

I/40228/2023



सत्यमेव जयते

भारतसरकार
GOVERNMENT OF INDIA
 पर्यावरण ,वनएवंजलवायुपरिवर्तनमंत्रालय
**MINISTRY OF ENVIRONMENT, FORESTS &
 CLIMATE CHANGE**
 एकीकृतक्षेत्रीय कार्यालय/**Integrated Regional Office**
Additional Office Block for GPOA, 1st Floor,
ShastriBhawan, Haddows Road,
Nungambakkam, Chennai-600 006;
Ph: 044-28222041; Fax:28252536;
E-mail: ro.moefccc@gov.in



F.No.4-TNB091/CHN-2022/ 388
 Date; 28th March, 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 1.28 ha (revised from 1.593 ha) of forest land for the formation of Madurai Ring Road for Routes and Coastal Roads to improve the efficiency of freight movement in the State of Tamil Nadu in favour of Project, Director, National Highways Authority of India, Madurai - Reg

Madam,

Please refer to the State Government's letter No.4379/FR.10/2021-8 dated 05.08.2022 and 4379/FR.10/2021-11 dated 16.03.2023 online application No.FP/TN/ ROAD/32148/2018 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 submitted by the State Government and considering the importance of the project, 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 1.28 ha (revised from 1.593 ha) of forest land for the formation of Madurai Ring Road for Routes and Coastal Roads to improve the efficiency of freight movement in the State of Tamil Nadu in favour of Project, Director, National Highways Authority of India, Madurai, 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;

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- (iii) The State Forest Department shall carry out compensatory afforestation over an extent of **2.56 ha** of Degraded Forest Land identified in Waguthumalai, Madurai, 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 **1.28 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) The User Agency shall construct retaining walls and check walls wherever required, by consulting the DFO concerned, at the project cost;
- (ix) The User Agency shall carryout avenue plantation and its maintenance on sides of the road at the cost of the project;
- (x) Tree shall be felled wherever necessary under the strict supervision of DFO Concerned. Tree of spontaneous growth shall not be felled without prior permission from the competent authority;
- (xi) **The UA shall construct animal over pass/ under pass along with other structures as per the requirement in the field to ensure easy movement of the wild animals and shall strictly implement all other measures proposed in the Wildlife mitigation plan, at the project cost;**

- (xii) 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;
- (xiii) 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;
- (xiv) The dug out material / overburden shall be dumped outside the forest area. Storage of any material shall not be done in the forest area;
- (xv) The layout plan of the proposal shall not be changed without the prior approval of the Central Government;
- (xvi) 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;
- (xvii) 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;
- (xviii) The total forest area utilized for the project shall not exceed **1.28 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;
- (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) 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;
- (xxi) 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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(xxii) 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;

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. National Highways Authority of India, **307, Melur Main Road, KK Nagar, Madurai Tamil Nadu-625020**
mukeshassociatestamilnadu@gmail.com
5. Guard File.

Sd/-
(K.Karthikeyan)

Assistant Inspector General of Forests (Central)