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



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F.No.4-TNC099/2022-CHN / 1382

Date; 21st December, 2022

To,

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

Subject: Diversion of 14.029 ha of forest land in Tiruvallur Forest Division for construction of six lane highways from Chittoor to Thatchur road (NH 716 B) lies in 3.4186 ha of area in Thirumalairajupettai Reserved Forests and 10.6103 ha of forest area in Nediyaam RFs of Tiruvallur District in favour of the Project Director, National Highways Authority of India, PIU-Kancheepuram, Chennai. - Reg.

Madam,

Please refer to the State Government's letter Nos.17849/FR.10/2022-2 dated 18.11.2022 and online proposal No.FP/TN/ROAD/53276/2020, 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 and with the recommendation of the 58th Regional Empowered Committee (REC) meeting held on 19.12.2022, I am hereby directed to convey the Central Government's approval **(Stage-I)** under Section '2' of Forest (Conservation) Act, 1980 for diversion of **14.029 ha** of forest land in Tiruvallur Forest Division for construction of six lane highways from Chittoor to Thatchur road (NH 716 B) lies in 3.4186 ha of area in Thirumalairajupettai Reserved Forests and 10.6103 ha of forest area in Nediyaam RFs of Tiruvallur District in favour of the Project Director, National Highways Authority of India, PIU-Kancheepuram, Chennai, **for a period of 25 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;

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- (iii) The State Forest Department shall carry out compensatory afforestation over an extent of **28 ha of DFL area i.e. 10.45 ha in Mylarwada RF, 7.12 ha in Konasamuthiram Extension Reserved Forest and 10.488 ha area in Konasamuthiram Reserved Forest**, at the cost of the User Agency;
- (iv) Identified CA area and CA scheme shall not be changed without prior approval of Central Government;
- (v) The State Government shall charge the Net Present Value of the diverted forest land measuring **14.029 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 and Ministry's guideline No. 5-3/2011-FC(Vol-I) dated 06.01.2022 and clarification issued vide letter dated 19.01.2022 and 22.03.2022
- (vi) 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;
- (vii) 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/>) ;
- (viii) **Wildlife conservation plan may be prepared by the DFO concerned which includes measures like providing of required numbers of culverts / underpasses, fencing on either side of the road alignment, solar powered bore wells to ensure to provide water to the wild animals etc and such plan shall be implemented by the User Agency / State Forest Department at the cost of the project. Copy of the Wildlife Conservation Plan may be submitted to this office along with the compliance report for record purpose;**
- (ix) **Provision of addition one year for removal of grass in 28.00 ha of DFL area identified for CA purpose as against proposed four years may be made in the CA scheme, if required and the State Forest Department shall ensure successful plantation in the identified DFL area;**
- (x) **The State Forest Department shall ensure at least 15% of trees of fruit bearing species to be raised in the DFL area identified for CA purpose;**

- (xi) **The User Agency shall obtain prior approval of CEC / Hon'ble Supreme Court of India approval for felling of trees of spontaneous origin;**
- (xii) **The User Agency / the State Forest Department shall raise and maintain avenue plantation and its maintenance on both sides of the road, at the cost of the project;**
- (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;
- (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 **14.029 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;**
- (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;

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- (xxii) 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;
- (xxiii) 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;
- (xxiv) In the event of failure to comply with any of the above conditions the User Agency is liable for penal action as per the rules / guidelines issued under FCA, 1980;
- (xxv) 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.

This approval is issued with the condition that, the State Government shall ensure prior approval of CEC/ Hon'ble Supreme Court of India for felling of trees of spontaneous origin and shall also ensure compliance for other conditions, as the case may be, before issuing of Working Permission and the User Agency shall abide by the procedure to be followed to do so.

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, Guindy Velachery Main Road, Guindy, Chennai - 32
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, Guindy Velachery Main Road, Guindy, Chennai - 32

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3. The IGF, RO(HQ) Division, Ministry of Environment, Forests & Climate Change, Indira Paryavaran Bhavan, Jor Bagh Road, Aliganj, New Delhi -3
4. Project Director, National Highways Authority of India, Sri Towers 3rd Floor, DP 34 SP Industrial Estate, Guindy, Chennai-600032
kancheepurampiu@gmail.com
5. Guard File.

Sd/-
(K.Karthikeyan)
Assistant Inspector General of Forests (Central)