

## TAMILNADU FOREST DEPARTMENT

From

Selvi K. Karthikeyani, IFS.,  
Wildlife Warden,  
Hosur Forest Division,  
Mathigiri, Hosur – 635 110.

To

The Block Development Officer,  
Kamaraj Nagar,  
Shoolagiri,  
Krishnagiri District – 635117.

**C.No.7879 / 2022 / D, Dated 16-06-2023**

Sir,

Sub : Forests - Forest (Conservation) Act 1980 - Hosur Forest Division - Proposal for diversion of 1.52ha of forest land in S.F.Nos. 954-956, 959-965, 970-972, 977 and 978 of Ayaranapalli Village, Shoolagiri Taluk, Krishnagiri District for formation of road leading "from Rayakottai - Kelamangalam road to TATA Electronic Company - Demand letter for Stage-I Forest Clearance compliance - Regarding.

Ref : 1) Online application uploaded by the Block Development Officer, Shoolagiri, Krishnagiri District - Proposal No. FP/TN/Road/144777/2021 dated 20-07-2021 and resubmission of proposal on 30-09-2021 and 08-09-2021.

2) The Principal Chief Conservator of Forests, Chennai in C.No. TS4 / 22483 / 2022 dated 13-10-2022. (Model estimate)

3) The Government of India, Ministry of Environment, Forests and Climate Change Lr.No.F.No.4-TNB085 / 2022 - CHN / 85 dated 16-01-2023 (Stage-I approval).

4) The Principal Chief Conservator of Forests (Head of Forests Force), Chennai C.No.TS3 / 27218 / 2021 dated 23-01-2023.

5) The Conservator of Forests, Dharmapuri C.No. 6762 / 2021 / D dated 10-03-2023.

6) This Office C.No.7879 / 2022 / D dated 06-04-2023.

7) The Principal Chief Conservator of Forests and Chief Wildlife Warden, Chennai Ref. No. WL5 / 14080 / 2022 dated 09-06-2023. (Wildlife Mitigation Plan)

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It is to inform that, in continuation of this office letter 6<sup>th</sup> cited above, a revised demand was prepared for Compensatory Afforestation, Net present value (NPV) and Wildlife Mitigation Plan etc. based on the instructions issued in the Ref (2) and (7) cited



above, for the proposal for diversion of 1.52ha of forest land in SF.Nos. 954-956, 959-965, 970-972, 977 and 978 of Ayaranapalli Village, Shoolagiri Taluk, Krishnagiri District for which the forest land recorded in the revenue records as “un-assessed waste-Forest Range land” which is defined as “forest” for formation of road leading “from Rayakottai – Kelamangalam road to TATA Electronic Company under jurisdiction of Hosur Wildlife Division, Hosur in favor of the Block Development Officer, Shoolagiri with conditions.

- i. In this office Ref.(6) cited above, the demand for **Compensatory Afforestation scheme** was prepared based on the Forest Schedule of Rate 2022-2023 to an extent of 3.04ha including erection of Hanging Solar Power fencing for Rs.57,44,928/-. Now, the same was revised, based on the Forest Schedule of rate communicated by the Conservator of Forests, Dharmapuri for 2023-2024 vide Ref. No. 3943/2023/D, dated 08-04-2023 for Rs.50,50,300/- excluding erection of Hanging Solar Power fencing. Hence, the revised demand was prepared.
- ii. As per the instructions by the Government of India, Ministry of Environment, Forests and Climate Change F.No.4-TNB102 / 2023 - CHN / 58, dated 11-05-2023, a “Wildlife mitigation plan” has been approved by the Principal Chief Conservator of Forests and Chief Wildlife Warden, Chennai vide the Ref (7) cited above for Rs.36.00 lakhs (copy enclosed). Hence, the revised demand was prepared.

Therefore, the User Agency is requested, compliance report along with the following documents / details may be furnished to this office urgently for submitting compliance report to the Principal Chief Conservator of Forests.

Sl. No.	Conditions stipulated by State Government	Demand
(i)	Legal status of the diverted forest land shall remain unchanged.	Will not be changed.



Sl. No.	Conditions stipulated by State Government	Demand
(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 the User Agency.	<p>The User Agency shall carry out the demarcation of the proposed forest area by erecting 4 feet high cement concrete pillars duly numbered at an interval of visible distance of 20meters and the responsibility of maintaining demarcation stones for the entire project diversion period lies with User Agency only.</p> <p>The User Agency will give necessary "Undertaking" to erecting demarcation stones and maintenance.</p>
(iii)	As proposed by the State Government, the entire non forest area over an extent of 5.80ha. (i.e. 3.04ha in lieu of the forest area proposed for diversion under instant proposal and 2.76ha for any future proposal for diversion of forest land) identified in SF.No.467A/2 of Sanamavu village of shoolagiri Taluk in Krishnagiri District shall be transfer and mutated in favour of the State Forest Department.	<p>In the District Collector, Krishnagiri Letter.No.19952/2021/H3 dated 26-08-2021 to an extent of 3.04ha has been mutated towards the Compensation land in lieu of the 1.52ha forest area proposed for diversion in SF.No.467A/2 of Sanamavu village of Shoolagiri Taluk in Krishnagiri District for raising Compensatory Afforestation.</p> <p>But, in the Government of India letter, it is instructed that to mutated the total area of 5.80ha in SF.No.467A/2 of Sanamavu village for any future proposal for diversion of forest land. Hence, the User Agency shall transfer the total area of 5.80ha in SF.No.467A/2 of Sanamavu village, communicated with relevant records along the compliance report.</p>



Sl. No.	Conditions stipulated by State Government	Demand
(iv)	<p>As the non-forest area identified for the CA purpose which is reportedly frequented by wild elephants, it is not advisable to carryout plantation in such non forest area. Hence, the State Forest Department may carry out SMC works, if required in the non-forest area and required number of plants for the purpose of Compensatory Afforestation may be raised in the nearby degraded forest area. The details like area, DGPS map, Kml, CA scheme with 10 years maintenance, suitability certificate for such DFL area may be submitted along with the compliance report.</p>	<p>The User Agency shall pay an amount of <b>Rs.50,50,300/-</b> through e-portal (<a href="https://parivesh.inc.in/">https://parivesh.inc.in/</a>) towards the Compensatory Afforestation to an extent of 3.04ha in the degraded forest area of Melumalai RF. The Compensatory Afforestation amount is arrived based on the model estimate communicated by the Principal Chief Conservator of Forests, Chennai in C.No. TS4 / 22483 / 2022 dated 13-10-2022 and also as per the FSR 2023-2024.</p>
(v)	<p>Entire non-forest land identified over an extent of 5.80ha. (i.e. 3.04ha in lieu of the forest area proposed for diversion under instant proposal and 2.76ha for any future proposal for diversion of forest land) in SF.No.467A/2 of Sanamavu village of Shoolagiri Taluk in Krishnagiri District for raising Compensatory Afforestation shall be notified as RF / PF before issue of the Stage-II Clearance. Copy of such notification shall be submitted along with the compliance report.</p>	<p>In the District Collector, Krishnagiri letter No.19952 / 2021 / H3, dated 26-08-2021, it is came to know that, action is being initiated to muted the non-forest land to an extent of 3.04ha in S.F.No. 467/A2 in Sanamavu village of Shoolagiri Taluk of Krishnagiri District.</p> <p>But, in the Government letter (2) cited above, it is instructed that, the entire non-forest land identified over an extent of 5.80ha. (i.e. 3.04ha in lieu of the forest area proposed for diversion under instant proposal and 2.76ha for any future</p>



Sl. No.	Conditions stipulated by State Government	Demand
		<p>proposal for diversion of forest land) in SF.No.467A/2 of Sanamavu village of Shoolagiri Taluk in Krishnagiri District for raising Compensatory Afforestation shall be notified as RF / PF before issue of the Stage-II Clearance (copy enclosed).</p> <p>Hence, as per the instructions by the Government of India, the User Agency is requested to mute the entire area of 5.80ha in S.F.No. 467A of Sanamavu village before Stage-II approval.</p>
(vi)	<p>The State Government shall charge the Net present Value of the diverted forest land measuring 1.52ha 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 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.</p>	<p>The User Agency shall pay an amount of <b>Rs.14,55,826/-</b> through e-portal (<a href="https://parivesh.inc.in/">https://parivesh.inc.in/</a>) towards the Net Present value fixed based on the Honorable Supreme Court of India judgment dated 28-03-2008 and 07-05-2008 in IA No.826 in 566 and also as per the Government of India, Ministry of Environment, Forests and Climate Change (Forest Conservation Division), New Delhi File No. 5-3 / 2011-FC (Vol-I) dated 06-01-2022.</p>
(vii)	<p>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</p>	<p>The User Agency will give necessary "Undertaking" in this regard.</p>



Sl. No.	Conditions stipulated by State Government	Demand
	State Government from the User Agency. The User Agency shall furnish an undertaking to this effect.	
(viii)	All the funds received from the User Agency under the project shall be transferred / deposited to CAMPA fund only through e-portal ( <a href="https://parivesh.inc.in/">https://parivesh.inc.in/</a> ).	The User Agency shall pay all the amount towards the Net Present value, Compensatory Afforestation and Mitigation Plan etc., through e-portal ( <a href="https://parivesh.inc.in/">https://parivesh.inc.in/</a> ).
(ix)	The User Agency shall construct retaining walls and check walls wherever required, by consulting the DFO concerned, at the project cost.	The User Agency will give necessary "Undertaking" in this regard.
(x)	The User Agency shall carryout avenue plantation and its maintenance on sides of the road at the cost of the project.	The User Agency will give necessary "Undertaking" in this regard.
(xi)	No tree felling shall be carried out in the forest area.	The User Agency will give necessary "Certificate" in this regard.
(xii)	Suitable Wildlife Mitigation plan may be implemented at the cost of the project.	The User Agency shall pay an amount of <b>Rs.36,00,000/-</b> through e-portal ( <a href="https://parivesh.inc.in/">https://parivesh.inc.in/</a> ) towards the Wildlife Mitigation Plan for this project, which was approved by the Principal Chief Conservator of Forests and Chief Wildlife Warden, Chennai in the Ref (7) cited above (copy enclosed).



Sl. No.	Conditions stipulated by State Government	Demand
(xiii)	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 pillars, if necessary to be constructed in the river, then proper precaution may be taken to ensure that it does not hamper the natural course of water	The User Agency will give necessary "Undertaking" in this regard.
(xiv)	Road side 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 will give necessary "Certificate" in this regard.
(xv)	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 will give necessary "Certificate" in this regard.
(xvi)	The layout plan of the proposal shall not be changed without the prior approval of the Central Government.	The User Agency will give necessary "Certificate" in this regard.
(xvii)	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 will give necessary "Certificate" in this regard.



Sl. No.	Conditions stipulated by State Government	Demand
(xviii)	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 will give necessary "Certificate" in this regard.
(xix)	The total forest area utilized for the project shall not exceed 1.52ha 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 will give necessary "Certificate" in this regard.
(xx)	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 User Agency will give necessary "Certificate" in this regard.
(xxi)	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 will give necessary "Certificate" in this regard.



Sl. No.	Conditions stipulated by State Government	Demand
(xxii)	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.	The User Agency will give necessary "Certificate" in this regard.
(xxiii)	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 FCA, 1980. The State Government shall process and submit compliance report on the above conditions through online ( <a href="https://parivesh.nic.in/">https://parivesh.nic.in/</a> ).	The User Agency will give necessary "Certificate" in this regard.
(xxiv)	The User Agency has to pay the cost towards annual lease rent as fixed by the Forest Department at the time of sanction along with any escalation for the forest land to be diverted for the above project in future for the entire project period.	The User Agency will give necessary "Undertaking" to pay the cost towards annual lease rent as fixed by the Forest Department at the time of sanction along with any escalation.



Hence, the User Agency shall pay the following amount through e-portal (<https://parivesh.inc.in/>) in the Ministry web site.

Sl. No.	Details	Amount
1.	Net Present Value for proposed diverted area to an extent of 1.52ha at the rate of Rs.9,57,780/- per ha.	Rs.14,55,826/-
2.	Compensatory Afforestation in the degraded forest area in Melumalai RF for 3.04ha with 10 year maintenance.	Rs.50,50,300/-
3.	Wildlife Mitigation Plan for this proposal.	Rs.36,00,000/-
<b>Total</b>		<b>Rs.1,01,06,126/-</b>

**Total amount payable:** Rupees One crore one lakh six thousand one hundred and twenty six only.

Accordingly, the User Agency shall fulfil the above demands and furnish the undertakings / certificates stipulated by the Government of India for getting final approval.

Yours faithfully

*K. K. Thirumangalakudi*  
Wildlife Warden,  
Hosur Forest Division,  
Hosur.

*B. K.*  
16/06/2023

Copy submitted to the Principal Chief Conservator of Forests (HoFF), Chennai for information.

Copy submitted to the Conservator of Forests, Dharmapuri Circle, Dharmapuri for information.