



सत्यमेव जयते

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-TNB019/2018-CHN/0559

Date 18th April, 2018

To,

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

Subject: Diversion of 4.80 ha of forest land for upgradation of the road from Erumapalayam Panangadu to Jarugumalai Village in Jarugumalai RF of Salem Forest Division by BDO, Panamarathupatti, Salem-reg.

Sir,

Please refer to the State Government's letter No.3160/FR.10/2018-1 dated 26.02.2018 and online proposal No. FP/TN/ROAD/21074/2016 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 4.80 ha of forest land for up-gradation of the road from Erumapalayam Panangadu to Jarugumalai Village in Jarugumalai RF of Salem Forest Division in favour of BDO, Panamarathupatti, Salem for a period of 25 years, 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 Compensatory Afforestation (CA) shall be raised and maintained by the State Forest Department over 9.6 ha of non forest land identified in Sy No 72/1 of Kuruchi Village in Valapady, Salem District/Taluk at the cost of the user agency. At least 1000 plants /ha shall be planted in the non-forest land identified for compensatory afforestation and in case, if the required numbers could not be planted therein, the balance shall be planted in the nearby degraded forest land identified by the State Forest Department at the cost of the user agency;

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DESPATCHED (By SP)
Date 18/04/18

- (iv) Non-forest land identified for compensatory afforestation shall be transferred and mutated in favour of the State Forest Department before issue of the Stage-II clearance;
- (v) 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 State Forest Act. The Nodal Officer must report compliance within a period of six months from the date of grant of final approval and send a copy of the original notification to this office for information and record;
- (vi) Identified CA land and approved CA scheme shall not be changed without the prior approval of the Central Government;
- (vii) The State Government shall charge the Net Present Value of the diverted forest land measuring 4.80 ha 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;
- (viii) 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. User Agency shall furnish an undertaking to this effect;
- (ix) The funds received from the User Agency towards Compensatory Afforestation and Net Present Value under this project shall be deposited in the **Corporation bank account of the Tamil Nadu State CAMPA. The User Agency shall compulsorily deposit the NPV and other levies only by generating challan through the Ministry's website;**
- (x) The layout plan of the proposal shall not be changed without the prior approval of the Central Government;
- (xi) Disturbance shall be kept minimum 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;
- (xii) The UA shall construct retaining walls and check walls wherever required by consulting the DFO concerned, at the project cost;

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- (xiii) The 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;
- (xiv) Bushes standing in the diverted area shall be felled / cleared strictly as per requirement with prior permission of the Divisional Forest Officer concerned and no tree felling shall be carried out in the diverted forest area;
- (xv) The user agency shall arrange to raise avenue plantation all along the roadside at the project cost with maintenance of 7-10 years;
- (xvi) 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;
- (xvii) The dug out material / overburden shall be dumped outside the forest area. No storage of any material shall be done in the forest area proposed;
- (xviii) The total forest area utilized for the project shall not exceed **4.80 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;
- (xix) 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;
- (xx) 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;
- (xxi) 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;
- (xxii) The Progress of the Compensatory Afforestation as mentioned by the DFO, Salem Forest Division in Sl No 14 of part II i.e 424.29 ha of forest land and 68.06 ha of non forest land shall be monitored by the Circle Head and a copy

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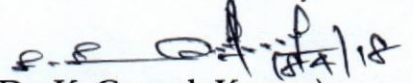


of such monitoring report shall be forwarded to the Regional Office to upload the same in the web portal;

- (xxiii) 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,


(Dr. K. Ganesh Kumar)

Deputy 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 Block Development Officer, Panamarathupatty, Salem District, Tamil Nadu-636204.
6. Guard File.


(Dr. K. Ganesh Kumar)

Deputy Conservator of Forests (Central)

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