



भारत सरकार
GOVERNMENT OF INDIA
 पर्यावरण ,वन एवं जलवायु परिवर्तन मंत्रालय
**MINISTRY OF ENVIRONMENT, FORESTS &
 CLIMATE CHANGE**
 क्षेत्रीय कार्यालय/ Regional Office
**1st Floor Additional Office Block for GPOA,
 Shastri Bhawan,
 Haddows Road, Nungambakkam, Chennai -600
 006**



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F.No.4-TNB097/2022-CHN/ 1117
 Date; 03rd September, 2023

To,

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

Subject: Diversion of 0.90 ha of forest land in Pennaiyar RF in Tiruvannamalai Forest Division area for construction of fuse plug pertaining to Thandarampattu Taluk of Tiruvannamalai District for discharge of heavy floods from Sathanur Reservoir in Tiruvannamalai District in favour of Assistant Executive Engineer, PWD, Sathanur Dam, Tiruvannamalai District.- Reg.

Sir,

Please refer to the State Government's letter No.14151/FR.10/2022-1 dated 30.09.2022 & 24.08.2023 and online application No. FP/TN/IRRIG/118339/2021, seeking prior approval of the Central Government for diversion of forest land in accordance with Section '2' of Forest (Conservation) Act, 1980 for the above mentioned project.

After careful consideration of the proposal submitted by the State Government, I am directed to convey the Central Government's in-principle approval (**Stage-I**) under Section '2' of Forest (Conservation) Act, 1980 for diversion of **0.90 ha** of forest land in Pennaiyar RF in Tiruvannamalai Forest Division area for construction of fuse plug pertaining to Thandarampattu Taluk of Tiruvannamalai District for discharge of heavy floods from Sathanur Reservoir in Tiruvannamalai District in favour of Assistant Executive Engineer, PWD, Sathanur Dam, Tiruvannamalai District **for a period of 25 years**, subject to the following conditions:-

- (i) Legal status of the diverted forest land shall 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 the User Agency;

I/54328/2023

- (iii) The State Forest Department shall carry out compensatory afforestation over an extent of **1.80 ha of degraded forest** area in Pinjur C Block RF at the cost of the User Agency;
- (iv) Identified CA area and CA scheme shall not be changed without prior approval of Central Government;
- (v) The State Government shall charge the Net Present Value of the diverted forest land measuring **0.90ha** 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
- (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 the User Agency. The User Agency shall furnish an undertaking to this effect;
- (vii) 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/>);
- (viii) The User Agency shall construct retaining walls and check walls wherever required, by consulting the DFO concerned, at the project cost;
- (ix) **No additional / new path shall be made during execution of the project;**
- (x) **The UA shall obtain prior approval / permission from the Hon'ble SC of India / CEC for felling of spontaneous trees;**
- (xi) **After thorough examination on all aspects, the separate proposal for downstream Channel / pipeline upto reach the nearest or any such point of the original river course shall be submitted under FCA, 1980;**
- (xii) **CAT plan may be insisted, if required as per the field conditions;**
- (xiii) **The State Government shall ensure to obtain approval / permission from the competent authority for increasing of water holding capacity of the dam. The State Government / UA shall strictly comply with the hon'ble court / tribunals orders if any in this regard;**

- (xiv) **By conducting study by the reputed institution, the State Government shall ascertain whether additional forest will be submerged due to increasing height by constructing of proposed fuse plug and shall seek prior approval of the central Government under FCA, 1980 for usage of such additional forest area, if required;**
- (xv) **Details of forest area leased for the dam and its allied activities by the State Government shall be submitted along with the compliance report i.e. extent of forest area leased out and period of lease, actual extent of forest area utilized etc along with the supporting documents;**
- (xvi) The project may involve cuttings and fillings which require engineering support shall be provided as per the instructions of the DFO concerned so as to stabilize the soil;
- (xvii) The dug out material / overburden shall be dumped outside the forest area. Storage of any material shall not be done in the forest area;
- (xviii) The layout plan of the proposal shall not be changed without the prior approval of the Central Government;
- (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;
- (xx) Disturbance shall be kept minimum by creating labour camps outside the forest area as far as possible and it shall 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;
- (xxi) The total forest area utilized for the project shall not exceed **0.90 ha** and the forest area diverted shall not be used for any purpose other than those shown in the diversion proposal. **The User Agency shall furnish an undertaking to this effect;**
- (xxii) 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;
- (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;
- (xxiv) Any other conditions that the Central Government or DDG, RO, Chennai may impose from time to time in the interest of

I/54328/2023

afforestation, conservation and management of flora and fauna in the area, shall be complied by the user agency;

(xxv) In the event of failure to comply with any of the above conditions the user agency is liable for penal action as provisions of rules /guidelines made under FCA, 1980.

(xxvi) The State Government shall process and submit compliance report on the above conditions through online (<https://parivesh.nic.in/>);

After receipt of the compliance report on above mentioned conditions, the proposal will be considered for final approval. This in-principle approval shall be valid for a period of 5 years from the date of issue of this letter. In the event of non-compliance of the above conditions, this in-principle approval shall automatically stand revoked after 5 years.

Yours faithfully,

Signed by Karthikeyan
Karuppiah

Date: 03-10-2023 10:51:03

Reason: Approved

(K.Karthikeyan)

Assistant Inspector General of Forests (Central)

Copy to:-

1. The Principal Chief Conservator of Forests, Govt. of Tamil Nadu, Forest Department, Guindy-Velachery Main Road, Guindy, Chennai - 32
2. The Additional Principal Chief Conservator of Forests/Nodal Officer (FCA), Office of the PCCF&HoFF, Govt. of Tamil Nadu, Forest Dept, Guindy-Velachery Main Road, Guindy, Chennai - 32
3. The IGF, ROHQ, MoEF&CC, New Delhi-110003
4. The AEE PWD, Sathanur Dam, Sathanur, Tiruvannamalai, Tamil Nadu-606070 aeePWDsdam@gmail.com

Sd/-

(K.Karthikeyan)

Assistant Inspector General of Forests (Central)