



भारत सरकार

GOVERNMENT OF INDIA

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय

MINISTRY OF ENVIRONMENT, FORESTS & CLIMATE CHANGE

Regional Office (South Eastern Zone),

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-TNB014/2017-CHN/1962

Date 14th December, 2018

To

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

Subject: Diversion of 3.64 ha of forest land in Madukkarai Village of Coimbatore Forest Division for expansion of burial ground of Madukkarai Village of Coimbatore Corporation, Coimbatore-reg

Sir,

Please refer to the State Government's letter No.9444/FR.10/2017-2 dated 14.07.2017 and online application No. FP/TN/Others/20886/2016 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 3.64 ha of forest land in Madukkarai Village of Coimbatore Forest Division for expansion of burial ground of Madukkarai Village of Coimbatore Corporation, Coimbatore in favour of Commissioner, City Municipal Corporation, Coimbatore, for a period of 20 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 by the User Agency in consultation with the DFO concerned at the project cost before the Stage II approval and diverted forest area shall also be fenced / walled at the cost of the User Agency;
3. The State Forest Department shall carryout Compensatory Afforestation (CA) over 7.28 ha of non-forest in S.F.No.499/3 in Thenkarai Village of Perur Taluk in Coimbatore District at the cost of the User Agency. Minimum of 1000 plants / ha of diverted area shall be planted in the identified CA land. In case, the required

1

olc

L. She

DESPATCHED (By)
Date 14/12/18 PSL

numbers could not be planted therein, the balance shall be planted in the nearby RF/PF by the State Forest Department at the cost of the User Agency;

4. The non-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 as recommended by the REC;
5. Entire non-forest land over an extent of **7.28 ha** identified for compensatory afforestation shall be transferred and mutated in favour of the State Forest Department before issue of the Stage-II clearance;
6. Non-forest land which needs to be transferred and mutated in favour of the State Forest Department for the purpose of compensatory afforestation 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. The Nodal Officer must report compliance within a period of 6 months from the date of grant of final approval and send a copy of the original notification declaring the non-forest land under Section 4 or Section 29 of the Indian Forest Act, 1927, or under the relevant section of the local Forest Act as the case may be, to this office for information and record;
7. The State Government shall charge the Net Present Value of the diverted forest land measuring **3.64 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;
8. 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. User Agency shall furnish an undertaking to this effect;
9. The funds received from the User Agency towards Compensatory Afforestation, Net Present Value and any money received in compliance of the conditions stipulated by the Central Government under this project shall compulsorily be deposited in to the "**State Compensatory Afforestation Fund of Tamil Nadu State**" only;
10. 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;

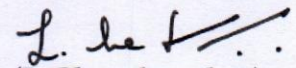
L. J. S.

ole

11. The layout plan of the proposal shall not be changed without the prior approval of the Central Government. User Agency shall furnish an undertaking to this effect;
12. The User Agency shall provide fire wood preferably alternate fuel to labourers working at the site to avoid damage/tree felling;
13. 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;
14. No tree felling shall be carried out in the diverted forest area;
15. The total forest area utilized for the project shall not exceed **3.64 ha** and the forest area diverted shall not be used for any purpose other than those shown in the diversion proposal. User Agency shall furnish an undertaking to this effect;
16. The Progress of the Compensatory Afforestation under the jurisdiction of Coimbatore Forest Division shall be monitored by the respective Circle Head and a copy of such monitoring report shall be forwarded to the Regional Office;
17. Any other conditions 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;
18. 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. 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,


(L.Chandrasekar)

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.

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 Commissioner, City Municipal Corporation, Bigbazar Street town hall, Coimbatore-641001.
6. Guard file.

L. Chandrasekar

(L.Chandrasekar)

Conservator of Forests (Central)

ole