vide e-mail dated 03.05.2021 submitted site inspection report, Extract of the SIR is appended below (**copy enclosed for perusal**).

******* Extract of the Site Inspection Report *******

In the circumstances, the newly proposed alignment of the approach road may be considered for approval as

1. This would lead to creation of a complete patch of the Kartheekavanam plantation and cover the hillock facing the Sangam Village which is aesthetically and technically appears a better proposition. This hillock faces the village and the main road. Movement of quarried material in trucks through the Sangam village and resultant pollution can be avoided if this road is surrendered in place of the proposed alignment.
2. The existing road of 0.22 ha, granted to Smt D Mamatha Rani has not been put to use and it is now closed. Bushy growth has started invading. Another 0.22 ha, for approach road, for which Stage I has been granted in favour of Sri C V Sesha Reddy runs parallel to this.
3. The new alignment partly is an existing road used by Korimerla village and runs west to east along the forest boundary of the RF. The bit of the new alignment proposed which runs southwards from this village road bit is reportedly an old road (although bushy growth has covered the entire stretch) which was leased out prior to 1980 to the Dr I V Krishna Reddy for quarrying.
4. Therefore, any inconvenience due to movement of trucks from the quarry will also be avoided, if the new alignment is preferred over the approved alignment, which has to necessary pass through the Sangam village causing inconvenience to the villagers.
5. The other user agency Sri C V Sesha Reddy for whom stage I approval is granted, has also furnished an undertaking that he would surrender the use of the existing 0.22 ha of the approved alignment in favour of the newly proposed alignment. Thus, the entire road alignment will shift from the existing one and the area will become a complete patch for raising kartheekavanam plantation.



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6. The new road requires only clearance of shrubs and no tree felling involved.

Recommendation and conclusion:

The newly proposed alignment may be considered for the reasons cited above with the following additional conditions that;

- a. The proposed alignment involving 0.83 ha area will be used by both the user agencies and shall include the access to quarries of both the user agencies. This condition shall be stipulated in the other proposal also for which stage I is granted.
- b. The existing alignment diverted over 0.44 ha (0.22 ha each) will be reverted back to the forest department and no claim shall exist on the CA and NPV paid towards this area. This shall be applicable to both Smt Mamatha Rani and Sri C V Sessa Reddy. The stage II approval issued to Smt Mamatha Rani and stage I approval issued to Sri C V Sessa Reddy shall stand modified to that extent.
- c. Specific condition shall be stipulated in the stage II clearance issued in favour of Smt D Mamatha Rani, that the bit connecting the village in the RF shall continue to be available for use by general public.
- d. Specific condition shall be stipulated that the width of the road shall be so adjusted as to limit the extent to 0.83 ha connecting both the quarries.
- e. Specific condition shall be stipulated in the Stage II approval granted to Smt D Mamata Rani that the road shall be used by the other user agency Sri C V Sessa Reddy as and when stage II clearance is granted to him.

Deliberation:

Committee deliberated in details with the APCCF (FCA), Andhra Pradesh and regarding new approach road site inspection report submitted by the IGF, IRO, Vijayawada was perused and the committee also heard the User Agency present during the meeting. The IGF, IRO, Vijayawada briefed the committee on facts of the proposal and advantages of allowing new approach road instead of old approved road.

Committee noted that the approved road is not in use and after allowing the new approach road the approved road area shall be reverted back to the forest department. Committee noted that, by allowing new approach road no tree felling is required and decided to recommend the new approach road to be utilized by the both the User Agencies i.e. Smt Mamatharani & Shri C V Sessa Reddy.

The User Agency informed that RoFR certificate for an area over an extent of 0.83 ha has been obtained from the competent authority and the same will be submitted to the IRO, Vijayawada.



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Recommendation: After detailed deliberation, committee **RECOMMENDED** the proposal to forward to the Ministry for approval from the competent authority to revert back the approved road over an extent of 0.44 ha (**0.22 ha each in favor of agencies Smt Mamatharani & Shri C V Sessa Reddy**), and to accord permission for new approach road (0.83 ha) with the change in extent of forest area diverted i.e. **5.20 ha against approved area over an extent of 4.59 ha** in favour of **Smt Mamatharani**, subject to the following conditions;

- a. The proposed road alignment involving 0.83 ha area will be used by both the user agencies Smt Mamatharani & Shri C V Sessa Reddy and shall include the access to quarries of both the User Agencies. After obtaining approval from the competent authority, the IRO, Vijayawada shall issue corrigendum to the Stage I approval issued in favour of Shri C V Sessa Reddy regarding change of approach road and actual area diverted in favour of the User Agency and a fresh order to be issued in favour of Smt D.Mamatharani for the revised area including the approach road of 0.83 ha;
- b. The approved road alignment diverted over 0.44 ha (**0.22 ha each in favor of agencies Smt Mamatharani & Shri C V Sessa Reddy**) will be reverted back to the forest department and no claim shall exist on the CA and NPV paid towards this area as agreed by the both the User Agencies.
- c. The bit connecting the village in the RF shall continue to be available for use by general public and no objection shall be made by the both the User Agencies;
- d. The width of the road shall be so adjusted as to limit the extent to 0.83 ha connecting both the quarries.
- e. An extent of 0.83 ha of non-forest area identified in Sy No 46 of Chennapanayunipally Village, C.S. Puram Mandal, Prakasham District of Giddalur Division for compensatory afforestation purpose shall be mutated in favour of Forest Department and state Government shall carry out compensatory afforestation as per the CA scheme;
- f. Net Present Value (NPV) amount for an extent of 0.83 ha shall be paid by Smt D.Mamatharani;



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Agenda No. 06: Diversion of 20.72 ha of forest land in Venkatagiri Hill RF & Inagaluru RF in Nellore and Chittoor District for excavation of Somasila Swarnamukhi Link Canal from Km 56.00 to Tail End Km 100.425 including CM & CD works in favour of Chief Engineer, NTR TGP, Tirupati

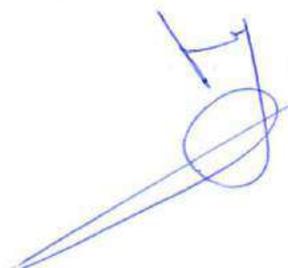
The Regional Empowered Committee (REC) has noted the following facts of the proposal:

1. The State Government of Andhra Pradesh vide letter No.5104/Section II/2018 dated 13.12.2018 has forwarded the proposal for diversion of 20.72 ha of forest land in Venkatagiri Hill RF & Inagaluru RF in Nellore and Chittoor District for excavation of Somasila Swarnamukhi Link Canal from Km 56.00 to Tail End Km 100.425 including CM & CD works in favour of Chief Engineer, NTR TGP, Tirupati and requested to communicate GoI's approval under Forest (Conservation) Act, 1980.
2. **Purpose wise breakup of the forest area required for diversion**
 - A. Nellore Division: 11.52 ha for canal and 1.12 ha for inlet structure and canal.
 - B. Chittoor East (WL) Division: 8.08 ha for Canal.
3. Legal Status of Forest land: Reserved Forest
4. Density of Vegetation:
 - A. **Chittoor East (WL) division:** 0.2, Eco Class 6
 - B. **Nellore Forest Division:** 0.3, Eco Class 4
5. Cost of the project: **Rs. 39900 lakhs**
6. As reported, 110 man days of temporary employment is likely to be generated due to the project.
7. DFO, Chittoor East (WL) division has reported that there would be no impact on soil erosion in the proposed area.
8. DFO, Nellore Forest Division has reported that the area proposed for diversion is not vulnerable to erosion.
9. The DFO, Chittoor East (WL) division & DFO, Nellore Forest Division have reported that the forest area proposed for diversion does not fall under Sanctuary / National Park, Biosphere Reserve, Tiger Reserve, Elephant Corridor etc
10. DFO, Chittoor East (WL) division has reported that rare/ endangered / unique species of flora i.e. Red Sanders species is found in the area
11. DFO, Nellore Forest Division has reported that no rare/ endangered / unique species of flora is found in the area.
12. The DFO, Chittoor East (WL) division & DFO, Nellore Forest Division have reported that no protected archaeological/ heritage site/ defence establishment or any other important monument is located in the area.



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13. The DFO, Chittoor East (WL) division & DFO, Nellore Forest Division have been reported that the requirement of forest land for diversion as proposed by the UA is unavoidable and the barest minimum for the project.
14. DFO Chittoor East (WL) division has reported that the User Agency had carried out work in violation of FCA, 1980 over an area of 8.08 ha. The detailed report on violation has been furnished.
15. DFO, Nellore Forest Division has reported that no work in violation of the Act or guidelines issued under the Act has been carried out by the UA. **However, as per the kml file uploaded by the User Agency it appears that in some area within 11.52 ha, some works in violation of FCA, 1980 have been carried out by the User Agency.**
16. Enumeration list of trees has been furnished by the DFO, Nellore Forest Division and as reported, no tree felling is required in Chittoor East (WL) division.
17. The User Agency has identified non-forest area of 21.213 ha in Sy No 107 & 109/3 of Kaigallu (V) Baireddipalle (M) Chittoor District for compensatory afforestation. CA scheme including 10 years of maintenance with a financial outlay of Rs.122.50 lakhs, site inspection report on CA land and soil suitability certificate have been furnished.
18. DFO, Chittoor East (WL) division recommended the subject proposal by imposing of penalty for violation
19. The project has been recommended at all level in the State Government
20. RoFR certificates (**Form II**) for an area of 12.64 ha and 8.08 ha have been furnished.
21. Site Inspection report of the DFO, Nellore Forest Division has been furnished and uploaded in the web portal;
22. Site Inspection report of the DFO, Chittoor East (WL) division has been furnished and uploaded in the web portal.
23. The subject proposal has been processed through DSS cell and found to be not inviolate.
24. The subject proposal has been uploaded in the web portal vide proposal number FP/AP/IRRIG/15739/2015.
25. Map of the Forest land proposed for diversion has been furnished and uploaded in the web portal.
26. The Regional Office, Chennai vide letter dated 24.01.2019 has requested the State Government to furnish the following additional information / clarification:
 - a. As reported, the User Agency has carried out work in violation of FCA, 1980 over an area of 8.08 ha in Chittoor East (WL) division. Hence a report on the action taken on the individual/officials responsible for violation under the provisions of the State Forest Acts / Rules, shall be furnished;
 - b. As per the kml file uploaded by the User Agency for an area of 11.52 ha in Nellore Forest Division, it appears that work in violation of FCA, 1980 has been carried out



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by the User Agency in some patches within the 11.52 ha area. The State Government is requested to verify the same and submit a detailed report on violation i.e. extent of the area under violation, period in which work has been carried out, action taken on the individual / officials responsible for violation under the provisions of the State Forest Acts / Rules.

27. The State Government vide letter No 5104/Section-II/2018 dated 24.04.2019 has forwarded the information provided by the PCCF, Andhra Pradesh:

a. As reported by the Conservator of Forests, WLM, Tirupati vide letter dated 21.02.2018, the entire earth work for the canal in the proposed area in Compt No 172 of Venkatagiri RF and Compt No 196 of Inagalur of Mannavaram Beat of Palam Section have been completed in violation of Forest (Conservation) Act, 1980. Case has been booked vide POR No 71/2018-19/SKHT Range dated 16.11.2018 by FRO Srikalahasti against the User Agency were already furnished at the time of submitting the proposal. However, the report of the Conservator of Forests, WLM Tirupati is enclosed. Further, with regard to the officials of the Forest Department responsible for the violations, departmental action is being initiated against them;

b. As reported by the Conservator of Forests, Guntur vide letter dated 18.02.2019, the Divisional Forest Officer, Nellore reported that the Forest Range Officer, Venkatagiri Range has conducted Joint Inspection in the proposed canal area in RF from Station No 253 to 258 of Venkatagiri Hill RF near Chilikampadu Village of Kurjagunta Beat of Venkatagiri Range on 01.02.2019 along with Dy Executive Engineer, SSLC & SB Sub Division No 3 JKR Dam and concerned Assistant Engineer of User Agency. Further, the Divisional Forest Officer, Nellore reported that during the Joint Inspection, the boundary of Venkatagiri Hill RF from Station No 253 to 258 were fixed as per Gazette notification, it was observed that, the Somasila Swarnamukhi Link Canal work executed upto Forest Boundary and no canal work was taken up in Venkatagiri Hill RF area for which the forest diversion proposal were given in 11.52 ha. The Joint Inspection team also noticed that there is no violation of the provisions of the F(C) Act, 1980 by the User Agency. The Joint Inspection report drafted by the joint Inspection Team & Google earth maps super imposed on the SI sheet showing the location of canal and RF boundary and a sketch showing existing canal and proposed canal prepared by the Joint Inspection team are submitted.

28. The Subject proposal along with the additional information received from the State Government was considered by the REC in its 36th meeting held on 18.06.2019 and



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decided to consider the proposal after receipt of action taken report i.e. extent of the area under violation, period in which work has been carried out, action taken on the individual/officials responsible for violation etc. under the provisions of the State Forest Acts /Rules from the State Government;

29. The State Government of Andhra Pradesh vide letter NO 5104/Section-II/2018 dated 26.11.2020 has furnished the following information in reply to the information sought by the REC;
- a. The Principal Chief Conservator of Forests (Head of Forest Force), Andhra Pradesh in his letter dated 22.10.2020 has stated that the Chief Engineer, NTR TGP Tirupati vide his letter dt. 08.07.2020 has informed that the Irrigation Department had warned the following officers responsible for excavation of Somasila Swarnamukhi Link Canal from Km 73.000 to Km. 74.100 and from Km 75.400 to Km 76.140 and also instructed to be very cautious in discharging the their duties in future.
 - A. Sri T. Kishore babu, EE, TGP Division, Venkatagiri
 - B. Sri Y. Parandhama Reddy, Dy. EE, SSLC & SB Sub-Division.3, KR Dam, and
 - C. Sri Ch. Vemaiah, AEE, SSLC & Sub-Division.3, KR Dam
 - b. The Principal Chief Conservator of Forests & Head of Forest Force has further stated that the Chief Engineer, NTR TGP, Tirupati has informed that the agency has stopped the construction of structure work immediately as the Forest officials instructed to stop the work. It is so happened due to misinterpretation of the boundaries of forest land as they were not properly identified. The same was confirmed only after a detailed DGPS survey conducted jointly by the user agency and the Forest officers. Hence, the department has not initiated action against the contractor for violation.
 - c. The Principal Chief Conservator of Forests & Head of Forests Force has also stated that necessary action is being taken to issue Article of Charges (AoC) against Sri K. Venkata Subbaiah (the then FRO, Srikalahasti Range) and others of Srikalahasti Range, Chittoor East WL Divisin for allowing the user agency for digging Somasila Swaranamukhi Link Canal from Km 73.000 to Km 74.100 and from Km 75.400 to Km 76.140 falling in Compt No. 172 of Venkatagiri RF and in Compt No. 196 of Inagalur RF of Srikalahasti Range of Chittoor East WL Division.
30. The subject proposal was considered by the Regional Empowered Committee (REC) in its 44th meeting held on 18.12.2020 and after detailed deliberation, committee decided to carryout site inspection to ascertain work in violation of FCA, 1980 and decided to consider the proposal after receipt of the site inspection report;



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31. As decided by the REC, the IRO, Chennai vide letter dated 24.12.2020 requested the IRO, Vijayawada to conduct site inspection;
32. Accordingly, a committee involving Sri Anand Kumar Jha, APCCF & NO, Andhra Pradesh, Dr.C.N.Rao, Member REC, IRO, Chennai and Shri N.S.Murali IGF, IRO, Vijayawada conducted site inspection on 28.01.2021 in presence of State Forest field officials & representatives from the User Agency i.e. SSLC&SB. The IGF, IRO, Vijayawada vide letter dated 09.03.2021 submitted site inspection report to the IRO, Chennai and same was considered by the REC;

Deliberation:

Committee examined the site inspection report submitted by the IRO, Vijayawada and committee taken strong view on extent of work carried out by the User Agency in violation FCA, 1980. Committee noted that the User Agency utilized more forest area than the proposed area over an extent of 20.72 ha and even though the additional area was encroached by the User Agency during the year 2017, the same has not been included in the diversion proposal also not been reported by the State Government. After examining the Site Inspection Report of IRO, Vijayawada, committee noted that in the Devulapalli and Teerthampadu Beat the canal was dug by the Irrigation Department and subsequently abandoned due to vigilant of the forest department officials.

Recommendation:

The committee considered and discussed the subject proposal in several meetings earlier and also after detailed deliberation of all aspects with the APCCF(FCA), Andhra Pradesh and IGF, Vijayawada and perused the information provided in the site inspection report submitted by the IRO, Vijayawada, the Committee unanimously decided to **REJECT** the proposal. The IRO, Vijayawada shall issue letter to the State Government of Andhra Pradesh conveying the decision taken by the REC regarding rejection of the proposal and take necessary steps on the following;

- a. The User Agency ie. Irrigation Department shall submit revised proposal to the State Government including complete stretch of forest area utilized for canal and the State Government shall examine the proposal in all aspects (**including conducting of thorough DGPS survey to find out exact area under violation and to fix responsibility**) and forward the same to the IRO, Vijayawada;
- b. State Forest Department shall issue notice to the Irrigation Department to obtain No Objection Certificate (NOC) wherever works to be carried out work in and around the boundary of the RF area so as to confirm the RF boundary and to avoid disputes;
- c. As reported in the Site Inspection Report, some villagers claimed that they have pattas



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issued by the Revenue Department inside RF area. Hence, it may be addressed to the State Forest Department and to inform the observation made during the site inspection and request to take up the issue with the Revenue Department for taking necessary action. Also the DFO may be directed to register a case against the concerned Thasildar and DRO as stipulated in State Forest Act and FCA, 1980 under intimation to the concerned District Collector.

Agenda No: 07: Diversion of 4.72 ha forest land in Compt No 450 of Yerragonda RF , Tummagunta (V), Kanigiri (M), Prakasham District for excavation of quartz in f/o Sri Ahobila Narasimha Minerals

The Regional Empowered Committee (REC) has noted the following facts of the proposal:

1. The Andhra Pradesh Govt vide letter No. 275/Section -II/2020 dated 14.07.2020 has forwarded the proposal to this office for diversion of 4.72 ha forest land in Compt No 450 of Yerragonda RF, Tummagunta (V), Kanigiri (M), Prakasham District for excavation of quartz in f/o Sri Ahobila Narasimha Minerals and requested to communicate GoI's approval under Forest (Conservation) Act, 1980.
2. **Purpose wise breakup of the forest area required for diversion**
 - a. Mining area : 2.31 ha
 - b. Safety zone : 0.65 h
 - c. Road area : 1.76 ha
 - Total : 4.72 ha**
3. Legal Status of Forest land: Reserved Forest
4. Density of Vegetation: 0.2, Eco Class 3.
5. Cost of the project: Rs.100 lakhs.
6. As reported, **10 permanent** and 50 man days of temporary employment are likely to be generated due to the project.
7. DFO, Giddalur Forest Division has reported that there is no impact of proposed extraction of Quartz on the ecology, especially soil erosion in and in around the proposed area for extraction of Quartrz
8. DFO, Giddalur Forest Division has reported that the forest area proposed for diversion does not fall under Sanctuary / National Park, Biosphere Reserve, Tiger Reserve, Elephant Corridor etc
9. DFO, Giddalur Forest Division has reported that no rare/ endangered / unique species of flora is found in the area.
10. DFO, Giddalur Forest Division has reported that no protected archaeological/ heritage site/ defence establishment or any other important monument is located in the area.



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11. DFO, Giddalur Forest Division has reported that the requirement of forest land for diversion as proposed by the UA is unavoidable and the barest minimum for the project.
12. DFO, Giddalur Forest Division has reported that the User Agency has not carried out any work in violation of FCA, 1980.
13. Enumeration list of trees has been furnished and uploaded in the web portal. As reported, 207 numbers of trees are enumerated;
14. User Agency identified an area of 4.53 ha of non forest area in Sy No 269/269-1 at Balayyapalli (V)Seetharamapuram (M), SPSR Nellore District. CA scheme for an area of 4.50 ha with 10 years of maintenance with financial outlay of Rs. 31.00 lakhs and suitability certificate have been furnished.
15. Site Inspection report of the DFO, Giddalur Forest Division on forest area proposed for diversion has been furnished and uploaded in the web portal.
16. RoFR certificate (Form II) has been furnished.
17. Map of the Forest land proposed for diversion has been uploaded in the web portal.
18. The subject proposal has been processed through DSS cell and found to be not inviolate.
19. The subject proposal has been uploaded in the web portal vide proposal number FP/AP/QRY/38806/2019.
20. The subject proposal was considered by the REC in its 42nd meeting held on 14.08.2020 and committee after deliberation , decided to request the State Government to submit approved mining plan as insisted by the Ministry in few recent cases;
21. As decided by the REC, the erstwhile Regional Office Chennai requested the State Government to submit approved mining plan;
22. The Andhra Pradesh vide letter 275/Section.II/2020 dated 06.04.2021 informed that the Director of Mines & Geology, Andhra Pradesh, Vijayawada furnished reply that a comprehensive study of solid waste management and land reclamation with post mining land used plan, dumping of over burden, sub soil handling and management will be taken up for preparation of approved mining plan, Environmental Clearance from the Ministry of Environment, Forests & Climate Change, Consent for establishment from Andhra Pradesh Pollution Control Board. *But above the comprehensive study will be taken up by the applicant only after issuing of Forest Clearance by the Forest Department and subsequent letter of Intent given by the Mines and Geology Department for grant of lease;*
23. The ROHQ, MoEF&CC, New Delhi letter No 1-9/2021-ROHQ dated 18.04.2021 forwarded D.O. letter dated 23.03.2021 received from the Shri Magunta Sreenivasulu Reddy , Hon'ble Member of Parliament (Lok Sabha) wherein mainly requested to consider minor minerals proposals under FCA, 1980 pertaining to State of Andhra Pradesh without insisting mining plan as followed in earlier cases.



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Deliberation: The Committee deliberated on the proposal, CA area and CA scheme submitted by the State Government and examined the additional information regarding submission of approved mining plan. Committee heard the APCCF(FCA) Andhra Pradesh and the representative of the User Agency who attended the meeting. The State Forest Department reiterated that the Mining Plan can be submitted after issuing of Stage-I approval only since the State Mining Department is insisting Forest Clearance for preparing the Mining Plan.

Recommendation: After detailed deliberation, the committee recommended the proposal to forward to the Ministry for approval from the competent authority subject to the standard conditions as applicable to such quarrying project with the following additional conditions;

1. Approved mining plan shall be submitted along with compliance report to issue Stage II approval;
2. No dumping shall be carried out in the forest area. Dumping shall be done at the designated revenue patta land of the User Agency;
3. No labour camp / permanent structure shall be constructed in the forest area;
4. No storage of magazines shall be done in the forest area;



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Agenda No: 08: Diversion of forest land over an extent of 4.90 ha falling in Compt No 205 of Ragimanupeta RF, Bodabanda Beat, Bangarupalyam (M), Chittoor West Division & District for grant of quarry lease for Black Granite in favour of M/s Prathima Granites, Chittoor District

The Regional Empowered Committee (REC) has noted the following facts of the proposal:

1. The Andhra Pradesh State Government vide letter No 517/Section.II/2021 dated 06.04.2021 forwarded the proposal for diversion of forest land over an extent of 4.90 ha falling in Compt No 205 of Ragimanupeta RF, Bodabanda Beat, Bangarupalyam (M), Chittoor West Division & District for grant of quarry lease for Black Granite in favour of M/s Prathima Granites, Chittoor District and requested to convey approval under FCA,1980. The State Government processed and forwarded the proposal through online vide proposal No FP/AP/QRY/40862/2019.
2. **Purpose wise breakup of the forest area required for diversion**
 - a. Mining area : 2.71 ha
 - b. Dumping area : 1.00 ha
 - c. Safety zone area : 0.87 ha
 - d. Road area : 0.32 ha
 - Total area : 4.90 ha**
3. Legal Status of Forest land: Reserved Forest
4. Density of Vegetation: 0.2, Eco Class 3.
5. Cost of the project: Rs.315 lakhs
6. As reported, 2 permanent & 1600 temporary man days of employment are likely to be created due to the project;
7. DFO, Chittoor West Forest Division has reported that the area is covered with thorny bushes and huge boulders. SMC measures are to be taken up with planting on mounds of SMC structures
8. DFO, Chittoor West Forest Division has reported that the forest area proposed for diversion does not fall under Sanctuary / National Park, Biosphere Reserve, Tiger Reserve, Elephant Corridor etc.
9. DFO, Chittoor West Forest Division has reported that no rare/ endangered / unique species of flora is found in the area.
10. DFO, Chittoor West Forest Division has reported that no protected archaeological/ heritage site/ defence establishment or any other important monument is located in the area.
11. DFO, Chittoor West Forest Division has reported that the requirement of forest land for diversion as proposed by the UA is unavoidable and the barest minimum for the project.



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12. DFO, Chittoor West Forest Division reported that no work in violation of FCA, 1980 has been carried out by the User Agency
13. DFO, Chittoor West Forest Division submitted enumeration list of trees and uploaded the same in the online application. As reported 284 trees are enumerated. The flora like *CAnthium dicoccum* (Nallbalsa), *Diospyors chloxylon* (Ulinja), *Anogeissus latifolisa* (Velama), *Gardenia gummifera* (Bikki), *Dolichondron crispa* (Neeurdi) etc are found in the area
14. An extent of **4.90 ha** of non forest area has been identified in Sy No 169 & 174-1, Vajragiri Village (Mangampeta Thanda), Owk Mandal, Kurnool District in two bits, Bit -I (Sy No 169) and Bit II (Sy No 174-1) area adjacent to Compartment No 304 and 305 of Owk RF. As reported identified area is suitable for CA purpose, suitability certificate has been furnished. CA scheme including **10 years of maintenance** with financial outlay of **Rs.42.422 lakhs** has been submitted
15. Site Inspection report of the Chittoor West Forest Division has been furnished and uploaded in the web portal.
16. Map and kml of the Forest land proposed for diversion have been submitted and uploaded in the web portal;
17. RoFR certificate: RoFR in Form II is submitted;
18. The subject proposal has been processed through DSS cell and found to be not inviolate.
19. A separate scheme for fencing, protection, regeneration and raising and maintenance of enrichment plantation over an extent of 1.31 ha in degraded forest area in Compt No 205 of Ragimanupeta RF in lieu of 0.87 ha of safety zone has been submitted with financial outlay of Rs. 4.95 lakhs.
20. Mitigative measures plan for protection of forest located adjacent to the proposed quarry lease prepared by the Consultant Mining Geologist has been submitted.

Deliberation: The Committee deliberated on the proposal, CA area and CA scheme submitted by the State Government and examined the additional information regarding submission of approved mining plan. Committee heard the APCCF(FCA) Andhra Pradesh and the representative of the User Agency who attended the meeting.

Recommendation: After detailed deliberation, the committee **RECOMMENDED** the proposal to forward to the Ministry for approval from the competent authority subject to the standard conditions as applicable to such quarrying project with the following additional conditions;

1. Approved mining plan shall be submitted along with compliance report to issue of Stage II approval;



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2. No labour camp / permanent structure shall be constructed in the forest area;
3. No storage of magazines shall be done in the forest area;
4. Mitigative measures plan for protection of forest located adjacent to the proposed quarry lease prepared by the Consultant Mining Geologist shall be carried out at the cost of the User Agency;

Agenda No: 09: Diversion of 4.88 ha of FL in Compt. No. 425, 426 & 427 of Nanda RF, Vizianagaram Division for construction of Mini Hydel Project (3X4000 KW) 12.00 MW on Gomukhi River near Thonam village of Salur Mandal, in favour of M/s Mohanarupa Power Project (Pvt.) Ltd.

- (i) The State Government of Andhra Pradesh vide letter No.839/Section II/2018 dated 09.01.2019 has forwarded the proposal for Diversion of 4.88 ha of forest land in Compt No 425, 426 & 427 of Nanda RF, Vizianagaram Division for construction of Mini Hydel Project (3 X 4000 KW) 12.00 MW on Gomukhi River near Thonam Village of SalurMandal in favour of M/s Mohanarupa Power Project (Pvt) Ltd. and requested to communicate Gol's approval under Forest (Conservation) Act, 1980;
- (ii) The proposal was considered by the REC in its 34th meeting held on 12.02.2019 and after detailed deliberation, the committee recommended the proposal to forward the proposal to Ministry, New Delhi for approval from the competent authority subject to the following additional conditions;
 - a. The Catchment Area Treatment Plan (CAT) has to be submitted by the agency or the UA has to produce an undertaking before the proposal is forwarded to the Ministry for approval;
 - b. The Forest Department shall ensure that the CA scheme as proposed in the diversion proposal along with other recommendations suggested by the REC shall be implemented in its entirety, and if necessary, by undertaking suitable modification / revision of the FSR accordingly;
 - c. The proposed CA scheme shall be implemented along with the provision of protection watchers as envisaged in the scheme;
 - d. The temporary working area requested by the user Agency shall not be put to any other use other than the purpose for which it is requested. The User Agency shall give an undertaking in this regard;
 - e. All other mandatory clearances required for such hydel projects shall be obtained by the User Agency before Stage II approval.
- (iii) As recommended by the REC, the erstwhile Regional Office, Chennai forwarded the proposal to the Ministry seeking approval from the competent authority;
- (iv) The ROHQ Division, MoEF&CC, New Delhi vide letter No 4-APB094/2019-CHN dated 27.02.2019 requested the erstwhile Regional Office, Chennai to obtain certain



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- additional information from the State Government and to submit the same to the ministry for further consideration of the proposal;
- (v) As directed by the Ministry, erstwhile Regional Office, Chennai vide letter dated 28.02.2019 requested the State Government to submit the additional information / clarification as sought by the Ministry;
- (vi) The Andhra Pradesh State Government vide letter No. 839/Section-II/2018 dated 16.11.2020 submitted additional information as sought by the Ministry and same was forwarded through efile;
- (vii) The Ministry returned the file with the following note
The IPR mentioned that working over an area of 2.06 ha proposed in the proposal will mainly be used for activities like parking of machineries and other equipment. However, exact nature of the purpose and area involved therein not mentioned. Adverting to the aforementioned facts, the IRO apprehended that REC might have termed the same as temporary activity. IRO has also mentioned that said working areas are required till the project is alive. Submission made by the IRO implies that area required for the said activities is permanent in nature and not temporary as held by the REC, therefore to have better clarity, the matter should have been referred to the REC to revisit/reconfirm their observation on the alleged project component.
- (viii) REC in its 34th meeting, after deliberation on the project including reason for having a temporary working area etc recommended the entire area of 4.88 ha which includes 2.06 ha proposed for working area with a condition that **"temporary working area (2.06 ha) as requested by the User Agency shall not be put to any other use other than the purpose for which it is requested and to submit a undertaking in this regard"**. Since the Ministry requested to reconfirm, the subject proposal is placed before REC to reconfirm the nature of temporary working component and period for which the said area required to be diverted so as to inform the facts to the ministry;

Deliberation/ Recommendation: Committee examined and discussed the issue raised by the Ministry and after detailed deliberation, the committee decided to inform the following to the Ministry through IRO, Vijayawada

The State Government proposed 2.06 ha as working area for parking of machineries and other equipment and the REC during its 34th meeting considered and recommended the proposal with a condition that **"the temporary working area requested by the user Agency shall not be put to any other use other than the purpose for which it is requested"**. Considering the nature of the activities, committee termed the "working area" as "temporary working area". However, the committee recommended entire area i.e, 4.88 ha including the working area (of 2.06 ha) for diversion. **Hence, the committee once again reconfirmed that the**



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area i.e, 2.06 ha proposed for working area shall be permanent till project is alive with a condition that "no permanent structures shall be made in the area earmarked as working area and it shall be used for the activities like parking of machineries and other equipment, to keep material / inputs required for constructions and future inspections and maintenance as requested in the proposal".

State: Andaman & Nicobar Islands

Agenda No. 10: Diversion of 0.0225 ha of forest land for establishment of Lighted Beacon at Aves Island

1. Erstwhile Regional Office, Bhubaneswar accorded Stage I approval vide letter dated 31.05.2005 under FCA, 1980 for diversion of 0.0225 ha of forest land for establishment of Lighted Beacon at Aves Island.
2. The A&N Islands UT Forest Department vide letter dated 09.01.2020 submitted compliance report on conditions stipulated in the In-principle approval and reported that the proposed work has already been taken up and completed in the year 2008.
3. The Regional Office, Chennai vide letter dated 12.02.2020 requested the UT Administration to submit detailed report on work carried out in violation of FCA, 1980 and action taken report on official (s) responsible for violation of FCA, 1980 and **the report from the UT Administration is still awaited**

Deliberation: The Committee deliberated on the facts of the proposal and enquired with the ACF, O/o PCCF Andaman & Nicobar Islands regarding status of the report on violation and action taken on responsible person / Official(s) as sought by the Integrated Regional Office, Chennai vide letter dated 12.02.2020. The Committee noted that the report from the UT Administration is still awaited.

Recommendation: After detailed deliberation, the committee decided to **RECOMMEND** the proposal to issue Stage II approval with the following conditions;



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- a. Committee decided to impose a penalty of **2 times the NPV** as per provisions made in the comprehensive guidelines hand book under section 1.21 (ii) (a) and (b);
- b. The violation committee by the User Agency / Forest Department officials shall be dealt as per provisions made in the comprehensive guidelines hand book under section 1.21 (ii) (c) and (d);
- c. The UT Administration shall submit compliance report on the above conditions within three months from the date of issuing of the Stage II approval

TABLE AGENDA

1. Issues related to the state of Tamil Nadu

Dr.C.N.Rao, Member, REC raised the issues related to violation of Ooty Golf Course being utilized without renewal of forest clearance. The chairman of the committee requested the APCCF, Tamil Nadu to look in to the matter and take necessary action in this regard.

2. Issues related to the state of Andhra Pradesh

Dr.C.N.Rao, Member, REC raised the issues related to various works in violation of FCA, 1980 in the Tirupathi and Tirumala. The Chairman of the committee briefed the above issue to the APCCF/ Nodal Officer (FCA) Andhra Pradesh to look in to the matter and to take necessary action on the issues. Further, IGF, IRO, Vijayawada has been requested to coordinate with the Andhra Pradesh State Forest Department on the issues raised by the member.

3. Issues related to the state of Telangana

The PCCF, Telangana informed that though the MoEF&CC, Wildlife Division informed about provisions for obtaining prior approval of competent authority under Wildlife Protection Act, 1972 for selected category projects listed under FRA, 2006, in the State of Telangana, several District Collectors are not following the instructions / guidelines issued by the MoEF&CC and taking up several listed category projects in the protected area without obtaining clearance under Wildlife (Protection) Act, 1972. Further, the PCCF, Telangana informed that above facts has already been informed to the Ministry, New Delhi and requested the REC to look in to the matter and to inform the Ministry through REC.

Regional Empowered Committee (REC) examined the matter and opined that taking up of any activities in the Protected Areas requires prior approval under Wildlife Protection Act, 1972 and in case of approval; the User Agency needs to comply with wildlife mitigation measures to avoid man animal conflict and from the point of protection of wildlife and its habitat. Hence, Committee decided that the IRO, Hyderabad may inform the above issue to the Ministry to take necessary action as per the rules / regulation in force on the same.



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The Chairman thanked all members of the committee, Nodal Officers and representatives of the User Agency who participated in the 47thREC meeting held through video conference. The meeting ended with thanks to the chair.



10th May 2021
(Shri.R.Hemanth Kumar)
 Regional Officer & Chairman

(Approved through email)
(Shri.K.Jude Sekar)
 Member

(Approved through email)
(Shri BSS Reddy)
 Member

(Approved through email)
(Dr.C.N.Rao)
 Member


(K.Karthikeyan)
 AIGF(Central), Member Secretary

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Karthikeyan K <karthikeyan.kl@gmail.com>

Circulation of draft MoM of 47th REC for approval - Reg

4 messages

Karthikeyan.K <karthikeyan.kl@gmail.com>

Mon, May 10, 2021 at 12:25 PM

To: Jude Sekar <judsek@gmail.com>, CN Rao <challagalla38@gmail.com>, Somasekhar Reddy Bhimavarapu <bhimsoma@gmail.com>
 Bcc: Hemanth Ravivarapu <hravivarapu@yahoo.com>, Dayananda N <daya.dn14@gmail.com>

Dear Sirs,

The draft Minutes of the Meeting of 47th REC (held on 07.05.2021), is attached herewith for perusal and approval please.

Yours faithfully,

K. Karthikeyan, IFS

Assistant Inspector General of Forests,

Ministry of Environment, Forest & Climate Change,

Integrated Regional Office, Chennai

HEPC Building, No.34, Cathedral Garden Road,

Nungambakkam, Chennai - 600034,

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2 attachments

Draft MoM 47th REC for circulation to members.pdf
629K

Draft MoM 47th REC for circulation to members.docx
130K

C N Rao <challagalla38@gmail.com>

Mon, May 10, 2021 at 1:15 PM

To: "Karthikeyan.K" <karthikeyan.kl@gmail.com>

Cc: Jude Sekar <judsek@gmail.com>, Somasekhar Reddy Bhimavarapu <bhimsoma@gmail.com>

Approved.

Dr.C.N.Rao

Member

[Quoted text hidden]

Somasekhar Reddy Bhimavarapu <bhimsoma@gmail.com>

Mon, May 10, 2021 at 1:36 PM

To: C N Rao <challagalla38@gmail.com>

Cc: "Karthikeyan.K" <karthikeyan.kl@gmail.com>, Jude Sekar <judsek@gmail.com>

Dear All,

I have gone through the draft minutes. It is seen that in agenda items 1,2,3 and 4 one of the recommendations is to get the wildlife mitigation plan prepared by the forest department and implemented at the cost of the user agency. This may be modified to " The user agency shall get the wildlife mitigation plan prepared by any competent person / agency and the same should be approved by the Chief Wildlife Warden of the State Forest Department. The cost of the plan approved by the Chief Wildlife Warden shall be deposited with the Chief Wildlife Warden for implementation of the plan approved".

With this suggestion, I approve the minutes.

Regards,

Somasekhare Reddy

[Quoted text hidden]

Jude Sekar <judsek@gmail.com>

Mon, May 10, 2021 at 4:58 PM

To: "Karthikeyan.K" <karthikeyan.kl@gmail.com>

Approved.

K. Jude Sekar.

On Mon, 10 May 2021, 12:25 Karthikeyan.K, <karthikeyan.kl@gmail.com> wrote:

[Quoted text hidden]

608919/2022/ROHQ



Karthikeyan K <karthikeyan.kl@gmail.com>

47th REC -MoM Suggestion from Members included - Final Draft for Approval - Reg

3 messages

Karthikeyan.K <karthikeyan.kl@gmail.com>

Mon, May 10, 2021 at 5:47 PM

To: Hemanth Ravivarapu <hravivarapu@yahoo.com>

Cc: CN Rao <challagalla38@gmail.com>, Somasekhar Reddy Bhimavarapu <bhimsoma@gmail.com>, Jude Sekar <judsek@gmail.com>

Sir,

the suggestions from the members are included (correction is highlighted in yellow colour) and the finalized draft is enclosed herewith for perusal and approval please.

Yours sincerely,

K. Karthikeyan, IFS

Assistant Inspector General of Forests,

Ministry of Environment, Forest & Climate Change,

Integrated Regional Office, Chennai

HEPC Building, No.34, Cathedral Garden Road,

Nungambakkam, Chennai - 600034,

Mobile: +91 9447759900

2 attachments

Draft MoM 47th REC members suggestion included.docx
130K

Draft MoM 47th REC members suggestion included.pdf
631K

Somasekhar Reddy Bhimavarapu <bhimsoma@gmail.com>

Mon, May 10, 2021 at 5:52 PM

To: "Karthikeyan.K" <karthikeyan.kl@gmail.com>

The finalised draft is approved.

Regards

B. Somasekhara reddy

[Quoted text hidden]

C N Rao <challagalla38@gmail.com>

Mon, May 10, 2021 at 7:02 PM

To: "Karthikeyan.K" <karthikeyan.kl@gmail.com>

Cc: Hemanth Ravivarapu <hravivarapu@yahoo.com>, Somasekhar Reddy Bhimavarapu <bhimsoma@gmail.com>, Jude Sekar <judsek@gmail.com>

Approved.

The suggestions made have been incorporated. Tq

Approved

You can go ahead and finalise.

Dr.C.N.Rao

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