

Letter No.18747/FR.10/2022-7, dated: 05.06.2024

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: Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 –
Proposal (FP/TN/Substation/149440/2021) for diversion of
4.85 ha of forest land in Pillur Slope Reserved Forests of
Coimbatore Forest Division for improvement of 230 KV
Substation into 400 KV Substation at Parali in Coimbatore
District in favour of the Superintending Engineer, General
Construction Circle, Tamil Nadu Transmission Corporation
Limited (TANTRANSCO), Coimbatore - Regarding.

- Ref: 1. From the Principal Chief Conservator of Forests, letter
No.TS3/43555/2021, dated 17.11.2022.
2. Government letter No.18747/FR.10/2022-5, dated
25.10.2023.
3. Your letter No.F.No.4-TNB113/2023-CHN/129, dated
24.11.2023.
4. Government letter No.18747/FR.10/2022-6, dated
06.12.2023.
5. From the Principal Chief Conservator of Forests, letter
No.TS3/43555/2021, dated 07.05.2024.

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I am directed to enclose a copy of the reference fifth cited along with its
enclosures, wherein the Principal Chief Conservator of Forest has furnished the
compliance report on all conditions stipulated by the Ministry of Environment,
Forests and Climate Change, Government of India in the In-Principle (stage-I)
approval accorded in your letter 3rd cited.

2. I am, therefore to request you to obtain final approval from the Competent
Authority and communicate the same to this Government early.

Yours faithfully,

A. Malathy 5/6/24

for Additional Chief Secretary to Government.

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05/6/2024.

TAMILNADU FOREST DEPARTMENT

From

Dr. Sudhanshu Gupta, I.F.S.,
Principal Chief Conservator of Forests,
(Head of Department)
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 9.

C. No. TS3/43555/2021, Dated: 07.05.2024.

Madam,

Sub: Forest (Conservation) Act, 1980 - Diversion of 4.85 ha of forest land in Pillur Slope RF of Coimbatore Forest Division for improvement of 230 KV Substation into 400 KV Substation at Parali in Coimbatore District in favour of the Superintending Engineer, General Construction Circle, Tamil Nadu Transmission Corporation Limited (TANTRANSCO), Coimbatore - Stage-I approval accorded by the Government of India – Furnishing compliance report - Reg

- Ref: 1. Online forest clearance proposal uploaded in parivesh portal under Proposal No. FP/TN/ Substation/149440/2021
2. Part-II of Form-A uploaded by the District Forest Officer, Coimbatore Division
3. Part-III of Form-A uploaded by the Conservator of Forests and Field Director, Anamalai Tiger Reserve, Coimbatore
4. Principal Chief Conservator of Forests ref. No. TS3/43555/2021, dated 17.11.2022 and 18.06.2023
5. Government letter No. 18747/FR.10/2022-5, dated 25.10.2023
6. Government of India, MoEF&CC, Regional Office, Chennai letter No. 4-TNB113/2023-CHN/1291 dated 24.11.2023

I wish to furnish herewith the Compliance report on Stage I in-Principle approval for diversion of 4.85 ha of forest land in Pillur Slope RFs of Coimbatore Forest Division for improvement of 230 KV Substation into 400 KV Substation at Parali in Coimbatore District in favour of the Superintending Engineer, General Construction Circle, Tamil Nadu Transmission Corporation Limited (TANTRANSCO), Coimbatore as follows.

324

Condition No.	Conditions stipulated by Government of India	Compliance of condition/ reply
1	The legal status of forest land shall remain unchanged.	Legal status of forest land will remain unchanged. The user agency has furnished undertaking in this regard.
2	The diverted forest area shall be fenced and 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 the User Agency.	The District Forest Officer, Coimbatore Division has reported that, the user agency has demarcated the proposed forest area in Pillur RF by erecting 4 feet high cement concrete pillars at an interval of 20 meters at their cost.
3	The State Forest Department shall carryout Compensatory Afforestation (CA) over 10 ha of degraded forest area identified in Odanthurai RF of Sirumugai Range in Coimbatore Forest Division, at the cost of the User Agency.	As informed by the District Forest Officer, Coimbatore Division, for carrying compensatory afforestation in the identified degraded forest area, an amount of Rs. 75,65,360/- has been paid by the user agency on 19.02.2024 by generating chalan in the PARIVESH web portal through RTGS vide UTR. No. CNRBR52024021974173108 and the credit was confirmed in the Parivesh Portal.
4	The degraded forest land identified for CA and the approved CA scheme shall not be changed without prior approval of the Central Government and the State Forest Department shall ensure that the amount realized from the User Agency towards CA should not be left unspent.	The degraded forest land identified for CA in Odanthurai RF of Coimbatore Division and the approved CA scheme will not be changed without prior approval of the Central Government.

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		Amount realized from the user agency towards raising and maintenance of plantation will be fully utilised for the purpose.
5	The State Government shall charge the Net Present Value of the diverted forest land measuring 4.85 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.	Net Present Value of the proposed diversion of forest area measuring 4.85 ha informed by the District Forest Officer, Coimbatore Division for an amount of Rs. 69,67,850/- has been paid by the user agency by generating challan in the Ministry's website on 19.02.2024 through RTGS vide UTR. No. CNRBR 52024021974173108 and the credit was confirmed in the Parivesh Portal.
6	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.	An undertaking by stating that the 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, will be paid by TANTRANSCO (TNEB), has been furnished by the user agency.
7	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/).	The user agency has deposited all the funds by generating chalan in the Parivesh portal and payment made towards specific State CAMPA account.

Condition No.	Conditions stipulated by Government of India	Compliance of condition/ reply
8	The forest land proposed for diversion shall under no circumstances be transferred / sublet to any other agency, department or person without prior approval of the Central Government.	An undertaking by stating that the forest land proposed for diversion will under no circumstances be transferred / sublet to any other agency, department or person without prior approval of the Central Government has been furnished by the user agency.
9	The layout plan of the proposal shall not be changed without the prior approval of the Central Government.	The user agency has furnished an undertaking by stating that the layout plan of the proposal will not be changed without the prior approval of the Central Government.
10	The User Agency shall provide fire wood preferably alternate fuel to labourers working at the site to avoid damage/tree felling.	The user agency has furnished an undertaking to this effect.
11	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.	The user agency has furnished an undertaking by stating that the 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 TANTRANSCO to ensure that the labourers & staff engaged in execution of work do not destruct nearby forest flora & fauna, is separately enclosed.
12	The User Agency shall obtain prior approval of Hon'ble SC of India /	The user agency has reported that, TANTRANSCO has obtained

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	CEC for felling of 116 spontaneous trees and trees shall be felled under the strict supervision of DFO concerned.	approval of Hon'ble Supreme Court of India on 14.10.2022 under Item No. 4 for felling of 116 spontaneous trees by filling an IA at Honourable Supreme Court of India on 18.07.2022 vide 1. A No. 98083 / 2022 & LA No-II0001 / 2022 in Writ Petition (C) No.202/1995 for felling of spontaneous trees and the trees will be felled under the strict supervision of District Forest Officer concerned and Judgement copy furnished.
13	The State Forest Department shall ensure to implement proper wildlife mitigation measures as per the field requirement at the cost of the User Agency.	<p>The user agency has furnished an undertaking by stating that the TANTRANSCO will deposit as soon as the amount approved by The Principle Chief Conservator of Forests and Chief Wildlife Warden, Chennai for implementing Wildlife Mitigation Measures.</p> <p>The Principal Chief Conservator of Forest and Chief Wildlife Warden, Chennai has approved wildlife mitigation measures in Ref. No. WL5/4868/2024, dated 26.03.2024 for Rs. 12.75 lakhs and the user agency has deposited the amount in CAMPA account by generation challan in parivesh portal</p>

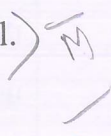
Condition No.	Conditions stipulated by Government of India	Compliance of condition/ reply
		on 28.03.2024 and the credit was confirmed in the Parivesh Portal.
14	<p>The forest area proposed for diversion is a RF area which was already leased out to Tamil Nadu Electricity Board prior to 1961 and it was also reported that, project area consists of unutilized and damaged Staff quarters belonging to Tamil Nadu Electricity Board. In this connection, validity of the lease period and extent of the lease granted and its current and actual area of utilization may be informed and renewal of lease required if any under FCA, 1980 shall be ascertained and State Government shall initiate necessary action in this regard.</p>	<p>The Forest land at SF No. 461, Nellithurai Village to an extent of 55.0 Ha including 4.85 Ha land now proposed for diversion was already transferred / leased out to TNEB for "Parali Camp" during establishment of Kundah Power House III Prior to 1961.</p> <p>Out of 55.0 Ha land, the unutilized land to an extent of 0.90 Ha was returned back to Forest Department on 05.08.2014. The balance, land of 54.10 Ha is being used by TNEB and in which the existing 230 KV substation was already functioning and same is now proposed to be improved into 400 KV SS by dismantling the damaged old quarters.</p> <p>As the said land was diverted during 1961 and now under the occupation of TNEB before enactment of Forest Conservation Act 1980, the regularization / renewal of lease is being under process by convening various meeting between The Principle Secretary / Forest Department and</p>

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		<p>The Chairman cum Managing Director / TNEB in co-ordination with the Energy Department under the Chairmanship of the Chief Secretary to Government of Tamil Nadu.</p> <p>Fresh lease agreement for the proposed diversion of 4.85 ha will be made for a period of 20 years from the date of receipt of diversion order.</p>
		<p>The District Forest Officer, Coimbatore Division has reported that, as per G.O Ms No. 2974 Agriculture Department, dated 21.10.1967, an area of 6200 acres of forest land was placed at the disposal of Tamil Nadu Electricity Board for execution of Kundha Electric Scheme III and IV stage both in Nilgiris and Coimbatore Districts. Out of this, an extent of 824.561 acres of forest land made available in Coimbatore Division of Coimbatore District. Based on the above, Pillur dam was constructed for Hydro Electric Project during 1961 to 1967.</p> <p>An extent of 813.864 acres of land is under the use of Tamil Nadu Electricity Board.</p>

392

Condition No.	Conditions stipulated by Government of India	Compliance of condition/ reply
15	As reported, user agency has not paid lease rent which needs to be settled among the Departments as per the procedure laid in the local State Act/ rules / regulation etc.	The user agency has reported that, settlement of pending lease rent for the forest lands transferred to TNEB for execution of Hydro Electric Project prior to enactment of Forest Conservation Act 1980, the proposal for arriving policy decision as per the procedure laid down in the local State Act/ rules/ regulation, is under processing among the Departments under the Chairmanship of the Chief Secretary to Government of Tamil Nadu. The Proposal is now under processing at Energy Department / Government of Tamil Nadu. On receipt of the Government decision the pending lease rent will be settled in accordance with State Government order.
		The District Forest Officer, Coimbatore Division has reported that, demand letter for the lease rent for a period from 01.04.1961 to 31.03.2023 has been sent to the Chief Engineer (Hydro), Tamil Nadu Electricity Board, Chennai vide his office Ref. No. 12177/2000/D2, dated 12.10.2023 and lastly reminded on 26.02.2024 for collection of lease rent. Action is


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		being perused by the Forest Department for collection of pending lease rent from the Tamil Nadu Electricity Board.
16	The total forest area utilized for the project shall not exceed 4.85 ha and the forest area diverted shall not be used for any purpose other than those shown in the diversion proposal.	The user agency has furnished an undertaking by stating that the total forest area utilized for the project will not exceed 4.85 ha and the forest area diverted will not be used for any purpose other than those shown in the diversion proposal.
17	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 transmission line projects.	The user agency has furnished an undertaking by stating that the TANTRANSCO will ensure compliance to provisions of the all acts, rules, Regulations and Guidelines, for the time being in force, as applicable to the project
18	Any other conditions that the Central Government or DDG (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.	The user agency has furnished an undertaking by stating that the any other conditions that the Central Government or DDG (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, will be complied by the TANTRANSCO.
19	In the event of failure to comply with any of the above conditions the User	The user agency has furnished an undertaking by stating that, in the

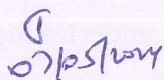
Condition No.	Conditions stipulated by Government of India	Compliance of condition/ reply
	Agency liable is liable for penal action as per the rules / guidelines issued under FCA, 1980.	event of failure to comply with any of the above conditions the TANTRANSCO is liable for penal action as per the rules/guidelines issued under FCA, 1980.
20	The State Government shall process and submit compliance report on the above conditions through online (https://parivesh.nic.in/).	Compliance report has been uploaded in the web portal. 

Further, I wish to state that the compliance report of user agency and District Forest Officer, Coimbatore Division along with documents, undertakings uploaded in the parivesh portal.

I request that the compliance report may kindly be forwarded to the Government of India, MoEF&CC, Regional Office, Chennai for issue of Stage-II final approval early.

Yours faithfully


For Principal Chief Conservator of Forests
(Head of Department)


07/05/24