



सत्यमेव जयते

भारतसरकार  
GOVERNMENT OF INDIA  
पर्यावरण ,वनएवंजलवायुपरिवर्तनमंत्रालय  
MINISTRY OF ENVIRONMENT, FORESTS & CLIMATE  
CHANGE  
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F.No.4-TNB068/2020-CHN/  
Date; 31<sup>st</sup> October, 2022

1144

To,

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

**Subject: Diversion of 1.658 ha (revised from 2.839 ha) of forest land for Improvement work of Theni Bye-pass road connecting Dindigul-Theni Road and Madurai-Cochin Road across Valkaradu R.F in favor of Divisional Engineer, Highways Construction and Maintenance, Theni-Reg.**

Madam,

Please refer to the State Government's letter Nos.6353/FR.10/2020-2 dated 17.10.2020, 6353/FR.10/2020-5 dated 30.07.2021 and 6353/FR.10/2020-7 dated 11.07.2022 and online proposal No.FP/TN/ROAD/41255/2019, 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.

After careful consideration of the proposal of the State Government and with the recommendation of the Regional Empowered Committee (REC), I am hereby directed to convey the Central Government's approval (*Stage-I*) under Section '2' of Forest (Conservation) Act, 1980 for diversion of **1.658 ha (revised from 2.839 ha) i.e. 1228mt length x 13.50 mtrs width** of forest land for Improvement work of Theni Bye-pass road connecting Dindigul-Theni Road and Madurai-Cochin Road across Valkaradu R.F in favor of Divisional Engineer, Highways Construction and Maintenance, Theni, **for a period of 25 years**, subject to the following conditions:-

- (i) Legal status of the diverted forest land shall remain unchanged;
- (ii) Demarcation of the proposed forest area shall be carried out by erecting 4 feet high cement concrete pillars duly numbered at the appropriate distance as decided by the DFO concerned, at the cost of User Agency;
- (i) The State Forest Department shall carryout plantation and its maintenance over an extent of **3.316 ha of non forest area in Sy No 1511/1 in Veerapandi Village, Theni District**, at the cost of the User Agency;

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- (ii) Entire non-forest land identified over an extent of **3.316 ha of non forest area in Sy No 1511/1 in Veerapandi Village, Theni District** for raising compensatory afforestation shall be transferred and mutated in favour of the State Forest Department and shall notified as RF/ PF before issue of the Stage-II clearance. **Copy of such notification shall be submitted along with the compliance report;**
- (iii) The Non forest area identified for CA purpose and CA scheme shall not be changed without prior approval of the Central Government. The CA land shall be demarcated properly and local villagers are adequately sensitized regarding the transfer of this parcel of land to Forest Department so as to avoid encroachments;
- (iii) The State Government shall charge the Net Present Value of the diverted forest land measuring **1.658 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. 5-3/2011-FC(Vol-I) dated 06.01.2022 and clarification issued vide letter dated 19.01.2022 and 22.03.2022
- (iv) 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;
- (v) 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/>);
- (vi) In addition to the activities proposed in the wildlife mitigation measures plan, speed breakers shall be constructed at appropriate places in the forest area without compromising with the road safety norms;
- (vii) As proposed, fencing around the Valkaradu Reserve Forest for a length of 4.96km shall be carried out at the cost of the User Agency and in specific fencing at small patches of forest areas likely to be standalone due to fragmentation of forest area due to widening of the road shall compulsorily be fenced. Fencing shall be done as per the notified RF boundary;
- (viii) The User Agency through Commissioner, Theni- Allinagaram Municipality, Theni shall implement effective waste management in and around Valkaradu Reserve Forest areas and ensure no waste is dumped in the RF area;

- (ix) The User Agency shall construct retaining walls and check walls wherever required, by consulting the DFO concerned, at the project cost;
- (x) 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;
- (xi) 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;
- (xii) The dug out material / overburden shall be dumped outside the forest area. Storage of any material shall not be done in the forest area;
- (xiii) The layout plan of the proposal shall not be changed without the prior approval of the Central Government;
- (xiv) No labour camp shall be established on the forest land.
- (xv) 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 machinery, labourers & staff engaged in execution of work shall not destruct nearby forest flora & fauna;
- (xvi) Sufficient firewood, preferably the alternate fuel, shall be provided by the User Agency to the labourer after purchasing the same from the State Forest Department or the Forest Development Corporation or any other legal source of alternate fuel.
- (xvii) **No tree felling shall be carried out by the User Agency;**
- (xviii) 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;
- (xix) The total forest area utilized for the project shall not exceed **1.658 ha (including existing road)** and the forest area diverted shall not be used for any purpose other than those shown in the diversion proposal;
- (xx) 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;
- (xxi) Any other conditions that the Central Government or Regional officer (Central) of the 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;

- (xxii) In the event of failure to comply with any of the above conditions the user agency is liable for penal action as per the provisions in Ministry's guidelines.

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 shall automatically stand revoked after 5 years.

Yours faithfully,

Sd/-

(K.Karthikeyan)

Assistant Inspector General of Forests (Central)

Copy to:-

1. The Principal Chief Conservator of Forests, Govt. of Tamil Nadu, Forest Department, Forest Headquarters, Guindy Velachery Main Road, Guindy, Chennai - 32.
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, Guindy Velachery Main Road, Guindy, Chennai - 32.
3. Inspector General of Forests (Central), MoEF&CC, Indira Paryavaran Bhavan, Jor Bagh Road, Aliganj, New Delhi-110003 **for information;**
4. Divisional Engineer, Highways Construction and Maintenance, BangalaMedu, Madurai Road, Theni, Tamil Nadu 625531 e-mail; [byepas7799@gmail.com](mailto:byepas7799@gmail.com)
5. Guard file.

Sd/-

(K.Karthikeyan)

Assistant Inspector General of Forests (Central)