



भारतसरकार
GOVERNMENT OF INDIA
पर्यावरण ,वनएवंजलवायुपरिवर्तनमंत्रालय
MINISTRY OF ENVIRONMENT, FORESTS & CLIMATE
CHANGE

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F.No. 4-TNB086/2022-CHN/504

Date; 06th May, 2022

To

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

Subject: Diversion of 0.33 ha of forest land in Arambi Reserved Forests for formation of road to combined court complex at Udagamandalam in Nilgiris District in favour of District Court, Udagamandalam, the Nilgiris District-Reg.

Sir,

Please refer to the State Government's letter No.6324/FR10/2022-1 dated 04.05.2022 and online proposal No.FP/TN/ROAD/101799/2020 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 of 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 **0.33 ha** of forest land in Arambi Reserved Forests for formation of road to combined court complex at Udagamandalam in Nilgiris District in favour of District Court, Udagamandalam, the Nilgiris District, **for a period of 20 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;
- (iii) The State Forest Department shall carry out plantation and its maintenance of 10 times the number of trees to be felled under the project in over an extent of **3.07 hectares degraded forest area** in Compt No 872 of Wenlockdowns RF, Udhaigai North Range, at the cost of the User Agency;

- (iv) **Approved CA area and CA scheme shall not be changed without prior approval of GoI;**
- (v) The State Government shall charge the Net Present Value of the diverted forest land measuring **0.33ha** 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;
- (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) **Felling of trees shall be carried out in the diverted forest area under strict supervision of DFO concerned and no such spontaneous trees shall be felled, if any;**
- (ix) The User Agency shall construct retaining walls and check walls wherever required, by consulting the DFO concerned, at the project cost;
- (x) 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;
- (xi) 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;
- (xii) The dug out material / overburden shall be dumped outside the forest area. Storage of any material shall not be done in the forest area;
- (xiii) The layout plan of the proposal shall not be changed without the prior approval of the Central Government;
- (xiv) 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;

- (xv) 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;
- (xvi) The total forest area utilized for the project shall not exceed **0.33ha** 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;
- (xvii) 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;
- (xviii) No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
- (xix) 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;
- (xx) 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;
- (xxi) In the event of failure to comply with any of the above conditions the User Agency is liable for penal action as per the provisions under rules / guidelines issued under FCA, 1980;
- (xxii) 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

Sd/-

(K.Karthikeyan)

Assistant Inspector General of Forests (Central)

Copy to:-

1. The Principal Chief Conservator of Forests, Govt. of Tamil Nadu, Forest Department, No.1, Jeenis Road, Panagal Building, Saidapet, Chennai - 600 015.
2. The Additional Principal Chief Conservator of Forests/Nodal Officer (FCA), Office of the Principal Chief Conservator of Forests, Govt. of Tamil Nadu, Forest Department, No.1, Jeenis Road, Panagal Building, Saidapet, Chennai - 600 015
3. Hon'ble District Court Udthagamandalam, the Nilgiris District, Tamil Nadu, 643001, districtcourtnilgiris@gmail.com
4. Guard file.

Sd/-

(K.Karthikeyan)

Assistant Inspector General of Forests (Central)