

Letter No.6170/FR.10/2022-5, dated: 08.04.2024

From

Tmt.Supriya Sahu, IAS.,
Additional Chief Secretary to Government.

To

The Assistant Inspector General of Forests (Central),
Government of India,
Ministry of Environment, Forests and Climate Change,
Regional Office,
Additional Office Block for GPOA, 1st Floor,
Shastri Bhawan, Haddows Road,
Nungambakkam, Chennai - 600 006. (w.e).

Sir,

Sub: Forests - Van (Sanrakshan Evam Samvardhan) Adhiniyam,
1980 - Proposal (FP/TN/Road/116544/2020) for diversion of
0.389 ha of forest land in Gummanur Reserve forest area in
Dharmapuri Forest Division for four laning of Thorapalli
Agraharam-Jittandahalli section of new NH-844 from km
23+350 to km 60+100 (design chainage) under Bharatmala
Pariyojana Phase - I (National corridor) in Hybrid Annuity in
favour of the General Manager, Project Implementing Unit -
Krishnagiri, National Highways Authority of India, Krishnagiri
- In-principle (Stage-I) approval accorded under General
approval category - Compliance report - Forwarding of -
Regarding.

Ref: 1. From the Principal Chief Conservator of Forests, letter
No.TS3/6090/2021, dated 06.04.2022.
2. Government letter No.6170/FR.10/2022-2, dated
12.05.2022.
3. From the Principal Chief Conservator of Forests, letter
No.TS3/6090/2021, dated 10.02.2023.
4. Government letter No.6170/FR.10/2022-2, dated
21.02.2023.
5. Your office letter No.FCA/11.2/GA/116544/0.389/CHN-
2023/894, dated 26.07.2023.
6. Government letter No.6170/FR.10/2022-4, dated
21.09.2023.

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I am directed to invite your attention to the references cited and to state that,
for the proposal No.FP/TN/Road/116544/2020 in-principle (Stage-I) approval have
been accorded by the State Government for diversion of 0.389 ha of forest land in
Gummanur Reserved Forest area in Dharmapuri forest division in the Government
letter second cited and the Principal Chief Conservator of Forests has furnished the

compliance report for the conditions stipulated by the State Government for stage-I approval in the reference 3rd cited.

2. As the proposal involves felling of 10 nos. spontaneous trees, you have conveyed the concurrence for felling the same subject to certain conditions, in the reference 5th cited. As the State Government has desired to transplant the 10 spontaneous trees instead of felling them, you have been requested vide reference sixth cited to convey your concurrence to transplant those 10 number of spontaneous trees. However, your concurrence in this matter is still awaited.

3. After enactment of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 which came into force from 1st December, 2023, the Government of India, Ministry of Environment Forests and Climate Change, Regional Office, Chennai is the competent authority to accord final approval.

4. In this connection, I am directed to forward the compliance report furnished by the Principal Chief Conservator of Forests (HoFF) in his letter 3rd cited on all the conditions stipulated in the in-principle (Stage-I) approval accorded by the State Government, for obtaining the concurrence of the competent authority. I also request you to give concurrence for transplanting 10 trees at the cost of user agency instead of felling them.

5. I am, therefore, to request you to obtain the final approval from the competent authority with the above mentioned additional condition and communicate the same to this Government, early.

Yours faithfully,

[Signature]

for Additional Chief Secretary to Government

[Signature]
15/4/2024.

[Pre-6170/FR-10/2022]

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By on-line / E-mail.
14 FEB 2023
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TAMILNADU FOREST DEPARTMENT

From

Subrat Mohabatra, I.F.S.,
Principal Chief Conservator of Forests
(Head of Forest Force),
Forest Head Quarters Building, Guindy-
Velachery Main Road, Guindy, Chennai-32.

To

The Additional Chief Secretary to
Government,
Environment, Climate Change and
Forests Department,
Secretariat, Chennai 600 009.

C. No. TS3/6090/2021 Dated: 10.02.2023.

Madam,

Sub: Forest (Conservation) Act, 1980 - Diversion of 0.389 ha of forest land in Gummanur Reserve forest area in Dharmapuri Forest Division for four laning of Thorapalli Agraharam-Jittandahalli section of new NH-844 from km 23+350 to km 60+100 (design chainage) under Bharatmala Pariyojana Phase I (National corridor) in Hybrid Annuity by NHAI, Krishnagiri- Stage-I approval accorded by Government - Compliance report furnishing off - Regarding

- Ref:
1. Online forest clearance proposal uploaded by the General Manager, Project Implementing Unit, Krishnagiri, National Highways Authority of India, Krishnagiri - Proposal No. FP/TN/Road/116544/2020
 2. Part-II of Form-A uploaded by the District Forest Officer, Dharmapuri Division on 10.12.2021
 3. Part-III of Form-A uploaded by the Conservator of Forests, Dharmapuri Circle on 11.01.2022
 4. Principal Chief Conservator of Forests Ref. No. TS3/6090/2021, dated 06.04.2022
 5. Government letter No. 6170/FR-10/2022-2 dated 12.05.2022

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I furnish herewith the Compliance report on Stage I in-Principle approval accorded for diversion of 0.389 ha of forest land in Gummanur Reserve forest area in Dharmapuri Forest Division for four laning of Thorapalli Agraharam-Jittandahalli section of new NH-844 from km 23+350 to km 60+100 (design chainage) under Bharatmala Pariyojana Phase I (National corridor) in Hybrid Annuity by NHAI, Krishnagiri in favour of General Manager, Project Implementing Unit-Krishnagiri, National Highways Authority of India, Krishnagiri as follows.

Condition No.	Conditions stipulated by the Government	Compliance of conditions/ reply
a	The legal status of the diverted forest land remain unchanged.	The legal status of the diverted forest land remains unchanged. The user agency has furnished an undertaking to this effect.
b	The demarcation of the proposed forest land shall be carried out by the User Agency by erecting 4 feet high cement concrete pillars duly numbered at an interval of 20 meters at their cost.	The District Forest Officer, Dharmapuri Division has reported that the user agency has deposited an amount of Rs. 1,15,000/- with the District Forest Officer towards demarcation of the proposed forest land.
c	The User Agency has to pay the cost towards Compensatory afforestation scheme including protection and maintenance of plantation area as proposed by the District Forest Officer.	<p>As per the demand letter dated 13.10.2022 issued by the District Forest Officer, Dharmapuri Division, an amount of Rs.63,22,000/- (Rupees Sixty Three lakhs and Twenty Two thousand only) to carry out Compensatory Afforestation (CA) including protection and maintenance of plantation in the Gummanur RF degraded forest area of 1.00 ha has been deposited by the user agency by Generating Challan in parivesh web portal and payment made on 10.11.2022 vide UTR reference No. CNRBR52022111093237573.</p> <p>Combined Challan and payment details enclosed.</p> <p>Compensatory afforestation in the selected degraded forest area in Gummanur RF will be carried out</p>

Condition No.	Conditions stipulated by the Government	Compliance of conditions/ reply
		after obtaining approval from the APO of State CAMPA.
d	The User Agency has to pay the amount of Net Present Value which will be fixed as per the guidelines of Hon'ble Supreme Court of India.	As per the demand letter dated.13.10.2022 issued by the District Forest Officer, Dharmapuri Division, an amount of Rs. 4,77,922/- (Rupees Four Lakh, Seventy Seven thousand, Nine Hundred and Twenty Two only) towards Net Present Value of the proposed diverted area has been deposited by user agency the Generating Challan in parivesh web portal and payment made on 10.11.2022 vide UTR reference No. CNRBR52022111093237573. Combined Challan and payment details enclosed.
e	The User Agency has to bear the additional amount of Net Present Value which will be fixed as per the guidelines of Hon'ble Supreme Court of India as fixed by Forest Department in future.	The User Agency has furnished an undertaking to this effect.
f	Amount towards Compensatory afforestation scheme including protection and maintenance of plantation, Protection measures of proposed forest diversion area, Net Present Value of forest area under the project shall be transferred / deposited to CAMPA fund only through e-portal (https://parivesh.nic.in/)	The User agency has paid all the deposits to CAMPA fund through parivesh web portal on 10.11.2022 and details are given below. i) Compensatory Afforestation – Rs.63,22,000/- ii) Net Present Value – Rs. 4,77,922/- Total – Rs. 67,99,922/-

Condition No.	Conditions stipulated by the Government	Compliance of conditions/ reply
g	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 of the above project in future for the entire project period.	The User Agency has furnished an undertaking to this effect.
h	The total forest area utilized for the project shall not exceeds 0.389 ha as reported in the project proposal in two segment area	The User Agency has furnished an undertaking to this effect.
i	The forest land proposed to be diverted shall under any circumstances be transferred to any other agencies/department or person without prior approval of State Government.	The User Agency has furnished an undertaking to this effect.
j	The user agency has to obtain orders from the Hon'ble Supreme Court of India for felling of spontaneous tree growth as per Forest Conservation Act guidelines.	<p>The user agency has furnished the Hon'ble Supreme Court of India judgment dated 11.01.2023 in I.A Nos 168328/2022 and 168313/2022 and I.A Nos. 191583/2022, have directed that the order requiring permission of this Court for felling of trees in all forest areas in respect of any road projects initiated by NHAI or any other instrumentality of the State, which involves cutting of up to 500 trees is recalled subject to certain conditions.</p> <p>Hence the user agency has reported that, filing of interlocutory Application for felling of</p>

Condition No.	Conditions stipulated by the Government	Compliance of conditions/ reply
		spontaneous tree growth up to 500 in number does not arise as only 10 Nos. of trees have to be felled for this project.
k	The user agency has to deposit the amount required for felling and transport of trees to be felled in the project area with the District Forest Officer concerned.	The District Forest Officer, Dharmapuri Division has reported that the user agency has deposited an amount of Rs. 8500/- with the District Forest Officer for removal and transportation of trees earmarked for felling in the diverted forest area.
l	Any other conditions that the Ministry of Environment, Forests and Climate Change may stipulate from time to time in the interest of conservation, protection and development of Forests and wildlife.	The User Agency has furnished an undertaking to this effect.
m	Period of lease can be twenty five (25) years. The User Agency has to apply renewal proposal before one year of expiry of lease with the State Forest Department.	The User Agency has furnished an undertaking to this effect.

Compliance report furnished by the User agency along with connected undertakings/ documents and report of District Forest Officer, Dharmapuri Division are enclosed herewith.

Hon'ble Supreme Court of India judgment dated 11.01.2023 in I.A Nos 168328/2022 and 168313/2022 and I.A Nos. 191583/2022, have directed that the order requiring permission of this Court for felling of trees in all forest areas in respect of any road projects initiated by NHAI or any other instrumentality of the State, which involves cutting of up to 500 trees is recalled subject to following conditions.

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i) Such felling shall be done only after necessary approval under FCA 1980, Forest Conservation Rule 2022, Compensatory Afforestation Fund Act 2016 and Compensatory Afforestation Fund Rules 2018 are obtained from the competent authority under the said enactments.

ii) The projects would be permitted only after the concurrence of the Integrated Regional Office (IRO), Chennai.

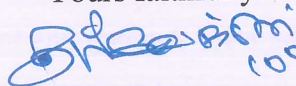
iii) While granting such permission, the authorities also should provide for necessary mitigation measures for ensuring free flow of the wildlife from one part of the forest to the other whenever such forest is divided by road.

Hence concurrence of the Integrated Regional Office, Chennai is required for this project.


I request that, Concurrence of the Integrated Regional Office, MoEFCC, Chennai may be obtained for this project and Stage - II final approval of Government may be issued for the diversion of 0.389 ha of forest land in Gummanur Reserve forest area in Dharmapuri Forest Division for four laning of Thorapalli Agraharam-Jittandahalli section of new NH-844 from km 23+350 to km 60+100 (design chainage) under Bharatmala Pariyojana Phase I (National corridor) in Hybrid Annuity by NHAI, Krishnagiri in favour of General Manager, Project Implementing Unit-Krishnagiri, National Highways Authority of India, Krishnagiri for a period of 25 years

Encl.: As stated above.

Yours faithfully


10/02/2023

For Principal Chief Conservator of Forests
(Head of Forest Force)


10/02/2023