

I/8528/2022

Government of India
Ministry of Environment, Forest and Climate Change
(Forest Conservation Division)

Indira Paryavaran Bhawan
Aliganj, Jorbagh Road
New Delhi - 110003
Dated: 24th May, 2022

To,
The Special Chief Secretary (Forests),
Department of Forest and Environment,
Government of Andhra Pradesh,
Amravati.

Sub: Proposal for diversion of an area of 319.06 ha (out of total area of 365.66 ha i.e. 319.02 ha. for Lower Reservoir + 22.50 ha. for Power House & TRC Outlet + 6.96 ha. for Penstock + 8.02 Ha for Intake Structure + 2.43 ha. for Tail Race Channel and 6.73 ha. for Internal Roads) of forest land in Compartment Nos. 113, 114, 115, 116 and 117 of Gani RF, Kurnool Range, Kurnool Division for establishment of Integrated Renewable Energy Project, Pinnapuram in favour of M/s Greenko Energies Pvt. Ltd., Hyderabad -regarding.

(The total Forest land involved is 365.66 ha out of which 46.64 ha has already been granted Stage-II vide this Ministry's letter of even no. dt 24.05.2021)

Madam/Sir,

I am directed to refer to the Government of Andhra Pradesh's letter No.1926/Section. II/2019 dated 12.11.2019 on the subject mentioned seeking prior approval of the Central Government under Section-2 of the Forest (Conservation) Act, 1980 and to say that the said proposal has been examined by the Forest Advisory Committee (FAC) constituted by the Central Government under Section-3 of the aforesaid Act. After careful examination of the proposal of the State Government and on the basis of the recommendations of the Forest Advisory Committee, *in-principle/ Stage-I* approval of the Central Government was accorded vide this Ministry's letter dt 23.04.2020 subjected to fulfillment of certain conditions.

2. Further, the State Government notified an area of 66.99 ha of identified non-forest land in respect of the conditions stipulated in the Stage-I approval and requested the Central Government to grant final approval to allow them to start construction within the proposed diversion area for critical components of the project, such as Power House & TRC outlet (22.50 ha.), pen Stock (6.96 ha), Intake structure (8.02 ha), tail race channel (2.432 ha) and internal roads (6.73 ha), totalling to 46.64 ha, out of 365.66 ha required for the project.

3. Based on the request of the State government the *Final approval/Stage - II Clearance (part approval for an area of 46.60 ha)* of the Central Government was granted under Section-2 (ii) of the Forest (Conservation) Act, 1980 *for an area of*

I/8528/2022

46.60 ha to facilitate early start of work on certain components of the project in the proposed diversion area for the critical components of the project vide this Ministry's letter of even no. dt 24.05.2021.

4. In this connection, I am directed to say that on the basis of the compliance reports and the additional information furnished by the Government of Andhra Pradesh vide their letters dated 08.08.2020, 25.08.2020, 16.10.2020, 08.01.2021, 22.01.2021, 05.02.2021, 19.04.2021, 13.12.2021, 22.12.2021 and 13.05.2022, the *Final approval/Stage - II* of the Central Government is hereby granted under Section-2 (ii) of the Forest (Conservation) Act, 1980 *for an area of 319.06 ha out of 365.66 ha (The total Forest land is 365.66 ha out of which 46.64 ha has already been granted Stage-II vide this Ministry's letter of even no. dt 24.05.2021)* for the proposal for diversion of 365.66 hectare (i.e. 319.02 ha. for Lower Reservoir + 22.50 ha. for Power House & TRC Outlet + 6.96 ha. for Penstock + 8.02 Ha for Intake Structure + 2.43 ha. for Tail Race Channel and 6.73 ha. for Internal Roads) of forest land in Compartment Nos. 113, 114, 115, 116 and 117 of Gani RF, Kurnool Range, Kurnool Division for establishment of Integrated Renewable Energy Project, Pinnapuram in favour of M/s Greenko Energies Pvt. Ltd., Hyderabad, subject to the following conditions: -

A: Conditions which need to be complied prior to handing over of forest land to user agency by the State Govt.:

- i. The State Govt. shall ensure the complete compliance on FRA, 2006;
- ii. The State Govt. shall ensure that the labour sheds in Dubagunta parcel of identified CA land shall be removed at the cost of user agency;
- iii. The State Govt. shall ensure that the the labour sheds & cattle sheds along with fencing in Kamireddipadu bit 2 of identified CA land shall be removed at the cost of the user agency;
- iv. The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required;
- v. The State Government shall upload the kml files of the area under diversion and the accepted Non-forest land for raising compensatory afforestation in the E-Green Watch portal of FSI, before handing over forest land to the user agency;

B: Conditions which need to be complied after handing over of forest land to the user agency by the State Govt.:

- i. Legal status of the forest land shall remain unchanged.
- ii. The State Govt. should ensure that the forest compartments (compartment Nos. 113, 114, 115, 116 and 117), which are getting adversely affected may be taken care of and afforestation (for improving canopy density from 'open' to 'moderately dense forest') may be taken up by the Forest Department at the

I/8528/2022

cost of User Agency only to stabilise the rim of the reservoir i.e. 100 mts from the periphery of the HFL. Rest of the forest areas of affected compartments shall be taken up for improving canopy density through NPV, collected from this project;

- iii. The State Govt. should ensure that the user Agency will allow use of road infrastructure within project area to common public;
- iv. The State Govt. should ensure that the User Agency shall raise avenue plantation on either side of the road proposed in the proposal, at the project cost;
- v. The Compensatory Afforestation shall be taken up by the State Forest Department over identified Non-Forest land i.e. 377.32 ha (62.99 ha +314.33 ha) at the cost of the User Agency. As far as practicable a mixture of local indigenous species will be planted and monoculture of a species has to be avoided;
- vi. User Agency shall restrict the felling of trees to minimum numbers in the diverted forest land and trees shall be felled under strict supervision of the State Forest Department;
- vii. The felling of trees shall be restricted to FRL-4 meter only and felling of trees shall be carried out by the State Forest Department. Number of trees to be removed shall be kept at barest minimum during the execution of the project;
- viii. The Catchment Area Treatment Plan (CAT) shall be implemented as per approved scheme if applicable;
- ix. User agency shall undertake afforestation along the periphery of the reservoir;
- x. The layout plan of the proposal shall not be changed without prior approval of Central Government;
- xi. No labour camp shall be established on the forest land;
- xii. Sufficient firewood, preferably the alternate fuel, shall be provided by the User Agency to the labourer after purchasing the same from the State Forest Department or the Forest Development Corporation or any other legal source of alternate fuel;
- xiii. The User Agency shall provide free water from the project for all forestry related activities;
- xiv. No damage to the flora and fauna of the adjoining area shall be caused;
- xv. The concerned Divisional Forest Officer will monitor and take necessary mitigative measures to ensure that there is no adverse impact on the forests in the surrounding area;
- xvi. The State Govt. shall ensure that the boundary of the diverted forest land, shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, distance from pillar to pillar and GPS co-ordinates;

I/8528/2022

- xvii. The State Govt. shall ensure that the user agency shall erect concrete boundary pillars along the periphery of the all bits of Non Forest land (NFL) proposed for Compensatory Afforestation except in the boundary abutting the RF/PF;
- xviii. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work;
- xix. The period of diversion under this approval shall be co-terminus with the period of lease to be granted in favour of the user agency or the project life, whichever is less;
- xx. The User Agency and the State Government shall ensure compliance of all the Court orders, provisions, rules, regulations and guidelines for the time being in force as applicable to the project;
- xxi. The forest land shall not be used for any purpose other than that specified in the project proposal;
- xxii. The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without prior approval of Govt. of India.
- xxiii. Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as per the MoEF&CC Guideline F. No. 11-42/2017-FC dt 29/01/2018. Any other condition that the Ministry of Environment, Forest and Climate Change may stipulate from time to time in the interest of conservation, protection and development of forests & wildlife.
- xxiv. The State Government and user agency shall ensure compliance to all conditions stipulated in the Stage-I approval letter dated 23.04.2020 for which undertakings have been obtained from the user agency and also the provisions of the all Acts, Rules, Regulations and Guidelines, relevant Hon'ble Court Order (S) and NGT Order (S), if any, pertaining to this project for the time being in force, as applicable to the project.

Yours faithfully,

Sd/-

(Sandeep Sharma)

Assistant Inspector General of Forests

Copy to:-

1. The PCCF (HoFF), Government of Andhra Pradesh, Amravati.
2. The Regional Officer, Integrated Regional Office, MoEF&CC, Vijawada.
3. The Nodal Officer (FCA), Government of Andhra Pradesh, Amravati.
4. User Agency.
5. Monitoring Cell, Forest Conservation Division, MoEF & CC, New Delhi.

Government of India
Ministry of Environment, Forest and Climate Change
(Forest Conservation Division)

Indira Paryavaran Bhawan
Aliganj, Jorbagh Road
New Delhi - 110003
Dated: 24th May, 2021

To,
The Special Chief Secretary (Forests),
Department of Forest and Environment,
Government of Andhra Pradesh,
Amravati.

Sub: Proposal for diversion of 365.66 hectare (i.e. 319.02 ha. for Lower Reservoir + 22.50 ha. for Power House & TRC Outlet + 6.96 ha. for Penstock + 8.02 Ha for Intake Structure + 2.43 ha. for Tail Race Channel and 6.73 ha. for Internal Roads) of forest land in Compartment Nos. 113, 114, 115, 116 and 117 of Gani RF, Kurnool Range, Kurnool Division for establishment of Integrated Renewable Energy Project, Pinnapuram in favour of M/s Greenko Energies Pvt. Ltd., Hyderabad - regarding.

(This Final approval/Stage - II Clearance is granted under Section-2 (ii) of the Forest (Conservation) Act, 1980 for an area of only 46.64 ha of the total forest area)

Madam/Sir,

I am directed to refer to the Government of Andhra Pradesh's letter No.1926/Section. II/2019 dated 12th November, 2019 on the subject mentioned seeking prior approval of the Central Government under Section-2 of the Forest (Conservation) Act, 1980 and to say that the said proposal has been examined by the Forest Advisory Committee (FAC) constituted by the Central Government under Section-3 of the aforesaid Act. After careful examination of the proposal of the State Government and on the basis of the recommendations of the Forest Advisory Committee, *in-principle/ Stage-I* approval of the Central Government was accorded vide this Ministry's letter dt 23.04.2020 subjected to fulfillment of certain conditions. The State Government has furnished compliance report expect of mutating, transferring and notifying the entire identified CA land due to the ongoing Covid pandemic situation. The State govt. has notified an area of 62.99 ha of identified non-forest land in respect of the conditions stipulated in the Stage-I approval and has requested the Central Government to grant final approval with a request to allow them to start construction within the proposed diversion area for critical components of the project, such as Power Houser & TRC outlet (22.50 ha.), pen Stock (6.96 ha), Intake structure (8.02 ha), tail race channel (2.432 ha) and internal roads (6.73 ha),

totalling to 46.64 ha, out of 365.66 ha required for the project.

2. In this connection, I am directed to say that on the basis of the request, compliance report and the additional information furnished by the Government of Andhra Pradesh vide their letters dated 08.08.2020, 25.08.2020, 16.10.2020, 08.01.2021, 22.01.2021, 05.02.2021 and 19.04.202, ***the Final approval/Stage - II Clearance (part approval for an area of 46.64 ha) of the Central Government is hereby granted under Section-2 (ii) of the Forest (Conservation) Act, 1980 for an area of 46.64 ha*** to facilitate early start of work on certain components of the project in the proposed diversion area for the critical components of the project like "Power house & TRC outlet (22.50ha.), Pen stock (6.96 ha.), Intake structure (8.02 ha.), Tail race channel (2.43 ha.) and internal roads (6.73 ha.) altogether in 46.64 ha, out of 365.66 ha for the proposal for diversion of 365.66 hectare (i.e. 319.02 ha. for Lower Reservoir + 22.50 ha. for Power House & TRC Outlet + 6.96 ha. for Penstock + 8.02 Ha for Intake Structure + 2.43 ha. for Tail Race Channel and 6.73 ha. for Internal Roads) of forest land in Compartment Nos. 113, 114, 115, 116 and 117 of Gani RF, Kurnool Range, Kurnool Division for establishment of Integrated Renewable Energy Project, Pinnapuram in favour of M/s Greenko Energies Pvt. Ltd., Hyderabad, subject to the following conditions: -

A: Conditions which need to be complied prior to handing over of forest land to user agency by the State Govt.:

- i. User Agency may submit an undertaking stating that the remaining identified CA land i.e 337.54 ha (400.53-62.99 ha) area will be transferred, mutated and notified in the name of forest Dept. with a period of three months of handing over the forest land by the State Govt;
- ii. The State Govt. shall ensure the complete compliance on FRA, 2006; It should also be ensured that the FRA certificate issued by District collector is complete with letter number, date, name, signature and official seal, as required in the certificate;
- iii. The State Govt. shall ensure that the boundary of the diverted forest land, shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, distance from pillar to pillar and GPS co-ordinates;
- iv. The proposed forest land i.e. 46.64 ha shall be handed over to the User Agency only after when the User Agency has acquired the required non-forest land i.e 62.99 ha , if any, for the project;
- v. The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required;
- vi. The State Government shall upload the kml files of the area under diversion and the accepted Non-forest land for raising compensatory afforestation in the E-Green Watch portal of FSI, before handing over forest land to the user

agency;

B: Conditions which need to be complied after handing over of forest land to the user agency by the State Govt.:

- i. Legal status of the forest land shall remain unchanged.
- ii. The State govt. may ensure that the remaining identified CA land i.e 337.54 ha (400.53-62.99 ha) area shall be transferred and mutated in the name of Forest Department and notified as RF/PF with **three** months from handing over the forest land to the User Agency. A copy of the original notification declaring the non-forest land under Section 4 or Section 29 of the Indian Forest Act, 1927, or under the relevant section of the State Forest Act as the case may be, will be submitted by the State Government;
- iii. **The State Govt. should ensure that the forest compartments (compartment Nos. 113, 114, 115, 116 and 117), which are getting adversely affected may be taken care of and afforestation (for improving canopy density from 'open' to 'moderately dense forest') may be taken up by the Forest Department at the cost of User Agency only to stabilise the rim of the reservoir i.e. 100 mts from the periphery of the HFL. Rest of the forest areas of affected compartments shall be taken up for improving canopy density through NPV, collected from this project;**
- iv. **The State Govt. should ensure that the user Agency will allow use of road infrastructure within project area to common public;**
- v. **The State Govt. should ensure that as per site inspection report, over an extent of 8.15 ha within the 408.68 ha of non-forest land surveyed for compensatory afforestation are in the nature of streams / cart road / government lands etc. Hence, this 8.15 ha area shall be demarcated suitably;**
- vi. **The State Govt. should ensure that the the User Agency shall raise avenue plantation on either side of the road proposed in the proposal, at the project cost;**
- vii. Compensatory afforestation shall be taken up by the Forest Department over 62.99 ha non-forest (part area) land in Sy.Nos.7-2, 9-5 etc., Kamireddipadu Village of Ananthasagaram Mandai at the cost of the user agency. As far as possible, a mixture of local indigenous species shall be planted and monoculture of any species may be avoided.
- viii. User Agency shall restrict the felling of trees to minimum numbers in the diverted forest land and trees shall be felled under strict supervision of the State Forest Department.
- ix. The felling of trees shall be restricted to FRL-4 meter only and felling of trees shall be carried out by the State Forest Department. Number of trees to be removed shall be kept at barest minimum during the execution of the project.
- x. The Catchment Area Treatment Plan (CAT) shall be implemented as per approved scheme if applicable;

- xi. User agency shall undertake afforestation along the periphery of the reservoir.
- xii. The layout plan of the proposal shall not be changed without prior approval of Central Government.
- xiii. No labour camp shall be established on the forest land.
- xiv. Sufficient firewood, preferably the alternate fuel, shall be provided by the User Agency to the labourer after purchasing the same from the State Forest Department or the Forest Development Corporation or any other legal source of alternate fuel.
- xv. The User Agency shall provide free water from the project for all forestry related activities;
- xvi. No damage to the flora and fauna of the adjoining area shall be caused;
- xvii. The concerned Divisional Forest Officer will monitor and take necessary mitigative measures to ensure that there is no adverse impact on the forests in the surrounding area;
- xviii. The boundary of the diverted forest land shall be suitably demarcated on ground at the project cost, as per the directions of the concerned Divisional Forest Officer.
- xix. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
- xx. The period of diversion under this approval shall be co-terminus with the period of lease to be granted in favour of the user agency or the project life, whichever is less.
- xxi. The User Agency and the State Government shall ensure compliance of all the Court orders, provisions, rules, regulations and guidelines for the time being in force as applicable to the project.
- xxii. The forest land shall not be used for any purpose other than that specified in the project proposal.
- xxiii. The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without prior approval of Govt. of India.
- xxiv. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work;
- xxv. Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as per the MoEF&CC Guideline F. No. 11-42/2017-FC dt 29/01/2018. Any other condition that the Ministry of Environment, Forests & Climate Change may stipulate from time to time in the interest of conservation, protection and development of forests & wildlife.
- xxvi. The State Government and user agency shall ensure compliance to all conditions stipulated in the Stage-I approval letter dated 23.04.2020 for which

undertakings have been obtained from the user agency and also the provisions of the all Acts, Rules, Regulations and Guidelines, relevant Hon'ble Court Order (S) and NGT Order (S), if any, pertaining to this project for the time being in force, as applicable to the project.

After receipt of complete compliance report i.e. mutating, transferring and notifying the remaining CA land area i.e. 337.54 ha (400.53 -62.99 ha) , the central government will be according the final approval/Stage-II for the remaining area of 319.06 ha out of 365.66 hectare of forest land in Compartment Nos. 113, 114, 115, 116 and 117 of Gani RF, Kurnool Range, Kurnool Division for establishment of Integrated Renewable Energy Project, Pinnapuram in favour of M/s Greenko Energies Pvt. Ltd.

Yours faithfully,

Sd/-

(Sandeep Sharma)

Assistant Inspector General of Forests

Copy to:-

1. The PCCF (HoFF), Government of Andhra Pradesh, Amravati.
2. The Regional Officer, Integrated Regional Office, MoEF&CC, Vijayawada.
3. The Nodal Officer (FCA), Government of Andhra Pradesh, Amravati.
4. User Agency.
5. Monitoring Cell, Forest Conservation Division, MoEF & CC, New Delhi.