

By on-line/E-mail.

TAMILNADU FOREST DEPARTMENT

From	To
Subrat Mohabatra, I.F.S., Principal Chief Conservator of Forests (I lead of Forest Force), Forest Head Quarters Building, Guindy-Velachery Main Road, Guindy, Chennai - 600 032.	The Additional Chief Secretary to Government, Environment, Climate Change and Forests Department, Secretariat, Chennai 600 009.

C. No. TS3/41275/2017 Dated: 25.01.2023.

Sir,

Sub: Forests - Forest (Conservation) Act, 1980 – Diversion of 4.20 ha of forest land for upgradation of the road from Kannamoochi Pirivu to Kemmampatti village in Palamalai RF of Salem Forest Division in favour of Block Development Officer, Kolathur, Salem District – Stage-I approval accorded by Government of India – Furnishing compliance report - Regarding.

- Ref: 1. Online application uploaded by the Block Development Officer, Kolathur Union, Salem District. - Proposal No. FP/TN/Road/21076/2016
2. Part-II of Form-A uploaded by the District Forest Officer, Salem Division
3. Principal Chief Conservator of Forests letter No. TS3/41275/2017 dated 11.09.2018, 10.02.2021 and 15.03.2021
4. Government of Tamil Nadu letter No. 17923/FR.10/2018, dated 14.11.2018, 25.02.2021 and 11.05.2021
5. Government of India, MoEFCC, IRO, Chennai Lr. F. No. 4-1NB026/2018 CHN/879, Dated: 22.09.2021

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I wish to state that in the Government of India letter 5th cited, Stage-I in-Principle approval has been accorded for diversion of 4.20 ha of forest land for upgradation of road from Kannamoochi Pirivu to Kemmampatti village in Palamalai RF of Salem Forest Division in favour of Block Development Officer, Kolathur, Salem District under proposal No. FP/TN/Road/21076/2016.

The compliance report of Stage-I in-principle approval is furnished as follows.

Sl. No	Conditions stipulated by the Government of India	Compliance of conditions/ reply
i	Legal status of the diverted Forest land shall remain unchanged	The user agency have agreed to maintain the legal status of the diverted forest land remain unchanged.
ii	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, Salem Division has reported that he inspected the area on 06.01.2023 and cement concrete pillars have been erected in the forest area proposed for diversion. The photographs of the cement concrete pillars have been enclosed herewith.
iii	The State Forest Department shall carryout Compensatory Afforestation and its maintenance in the identified non forest area over an extent of 8.40 ha. in SF No.72/1 of Kurichi Village in at the Valapadi Taluk of Salem District at the cost of the User Agency	1) The User Agency has remitted the Compensatory Afforestation cost of Rs.84,02,000/- into the Tamilnadu State CAMPA Account on 03.06.2022 through RTGS payment. Copy of the consolidated challan of Rs. 1,17,74,600/- is enclosed herewith. 2) Compensatory Afforestation will be raised at CA land identified in S.F No.72/1 in Kuruchi Village of Valapadi Taluk in Salem District by the Forest Department after receipt of the approved APO under State CAMPA.
iv	Entire non-Forest Land identified for raising Compensatory Afforestation over as extent of 8.40 ha. in SF No.72/1 of Kurichi Village in Valapadi Taluk of Salem District shall be transferred and mutated in favour of the State Forest Department and same 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	Compensatory Afforestation Land in SF No. 72/4 of Kuruchi village in Valapadi Taluk of Salem District comprising an extent of 18.00 ha including 8.40 ha for this forest area diversion proposal has been transferred and mutated in favour of Forest Department on 21.08.2018. Copy of the Adangal Register and TCR effected between Tahsildar, Valapady and Forest Range Officer, Valapady Range

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	section (s) of the local Forest Act before Stage II approval. A copy of the original notification shall be submitted along with the compliance report to this office for information and record.	has been enclosed. Further, Compensatory Land in SF No. 72/4 and 72/6 of Kuruchi village in Valapadi Taluk of Salem District comprising an extent of 38.24 ha including 8.40 ha for this forest area diversion proposal and named as Kuruchi"A" Forest Block has been declared as Reserved Land under Section - 4 of Tamil Nadu Forest Act 1882 vide the G.O(Ms) No.42, Environment, Climate Change Forest (I/R-14) Department, Dated 11.03.2022. Copy of the G.O is enclosed herewith.
v	The State Govt. shall charge the net present value of the diverted forest land measuring 4.20 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.33,72,600/-has been deposited by the User Agency through RTGS to the Tamil Nadu State CAMPA Account as on 03.06.2022. Copy of the consolidated challan of Rs. 1,17,74,600/- is enclosed herewith.
vi	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 User Agency. The User Agency shall furnish an undertaking to this effect.	Undertaking given by the User Agency is enclosed.
vii	All the funds received from the User Agency under the project shall be transferred / deposited to CAMPA	Funds toward Compensatory afforestation scheme cost of Rs. 84,02,000/- and Net Present Value

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	fund only through e-portal (https://parivesh.nic.in/)	of Rs.33,72,600/- totalling Rs.1,17,74,600/- pertaining to this proposal have been deposited in State CAMPA Account by duly generating challan through e-portal (https://parivesh.nic.in/) by the user agency. A copy of challan generated in the MoEF&& web portal is enclosed.
viii	Alignment of both Row and proposed road are varies in few stretches, hence, such stretches of the old Row road, which is not proposed under the new alignment shall be restored by planting suitable tree species at the cost of the User Agency	Undertaking given by the User Agency is enclosed.
ix	The User Agency shall obtain permission from the Hon'ble Supreme Court of India / CEC for felling of spontaneous trees in the diverted forest area and all conditions of the Hon'ble Supreme Court of India / CEC shall be complied with by the User Agency / State Government.	(1) The Hon'ble Supreme Court of India has accorded permission for felling of 940 spontaneous trees in Palamalai Reserved Forest area for upgradation of BT road from Kannamoochi pirivu to Kemmampatti vide Record of Proceedings in IA No.125835 of 2020 in WP (Civil) No. 202/1995, Dated 30.11.2022. Copy of the judgement is enclosed herewith. (2) Undertaking has been given by the User Agency to the effect that the cost towards chain link fencing on a 2 feet height wall around the non-Forest Land will be paid by the user agency as demanded by the Forest Department. (3) User Agency has given an undertaking that as observed by the Hon'ble Supreme Court of India, Payment of Net Present Value (NPV)

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		and Compensatory Afforestation (CA) cost have been Complied with. It is also certified that any other condition stipulated in the approval will also be complied. Undertaking given by the User Agency is enclosed herewith.
x	The State Government shall not issue working permission for the project without obtaining of required permission from the Hon'ble Supreme Court of India / CEC for felling of spontaneous trees.	(1) The Hon'ble Supreme Court of India has accorded permission for felling of 940 spontaneous trees in Palamalai Reserved Forest area for upgradation of BT road from Kannamoochi pirivu to Kemmampatti vide the record of Proceedings in IA No.125835 of 2020 in WP (Civil) No. 202/1995, Dated 30.11.2022. Copy of the judgement is enclosed herewith. So far no working permission has been sought by the user agency and no permission has been accorded.
xi	The User Agency shall construct retaining walls and check walls wherever required, by consulting the DFO concerned, at the project cost.	Undertaking given by the user agency is enclosed.
xii	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-logging and also does not hamper movement of wild animals.	Undertaking given by the user agency is enclosed.
xiii	The State Forest Department shall raise avenue plantation all along the roadside at the project cost with maintenance of 7-10 years at the cost of user agency.	Undertaking given by the user agency is enclosed.

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xiv	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 given by the user agency is enclosed.
xv	The dug out material / overburden shall be dumped outside the forest area. Storage of any material shall not be done in the forest area.	Undertaking given by the user agency is enclosed.
xvi	The layout plan of the proposal shall not be changed without the prior approval of the Central Government.	Undertaking given by the user agency is enclosed.
xvii	Wherever feasible, translocation of trees shall be carried out by the forest department at the cost of the User Agency.	Undertaking given by the user agency is enclosed.
xviii	No additional or new path will be constructed inside the forest area for the transportation of construction materials for execution of the project work.	Undertaking given by the user agency is enclosed.
xix	The User Agency shall provide fire wood preferably alternate fuel to labourers working at the site to avoid damage / tree felling and no labour camp shall be established inside the forest area.	Undertaking given by the user agency is enclosed.
xx	Disturbance shall be kept minimum by creating labour camps outside the forest area as far as possible and it shall be responsibility of the user agency to ensure that the labourers & staff engaged in execution of work do not destruct nearby forest flora & fauna.	Undertaking given by the user agency is enclosed.

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xxi	The total forest area utilized for the project shall not exceed 4.20 ha. and the forest area diverted shall not be used for any purpose other than those shown in the diversion proposal. User Agency shall furnish an undertaking to this effect.	Undertaking given by the user agency is enclosed.
xxii	The forest land proposed for diversion shall under no circumstance be transferred or sublet to any other agency, department or person without prior approval of the Central Government.	Undertaking given by the user agency is enclosed.
xxiii	The 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.	Undertaking given by the user agency is enclosed.
xxiv	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 complied by the user agency.	Undertaking given by the user agency is enclosed.
xxv	In the event of failure to comply with and of the above conditions the user agency is liable for penal action provision made under FCA, 1980 and guidelines made there under.	Undertaking given by the user agency is enclosed.
xxv	The State Government shall process and submit compliance report on the	Compliance report has been uploaded by the user agency in the web portal

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	above conditions though online (https://parivesh.nic.in/)	and processed and furnished though web portal.

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

I request that compliance report may be considered and forwarded to the Government of India for issue of Stage - II final approval for diversion of 4.20 ha of forest land for upgradation of the road from Kannamoochi Pirivu to Kemmampatti village in Palamalai RF of Salem Forest Division in favour of Block Development Officer, Kolathur, Salem District for a period of 25 years

Encl.: As stated above.

Yours faithfully


27/01/2023

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


27/01/2023