



भारत सरकार

GOVERNMENT OF INDIA

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय

MINISTRY OF ENVIRONMENT, FORESTS & CLIMATE CHANGE

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F.No. 4-TNC050/2019-CHN /

Date April, 2020

To

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

Subject: Diversion of 10.12 Ha Of Forest Land in Wenlock down Reserved Forests for Establishment of Government Medical College, Udagamandalam, Nilgiris District in forest area allotted to Hindustan Photo Films Limited in Favour of Joint Director of Health Services, Government Head Quarters Hospital Campus, Jail Hill Road, Ooty, the Nilgiris District-reg

Sir,

Please refer to the State Government's letter No. No.21488/FR.10/2019-1 dated 17.12.2019, 27.02.2020, 18.03.2020 and 13.04.2020 and online application No. FP/TN/Others/42494/2019 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) and after careful consideration of the proposal of the State Government, 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 10.12 ha Of Forest Land in Wenlock down Reserved Forests for Establishment of Government Medical College, Udagamandalam, Nilgiris District in forest area allotted to Hindustan Photo Films Limited in Favour of Joint Director of Health Services, Government Head Quarters Hospital Campus, Jail Hill Road, Ooty, the Nilgiris District, subject to the following conditions:-

1. The legal status of forest land shall remain unchanged;

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2. The User Agency shall demarcate the forest area diverted by constructing wall and DGPS co-ordinates shall be marked at 20 meters interval;
3. The State Forest Department shall carryout Compensatory Afforestation (CA) and its maintenance over 20.24 ha of non forest area in S.No.72/6 of kuruchi village in Valapady Taluk of Salem District, at the cost of the User Agency;
4. The User Agency shall transfer and mutate entire non forest area identified for compensatory afforestation in favour of Forest Department and shall be declared as Reserved Forest under Section 4 or Protected Forest under Section-29 of Indian Forest Act, 1927 or under the relevant section(s) of the State Forest Act before Stage II approval and send a copy of the original Notification to this office along with the compliance report for information and record;
5. The non forest land identified for CA and CA scheme shall not be changed without the prior approval of the Central Government;
6. The cost of compensatory afforestation as per the CA scheme and cost of survey, demarcation and erection of permanent pillars if required on the CA land shall be deposited in advance with the Forest Department by the project authority. The CA will be maintained for 10 years;
7. The State Government shall charge the Net Present Value of the diverted forest land measuring **10.12 ha** from 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;
8. Additional amount of 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;
9. 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/>)

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10. In case of any disputes arises on land considered for diversion/ structures claimed to be built by Hindustan Photo Films Limited which are existing within the forest area proposed for diversion, the State Government shall take full responsibility and resolve the same appropriately;
11. No medical waste shall be disposed in and around forest area;
12. No residential constructions shall be built in the diverted forest and existing quarters shall not be utilized for residential purpose;
13. The component wise break up to be uploaded in the exclusive table provided in the part I of the online application;
14. No tree of spontaneous growth shall be felled. The User Agency and Nodal Officer (FCA), Tamil Nadu, to ensure minimum tree felling and also to obtain prior approval of Hill Area Conservation Authority / or other local rules and regulation related to tree felling, if required. Felling of tree with >60cm girth may be avoided wherever possible and may carryout translocation of trees wherever feasible. Whenever trees of girth more than 90cm are felled the same may be used for construction purposes;
15. The layout plan of the proposal shall not be changed without prior approval of the Central Government;
16. Sufficient firewood, preferably the alternate fuel, shall be provided by the User Agency to the labourers after purchasing the same from the State Forest Department or the Forest Development Corporation or any other legal source of alternate fuel. No labour camp shall be established on the forest land;
17. No additional or new path will be constructed inside the forest area for the transportation of construction materials for execution of the project work;
18. The compliance report shall be uploaded on *e-portal* (<https://parivesh.nic.in/>);
19. The forest land proposed for diversion shall under no circumstances be transferred / sublet to any other agency, department or person without prior approval of the Central Government;

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20. Disturbance shall be kept minimal by creating labour camps outside the forest area as far as possible and it will 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;
21. The total forest area utilized for the project shall not exceed **10.12 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;
22. The approval under FCA,1980 is subject to the clearance under all other Acts, Rules, Guidelines, Regulations and Court Orders applicable to such project;
23. Annual self compliance report on conditions imposed in this order, shall be submitted by the User Agency to the State Government and the Regional Office, MoEF&CC Chennai.
24. Any other conditions that the Central Government or DDG(Central) of 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;
25. In the event of failure to comply with any of the above conditions the User Agency is liable for penal action provision made under FCA, 1980 and guidelines made thereunder.

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 may be revoked as per rules.

Yours faithfully,



(L.Chandrasekar)

Deputy 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. Joint Director Of Health Services, Government Head Quarters Hospital Campus, Jail Hill Road, Ooty, The Nilgiris District, Tamil Nadu-643001
4. Guard file.

L. Chandrasekar

(L.Chandrasekar)

Deputy Inspector General of Forests (Central)

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