



सत्यमेव जयते

भारतसरकार

भारत सरकार

GOVERNMENT OF INDIA

पर्यावरण, वन, एवं जलवायु परिवर्तन मंत्रालय

MINISTRY OF ENVIRONMENT, FORESTS & CLIMATE CHANGE

क्षेत्रीय कार्यालय / Regional Office, Chennai

1st Floor Additional Office Block for GPOA, Shastri Bhawan,
Haddows Road, Nungambakkam, Chennai -600 006.

email: ro.moefccc@gov.in



F.No.4-TNB092/2022-CHN/1676

Date: 23rd October, 2024

To,

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

Subject: Diversion of 0.82 ha of forest land for initial rectification including widening, strengthening and improvements and performance based maintenance contract for a period of 60 months in State Highways and major district roads-Widening of Thiruverumbur-grand Anaicut road-in favour of the Assistant Divisional Engineer, Highways Construction & Maintenance, Thiruvaiyaru- Reg.

Sir,

Please refer to the State Government's letter Nos. 9283/FR.10/2022-1 dated 17.08.2022 and online proposal No.FP/TN/ROAD/149622/2021, seeking prior approval of the Central Government for diversion of forest land in accordance with Section 2 (1) (ii) of Van (Sanrakshan Evam Samvardhan) Adhinyam, 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(1)(ii) of Van (Sanrakshan Evam Samvardhan) Adhinyam, 1980, for diversion of **0.82 ha** of forest land for initial rectification including widening, strengthening and improvements and performance based maintenance contract for a period of 60 months in State Highways and major district roads-Widening of Thiruverumbur-grand Anaicut

road-in favour of the Assistant Divisional Engineer, Highways Construction & Maintenance, Thiruvaiyaru, 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 Government shall charge the Net Present Value of the diverted forest land measuring **0.82ha** 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;
- (iv) 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;
- (v) 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/>);
- (vi) The State Forest Department shall carry out compensatory afforestation over an extent of **1.64 ha of DFL area identified in Nagavally Reserve Forests as per Compensatory Afforestation Scheme including maintenance for a period of 10 years**, at the cost of the User Agency;
- (vii) Identified CA area and CA scheme shall not be changed without prior approval of Central Government;
- (viii) Concurrence of the Regional Office, Chennai in compliance with the judgment pronounced by the Hon'ble Supreme Court of India in its order dated 16.01.2023 in IA No. 168320/2022 and 168313/2022 in Writ Petition(s) (Civil) Nos202/1995 between T.N.Godavarman Thirumulpad & Union of India, is hereby conveyed for felling of 120 numbers of trees of spontaneous origin subject to the strict adherence of local Act and Rules in force and procedure to be followed for felling and disposal of such trees.
- (ix) Even though 120 trees marked for felling, the User Agency shall restrict the felling of trees to minimum number in the diverted forest land and the trees

shall be felled under the strict supervision of the State Forest Department and the cost of felling of trees shall be deposited by the User Agency with the State Forest Department;

- (x) 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;
- (xi) The dug out material / overburden shall be dumped outside the forest area. Storage of any material shall not be done in the forest area;
- (xii) The layout plan of the proposal shall not be changed without the prior approval of the Central Government;
- (xiii) 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) 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;
- (xv) 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;
- (xvi) The total forest area utilized for the project shall not exceed **0.82ha** 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;**
- (xvii) 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;
- (xviii) 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;
- (xix) Working permission for the linear projects if any shall be granted only after ensuring compliance of all the stipulated conditions as per the Act, Rules and Guidelines in force.

- (xx) Any other conditions that the Central Government or DDGF (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;
- (xxi) The conditions required to be adhered under the Forests Right Act, 2006 as per the rules/guidelines issued under Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 shall be strictly complied with;
- (xxii) Non compliance / violation of any of these conditions will amounts to violation under Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and action would be taken as prescribed under the Act, Rules and Guidelines relevant;
- (xxiii) 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 the fulfilment of the conditions mentioned above, the proposal shall be considered for final approval under Section 2(1) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980. Transfer of forest land shall not be effected till final approval is granted by the Government in this regard.

Further, it may also be noted that this in-principle approval shall be valid for a period of 2 years from the date of issue of this letter. In the event of non-compliance of the above conditions within 2 years, the in-principle approval shall be deemed to be null and void.

Yours faithfully,

Signed by Karthikeyan
Karupiah

Date: 23-10-2024 07:59:49

(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 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. The IGF, RO(HQ) Division, Ministry of Environment, Forests & Climate Change, Indira Paryavaran Bhavan, Jor Bagh Road, Aliganj, New Delhi -3.
4. Joint Chief Executive Officer, National CAMPA, Indira Paryavaran Bhawan, Jor Bagh Road, Aliganj, New Delhi-3.

5. Assistant Divisional Engineer Highways Construction and Maintenance Thiruvaiyaru, Office of the Assistant Divisional Engineer, Highways Department Construction and Maintenance, Bungalow Street, Thiruvaiyaru, Thanjavur- 613204 (ramprabhu7997@gmail.com).
6. Guard File.

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