



सत्यमेव जयते

भारतसरकार
GOVERNMENT OF INDIA
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
MINISTRY OF ENVIRONMENT, FORESTS & CLIMATE
CHANGE



Integrated Regional Office,
1st & 2nd floor, HEPC Building, No.34, Cathedral Garden
Road, Nungambakkam, Chennai - 600034, Tel. 044-
28222041,

e-mail: ro.moefccc@gov.in / roefccc@gmail.com

F.No.4-TNB072/2021-CHN / 522
Date 10th June, 2021

To

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

Subject: Diversion of 3.439 ha of forest land in Necknamalai Reserved Forests of Tirupathur Forest Division for formation of road from Muniranvattam to Necknamalai to a length of 5.525 km in Tirupathur District in favour of BDO, Alangayam Union, Vaniyambadi Taluk, Vellore District- Reg

Sir,

Please refer to the State Government's letter Nos. 15941/FR.10/2020-4 dated 26.02.2021 and online application No. FP/TN/ROAD/47745/2020 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 3.439 ha of forest land in Necknamalai Reserved Forests of Tirupathur Forest Division for formation of road from Muniranvattam to Necknamalai to a length of 5.525 km in Tirupathur District in favour of BDO, Alangayam Union, Vaniyambadi Taluk, Vellore District, for a period of 30 years, subject to the following conditions:-

1. The legal status of forest land shall remain unchanged;
2. 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;

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3. The State Forest Department shall carryout Compensatory Afforestation (CA) and its maintenance in identified non forest area to an extent of 7.00 ha of land in Sy.No. 416/1 in Vinnamangalam Village of Ambur Taluk in Tirupathur District at the cost of the User Agency;
4. Identified CA land shall not be changed without the prior approval of the Central Government. The fencing component may be included in the CA scheme to ensure successful plantation. Revised CA scheme including fencing component may be submitted along with the compliance report;
5. To identify 7.00 ha of non forest area for CA purpose out of 51.83 ha (**patch of non forest area earmarked for the compensatory afforestation under various FC proposals**), project wise CA area may be demarcated suitably in the field;
6. **As reported, the identified CA area are in two patches, however, the User Agency uploaded only one patch of the CA area, hence the kml file of the another patch of the CA area may be uploaded in the online application and confirmation on updation may be reported along with the compliance report;**
7. Non-forest land identified for the compensatory afforestation purpose shall be mutated in favour of the State Forest Department, 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 Section(s) of the local Forest Act before issuing of Stage II approval and a copy of the such original notification shall be submitted to this office for information and record;
8. The State Government shall charge the Net Present Value of the diverted forest land measuring **3.439 ha** from 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;
9. Additional amount of 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;

10. 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/>);
11. DFO reported that the proposed forest area for diversion is hilly in nature with gentle slope of 15to 20 degree and the area is moderately vulnerable for erosion. Hence, suitable mitigation measures shall be carried out to arrest / prevention of soil erosion at the cost of the user agency;
12. The User Agency shall obtain prior approval of Hon'ble Supreme Court of India for felling of trees of spontaneous origin. The State Government shall not accord working permission without prior approval of Hon'ble Supreme Court of India and shall comply with other conditions as stipulated by the MoEF&CC to accord working permission;
13. The APCCF, Vellore Circle reported that due to proposed road in the forest area will cause permanent disturbance to the movement of wild animals and fragmentation of forests and increases man animal conflicts. Considering the above facts, suitable wildlife mitigation plan may be prepared to ensure easy passage of wild animals and to prevent man animal conflicts with ensuring safety of the wildlife with the consent of Chief Wildlife Warden of the State. The cost towards implementation of wildlife mitigation plan shall be realized from the User Agency;
14. The construction of culverts/bridges, if any, over the natural streams/rivers/canals should 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;
15. 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;
16. Roadside cuttings and fillings which require engineering support shall be provided as per the instructions of the DFO so as to stabilize the soil;

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17. The State Forest Department shall translocate the trees, wherever feasible instead of felling, at the cost of User Agency;
18. The layout plan of the proposal shall not be changed without prior approval of the Central Government;
19. No labour camp shall be established on the forest land; 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;
20. Sufficient firewood, preferably the alternate fuel, shall be provided by the User Agency to the labourers after purchasing the same from the State Forest Department or the Forest Development Corporation or any other legal source of alternate fuel.
21. No additional or new path will be constructed inside the forest area for the transportation of construction materials for execution of the project work;
22. The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>);
23. The User Agency and the State Government shall ensure compliance to provisions of the all Acts, Rules, Regulation and Guidelines of the Ministry, for the time being in force, as applicable to the road projects
24. 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;
25. The total forest area utilized for the project shall not exceed **3.439 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;
26. 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;

27. In the event of failure to comply with any of the above conditions the User Agency is liable for penal action provision made under FCA, 1980 and guidelines made there under.

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 may be revoked as per rules.

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. BDO Alangayam, Block Development Office, Vellore, Tamil Nadu, 635701, velagym.tnbdo@nic.in
4. Guard file.

Sd/-

(K.Karthikeyan)

Assistant Inspector General of Forests (Central)

Signature Not Verified

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Digitally signed by
KARTHIKEYAN K
Date: 2021.06.10 14:54:00 IST

