



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

एकीकृतक्षेत्रीय कार्यालय/Integrated Regional Office  
Additional Office Block for GPOA, 1<sup>st</sup> Floor, Shastri  
Bhawan, Haddows Road, Nungambakkam, Chennai-  
600 006;

Ph: 044-28222041; Fax:28252536;

E-mail: [ro.moefccc@gov.in](mailto:ro.moefccc@gov.in)



F.No.4-TNB075/2021-CHN/  
Date; 17<sup>th</sup> August 2022

869

To

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

**Subject: Diversion of 1.68 ha of forest land for upgradation by formation of black top road from the foot hills of L. Malaiyur to L. Malaiyur Village in favour of Project Director, DRDA, Dindigul District- Reg**

Madam,

Please refer to the State Government's letter Nos.17215/FR.10/2020-5 dated 19.08.2021 and 17215/FR.10/2020-8 dated 06.04.2022 online proposal No. FP/TN/ROAD/28608/2017 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 **1.68 ha** of forest land for upgradation by formation of black top road from the foot hills of L. Malaiyur to L. Malaiyur Village in favour of Project Director, DRDA, Dindigul District, **for a period of twenty 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 carryout compensatory afforestation over an extent of **3.36 ha** in SF No1154/2 of Sendurai Village of Natham Taluk, at the cost of the User Agency;

**File No.4-TNB075/2021-CHN**

- (iv) The identified non forest area for CA purpose and CA scheme shall not be changed without prior approval of the Central Government. The CA land shall be demarcated properly;
- (v) Entire non-forest land identified over an extent of **3.36 ha** in SF No1154/2 of Sendurai Village of Natham Taluk for raising compensatory afforestation shall be transferred and mutated in favour of the State Forest Department and shall be notified as RF/ PF before issue of the Stage-II clearance. Copy of such notification shall be submitted along with the compliance report;
- (vi) The State Government shall charge the Net Present Value of the diverted forest land measuring **1.68ha** 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 22.03.2022;
- (vii) 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;
- (viii) 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/>);
- (ix) The State Forest Department shall carry out wildlife mitigation measures as proposed with financial outlay of Rs. 63,66,500/- at the cost of the User Agency. Detailed report on implementation of such mitigation plan shall be submitted to the IRO Chennai for record and monitoring purpose;
- (x) As proposed by the CCF Dindigul Circle, the UA shall ensure that all patta land boundaries of the inhabitants are demarcated in the field physically before the commencement of the project to avoid encroachments and other illegal land issues in future;
- (xi) The trees of spontaneous origin shall be felled as per the orders of CEC/ Hon'ble Supreme Court of India;
- (xii) As per the Hon'ble Supreme Court of India / CEC directions, the State Government shall take necessary steps to comply with the following;

a. The Right of Way of 6 feet wide provided in the Reserved Forest Notification may be modified so as to replace it with the new black topped road proposed to be constructed and a corresponding notification issued under the Tamil Nadu Forest Act;

b. The extract of the Hon'ble SC of India is as follows;

*Additional PCCF, Regional office of MoEF&CC at Chennai in coordination with the Forest Department of State of Tamil Nadu will monitor the implementation of the compensatory planting of trees.*

*"Let six monthly reports be submitted to the CEC with respect to plantation and its rate of survival and growth of newly planted trees. The first report be submitted within six months ' Thereafter, in every six months, it has to be submitted to the CEC for a period of five Years".*

In view of the above direction, the State Forest Department shall include CA activities under the subject project in the upcoming CAMPA APO and shall ensure timely and effective implementation of CA scheme. The State Government shall submit progress of the CA implementation and detailed report on activities carried out etc every month to the IRO Chennai for examination and monitoring purpose;

- (xiii) The User Agency shall construct retaining walls and check walls wherever required, by consulting the DFO concerned, at the project cost;
- (xiv) 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;
- (xv) 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;
- (xvi) The dug out material / overburden shall be dumped outside the forest area. Storage of any material shall not be done in the forest area;
- (xvii) The layout plan of the proposal shall not be changed without the prior approval of the Central Government;
- (xviii) 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;



**File No.4-TNB075/2021-CHN**

- (xix) 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;
- (xx) The total forest area utilized for the project shall not exceed **1.68ha** 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;
- (xxi) 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;
- (xxii) No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
- (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 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;
- (xxv) 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.
- (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,

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. The IGF, RO(HQ) Division, Ministry of Environment, Forests & Climate Change, Indira Paryavaran Bhavan, Jor Bagh Road, Aliganj, New Delhi - 110 003
4. Project Director, District Rural Development Agency (DRDA), Dindigul District, Tamil Nadu-624004 [drda.tndgl@gmail.com](mailto:drda.tndgl@gmail.com)
5. Guard file

Sd/-

(K.Karthikeyan)

Assistant Inspector General of Forests (Central)