

भारतीय राष्ट्रीय राजमार्ग प्राधिकरण

(सड़क परिवहन और राजमार्ग मंत्रालय)

NATIONAL HIGHWAYS AUTHORITY OF INDIA

(Ministry of Road Transport and Highways)

उप महाप्रबंधक (तकनीकी) सह परियोजना निदेशक के कार्यालय

परियोजना कार्यान्वयन इकाई

Office of the Deputy General Manager cum Project Director

Project Implementation Unit

नंबर 1, 2nd फ्लोर, सुब्रमण्यपुरम 3rd स्ट्रीट, कारैकुडि - 630002, तमिलनाडु

No: 1, 2nd Floor, Subramaniapuram 3rd Street, Karaikudi - 630 002, Tamilnadu.



BHARATMALA

ROAD TO PROSPERITY

टेली फैक्स/ Tele Fax: +91-4565-230707

वेबसाइट / Website: <http://www.nhai.gov.in>

E-mail: karaikudipiu@gmail.com

karaikudi@nhai.org

NHAI/PIU/Karaikudi/11036/Forest/2021/ 2006.

November 27, 2021

To

The Principal Chief Conservator of Forests,
(Head of Department),
Tamil Nadu Forest Department,
Panagal Building, Saidapet, Chennai - 15

Sub: NHAI - PIU, Karaikudi - Consultancy Services for preparation of Detailed Project Report (DPR) (i) Upgradation to 4 laning of Paramakudi to Ramanathapuram section of NH 49 (39Kms) (ii) Upgradation to 4 laning of Ramanathapuram to Rameshwaram section of NH 49 (63Kms) in the State of Tamil Nadu - Proposal for diversion of 4.345Ha involved Ramanathapuram District Virudhunagar Circle - Online proposal submitted by the User Agency - Observation made - Compliance to Essential Details Sought (EDS) dated 18.11.2021 by PCCF- Reg

Ref: 1. Online Proposal No.FP/TN/ROAD/42488/2019.

2. PCCF (HoD), Forest, Chennai Lr.No.C.No.TS4/49019/2019, dt:7.11.2019

3. PCCF (HoD), Forest, Chennai Lr.No.C.No.TS4/49019/2019, dt:14.08.2021

4. PCCF (HoD), Forest, Chennai Lr.No.C.No.TS4/49019/2019, dt:06.10.2021

5. PCCF (HoD), Forest, Chennai Lr.No.C.No.TS4/49019/2019, dt:18.11.2021

Sir,

I invite your kind attention to the above subject matter and in-acordance to the references cited, wherein the Principal Chief Conservator of Forest vide reference 5th cited has made certain observations on the proposal No.FP/TN/ROAD/42488/2019 for diversion of forest through online portal. Accordingly the compliance report on the observations are tabulated below for consider the proposal further processing.

S. No.	EDS		Compliance
	Query Details	Present Status	
1	For settlements of Rights under the Forest Rights Acts 2006 on the forest land proposed to be diverted, the certificate obtained from the District Collector, Ramanathapuram is not enclosed (as required vide K(i) of the proposed format)	Details not yet uploaded. Certificate obtained from the District Collector for Linear project in Form-I has to be uploaded in Section K(i) of the proposal format.	As per the MoEF&CC circular dated 26 th February 2019, the compliance for the Rights under the Forest Rights is not required for consideration of in-principal proposal by the ministry. Copy of MoEF&CC circular is uploaded in Additional information section with file

Corporate Office:

G-5&6, Sector - 10, Dwarka, New Delhi - 110 075.

Tel: 011 - 2507 4100 / 2507 4200

Website: www.nhai.gov.in

Regional Office:

2nd & 3rd Floor, Vijay Krishna Plaza, No.1, Lake Area,

Melur Main Road, Mattuthavani, Madurai - 625 007.

Email: romadurai@nhai.org / nhairomadurai@gmail.com

National Highways Authority of India

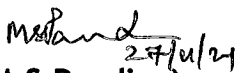
S. No.	EDS		Compliance
	Query Details	Present Status	
2	Certificate about no alternate suitable non forest land is available for the project from the District Collector, Ramanathapuram is not uploaded.	Details not yet uploaded. Certificate obtained from the District Collector has to be uploaded in the Additional information column.	name "MoEF&CC Circular 26 th February 2019". In this context, procedure for obtaining RoFR certificate and No alternate suitable non forest land is in process and initiation letter from this office (NHAI) to District Collector, Ramanathapuram is attached in Section K(i) and Additional Documents.
3	The details of User Agency have been furnished as Thiru Kundan kumar Banjare in section A2 of Part I. This may be corrected as NHAI and relevant address details may also be modified.	Not rectified. This has to be rectified and corrected details to be uploaded in the appropriate column.	The details of User Agency making application has been revised in section A2 of Part I to "PIU Karaikudi NHAI".

2. In view of the above, it is requested to accept the updated proposal for further submission of hard copies for diversion of forest land of Ramanathapuram District involved in Project Highway of the subject project.

NHAI invites your kind co-ordination and co-operation in this regard.

Yours faithfully,

Encl: As above.


 (M.S. Pandian)
 Dy. GM(T) / Project Director
 NHAI, PIU, Karaikudi

Copy to:

1. The Regional Officer, NHAI, RO, Madurai for kind information.
2. The Conservator of Forests and Field Director, KMTR, Tirunelveli.
3. The Wild Life Warden, Ramanathapuram.

Government of India
Ministry of Environment, Forest and Climate Change
(FC Division)

Indira Paryavaran Bhawan
Jor Bagh Road, Aliganj
New Delhi-110003

Dated: ^{28th February} January, 2019

To,
The Principal Secretary/Secretary (Forests)
All States/UTs Governments

**Sub: Compliance of the Schedule Tribes and Other Traditional Forest Dwellers
(Recognition of Forest Rights) Act, 2006-regarding**

Sir,

I am directed to refer to Forest (Conservation) amendment Rules 2016 as amended on 06th March, 2017 wherein inter-alia it has been provided that:

(e) *the District Collector shall*

(i) complete the process of recognition and vesting of forest rights in accordance with the provisions of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (2 of 2007) for the entire forest land indicated in the proposal.

(ii) obtain consent of each Gram Sabha having jurisdiction over the whole or a part of the forest land indicated in the proposal for the diversion of such forest land and compensatory and ameliorative measures, if any, having understood the purposes and details of diversion, wherever required; and

(iii) forward his findings in this regard to the Conservator of Forests

(f) the entire process referred to in clause (e) shall be completed by the District Collector within the time period stipulated in these rules for grant of in-principle approval under the Act to the proposal.

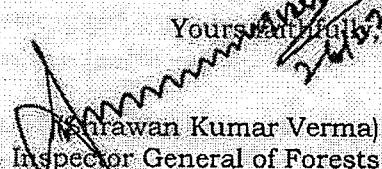
(g) the Conservator of Forests shall examine the factual details and feasibility of the proposal, carry out site inspection in case the area of forest land proposed to be diverted is more than forty hectares, and forward the proposal along with his recommendations to the Nodal Office.

I am also directed to refer to references/communications received from various State Governments seeking clarification on whether FRA certificate is to be submitted before Stage-II compliance or it has been submitted along-with proposal for seeking Stage-I approval.

It is clarified that within the time period stipulated for compliance of stage-I

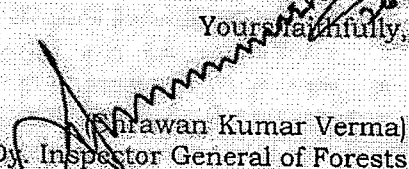
condition, Deputy Commissioner shall complete the process of compliance of FRA (including forwarding its findings to the concerned CF). Hence for the purpose of the MoEF&CC, as per the provision under Forest (Conservation) amendment rules, 2016 the compliance under FRA is not required for consideration of in-principle approval. This has to be furnished by the state Govt. for consideration of the proposal by the ministry for final approval.

In view of the above, the State Governments are requested to adhere the provisions contained in Forest (Conservation) Amendment Rules, 2016 for FRA purpose while forwarding the proposal for seeking prior approval under Section 2 of Forest(Conservation) Act,1980 to this Ministry for consideration.

Yours faithfully,

 (Shrawan Kumar Verma)
 Dy. Inspector General of Forests

Copy to:

1. Prime Minister's Office
2. Secretary, Ministry of Mines, Government of India
3. Secretary, Ministry of Coal, Government of India
4. Secretary, Ministry of Petroleum and Natural Gas, Government of India
5. Principal Chief Conservator of Forests, all State/UT Governments
6. Nodal Officer, the Forest (Conservation) Act, 1980, all State/ UT Governments
7. All Regional Offices, Ministry of Environment, Forest and Climate Change (MoEF&CC), GoI.
8. Joint Secretary in-charge, Impact Assessment Division, MoEF&CC, GoI
9. All Assistant Inspector General of Forests/ Directors in the Forest Conservation Division, MoEF&CC, GoI/Director, ROHQ, MoEF&CC, GoI/TO(FC)/TO(ROHQ).
10. Sr. Director (Technical), NIC, MoEF&CC with a request to place a copy of the letter on website of this Ministry.
11. Sr. PPS to the Secretary, MoEF&CC
12. Sr. PPS to the Director General of Forest & Special Secretary, MoEF&CC, GoI
13. Sr. PPS to the Addl. Director General of Forests (Forest Conservation), MoEF&CC, GoI.

Yours faithfully,

 (Shrawan Kumar Verma)
 Dy. Inspector General of Forests

O/C

13/3/14