

By On-line/Email.

TAMILNADU FOREST DEPARTMENT

From

To

Thiru Syed Muzammil Abbas, I.F.S.,
Principal Chief Conservator of Forests
(Head of Forest Force) ,
Forest Head Quarters Building, Guindy-
Velachery Main Road, Guindy, Chennai-15

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

C. No. TS3/10138/2017 Dated: 07.11.2022.

Madam,

Sub: Forest (Conservation) Act, 1980 - Diversion of 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 - Stage-I approval accorded by the Government of India - Compliance report furnishing off - Regarding

- Ref: 1. Online application uploaded by the Block Development Officer, Panchayat Union Office, Vennandur, Namakkal District - Proposal No. FP/ TN/ Road/19579/2016
2. Part II of Form A uploaded by the District Forest Officer, Namakkal Division, Namakkal on 14.08.2018
3. Principal Chief Conservator of Forests letter No. TS3/10138/2017 dated 24.10.2018
4. Government letter No. 20574/FR.10/2018-1, dated 11.12.2018
5. Government of India letter F. No. 4-TNC027/2018-CHN/0027, dated 03.01.2019
6. Government of India letter F. No. 4-TNC027/2018-CHN/1451, dated 23.08.2019
7. Government letter No. 20574/FR.10/2018-4, dated 04.09.2019
8. Government of India letter F. No. 4-TNC027/2018-CHN/191, dated 22.02.2022

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With reference to the letters cited, the Compliance report on Stage I in-Principle approval for 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 Block Development Officer, Panchayat Union Office, Vennandur, Namakkal District is furnished below.

Condition No.	Conditions stipulated by Government of India	Compliance of condition/ reply
1	Legal status of the diverted forest land shall remain unchanged.	The user agency agreed to maintain the legal status of the diverted forest land remain unchanged.
2	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 District Forest Officer, Namakkal Division has reported that, 1300 nos. of cement concrete pillars have been erected in the proposed forest area and numbered by the user agency. The photographs of the cement concrete pillar have been uploaded in the PARIVESH Portal.
3	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.	<p>1) The User Agency has remitted the Compensatory Afforestation cost to an amount of Rs.108.38 Lakhs into the Tamil Nadu State CAMPA Account on 26.07.2022 through NEFT payment by generating Challan in the MoEF&CC web portal. Copy of the consolidated challan for Rs. 1,45,68,960/- is enclosed herewith.</p> <p>2) Compensatory Afforestation will be raised at CA land identified in S.F No.324/62 in Mangalapuram Village of Rasipuram Taluk in Namakkal District by the Forest Department after receipt of Stage-II final approval and after getting the approval in State CAMPA APO.</p>

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4	The Regional Empowered Committee (REC) has recommended to advise the Forest Department to revise the Compensatory Afforestation scheme suitably so that no amount is unspent. The CA scheme shall include component towards raising of avenue plantation and SMC works to check soil erosion on the proposed road area.	Revised CA scheme approval has been obtained in GoI, MoEF&CC, IRO Chennai letter F. No. 4-TNC027/2018-CHN, dated 22.02.2022 and CA scheme implementation will be done in accordance with the approval obtained for the project proposal.
5	Identified CA land shall not be changed without the prior approval of the Central Government	The identified CA land will not be changed without the prior approval of the Central Government.
6	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.	Non-Forest land identified in S.F.No.324/62 of Mangalapuram Village, Rasipuram Taluk, Namakkal District has been handed over to the Forest Department on 22.06.2022 and mutated in favour of the Forest Department and Notified under Section 26 of Tamil Nadu Forest Act 1882 in Namakkal District Collector Ref. No. 14793/2022 O3, dated 18.05.2022 and published in District Gazette No. 6 dated 21.08.2022. Copy of the District Gazette Notification is enclosed.
7	Non-Forest land which is transferred and mutated in favour of the State Forest Department for the purpose of compensatory afforestation	The Non-Forest land identified in S.F.No.324/62 of Mangalapuram Village, Rasipuram Taluk, Namakkal District has been handed

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	shall be declared as Reserved Forest under Section- 4 or Protected Forest under section 29 of the Indian Forest Act, 1927 or under the relevant Section(s) of the Local Forest Act. The Nodal Officer must report compliance within a period of six months from the date of grant of final approval and send a copy of the original notification to this office for information and record.	over to the Forest Department on 22.06.2022 and mutated in favour of the Forest Department and Notified under Section 26 of Tamil Nadu Forest Act 1882 in Namakkal District Collector Ref. No. 14793/2022 O3, dated 18.05.2022 and published in District Gazette No. 6 dated 21.08.2022. Above land will be notified as Reserved Land under Section 4 of Tamil Nadu Forest Act 1882 and settlement process will be completed as per the Tamil Nadu Forest Act 1882.
8	The State Government shall charge the Net Present Value of the diverted forest land measuring 5.965 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	The Net Present Value of (Rs.37.3096 Lakhs) has been remitted by the user agency into Tamil Nadu State CAMPA account on 26.07.2022 by NEFT by generating challan in the MoEF&CC web portal. Copy of the consolidated challan for Rs. 1,45,68,960/- is enclosed.
9	Additional amount of the Net Present Value (NPV) of the diverted forest land if any, becoming due after finalization of the same by the Hon'ble Supreme Court of India on receipt of the report from the Expert Committee, shall be charged by the State	Undertaking furnished by the user agency is enclosed.

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	Government from the User Agency. The User Agency shall furnish an undertaking to this effect.	
10	The funds received from the user agency towards Compensatory afforestation, Net Present value and any money received in compliance of the conditions stipulated by the Central Government under this project shall compulsorily be deposited in to the 'State Compensatory Afforestation Fund of Tamil Nadu State' only.	The user agency has deposited the CA (Rs. 108.38 Lakhs) and NPV (Rs.37.3096 Lakhs) amount into the "State Compensatory Afforestation Fund of Tamil Nadu State" by generating challan in the MoEF&CC web portal.
11	The layout plan of the proposal shall not be changed without the prior approval of the Central Government.	Undertaking furnished by the user agency is enclosed.
12	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.	Undertaking furnished by the user agency is enclosed.
13	The UA shall construct retaining walls and check walls wherever required by consulting the DFO concerned at the project cost.	Undertaking furnished by the user agency is enclosed.
14	The existing Right of way (ROW) available shall be extinguished by the State Government, in lieu of the proposed diversion of fresh forest area for the road.	Undertaking furnished by the user agency is enclosed. The user agency has stated that the existing RoW will be extinguished and the same will be afforested with suitable species at the cost of user

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		agency. Accordingly, the Forest department will take follow up action.
15	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.	Undertaking furnished by the user agency is enclosed.
16	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.	The permission of Hon'ble Supreme Court of India for felling the spontaneously grown trees in the proposed forest area has been obtained on 06.05.2022. Copy of the order is enclosed.
17	The User Agency shall arrange to raise avenue plantation all along the roadside at the project cost with maintenance of 7-10 years.	Undertaking furnished by the user agency is enclosed.
18	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.	Undertaking furnished by the user agency is enclosed. The trees shall be felled under the strict supervision of District Forest Officer concerned.
19	Wherever feasible the State Forest Department shall carry out translocation of the tree at the cost of the User Agency.	Wherever feasible the State Forest Department shall carry out translocation of the tree at the cost of user agency. Undertaking furnished by the user agency is enclosed.

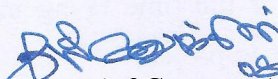
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20	Roadside cuttings and fillings which require engineering support shall be provided as per the instructions of the DFO concerned so as to stabilize the soil.	Undertaking furnished by the user agency is enclosed.
21	The dug out material/overburden shall be dumped outside the forest area. No storage of any material shall be done in the forest area proposed	Undertaking furnished by the user agency is enclosed.
22	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 other purpose other than those shown in the diversion proposal.	Undertaking furnished by the user agency is enclosed.
23	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.	Undertaking furnished by the user agency is enclosed.
24	User agency and the State Government shall ensure compliance to provisions of all Acts, Rules, Regulations and guidelines for the time being in force as applicable to project	Undertaking furnished by the user agency is enclosed.
25	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.	Undertaking furnished by the user agency is enclosed.


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26	The progress of the compensatory afforestation under the jurisdiction of the DFO, Namakkal Forest Division shall be monitored by the Circle Head and a copy of such monitoring report shall be forwarded to the Regional Office to upload the same in the web portal.	This condition will be complied by the Circle Head in due course.
27	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 there under.	Undertaking furnished by the user agency is enclosed.

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

I request that Government of India may be addressed for the issue of Stage - II final approval of Government of India for the 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 Block Development Officer, Panchayat Union Office, Vennandur, Namakkal District for a period of 25 years.
Encl.: As stated above.

Yours faithfully


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


21/11/2022