

Letter No.11932/FR.10/2022-2, dated:27.02.2024

From
Tmt.Supriya Sahu, IAS.,
Additional Chief Secretary to Government.

To
✓ The Assistant Inspector General of Forests (Central),
Government of India,
Ministry of Environment, Forests and Climate Change,
Regional Office,
Additional Office Block for GPOA, 1st Floor,
Shastri Bhawan, Haddows Road,
Nungambakkam, Chennai-600 006. (w.e).

Sir,

Sub: Forest - Van (Sanrakshan Evam Samvardhan) Adhiniyam,
1980 – Diversion of 0.678 ha of forest land for upgradation
of Mahaniyam to Padappai road km 0/188-1/200 lies in
Mahaniyam Reserved Forest to a length of 1012m in
Kancheepuram Forest Division in Kancheepuram District in
favour of the Divisional Engineer, Highways, Nabard and
Rural Roads, Chengalpattu District - State Government's
in-principle approval (Stage-I) - Compliance Report –
Furnishing of - Regarding.

Ref: 1. From the Principal Chief Conservator of Forests, letter
No.TS3/39351/2021, dated 01.07.2022.
2. Government letter No.11932/FR.10/2022-1, dated
10.08.2022.
3. From the Principal Chief Conservator of Forests, letter
No.TS3/39351/2021, dated 19.01.2024.

=====

I am directed to invite your attention to the Government letter second cited, wherein the State Government have accorded in-principle approval (Stage-I) under Section 2 of Forest Conservation Act, 1980 for diversion of 0.678 ha of forest land for upgradation of Mahaniyam to Padappai road km 0/188-1/200 lies in Mahaniyam Reserved Forest, to a length of 1012m in Kancheepuram Forest Division in Kancheepuram District, in favour of the Divisional Engineer, Highways, Nabard and Rural Roads, Chengalpattu District, for a period of 20 years, under general approval category as per the provisions of guidelines under Forest (Conservation) Act, 1980, for Critical development initiatives for public, since the proposal comes under construction / widening of roads category, subject to the following conditions:-

- i. The legal status of the diverted forest land remain unchanged.

- ii. The demarcation of the proposed forest land shall be carried out by the User Agency, by erecting 4 feet high cement concrete pillars duly numbered at an interval of 20 meters at their cost.
- iii. The user agency has to pay the cost towards compensatory afforestation scheme over an extent of 1.436 ha of degraded forest area as per the Compensatory Afforestation scheme including maintenance for a period of 10 years.
- iv. The User Agency has to pay the Net Present Value of proposed forest diversion area which will be fixed as per the guidelines of Hon'ble Supreme Court of India / Government of India.
- v. The User Agency has to bear the additional amount of Net Present Value which will be fixed as per the guidelines of Hon'ble Supreme Court of India, as fixed by Forest Department in future.
- vi. Amount of Compensatory Afforestation scheme, Net Present Value of diverted forest area under the project shall be transferred/ deposited to CAMPA fund only through e-portal (<https://parivesh.nic.in/>)
- vii. The user agency has to obtain permission from the Hon'ble Supreme Court of India for felling of 4 numbers of spontaneous tree growth in the forest area proposed for the project.
- viii. The User Agency has to pay the cost towards annual lease rent for the forest area diversion period as fixed by the Forest Department at the time of sanction along with any escalation for the forest land to be diverted of the above project in future for the entire project period.
- ix. The total forest area utilized for the project shall not exceed 0.678 ha with a length of 1012 m and width of 6.70m (3.75m carriage way and 1.475 ha shoulder on either side) in Mahaniyam Reserved Forest.
- x. The forest land proposed to be diverted shall under no circumstances, be transferred to any other agencies/department or person, without prior approval.
- xi. Period of lease will be twenty (20) years. The User Agency has to apply renewal proposal, before one year of expiry of lease with the State Forest Department.

2. The Principal Chief Conservator of Forests (HoFF) in his letter third cited has furnished the compliance report on all the conditions stipulated in the Stage-I approval accorded in the Government letter 2nd cited. Since the authority to process the above said proposal as per the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and Van (Sanrakshan Evam Samvardhan) Rules, 2023 is the Government of India, Ministry of Environment, Forests and Climate Change, Regional Office, Chennai, the Government have decided to forward the compliance report to Government of India, Ministry of Environment Forests and Climate Change, Regional Office, Chennai.

3. I am, therefore to request you to obtain final approval on the subject proposal from the Competent Authority and communicate the same to this Government, early.

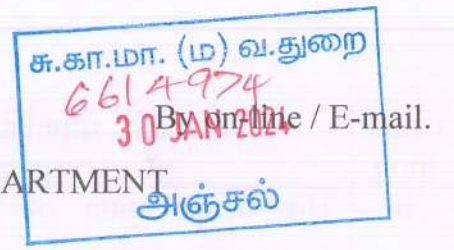
Yours faithfully,

N-B

for Additional Chief Secretary to Government

29/2/2024.

Pre- 11932/FR.10/2022



TAMILNADU FOREST DEPARTMENT

From

Subrat Mohapatra, I.F.S.,
Principal Chief Conservator of Forests
(Head of Forest Force),
Forest Head Quarters Building,
Guindy-Velachery Main Road,
Guindy, Chennai - 600 032.

To

The Additional Chief Secretary to
Government,
Environment, Climate Change and
Forests Department,
Secretariat, Chennai 600 009.

C. No. TS3/39351/2021 Dated: 19.01.2024.

Madam,

Sub: Forest (Conservation) Act, 1980 - Diversion of 0.678 ha of forest land for upgradation of Mahaniyam to Padappai road km 0/188-1/200 lies in Mahaniyam RF to a length of 1012m in Kancheepuram Forest Division in Kancheepuram District in favour of Divisional Engineer, Highways, Rural Roads, Chengalpattu - Stage-I approval accorded - Compliance report furnishing off - Regarding

- Ref: 1 Online application uploaded by the Divisional Engineer, Highways, Rural Roads, Chengalpattu - Proposal No. FP/TN/Road/148552/2021
- 2 Part-II of Form-A uploaded by the District Forest Officer, Chengalpattu Kancheepuram Division on 24.03.2022 and EDS reply dated 15.06.2022
- 3 Principal Chief Conservator of Forests C. No. TS3/39351/2021, dated 01.07.2022.
- 4 Government letter No. 11932/FR.10/2022-1, dated 10.08.2022

I wish to furnish herewith the Compliance report on Stage I in-Principle approval for diversion of 0.678 ha of forest land for upgradation of Mahaniyam to Padappai road km 0/188-1/200 lies in Mahaniyam RF to a length of 1012m in Kancheepuram Forest Division in Kancheepuram District in favour of Divisional Engineer, Highways, Rural Roads, Chengalpattu as follows.

Condition	Conditions stipulated by the Government	Compliance of conditions/ reply
a	The legal status of the diverted forest land remains unchanged.	The legal status of the diverted forest land will not be changed.

Condition	Conditions stipulated by the Government	Compliance of conditions/ reply
b	The demarcation of the proposed forest land shall be carried out by the User Agency by erecting 4 feet high cement concrete pillars duly numbered at an interval of 20 meters at their cost.	The user agency has reported that casting of pillars completed and erected in the site and uploaded some photographs in the web portal.
c	The user agency has to pay the cost towards compensatory afforestation scheme over an extent of 1.436 ha of degraded forest area as per the Compensatory afforestation scheme including maintenance for a period of 10 years.	The user agency has deposited the compensatory afforestation scheme cost of Rs. 28,27,790/- in State CAMPA fund by generating challan in the Ministry web portal on 27.09.2023.
d	The User Agency has to pay the Net Present Value of proposed forests diversion area which will be fixed as per the guidelines of Hon'ble Supreme Court of India /Government of India.	The user agency has deposited the Net Present Value of Rs. 4,54,355/- in State CAMPA fund by generating challan in the Ministry web portal on 27.09.2023.
e	The User Agency has to bear the additional amount of Net Present Value which will be fixed as per the guidelines of Hon'ble Supreme Court of India as fixed by Forest Department in future. The user agency has to furnish undertaking to this effect.	The User Agency has furnished undertaking to this effect.
f	Amount of Compensatory Afforestation scheme, Net Present Value of diverted forest area under the project shall be transferred/ deposited to CAMPA fund only through e-portal (https://parivesh.nic.in/)	The User Agency has transferred the amount of Rs. 32,82, 145/- in the State CAMPA account by generating challan in the MoEF&CC web portal
g	The user agency has to obtain permission from the Hon'ble Supreme	The user agency has obtained permission from the Hon'ble

Condition	Conditions stipulated by the Government	Compliance of conditions/ reply
	Court of India for felling of 4 number of spontaneous tree growth in the forest area proposed for the project.	Supreme Court of India on 11.01.2023 by filing I.A No. 191583/2022.
h	The User Agency has to pay the cost towards annual lease rent for the forest area diversion period as fixed by the Forest Department at the time of sanction along with any escalation for the forest land to be diverted of the above project in future for the entire project period.	The User Agency has furnished undertaking to this effect.
i	The total forest area utilized for the project shall not exceeds 0.678 ha for with a length of 1012 m and to a width of 6.70m (3.75m carriage way and 1.475m shoulder on either side) in Mahaniyam RF.	The User Agency has furnished combined undertaking to this effect.
j	The forest land proposed to be diverted shall under any circumstances be transferred to any other agencies/ department or person without prior approval of State Government.	The User Agency has furnished a combined undertaking to this effect. The same is enclosed.
k	Period of lease can be twenty (20) years. The User Agency has to apply renewal proposal before one year of expiry of lease with the State Forest Department.	The User Agency has furnished combined undertaking to this effect.

Compliance report furnished by the User agency along with connected undertakings/ documents and report of District Forest Officer, Chengalpattu Division are enclosed herewith.

I request that, Stage - II final approval of Government may be issued for the diversion of 0.678 ha of forest land for upgradation of Mahaniyam to Padappai road

118
km 0/188-1/200 lies in Mahaniyam RF to a length of 1012m in Kancheepuram Forest Division in Kancheepuram District in favour of Divisional Engineer, Highways, Rural Roads, Chengalpattu for a period of 20 years.

Encl.: As stated above.

Yours faithfully

S. Alayasu
For Principal Chief Conservator of Forests
(Head of Forest Force)

G
18/12/24



GOVERNMENT OF TAMILNADU

OFFICE OF THE DIVISIONAL ENGINEER

HIGHWAYS DEPARTMENT

CHENGALPATTU

COMPLIANCE REPORT

NAME OF WORK: UPGRADATION OF MAHANYAM PADAPAI ROAD KM 0/0 - 1/200.

PROPOSAL NO: FP/ TN/ ROAD/148552/ 2021

CATEGORY OF PROPOSAL : ROAD.

DATE OF SUBMISSION : 25-10-2023.

AREA APPLIED : 0.678Ha

ANNEXURE
HIGHWAYS DEPARTMENT
DIVISIONAL ENGINEER (H) N&RR, CHENGALPATTU

Proposal No. FP/ TN/ ROAD/148552/ 2021

Proposal for Diversion of 0.678 Ha Forest land in Mahanyam Reserved Forest of Kancheepuram Forest Division Upgradation of Mahanyam Padapai Road Km 0/0 - 1/200 (ODR – Km 0/0 to Km 1/200) connecting Mahanyam village in Kancheepuram District.

S. No.	Condition by Ministry of Environment Forests & Climate Change, Forwarded by District Forest Officer, Kancheepuram Division.	Compliance report by the Divisional Engineer, Highways, NABARD & Rural Roads, Chengalpattu, Government of Tamil Nadu.
i.)	The legal status of the diverted forest land remains unchanged.	Remains Unchanged.
ii.)	The demarcation of the proposed forest land shall be carried out by the User Agency, by erecting 4 feet high cement concrete pillars duly numbered at an interval of 20 meters at their cost.	Casting of pillars are completed and erected in the site as mentioned in Stage -I approval.
iii.)	The user agency has to pay the cost towards compensatory afforestation scheme over an extent of 1.436 ha of degraded forest area as per the Compensatory Afforestation scheme including maintenance for a period of 10 years.	Compensatory afforestation scheme with maintenance of plantation an amount of Rs.28,27,790/-deposited in State CAMPA. Reference Number: 5202309277456068.
iv.)	The User Agency has to pay the Net Present Value of proposed forest diversion area which will be fixed as per the guidelines of Hon'ble Supreme Court of India/Government of India.	Net Present Value an amount of Rs.4,54,355/- deposited in State CAMPA. Reference Number: 5202309277456068.

v.)	The User Agency has to bear the additional amount of Net Present Value which will be fixed as per the guidelines of Hon'ble Supreme Court of India as fixed by Forest Department in future.	Undertaking enclosed herewith.
vi.)	Amount of Compensatory Afforestation scheme. Net Present Value of diverted forest area under the project shall be transferred/ deposited to CAMPA fund only through e-portal (https://parivesh.nic.in).	Amount of Compensatory Afforestation Scheme (Rs.28,27,790/) Net Present Value (Rs.4,54,355/-) of forest area under the project deposited to State CAMPA fund. Reference Number: 5202309277456068
vii.)	The user agency has to obtain permission from the Hon'ble Supreme Court of India for felling of 4 numbers of spontaneous tree growth in the forest area proposed for the project.	Permission Obtained. (Supreme court order enclosed) Amount of Rs.1,660/- Furnished as Demand Draft in favor of District Forest officer, Kancheepuram. (SBI DD No. 533984 Date:10-10-2023)
viii.)	The User Agency has to pay the cost towards annual lease rent for the forest area diversion period as filed by the Forest Department at the time of sanction along with any escalation for the forest land to be diverted of the above project in future for the entire project period.	Undertaking enclosed herewith.
ix.)	The total forest area utilized for the project shall not exceed 0.678 ha with a width of 1012 m and width of 6.70m (3.75m carriage way and 1.475 ha shoulder on either side) in Mahaniyam RF.	Total Forest Area will not exceed 0.678 ha. Undertaking enclosed herewith.
x.)	The forest land proposed to be diverted shall under any circumstances be transferred to any other agencies/department or person, without prior approval.	Will be followed. Undertaking enclosed herewith.

xi.)	Period of lease will be twenty (20) years. The User Agency has to apply renewal proposal, before one year of expiry of lease with the State Forest Department.	Will be followed and undertaking enclosed herewith.
------	--	---

25/10/23
Assistant Divisional Engineer (H)
NABARD & Rural Roads
Kancheepuram

25/10/23
Divisional Engineer (H),
NABARD & Rural Roads,
Chengalpattu.

25/10/23

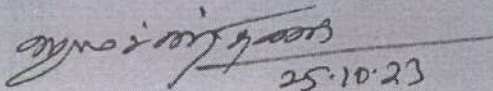
UNDERTAKING

Proposal No. FP/ TN/ ROAD/148552/ 2021

Chengalpattu N&RR Division, Department of Highways, Government of Tamilnadu, Undertakes to pay the additional amount of Net Present Value which will be fixed as per the guidelines of Hon'ble Supreme Court of India as fixed by the Forest Department in future for the forest land to be diverted for Upgradation of Mahanyam Padapai Road Km 0/188 - 1/200 =1012m in Mahanyam Resesve Forest land.

25/10/23
Assistant Divisional Engineer (H)
NABARD & Rural Roads
Kancheepuram

Name


: V. Ramachandran.,

Designation

: Divisional Engineer(H),
N&RR, Chengalpattu

Address

: No. B-75 Alagesan Nagar,
Chengalpattu -603001,
Chengalpattu District.

Office Stamp

:



Date: 25-10-2023.

Place: Chengalpattu

UNDERTAKING

Proposal No. FP/ TN/ ROAD/148552/ 2021

Chengalpattu N&RR Division, Department of Highways, Government of Tamilnadu, Undertakes to pay the cost towards lease rent as fixed by the Forest Department at the time of Sanction along with any escalation for the forest land be diverted for Upgradation of Mahanyam Padapai Road Km 0/188 - 1/200 =1012m in Mahanyam Resesve Forest land.

Assistant Divisional Engineer (H)
NABARD & Rural Roads
Kancheepuram

Name

V. Ramachandran.,

Designation

: Divisional Engineer(H),
N&RR, Chengalpattu

Address

: No. B-75 Alagesan Nagar,
Chengalpattu -603001,
Chengalpattu District.

Office Stamp



Date: 25-10-2023.

Place: Chengalpattu



125

UNDERTAKING

Proposal No. FP/ TN/ ROAD/148552/ 2021

Chengalpattu N&RR Division, Department of Highways, Government of Tamilnadu, Undertakes that the forest land proposed to be diverted for Upgradation of Mahanyam Padapai Road Km 0/188 - 1/200 =1012m in Mahanyam Resesve Forest, under no circumstances be transferred to any other agencies/department or person without prior approval of State Government.

25/10/23
Assistant Divisional Engineer (H)
NABARD & Rural Roads
Kancheepuram

Name

V. Ramachandran.
: V. Ramachandran.,

Designation

: Divisional Engineer(H),
N&RR, Chengalpattu

Address

: No. B-75 Alagesan Nagar,
Chengalpattu -603001,
Chengalpattu District.

Office Stamp



Date: 25-10-2023.

Place: Chengalpattu

CERTIFICATE

Proposal No. FP/ TN/ ROAD/148552/ 2021

Chengalpattu N&RR Division, Department of Highways, Government of Tamilnadu, Certifies that the total forest area utilized for the project will not exceed 0.678ha comprising to a length of 1012m and width of 6.70m after completion of Upgradation of Mahanyam Padapai Road Km 0/188 - 1/200 =1012m in Mahanyam Resesve Forest.

25/10/23
Assistant Divisional Engineer (H) Name
NABARD & Rural Roads
Kancheepuram

25-10-23
: V. Ramachandran.,

Designation : Divisional Engineer(H),
N&RR, Chengalpattu

Address : No. B-75 Alagesan Nagar,
Chengalpattu -603001,
Chengalpattu District.

Office Stamp :



Date: 25-10-2023.

Place: Chengalpattu

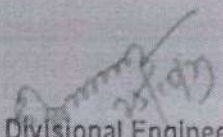


121

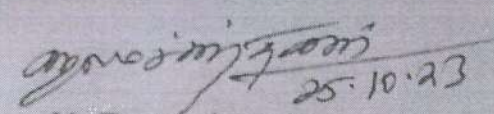
UNDERTAKING

Proposal No. FP/ TN/ ROAD/148552/ 2021

Chengalpattu N&RR Division, Department of Highways, Government of Tamilnadu, Undertakes the period of lease for twenty (20) years and to apply renewal proposal before one year of expiry of lease with the State Forest Department for Upgradation of Mahanyam Padapai Road Km 0/188 - 1/200 =1012m in Mahanyam Resesve Forest.


Assistant Divisional Engineer (H)
NABARD & Rural Roads
Kancheepuram

Name


: V. Ramachandran.,

Designation

: Divisional Engineer(H),
N&RR, Chengalpattu

Address

: No. B-75 Alagesan Nagar,
Chengalpattu -603001,
Chengalpattu District.

Office Stamp

:



Date: 25-10-2023.

Place: Chengalpattu

UNDERTAKING

Proposal No. FP/ TN/ ROAD/148552/ 2021

Chengalpattu N&RR Division, Department of Highways, Government of Tamilnadu, Undertakes that the Speed regulating signage boards will be erected along the road at regular intervals after completion of Upgradation of Mahanyam Padapai Road Km 0/188 - 1/200 =1012m in Mahanyam Resesve Forest.

Assistant Divisional Engineer (H)
NABARD & Rural Roads
Kancheepuram

Name

: V. Ramachandran.,

Designation

: Divisional Engineer(H),
N&RR, Chengalpattu

Address

: No. B-75 Alagesan Nagar,
Chengalpattu -603001,
Chengalpattu District.

Office Stamp



Date: 25-10-2023.

Place: Chengalpattu

UNDERTAKING**Proposal No. FP/ TN/ ROAD/148552/ 2021**

Chengalpattu N&RR Division, Department of Highways, Government of Tamilnadu, Undertakes that Violation of any of these conditions action may be taken under violations of Forest (Conservation) Act, 1980 as per rules in force, for the work of Upgradation of Mahanyam Padapai Road Km 0/188 - 1/200 = 1012m in Mahanyam Resesve Forest in Kancheepuram Forest Division, Kancheepuram District, Tamilnadu.

[Signature]
 Assistant Divisional Engineer (H)
 NABARD & Rural Roads
 Kancheepuram

Name

[Signature]
 25.10.23
 : V. Ramachandran.,

Designation

: Divisional Engineer(H),
 N&RR, Chengalpattu

Address

: No. B-75 Alagesan Nagar,
 Chengalpattu -603001,
 Chengalpattu District.

Office Stamp

:



Date:

Place: Chengalpattu

CERTIFICATE**Proposal No. FP/ TN/ ROAD/148552/ 2021**

This is Certify that no work in Violation of the forest (Conservation) Act 1980 has been carried out for the work of Upgradation of Mahanyam Padapai Road Km 0/188 - 1/200 =1012m in Mahanyam Resesve Forest in Kancheepuram Forest Division, Kancheepuram District, Tamilnadu.

Assistant Divisional Engineer (H)
NABARD & Rural Roads
Kancheepuram

Name

: V. Ramachandran.,

Designation

: Divisional Engineer(H),
N&RR, Chengalpattu

Address

: No. B-75 Alagesan Nagar,
Chengalpattu -603001,
Chengalpattu District.

Office Stamp

:

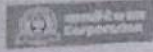


Date: 25-10-2023.

Place: Chengalpattu

AGENCY COPY

यूनियन बैंक Union Bank

आंध्र
Andhra

NEFT / RTGS CHALLAN for CAMPA Funds

Date : 05-01-2023

Agency Name.	DE H RR CHENGALPET
Application No.	61148552944
MoEF/SG File No.	11932/FR 10/2022-1
Location.	TAMILNADU
Address.	B-75, ALAESAN NAGAR, CHENGALPATTUChengalpattu
Amount(in Rs)	3282145/-

Amount in Words Thirty-Two Lakh Eighty-Two Thousand One Hundred and Forty-Five Rupees Only

NEFT/RTGS to be made as per following details;

Beneficiary Name:	TAMILNADU CAMPA
IFSC Code:	UBIN0996335
Pay to Account No.	1508761148552944 Valid only for this challan amount.
Bank Name & Address:	Union Bank Of India FCS Centre, 21/1, III Floor, Jelitta Towers, Mission Road, Bengaluru-560027

- This Challan is strictly to be used for making payment to CAMPA by NEFT/RTGS only

Note: After making the required payment through challan even after 7 working days, then kindly mail a copy of your id to Email: fcsblr@unionbankofindia.bank, epurse@unionbankofindia.bank

Signature
27.9.23
DIVISIONAL ENGINEER (H)
NABARD & RURAL ROADS
CHENGALPATTU

यूनियन बैंक / STATE BANK OF INDIA	
चैंगलपट्ट शाखा / (00824)	
Chingleput Branch (00824)	
27 SEP 2023	
USER NAME	S NIVETHITHA
PF No	7549881

2027 790
454 355
3282145

135-

HIGHWAYS DEPARTMENT

From

Er. V. Ramachandran, B.Tech.,
Divisional Engineer (H),
NABARD & Rural Roads,
Chengalpattu.

To

The Branch Manager,
State Bank of India,
Chengalpattu Branch,
Chengalpattu

Letter No. 155 / 2023 / JDO - 1/Forest/Dated 27.09.2023.

Sir,

Sub: Highways Department - Chengalpattu (H) NABARD and Rural
Roads Division - Forest Department permission - payment to State
CAMPA account through RTGS - requested - Reg.

I wish to inform that this office has a SB account in your branch bearing
Account No. 11006351576.

In this connection, I have to state that the following amount has to be
transferred to State CAMPA account belongs to Forest Department.


Sl. No.	Bank & Branch	State CAMPA Account No.	Amount
1	Union Bank of India, Bengaluru.	1508761148726062	Rs.22,58,198/-
2			Rs.32,82,145/-
Total			Rs.55,40,343/-


I enclose herewith the RTGS Challan and remittance challan for further
course of action.

I request that an amount of Rs.55,40,343/- (Rupees fifty five lakh forty
thousand three hundred and forty three only) may please be transferred to the
above account through RTGS.

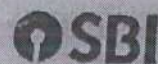
Further, I have to inform that this is made for Government bonafied
transactions only. Hence, commission or service charges if any for this
transactions may please be waived.

Encl: As above.


27-9-23
DIVISIONAL ENGINEER (H)
NABARD & RURAL ROADS
CHENGALPATTU



137-



भारतीय स्टेट बैंक
STATE BANK OF INDIA

27.09 - 2023

DEBIT

को नाम कर

रुपये / Rupees thirty two lakh eighty two thousand one hundred and forty five only

₹ 32,82,145/-

[Signature]
27.9.23
DIVISIONAL ENGINEER (H)
NABARD & RURAL ROADS
CHENGALPATTU

शाखा प्रबंधक
Branch Manager

BRANCH MANAGER'S SIGNATURE



HIGHWAYS DEPARTMENT

139

From
Thiru V Ramachandran, B.Tech.,
Divisional Engineer, (H)
NABARD and Rural Roads,
Chengalpattu.

To
The District Forest Officer,
District Forest Office,
Kancheepuram District,
Kancheepuram.

Letter No. 753 / 2022 / JDO.1 / dated - 16.10.2023

Sir,

Sub:- Highways Department-Chengalpattu (H) NABARD and Rural Roads Division-" Upgradation of Mahanyam Padappai road Km.0/0-1/200"-Towards the Cost of Expected Yield of 8 No of Trees to be felled - Compensatory afforestation scheme and Net Present value of 0.678 ha. of Forest area - Demand Draft - Sent Regarding.

Ref:- District Forest Officer, (FAC) Chengalpattu Division, Kancheepuram, Lr No C.D/4423/21/Dated 18.10.2022

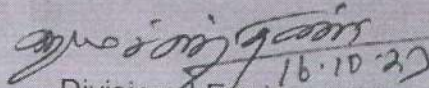
-<<<>>>-

With reference to the above, I send herewith the following Demand Draft towards the Yield of 8 No of Trees to be felled for the work of Upgradation of Mahanyam Padappai road Km 0/0-1/200"

Demand Draft No.533984/Dated: 10.10.2023 for Rs.1,660/-(Rupees One Thousand six hundred and sixty only) SBI, Chengalpattu branch.

I request that the receipt of the above Demand Draft may please be acknowledged and Official stamped receipt may please be issued to this office.

Encl:- Demand Draft No. 533984/
Dated: 10.10.2023 for Rs.1,660/-


16.10.23
Divisional Engineer (H)
NABARD & Rural Roads,
Chengalpattu. F/c

Copy submitted to the

1) Chief Engineer (H)NABARD and Rural Roads, Chennai
for favour of kind information.

2) Superintending Engineer(H)NABARD and Rural Roads,
Chengalpattu for favour of kind information.

Copy to the Assistant Divisional Engineer (H) NABARD & Rural Roads,
Kancheepuram for followup action.

demand draft sent dfo kpm-forest mahanyam paddappai 10-2023

141

TAMIL NADU FOREST DEPARTMENT

From

Thiru.Ravi Meena, IFS.,
District Forest Officer,
Chengalpattu Division,
No.5/9, Varadharaja Farm,
Vandavasi Road,
Kancheepuram- 631 501.

To

✓
The Principal Chief Conservator
of Forests,
(Head of Forest Force)
Chennai -32.
(Through
The Chief Conservator of Forests,
Chennai Circle,
Chennai -6)

C.No.4423/2021/D/ Dt.08.12.2023

Sir/Madam,

Sub : FORESTS – Kancheepuram District – Chengalpattu Division –
Proposal for diversion of 0.678 ha of Forest land in Mahaniyam
RF for upgradation of Mahaniyam to Padappai road km 0/188-
1/200 in Mahaniyam RF in Kancheepuram District – Stage-I
approval accorded – Compliance report submitting - Regarding.

- Ref : 1. Online application uploaded by the User Agency – The
Divisional Engineer, Highways Department, NABARD &
Rural Roads, Chengalpattu, Kancheepuram District
Proposal No.FP/TN/Road/148552/2021.
2. Government of Tamil Nadu, Environment, Climate Change
and Forest (FR.10) Department, Secretariat Chennai. Letter
No. 11932/FR.10/2022-1 Dt.10.08.2022
3. Principal Chief Conservator of Forests, (Head of
Department) Ref.No.TS3/39351/21 Dt.27.11.2023.
4. The Divisional Engineer, Highways Department,
NABARD & Rural Roads, Chengalpattu. Letter
No.81/2023/JDO -1/ Dt.29.11.2023.
-

With reference to the above, I submit that online proposal
furnished by the Divisional Engineer, Highways Department NABARD &
Rural Roads, Chengalpattu for diversion of 0.678 Ha of forest land in
Mahaniyam Reserved Forest of Chengalpattu Forest Division for upgradation
of Mahaniyam to Padappai road in Chengalpattu District was considered and
Stage I approval has been accorded vide reference 2th cited.

In the Principal Chief Conservator of Forests, Chennai
3rd cited a compliance report is called for. Based on the compliance report
furnished by the user agency vide reference 4th cited, a compliance report is
furnished as follows.

Sl. No.	Condition stipulated by Tamil Nadu, Environment, Climate Change and Forest Department vide reference 2 nd cited.	Compliance report
i)	The legal status of forest land shall remain unchanged.	Remains unchanged. Assurance given by the User Agency.
ii)	The demarcation of the proposed forest area shall be carried out by User agency, by erecting 4 feet high cement concrete pillars duly numbered at an interval of 20 meters at their cost.	User Agency has informed that erection of pillars completed and erected in the site.
iii)	The User agency has to pay the cost towards compensatory afforestation scheme over an extent of 1.436 ha of degraded forest area as per the compensatory Afforestation scheme including maintenance for a period of 10 years.	The user agency has paid an amount of Rs.28,27,790/- on 27.09.2023 by generating online challan in the PARIVESH portal to State CAMPA. Copy enclosed.
iv)	The user agency has to pay the amount of Net Present Value which will be fixed as per the guidelines of Hon'ble Supreme Court of India/Government of India.	The user agency has paid an amount of Rs.4,54,355/- on 27.09.2023 by generating online challan in the PARIVESH portal to State CAMPA. Copy enclosed.
v)	The user agency has to bear the additional amount of Net Present Value which will be fixed as per the guidelines of Hon'ble Supreme Court of India as fixed by Forest Department in future.	User Agency has submitted an undertaking. Copy enclosed.
vi)	Amount of Compensatory Afforestation Scheme. Net Present Value of forest area under the project shall be transferred/deposited to CAMPA fund only through e-portal (https://parivesh.nic.in/)	User Agency has reported that the amount of Compensatory Afforestation Scheme, Net Present Value of forest area under the project were deposited to State CAMPA fund. Copy enclosed. Ref No.5202309277456068.

vii)	The User Agency has to obtain permission from the Hon'ble Supreme Court of India for felling of 4 numbers of spontaneous tree growth in the forest area proposed for the project.	User Agency has submitted an Supreme court order And the felling of trees during the execution of the project. Now, the user agency paid an amount of Rs.1660/- vide State Bank of India, Kancheepuram. DD No.533984 Dt.10.10.2023 towards the cost of felling of trees. Copy enclosed.
viii)	The User agency has to pay the cost towards annual lease rent for the forest area diversion period as fixed by the Forest Department at the time of sanction along with any escalation for the forest land to be diverted of the above project in future for the entire project period.	User Agency has submitted an undertaking. Copy enclosed.
ix)	The total forest area utilized for the project shall not exceed 0.678 ha with a width of 1012 m and width 6.70m (3.75m carriage way and 1.475 ha shoulder on either side) in Mahaniyam RF.	User Agency has submitted an undertaking. Copy enclosed.
x)	The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies/department or person without prior approval.	User Agency has submitted an undertaking. Copy enclosed.
xi)	Period of lease can be twenty (20) years. The User Agency has to apply renewal proposal before one year of expiry of lease with the State Forest Department.	User Agency has agreed to followed submitted an undertaking. Copy enclosed.

Encl: As stated above.

Yours faithfully,
Sd/-Ravi Meena,
District Forest Officer,
Chengalpattu Division,
Kancheepuram.

/t.c.b.o./

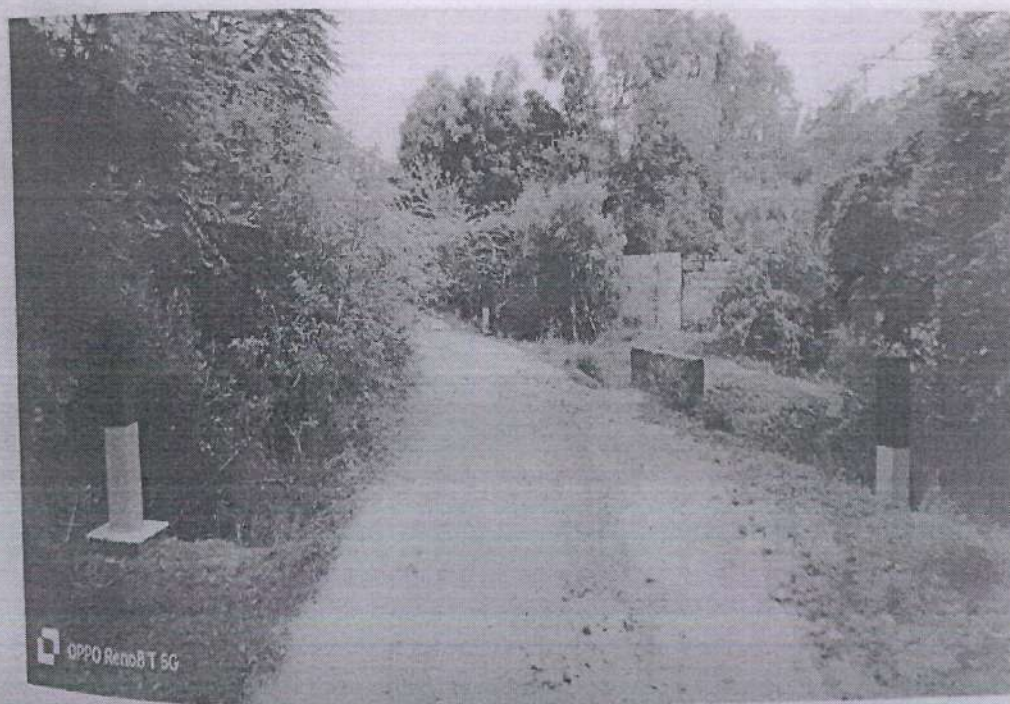
Superintendent

8/12/23

145



Mahanyam - Padapai road Km 0/0 - 1/2.



Mahanyam - Padapai road Km 0/0 - 1/2.

Mahanyam - Padapai road Km 0/0 - 1/2.



Mahanyam - Padapai road Km 0/0 - 1/2.



147-



Mahanyam - Padapai road Km 0/0 - 1/2.



Mahanyam - Padapai road Km 0/0 - 1/2.



Mahanyam - Padapai road Km 0/0 - 1/2.



Mahanyam - Padapai road Km 0/0 - 1/2.

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

Writ Petition(s)(Civil) No(s). 202/1995

IN RE : T.N. GODAVARMAN THIRUMULPAD

Petitioner(s)

VERSUS

UNION OF INDIA AND ORS. & ORS.

Respondent(s)

(

[1] I. A. No. 191635/2022

[CEC REPORT NO. 31/2022 - REPORT OF CEC IN APPLN. NO. 1559/2022
FILED BEFORE IT BY MINISTRY OF FINANCE]

IN RE : MINISTRY OF FINANCE

AND

[2] I. A. NO. 132209 OF 2018

[CEC REPORT NO. 35 OF 2018 - REPORT OF CEC IN APPLN. NO. 1424/2018
FILED BEFORE IT BY MINISTRY OF DEFENCE]

IN RE : MINISTRY OF DEFENCE

AND

[3] I.A. Nos. 168320/2022 AND 168313/2022

[Applications for Impleadment AND directions
on b/o NHAI, Puducherry]

AND

[4] I.A. No. 191583/2022

[Application for directions on b/o Divisional Engineer, Highways,
NABARD AND Rural Roads, Chengalpattu, Tamil Nadu]

AND

[5] I.A. No. 186910/2022

[CEC Report 30/2022 - REPORT OF CEC IN APPLN. NO. 1557/2022
FILED BEFORE IT BY GAURAV KR. BANSAL]

IN RE : GAURAV KR. BANSAL

AND

I.A. NOS. 96105 AND 96106/2021

IN

[6] SLP(C) No. 25047/2018

AND

[7] I. A. NO. 125751 OF 2022 [APPLICATION FOR DIRECTIONS]

IN RE : ODISHA MINING CORPORATION LTD.

AND

[8] I. A. NOS. 137520 AND 137524 OF 2021

[APPLICATIONS FOR IMPLEADMENT AND DIRECTIONS]

IN RE : NATIONAL CAPITAL REGION TRANSPORT CORPORATION LTD. (NCRTC)

Signature Not Verified
Digitally signed by
Narendra Prasad
Date: 2024.01.19
16:36:29
Reason: I.D

[9] (i) I. A. NO. 87648 OF 2020

[APPLICATION FOR DIRECTIONS ON BEHALF OF STATE OF H.P.]

WITH

(ii) I. A. NO. 132892 OF 2022

[APPLICATION FOR DIRECTIONS ON BEHALF OF STATE OF H.P.]

IN

I. A. NO. 3840 (Disposed of)

[APPLICATION FOR PERMISSION FOR CARRYING OUT SILVICULTURAL FELLING OF TREES]

AND

(iii) I. A. NO. 132905 OF 2022

[APPLICATION FOR DIRECTIONS ON BEHALF OF STATE OF H.P.]

IN RE : SILVICULTURE FELLING OF TREES IN THE STATE OF HIMACHAL PRADESH

AND

[10] I. A. NOS. 131377 AND 147102 OF 2022

[APPLICATIONS FOR MODIFICATION OF COURT'S ORDER DT. 03.06.2022 AND PERMISSION TO FILE APPLICATION FOR MODIFICATION]

IN RE : MINISTRY OF ENVIRONMENT, FORESTS AND CLIMATE CHANGE (MoEFCC)

WITH

I. A. NO. 160201 OF 2022

[APPLICATION FOR MODIFICATION OF COURT'S ORDER DT. 03.06.2022]

IN RE : INDIAN RAILWAYS THROUGH RVNL

WITH

I.A. No. 205092/2022

[Application for modification of court's order dt. 03.06.2022 on b/o State of Karnataka]

WITH

I.A. 162283 and 162284 of 2022 in I. A. D. No. 125746/2022

[Appeal under order XV rule 5 against impugned order dated 19.09.2022 and condonation of delay in filing the same]

AND

[11] I. A. NOS. 118236 AND 129623 OF 2020

[APPLICATIONS FOR IMPLEADMENT AND DIRECTIONS]

IN RE : M/O AGRICULTURE AND FARMERS WELFARE

WITH

I.A. NO. 179389/2018

[APPLICATION FOR MODIFICATION OF COURT'S ORDER DATED 07.05.2002 IN I. A. NO. 502]

AND

I.A. NO. 69399/2021

[APPLICATION FOR PERMISSION TO FILE ADDITIONAL AFFIDAVIT]

AND

I.A. NO. 144539/2021

[APPLICATION FOR INTERVENTION IN I.A. NO. 179389/2018]

IN RE : U.T. OF ANDAMAN AND NICOBAR ADMINISTRATION

[12] WRIT PETITION (C) NO. 633 OF 2022

151

WITH
I.A. NO. 108146/2022 IN W.P.(C) NO. 202/1995
[Application for directions on b/o Magan Devi Meena]

AND

[13] I. A. NOS. 90862 AND 90864 OF 2021
[APPLICATIONS FOR DIRECTIONS AND EXEMPTION FROM FILING O.T.]

IN RE : Jaipur Silica Supply Co., Rajasthan

AND

[14] I. A. NOS. 2825 AND 2827 OF 2010
[APPLICATIONS FOR INTERVENTION AND DIRECTIONS]

IN RE : JEEVAN LAL PATEL

[15] CONTEMPT PETITION (CIVIL) NO. 941 OF 2021
AND

[16] CONTEMPT PETITION (CIVIL) NO. 319 OF 2021
AND

[17] CONTEMPT PETITION (CIVIL) NO. 302 OF 2020

AND

[18] I. A. NO. 5891 OF 2019 [APPLICATION FOR DIRECTIONS]

IN RE : COMPENSATORY AFFORESTATION MANAGEMENT AND PLANNING
AUTHORITY (CAMPA) FUNDS

WITH

IN RE : STATUS OF FUNDS

AND

[19] [i] IN RE : JANMAM ESTATES IN TAMIL NADU

[ALONG WITH AFFIDAVITS DATED 24.10.2017 AND 17.11.2017 FILED ON
BEHALF OF CHIEF SECRETARY, GOVT. OF TAMIL NADU IN I.A.No. 2702]

WITH

[ii] INTERLOCUTORY APPLICATION NO. 2702
(Applications for Permission)

WITH

[iii] INTERLOCUTORY APPLICATION NO. 19859/2018
[Applications For Impleadment]

WITH

[iv] INTERLOCUTORY APPLICATION NO. 133562/2019
[APPLICATION FOR INTERVENTION]

In Re : NILAMBUR KOVILAKAM

WITH

[v] CONTEMPT PETITION (CIVIL) NO.193/2001

WITH

INTERLOCUTORY APPLICATION No. 4

(Application for Directions)

In re : Permission to carry out work related to basic amenities
in the Janmam Lands in the State of Tamil Nadu

AND

[20] [i] I. A. NO. 3949 OF 2016

[APPLICATION FOR DIRECTIONS]

IN RE : GRANT OF MINING LEASE TO M/S PUTAMBEKAR MINERALS

WITH

[ii] I. A. NOS. 124224, 124225/2020 AND 124229, 124230/2020

[APPLICATIONS FOR INTERVENTION, EXEMPTION FROM FILING OFFICIAL

TRANSLATION AND DIRECTION, EXEMPTION FROM FILING OFFICIAL

TRANSLATION]

WITH

[21] CA Nos. 12234-35/2018

AND

Contempt Petition No. 938/2021

AND

[22] I. A. NO. 5269 AND 5275 OF 2023

[APPLICATIONS FOR INTERVENTION AND DIRECTIONS ON B/O ASSN. FOR
ODISHA REALESTATE DEVP.]

AND

[23] I. A. NO. 5264 AND 5271 OF 2023

[APPLICATIONS FOR INTERVENTION AND DIRECTIONS ON B/O ASSN. FOR
ODISHA REALESTATE DEVP.]

IN

WRIT PETITION (CIVIL) NO. 202/1995

WITH

C.A. No. 12234-12235/2018 (XVII)

(FOR impleading party ON IA 100097/2021

FOR APPROPRIATE ORDERS/DIRECTIONS ON IA 100099/2021

FOR impleading party ON IA 116495/2022

FOR INTERVENTION/IMPLEADMENT ON IA 116495/2022

FOR APPLICATION FOR VACATION OF INTERIM ORDER ON IA 116496/2022

IA No. 116496/2022 - APPLICATION FOR VACATION OF INTERIM ORDER

IA No. 100099/2021 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 100097/2021 - INTERVENTION/IMPLEADMENT

IA No. 116495/2022 - INTERVENTION/IMPLEADMENT)

SLP(C) No. 25047/2018 (XVI)

(IA No. 96106/2021 - EXEMPTION FROM FILING AFFIDAVIT

IA No. 96105/2021 - EXTENSION OF TIME)

W.P.(C) No. 633/2022 (X)

(IA No. 113675/2022 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 113674/2022 - EXEMPTION FROM FILING O.T.)

WITH

CONMT.PET.(C) No. 302/2020 in W.P.(C) No. 202/1995 (ITEM 21)

([TO BE TAKEN UP ALONG WITH WP(C) No. 202 of 1995]

IA No. 148248/2022 - APPLICATION FOR EXEMPTION FROM FILING THE
RESIDENTIAL ADDRESS OF RESPONDENT/CONTEMNOR WITH AFFIDAVIT

IA No. 4480/2020 - EXEMPTION FROM FILING O.T.

IA No. 118476/2020 - EXEMPTION FROM FILING O.T.
IA No. 118475/2020 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES
IA No. 181312/2022 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES)

CONMT.PET.(C) No. 319/2021 in W.P.(C) No. 202/1995 (ITEM 23)
(IN I.A. NO. 90182 OF 2019
To be taken up alongwith WP(C) No. 202 of 1995
IA No. 66719/2021 - EXEMPTION FROM FILING AFFIDAVIT)

CONMT.PET.(C) No. 941/2021 in W.P.(C) No. 202/1995 (ITEM 24)
(IN I.A. NO. 1310 OF 2005 ETC.[TO BE TAKEN UP ALONG WITH WP(C) No.
202 of 1995], IA No. 151208/2021 - EXEMPTION FROM FILING O.T.
IA No. 151207/2021 - PERMISSION TO APPEAR AND ARGUE IN PERSON)

Date : 11-01-2023 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.R. GAVAI
HON'BLE MR. JUSTICE M.M. SUNDRESH

Counsel for parties

Mr. Harish N. Salve, Sr. Adv. [A.C.] (Not Present)

Ms. Aparajita Singh, Sr. Advocate [A.C.] (Not Present)

Mr. A.D.N. Rao, Sr. Advocate [A.C.],

Mr. K. Parameshwar, Advocate [A.C.]

Ms. Arti Gupta, Adv.

Ms. Kanti, Adv.

Mr. Siddhartha Chowdhury, Advocate [A.C.]

Mr. Balbir Singh, ASG

Mr. K.M. Natraj, ASG

Ms. Aishwarya Bhati, ASG

Ms. Suhasini Sen, Adv.

Mr. Archana P. Dave, Adv.

Mr. S.S. Rebello, Adv.

Mr. Shyam Gopal, Adv.

Mr. G. S. Makkar, Adv.

Mr. Raghav Sharma, Adv.

Mr. S. Subramaiyam, Adv.

Ms. Poornima Singh, Adv.

Mr. Rohan Gupta, Adv.

Ms. Shagun Thakur, Adv.

Ms. Mrinal Elker Mazumdar, Adv.
Ms. Indira Bhakar, Adv.
Mr. Neeraj Kumar Sharma, Adv.
Mr. Mukesh K. Verma, Adv.
Ms. Priyanka Sharma, Adv.
Mr. Prahil Sharma, Adv.
Mr. Harender Singh, Adv.
Mr. Ambuj Saraswat, Adv.
Mr. D.K. Chidananda, Adv.
Mr. Piyush Beriwal, Adv.
Mr. N. Tandon, Adv.
Mr. Samarvir Singh, Adv.
Mr. A. Kumar, Adv.
Mr. Raj Bahadur Yadav, Adv.
Mr. Amrish Kumar, AOR
Mr. Navanjay Mahapatra, Adv.

Mr. Mukul Rohatgi, Sr. Adv.
Mr. Ninad Laud, Adv.
Ivo D'Costa, Adv.
Mr. Avinash mathews, Adv.
Mr. Anshula Grover, Adv.

Mr. Rana Muklhjerjee, Sr. Adv.
Mr. Anjuman Tripathy, Adv.
Mr. Arya Tripathy, Adv.
Ms. Surabhi Guleria, Adv.
Mr. Gajendra Singh Negi, Adv.
Ms. Abhivyakti Banerjee, Adv.
Mr. Sahil Tagotra, Adv.

Mr. Gopal Sankarnarayanan, Sr. Adv.
Mr. Anjuman Tripathy, Adv.
Mr. Arya Tripathy, Adv.
Mr. Gajendra Singh Negi, Adv.
Ms. Abhivyakti Banerjee, Adv.
Mr. Sahil Tagotra, Adv.

Mr. C.S. Mohan Rao, Sr. Adv.
Ms. Aruna Gupta, Adv.
Mr. Ramesh Allanki, Adv.
Mr. Syed Ahmad Naqvi, Adv.
Vundavalli Aruna Kumar, Adv.
Mr. Vikas Bansode, Adv.

Mr. Gopal Shankarnarayana, Sr. Adv.
Mr. Samrath Sen Gupta, Adv.
Mr. Udayaditya Banerjee, Adv.
Mr. Abhishek, Adv.
Mr. Soumya Dutta, Adv.
Mr. Siddhant Upmanyu, Adv.

Mr. K. Radhakrishnan, Sr. Adv.

155

Mr. Joseph Aristotle S., AOR
 Mr. Shobhit Dwivedi, Adv.
 Ms. Vaidehi Rastogi, Adv.
 Mr. Sanjeev Kr. Mahara, Adv.

Mr. Jaideep Gupta, Sr. Adv.
 Mr. Nishe Rajen Shonker, AOR
 Mrs. Anu K Joy, Adv.
 Mr. Abraham C Mathews, Adv.
 Mr. Alim Anvar, Adv.

Mr. V. Giri, Sr. Adv.
 Mr. Vikash Kumar Jha, Adv.
 Mr. Satatya Anand, Adv.
 Mr. Nikhil Aradhe, Adv.
 For M/S. Cyril Amarchand Mangaldas, AOR

Mr. Nikhil Goel, A.A.G.
 Mr. V. N. Raghupathy, AOR
 Mr. Adithya Roy, Adv.

Ms. S. Hariharan, Adv.
 Ms. Jaikriti S. Jadeja, Adv.
 Mr. Amaan Shreyas, Adv.

Mr. Rakesh Chaudhary, Adv.
 Mr. Naresh Kumar, Adv.

Mr. Subodh K. Pathak, Adv.
 Mr. Shashi Ranjan, Adv.
 Mr. Vinod K. Soni, Adv.
 Mr. Pawan Kumar Sharma, Adv.
 Mr. Akash Swami, Adv.
 Mr. Dharmendra Kr. Sinha, AOR

Mr. Devendra Kr. Singh, Adv.
 Mr. Rajesh katyal, Adv.
 Mr. Karunakar Mahalik, Adv.

Mr. D.K. Deveshi, Adv.

Ms. Usha Nandini, Adv.
 Mr. Biji P. Raman, Adv.

Mr. Omkar Jayant Deshpande, Adv.
 Mr. Shashibhushan P. Adgaonkar, AOR
 Mrs. Pradnya S. Adgaonkar, Adv.

Mr. Sanjay Katyal, Adv.
 Mr. Rajat Arora, Adv.

Mr. Saurabh Mishra, Adv.
 Mr. Nikhil Sharma, Adv.

Mr. Bhumi Agarwal, Adv.

Mr. Abhishek Atrey, AOR
Mr. Krishnam Mishra, Adv.
Ms. Ambika Atrey, Adv.
Mr. Akash Giri, Adv.

Mr. Mohd. Nizam Pasha, Adv.
Mrs. Pragya Baghel, AOR
Mr. Sourabh Tandon, Adv.

Mr. Sabarish Subramanian, Adv.

Mr. Raj Kumar Mehta, Adv.
Ms. Himanshi Andley, Adv.

Mr. P.V. Yogeswaran, Adv.

Mr. Abhinav Mukerji, Adv. (Not Present)

Mr. Ajay Marwah, Adv.

Dr. Joseph Aristotle S., Adv.

Mr. P.K. Manohar, Adv.

Mr. Ashok Basoya, Adv.
Mr. Sandeep Kr. Jha, Adv.

Mr. Deepak S. Tanwar, Adv.

Petitioner(s)-in-Person

Mr. M. Yogesh Kanna, Adv.
Ms. Sangeeta Kumar, Adv.
Mr. R. Chandrachud, Adv.
Mr. Nikhil Nayyar, Adv.
Mr. R. Nedumaran, Adv.
Mr. K.K. Mani, Adv.
Mr. V. Ramasubramanian, Adv.
M/S K.J. John And Co., AOR
Ms. Srikala Gurukrishna Kumar, Adv.
Mr. Subramonium Prasad, Adv.
Mrs. Manik Karanjawala, Adv.
Mrs. Prabha Swami, Adv.
Mr. M.A. Chinnasamy, Adv.
Mr. S. Srinivasan, Adv.
Mr. E.M.S. Anam, Adv.
Mr. C.N. Sreekumar, Adv.
Mr. Naveen R. Nath, Adv.
Mr. Prashant Kumar, Adv.
Mr. L.K. Pandey, Adv.

142
157
Mrs. Revathy Raghavan, Adv.
Mr. L.C. Agrawala, Adv.
Mr. Shiv Prakash Pandey, Adv.
Mr. P.K. Manohar, Adv.
Mr. Cyril Amarchand Mangaldas, Adv.
Ms. Shalini Kaul, Adv.

Mr. Mohit Paul, Adv.
Mr. Nishant R. Katneshwarkar, Adv.
Mr. G.S. Makker, Adv.
Mr. Kunal Cheema, Adv.
M/S Khaitan And Co., AOR
Mr. Naveen Kumar, Adv.
Ms. Suman Yadav, Adv.

Mrinal Gopal Elker, AOR
Ms. Mrinal Elker Mazumdar, Adv.
Ms. Indira Bhakar, Adv.

Mr. Prashant Bhushan, Adv.
Mr. Kunal Chatterji, AOR
Ms. Maitrayee Banerjee, Adv.
Mr. Rohit Bansal, Adv.
Ms. Kshitij Singh, Adv.

UPON hearing the counsel the Court made the following
O R D E R

[1] I. A. No. 191635/2022
(CEC REPORT NO. 31/2022 - REPORT OF CEC IN APPLN. NO. 1559/2022
FILED BEFORE IT BY MINISTRY OF FINANCE)
IN RE : MINISTRY OF FINANCE

List on 16.01.2023.

[2] I. A. NO. 132209 OF 2018
[CEC REPORT NO. 35 OF 2018 - REPORT OF CEC IN APPLN. NO. 1424/2018
FILED BEFORE IT BY MINISTRY OF DEFENCE]
IN RE : MINISTRY OF DEFENCE

List on 16.01.2023.

[3] I.A. NOS. 168320/2022 AND 168313/2022
[APPLICATIONS FOR IMPEADMENT AND DIRECTIONS
ON B/O NHAI, PUDUCHERRY]
AND

[4] I.A. NO. 191583/2022

[APPLICATION FOR DIRECTIONS ON B/O DIVISIONAL ENGINEER, HIGHWAYS,
NABARD AND RURAL ROADS, CHENGALPATTU, TAMIL NADU]

Application for impleadment is allowed for the purpose of directions.

I.A. Nos. 168320/2022 and 168313/2022 have been filed by the NHAI, Puducherry, seeking permission to remove 177 spontaneous trees in the Gopalasamudram, Reserve Forest Block, Kollidam River Bed in Sirkazhi Range of Nagapattinam District from Poondiyankuppam to Sattanathapuram Design Chainage Km: 106 + 200 to 106+568 for laying a fourlane road in Poondiyankuppam to Sattanathapuram section of NH-45A.

I.A. NO.191583/2022 is filed by the State of Tamil Nadu seeking permission to fell four trees in the Mahanyam Reserved Forest Area, Kancheepuram District for the upgradation of road between Mahaniyam to Padappai (Km 0/0 - 1/200).

These applications have been filed in view of the order passed by this Court on 12.12.1996, reported in T.N. Godavarman Thirumulkpad v. Union of India, (1997) 2 SCC 267, wherein a ban was imposed by this Court on felling of trees in all forest areas where there was a continuous growth.

It is to be noted that when the order was passed by this Court in 1996, the Compensatory Afforestation Fund Act, 2016, Forest Conservation Rules, 2022 and Compensatory Afforestation Fund Rules, 2018 were not brought into force.

We have heard Shri A.D.N. Rao, learned senior counsel, who appears as Amicus Curiae and Shri K. Parameshwar, learned counsel,

159
ho also appears as Amicus Curiae and Shri Mahendra Vyas, Advocate, a Member of the CEC. We have also heard learned counsel appearing for the NHA and for the State of Tamil Nadu.

The counsel for the NHA as well as the State of Tamil Nadu submit that on account of a condition which requires permission of this Court to be obtained for felling of the trees for execution of public projects, at times, the projects are delayed for long periods, which substantially enhances the cost of the project. They further submit that after the 1996 order was passed, various statutory provisions have come into force, which take adequate care of the matters relating to environment.

Shri K. Parameshwar, learned Amicus Curiae, has also placed on record his note recommending certain conditions, subject to which the authorities may be permitted to grant permission for felling of the trees.

Shri Mahendra Vyas has expressed his concern that when the permissions are being granted by the Competent Authority, the authorities granting permission do not provide for steps to ensure mitigating measures for free flow of wildlife from one part of the forest to the other part, divided by road.

We may take note of the order passed by the Nagpur Bench of the Bombay High Court in a Suo Motu matter in the case of *The Court on its own motion v. National Highway Authority of India, Nagpur and Others*, wherein the Court, while considering the issue of widening of the National Highway No. 44 from Nagpur to Jabalpur, which passes through Pench Tiger Reserve, had directed various mitigation measures to be undertaken. The Court had issued certain

directions after consulting the Wildlife Institute of India (WII), the National Tiger Conservation Authority (NTCA) and the National Environmental Engineering Research Institute (NEERI). The said project was the first project which provided for mitigation measures for free flow of wildlife. The underpasses having adequate height and length, which would ensure the continuity of the forest, were directed to be constructed, so that there is no obstruction for free flow of wildlife from one part of the forest to the other part of the forest, divided by road.

Recently, in Maharashtra, a Greenfield Project, namely the Samruddhi Mahamarg has been constructed, which has also provided underpasses as well as over-passes for free flow of wildlife from one part of the forest to the other part of the forest, divided by the roads.

We are of the considered view that, the authorities should take care to ensure that mitigating measures, on the aforesaid lines, are provided for, while granting permission for construction or expansion of the roads.

As already stated hereinabove, when the order dated 12.12.1996 was passed by this Court, 2016 Act so also 2018 and 2022 Rules were not brought into force. Now, 2016 Act, so also 2018 and 2022 Rules address the concern of compensatory afforestation, whenever the permission for felling of trees is required to be granted.

The said provisions provide that before felling of trees, the permission of the Competent Authorities is to be taken and such permissions are to be granted only after the measures for compensatory afforestation are ensured.

161
It cannot be disputed that the development cannot be stalled, with the only requirement being that it should be sustainable and that at the same time, adequate measures for causing minimal damage to the environment must be undertaken.

We find that since now there are statutory enactments taking care of these requirements, requiring the State or any of the authorities to approach this Court every now and then for permission to cut the trees, would cause unnecessary delay in execution of the projects. In some of the cases, the applications are pending since 2018. It is common knowledge that delay in execution of the project enhances the cost, at times multi fold, thereby causing a dent to the public exchequer.

We are, therefore, of the considered view that in order to ensure that delay in projects is avoided and at the same time the environment concerns are addressed, the order dated 12.12.1996 passed by this Court needs to be modified so far as it concerns the State of Tamil Nadu.

We, therefore, direct that the order requiring permission of this Court for felling of trees in all forest areas in respect of any road projects initiated by the State Government, National Highway Authority of India or any other instrumentality of the State, which involves cutting of up to 500 trees is recalled, however, subject to the following conditions:-

1. Such felling shall be done only after necessary approval under the Forest Conservation Act, 1980, Forest Conservation Rules, 2022, Compensatory Afforestation Fund Act, 2016 and Compensatory Afforestation Fund Rules, 2018 are obtained from the Competent

Authority under the said enactments.

2. The projects would be permitted only after the concurrence of the Integrated Regional Office (IRO), Chennai.
3. While granting such permissions, the authorities also should provide for necessary mitigation measures for ensuring free flow of the wildlife from one part of the forest to the other whenever such forest is divided by roads.

However, such modification shall not apply in respect of the roads which are required to be constructed or upgraded inside wildlife sanctuaries, national parks, tiger reserves and elephant corridors.

The applications are, accordingly, disposed of.

[5] I.A. No. 186910/2022
[CEC Report 30/2022 - REPORT OF CEC IN APPLN. NO. 1557/2022
FILED BEFORE IT BY GAURAV KR. BANSAL)
IN RE : GAURAV KR. BANSAL

Issue notice, returnable on 08.02.2023.

Shri Abhishek Atrey, learned counsel, appears and accepts notice on behalf of the State of Uttarakhand.

By way of ad interim order, we direct that all constructions activities in respect of the road in question shall be stopped, until further orders.

[16] CONTEMPT PETITION (C) NO.319/2021.

Shri Mahendra Vyas, Member of the CEC, states that report of

163
the CEC would be filed within ten days and copies thereof shall also be supplied to the counsel for the State of Uttarakhand.

The respondent(s)/State shall file reply to the report of the CEC prior to 03.02.2023.

Put up on 08.02.2023.

[6] SLP(C) No. 25047/2018

In pursuance of the orders passed by this Court on 25.03.2021, the Expert Committee, which was appointed by this Court, has submitted a report. The report is taken on record.

We request Ms. Aishwarya Bhati, learned ASG, to obtain the response of the Ministry of Environment, Forest and Climate Change on the report and place the same on record by way of an affidavit. The said affidavit would also state as to what measures the Union of India proposes to take to give effect to the recommendations made by the Expert Committee in the said report.

We place on record our appreciation for the herculean efforts put in by the Expert Committee for preparing a commendable report.

Stand out to 08.02.2023.

[7] I. A. NO. 125751 OF 2022 [APPLICATION FOR DIRECTIONS]
IN RE : ODISHA MINING CORPORATION LTD.

This application is filed by Odisha Mining Corporation seeking direction to the Government of Odisha to release the sale proceeds of the Iron Ore deposited in the nationalized bank, pursuant to the order of this Court dated 07.05.2012.

Ms. Kirti Renu Mishra, learned counsel appearing for the State

of Odisha, does not object to the said application.

In that view of the matter, the application is allowed in terms of prayer clause '(a)' of the application.

[8] I. A. NOS. 137520 AND 137524 OF 2021
[APPLICATIONS FOR IMPEADMENT AND DIRECTIONS]
IN RE : NATIONAL CAPITAL REGION TRANSPORT CORPORATION LTD. (NCRTC)

Learned counsel appearing for the applicant(s) states that in view of the subsequent development, this application does not survive.

The application is disposed of as such.

[9] (i) I. A. NO. 87648 OF 2020
[APPLICATION FOR DIRECTIONS ON BEHALF OF STATE OF H.P.]

It will be appropriate that the CEC examines the issue and submits a report to this Court. The report be submitted within a period of six weeks from today.

Put up on 15.03.2023.

(ii) I. A. NO. 132892 OF 2022
[APPLICATION FOR DIRECTIONS ON BEHALF OF STATE OF H.P.]
IN I. A. NO. 3840 (Disposed of)
[APPLICATION FOR PERMISSION FOR CARRYING OUT SILVICULTURAL FELLING OF TREES]
AND
(iii) I. A. NO. 132905 OF 2022
[APPLICATION FOR DIRECTIONS ON BEHALF OF STATE OF H.P.]
IN RE : SILVICULTURE FELLING OF TREES IN THE STATE OF HIMACHAL PRADESH

None appears on behalf of State of Himachal Pradesh.

In order to give an opportunity to the State to appear, post on 08.02.2023.

Learned Amicus Curiae is requested to inform the learned

165

Advocate General for the State of Himachal Pradesh about the listing of this matter.

[10] I. A. NOS. 131377 AND 147102 OF 2022
[APPLICATIONS FOR MODIFICATION OF COURT'S ORDER DT. 03.06.2022 AND PERMISSION TO FILE APPLICATION FOR MODIFICATION]
IN RE : MINISTRY OF ENVIRONMENT, FORESTS AND CLIMATE CHANGE (MoEFCC)
WITH
I. A. NO. 160201 OF 2022
[APPLICATION FOR MODIFICATION OF COURT'S ORDER DT. 03.06.2022]
IN RE : INDIAN RAILWAYS THROUGH RVNL

WITH
I.A. NO. 205092/2022
[APPLICATION FOR MODIFICATION OF COURT'S ORDER DT. 03.06.2022 ON B/O STATE OF KARNATAKA]
WITH
I.A. 162283 AND 162284 OF 2022 IN I. A. D. NO. 125746/2022
[APPEAL UNDER ORDER XV RULE 5 AGAINST IMPUGNED ORDER DATED 19.09.2022 AND CONDONATION OF DELAY IN FILING THE SAME]
AND

[11] I. A. NOS. 118236 AND 129623 OF 2020
[APPLICATIONS FOR IMPLEADMENT AND DIRECTIONS]
IN RE : M/O AGRICULTURE AND FARMERS WELFARE
WITH I.A. NO. 179389/2018
[APPLICATION FOR MODIFICATION OF COURT'S ORDER DATED 07.05.2002 IN I. A. NO. 502]
AND I.A. NO. 69399/2021
[APPLICATION FOR PERMISSION TO FILE ADDITIONAL AFFIDAVIT]
AND I.A. NO. 144539/2021
[APPLICATION FOR INTERVENTION IN I.A. NO. 179389/2018]
IN RE : U.T. OF ANDAMAN AND NICOBAR ADMINISTRATION

List on 16.01.2023.

I.A. Nos.6798/2023 and 5764/2023 shall also be listed on that day.

[12] WRIT PETITION (C) NO. 633 OF 2022
WITH
I.A. NO. 108146/2022 IN W.P.(C) NO. 202/1995
[APPLICATION FOR DIRECTIONS ON B/O MAGAN DEVI MEENA]

List on 15.03.2023.

[13] I. A. NOS. 90862 AND 90864 OF 2021
[APPLICATIONS FOR DIRECTIONS AND EXEMPTION FROM FILING O.T.]
IN RE : JAIPUR SILICA SUPPLY CO., RAJASTHAN

Issue notice, returnable on 08.02.2023.

In the meantime, we also request the CEC to offer its comments on the said I.A.

[14] I. A. NOS. 2825 AND 2827 OF 2010 [APPLICATIONS FOR INTERVENTION AND DIRECTIONS]
IN RE : JEEVAN LAL PATEL

List on 16.01.2023.

I.A. Nos.3684-85, 3686-87 and 3688-89/2013 shall also be listed on that day.

[15] CONTEMPT PETITION (CIVIL) NO. 941 OF 2021

As prayed, it will be appropriate that the Secretary, Department of Mines, State of Rajasthan, is impleaded as party respondent.

Issue notice.

Shri D.K. Devesh, learned counsel appearing for the alleged contemnor(s)/respondent(s), seeks time to file reply.

Put up on 08.02.2023

Reply affidavit may be filed, in the meantime.

Personal presence of the alleged contemnor(s) is dispensed with, until further orders.

167 ✓ 12

[17] CONTEMPT PETITION (CIVIL) NO. 302 OF 2020

Before we consider the present petition, we find that it is appropriate that learned counsel for the State takes instructions from the concerned authorities with regard to the substance of the contentions made in the petition.

We, therefore, request Shri Siddharth Dharmadhikari, learned counsel for the State of Maharashtra, to get instructions in this matter.

Put up on 08.02.2023.

[18] . A. NO. 5891 OF 2019 [APPLICATION FOR DIRECTIONS]
IN RE : COMPENSATORY AFFORESTATION MANAGEMENT AND PLANNING
AUTHORITY (CAMPA) FUNDS WITH
IN RE : STATUS OF FUNDS

List on 08.02.2023.

We further direct that all the contesting parties to submit their written submission on or prior to 03.02.2023.

[19] [I] IN RE : JANMAM ESTATES IN TAMIL NADU
[ALONG WITH AFFIDAVITS DATED 24.10.2017 AND 17.11.2017 FILED ON
BEHALF OF CHIEF SECRETARY, GOVT. OF TAMIL NADU IN I.A.NO. 2702]
WITH

[II] I.A. NO. 2702 (APPLICATIONS FOR PERMISSION)

[III] I.A.NO. 19859/2018 [APPLICATIONS FOR IMPLEADMENT]

[IV] I.A.NO. 133562/2019 [APPLICATION FOR INTERVENTION]

IN RE : NILAMBUR KOVILAKAM

WITH

[V] CONTEMPT PETITION (CIVIL) NO.193/2001

WITH

INTERLOCUTORY APPLICATION NO. 4 (APPLICATION FOR DIRECTIONS)

IN RE : PERMISSION TO CARRY OUT WORK RELATED TO BASIC AMENITIES
IN THE JANMAM LANDS IN THE STATE OF TAMIL NADU

Learned Amicus Curiae, in his note, has requested for

directions to the State of Tamil Nadu for furnishing certain details. We, therefore, direct the State of Tamil Nadu to file an affidavit giving following details:-

- a.) Total area and forest area taken over from the Janmam.
- b.) Forest area under government possession.
- c.) Number and extent of leases in the forest area, with details of lessee, date of expiry of lease, applicable rent, rent paid, revision of rent etc.
- d.) Number of Claims filed before the Settlement Officer.
- e.) Number, details and extent of area in respect of each claim allowed or rejected.
- f.) Number of appeals filed before the Janmam Tribunal by the State and their status.
- g.) Details of the appeals filed by the State against adverse orders passed by the Tribunal.
- h.) Total extent of land involved in the above proceedings.

Shri K. Radhakrishnan, learned senior counsel, states that the same shall be done within a period of three weeks from today.

A copy of the affidavit shall be supplied to all the parties concerned in this matter.

List on 15.03.2023.

[20] [i] I. A. NO. 3949 OF 2016 [APPLICATION FOR DIRECTIONS]
IN RE : GRANT OF MINING LEASE TO M/S PUTAMBEKAR MINERALS
[ii] I. A. NOS. 124224, 124225/2020 AND 124229, 124230/2020
[APPLICATIONS FOR INTERVENTION, EXEMPTION FROM FILING OFFICIAL
TRANSLATION AND DIRECTION, EXEMPTION FROM FILING OFFICIAL
TRANSLATION]
WITH
[21] CA Nos. 12234-35/2018 AND Contempt Petition No. 938/2021
AND SLP(C) No.25047/2018, W.P.(C) NO.633/2022

List on 08.02.2023.

169 ✓

We further direct all the contesting parties to submit their written submission on or prior to 03.02.2023.

[22] I. A. NO. 5269 AND 5275 OF 2023
[APPLICATIONS FOR INTERVENTION AND DIRECTIONS ON B/O ASSN. FOR
ODISHA REALESTATE DEVP.]

The application for intervention is allowed for the purpose of directions.

This applicant(s) has sought various prayers. However, the prayer that is pressed in service is thus:-

"(c) Clarify that the directions contained in Para 44 of the order dated 03.06.2022 passed by this Hon'ble Court in I.A. No.1000 of 2003, preferred in W.P. (C) No.202 of 1995, providing a minimum of 1 KM ESZ would not be applicable to the Chandaka-Dampara Wildlife Sanctuary"

The application is filed by the applicant(s) in view of the orders passed by this Court dated 03.06.2022 wherein certain directions have been issued with regard to the minimum width of the ESZ. While passing the order dated 03.06.2022, the Bench of three Judges in paragraph 42, has specifically noted the views of the Standing Committee that there could be specific instances wherein 'no development zone' of 1 Km. may not be feasible. The Court recorded the specific instances of Sanjay Gandhi National Park and Guindy National Park.

Subsequently, certain applications with respect to Sanjay Gandhi National Park and Thane Flamingo Creek Sanctuary (I.A. No. 1000 of 2003 etc.) were filed, which were decided by a

Bench of three Judges vide order dated 23.09.2022.

In the order dated 23.09.2022, this Court, after recording the aforesaid observations made in the order dated 03.06.2022, noted the submission of the learned Solicitor General appearing on behalf of the State of Maharashtra and Union of India to the effect that in view of the final notifications being issued, there should be no impediment in granting the relief as prayed for.

In the case of Thane Flamingo Creek Sanctuary, the notification was dated 14.10.2021. In so far as the Sanjay Gandhi National Park is concerned, the final notification was dated 05.12.2016. The notification in respect of Chandaka-Dampara Wildlife Sanctuary issued, which is the subject matter of the present proceeding, is dated 09.09.2016.

In that view of the matter, we find that the view taken by the three Judges while passing the order dated 23.09.2022 would be equally applicable to the present case also.

The application for directions is, therefore, allowed in terms of the prayer clause (c).

[23] I. A. NO. 5264 AND 5271 OF 2023
[APPLICATIONS FOR INTERVENTION AND DIRECTIONS ON B/O ASSN. FOR
ODISHA REALESTATE DEVP.]

The application for intervention is allowed for the purpose of directions.

This applicant(s) has sought various prayers. However,

the prayer that is pressed in service is thus:-

"(c) Clarify that the directions contained in Para 44 of the order dated 03.06.2022 passed by this Hon'ble Court in I.A. No.1000 of 2003, preferred in W.P. (C) No.202 of 1995, providing a minimum of 1 KM ESZ would not be applicable to the Nandankanan Wildlife Sanctuary"

The application is filed by the applicant(s) in view of the orders passed by this Court dated 03.06.2022 wherein certain directions have been issued with regard to the minimum width of the ESZ. While passing the order dated 03.06.2022, the Bench of three Judges in paragraph 42, has specifically noted the views of the Standing Committee that there could be specific instances wherein 'no development zone' of 1 Km. may not be feasible. The Court recorded the specific instances of Sanjay Gandhi National Park and Guindy National Park.

Subsequently, certain applications with respect to Sanjay Gandhi National Park and Thane Flamingo Creek Sanctuary (I.A. No. 1000 of 2003 etc.) were filed, which were decided by a Bench of three Judges vide order dated 23.09.2022.

In the order dated 23.09.2022, this Court, after recording the aforesaid observations made in the order dated 03.06.2022, noted the submission of the learned Solicitor General appearing on behalf of the State of Maharashtra and Union of India to the effect that in view of the final notifications being issued, there should be no impediment in granting the relief as prayed for.

172- In the case of Thane Flamingo Creek Sanctuary, the notification was dated 14.10.2021. In so far as the Sanjay Gandhi National Park is concerned, the final notification was dated 05.12.2016. The notification in respect of Nandankanan Wildlife Sanctuary issued which is the subject matter of the present proceeding is dated 10.12.2019.

In that view of the matter, we find that the view taken by the three Judges while passing the order dated 23.09.2022 would be equally applicable to the present case also.

The application for directions is, therefore, allowed in terms of the prayer clause (c).

(NARENDRA PRASAD)
ASTT. REGISTRAR-cum-PS

(BEENA JOLLY)
COURT MASTER (NSH)