

TAMILNADU FOREST DEPARTMENT

From

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

To

The Executive Engineer,
TLC / TANTRANSCO,
Opp. Collectorate,
Dharmapuri,
Dharmapuri District – 636 705.

C.No.7228 / 2022 / D, dated 13-06-2023

Sir,

Sub : Forest (Conservation) Act, 1980 - Dharmapuri Circle / Wildlife Warden, Hosur Forest Division, Hosur - Proposal for diversion of 0.9856ha of forest land in Ayaranapalli village for erection of 110KV Transmission line from Rayakottai - Kelamangalam road to TATA Electronics Company in Ayaranapalli village in Krishnagiri District – Revised demand letter for Stage-I Forest Clearance compliance – Regarding.

- Ref : 1) Online forest clearance proposal uploaded by the Executive Engineer, TLC / TANTRANSCO, Opp. Collectorate, Dharmapuri, Dharmapuri District – Proposal No. FP / TN / Trans / 155570 / 2022 dated 19-05-2022.
- 2) The Conservator of Forests, Dharmapuri C.No. 6138 / 2022 / D dated 03-02-2023.
- 3) The Government of India, Ministry of Environment, Forests and Climate Change F.No.4-TNB102 / 2023 - CHN / 58, dated 11-05-2023.
- 4) The Principal Chief Conservator of Forests (HoFF), Chennai. C.No. TS3 / 15954 / 2022 dated 12-05-2023.
- 5) The Wildlife Warden, Hosur Forest Division, Hosur C.No.7228 / 2022 / D, dated 17-05-2023
- 6) The Principal Chief Conservator of Forests and Chief Wildlife Warden, Chennai Ref. No. WL5 / 14080 / 2022 dated 09-06-2023.
- 7) The Principal Chief Conservator of Forests (HoFF), Chennai. C.No. TS3 / 15954 / 2022 dated 09-06-2023.
- 8) The Conservator of Forests (FAC), Dharmapuri Proceedings No. 6138 / 2022 / D dated 12-06-2023.

It is to inform that, in continuation of this office letter 5th cited above and also as per the instructions by the Principal Chief Conservator of Forests (HoFF), Chennai in the Ref (7) cited above, a revised demand was prepared for Compensatory Afforestation, creation and maintenance of **DWARF** species and Net present value (NPV) etc. is as follows, for the proposal for diversion of 0.9856ha of forest land in Ayaranapalli village for erection of 110KV Transmission line from Rayakottai - Kelamangalam road to TATA Electronics Company in Ayaranapalli village in Krishnagiri District in favour of the Executive Engineer, TLC / TANTRANSCO, Opp. Collectorate, Dharmapuri, Dharmapuri District with conditions and instructed to send compliance report for issuing final approval.

- i. As per the instructions by the Government of India in the Ref (3) cited above, a revised "Wildlife mitigation plan" has been approved by the Principal Chief Conservator of Forests and Chief Wildlife Warden, Chennai vide the Ref (6) cited above for Rs.36.00 lakhs (copy enclosed). Hence, the revised demand was prepared.
- ii. In this office Ref. No 7228 / 2022 / D, dated 27-10-2022, the demand for Compensatory Afforestation scheme was prepared for Rs.29,56,400/- based on the Forest Schedule of Rate 2022-2023 (labour rate Rs.475.75) to an extent of 2.00ha. Now, the same was revised for Rs.34,97,500/- for 2.00ha, based on the instructions by the Government of India and also as per the instructions by the Principal Chief Conservator of Forests (HoFF), Chennai in the Ref (7) cited above. The revised demand has been prepared based on the Forest Schedule of Rate 2023-2024 (labour rate Rs.612.45). The variation is only the labour rate increased during the current financial year compared with the previous year.
- iii. In this office Ref. (5) cited above, the demand for Net Present Value (NPV) was prepared for Rs.8,37,500/- to an extent of 0.8742ha (at the rate of Rs.9,57,780/ha) which is after deducting the overlapping area of two projects in the same Survey Field number in Ayaranapalli village of Krishnagiri District. Now, based on the instructions by the Principal Chief Conservator of Forests (HoFF), Chennai in the Ref (7) cited above, the same was revised for Rs.9,43,988/- to an extent of 0.9856ha.

- iv. In this office Ref. (5) cited above, the demand for creation and maintenance of Dwarf species was prepared for Rs.2,88,600/- to an extent of 0.8742ha which is after deducting the overlapping area of two projects in the same Survey Field number in Ayaranapalli village of Krishnagiri District. Now, based on the instructions by the Principal Chief Conservator of Forests (HoFF), Chennai in the Ref (7) cited above, the same was revised for Rs.3,17,200/- to an extent of 0.9856ha and got approval from the Conservator of Forests, Dharmapuri Circle, Dharmapuri in the Ref (8) cited above (copy enclosed).

Therefore the User Agency is requested, compliance the 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
1.	The legal status of forest land shall remain unchanged.	Will not be changed.
2.	The 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 from the amount realized from 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>

Sl. No.	Conditions stipulated by State Government	Demand
3.	The State Forest Department shall carryout Compensatory Afforestation (CA) over 2.00 ha of Degraded Forest area in Melumalai RF at the cost of the User Agency.	The User Agency shall pay an amount of Rs.34,97,500/- through e-portal (https://parivesh.inc.in/) towards the Compensatory Afforestation to an extent of 2.00ha in the degraded forest area. 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.
4.	The degraded forest land identified for CA and the approved CA scheme shall not be changed without prior approval of the Central Government and the State Forest Department shall ensure that the amount realized from the User Agency towards CA should not be left unspent.	Will not be changed.
5.	The State Government shall charge the Net Present Value of the diverted forest land measuring 0.9856 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.202/1995 and Ministry's guideline No.5-3/2022-FC (Vol-I), dated 06-01-2022 and clarification issued vide letter dated	The User Agency shall pay an amount of Rs.9,43,988/- to an extent of 0.9856ha through e-portal (https://parivesh.inc.in/) 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

Sl. No.	Conditions stipulated by State Government	Demand
	19-01-2022 and 22-03-2022.	Division), New Delhi File No. 5-3 / 2011-FC (Vol-I) dated 06-01-2022.
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 will give necessary "Undertaking" in this regard.
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/)	The User Agency shall be transferred / deposited to CAMPA fund only through e-portal (https://parivesh.nic.in/) towards the Compensatory Afforestation and Net Present Value etc;
8.	The State Forest Department shall execute the work of creation and maintenance of plantation of dwarf species (preferably medicinal plants) under the transmission line, at the cost of the User Agency.	The User Agency shall pay an amount of Rs.3,17,200/- to an extent of 0.9856ha through e-portal (https://parivesh.inc.in/) towards the creation and maintenance of plantation of dwarf species (preferably medicinal plants) under the transmission line. The estimate is prepared based on the Model Estimate of MTP Scheme approved by the Principal Chief Conservator of Forests, Chennai in Ref.No.J2 / 37886 / 2016, Dated

Sl. No.	Conditions stipulated by State Government	Demand
		21-02-2017 and also as per the 2023-2024 FSR communicated by the Conservator of Forests, Dharmapuri in the Ref.No.3943 / 2023 / D dated 08-04-2023 and got approval from the Conservator of Forests, Dharmapuri vide reference (8) cited above.
9.	The maximum width of right of way for the proposed transmission line on the forest land shall not be more than 22 mtrs.	The User Agency will give necessary "Certificate" in this regard.
10.	Height of the transmission line tower may be increased over and above the standard height to avoid casualty of elephants due to electrocution.	The User Agency will give necessary "Certificate" in this regard.
11.	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.	The User Agency will give necessary "Certificate" in this regard.
12.	The layout plan of the proposals shall not be changed without the prior approval of the Central Government.	The User Agency will give necessary "Certificate" in this regard.
13.	The proposed transmission line is crossing over the part of the forest area for which stage I already been issued under the proposal	The User Agency will get necessary NOC from the primary User Agency i.e. the Block Development Officer, Shoolagiri under the proposal

Sl. No.	Conditions stipulated by State Government	Demand
	<p>No.FP/TN/ROAD/144777/2021.</p> <p>Hence, NOC from the primary UA may be submitted.</p>	<p>No.FP/TN/ROAD/144777/2021 for the project for formation of road leading “from Rayakottai – Kelamangalam road to TATA Electronic Company” in the same Survey Field number and the same will be submitted.</p>
14.	<p>The State Government proposed Wildlife Mitigation plan with financial outlay of Rs.7.65crores whereas, project cost is 7.38crores. Moreover, as per the data provided in the rail and road accidents. In view of the above and as this office in its Stage-I approval order issued for the proposal No.FP / TN / ROAD / 144777 / 2021 wherein it has already been requested to prepare mitigation plan and compliance report is still awaited for the above said proposal. Further, it is opined that, as the proposed mitigation plan is for laying Elephant proof fencing for 10km of the RF area, putting financial burden on one User Agency and over and above the project cost is not appropriate. Hence, the Wildlife Mitigation plan may be reviewed again and the total financial outlay of the wildlife mitigation plan may be suitable apportioned among other User Agencies i.e. instant UA,</p>	<p>The User Agency shall pay an amount of Rs.36,00,000/- through e-portal (https://parivesh.inc.in/) 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 (6) cited above.</p>

Sl. No.	Conditions stipulated by State Government	Demand
	Shoolagiri BDO under FP / TN / ROAD / 144777 / 2021, railways and the NH road passing through RF area and implement the proposed mitigation measures timely.	
15.	The User Agency shall provide fire wood preferable alternate fuel to labourers working at the site to avoid damage / tree felling.	The User Agency will give necessary "Certificate" in this regard.
16.	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 and staff engaged in execution of work do not destruct nearby forest flora and fauna.	The User Agency will give necessary "Certificate" in this regard.
17.	The User Agency at its cost shall provide bird deflectors, which are to be fixed on the upper conductor of the transmission line at suitable intervals to avoid bird hits.	The User Agency will give necessary "Undertaking" in this regard.
18.	No tree felling shall be carried out within the forest area diverted.	The User Agency will give necessary "Certificate" in this regard.
19.	The total forest area utilized for the project shall not exceed 0.9846ha and the forest area diverted shall not be used for any purpose other than	The User Agency will give necessary "Certificate" in this regard.

Sl. No.	Conditions stipulated by State Government	Demand
	those shown in the diversion proposal.	
20.	The User Agency and the State Government shall ensure compliance to provisions of the all Acts, Rules Regulations and Guidelines, for the time being the force, as applicable to the transmission line projects.	The User Agency will give necessary "Certificate" in this regard.
21.	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 compiled by the User Agency.	The User Agency will give necessary "Certificate" in this regard.
22.	The working permission shall be given only after complying all the conditions laid down, as required, as per existing rules.	--
23.	In the event of failure to comply with any of the above conditions the User Agency is liable for panel action as per the rules / guidelines issued under FCA, 1980.	The User Agency will give necessary "Certificate" in this regard.

Sl. No.	Conditions stipulated by State Government	Demand
24.	The State Government shall process and submit compliance report on the above conditions through online (https://parivesh.nic.in/).	After receiving the compliance report from the User Agency, it will be submitted to the Government.
25.	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

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

Enc: As stated above

Yours faithfully,

[Signature]

13/06/2023

K. K. Thirumangalakudi
13/6/23
Wildlife Warden,
Hosur Forest Division,
Hosur.

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

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