



भारतसरकार
GOVERNMENT OF INDIA
पर्यावरण ,वनएवंजलवायुपरिवर्तनमंत्रालय
MINISTRY OF ENVIRONMENT, FORESTS & CLIMATE
CHANGE



Integrated Regional Office, Chennai.
1st Floor Additional Office Block for GPOA,
Shastri Bhawan,
Haddows Road, Nungambakkam, Chennai -600 006
e-mail: ro.moefccc@gov.in

F.No.4-TNC027/2018-CHN/ 191
Date 22nd February, 2022

To,

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

Subject: Diversion of 5.96 ha of forest land in Mallur RF for formation of road from Keelur to Vadugammalur Km 0/0 to 23/625 through Mallur RF of Namakkal division in favour of DRDA, Namakkal, Namakkal District.-reg.

Reference: The State Government letter No. 20574/FR.10/2018-8 dated 06.01.2022
Sir,

With reference to the subject and reference, I am hereby directed to convey the Central Government's approval for the revised CA scheme submitted by the State Government vide reference cited above.

2 As this proposal is under review by the higher authorities, it is requested that the compliance report to the conditions stipulated in Stage-I approval (**including permission of the CEC/ Hon'ble Supreme Court for felling of spontaneous trees**) may please be submitted through online at the earliest so as to enable this office to issue Stage II approval accordingly.

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, 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. DRDA NAMAKKAL, Panchayat Union Office, Vennandur Namakkal district Tamil Nadu 637505 bdovnr.tnmmk@nic.in

Sd/-

(K.Karthikeyan)

Assistant Inspector General of Forests (Central)

Signed by Karthikeyan K
Date: 22-02-2022 16:07:31
Reason: Approved



Phone: 04286 - 281369
E-Mail: dfonamakkal@yahoo.co.in

From
Thiru.K.Rajangam, I.F.S.,
District Forest Officer,
Namakkal Forest Division,
Namakkal.

To
The Block Development Officer,
Vennandur Panchayat Union,
Vennandur,
Namakkal District.

C. No. 3189/2018/D, Dated.04.03.2022.

Sir,

- Sub :** Forest (Conservation Act 1980) – Salem Circle - Namakkal Forest Division – Proposal for the diversion of 5.96 Hectares of forest land for the formation of road from Vadugam to Kilur, Melur Km 0/0 to 23/625 through Mallur Reserve Forest of Namakkal Division – Online proposal submission by the User Agency ie., Block Development Officer, Vennandur Panchayat Union, Vennandur, Namakkal District – Stage I Approval obtained – Revised Demand notice issued – Compliance report to be furnished by the User Agency – Regarding.
- Ref :** 1) Your Online Application Dated 04.05.2017, 27.01.2018 & 04.05.2018.
- 2) Govt. of India Ministry of Environment, Forests & Climate Change Regional Office (South Eastern Zone), Chennai. F.No.4-TNC027/2018-CHN/0027, Dated.03.01.2019.
- 3) Principal Chief Conservator of Forests, Chennai, lr.no.TS3/10138/2017, dated.10.01.2019.
- 4) This Office ltr no.3189/2018/D, dated.31.01.2019.
- 5) Government of India, letter F.No.4-TNC027/2018-CHN/1451, dated.23.08.2019.
- 6) Principal Chief Conservator of Forests, Chennai, lr.no.TS3/10138/2017, dated.29.08.2019.
- 7) This office lr.no.3189/2018/D, dated.18.10.2019.
- 8) Principal Chief Conservator of Forests, Chennai, lr.no.TS3/10138/2017, dated.06.12.2019.
- 9) This office lr.no.3189/2018/D, dated.09.12.2019.
- 10) Government of India, letter F.No.4-TNC027/2018-CHN/191, dated.22.02.2022.
- 11) Principal Chief Conservator of Forests, Chennai, lr.no.TS3/10138/2017, dated.24.02.2022.

I wish to inform that, as instructed by Government of India, cited in the 10th reference cited the Revised demand notice is hereby issued to the Block Development Officer, Vennandur.

The Govt. of India, Ministry of Environment, Forests & Climate Change, Regional Office (South Eastern Zone), Chennai has conveyed the Central Governments Principle Approval (Stage-I) under Section 2 of Forest Conservation Act 1980 for diversion of 5.96 ha. of forest land for upgradation of the road from Vadugam to Keelur, Melur in Mallur Reserved Forests of Namakkal Forest Division with 27 conditions which has to be fulfilled and a compliance report has to be received from the user agency and the same has to be sent to the Govt. of India through this office to obtain Stage II Approval.

Initially for the 5.96 Ha. area of forest diversion, the compensatory afforestation scheme was prepared to the tune of 123.75330 lakh in the non forest land. Subsequently as per the 2nd reference cited Government of India has mentioned that the CA Scheme has to be revised by including SMC works. Hence it was revised to the tune of 108.38 lakhs from 123.75 lakhs.

Further vide the Govt. of India, Ministry of Environment, Forests & Climate Change, Regional Officer (South Eastern Zone), Chennai cited in the 5th reference the Regional Empowered Committee has recommended to revise the CA scheme suitably and the CA scheme shall also include component towards SMC works to check soil erosion on the proposal road area.

Vide the 8th reference cited the Principal Chief Conservator of Forests, Chennai has directed that the CA scheme already prepared by District Forest Officer, Namakkal may be followed as per our State Govt. policy and it may be informed to the Government of India while furnishing compliance report. Further while carrying the road formation work with required gradient, with adequate number of hair-pin bend and culvert, causeways, bridges in the proposed alignment and SMC works required to check soil erosion on the proposed road area like, side revetment, embankment etc., may be identified for execution by the user agency and also directed the user agency to furnish the undertaking certificate in this context.

Hence the demand letter to the user agency for making payment through the web portal is furnished as below.

The User Agency has to fulfill the following conditions.

SL. No. of the Condition Nos. with reference to GOI Letter	Conditions imposed	Action and reply to be furnished by the User Agency
(i)	Legal status of the diverted forest land shall remain unchanged.	An undertaking has to be given by the User Agency.

SL. No. of the Condition Nos. with reference to GOI Letter	Conditions imposed	Action and reply to be furnished by the User Agency
(ii)	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 at the cost of User Agency.	The erection of Concrete Pillar to be done by the User Agency in their own cost in the presence of the concerned Forest Range Officer or his sub-ordinates and the location of boundary stone pillars so erected should be numbered and a few photographs should be enclosed.
(iii)	The compensatory Afforestation (CA) shall be raised and maintained by the State Forest Department over 12.51 ha of non forest area in S.F.No.324/1 in Mangalapuram Village of Rasipuram taluk in Namakkal District at the cost of the User Agency. In case, the CA plantation required in degraded forest area to meet the requirement of Ministry's guideline of raising of 1000 plants per ha of forest area diverted, the CA scheme proposed in the degraded forest area, map along with DGPS co-ordinates etc, shall be furnished along with the compliance report.	The compensatory afforestation cost of Rs.1,08,38,000/- has to be deposited in the Corporation Bank account of the Tamilnadu State CAMPA. The User Agency shall compulsorily deposit only by generating challan through the Ministry's website.
(v)	Identified CA land shall not be changed without the prior approval of the Central Government.	An undertaking has to be given by the User Agency.
(vi)	Non-forest land identified for raising compensatory afforestation shall be transferred and mutated in favour of the State Forest Department before issue of the Stage-II clearance.	User agency has to take necessary action for the mutation of Non-forest land identified for raising compensatory afforestation in favour of the State Forest Department before issue of the Stage-II clearance.

SL. No. of the Condition Nos. with reference to GOI Letter	Conditions imposed	Action and reply to be furnished by the User Agency
(viii)	The State Government shall charge the Net Present Value of the diverted forest land measuring 5.96 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.	As per the Govt. of India guide lines the Net Present Value of Rs.37,30,960/- (Rs.6.26 lakhs per Ha. – Class-III Open Forest) as approved by the Govt. of India in Lr.No.F.No.5-3/2007-FC dated 05.02.2009. (The type of Forest is Tropical Dry Deciduous Forests comes under Eco class-III with Open Forests) this amount should be deposited in the Corporation Bank account of the Tamilnadu State CAMPA. The User Agency shall compulsorily deposit only by generating challan through the Ministry's website.
(ix)	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. User Agency shall furnish an undertaking to this effect.	An undertaking in the prescribed format which is enclosed has to be duly signed by the User Agency and has to be furnished. Model format is enclosed.
(xi)	The layout plan of the proposal shall not be changed without the prior approval of the Central Government.	An undertaking has to be given by the User Agency.
(xii)	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.	An undertaking has to be given by the User Agency.

SL. No. of the Condition Nos. with reference to GOI Letter	Conditions imposed	Action and reply to be furnished by the User Agency
(xiii)	The UA shall construct retaining walls and check walls wherever required by consulting the DFO concerned, at the project cost.	An undertaking has to be given by the User Agency.
(xv)	The 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.	An undertaking has to be given by the User Agency.
(xvi)	The State Government shall obtain permission from the Hon'ble Supreme Court of India for felling the spontaneously grown trees in the proposed area before execution of the work.	Necessary action has to be taken by the user agency to obtain permission from the Hon'ble Supreme Court of India for felling the spontaneously grown trees in the proposed area before execution of the work. and action in this regard should be furnished.
(xvii)	The User Agency shall arrange to raise avenue plantation all along the roadside at the project cost with maintenance of 7-10 years.	An undertaking has to be given by the User Agency. If the User Agency if not possible to raise the road avenue and subsequent maintenance the User Agency shall pay an amount of Rs.64.75 lakhs (1850 plants at a 7 meter intervals on either side of the road with taller seedlings provided with adequate tree guard, watering during summer for a period of 1 st two years and subsequent maintenance 7 years - Rs.3500x1850=Rs.64,75,000/-) and deposited in the Corporation Bank account of the Tamilnadu State CAMPA. The User Agency shall compulsorily deposit only by generating challan through the Ministry's website.

SL. No. of the Condition Nos. with reference to GOI Letter	Conditions imposed	Action and reply to be furnished by the User Agency
(xviii)	The User Agency shall endeavor to avoid felling of trees existing on the Forest Land proposed to be utilized. Wherever necessary, the trees shall be felled under the strict supervision of the DFO/ FDO concerned.	An undertaking has to be given by the User Agency.
(xix)	Wherever feasible the State Forest Department shall carry out translocation of the tree at the cost of the User Agency.	An undertaking has to be given by the User Agency.
(xx)	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.	An undertaking has to be given by the User Agency.
(xxi)	The dug out material / overburden shall be dumped outside the forest area. No storage of any material shall be done in the forest area proposed.	An undertaking has to be given by the User Agency.
(xxii)	The total forest area utilized for the project shall not exceed 5.96 ha and the forest area diverted shall not be used for any purpose other than those shown in the diversion proposal.	An undertaking has to be given by the User Agency.
(xxiii)	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.	An undertaking has to be given by the User Agency.

SL. No. of the Condition Nos. with reference to GOI Letter	Conditions imposed	Action and reply to be furnished by the User Agency
(xxiv)	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.	An undertaking has to be given by the User Agency.
(xxv)	Any other conditions that the Central Government or Addl. PCCF(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.	An undertaking has to be given by the User Agency to pay lease rent at the rate of 1% of market value of the land as lease rent and revision of rates at every 3 years.as per the tamilnade state Govt orders. and for fulfilling the time to time conditions and rules and guidelines imposed by the GOI ans State Govt.
(xxvii)	In the event of failure to comply with any of the above conditions the User Agency is liable for penal action as decided by the Additional PCCF (Central), Regional Office, Chennai.	An undertaking has to be given by the User Agency.

Further, as instructed by the Principal Chief Conservator of Forests, Chennai the user agency is informed that to carry out the SMC works to check soil erosion on the proposed road area at their project cost, since, while carrying the road formation work with required gradient, and formation of hair-pin bend and culvert, causeways, bridges in the proposed alignment, SMC works required to check soil erosion on the proposed road area like, side revetment, embankment etc., may be identified for execution. Hence necessary undertaking certificate has to be furnished by the user agency for the SMC works to be carried out in the proposed road area.

Sd/-K.Rajangam,
District Forest Officer,
Namakkal Forest Division,
Namakkal.

Copy submitted to the Principal Chief Conservator of Forests, Chennai for kind information.

Copy submitted to Conservator of Forests, Salem Circle, Salem for kind information.

Copy to the District Collector, Namakkal for kind information.

Copy to the Project Director, DRDA Namakkal for kind information and necessary action.

/t.c.b.o/

J. Thily
Drafting Officer
09/03/2022