

TAMIL NADU FOREST DEPARTMENT

**Wildlife Division
Nagapattinam**

From

Yogesh Kumar Meena, I.F.S.,
Wildlife Warden,
Nagapattinam.

To

The Project Director,
National Highways Authority of India,
Project Implementation Unit, Puducherry
No.28 & 29, 1st Cross Street,
Ganapathi Nagar, Arumparthapuram
Puducherry - 605 110.

Ref.No.5875/2021/D Dt: .12.2022

Sir,

Sub: Forests - FC Act proposal No.FP/TN/Road/151511/2022 -
Sirkali Range - NHAI Project - Widening and improvement of
existing carriage way to 4 laning of Poondiyankuppam-
Sattanathapuram Section of NH45A under NHDP Phase IV -
Stage-I approval accorded - **Revised Demand Notice sending -**
Regarding.

Ref: 1) Government of India, Ministry of Environment, Forests and
Climate Change, Regional Office, Chennai F.No.4-TNB 094/2022-
CHN/1029, Dated.22.09.2022.

2) The Principal Chief Conservator of Forests (HOFF), Chennai
Ref.No.TS4/1890/2022 Dated.26.09.2022.

3) The Project Director, NHAI, PIU, Puducherry
Ref.No.11013/NH-45A/Forest/Vol-1/2022PIU-PDY/1902
Dated.27.09.2022.

4) This office Ref.No.5875/2021/D Dated.14.10.2022.

5) The Principal Chief Conservator of Forests (HOFF), Chennai
Ref.No.WL5/33056/2022 Dated.30.11.2022.

In the reference 1st cited, Central Government in principle approval (Stage-I) under Section-2 of Forest (Conservation) Act, 1980 for diversion of 2.5553 ha of forest land for Widening and improvement of existing carriage way to 4 laning of Poondiyankuppam-Sattanathapuram Section of NH45A under NHDP Phase IV (Pkg-3) Bridge across Gopalasamdiram RF in erstwhile Nagapattinam District for a period of 20 years with the following conditions.

(xlvii) Legal status of the diverted forest land remain unchanged.

(xlviii) 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 the User Agency.

(xlix) The State Forest Department shall carry out compensatory afforestation over an extent of 5.2 ha of Degraded Forest Land identified in Point Calimere Wildlife Sanctuary, in Kodiakarai Range, at the cost of the User Agency.

(l) Identified CA area and CA scheme shall not be changed without prior approval of Central Government.

(li) The State Government shall charge the Net Present Value of the diverted forest land measuring 2.5553 ha from the User Agency as per the orders of the Hon'ble

Supreme Court dated 2.03.2008 and 09.05.2008 in IA Nos.826 in 566 with related IA's in Writ Petition (Civil) No.202/1995 and Ministry's guideline No.5-3/2011-FC (Vol-I) dated 06.01.2022 and clarification issued vide letter dated 19.01.2022 and 22.03.2022.

- (lii) 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 the User Agency. The User Agency shall furnish an undertaking to this effect;
- (liii) All the funds received from the User Agency under the project shall be transferred / deposited to CAMPA fund only through e-portal (<http://parivesh.nic.in/>)
- (liv) The User Agency shall construct retaining walls and check walls wherever required, by consulting the DFO concerned, at the project cost;
- (lv) The User Agency shall carryout avenue plantation and its maintenance on sides of the read at the cost of the project;
- (lvi) The User Agency shall obtain prior approval of Hon'ble Supreme Court of India / CEC for felling of tree of spontaneous origin and UA shall abide by the recommendations of the CEC. The State Government shall not issue working permission till prior approval of Hon'ble Supreme Court of India / CEC, realization of all levies and compliance of other conditions for issuing of such working permission;
- (lvii) As the wildlife like Palm civet, Monitor lizard, Jackal, Cobra, etc wildlife present in and around the forest land proposed for diversion, the site specific Wildlife mitigation plan duly approved by the CWLW shall be implemented at the project cost;
- (lviii) 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. The pillar's if necessary to be constructed in the river,
- (lix) 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;
- (lx) The dug out material / overburden shall be dumped outside the forest area, Storage of any material shall not be done in the forest area;
- (lxi) The layout plan of the proposal shall not be changed without the prior approval of the Central Government
- (lxii) The User Agency shall provide fire wood preferably alternate fuel to laborers working at the site to avoid damage / tree felling and no labour camp shall be established inside the forest area;
- (lxiii) 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;
- (lxiv) The total forest area utilized for the project shall not exceed 2.5553 ha and the forest area diverted shall not be used for any purpose other than those shown in the diversion proposal. The User Agency shall furnish an undertaking to this effect,
- (lxv) The forest land proposed for diversion shall under no circumstances be transferred or subject to any other agency, department or person without prior approval of the Central Government,
- (lxvi) The 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.
- (lxvii) 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.

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

(lxix) The State Government shall process and submit compliance report on the above conditions through online (<http://parivesh.nic.in>);

With the above conditions, demand notice for the following payments is presented below.

(vii) The User Agency shall pay the amount of **Rs.2,29,36,776/-** (Rupees Two Crore twenty nine lakhs thirty six thousand seven hundred and seventy six only) in TNCAMPA account towards implementation of **Compensatory Afforestation Scheme**.

(viii) The User Agency shall pay the **Net Present Value (NPV)** amount of **Rs.19,95,053/-** (Rupees Nineteen Lakhs ninety five thousand and fifty three only) in TNCAMPA Account as calculated below.

Forest classification	Area as uploaded in Part-II of application (in ha)	Class IV Rate	Amount In Rs.
Very Dense	0.981	957780	9,39,582
Open Forest	1.575	670140	10,55,471
Total	2.556		19,95,053

(ix) The User Agency will be liable to pay the **approved amount** for implementation of **Wildlife Mitigation Plan**. The amount of **Rs. 23 Lakhs** has been approved for Wildlife Mitigation Plan by the Principal Chief Conservator of Forests and Chief Wildlife Warden, Chennai vide ref 5th cited.

After compliance of the conditions laid above by the Government of India and payment of **Rs. 2,72,31,829/-** (Rupees Two crore seventy two lakhs thirty one thousands eight hundred and twenty nine only) for Compensatory Afforestation Scheme, Net Present Value and Wildlife Mitigation Plan, the User Agency shall submit **four copies of detailed compliance report** with supportive documents and photos to this office for onward submission to the Nodal Officer for stage-II clearance.

Yours truly,
13/12/2012
Wildlife Warden,
Nagapattinam.