



16/12/19 05.50.

Phone: 04286 - 281369  
E-Mail: djonamakkal@yahoo.co.in

TAMIL NADU FOREST DEPARTMENT

From

Dr.R.Kanchana, I.F.S.,  
District Forest Officer,  
Namakkal Forest Division,  
Namakkal.

To

The Block Development Officer,  
Vennandur Panchayat Union,  
Vennandur,  
Namakkal District.

C. No. 3188/2018/D, Dated.09.12.2019.

Sir,

**Sub :** Forest (Conservation Act 1980) – Salem Circle - Namakkal Forest Division – Proposal for the diversion of 2.71 Hectares of forest land for the formation of road from Pudupatti to Kedamalai Km 0/0 to 11/375 through Pudupatti Reserve Forest of Namakkal Division – Online proposal submission by the User Agency i.e., Block Development Officer, Vennandur Panchayat Union, Vennandur, Namakkal District – Principle Approval (Stage-I) – Conditions Laid Down – Compliance report to be furnished by the User Agency – Regarding.

- Ref**
- 1) Your Online Application Dated 04.05.2017, 27.01.2018 & 04.05.2018.
  - 2) Govt. of India Ministry of Environment, Forests & Climate Change Regional Office (South Eastern Zone), Chennai. F.No.4-TNC029/2018-CHN/0202, Dated.07.02.2019.
  - 3) The Principal Chief Conservator of Forests Ir.no.TS3/10139/2017, dated.25.02.2019
  - 4) This office Ir.no.3188/2018/D, dated.26.02.2019.
  - 5) Government of India, letter F.No.4-TNC029/2018-CHN/1453, dated.23.08.2019.
  - 6) Principal Chief Conservator of Forests, Chennai, Ir.no.TS3/10139/2017, dated.24.10.2019.
  - 7) This office Ir.no.3189/2018/D, dated.18.10.2019.
  - 8) Principal Chief Conservator of Forests, Chennai, Ir.no.TS3/10139/2017, dated.06.12.2019.

\*\*\*\*\*

Attention of the Block Development Officer is invited to the reference 2<sup>nd</sup> cited above. The Govt. of India, Ministry of Environment, Forests & Climate Change, Regional Office (South Eastern Zone), Chennai has conveyed the Central Governments Principle Approval (Stage-I) under Section 2 of Forest Conservation Act 1980 for diversion of 2.71 ha of forest land for upgradation of the road from Pudupatty to Kedamalai in Pudupatty Reserved Forests of Namakkal Forest Division with 27 conditions which has to be fulfilled and a compliance report has to be sent to the Govt. of India through this office by the User Agency to obtain final approval.

Initially for the 2.71 Ha. area of forest diversion, the compensatory afforestation scheme was prepared to the tune of 57.63 lakh in the identified non forest land. Subsequently as per the 2<sup>nd</sup> reference cited Government of India has mentioned that the CA scheme has to be revised by including SMC works. Hence it was revised to the tune of 50.85 lakhs from 57.63 lakhs.

Further vide the Govt. of India, Ministry of Environment, Forests & Climate Change, Regional Office (South Eastern Zone), Chennai cited in the 5<sup>th</sup> reference the Regional Empowered Committee has recommended to revise the CA scheme suitably and the CA scheme shall also include component towards SMC works to check soil erosion on the proposed road area.

Vide the 8<sup>th</sup> reference cited the Principal Chief Conservator of Forests, Chennai has directed that the CA scheme already prepared by District Forest Officer, Namakkal may be followed as per the State Govt. policy and it may be informed to the Government of India while furnishing compliance report. Further while carrying the road formation work with required gradient, with adequate number of hair-pin bend and culvert, causeways, bridges in the proposed alignment and SMC works required to check soil erosion on the proposed road area like, side revetment, embankment etc., may be identified for execution by the user agency and also directed the user agency to furnish the undertaking certificate in this context.

Hence the demand letter to the user agency for making payment through the web portal is furnished as below.

**The User Agency has to fulfill the following conditions.**

SL. No. of the Condition Nos. with reference to GOI Letter	Conditions imposed	Action and reply to be furnished by the User Agency
(i)	Legal status of the diverted forest land shall remain unchanged.	An undertaking has to be given by the User Agency.
(ii)	Demarcation of the proposed forest area shall be carried out by erecting 4 feet high cement concrete pillars duly numbered at an interval of 20 meters at the cost of User Agency.	The erection of Concrete Pillar to be done by the User Agency in their own cost in the presence of the concerned Forest Range Officer or his sub-ordinates and the location of boundary stone pillars so erected should be numbered and a few photographs should be enclosed.



SL. No. of the Condition Nos. with reference to GOI Letter	Conditions imposed	Action and reply to be furnished by the User Agency
(iii)	The Compensatory Afforestation (CA) shall be raised and maintained by the State Forest Department over 5.65 ha of non forest area in S.F. No. 324/1 in Mangalapuram Village of Rasipuram taluk in Namakkal District at the cost of the User Agency. In case, the CA plantation required in degraded forest area to meet the requirement of Ministry's guideline of raising of 1000 plants per ha of forest area diverted, the CA scheme proposed in the degraded forest area, map along with DGPS co-ordinates etc, shall be furnished along with the compliance report.	The compensatory afforestation cost of Rs.50,85,000/- has to be deposited in the Corporation Bank account of the Tamilnadu State CAMPA. The User Agency shall compulsorily deposit only by generating challan through the Ministry's website.
(iv)	The Forest Department shall revisit the Compensatory Afforestation scheme so that no amount is unspent. The CA scheme shall include towards raising of avenue plantation and SMC works to check soil erosion on the proposed road area.	An undertaking has to be given by the User Agency.
(v)	Identified CA land shall not be changed without the prior approval of the Central Government.	An undertaking has to be given by the User Agency.
(vi)	Non-forest land identified for raising compensatory afforestation shall be transferred and mutated in favour of the State Forest Department before issue of the Stage-II clearance.	User agency has to take necessary action for the mutation of Non-forest land identified for raising compensatory afforestation in favour of the State Forest Department before issue of the Stage-II clearance.
(vii)	Non-forest land which is transferred and mutated in favour of the State Forest Department for the purpose of compensatory afforestation, shall be	User agency has to take necessary action for the declaration of Reserved Forest under Section-4 of Protected Forest under Section-29 of

SL. No. of the Condition Nos. with reference to GOI Letter	Conditions imposed	Action and reply to be furnished by the User Agency
	declared as Reserved Forest under Section-4 or Protected Forest under Section-29 of the Indian Forest Act, 1927 or under the relevant Section(s) of the State Forest Act. The Nodal Officer must report compliance within a period of 6 months from the date of grant of final approval and send a copy of the original notification to this office for information and record.	the Indian Forest Act, 1927 or under the relevant Section(s) of the local Forest Act.
(viii)	The State Government shall charge the Net Present Value of the diverted forest land measuring 2.71 ha from User Agency as per the orders of the Hon'ble Supreme Court dated 28.03.2008 and 09.05.2008 in IA Nos.826 in 566 with related IA's in Writ Petition (Civil) No.202/1995.	As per the Govt. of India guide lines the Net Present Value of Rs.16,96,460/- (Rs.6.26 lakhs per Ha. – Class-III Open Forest) as approved by the Govt. of India in Lr.No. F.No.5-3/2007-FC, dated. 05.02.2009. (The type of Forest is <b>Tropical Dry Deciduous Forests comes under Eco class-III with Open Forests</b> ) this amount should be deposited in the Corporation Bank account of the Tamilnadu State CAMPA. The User Agency shall compulsorily deposit only by generating challan through the Ministry's website.
(ix)	Additional amount of Net Present Value (NPV) of the diverted forest land if any, becoming due after revision of the same by the Hon'ble Supreme Court of India in future, shall be charged by the State Government from the User Agency. User Agency shall furnish an undertaking to this effect.	An undertaking in the prescribed format which is enclosed has to be duly signed by the User Agency and has to be furnished.



SL. No. of the Condition Nos. with reference to GOI Letter	Conditions imposed	Action and reply to be furnished by the User Agency
(x)	The funds received from the User Agency towards Compensatory Afforestation, Net Present Value and any money received in compliance of the conditions stipulated by the Central Government under this project shall compulsorily be deposited in to the "State Compensatory Afforestation Fund of Tamil Nadu State only;	The funds received from the User Agency towards Compensatory Afforestation, Net Present Value and any money received in compliance of the conditions stipulated by the Central Government under this project shall compulsorily be deposited in to the "State Compensatory Afforestation Fund of Tamil Nadu State" only.
(xi)	The layout plan of the proposal shall not be changed without the prior approval of the Central Government;	An undertaking has to be given by the User Agency.
(xii)	Disturbance shall be kept minimal by creating labour camps outside the forest area as far as possible and it will be the responsibility of the User Agency to ensure that the labourers & staff engaged in execution of work do not destruct nearby forest flora & fauna.	An undertaking has to be given by the User Agency.
(xiii)	The UA shall construct retaining walls and check walls wherever required by consulting the DFO concerned, at the project cost;	An undertaking has to be given by the User Agency.
(xiv)	The existing Right of Way (RoW) available shall be extinguished by the State Government, in lieu of the proposed diversion of fresh forest area for the road and the same may be afforested with suitable species at the cost of the User Agency.	The existing Right of Way (RoW) available shall be extinguished by the State Government, in lieu of the proposed diversion of fresh forest area for the road.
(xv)	The construction of culverts/bridges, if any, over the natural streams / rivers / canals shall be done in such a manner that it does not hamper the	An undertaking has to be given by the User Agency.

SL. No. of the Condition Nos. with reference to GOI Letter	Conditions imposed	Action and reply to be furnished by the User Agency
	natural course of water, does not give rise to water-logging, and also does not hamper movement of wild animals;	
(xvi)	The State Government shall obtain permission from the Hon'ble Supreme Court of India for felling the spontaneously grown trees in the proposed area before execution of the work;	Necessary action has to be taken by the user agency to obtain permission from the Hon'ble Supreme Court of India for felling the spontaneously grown trees in the proposed area before execution of the work.
(xvii)	The User Agency shall arrange to raise avenue plantation all along the roadside at the project cost with maintenance of 7-10 years.	An undertaking has to be given by the User Agency. If the User Agency if not possible to raise the road avenue and subsequent maintenance the User Agency shall pay an amount of Rs.59.50 lakhs (1700 plants at a 7 meter intervals on either side of the road with taller seedlings provided with adequate tree guard, watering during summer for a period of 1 <sup>st</sup> two years and subsequent maintenance 7 years - Rs.3500x1700=Rs.59,50,000/-) and deposited in the Corporation Bank account of the Tamilnadu State CAMPA. The User Agency shall compulsorily deposit only by generating challan through the Ministry's website.
(xviii)	The User Agency shall endeavor to avoid felling of trees existing on the Forest Land proposed to be utilized. Wherever necessary, the trees shall be felled under the strict supervision of the DFO/FDO concerned.	An undertaking has to be given by the User Agency.
(xix)	Wherever feasible the State Forest Department shall carry out	An undertaking has to be given by



SL. No. of the Condition Nos. with reference to GOI Letter	Conditions imposed	Action and reply to be furnished by the User Agency
	translocation of the tree at the cost of the User Agency.	the User Agency.
(xx)	Roadside cuttings and fillings which require engineering support shall be provided as per the instructions of the DFO concerned so as to stabilize the soil.	An undertaking has to be given by the User Agency.
(xxi)	The dug out material / overburden shall be dumped outside the forest area. No storage of any material shall be done in the forest area proposed.	An undertaking has to be given by the User Agency.
(xxii)	The total forest area utilized for the project shall not exceed 2.71 ha and the forest area diverted shall not be used for any purpose other than those shown in the diversion proposal.	An undertaking has to be given by the User Agency.
(xxiii)	The forest land proposed for diversion shall under no circumstances be transferred or sublet to any other agency, department or person without prior approval of the Central Government.	An undertaking has to be given by the User Agency.
(xxiv)	User Agency and the State Government shall ensure compliance to provisions of the all Acts, Rules, Regulations and Guidelines, for the time being in force, as applicable to the project;	An undertaking has to be given by the User Agency.
(xxv)	Any other conditions that the Central Government or Regional Office, Chennai may impose from time to time for afforestation, conservation and management of flora shall be complied by the User Agency. Addl. PCCF(Central) of time in the interest	An undertaking has to be given by the User Agency to pay lease rent at the rate of 1% of market value of the land as lease rent and revision of rates at every 3 years.

SL. No. of the Condition Nos. with reference to GOI Letter	Conditions imposed	Action and reply to be furnished by the User Agency
	of and fauna in the area	
(xxvi)	The Progress of the Compensatory Afforestation under DFO, Namakkal Forest Division shall be monitored by copy of such monitoring report shall be forwarded to upload the same in the web portal the jurisdiction of the the Circle Head and a copy the Regional Office to upload the same in the web portal;	An undertaking has to be given by the User Agency.
(xxvii)	In the event of failure to comply with any of the above conditions the User Agency is liable for penal action as decided by the Additional PCCF (Central), Regional Office, Chennai.	An undertaking has to be given by the User Agency.

Further, as instructed by the Principal Chief Conservator of Forests, Chennai the user agency is informed that to carry out the SMC works to check soil erosion on the proposed road area at their project cost, since, while carrying the road formation work with required gradient, and formation of hair-pin bend and culvert, causeways, bridges in the proposed alignment, SMC works required to check soil erosion on the proposed road area like, side revetment, embankment etc., may be identified for execution. Hence necessary undertaking certificate has to be furnished by the user agency for the SMC works to be carried out on the proposed road area.

Sd/-R.Kanchana,  
District Forest Officer,  
Namakkal Forest Division,  
Namakkal.

Copy submitted to Chief Conservator of Forests, Salem Circle, Salem for kind information.  
Copy submitted to the Principal Chief Conservator of Forests, Chennai for kind information (Ref. No.TS3/10139/2017)  
Copy to the District Collector, Namakkal for kind information.  
Copy to the Project Director, DRDA Namakkal for kind information and necessary action.

/T.C.B.O/

*[Signature]*  
Draughting Officer