

TAMILNADU FOREST DEPARTMENT

From
Akhil Thampi, IFS.,
District Forest Officer,
Thanjavur Division,
Thanjavur - 613 403.

To
The Principal Chief Conservator of Forests,
(Head of Forest Force), Forest Head Quarters,
Guindy - Velachery Main Road,
Near Kannikapuram Check Post,
Guindy, Chennai - 600 032

(Through Chief Conservator of Forests,
Trichirappalli Circle, Trichirappalli)

C.No. 2271/2021/D dated: 01.11.2022.

Sir,

Sub: Forests - Forest (Conservation) Act, 1980 - Trichy Circle / Thanjavur Division - Proposal for diversion of 0.82ha of Forest land for initial rectification including widening, strengthening improvements and performance based maintenance contract for a period of 60 months in State Highways and major district roads - Online proposal submitted by the User Agency ie. The Assistant Divisional Engineer, Highways, Construction and Maintenance, Thiruvaiyaru - submission of reply to the query raised by Government of India - Regarding..

Ref: 1) Online application uploaded by the User Agency - Assistant Divisional Engineer, Highways Construction and Maintenance, Thiruvaiyaru (FP/TN/ROAD/149622/2021) on 29.11.2021
2) District Forest Officer, Thanjavur C.No: 2271/2021/D dt: 09.02.2022
3) Chief Conservator of Forests, Trichirappalli Circle, Trichirappalli C.No: 954/2022/D dated: 18.02.2022
4) Principal Chief Conservator of Forests (Head of Department), Chennai-15 Ref.No: TS4/42877/2021 dt: 23.05.2022
5) Government of India, Ministry of Environment, Forests & Climate Change, Integrated Regional Office, Chennai - 600 006 F.No.4-TNB092/2022-CHN/1020 dated: 21.09.2022
6) Principal Chief Conservator of Forests (Head of Forest Force), Chennai-15 Ref.No: TS4/42877/2021 dt: 26.09.2022
7) Chief Conservator of Forests, Trichirappalli Circle, Trichirappalli Endt.No: 954/2022/D dated: 19.10.2022

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With reference to the above subject and letters cited, I submit herewith the reply to the queries raised by the Government of India in the 5th reference with all relevant documents.

Sl.No	Query raised by the Government of India	Reply
(i).	Status of obtaining of Approval of Hon'ble SC/CEC for felling of trees of spontaneous origin	The User Agency has filed Interlocutory Application for getting prior permission from Supreme Court of India for felling spontaneous grown trees by engaging Thiru. P.V.Yogeswaran, Advocate. The application details submitted by the User Agency are enclosed herewith for kind reference along with the legal status report.
(ii).	The State government submitted the proposal for widening, strengthening and improvements of the existing road. Hence, legal status of the road with supporting documents ie. RoW notification, Stage II copy if approved under FCA, 1980 earlier etc.	There is no RoW mentioned as per Reserved Forest notification of Nagavally Reserved Forest. The Reserved Forest map and notification order is enclosed herewith for kind reference. There is no earlier approval accorded under Forest Conservation Act, 1980.

This is for favour of kind information.

Encl: As stated above.

Yours faithfully,
Sd/-Akhil Thampi
District Forest Officer,
Thanjavur Division,
Thanjavur.

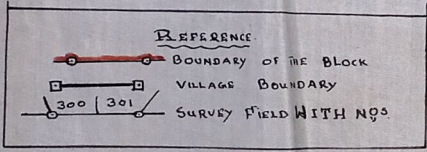
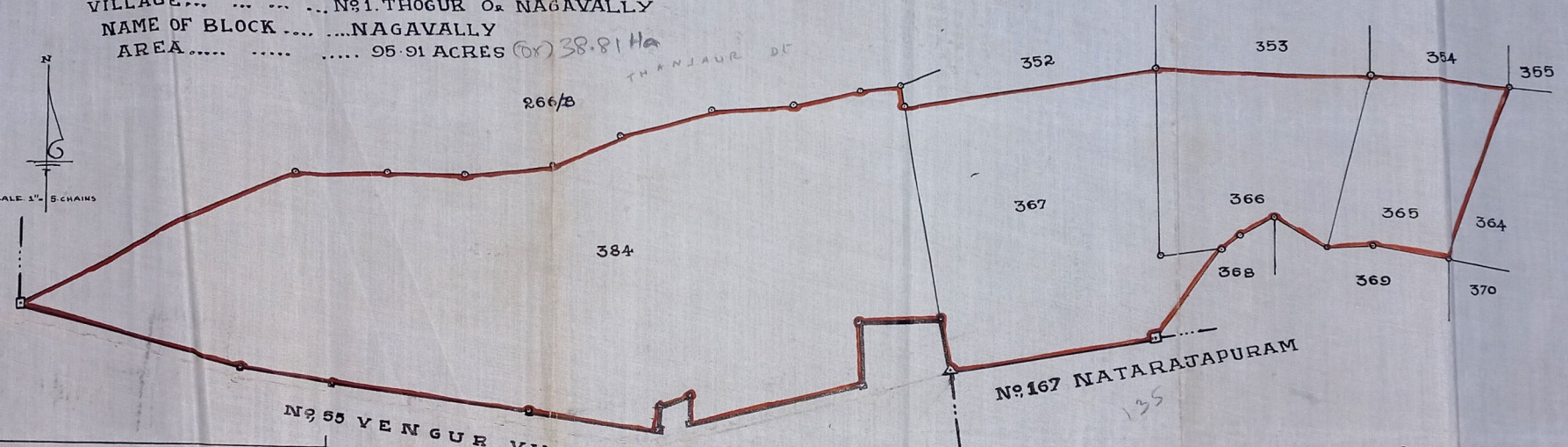
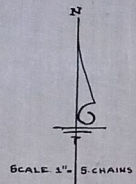
Copy submitted to the Chief Conservator of Forests, Trichirappalli Circle,
Trichirappalli for kind information.

// .t.c.b.o.//

Ammr
02-11-2022
Superintendent

Jh. D. D.
02-11-2022

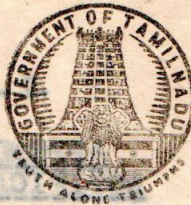
DISTRICT THANJAVUR
 TALUK NORTH THANJAVUR
 VILLAGE N^o 1. THOGUR OR NAGAVALLY
 NAME OF BLOCK NAGAVALLY
 AREA 95.91 ACRES (or) 38.81 Ha



FOREST SETTLEMENT OFFICER
 &
 REVENUE DIVISIONAL OFFICER
 THANJAVUR.

[Signature]
 22/8/61
 ASSISTANT CONSERVATOR OF FORESTS,
 SURVEY AND DEMARCATION,
 PUDUKKOTTAI.

17/8/61



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(ABSTRACT)

Forests--Thanjavur District--Thanjavur Taluk--Nagavally forest Block--Constitution of Reserved forest under Section 16 of the Tamil Nadu Forest Act 1882--Draft notification--Approved.

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Agriculture Department

G.O.Ms.No.2410,

Dated 15-9-72



1. From the Chief Conservator of Forests letter No.25369/70 GI dated 1-3-72.
2. From the Chief Conservator of Forests letter No.25369/70 GI dated 9-3-72.

ORDER:

The draft notification under section 16 of the Tamil Nadu Forest Act, 1882, submitted by the Chief Conservator of Forests is approved as in the Appendix and it will be published in English in the Tamil Nadu Government Gazette and in Tamil in the Thanjavur District Gazette.

2. The Public (Translation) Department is requested to furnish to the Director of Stationery and Printing Madras a Tamil Translation of the notification.

3. The Director of Stationery and Printing, Madras is requested to supply 8 printed copies of the notification in English each to the Government and to the Chief Conservator of Forests and 8 copies of the Tamil version of the notification to the District Forest Officer Thanjavur after publication.

(BY ORDER OF THE GOVERNOR.)

P. Kandasamy,

Additional Secretary to Government.

To

- The Director of Stationery and Printing, Madras-1. (For publication in the Tamil Nadu Government Gazette.)
- The Public (Translation) Department, Madras-9.
- The Board of Revenue (Land Revenue), Madras-5.
- The Chief Conservator of Forests, Madras-6.
- The Collector of Thanjavur.
- Copy to the District Forest Officer, Thanjavur.

Forwarded by order.

M. Loganathan
Superintendent.

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**APPENDIX
NOTIFICATION**

In exercise of the powers conferred by section 16 of the Tamil Nadu Forest Act, 1882 (Tamil Nadu Act V of 1882), the Governor of Tamil Nadu hereby declares the area, the boundaries of which are specified in the schedule below as "reserved forest" with effect on and from 1-1-73.

THE SCHEDULE

District: Thanjavur Taluk : North Thanjavur
Village No. 1. Thogur
of the forest block: Nagavally
of the block - 95.91 acres (or 38.81 hectares)

BOUNDARIES

The block comprises the whole of S.F. Nos. 365, 366, 367 and 364 of No. 1 Thogur village and bounded by:-

North: Starting from the south-west corner of S.F. No. 266/B which is also a point on the district boundary between Thanjavur and Tiruchirapalli, the boundary runs generally towards east along the southern side of S.F. No. 266/B, western and southern sides of S.F. No. 352, southern sides of S.F. Nos. 353 and 354 to the trijunction of S.F. Nos. 354, 355 and 364 all of No. 1 Thogur village.

East: Thence the boundary runs generally towards south along the western side of S.F. No. 364 to the trijunction of S.F. Nos. 364, 370 and 369 all of the above said Thogur Village.

South and West: Thence the boundary runs generally towards west along the northern side of S.F. No. 369, north-western side of S.F. No. 368 all of No. 1 Thogur village; thence along the northern side of S.F. No. 135 of No. 167, Natarajapuram village; thence along the eastern, northern and western sides of S.F. No. 294/1, northern side of S.F. Nos. 292 and 47 of No. 55, Vengur village (Tiruchirapalli District) the starting point.

Rights admitted: Nil.

P. Kandasamy,
Additional Secretary to Government.



M. Loganathan
Superintendent.

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25/9/72

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HIGHWAYS DEPARTMENT

From
Thiru. S. Ram Prabhu, MTech.,
Authorised person,
Assistant Divisional Engineer,
Highways,
Construction and Maintenance,
Thiruvaiyaru,
Thanjavur.

To
✓ **The District Forest Officer,**
Thanjavur.

Lr.No.09/RF/PBMC/2020 – 21/dated 25.05.2022



Sub: Thanjavur (H) C&M Division – Thiruvaiyaru (H) C&M Sub Division –
PBMC P-II – Thiruverumbur – Grand Anaicut Road MD 306 –
Widening from SL to IL – Widening of road stretch in Nagavalli
Reserve Forest Range – Filing of Interlocutory application for getting
permission for felling of spontaneous trees from Hon'ble Supreme Court
of India – information sent – reg.,

absent

Ref: 1. Letter from District Forest Office, Thanjavur C.No.2271 / 2021 /D /
dated 23.03.2022.

2. Letter from the Divisional Engineer (H) C&M, Thanjavur Memo No.
1103/ PBMC P II / RF/2022/ JDO-1/ dated.21.04.2022

The work of widening from SL to DL and formation of Thiruverumbur – Grand Anaicut Road Km 4/6 – 8/4 involves formation of road to a length of 820m involving 0.82 Hectares area of Forest land in Nagavalli Reserve Forest range in the jurisdiction of District Forest Office, Thanjavur and the process of obtaining permission for road work in the Reserve Forest Range from the Department of Forests is underway. It was identified during the joint Inspection of this department and Forest Department that there are 120 numbers of Spontaneous trees (naturally grown trees) in the Reserve Forest area and instructed by the Forest Department vide letter cited in 1st reference to file an Interlocutory Application and obtain necessary permission orders from the Hon'ble Supreme Court of India.

In this connection, the Divisional Engineer(H) C&M, Thanjavur had instructed to file the Interlocutory application engaging one Thiru. P.V. Yogeswaran, Advocate on Record, Hon'ble Supreme Court of India and the same has been filed in the


Hon'ble Supreme Court of India. The details of filed Interlocutory Application is as follows.

Diary No.	:	2997/1995
Cause Title	:	In RE:Godavarman Thirumulpad Vs Union of India and Others
Party Name	:	Thiru. P.V. Yogeswaran
Date and Time	:	25-May-2022 14:51:05

The Divisional Engineer (H) C&M, Thanjavur and Assistant Divisional Engineer (H) C&M Thiruvaiyaru had attended the office of Principal Chief Conservator of Forests, Panagal Building, Saidapet, Chennai on 24.05.2022 and it was known that the process of obtaining Stage – 1 permission is underway.

It is brought to your notice that out of the 3.60 Km Road stretch, the 820 m road stretch falling amidst the Reserve Forest range only would be left narrow while the rest of the Road is widened to Double Lane. This scenario would lead to frequent Road accidents and poses a threat in the road safety point of view.

Hence, I kindly request you to speed up the process of permitting the Highways Department for formation of the subject road in the 820m length of Nagavalli Reserve Forest Range and render the best cooperation in the larger interest and safety of common public, farmers, tourists and local commuters utilising the road.


Assistant Divisional Engineer/Authorised person
Highways, C&M
Thiruvaiyaru.

Copy submitted to the Divisional Engineer (H) C&M, Thanjavur, for kind information
Copy to the Principal Chief Conservator of Forests, Chennai for information and necessary action

Copy to the Chief Conservator of Forests, Chennai for information and necessary action

Copy to the Assistant Engineer(H) C&M, Thirukattupalli, for necessary follow up action.

Copy to File.

Government of NCT OF DELHI
e-Court Fee and Printing Charges



District : New Delhi

Date & Time : 25-MAY-2022 14:51:05

Establishment : Supreme Court of India

Stockholding Reference No. : EPSDL2505055114249819

Party Details

Diary No. : 2997/1995

Party Name : P. V. YOGESWARAN

Transaction Date and Time : 25-MAY-2022 14:51:05

Transaction No. : 25May2022145046_19902_29971995

Cause Title : IN RE : T.N. GODAVARMAN THIRUMULPAD Vs UNION OF

e-Court Fee Receipt No. : DLCT2520E22520173

e-Court Fee : Rs. 0

SC Printing Charges : Rs. 30

Total Amount : Rs. 30

(Rupees Thirty And Paise Zero Only)

Note : Additional Online Payment Convenience fees / Processing Charges might be applicable as per selected payment method by the user.



DLCT2520E22520173

Statutory Alert : The authenticity of this e-Court fee receipt should be verified at www.shcilestamp.com . Any discrepancy in the details on this receipt and as available on the website renders it invalid. In case of any discrepancy please inform the Competent Authority. This receipt is required to be verified & locked by the Court official for further process in the Court.

P.V.YOGESWARAN
ADVOCATE-ON-RECORD

CHAMBER :- 29, OLD LAWYERS CHAMBER
SUPREME COURT OF INDIA NEW DELHI-110001
(M) 9810622382

Dated: 19.10.2022

HIGHWAYS DEPARTMENT

To
The Assistant Divisional Engineer,
User Agency/Authorised Person,
Highways Department, C&M,
Thiruvaiyaru, Tamil Nadu

Sir,

Sub: Thanjavur (H) C&M Division – Thiruvaiyaru (H) C&M
Sub Division–PBMC P-II–Thiruverumbur–Grand
Anicut Road MD 306–Widening from SL to IL–
Widening of road stretch in Nagavalli Reserve Forest
Range–Filing of Interlocutory application and getting
permission for felling of spontaneous trees from
Hon'ble Supreme Court of India–Legal status
reported–reg.

Ref:1. Letter from the Assistant Divisional Engineer, C&M,
Thiruvaiyaru letter No. 09-01/PBMC/Forests/RF/
2022/JDO/dated 10.10.2022.

2 Letter from Ministry of Environment, Forest and
Climate Change, Government of India, Chennai
F.No.4- TNB092/2022-CHN/1020 dated 21.09.2022.

3. Letter from Principal Chief Conservator of Forests,
Saidapet, Chennai C.No.TS4/42877/2021 dated
06.10.2022.

The Legal status of Interlocutory Application No. 80687 & 80744 of 2022 in W.P. (Civil) No. 202 of 1995 as sought by the letters cited in references for removal of 120 numbers of Spontaneous trees (naturally grown trees) in the Nagavalli Reserve Forest area of Thanjavur is furnished as follows.

1. I.A. No. : Interlocutory Application No. 80687 & 80744 of 2022.
2. Case No : W.P. (CIVIL) No. 202 of 1995
3. Date of Filing : 25th MAY 2022
4. Last listed on : -
5. Petitioner : The Assistant Divisional Engineer, Highways Construction & Maintenance, Thiruvaiyaru, Thanjavur, Tamil Nadu.
6. Status as on date : ORDERS (INCOMPLETE MATTERS/IAs/ CrI.MPs)
7. Bench : Hon'ble Justice Mr. B.R. Gavai, Hon'ble Justice Mr. Surya Kant & Hon'ble Justice Mr. J.B. Pardiwala
8. Remarks if any : To be Listed before court/bench [As per Record of Proceeding]

Regards

Enclosure: NIL



(P.V. YOGESWARAN)
Advocate-on-Record
Supreme Court of India