



**GOVERNMENT OF TAMIL NADU**

**ABSTRACT**

Forests - Forests (Conservation) Act, 1980 - Diversion of 96.34 ha. of Forest land - Renewal of lease of forest land Mining Magnesite and Dunite in Kurumbapatty Reserve Forest - Salem Forest division - Shevaroys (South) Range, Salem District in favour of Tamil Nadu Magnesite Limited (TANMAG) - Proposal under section 2 of Forest (Conservation) Act, 1980 - Orders - Issued.

**ENVIRONMENT AND FORESTS (FR.10) DEPARTMENT**

**G.O. (Ms) No.79**

**Dated:12.8.2008**

**Read:**

- 1) G.O.(Ms)No.234. Environment and Forest Department dated 6.8.98.
- 2) From the Principal Chief Conservator of Forests Letter No.TS3/76421/06, Dated 5.6.2007.
- 3) Government Letter No.13985/kFr.10/07-1, dated 12.7.2007.
- 4) From the Government of India, Ministry of Environment and Forests, New Delhi Letter No.8-53/97-FC, dated 8.5.2008.
- 5) From the Principal Chief Conservator of Forests, Chennai Ref. No.TS3/76421/06, dated 6.6.2008.
- 6) From the Government of India, Ministry of Environment and Forests, New Delhi Letter No.8-53/97-FC, dated 14.7.2008.

**ORDER:**

In the reference first read above, an area of 177.96 ha. of forest land in Kurumbapatti Reserve Forest of Shevaroys South Range of Salem Forest Division has been leased out in favour of TANMAG for a period of 10 years from 23.6.98 after obtaining concurrence of Government of India, Ministry of Environment and Forest, New Delhi under section 2 of Forest (Conservation) Act, 1980.

2. In the reference II<sup>nd</sup> read above, the Principal Chief Conservator of Forests sent a renewal proposal under section 2 of Forest (Conservation) Act, 1980 for renewal of lease of 96.34 ha. out of an area of 177.96 ha. of forest land leased out earlier in Kurumbapatty Reserve Forest of Shevaroys (South) Range of Salem Forest Division for Mining Magnesite and Dunite in favour of Tamil nadu Magnisite Limited (TANMAG) and requested the Government to forward the proposal to Government of India for obtaining their concurrence.

3 In the reference third read above, the renewal proposal was forwarded to Chief conservator of Forests (Central), Government of India, Ministry of Environment and Forests, Regional Office, Southern Zone, Bangalore and Assistant Inspector General of Forests, New Delhi for obtaining their concurrence.

4. The Government of India in their letter fourth read above have conveyed their in principle approval for renewal of diversion of 96.34 ha. of Forest Land in Kurumbapatty Reserve Forest of Salem Forest division. Shevoroy's (South) Range for Mining Magnesite and Dunite in favour of Tamil Nadu Magnesite Limited (TANMAG) in Salem District, subject to certain conditions. The Government of India has, also, reported that formal approval for diversion of Forest area under section 2 of the Forest (Conservation) Act, 1980 will be issued after receipt of State Government's report on compliance of those conditions.

5. In the reference fifth read above, the Compliance Report was directly furnished by the Principal Chief Conservator of Forests to the Government of India, Ministry of Environment and Forests, New Delhi with a request to accord final approval for diversion of 96.34 ha. of Forest Land in Kurumbapatty Reserve Forest of Salem Forest division. Shevoroy's (South) Range for Mining Magnesite and Dunite in favour of Tamil Nadu Magnesite Limited (TANMAG) in Salem District.

6. In the reference sixth read above, the Government of India have, now, conveyed their approval for diversion of 96.34 ha. forest land in Kurumbapatty Reserve Forest of Salem Forest Division for mining of Magnesite and Dunite in favour of Tamil Nadu Magnesite Limited (TANMAG) in Salem District, subject to the fulfillment of the following conditions :-

1. Legal status of the diverted forest land shall remain unchanged.
2. (i) Compensatory Afforestation shall be raised and maintained by the State Forest Department at the Project cost.
  - (ii) Fencing, protection and regeneration of the safety zone area (7.5 metres strip all along the outer boundary of the mining lease area) shall be done at the project cost. Besides this, afforestation on degraded forest land, to be selected elsewhere, measuring one and a half times the area under safety zone, shall also be done at the project cost.
  - (iii) Wherever possible and technically feasible, the User Agency shall undertake afforestation measures in the blanks within the lease area, as well as along the roads outside the lease area diverted under this approval, in consultation with the State Forest Department at the project Cost.
3. Following activities shall be undertaken by the State Forest Department at the project cost.
  - (i) Proper mitigation measures to minimize soil erosion and choking of streams shall be prepared.
  - (ii) Planting up of all vacant land and dumps with suitable species to arrest soil erosion and its protection.
  - (iii) Construction of a series of check dams and toe walls along the contour on the hill slopes to avoid rolling down of the excavated material.

4. Additional amount of the NPV of the diverted forest land, if any, becoming due after finalization of the same by the Hon'ble Supreme Court of India on receipt of the report from the Expert Committee, shall be charged by the State Government from the User Agency. The User Agency shall furnish an undertaking to this effect. The NPV also needs to be recalculated by the State Government in view of the Hon'ble Supreme Court's Judgment dated 28.3.2008 regarding NPV.
5. The period of diversion under this approval shall be twenty (20) years subject to possession of valid lease by the User Agency under the MMDR Act, 1957.
6. The User Agency shall provide fuel-wood preferably alternate fuel to the labourers working at the site to avoid damage / felling of trees.
7. The User Agency shall provide free water from the Project for all forestry related activities.
8. The User Agency shall reclaim the balance area of 81.62 ha as per plan approved by the IBM and surrender it to the Forest Department.
9. Wherever possible and technically feasible, the User Agency shall undertake by involving local community, the Afforestation measures in the banks within the lease area, as well as along the roads outside the lease area diverted under this approval, in consultation with the State Forest Department at the project cost.
10. (i) The User Agency shall take up planting work on the static dumps during the advance mining operations.  
  
(ii) All the dumps shall be fully reclaimed by afforestation immediately after closure of the mine in the shortest possible period under supervision of the State Forest Department.
11. Any tree felling shall be done only when it is absolutely necessary and unavoidable, and that too under strict supervision of the State Forest Department.
12. No damage to the flora and fauna of the area shall be caused.
13. Reclamation Plan shall be strictly implemented which shall be monitored regularly by the State Forest Department.
14. It shall be ensured that no labour camps are set up inside the forest area.
15. The mining lease area shall be demarcated on ground at the project cost, using four feet high RCC pillars, with each pillar inscribed with the serial number, forward and backward bearings and distance between two adjacent pillars.

16. The forest land shall not be used for any purpose other than that specified in the proposal.
17. Any other condition that the Chief Conservator of Forests (Central), Regional Office, Bangalore may impose from time to time for protection and improvement of flora and fauna in the forest area, shall also be applicable.

7. The Government accordingly, direct for diversion of 96.34 ha. of Forest Land in Kurumbapatty Reserve Forest of Salem Forest division. Shevoroy (South) Range for Mining Magnesite and Dunite under section 2 of Forest (Conservation) Act, 1980 in favour of Tamil Nadu Magnesite Limited (TANMAG) in Salem District, subject to the conditions stipulated by the Government of India in para 6 above.

8. The Principal Chief Conservator of Forests is requested to incorporate any other suitable conditions which are necessary for the above said diversion of forest land.

9. The Principal Chief Conservator of Forests is, also requested to pursue further action with reference to the conditions stipulated in para 5 above and send a report to Government.

**(BY ORDER OF THE GOVERNOR)**

**N. SUNDARADEVAN,  
Principal Secretary to Government**

To

The Principal Chief Conservator of Forests, Chennai.15.

The Deputy Conservator of Forests (Central), Government of India,

Ministry of Environment and Forests,

Regional Office (Southern Zone),

Kendriya Sadan, IV Floor, E&F Wings,

17th Main Road, II Block, Koramangala,

BANGALORE 560 034 (w.e.)

The Inspector General of Forests,

Government of India,

Ministry of Environment and Forests

Paryavaran Bhavan, CGO Complex,

Lodhi Road, New Delhi - 110 003.

The Chairman and Managing Director,

Tamil Nadu Magnesite Limited,Chepauk, Chennai.5.

The Conservator of Forests, Salem.

The District Forest Officer, Salem.

SF/SC

/Forwarded by order/

SECTION OFFICER.