

भारतीय राष्ट्रीय राजमार्ग प्राधिकरण

(सड़क परिवहन और राजमार्ग मंत्रालय)

NATIONAL HIGHWAYS AUTHORITY OF INDIA

(Ministry of Road Transport and Highways)

परियोजना नदिशक का कार्यालय

परियोजना कार्यान्वयन इकाई

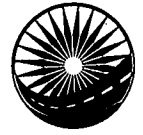
Office of the Project Director

Project Implementation Unit

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

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

NHAI/PIU/Karaikudi/11036/Forest/2022/176



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

January 28, 2022

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 - Submission of Compliance to Essential Details Sought (EDS) - 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

6. This Office Lr.No.NHAI/PIU/Karaikudi/11036/Forest/2021/2006, dt:27.11.2021

7. PCCF (HOD), Forest Dept., Chennai C.No.TS4/49019/2019, dt:14.12.2021

Sir,

I invite your kind attention to the above subject matter and in-accordance to the references cited, wherein the Principal Chief Conservator of Forest, TN Forest Department vide reference 7th cited has requested to obtain the FRA Certificate & no alternate suitable non forest land is available Certificate from the District Administration, Ramanathapuram and the same on portal for further processing.

2. In this regard, it is once again informed that as per the MoEF&CC Circular dated 26th February 2019 (copy enclosed), the compliance for the Rights under the Forest Rights is not required for consideration of In-Principal (Stage-I) proposal by the Ministry.

3. Further, the procedure for obtaining FRA Certificate and No alternate suitable non forest land is in process. However, the separate undertaking with respect to submission of FRA Certificate & no alternate suitable non forest land to be issued by the District Administration for the subject project will be furnished by the undersigned while processing of Stage-II clearance by Forest Department.

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:

2 & 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

4. 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.

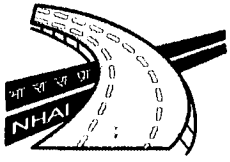
Yours faithfully,

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.



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(Ministry of Road Transport and Highways)

परियोजना निदेशक का कार्यालय

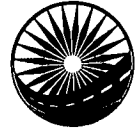
परियोजना कार्यान्वयन इकाई

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E-mail: karaikudipiu@gmail.com

karaikudi@nhai.org

UNDERTAKING FOR SUBMISSION OF FOREST RIGHTS ACT CERTIFICATE FROM DISTRICT ADMINISTRATION

National Highways Authority of India (NHAI) has been entrusted with the assignment of Development / Improvement of 4/6 laning of Paramakudi - Ramanathapuram - Rameshwaram - Dhanushkodi section of NH 49 in the State of Tamil Nadu

This is to Certify that, we hereby undertake that the "Forest Rights Act (FRA)" Certificate to be issued by the District Administration for the subject project will be furnished while processing of Stage-II clearance of the subject proposal by Forest Department for Paramakudi - Ramanathapuram - Rameshwaram - Dhanushkodi (NH 49) road stretch in the State of Tamil Nadu.

M.S. Pandian 28/11/22

(M.S. Pandian)

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

Corporate Office:

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

Tel: 011 - 2507 4100 / 2507 4200

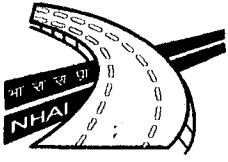
Website: www.nhai.gov.in

Regional Office:

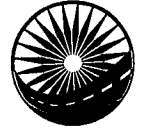
2nd & 3rd Floor, Vijay Krishna Plaza, No.1, Lake Area,

Melur Main Road, Mattuthavani, Madurai - 625 007.

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



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E-mail: karaikudipiu@gmail.com
karaikudi@nhai.org

**UNDERTAKING FOR SUBMISSION OF NO ALTERNATE SUITABLE NON FOREST LAND
AVAILABLE CERTIFICATE FROM DISTRICT ADMINISTRATION**

National Highways Authority of India (NHAI) has been entrusted with the assignment of Development / Improvement of 4/6 laning of Paramakudi - Ramanathapuram - Rameshwaram - Dhanushkodi section of NH 49 in the State of Tamil Nadu

This is to Certify that, we hereby undertake that "No alternate suitable non forest land available" Certificate to be issued by the District Administration for the subject project will be furnished while processing of Stage-II clearance of the subject proposal by Forest Department for Paramakudi - Ramanathapuram - Rameshwaram - Dhanushkodi (NH 49) road stretch in the State of Tamil Nadu.

M.S. Pandian
28/1/22

(M.S. Pandian)

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

Corporate Office:

G-5&6, Sector - 10, Dwarka, New Delhi - 110 076.
Tel: 011 - 2507 4100 / 2507 4200
Website: www.nhai.gov.in

Regional Office:

2 & 3rd Floor, Vijay Krishna Plaza, No.1, Lake Area,
Melur Main Road, Mattuthavani, Madurai - 625 007.
Email: romadurai@nhai.org / nhairomadurai@gmail.com

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.

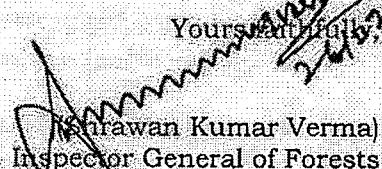
(g) the Conservator of Forests shall examine the factual details and feasibility of the proposal, carry out site inspection in case the area of forest land proposed to be diverted is more than forty hectares, and forward the proposal along with his recommendations to the Nodal Office.

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

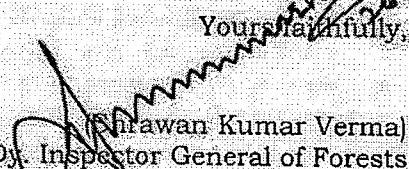
condition, Deputy Commissioner shall complete the process of compliance of FRA (including forwarding its findings to the concerned CF). Hence for the purpose of the MoEF&CC, as per the provision under Forest (Conservation) amendment rules, 2016 the compliance under FRA is not required for consideration 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

TAMIL NADU FOREST DEPARTMENT

From
Thiru Ashok Upreti, I.F.S.,
Principal Chief Conservator of Forests
(Head of Department)
Panagal Building, Saidapet,
Chennai-15

To
The Deputy General Manager,
National Highways Authority of India,
PIU, No:1, 2nd Floor
Subramaniapuram 3rd street,
Karaikudi, Sivaganga District.

C.No.TS4/49019/2019, dated :14.12.2021

Sir,

Sub: Forests - Forest (Conservation) Act, 1980 –SMTR, Madurai Circle – Ramnathapuram Division - Proposal for diversion of 2.9462 ha for the development of NH-49 4 laning of Paramakudi Ramanathapuram – Rameshwaram – Danushkodi) road in Ramnad District – Online proposal submitted by the User Agency ie. National Highways Authority of India in Sivaganga District - Regarding.

- Ref: 1. Online application uploaded by the User Agency – The General Manager, National Highways Authority of India in Sivaganga District, dated: 15.10.2019. (FP/TN/Road /42488//2019)
2. PCCF Lr.No:TS4/13151/2019 dated 07.11.2019
3. Revised application uploaded by the User Agency on 30.07.2021
4. PCCF Lr.No:TS4/13151/2019 dated 14.08.2021.
5. Revised application uploaded by the User Agency on 09.09.2021.
6. PCCF Lr.No:TS4/13151/2019 dated 06.10.2021.
7. Revised application uploaded by the User Agency on 16.11.2021.
8. PCCF Lr.No:TS4/13151/2019 dated 20.11.2021.
9. Revised application uploaded by the User Agency on 27.11.2021.

Attention of the User Agency is invited to the references cited. With reference to the above, it is stated that the User Agency has not uploaded the proposal in complete shape and the details to be rectified are as follows.

| Sl.No. | Query details | Complaints by User Agency Remarks |
|--------|---|---|
| 1 | For settlement 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) | Not uploaded. The User Agency has informed that this certificate is not required for consideration of in-principle approval. The User Agency is requested to obtain the required certificate and upload for final approval. |
| 2 | Certificate about no alternate suitable non forest land is available for the project from the District Collector, Ramanathapuram is not uploaded. | Not uploaded. To obtain the certificate from the District Collector and to upload the same in the Additional Information column. |

The User Agency is requested to obtain the certificate about no alternate suitable non forest land is available for the project from the District Collector, Ramanathapuram and to upload the same in the Additional information column and upload the revised proposal immediately.

Further action will be taken after receiving the proposal in complete shape.

Sd/- V. Naganathan
for Principal Chief Conservator of Forests
(Head of Department)

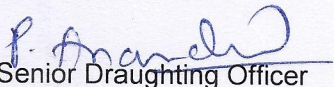
Copy to the Conservator of Forests and Field Director, SMTR, Madurai

Copy to the Wild life Warden, Ramnathapuram.

They are requested to Scrutinize the online proposal and send their detailed remarks immediately.

Copy to the District Collector, Ramanathapuram.

/True copy/By Order/


Senior Draughting Officer
15/12/2021.