



सत्यमेव जयते

भारत सरकार

GOVERNMENT OF INDIA

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय

MINISTRY OF ENVIRONMENT, FORESTS & CLIMATE CHANGE

Regional Office (South Eastern Zone),

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F.No.4-TNB012/2017-CHN/1239

Date 07 August, 2017

To,

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

Subject: Diversion of 0.53 ha of forest land in Pudupattinam Reserved Forests Bit-1 for reconstruction of New Bridge in the stretch of 18/4 Puthur-Puthupattinam Palayar road, in favour of the Divisional Engineer (Highways), Construction and Maintenance, Nagapattinam -reg

Sir,

Please refer to the State Government's letter 2762/FR.10/2017-2 dated 03.07.2017 and online Proposal No FP/TN/ROAD/8584/2014 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 hereby directed to convey Central Government's approval in-principle (*Stage-I*) under Section '2' of Forest (Conservation) Act, 1980 for diversion of 0.53 ha of forest land in Pudupattinam Reserved Forests Bit-1 for reconstruction of New Bridge in the stretch of 18/4 Puthur-Puthupattinam Palayar road, in favour of the Divisional Engineer (Highways), Construction and Maintenance, Nagapattinam, subject to the following conditions:-

- (i) Legal status of the diverted forest land shall remain unchanged.
- (ii) 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 User Agency.
- (iii) The State Government shall charge the Net Present Value of the diverted forest land measuring 0.53 ha (if the an extent of 0.15 ha of forest land included in the 0.53 ha proposed for diversion under subject proposal, then NPV for an extent of 0.38 ha may be collected) 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.

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DESPATCHED (esp).
Date: 07/08/17 RSH


- (iv) 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.
- (v) In part II of the online application, DFO, Nagapattinam Wildlife Division has mentioned that an area of 0.53 ha of forest land in Sirkazhi RF has been identified for compensatory afforestation with the financial outlay of Rs.8,06,946. The CA details like map with DGPS co-ordinates, CA scheme etc shall be furnished and to be uploaded in web portal.
- (vi) State Government shall carry out Penal Compensatory Afforestation (PCA) in degraded forest area in equivalent extent of area in violation of FCA, 1980 at the cost of the user agency.
- (vii) Details of the degraded forest land to be identified for the Penal Compensatory Afforestation (PCA) i.e. Map with DGPS co-ordinates, CA scheme etc shall be furnished.
- (viii) The funds received from the User Agency towards Compensatory Afforestation and Net Present Value under this project shall be deposited in the respective bank account of the Tamil Nadu State CAMPA. **The User Agency shall compulsorily deposit the CA and other levies only by generating challan through the Ministry's website.**
- (ix) No tree shall be felled in the proposed forest land for diversion.
- (x) The muck generated in the earth cutting if any, will be disposed off at designated dumping sites and in no case the muck/debris will be disposed off in the Forest areas.
- (xi) The User Agency shall raise avenue plantations on both sides of the proposed road.
- (xii) State Government shall carry out mangrove plantation in nearby forest area at the cost of the user agency.
- (xiii) The Forestland proposed for diversion shall under no circumstances be transferred or subleased to any other agency, department or person without prior approval of the Central Government.
- (xiv) The layout plan of the proposal shall not be changed without the prior approval of the Central Government.

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- (xv) The User Agency shall obtain the Environment Clearance as per the Environment (Protection) Act 1986, if required.
- (xvi) Minimal disturbance should be ensured by creating labour camps outside the forest area as far as possible and it will be the responsibility of the UA to ensure that the labourers & staff engaged in execution of work do not destruct nearby forest flora & fauna.
- (xvii) The total forest area utilized for the project shall not exceed **0.53** ha and the sanctuary area diverted shall not be used for any purpose other than those shown in the diversion proposal.
- (xviii) 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.
- (xix) Any other condition 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.
- (xx) The Progress of the Compensatory Afforestation under the jurisdiction of DFO, Nagapattinam Wildlife Division shall be monitored by the Circle Head and a copy of such monitoring report shall be forwarded to the Regional Office.
- (xxi) In the event of failure to comply with any of the above conditions the user agency is liable for penal action as decided by the Additional PCCF (Central), Regional Office, Chennai.

After receipt of the compliance report on above mentioned conditions, the proposal will be considered for final approval. Transfer of forest land to User Agency shall not be effected prior to the issue of final approval. This in-principle approval shall be valid for a period of 5 years. In the event of noncompliance of the above conditions, this in-principle approval shall automatically stand revoked after 5 years.

Yours faithfully,


(D.Sathiyam)

Conservator of Forests (Central)


Copy to:-

1. The Director General of Forests & Special Secretary to Govt. of India, Ministry of Environment, Forests & Climate Change, Indira Paryavaran Bhavan, Jor Bagh Road, Aliganj, New Delhi - 110 003.

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2. The Principal Chief Conservator of Forests, Govt. of Tamil Nadu, Forest Department, No.1, Jeenis Road, Panagal Building, Saidapet, Chennai - 600 015.
3. 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.
4. The Director, RO(HQ) Division, Ministry of Environment, Forests & Climate Change, Indira Paryavaran Bhavan, Jor Bagh Road, Aliganj, New Delhi - 110 003.
5. The Divisional Engineer (Highways), Construction and Maintenance, Nagapattinam, Tamil Nadu.
6. Guard file.

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(D.Sathiyar)
Conservator of Forests (Central)