



सत्यमेव जयते

भारतसरकार
GOVERNMENT OF INDIA
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
MINISTRY OF ENVIRONMENT, FORESTS & CLIMATE CHANGE
Integrated Regional Office
1st Floor Additional Office Block for GPOA, Shastri Bhawan,
Haddows Road, Nungambakkam, Chennai -600 006
E-mail: ro.moefccc@gov.in/roefccc1@gmail.com



F.No.4-TNB026/2018-CHN/

2578

Date March, 2023

To,

The Additional Chief Secretary to the Government of Tamil Nadu,
Environment & Forests Department,
Secretariat, Fort St. George, Chennai - 600 009.

Subject: Diversion of 4.20 ha of forest land for upgradation of the road from Kannamoochipirivu to Kemmampatti village in Palamalai RFs of Salem Forest Division in favour of Block Development Officer, Kolathur, Salem District -Reg.

Madam,

Please refer to the State Government letter Nos.17923/FR.10/2018-1 dated 14.11.2018, 17923/FR.10/2018-10 dated 25.02.2021 and the PCCF, Tamil Nadu letter No TS3/41275/2017 dated 28.08.2021 and online proposal No.FP/TN/ROAD/21076/2016 seeking prior approval of the Government of India in accordance with Section '2' of Forest (Conservation) Act, 1980 for the above mentioned project. The project was accorded in-principle approval (Stage-I) by the Central Government vide letter dated 22.09.2021. The State Government vide letter No.17923/FR.10/2018-15) dated 21.02.2023 have reported compliance to the conditions stipulated in the in-principle approval;

After careful consideration of the compliance report submitted by the State Government, I am directed to convey the Central Government's **final approval (Stage-II)** under Section '2' of Forest (Conservation) Act, 1980 for diversion of **4.20 ha** of forest land for upgradation of the road from Kannamoochipirivu to Kemmampatti village in Palamalai RFs of Salem Forest Division in favour of Block Development Officer, Kolathur, Salem District, **for a period of 25 years**, subject to the following conditions:-

- (i) Legal status of the diverted forest land shall remain unchanged;
- (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 the User Agency;
- (iii) The State Forest Department shall carry out compensatory afforestation and its maintenance in the identified non forest area over an extent of **8.40 ha** in SF No 72/1 of Kurichi Village in Valapadi Taluk of Salem District from the amount already been realized from the User Agency;

I/39227/2023

- (iv) **As per the directions of the Hon'ble Supreme Court of India in IA No 125835 of 2020, 175251 and 175260 of 2022, the State Forest Department, the CA area made available by the User Agency shall be chain link fenced, at the project cost;**
- (v) Non-forest land identified for raising compensatory afforestation over an extent of **8.40 ha** in SF No 72/1 of Kurichi Village in Valapadi Taluk of Salem District claimed to be declared as Reserved land under Section -4 of Tamil Nadu Forest Act 1982 vide the G.O.(Ms) No.42 Environment, Climate Change - Forest (FR-14) Department dated 11.03.2022 shall be notified further as required and all nearby villagers shall be sensitized about applicability of rules / regulation on such land so as to avoid encroachment and any legal issues;
- (vi) Additional amount of the 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;
- (vii) **Alignment of both RoW and proposed road varies in few stretches, hence, such stretches of the old RoW road, which is not proposed under the new alignment shall be restored by planting suitable tree species at the cost of the User Agency and as directed by the Hon'ble SC of India, the Right of Way (RoW) of 4 feet wide provided in the reserved forest notification may be modified so as to replace it with the new black topped road proposed to be constructed and a corresponding notification to be issued under the Tamil Nadu Forest Act;**
- (viii) **The User Agency and the State Government shall strictly comply with all the directions of the Hon'ble Supreme Court of India in IA No 125835 of 2020, 175251 and 175260 of 2022;**
- (ix) The User Agency shall construct retaining walls and check walls wherever required, by consulting the DFO concerned, at the project cost;
- (x) 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 natural course of water, does not give rise to water-logging, and also does not hamper movement of wild animals;
- (xi) The State Forest Department shall raise avenue plantation all along the roadside at the project cost with maintenance of 7-10 years at the cost of User Agency;

- (xii) 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;
- (xiii) The dug out material / overburden shall be dumped outside the forest area. Storage of any material shall not be done in the forest area;
- (xiv) The layout plan of the proposal shall not be changed without the prior approval of the Central Government;
- (xv) Wherever feasible, translocation of trees shall be carried out by the forest department at the cost of the User Agency;
- (xvi) No additional or new path will be constructed inside the forest area for the transportation of construction materials for execution of the project work;
- (xvii) The User Agency shall provide fire wood preferably alternate fuel to labourers working at the site to avoid damage/tree felling and no labour camp shall be established inside the forest area;
- (xviii) Disturbance shall be kept minimum by creating labour camps outside the forest area as far as possible and it shall 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;
- (xix) The total forest area utilized for the project shall not exceed **4.20 ha** and the forest area diverted shall not be used for any purpose other than those shown in the diversion proposal. The User Agency shall furnish an undertaking to this effect;
- (xx) 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;
- (xxi) The 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;
- (xxii) Any other conditions that the Central Government or Regional Officer (Central) of Integrated Regional Office, Chennai may impose from time to time in the interest of afforestation, conservation and management of flora and fauna in the area, shall be complied by the User Agency;

(xxiii) In the event of failure to comply with any of the above conditions the User Agency is liable for penal action provision made under FCA, 1980 and guidelines made there under.

The Hon'ble SC of India directed the IRO Chennai to monitor the implementation of the Compensatory planting trees. Hence, the State Government may instruct the Nodal Officer (FCA) to include all activities proposed in the CA scheme in the APOs and to implement the CA scheme timely. The DFO concerned may be sensitized on the above issue and ensure proper action in this regard to ensure strict compliance to the directions of the Hon'ble SC of India. Report on progress of the CA scheme implementation shall be submitted by the State Government to this office for every three months till the execution of the approved CA scheme.

Yours faithfully,

Sd/-

(K.Karthikeyan)

Assistant Inspector General of Forests (Central)

Copy to:

1. The Principal Chief Conservator of Forests, Govt. of Tamil Nadu, Forest Department, Guindy Velachery Main Road, Guindy, Chennai - 32
2. The Additional Principal Chief Conservator of Forests/Nodal Officer (FCA), Office of the Principal Chief Conservator of Forests, Govt. of Tamil Nadu, Forest Department, Guindy Velachery Main Road, Guindy, Chennai - 32
3. IGF, ROHQ, MoEF&CC, New Delhi -110003 for information please
4. Block Development Officer, Kolathur, Salem District, Tamil Nadu- 636303 kolathurblock@gmail.com
5. Guard File.

Sd/-

(K.Karthikeyan)

Assistant Inspector General of Forests (Central)