

TAMILNADU FOREST DEPARTMENT

From
Thiru.P.G.Arunlal, I.F.S.,
District Forest officer,
Tiruvannamalai Division,
Tiruvannamalai.

To
The Assistant Executive Engineer,
PWD,
Sathanur Dam,
Thiruvannamalai District – 606070.

Ref.No.2373/2021/D. Dated:13.12.2023.

Sir,

Sub: Forest (Conservation) Act, 1980 – Proposals for diversion of 0.90 ha of Forest land in Pennaiyar RF for the construction of Fuse Plug pertaining to Thandarampattu Taluk of Thiruvannamalai District - In principal (Stage-I) approval - communicated – reg.

- Ref:
1. Online application uploaded by the User Agency – The Assistant Executive Engineer, PWD, Sathanur Dam, Thiruvannamalai District, Thiruvannamalai Proposal No.FP/TN/IRRG/118339/2021, dated:03.01.2021.
 2. The Principal Chief Conservator of Forests (Head of Forest Force) Chennai, Ref.No.TS3/1022/2021, dated:19.01.2021
 3. Part-II of Form-A uploaded by the District Forest Officer on 23.03.2022.
 4. This Office Ref.No.2373/2021/D dt:24.03.2022.
 5. The Principal Chief Conservator of Forests (Head of Forest Force) Chennai, Ref.No.TS3/1022/2021, dated:06.06.2022.
 6. This Office Ref.No.2373/2021/D dt:14.06.2022.
 7. The Conservator of Forests, Vellore Circle, Vellore Ref.No.3104/2022/D1 dt:17.06.2022.
 8. The Principal Chief Conservator of Forests (Head of Forest Force) Chennai, Ref.No.TS3/1022/2021, dated:06.07.2022.
 9. E-mail received from the Government of India, MoEF&CC, IRO Chennai on 22.12.2022.
 10. The Principal Chief Conservator of Forests (Head of Forest Force) Chennai, Ref.No.TS3/1022/2021, dated:03.08.2022.
 11. Government Lr.No.14151/FR.10/2022-2 dt:17.02.2023.
 12. The Principal Chief Conservator of Forests (Head of Forest Force) Chennai, Ref.No.TS3/1022/2021, dated:03.03.2023.
 13. This Office Ref.No.2373/2021/D dt:21.03.2023 & 22.05.2023.
 14. The Executive Engineer, Middle Pennaiyar Division, Thiruvannamalai Lr.No.120M/F.145/2023/JDO.2 dt:17.05.2023.

15. The Government of India, MoEF, Regional Office, Chennai
Ref.No.F.No.4-TNB097/2022-CHN/1117 dt:03.09.2023.
16. The Principal Chief Conservator of Forests (Head of Forest
Force) Chennai, Ref.No.TS3/1022/2021, dated:30.10.2023.

A copy of the reference 16th cited is enclosed herewith. Wherein the Government of India has conveyed the Government's in-principal approval (Stage-I) under Section 2 of Forest (Conservation) Act, 1980 for diversion of 0.90 ha of forest land for diversion of 0.90 ha of Forest land in Pennaiyar RF for the construction of Fuse Plug pertaining to Thandarampattu Taluk of Thiruvannamalai District under Forest Conservation Act 1980 in Favour of The Assistant Executive Engineer, PWD, Sathanur Dam, Thiruvannamalai District, Thiruvannamalai for a period of 25 years, under general approval category as per the provisions under Forest (Conservation) Act, 1980, subject to the following conditions:-

Sl.No.	Conditions stipulated by Government of India	Demand
1.	Legal status of the diverted forest land shall remain unchanged	Shall not be changed.
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 the User Agency	The User Agency has to erect 4 feet high cement concrete pillars duly numbered at an interval of 20 meters at the cost of the User Agency.
3.	The State Forest Department shall carry out compensatory afforestation over an extent of 1.80 ha of degraded forest area in Pinjur C Block RF at the cost of the User Agency.	The User Agency have to deposit an amount of Rs.27,48,702/- (Rupees Twenty seven lakhs forty eight thousand seven hundred and two only) for compensatory afforestation. The User Agency requested to generate challan for making payment through on-line and make payment to CAMPA fund only through web portal.

4.	Identified CA area and CA scheme shall not be changed without prior approval of Central Government;	Identified CA area and CA scheme shall not be changed without prior approval of Central Government.
5.	The State Government shall charge the Net Present Value of the diverted forest land measuring 0.90 ha 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.20211995 and Ministry's guideline No.5-312/2011-FC(Vol-I) dated 06.01.2022 and clarification issued vide letter dated 19.01.2022 and 22.03.2022	The Net present Value of the proposed forest area has been calculated as Rs.11,05,731/- at rate of Rs.12,28,590/- per ha based on the Government Lr.No.5-3/20011-FC (Vol-I) dt:06.01.2022. The User Agency requested to generate challan for making payment through on-line and make payment to CAMPA fund only through web portal.
6.	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	The User Agency has to give necessary Undertaking for Additional amount of the Net Present (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.
7.	All the funds received from the User Agency under the project shall be transferred/ deposited to CAMPA fund only through e-portal (https://parivesh.nic.in/)	All the funds received from the User Agency under the project shall be transferred/deposited to CAMPA fund only through the portal (https://parivesh.nic.in)

8.	The User Agency shall construct retaining walls and check walls wherever required, by consulting the DFO concerned, at the project cost;	The User Agency has to give necessary Undertaking for constructing retaining walls and check walls wherever required, by consulting the DFO concerned at the project cost.
9.	No additional / new path shall be made during execution of the project	The User Agency has to give necessary Undertaking for not creating any additional / new path during the execution of the project.
10.	The User Agency shall obtain prior approval / permission from the Hon'ble SC of India / CEC for felling of spontaneous trees.	The User Agency has to give necessary Undertaking for obtaining prior approval / permission from the Hon'ble SC of India / CEC for felling of spontaneous trees.
11.	After thorough examination on all aspects, the separate proposal for downstream Channel / pipeline upto reach the nearest or any such point of the original river course shall be submitted under FCA, 1980;	The User Agency has to submit a separate proposal for downstream channel / pipeline up to reach the nearest or any such point of original river under FCA 1980.
12.	CAT plan may be insisted, if required as per the field conditions.	The User Agency has to prepare a CAT plan.
13.	The State Government shall ensure to obtain approval / permission from the competent authority for increasing of water holding capacity of the dam. The State Government/ UA shall strictly comply with the hon'ble court / tribunals orders if any in this regard	The User Agency has to give necessary Undertaking for obtain approval / permission from the competent authority for increasing of water holding capacity of the dam. The User Agency shall strictly comply with the hon'ble court / tribunals orders if any in this regard.

14.	Details of forest area leased for the dam and its allied activities by the state Government shall be submitted along with the compliance report i.e. extent of forest area leased out and period of lease, actual extent of forest area utilized etc along with the supporting documents;	Details of forest area leased for the dam, period of lease and other supporting documents may be submitted by User Agency in its compliance report.
15.	The project may involve cuttings and fillings which require engineering support shall be provided as per the instructions of the DFO concerned so as to stabilize the soil.	The User Agency has to give necessary Undertaking for providing required engineering support for cuttings and fillings involved in the project as per the instructions of the DFO concerned so as to stabilize the soil.
16.	The dug out material / over burden shall be dumped outside the forest area. storage of any material shall not be done in the forest area	The User Agency should not store any dug out material / over burden inside the forest area.
17.	The layout plan of the proposal shall not be changed without the prior approval of the Central Government	The User Agency should not change the lay out plan without the prior approval of the Central Government.
18.	The User Agency shall provide fire wood preferably alternate fuel to labourers working at the site to avoid damage/tree felling and no labour camp shall be established inside the forest area.	The User Agency should provide fire wood preferably alternate fuel to labourers working at the site to avoid damage/tree felling and no labour camp shall be established inside the forest area.

19.	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.	The User Agency has to give undertaking for keeping minimum disturbance 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.
20.	The total forest area utilized for the project shall not exceed 0.90 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.	The User Agency has to give undertaking for the total forest area utilized for the project shall not be exceeded 0.90 ha and the forest area diverted shall not be used for any purpose other than those shown in the diversion proposal.
21.	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 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.
22.	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.	The User Agency has to give undertaking for ensuring the compliance of the provisions of all Acts, Rules, Regulations and Guidelines, for the time being in force, as applicable to the project.

23.	Any other conditions that the Central Government or DDG, RO, 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 to give undertaking for the compliance of any other conditions that the Central Government or DDG, RO, Chennai may impose from time to time in the interest of afforestation, conservation and management of flora and fauna in the area.
24.	In the event of failure to comply with any of the above conditions the user agency is liable for penal action as provisions of rules /guidelines made under FCA, 1980.	The User Agency has to give undertaking for the conditions the user agency is liable for penal action as provisions of rules /guidelines made under FCA, 1980 in the event of failure to comply with any of the above conditions.

The User Agency is requested to send the compliance report on the above conditions to this office early so as to take further action.

Encl: As stated above

Yours faithfully,

Sd/-P.G.Arunlal,
District Forest Officer,
Thiruvannamalai Division,
Thiruvannamalai.

Copy submitted to the Principal Chief Conservator of Forests (Head of Forest Force), Chennai.

Copy submitted to the Conservator of Forest, Vellore Circle Vellore-9.

//t.c.b.o//


12/12/20
Draughting Officer.