



सत्यमेव जयते

भारत सरकार  
GOVERNMENT OF INDIA

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय  
MINISTRY OF ENVIRONMENT, FORESTS & CLIMATE CHANGE  
Regional Office (South Eastern Zone),  
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Nungambakkam, Chennai - 600034, Tel. 044-28222041,  
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F.No. 4-TNC027/2018-CHN/0027  
Date 03<sup>rd</sup> January, 2019

To,

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

Subject: Diversion of 5.96 ha of Forest land in Mallur RF for formation of road from Keelur to Vadugammalur km 0/0 to 23/625 through Mallur RF of Namakkal division in favour of DRDA, Namakkal, Namakkal District-reg.

Sir,

Please refer to the State Government's letter No.20574/FR.10/2018-1 dated 11.12.2018 and online proposal No. FP/TN/ROAD/19579/2016 seeking prior approval of the Central Government for diversion of forest land in accordance with Section '2' of Forest (Conservation) Act, 1980 for the above mentioned project.

As recommended by the Regional Empowered Committee (REC) and after careful consideration of the proposal of the State Government, I am directed to convey the Central Government's in-principle approval (*Stage-I*) under Section '2' of Forest (Conservation) Act, 1980 for diversion of 5.96 ha of Forest land in Mallur RF for formation of road from Keelur to Vadugammalur km 0/0 to 23/625 through Mallur RF of Namakkal division in favour of DRDA, Namakkal, Namakkal 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 User Agency;
- (iii) The Compensatory Afforestation (CA) shall be raised and maintained by the State Forest Department over 12.51 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;

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Date 03/01/19 PSL



- (iv) The Regional Empowered committee (REC) has recommended to advise the Forest Department to revise the Compensatory Afforestation scheme suitably so that no amount is unspent. The CA scheme shall include component towards raising of avenue plantation and SMC works to check soil erosion on the proposed road area.
- (v) Identified CA land shall not be changed without the prior approval of the Central Government.
- (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;
- (vii) Non-forest land which is transferred and mutated in favour of the State Forest Department for the purpose of compensatory afforestation, shall be 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 local 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;
- (viii) The State Government shall charge the Net Present Value of the diverted forest land measuring **5.96 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.
- (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;
- (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**;
- (xi) The layout plan of the proposal shall not be changed without the prior approval of the Central Government;
- (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

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Agency to ensure that the labourers & staff engaged in execution of work do not destruct nearby forest flora & fauna;

- (xiii) The UA shall construct retaining walls and check walls wherever required by consulting the DFO concerned, at the project cost;
- (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;**
- (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 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;
- (xvii) The User Agency shall arrange to raise avenue plantation all along the roadside at the project cost with maintenance of 7-10 years;
- (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;
- (xix) Wherever feasible the State Forest Department shall carry out translocation of the tree at the cost of 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;
- (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;
- (xxii) The total forest area utilized for the project shall not exceed **5.96 ha** and the forest area diverted shall not be used for any purpose other than those shown in the diversion proposal;

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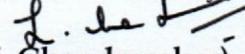
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- (xxiii) The forest land proposed for diversion shall under no circumstances be transferred or sublet to any other agency, department or person without prior approval of the Central Government;
- (xxiv) User Agency and the State Government shall ensure compliance to provisions of the all Acts, Rules, Regulations and Guidelines, for the time being in force, as applicable to the project;
- (xxv) Any other conditions that the Central Government or Addl. PCCF(Central) of 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;
- (xxvi) The Progress of the Compensatory Afforestation under the jurisdiction of the DFO, Namakkal Forest Division shall be monitored by the Circle Head and a copy of such monitoring report shall be forwarded to the Regional Office to upload the same in the web portal;
- (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.

After receipt of the compliance report on above mentioned conditions, the proposal will be considered for final approval. This in-principle approval shall be valid for a period of 5 years from the date of issue of this letter. In the event of non-compliance of the above conditions, this in-principle approval shall automatically stand revoked after 5 years.

Yours faithfully,

  
(L.Chandrasekar)

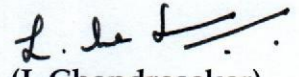
Conservator of Forests (Central)

Copy to:-

1. The Director General of Forests & Special Secretary to Govt. of India, Ministry of Environment, Forests & Climate Change, Indira Paryavaran Bhavan, Jor Bagh Road, Aliganj, New Delhi - 110 003.
2. The Principal Chief Conservator of Forests, Govt. of Tamil Nadu, Forest Department, No.1, Jeenis Road, Panagal Building, Saidapet, Chennai - 600 015.
3. The Additional Principal Chief Conservator of Forests/Nodal Officer (FCA), Office of the Principal Chief Conservator of Forests, Govt. of Tamil Nadu, Forest Department, No.1, Jeenis Road, Panagal Building, Saidapet, Chennai - 600 015
4. The Director, RO(HQ) Division, Ministry of Environment, Forests & Climate Change, Indira Paryavaran Bhavan, Jor Bagh Road, Aliganj, New Delhi - 110 003.

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5. The DRDA, Namakkal, Panchayat Union Office, Vennandur Namakkal District, Tamil Nadu-637505.
6. Guard File.



(L.Chandrasekar)

Conservator of Forests (Central)

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