

TAMILNADU FOREST DEPARTMENT

From
Thiru.S.Yuvaraj, IFS.,
Principal Chief Conservator of Forests,
(Head of Department),
Panagal Maaligai, Saidapet,
Chennai - 600 015.

To
The Additional Chief Secretary to
Government,
Environment and Forests Department,
Secretariat,
Chennai-9

C.No.TS4/ 37126/2016, Dated: 22.02.2021

Sir,

Sub: Forests – Forest (Conservation) Act, 1980 – Madurai Circle/Theni Forest Division – Proposal for diversion of 0.00487 ha of forest land for the TANTEA sales bunk entrance areas and for the movement of Consumers – Online proposal submission by the User Agency ie. Managing Director TANTEA, Nilgiris – Regarding.

- Ref:
1. Online application uploading by the User Agency, MD, TANTEA, Nilgiris (FP/TN/Others/20994/2016).
 2. Government of India, Ministry of Environment, Forests and Climate change, Chennai-34 ref F.No:4-TNB030/2019-CHN/ 0495 dated 25.03.2019.
 3. Government Lr.No:20639/FR-10/2018 -2 dated 03.04.2019 and 12.09.2020..
 4. District Forest Officer, Theni C.No:3410/2016/D dated 21.10.2020.
 5. Additional Principal Chief Conservator of Forests, Madurai Lr.No:12892/2012/D1 dated 27.11.2020

I wish to submit herewith the compliance report on Stage I approval accorded called by Government of India in the reference 2nd cited as follows:-

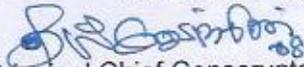
S.No	Conditions Stipulated vide GOI in-principal (Stage-I)	Compliance Report
1.	Legal status of the diverted forest land shall remain unchanged;	The legal status of the diverted forest land remains unchanged. (Copy of undertaking enclosed) Annexure-I
2.	Demarcation of the proposed forest area shall be 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 User Agency has to demarcate the proposed forest area by erecting 4'-0" high cement concrete pillars duly numbered at an interval of 20m at the cost of TANTEA. Undertaking of User Agency in this regard is enclosed. Annexure-II
3.	The State Government shall charge the Net Present Value of the diverted forest land measuring 0.00487 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 Write Petition (Civil) No. 202/1995;	Net present value of the diverted forest land measuring 0.00487 ha. of Rs.3555/- (Rupees three thousand five hundred and fifty five only) has been remitted to TAMILNADU CAMPA account No.1508719920994691 to the Corporation Bank, Delhi on 05.08.2020 vide UTR No. UCBAH 20218661025. Copy of chalan enclosed. Annexure-III

4	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 User Agency;	The User Agency has accepted the condition and undertaking furnished in Annexure IV .
5.	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 the Project shall compulsorily be deposited in to the "State Compensatory Afforestation Fund of Tamil Nadu State";	Compensatory Afforestation scheme does not arise, since the area of the diverted forest land is less than one ha. (0.00487 ha). However, the fund for NPV of Rs. 3555/- remitted into TN CAMPA account on 05.08.2020.
6.	The layout plan of the proposal shall not be changed without the prior approval of the Central Government;	The User Agency has accepted the condition and undertaking furnished in Annexure-V
7.	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;	The User Agency has accepted the condition and undertaking furnished in Annexure-VI
8.	No permanent structures shall be built in the diverted forest area;	The User Agency has complied with the condition and undertaking furnished in Annexure-VII
9.	No tree felling shall be carried out in the diverted forest area;	The User Agency has complied with the condition and undertaking given in Annexure-VIII
10.	It has been reported in the proposal that the area proposed for diversion is plain and adjacent to Theni – Madurai main road having no tree growth. However, as per the site plan, the proposed forest area for diversion is also adjacent to bye pass road to Periyakulam. Hence, the State Government may furnish details of forest clearance accorded for the said road and to clarify whether or not the proposed forest area for diversion under the subject proposal is within RoW of the said roads;	As per the letter from the Principal Chief Conservator of Forest, Chennai, Ref. C.No.TS1/34967/2013, dated 27.08.2013 (Copy enclosed), the District Forest Officer, Theni issued necessary permission to the Divisional Engineer, Highways, Theni for improvement of the existing Theni Bye Pass Road within the existing length of 662m (Ch:- 3/6 to 4/4 Km) and a width of 12 meter in Valkaradu RF without violation of Forest (Conservation) Act, 1980, Tamil Nadu Forest Act, 1882, Wildlife (Protection) Act, 1972 and Government of India guidelines. The proposed forest area for diversion under the subject proposal is out of RoW of the said road.

11	Correct KML file of the forest area proposed for diversion shall be uploaded in the online application and report on the same shall be furnished along with compliance report;	Correct KML file of the forest area proposed for diversion has been uploaded in the online application.
12	As per the Ministry's guideline No 11-360/2016-FC dated 17.11.2016, the State Government shall furnish Original PART I, II & III and all other documents like RoFR certificate, map of the forest area proposed for diversion duly signed by the DFO concerned. They shall be furnished along with the compliance report;	Original PART I, II & III and all other documents like RoFR certificate, map of the forest area proposed for diversion are concerned : <i>enclosed</i>
13	The total forest area utilized for the project shall not exceed 0.00487 ha and the forest area diverted shall not be used for any purpose other than those shown in the diversion proposal;	The User Agency has complied with this condition and undertaking given. Annexure-IX
14.	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;	The User Agency has complied with the condition and undertaking. Annexure-X
15.	User Agency and State Government shall ensure compliance to provisions of all Acts, Rules, Regulations and Guidelines, for the time being in force, as applicable to the project;	The User Agency has complied with the condition and undertaking given. Annexure-XI
16	Any other conditions that the Central Government or Addl. Principal Chief Conservator of Forests (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;	The User Agency has complied with the condition and undertaking given. Annexure-XII
17	The Progress of the Compensatory Afforestation under the jurisdiction of the District Forest Officer, Theni 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;	Instruction noted. The circle head will monitor the project and details of monitoring report will be uploaded.
18	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.	The User Agency has complied with the condition and undertaking given. Annexure-XIII

I request that the necessary final Stage II approval may please be obtained from Government of India for diversion of 0.00487ha of forest land in Valkaradu Reserved Forest for the use of TANTEA sales bunk entrance and for the movement of consumers in Theni District for a period of twenty years at the earliest.

Yours faithfully,


for Principal Chief Conservator of Forests
(Head of Department)

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03/2021.