



भारत सरकार

GOVERNMENT OF INDIA

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय

MINISTRY OF ENVIRONMENT, FORESTS & CLIMATE CHANGE

Regional Office (South Eastern Zone),

1st & 2nd floor, HEPC Building, No.34, Cathedral Garden Road,
Nungambakkam, Chennai - 600034, Tel.No.044-2822 2325

E.Mail: roefccc@gmail.com



F.No.4-TNB011/2017-CHN/0701

Date 09th May, 2018

To,

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

Subject: Diversion of 0.88 ha of forest land in Tirunelveli Circle / Kanniyakumari Forest Division for four laning of NH-47 B Nagercoil to Kavalkinaru in favour of Project Director, NHAI PIU, Kanniyakumari -reg

Sir,

Please refer to the State Government's letter No. 21555/FR.10/2016-5 dated 13.03.2017 and online proposal No. FP/TN/ROAD/9818/2015 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.

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 0.88 ha of forest land in Tirunelveli Circle / Kanniyakumari Forest Division for four laning of NH-47 B Nagercoil to Kavalkinaru in favour of Project Director, NHAI PIU, Kanniyakumari for a period of 20 years, subject to the following conditions:-

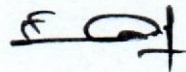
- (i) Legal status of the diverted forest land shall remain unchanged;
- (ii) The demarcation of the proposed forest area shall be carried out by erecting 4 feet high cement concrete pillars duly numbered at an interval of 20 meters at the cost of User Agency;
- (iii) As recommended by the Standing Committee of NBWL, the State Forest Department shall carry out plantation and maintenance of **100 saplings (indigenous species)** for every tree to be felled in the diverted forest area at the cost of the user agency and map along with DGPS co-ordinates of the degraded forest land where plantation has to be carried out shall be furnished along with the compliance report;

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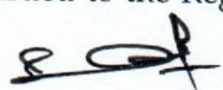
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- (iv) The Project Proponent should contribute under corporate social responsibilities (CSR) in the interest of Kanyakumari Wildlife Sanctuary and local livelihood and social development;
 - (v) The State Government shall charge the Net Present Value of the diverted forest land measuring 0.88 ha from the 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;
 - (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 User Agency. User Agency shall furnish an undertaking to this effect;
 - (vii) The funds received from the User Agency towards Compensatory Afforestation, Net Present Value (NPV) etc under this project shall be deposited in the **Corporation bank account of the Tamil Nadu State CAMPA. The User Agency shall compulsorily deposit the NPV and other levies only by generating challan through the Ministry's website;**
 - (viii) The layout plan of the proposal shall not be changed without the prior approval of the Central Government;
 - (ix) The user agency shall provide fire wood preferably alternate fuel to labourers working at the site to avoid damage/tree felling;
 - (x) 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;
 - (xi) The UA shall construct retaining walls and check walls wherever required by consulting the DFO concerned, at the project cost;
 - (xii) 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;
 - (xiii) The user agency shall raise Strip/ Avenue plantations on both sides and at the central verge of the road at the project cost with maintenance of 7-10 years;

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- (xiv) 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 only under the strict supervision of the DFO concerned;
- (xv) Wherever feasible the State Forest Department shall carry out translocation of trees at the cost of user agency;
- (xvi) 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;
- (xvii) 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;
- (xviii) The total forest area utilized for the project shall not exceed **0.88 ha** and the forest area diverted shall not be used for any purpose other than those shown in the diversion proposal. User Agency shall furnish an undertaking to this effect;
- (xix) Original copy of the RoFR certificate issued by the District Collector concerned shall be furnished along with the compliance report;
- (xx) State Government and the user agency shall implement mitigation measures and other conditions as recommended by the Standing Committee of NBWL vide Ministry's letter No. 6-26/2018/WL dated 19.04.2018 at the project cost;
- (xxi) 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;
- (xxii) 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;
- (xxiii) 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;
- (xxiv) The Progress of the Compensatory Afforestation under the jurisdiction of the Kanyakumari 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;

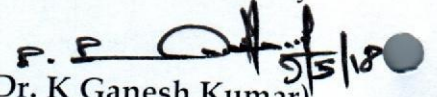
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(xxv) In the event of failure to comply with any of the above conditions the user agency is liable for penal action as decided by the Additional PCCF (Central), Regional Office, Chennai.

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.

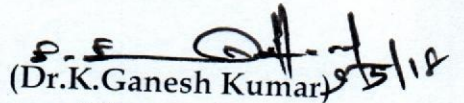
Yours faithfully


(Dr. K Ganesh Kumar)

Deputy 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.
5. The Project Director, PIU, National Highway Authority of India, Nagercoil 314E, K.P. Road, Parvathipuram, Nagercoil, Kanyakumari, Tamil Nadu-629003
6. Guard File.


(Dr.K.Ganesh Kumar)

o/c
Deputy Conservator of Forests (Central)