

**BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI**

Appeal No. 32 & 34 of 2020

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M/S. RAMESH VENKATACHALAPATHY
COUNSEL FOR RESPONDENT

J-11015/200/2008-IA.II(M)
Government of India
Ministry of Environment and Forests

Paryavaran Bhawan,
CGO Complex, Lodhi Road,
New Delhi – 110 003.
Dated: 19th March, 2013

OFFICE –MEMORANDUM

Sub.: Consideration of projects for grant of environment clearance under EIA Notification, 2006, which involve forest land – Procedure to be followed – further clarifications.

This Ministry had earlier issued an Office Memorandum vide No. J-11015/200/2008-IA.II (M) dated 31.3.2011 stipulating the procedure to be followed for consideration of projects for environmental clearance, which involve forest land.

2. The sum and substance of the said O.M. 31.03.2011 is that in case a project involves forest land, the project proponent shall first explore feasibility to execute the project without use of forest land. In case it is not feasible to undertake the project without use of forest land, the project proponent shall submit application seeking prior approval under the Forest Conservation Act, 1980 for diversion of forest land before submitting the application for grant of Terms of Reference as per the procedure stipulated in the EIA Notification 2006. The Environment clearance to such projects, as per the guidelines of 31st March 2011, is to be issued only after stage-I approval under the Forest Conservation Act, 1980 for diversion of forest land required for its execution is obtained.
3. The Hon'ble Supreme Court took note of the O.M. dated 31.03.2011 and incorporated it in part-II of their judgment dated 6th July 2011 in I.A.s No. 1868, 2091, 2225-2227, 2380, 2568 and 2937 in the W.P. (Civil) No. 202 of 1995 in the matter of T.N. Godavarman Thirumulpad versus Union of India and others, as one of the guidelines to be followed by the Central Government, State Governments and various other Authorities under the Forest Conservation Act, 1980 and Environment (Protection) Act, 1986 in all future cases so that *fait accompli* situations do not recur.
4. Based on experience gained in implementation of instructions contained in the above referred O.M. and taking into consideration the inputs/ feedback received from various stakeholders as also in light of the said judgment dated 6th July, 2011 of the Hon'ble Supreme Court, this Ministry vide O.M. of even number dated 9th September, 2011 stipulated revised procedure to be followed for consideration of projects for environmental clearance, which involve forest land.
5. This Ministry received representations from various stakeholders to delink grant of Environment clearance from forest clearance in case of linear projects such as roads, transmission lines, pipelines *etc.* involving patches of forest land along their alignment, often stretching to several hundred kilometers.
6. After careful consideration of the matter, this Ministry filed an Interlocutory Application (I.A.), being the I.A. No. 3593 of 2013 in the aforesaid Writ Petition before the Hon'ble Supreme Court to seek their clarification that subject to certain safeguards, guidelines regarding order of priority to be followed in case of grant of approvals under the EIA Notification, 2006 and the Forest (Conservation) Act, 1980 issued by them in their said judgment dated 06.07.2011 would not be applicable to linear projects.

7. The Hon'ble Supreme Court in their order dated 12.3.2013 in the said I.A. was pleased to clarify that their decision in Lafarge Umiam Mining Pvt. Ltd. vs. Union of India [(2011 7 SCC 338] case shall not stand in the way of the Government in making suitable amendments in the guidelines dated March 31, 2011 to deal specially with the linear projects in the nature of roads, pipelines and similar others, as described in the said I.A.

8. Now, therefore, in partial modification of this Ministry's said O.M. of even number dated 9th September 2011, it has been decided that pending grant of stage-I approval under the Forest (Conservation) Act, 1980 for non-forestry use of the forest land, environment clearance to linear projects may be issued subject to the following additional conditions:

- (i) Work on non-forest land may only be executed upto such point (to be selected by the user agency) on either side of forest land if it is explicitly certified by the user agency that in case approval under the Forest (Conservation) Act, 1980 for diversion of forest land is declined, it is technically feasible to execute the project along an alternate alignment without involving diversion of forest land. Details of all such stretches along with alternate alignments identified to bypass the forest land should be explicitly provided in the proposal seeking approval under the Forest (Conservation) Act, 1980 and the EIA Notification, 2006.
- (ii) Commencement of work on non forest land will not confer any right on the user agency with regard to grant of approval under the Forest (Conservation) Act, 1980.
- (iii) The projects involving widening/ upgradation of existing roads will only be allowed to be executed on the entire stretch located in non- forest land, provided the user agency submits an undertaking that execution of work on non-forest land shall not be cited as a reason for grant of approval under the Act and in case approval under the Act for diversion of forest land is declined, width of the portion of road falling in the forest land will be maintained at its existing level.

This issues with approval of the Hon'ble Minister of State (Independent Charge) for Environment and Forests.


(Lalit Kapur)
Director(IA-III)

To

1. All Officers of the IA Division.
2. Chairpersons/ Member-Secretaries of All the SEIAAs/ SEACs.
3. Chairperson, CPCB.
4. Chairpersons/ Member-Secretaries of all SPCBs/ ITP

Copy to:-

1. PS to MEF.
2. PPS to Secretray (E &F)
3. PPS to JS (AT)
4. Website, MoEF.
5. Guard File.



Quality Council of India

National Accreditation Board for Education & Training

CERTIFICATE OF ACCREDITATION

Hubert Enviro Care Systems Pvt Ltd

A-21, (Behind Lions Club School) III Phase, Thiru Vi Ka Industrial Estate, Guindy, Chennai - 600 032.

Accredited as Category - A organization under the QCI-NABET Scheme for Accreditation of EIA Consultant Organizations: Version 3 for preparing EIA-EMP reports in the following Sectors:

Sl. No.	Sector Description	Sector (as per)		Cat.
		NABET	MoEFCC	
1	Mining of minerals including open cast/ underground mining	1	1 (a) (i)	A
2	Offshore and onshore oil and gas exploration, development & production	2	1 (b)	A
3	River Valley projects- Irrigation only	3	1 (c)	A
4	Thermal power plants	4	1 (d)	A
5	Metallurgical industries (ferrous & non-ferrous)	8	3 (a)	B
6	Cement plants	9	3 (b)	A
7	Petroleum refining industry	10	4 (a)	A
8	Petro-chemical complexes (industries based on processing of petroleum fractions & natural gas and/or reforming to aromatics)	18	5 (c)	A
9	Petrochemical based processing (processes other than cracking & reformation and not covered under the complexes)	20	5 (e)	A
10	Synthetic organic chemicals industry	21	5 (f)	A
11	Isolated storage & handling of hazardous chemicals	28	-	B
12	Industrial estates/ parks/ complexes/ Areas, export processing zones (EPZs), Special economic zones (SEZs), Biotech parks, Leather complexes	31	7 (c)	A
13	Ports, harbours, break waters and dredging	33	7 (e)	B
14	Highway	34	7 (f)	B
15	Common Municipal Solid Waste Management Facility (CMSWMF)	37	7 (i)	B
16	Building and construction projects	38	8 (a)	B
17	Townships and Area development projects	39	8 (b)	B

Note: Names of approved EIA Coordinators and Functional Area Experts are mentioned in RAAC minutes dated Jan 31 and Supplementary Assessment minutes dated June 19, 2020 posted on QCI-NABET website.

The Accreditation shall remain in force subject to continued compliance to the terms and conditions mentioned in QCI-NABET's letter of accreditation bearing no. QCI/NABET/ENV/ACO/20/1484 dated Sept 22, 2020. The accreditation needs to be renewed before the expiry date by Hubert Enviro Care Systems Pvt Ltd following due process of assessment.

Sd/-

Sr. Director, NABET
Dated: Sept 22, 2020

Certificate No.
NABET/EIA/1922/RA 0172

Valid till
Oct 13, 2022

For the updated List of Accredited EIA Consultant Organizations with approved Sectors please refer to QCI-NABET website.



List of ACOs with their Certificate / Extension Letter no. as on Jan. 2021

Sl.No.	State	ORG Code	Name of Organization	Certificate/ Ext Letter No.	Valid Upto
1.	Andhra Pradesh	ORG000273	SV Enviro Labs & Consultants	NABET/EIA/1821/SA 0118	24-04-2021
2.	Delhi	ORG000972	Desein Private Limited	NABET/EIA/1720/RA0113	09-03-2021
3.	Delhi	ORG000681	Ind Tech House Consult	NABET/EIA/1821/RA0098	31-01-2021
4.	Delhi	ORG000527	Oil and Natural Gas Corporation	NABET/EIA/1821/RA0124	26-05-2021
5.	Delhi	ORG000889	Shriram Institute for Industrial Research	NABET/EIA/1922/RA0144	13-02-2022
6.	Delhi	ORG000426	Environmental Engineers & Consultants Pvt. Ltd.	QCI/NABET/EIA/ACO/20/1524	05-02-2021
7.	Delhi	ORG000457	EQMS India Pvt. Ltd.	QCI/NABET/ENV/ACO/20/1513	27-01-2021
8.	Delhi	ORG000344	Intercontinental Consultants & Technocrats Pvt. Ltd.	QCI/NABET/ENV/ACO/21/1601	14-04-2021
9.	Delhi	ORG000630	Perfact Enviro Solutions Pvt. Ltd.	NABET/EIA/1922/RA 0184	27-05-2022
10.	Delhi	ORG000778	SBA Enviro Systems Pvt Ltd.	QCI/NABET/ENV/ACO/20/1550	02-03-2021
11.	Gujarat	ORG000943	Anand Environmental Consultants (P) Ltd.	NABET/EIA/1922/RA 0167	26-09-2022
12.	Gujarat	ORG000711	Bhagwati Enviro Care Pvt. Ltd.	NABET/EIA/1921/RA0156	23-05-2021
13.	Gujarat	ORG000816	CSIR-CSMCRI (Central Salt and Marine Chemicals Research Institute, Bhavnagar)	NABET/EIA/1922/IA0052	28-08-2022
14.	Gujarat	ORG000749	Enpro Envirotech & Engineers Pvt. Ltd.	NABET/EIA/1922/RA0122	12-01-2022
15.	Gujarat	ORG000039	Envirocare Technocrats Pvt. Ltd.	NABET/EIA/1821/RA0134	29-11-2021
16.	Gujarat	ORG000594	Envision Enviro Technologies Pvt. Ltd.	QCI/NABET/ENV/ACO/20/1582	27-03-2021
17.	Gujarat	ORG000564	En-vision Environmental Service	QCI/NABET/ENV/ACO/20/1554	06-03-2021
18.	Gujarat	ORG000878	Green circle Inc.	QCI/NABET/ENV/ACO/20/1555	06-03-2021
19.	Gujarat	ORG000326	Gujarat Environment Management Institute	NABET/EIA/1821/RA0126	28-10-2021
20.	Gujarat	ORG000844	Kadam Environmental Consultants	NABET/EIA/1922/RA0138	25-05-2022
21.	Gujarat	ORG000639	Siddhi Green Excellence Private Limited	NABET/EIA/1821/RA0104	27-04-2021

94.	Punjab	ORG000545	Shivalik Solid Waste Management Limited	NABET/EIA/1922/RA0128	16-02-2022
95.	Rajasthan	ORG000559	Wolkem India Limited	NABET/EIA/1821/SA103	04-02-2021
96.	Rajasthan	ORG000742	Apex Mintech Consultants	NABET/EIA/1821/SA101	16-04-2021
97.	Rajasthan	ORG000397	Fulgro Environmental & Engineering Services India Pvt. Ltd.	NABET/ EIA/1922/ RA 0148	09-02-2022
98.	Rajasthan	ORG000466	Overseas Min-Tech Consultants Pvt. Ltd.	QCI/NABET/EIA/ACO/20/1514	27-01-2021
99.	Rajasthan	ORG000260	PDCOR Limited	QCI/NABET/ENV/ACO/20/1535	22-02-2021
100.	Rajasthan	ORG000877	R. K. Consultants	NABET/EIA/1821/RA0153	07-10-2021
101.	Rajasthan	ORG000482	Udaipur Min-Tech Pvt. Ltd.	QCI/NABET/ENV/ACO/20/1577	20-03-2021
102.	Rajasthan	ORG000432	Enkay Enviro Services Pvt. Ltd.	NABET/EIA/2023/RA 0183	12-12-2023
103.	Rajasthan	ORG000747	Envirogreen Consultants (India) Pvt. Ltd	NABET/EIA/1922/RA 0185	08-06-2022
104.	Rajasthan	ORG000958	Gaurang Environmental Solutions Pvt. Ltd.	QCI/NABET/EIA/ACO/21/1595	06-04-2021
105.	Rajasthan	ORG000563	Global Mgt. and Engineering Consultants International	NABET/EIA/1922/RA 0171	06-02-2022
106.	Rajasthan	ORG000929	N S envirotech Laboratories & Consultants	NABET/EIA/1922/RA 0173	18-08-2022
107.	Rajasthan	ORG000928	Ramji Mine Envirotech	QCI/NABET/ENV/ACO/20/1528	09-02-2021
108.	Rajasthan	ORG000864	TEAM Institute of Science & Technology Pvt Ltd.	QCI/NABET/ENV/ACO/20/1527	08-02-2021
109.	Tamil Nadu	ORG000329	Aadhi Boomi Mining and Enviro Tech Private Limited	NABET/EIA/1821/RA0103	22-04-2021
110.	Tamil Nadu	ORG000715	ABC Techno Labs India Private Limited	NABET/EIA/1922/RA0155	24-05-2022
111.	Tamil Nadu	ORG000897	Centre for Environment, Health & Safety- Annamalai University, Tamil Nadu	NABET/EIA/2023/IA0060	20-07-2023
112.	Tamil Nadu	ORG000655	Chennai Testing Laboratory Private Limited	NABET/EIA/1922/IA0045	12-02-2022
113.	Tamil Nadu	ORG000404	Cholamandalam MS Risk Services	NABET/EIA/1922/RA 0170	23-05-2022
114.	Tamil Nadu	ORG000346	Eco Services India Private Limited	NABET/EIA/1720/RA0095	01-04-2021
115.	Tamil Nadu	ORG000440	Eco Tech Labs Pvt. Ltd.	NABET/EIA/1922/RA0130	16-03-2022



Scheme for Accreditation of EIA Consultant Organizations



116.	Tamil Nadu	ORG000500	Enviro Care India Private Limited	NABET/EIA/1821/RA0137	14-12-2021
117.	Tamil Nadu	ORG000842	Geological Exploration & Mining Solutions	NABET/EIA/1821/RA0123	07-11-2021
118.	Tamil Nadu	ORG000835	Indomer Coastal Hydraulics (P) Ltd	QCI/NABET/ENV/ACO/20/1566	13-03-2021
119.	Tamil Nadu	ORG000765	Olympia Eco Solutions Private Limited	NABET/EIA/1821/IA0044	26-12-2021
120.	Tamil Nadu	ORG000785	Pollucare Engineers India Private Limited	NABET/EIA/1821/IA0042	13-11-2021
121.	Tamil Nadu	ORG000827	Creative Engineers & Consultants	QCI/NABET/ENV/ACO/20/1546	02-03-2021
122.	Tamil Nadu	ORG000513	Hubert Enviro Care Systems	NABET/EIA/1922/RA 0172	13-10-2022
123.	Telangana	ORG000724	Aarvee Associates Architects Eng. & Consultants Pvt. Ltd.	NABET/EIA/1821/RA 0127	16-02-2021
124.	Telangana	ORG000952	AmplEnviron Pvt. Ltd.	NABET/EIA/2023/IA0061	13-08-2023
125.	Telangana	ORG000443	Environment Protection & Training Research Institute	NABET/ EIA/1922/ RA 0143	09-05-2022
126.	Telangana	ORG000990	Global Enviro Labs	NABET/EIA/RA071/112	25-03-2021
127.	Telangana	ORG000733	Integrated Precision Systems and Services Pvt Ltd	NABET/EIA/1821/IA0041	05-09-2021
128.	Telangana	ORG000020	KKB Envirocare Consultants Pvt. Ltd.	NABET/EIA/1922/RA0143	09-08-2022
129.	Telangana	ORG000529	Pioneer Enviro Laboratories & Consultants Pvt. Ltd.	NABET/EIA/1922/RA0149	22-03-2022
130.	Telangana	ORG000339	Pridhvi Envirotech (P) Ltd.	NABET/EIA/1922/RA0132	03-06-2022
131.	Telangana	ORG000536	Ramky Enviro Services Private Limited	NABET/EIA/1922/RA0140	21-05-2022
132.	Telangana	ORG000445	Right Source Industrial Solutions Pvt. Ltd.	NABET/EIA/1821/RA0100	25-02-2021
133.	Telangana	ORG000806	Space Enviro Solutions	NABET/EIA/1922/IA0043	05-03-2022
134.	Telangana	ORG000554	Sri Sai Manasa Nature Tech Pvt. Ltd.	NABET/EIA/1821/SA 0122	21-11-2021
135.	Telangana	ORG000680	Vimta Labs Limited	QCI/NABET/ENV/ACO/20/1533	16-02-2021
136.	Telangana	ORG000731	VITYA Consultants Pvt. Ltd.	NABET/EIA/2023/RA 0168	26-02-2023
137.	Telangana	ORG000309	B. S. Envi – Tech (P) Ltd.	NABET/EIA/1922/RA 0174	16-11-2022

Handbook of

Forest (Conservation) Act, 1980

and

Forest Conservation Rules, 2003

(Guidelines & Clarifications)



Ministry of Environment, Forest and Climate Change

Government of India

2019

FOREST (CONSERVATION) ACT, 1980 WITH AMENDMENTS MADE IN 1988

An Act to provide for the conservation of forests and for matters connected therewith or ancillary or incidental thereto.

Be it enacted by Parliament in the Thirty-first Year of the Republic of India as follows: -

1. Short title, extent and commencement-

- (1) This Act may be called the Forest (Conservation) Act, 1980.
- (2) It extends to the whole of India except the State of Jammu and Kashmir.
- (3) It shall be deemed to have come into force on the 25th day of October 1980.

2. Restriction on the de-reservation of forests or use of forest land for non-forest purpose

Notwithstanding anything contained in any other law for the time being in force in a State, no State Government or other authority shall make, except with the prior approval of the Central Government, any order directing -

- i) that any reserved forest (within the meaning of the expression "reserved forest" in any law for the time being in force in that State) or any portion thereof, shall cease to be reserved;
- ii) that any forest land or any portion thereof may be used for any non-forest purpose;
- iii) that any forest land or any portion thereof may be assigned by way of lease or otherwise to any private person or to any authority, corporation, agency or any other organisation not owned, managed or controlled by Government;
- iv) that any forest land or any portion thereof may be cleared of trees which have grown naturally in that land or portion, for the purpose of using it for reafforestation.

Explanation - For the purpose of this section, "non-forest purpose" means the breaking up or clearing of any forest land or portion thereof for-

- a) the cultivation of tea, coffee, spices, rubber, palms, oil-bearing plants, horticultural crops or medicinal plants;
- b) any purpose other than reforestation;

but does not include any work relating or ancillary to conservation, development and management of forests and wildlife, namely, the establishment of check-posts, fire lines, wireless communications and construction of fencing, bridges and culverts, dams, waterholes, trench marks, boundary marks, pipelines or other like purposes.

3. Constitution of Advisory Committee

The Central Government may constitute a Committee consisting of such number of persons as it may deem fit to advise that Government with regard to-

- i) the grant of approval under Section 2; and
- ii) any other matter connected with the conservation of forests which may be referred to it by the Central Government.

3A. Penalty for contravention of the provisions of the Act

Whoever contravenes or abets the contravention of any of the provisions of Section 2, shall be punishable with simple imprisonment for a period, which may extend to fifteen days.

3B. Offences by the Authorities and Government Departments

- 1) Where any offence under this Act has been committed -
 - (a) by any department of Government, the head of the department; or
 - (b) by any authority, every person who, at the time the offence was committed, was directly in charge of, and was responsible to, the authority for the conduct of the business of the authority as well as the authority;

shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render the head of the department or any person referred to in clause (b), liable to any punishment if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

- 2) Notwithstanding anything contained in sub-section (1), where an offence punishable under the Act has been committed by a department of Government or any authority referred to in clause (b) of sub-section (1) and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of any officer, other than the head of the department, or in the case of an authority, any person other than the persons referred to in clause (b) of sub-section (1), such officer or persons shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

4. Power to make rules

- 1) The Central Government may, by notification in the Official Gazette, make rules for carrying out the provisions of this Act.
- 2) Every rule made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

5. Repeal and saving

- (1) The Forest (Conservation) Ordinance, 1980 is hereby replaced.
- (2) Notwithstanding such repeal, anything done or any action taken under the provisions of the said Ordinance shall be deemed to have been done or taken under the corresponding provisions of this Act.

* * * * *

Forest Conservation (Rules), 2003 (amended up to August 2017)
Ministry of Environment and Forests
Notification

New Delhi, the 10th January, 2003

G.S.R.23(E): - In exercise of the powers conferred by sub-section (1) of section 4 of the Forest (Conservation) Act, 1980 (69 of 1980), and in supersession of the Forest (Conservation) Rules, 1981, except as respects things done or omitted to be done before such supersession, the Central Government hereby makes the following rules, namely: -

1. Short title, extent and commencement

- (1) These rules may be called the Forest (Conservation) Rules, 2003.
- (2) They shall extend to the whole of India except the State of Jammu and Kashmir.
- (3) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions - In these rules, unless the context otherwise requires: -

- (a) "Act" means the Forest (Conservation) Act, 1980 (69 of 1980);
- (b) "Committee" means the Forest Advisory Committee constituted under section 3 of the Act;
- ¹(ba) "Conservator of Forests" means an officer appointed by the State Government or the Union Territory Administration, as the case may be, under the designation of Conservator of Forests or the Chief Conservator of Forests or the Regional Chief Conservator of Forests or any such similar designation, to hold charge of a Forest Circle having jurisdiction over the forest land for which the approval of the Central Government under the Act is required;
- (c) "Chairperson" means the Chairperson of the Committee;
- ¹(ca) "Divisional Forest Officer" means an officer appointed by the State Government or the Union territory Administration, as the case may be, under the designation of the Divisional Forest Officer or the Deputy Conservator of Forests or any such similar designation, to hold charge of a Forest Division having jurisdiction over the forest land for which the approval of the Central Government under the Act is required;
- ²(caa) "District Collector" means an officer appointed by the State Government or the Union territory Administration, as the case may be, under the designation of District Collector or Deputy Commissioner or any such similar designation, to hold charge of the administration of the revenue district having jurisdiction over the forest land for which the approval of the Central Government under the Act is required;
- ³(cb) "Chairperson of the Regional empowered Committee" means chairperson of each of the Regional Empowered Committees constituted under rule 4A;
- ¹(cc) "Head of the Regional Office" means senior-most officer in the rank of Additional

¹Inserted vide GSR 185 (E) dated 14th March, 2014

² Inserted vide GSR 200 (E) dated 6th March 2017.

³ Inserted vide GSR 713(E) dated 10th Oct., 2014.

Principal Chief Conservator of Forests or Chief Conservator of Forests appointed by the Central Government at Regional Office to deal with the forest conservation matters under the Act;

- ¹(cd) “linear projects” means projects involving linear diversion of forest land for purposes such as roads, pipelines, transmission lines etc.;
- (d) “Member” means a member of the Committee;
- (e) “Nodal Officer” means any officer not below the rank of Conservator of Forests, authorised by the State Government to deal with the forest conservation matters under the Act;
- (f) “Regional Office” means a Regional Office of the Central Government in the Ministry of Environment and Forests established as part of the Ministry to deal with the forest conservation matters under the Act;
- (g) “Section” means a section of the Act;
- (h) “User Agency” means any person, organisation or Company or Department of the Central or State Government making a request for diversion or de-notification of forest land for non-forest purpose or using forest land for non-forest purpose in accordance with the permission granted by the Central Government under the Act or the rules.

3. Composition of the Committee

(1)The Committee shall be composed of the following members: -

- | | |
|---|------------------|
| (i) Director General of Forests,
Ministry of Environment and Forests - | Chairperson |
| (ii) Additional Director General of Forests,
Ministry of Environment and Forests- | Member |
| (iii) Additional Commissioner (Soil Conservation),
Ministry of Agriculture- | Member |
| (iv) Three non-official members who shall be experts
one each in Mining, Civil Engineering, and
Development Economics - | Members |
| (v) Inspector General of Forests (Forest Conservation),
Ministry of Environment and Forests - | Member Secretary |

(2) Additional Director General of Forests shall act as the Chairperson in the absence of Director General of Forests

4. Terms of appointment of non-official members shall be as follows -

- (i) a non-official member shall hold his office for a period of two years;
- (ii) a non-official member shall cease to hold office if he becomes of unsound mind, becomes insolvent or is convicted by court of law on a criminal offence involving moral turpitude;

- (iii) a non-official member may be removed from his office if he fails to attend three consecutive meetings of the Committee without any sufficient cause or reasons;
- (iv) any vacancy in the membership caused by any reason mentioned in clauses (ii) and (iii) shall be filled by the Government for the unexpired portion of two years term.
- (v) travelling and daily allowance shall be payable to the non-official members of the Committee at the highest rate admissible to the Government servants of Group 'A' under the rules and orders made by the Central Government and for the time being in force.

Provided that the payment of travelling allowance and daily allowance to a member who is a Member of the Parliament or a Member of a State Legislature shall be regulated in accordance with the Salary, Allowances and Pension of Members of Parliament Act, 1954 (30 of 1954) or the respective provisions of law pertaining to the member of the concerned State Legislature.

4-A Constitution of Regional Empowered Committee

- (1) The Central Government by notification in the Official Gazette, shall constitute a Regional Empowered Committee at each of the Regional Offices.
- (2) The Regional Empowered Committee at each of the Regional Offices shall consist of the following members to be appointed by the Central Government to deal with the forest conservation matters, namely:
 - (i) Head of the Regional Office; Chairperson
 - (ii) Senior most officer from amongst officers
in the rank of Chief Conservator of Forests or
Conservator of Forests in the Regional Office; Member
 - (iii) Three non-official members from amongst
eminent persons who are experts in the forestry
and allied disciplines; Members
 - (iv) Senior most officer from amongst officers
in the rank of Deputy Conservator of Forests in
the Regional Office. Member- Secretary
- (3) Representatives of the State Government or the Union Territory Administration, as the case may be, not below the rank of a Director to the Government of India, one each from Forest Department and Revenue Department shall also be invited to attend meeting of the Regional Empowered Committee as special invitee, in the examination of the proposals pertaining to such State or Union Territory Administration, as the case may be.
- (4) The terms of appointment of non-official members shall be as specified in rule 4.

5. Conduct of business of the Committee -

⁴ Substituted vide GSR 713(E) dated 10th Oct., 2014.

- (i) The Chairperson shall call the meeting of the Committee whenever considered necessary, but not less than once in a month.
- (ii) The meeting of the Committee shall be held at New Delhi.
- (iii) In a case where the Chairperson is satisfied that inspection of site or sites of forest land proposed to be used for non-forest purposes shall be necessary or expedient in connection with the consideration of the proposal or proposals received under sub-rule (3) of rule 6, he may direct that the meetings of the Committee to be held at a place other than New Delhi from where such inspection of site or sites is necessary.
- (iv) The Chairperson shall preside over every meeting of the Committee at which he is present.
- (v) Every question upon which the Central Government is required to be advised shall be considered in the meeting of the Committee provided that in urgent cases if the meeting cannot be convened within a month, the Chairperson may direct that papers may be circulated and sent to the members for their opinion within the stipulated time.
- (vi) The quorum of the meeting of the committee shall be three.

⁵5A Conduct of Business of the Regional Empowered Committee

- 1) The Chairperson of the Regional Empowered Committee shall hold the meeting of the Regional Empowered Committee whenever considered necessary, but not less than once in a month.
- 2) The meetings of the Regional Empowered Committee shall be held at the headquarters of the Regional Office:

Provided that where the Chairperson of the Regional Empowered Committee is satisfied that inspection of site or sites of forest land proposed to be used for non-forest purposes shall be necessary or expedient in connection with the consideration of the proposals referred to the Regional Empowered Committee, he may direct that the meetings of the Regional Empowered Committee be held at a place other than headquarters of the Regional Office for such inspection of site or sites.
- 3) The Chairperson of the Regional Empowered Committee shall preside over every meeting of the Regional Empowered Committee:

Provided that in the absence of Chairperson of the Regional Empowered Committee, the senior most member in the rank of the Chief Conservator of Forests or the Conservator of Forests shall act as the Chairperson of the Regional Empowered Committee.
- 4) Every proposal referred to the Regional Empowered Committee for advice or decision shall be considered in the meeting of the Regional Empowered Committee:

Provided that in urgent cases if the meeting cannot be convened within a month, the Chairperson of the Regional Empowered Committee may direct that papers may be circulated and sent to members of the Regional Empowered Committee for their opinion within the stipulated time.
- 5) The quorum of the meeting of the Regional Empowered Committee shall be three.

⁶6. Submission of proposal seeking approval of the Central Government under section 2

⁵ Inserted vide GSR 713(E) dated 10th Oct., 2014.

of the Act -

- (1) Every User Agency that wants to use any forest land for non-forest purposes, shall make its proposal in the relevant Form appended to these rules, namely; Form 'A' for proposal seeking first time approval under the Act, Form 'B' for proposal seeking renewal of leases, where approval of the Central Government under the Act had already been obtained, and Form 'C' for prospecting of minerals, to the Nodal Officer of the concerned State Government or the Union Territory Administration, as the case may be, along with requisite information and documents, complete in all respect.
- (2) The User Agency shall endorse a copy of the proposal, along with a copy of the receipt obtained from the office of the Nodal Officer to the concerned Divisional Forest Officer, District Collector and Regional Office as well as the Monitoring Cell of the Forest Conservation Division of the Ministry of Environment, Forests and Climate Change.
- (3) (a) The Nodal Officer of the State Government or the Union Territory Administration, as the case may be, after having received the proposal under sub-rule (1) and on being satisfied that the proposal is complete in all respects and requires prior approval under section 2 of the Act, shall send the proposal to the concerned Divisional Forest Officer and the District Collector within a period of ten days of the receipt of the proposal.
 - (b) If the Nodal Officer of the State Government or the Union territory Administration, as the case may be, finds that the proposal is incomplete, he shall return it within a period of ten days to the User Agency and this time period and the time taken by the User Agency to re-submit the proposal shall not be counted for any future reference.
 - (c) The Divisional Forest Officer shall examine the factual details and feasibility of the proposal, certify the maps, carry out site-inspection and enumeration of the trees and forward his findings in the Format specified in this regard to the Conservator of Forests.
 - (d) The Divisional Forest Officer shall process and forward the application along with his findings on the proposal involving forest land upto forty hectares, above forty hectares and up to one hundred hectares and above one hundred hectares to the Conservator of Forests within a period of thirty days, forty-five days and sixty days respectively.
- ⁷(e) The District Collector shall-
 - (i) complete the process of recognition and vesting of forest rights in accordance with the provisions of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (2 of 2007) for the entire forest land indicated in the proposal;
 - (ii) obtain consent of each Gram Sabha having jurisdiction over the whole or a part of the forest land indicated in the proposal for the diversion of such forest land and compensatory and ameliorative measures, if any, having understood the purposes and details of diversion, wherever required; and
 - (iii) forward his findings in this regard to the Conservator of Forests;

⁶ Substituted vide GSR 185 (E) dated 14th March, 2014

⁷ Substituted vide GSR 200 (e) dated 6th March 2017.

- ⁷(f) the entire process referred to in clause (e) shall be completed by the District Collector within the time period stipulated in these rules for grant of in-principle approval under the Act to the proposal;
- ⁷(g) the Conservator of Forests shall examine the factual details and feasibility of the proposal, carry out site- inspection in case the area of forest land proposed to be diverted is more than forty hectares, and forward the proposal along with his recommendations to the Nodal Officer;
- (h) The time taken by the Conservator of Forests to process and forward to the Nodal Officer the proposal involving forest land up to forty hectares and above forty hectares shall not be more than ten days and thirty days respectively.
- (i) The Nodal Officer, through the Principal Chief Conservator of Forests, shall forward the proposal to the State Government or the Union territory Administration, as the case may be, along with his recommendations.
- (j) The Nodal Officer shall process and forward the proposal along with his findings on the proposal involving forest land, up to five hectares, above five hectares and up to forty hectares, above forty hectares up to one hundred hectares and above one hundred hectares, to the State Government or the Union territory Administration, as the case may be, within a period of ten days, twenty days, twenty five days and thirty days respectively.
- (k) In case the State Government or the Union territory Administration, as the case may be, decides not to, de-reserve or divert for non-forest purpose or assign on lease the forest land indicated in the proposal, as the case may be, the same shall be intimated to the User Agency within thirty days of the receipt of proposal from the Nodal Officer:

Provided, all proposals involving diversion of forest land for projects of the Central Government or Central Government Undertakings where the State Government or the Union territory Administration, as the case may be, does not agree in-principle to de-reserve or divert for non-forest purpose or assign on lease the forest land indicated in the proposal, as the case may be, shall be forwarded to the Central Government along with comments of the State Government or the Union territory Administration, as the case may be.

- (l) The State Government or the Union territory Administration, as the case may be, shall forward along with its recommendations all those proposals where State Government or the Union Territory Administration, as the case may be, agrees in-principle to de-reserve or divert for non-forest purpose or assign on lease the forest land indicated in the proposal, as the case may be, and all proposals involving diversion of forest land for projects of the Central Government or Central Government Undertakings, to the Central Government within thirty days:

Provided that all proposals involving felling of trees on forest land or a portion thereof for the purpose of using it for reafforestation shall be sent in the form of Working Plan or Working Scheme or Management Plan:

Provided further that the concerned State Government or the Union territory Administration, as the case may be, shall simultaneously send the intimation to the

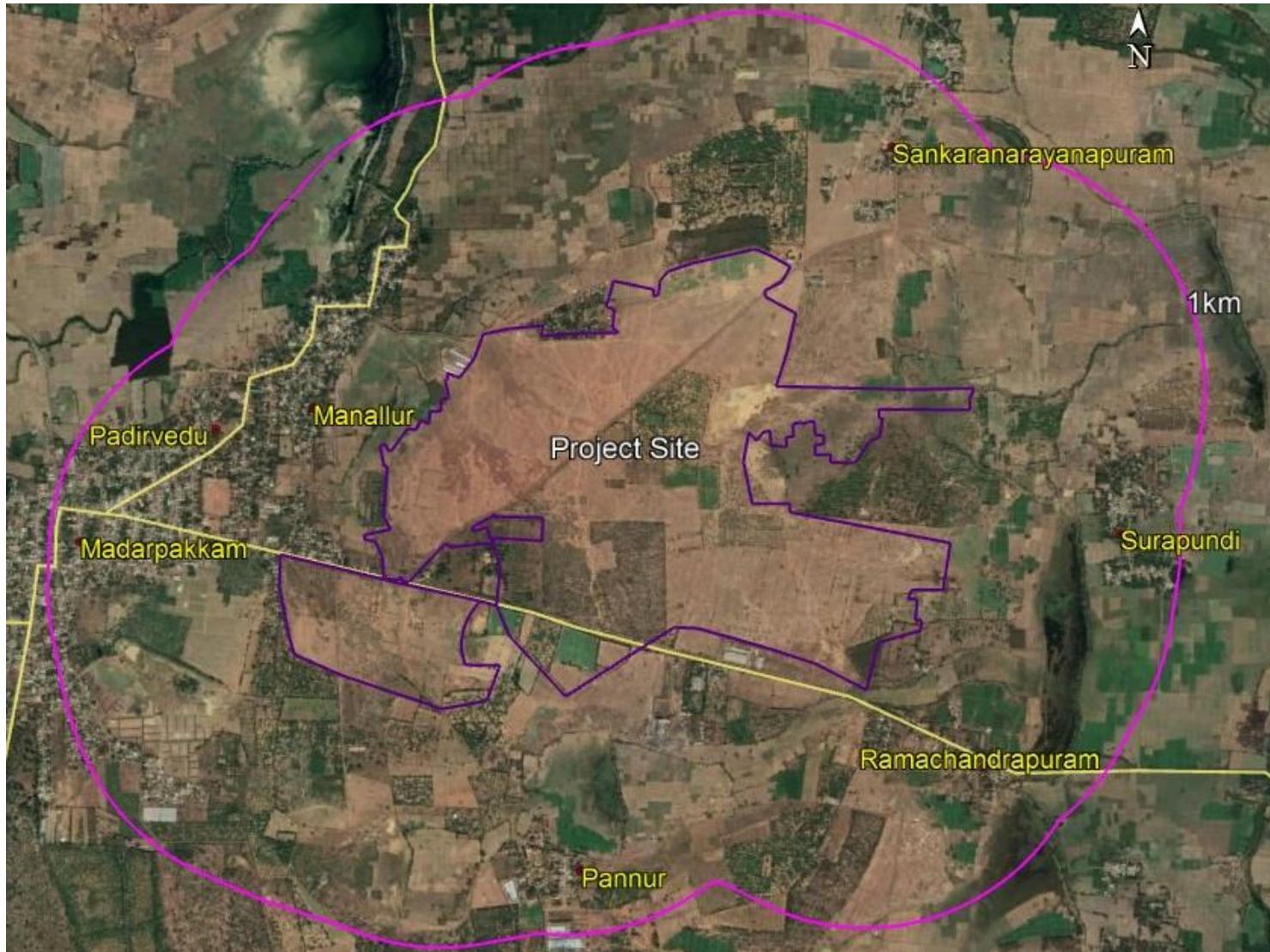


Figure 2-2 Satellite image (1 Km) of the project site

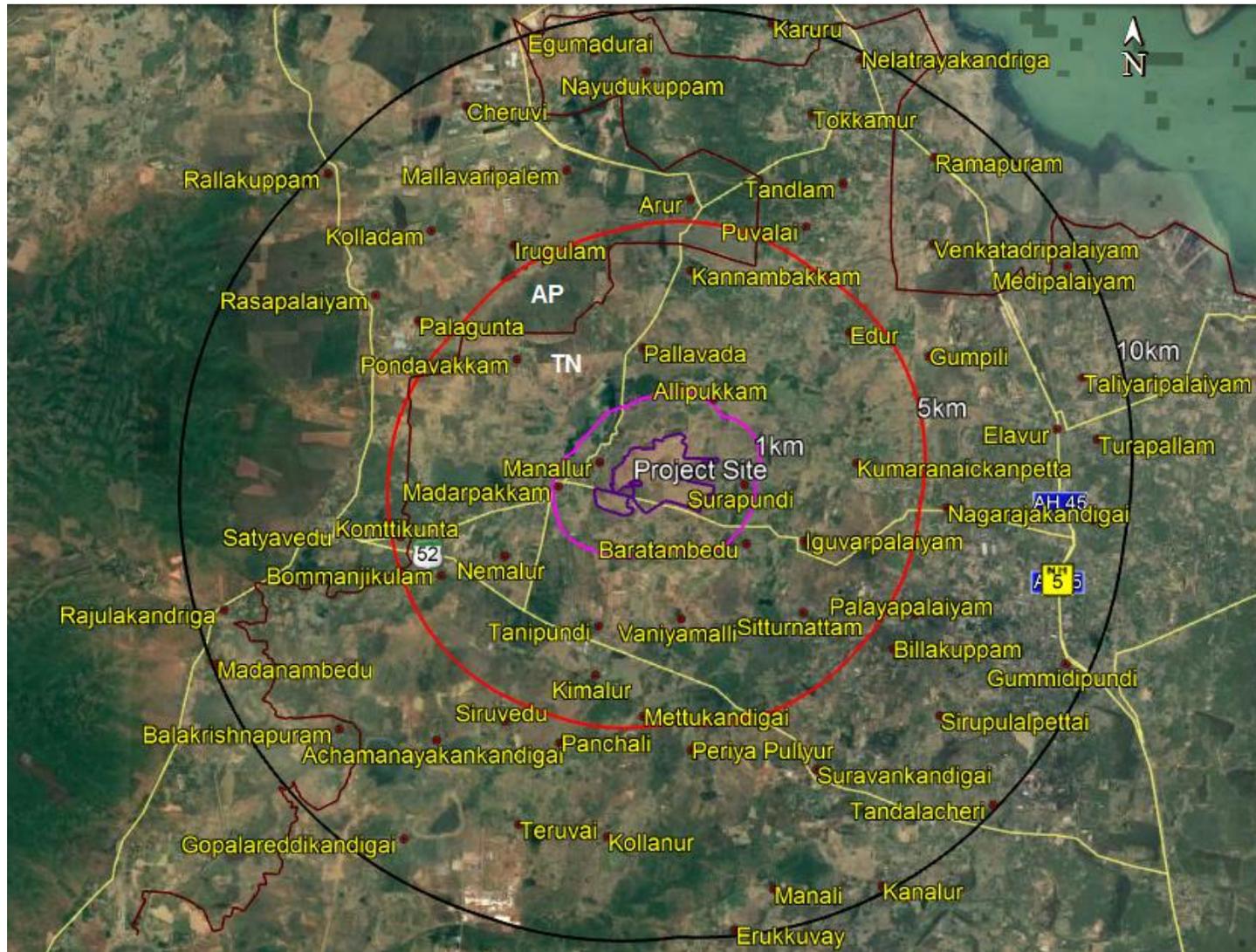
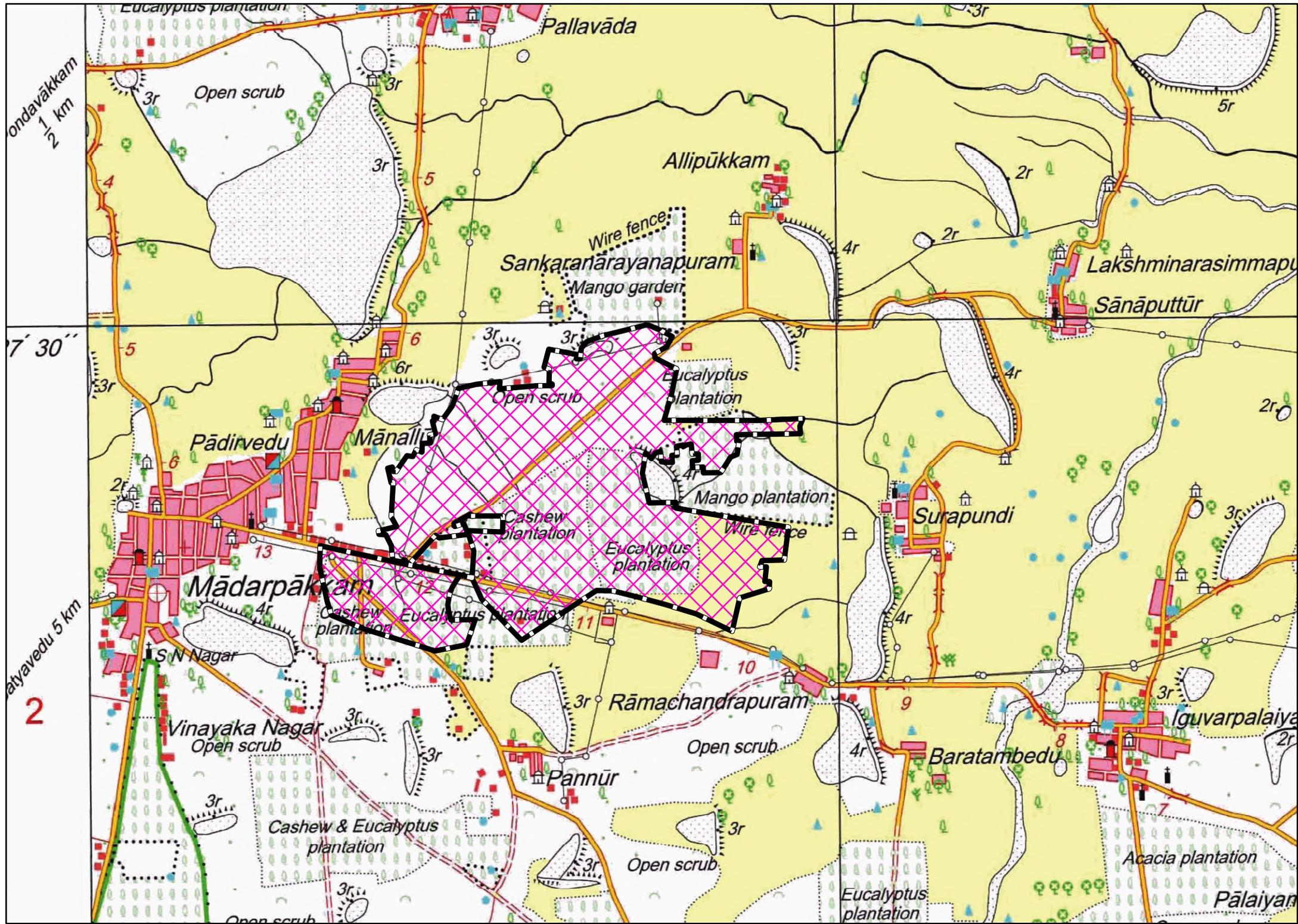


Figure 2-3 Satellite image of the project site covering 10 Km radius





निर्यात के लिए नहीं NOT FOR EXPORT

OPEN SERIES MAP

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CONVENTIONAL SYMBOLS

- Express highway with lot, with bridge, with distance stone
- Roads, metalled according to importance
- Roads, double carriageway according to importance
- Unmetalled road, Cart-track, Pack-track with pass, Foot-path
- Streams with track bed, unforded, Canal
- Dam, masonry or rock-filled, earthwork, Weir
- River, dry with water channel, with island & rocks, Tide-river
- Submerged rocks, Shoal, Swamp, Reeds
- Wells, lined, unlined, Tube-well, Spring, Tanks, perennial, dry
- Embankments, road, rail, bank, dike, groyne
- Railways, broad gauge, double, single with station, under construction
- Railways, other gauges, double, single with distance stone, etc.
- Mineral line or tramway, Kite, Cutting with tunnel
- Contours with sub-features, Rocky slopes, Cliff
- Sand features (Tidal, (Zand-ridge/segment), (Dunes/shifting)
- Towns or villages, settled, isolated, Fort
- Habit, permanent temporary, Trade, Residential
- Temple, Church, Mosque, Light, Tomb, Graves
- Lighthouse, Lightship, Buoy, lighted, unlighted, Anchorage
- Mine, Vm on hills, Grass, Scrub
- Palms, palms, other, Plantain, Conifer, Bamboo, Other trees
- Areas, cultivated, wooded, Surveyed tree
- Boundary, international
- State demarcated, un-demarcated
- district, subdivision, taluk or taluk, forest
- Boundary pillars, surveyed, uncoloured
- Height, triangulation station, point, approximate
- Bench-mark, geodetic, tertiary, canal
- Post office, Telegraph office, Overhead tank
- Rail house or inspection bungalow, Civil house, Police station
- Camping ground, Forest, reserved, protected
- Special names, administrative, locality or tribal
- Hospital, Dispensary, Veterinary, Hospital, Dispensary
- Aerodrome, Helipad, Tourist site
- Power line, with poles surveyed, with poles unsurveyed

REFERENCES

- MS 5 National Highway No. 5
- PWD Public Works Department

NOTES

Heights and Contours have not been shown.
A relative height, e.g., 20, represents the approximate height in metres, between the top and bottom of a slope.
Unmetalled roads are metalled and most of the cart tracks are metalled in dry season.
Tanks shown dry in this area usually contain water from October to February.
Tide marks are shown throughout the sheet, only some have been shown.
The Aerial Photo - Tami Nadu site boundary has been surveyed as pointed out by the local officials on the ground, but has not been verified by the Government's personnel.
Temple with Gopuram is shown thus: ...

COMPILED INDEX

- A. Surveyed during 1955-56. Updated for major details during 2005-06.

Projection - UTM Datum - WGS 84

Magnetic Variation from True North about 1° West in 2005. (Annual change negligible)

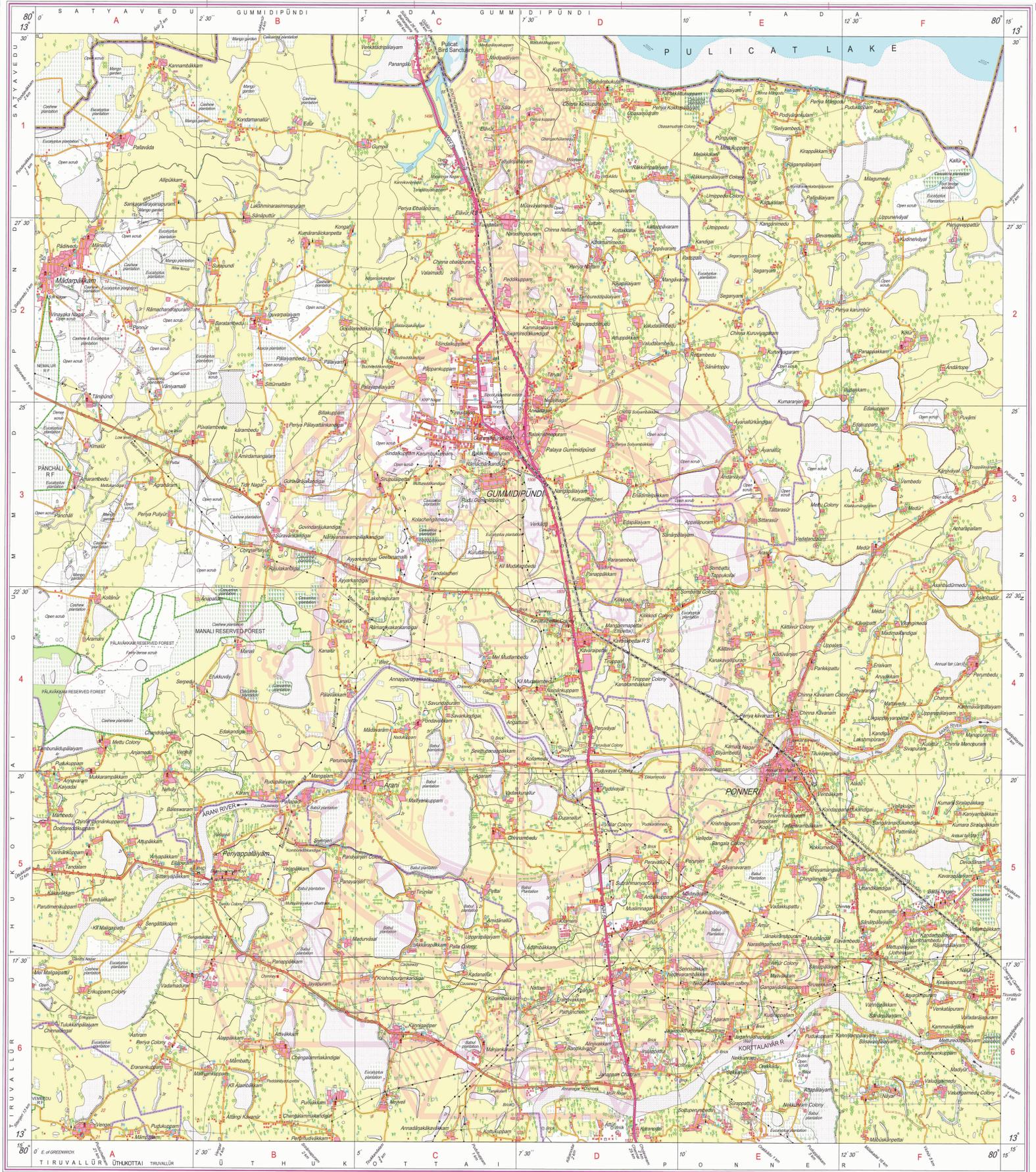


For further details about the map, please contact Director, Tamilnadu, Puducherry & Andaman Nicobar Islands Geo-Spatial Data Centre, Survey of India, Guindy, Chennai.

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