



सत्यमेव जयते

भारतसरकार
GOVERNMENT OF INDIA
पर्यावरण ,वनएवंजलवायुपरिवर्तनमंत्रालय
MINISTRY OF ENVIRONMENT, FORESTS & CLIMATE
CHANGE



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F.No.4-TNC043/2019-CHN/478

Date 13th May, 2021

To,

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

Subject: Diversion of 5.42 ha of forest land in Magimandalam Reserved Forests of Vellore Forest Division for Construction of 4-Lane Bangalore-Chennai Expressway by the National Highways Authority of India-Reg.

Sir,

Please refer to the State Government letters No.14924/FR 10/2017-10 dated 20.06.2019, No.14924/FR.10/2017-15 dated 25.02.2021 and online proposal No.FP/TN/ROAD/8238/2014 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) in its 47th meeting dated 07.05.2021, and after careful consideration of the proposal, 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 5.42 ha of forest land in Magimandalam Reserved Forests of Vellore Forest Division for Construction of 4-Lane Bangalore-Chennai Expressway by the National Highways Authority of India for a period of 30 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 State Forest Department shall carry out Compensatory Afforestation and its maintenance (CA) in the degraded forest area identified over an extent of **10.84 ha in Ammoor RF of Arcot Range in Vellore Division**. As far as possible, a mixture of local indigenous species shall be planted and monoculture of any species may be avoided;
- (iv) **Approved CA area and CA scheme shall not be changed without prior approval of the Central Government;**

- (v) The State Forest Department shall charge the Net Present Value of the diverted forest land measuring **5.42ha** 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 Forest Department from the 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 and any money received in compliance of the conditions stipulated by the Central Government under this project shall compulsorily be deposited in to the designated CAMPA Account only through online;
- (viii) The user agency shall get the wildlife mitigation plan prepared by any competent person / agency and the same should be approved by the Chief Wildlife Warden and implemented at the cost of the User Agency;
- (ix) Underneath passages at appropriate places may be constructed as per the O.M. No. 13-1/2019-PE dated 12-02-2021 on "Minutes of the Meeting (held on 07.01.2021) on preventive measures on death of wild animals due to linear infrastructures that are passing through wildlife habitats" issued by the MoEFCC, New Delhi to ensure safe movement of wildlife and to minimize the wildlife accidents;
- (x) Warning signs about the animal movement are to be displayed at vintage places and speed regulations shall be imposed, based on the wildlife population in consultation with the Chief Wildlife Warden of the State.
- (xi) The State Forest Department shall carryout translocation of trees wherever feasible at the cost of the User Agency;
- (xii) The State Forest Department / the User Agency shall strictly comply with the conditions recommended by the Hon'ble Supreme Court of India and the Central Empowered Committee (CEC);
- (xiii) State Forest Department shall plant equal number of red sanders trees to be felled in the nearby forest area at the cost of the User Agency;
- (xiv) The UA shall seek prior approval of GoI for any change in layout plan, if any;

- (xv) The User Agency shall construct retaining walls and check walls wherever required, by consulting the DFO concerned, at the project cost;
- (xvi) 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;
- (xvii) Mitigation measures to prevent soil erosion may be carried out by the User Agency in consultation with the DFO concerned.
- (xviii) State Government shall follow due procedure before issuing working permission for the project required, if any;
- (xix) 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;
- (xx) The dug out material / overburden shall be dumped outside the forest area. Storage of any material shall not be done in the forest area proposed;
- (xxi) No labour camp shall be established inside the forest area; 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;
- (xxii) Sufficient firewood, preferably the alternate fuel, shall be provided by the User Agency to the labourer after purchasing the same from the State Forest Department or the Forest Development Corporation or any other legal source of alternate fuel.
- (xxiii) No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
- (xxiv) The total forest area utilized for the project shall not exceed **5.42 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;
- (xxv) 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;
- (xxvi) The User Agency and the State Forest Department shall ensure compliance to provisions of the all Acts, Rules, Regulations, Guidelines and court orders for the time being in force, as applicable to the project;

(xxvii) Any other conditions that the Central Government or Regional Officer (Central) of Integrated 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;

(xxviii) In the event of failure to comply with any of the above conditions the User Agency is liable for penal action as per the provisions made under rules / guidelines issued under FCA, 1980.

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,

Sd/-

(K.Karthikeyan)

Assistant Inspector General of Forests (Central)

Copy to:-

1. The Principal Chief Conservator of Forests, Govt. of Tamil Nadu, Forest Department, No.1, Jeenis Road, Panagal Building, Saidapet, Chennai - 600 015.
2. 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.
3. The National Highway Authority of India PIU Krishnagiri, Door No. 259/1, Salem Main Road, Near KAKC Petrol Bunk Krishnagiri, Tamil Nadu- 635001. kri@nhai.org , piubangalore@nhai.org
4. Guard file.

Sd/-

(K.Karthikeyan)

Assistant Inspector General of Forests (Central)