



मत्स्यमेव जयते

भारतसरकार
GOVERNMENT OF INDIA
 पर्यावरण ,वनएवंजलवायुपरिवर्तनमंत्रालय
**MINISTRY OF ENVIRONMENT, FORESTS &
 CLIMATE CHANGE**
 एकीकृतक्षेत्रीय कार्यालय/**Integrated Regional Office**
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F.No.4-TNB096/2022-CHN/ **H63**
 Date **19th** April, 2023

To

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

Subject: Diversion of 4.00 ha (revised from 5.00 ha) of forest land in Pallipatti RF, Thombakal RF and Thombakal Extension RF of Dharmapuri Forest Division for formation of approach road from Vachathi to Kalasapadi Road via Arasanatham and Poigundanvalasu tribal habitations of Sitherei Panchayat in Pappireddipatti Taluk in Dharmapuri District to a length of 5.173 km and to a width of 6.0m in favour of the Block Development Officer, Pappireddipatti Dharmapuri District - Reg

Sir,

Please refer to the State Government's letter No.14963/FR.10/2022-1 dated 30.09.2022, 14963/FR.10/2022-3 dated 16.03.2023 and online application No.FP/TN/ ROAD/ 147758/2021 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 **4.00 ha (revised from 5.00 ha)** of forest land in Pallipatti RF, Thombakal RF and Thombakal Extension RF of Dharmapuri Forest Division for formation of approach road from Vachathi to Kalasapadi Road via Arasanatham and Poigundanvalasu tribal habitations of Sitherei Panchayat in Pappireddipatti Taluk in Dharmapuri District to a length of 5.173 km and to a width of 6.0 m in favour of the Block Development Officer, Pappireddipatti Dharmapuri District, **for a period of 20 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 implement necessary programme for improvement of existing tree growth and other management / SMC activities over an extent of **8.00 ha of non forest area in Sy No 692/7 Sy No 18 Kammampatti Village**, at the cost of the User Agency;
- (iv) The State Government shall carryout Compensatory afforestation and its maintenance for a period of 10 years over an extent of **8.00 Ha of degraded forest** area identified in **Dharmapuri Range of Thoppur Reserved Forest**, at the cost of the User Agency;
- (v) **Identified CA area and CA scheme shall not be changed without prior approval of Central Government;**
- (vi) The entire non-forest land proposed for CA over an extent of 8.00 ha in **Sy No 692/7 Sy No 18 Kammampatti Village** shall be transferred and mutated in the name of Forest Department and notified as RF/PF prior to Stage-II approval. 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 State Forest Act, shall be submitted by the State Government along with the compliance report;
- (vii) The State Government shall charge the Net Present Value of the diverted forest land measuring **4.00 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
- (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 the User Agency. The User Agency shall furnish an undertaking to this effect;
- (ix) 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/>) ;

- (x) Trees of spontaneous origin shall not be felled;**
- (xi)** As the wildlife presence in this locality is more of small animals such as wild boar, monitor lizard, hares, deer and reptiles etc, the User Agency shall provide culverts and other structures as per the requirement in consultation with the DFO concerned at appropriate places to ensure safe movement of wild animals;
- (xii)** The User Agency shall provide speed breakers at appropriate places in the forest area in consultation with the DFO concerned;
- (xiii)** The User Agency may restrict the speed limit of the vehicles to 40 kmph or as appropriate in the forest area to avoid wild animal hits and display board regarding shall be erected at appropriate intervals in the entire stretch of the road in the forest area to sensitize the commuters;
- (xiv)** Necessary mitigation measures shall be implemented at the cost of the project;
- (xv) As the TANGEDCO, with the Sanction Order No.626IS/05/14-15. dated. 25-03-2015 constructed the transmission line in the forest area without prior approval from the competent authority under FCA, 1980, the said works shall be considered as Violation under FCA, 1980. Hence, the State Government shall not consider the forest area utilized by the TANGEDCO as diverted and the State Government shall take necessary action as per the provision made in the hand book Para 1.21 (i) (a & b); in this regard, the State Government shall submit detailed report on actual extent of forest area utilized, action initiated by the State Forest Department on officials of the TANGEDCO for violation and action taken on the forest department officials for not preventing such violation in the forest area;**
- (xvi)** The User Agency shall construct retaining walls and check walls wherever required, by consulting the DFO concerned, at the project cost;
- (xvii)** The User Agency shall carryout avenue plantation and its maintenance on sides of the road at the cost of the project;
- (xviii)** 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;

- (xix) 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;
- (xx) The dug out material / overburden shall be dumped outside the forest area. Storage of any material shall not be done in the forest area;
- (xxi) The layout plan of the proposal shall not be changed without the prior approval of the Central Government;
- (xxii) 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;
- (xxiii) 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;
- (xxiv) The total forest area utilized for the project shall not exceed **4.00 ha (BT portion shall be restricted to 3.75 mtrs)** 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;
- (xxv) 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;
- (xxvi) 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;
- (xxvii) 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;

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(xxviii) 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;

(xxix) 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, 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
3. IGF, ROHQ, MoEF&CC, New Delhi -110003 for information please
4. Block Development Officer, Pappireddipatti Dharmapuri District, Tamil Nadu, 636905 balajiue@gmail.com
5. Guard File.

**Sd/-----
(K.Karthikeyan)**

Assistant Inspector General of Forests (Central)