



ENVIRONMENT, CLIMATE CHANGE
& FOREST(FR.10) DEPARTMENT,
SECRETARIAT, CHENNAI 9.

Letter No: 5328/FR10./2022- 1, dated.05.05.2022

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

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

Sir,

Sub: Forest – Forest (Conservation) Act, 1980 – SMTR,
Madurai circle – Theni Forest Division – Diversion of
0.018ha forest land in Suranganar RF for the construction
of Kumuly border Police check post at Kumuly in Theni
District – Regarding.

Ref: From the PCCF, letter No.TS4/32117/2016
dated.22.02.2022.

In the reference cited, the Principal Chief Conservator of Forests has stated that the Superintendent of Police, District Police office, Theni has furnished online application under Section 2 of Forest (Conservation) Act, 1980 for diversion of 0.018 ha forest land in Suranganar RF for the construction of Kumuly border Police check post at Kumuly in Theni District.

2. In part II of form A, District Forest Officer, Theni has furnished the following details:

- a. Density of Vegetation, the density of forest has been mentioned as 0.1 and the Eco-Class 1.
- b. No tree felling is involved in this project.
- c. Significance of forest land proposed for diversion from Wildlife point of view, SMTR, Megamalai Division, Theni is located around 20m from the proposed location and since the proposed Police check post is adjacent to the National Highway and also near to the Kumuli Town and the area proposed to be diverted is 0.018ha, there will not be any negative impact.
- d. No Compensatory Afforestation has insisted as the area proposed for diversion is 0.018 ha only and no tree felling is involved in this project.

3. In the inspection report, the District Forest Officer, Theni has furnished the following details:-

- i) The proposed area has been inspected on 24.05.2021 and the area requested by the User Agency is 0.018 ha for construction of Border Check post at Kumuly in Theni District for a length of 15m and a width of 12m.
- ii) The proposed location is a forest land of Kumuly Beat, Suranganar RF of Cumbam West Range of Theni Forest Division, Theni near anti poaching shed, Kumuly at Interstate border.
- iii) The proposed site is located on the side of the National Highway. The area is devoid of vegetation with no tree growth except a clump of Bamboo and no important monuments. The distance from the proposed project location to Megamalai Wildlife division is 20m and Kodaikanal Wildlife Division is 65.80km.

4. In the recommendation, District Forest Officer, Theni has furnished the following details:-

- i) The Project for diversion of 0.018 ha of forest land in Suranganar RF of Cumbam West Range doesn't fall in Eco Sensitive zone of Megamalai and Kodaikanal Wildlife sanctuaries and also does not falls under tiger corridor.
- ii) Proposed site doesn't have any important monuments / heritage site and is devoid of vegetation with no tree growth except a clump of Bamboo. The District Collector has certified there is no alternate non forest land; the user agency has not carried out any work in violation of provisions of Forest Conservation Act 1980.
- iii) Since the police on duty at the interstate border is using a temporary structure on the side of National Highway and the proposed project is very essential to ensure general security at the state border, the diversion of 0.018ha of forest land may be permitted.

5. The Conservator of Forests & Field director, SMTR, Madurai circle has inspected the proposed project area on 29.10.2021 along with District Forest Officer, Theni and agree with the recommendations of the District Forest Officer, Theni. The Conservator of Forests & Field director stated that the proposed diversion of forest area of 0.018 ha in Suranganar RF doesn't fall in the Eco Sensitive zone of Megamalai Wildlife Sanctuary and there is no felling of trees involved in this proposal. In the specific recommendation the Conservator of Forests & Field director has stated that this project is very essential to ensure general security as well and to prevent illegal activities in the Inter State border of Kerala State and recommended the proposal. The Principal Chief Conservator of Forests has sent the recommendation of the, nodal officer / Additional Principal Chief Conservator of Forests in this regard.

6. In this regard, it is submitted that the User Agency has uploaded all the certificates /undertaking certificates as required in this proposal.

7. Based on the recommendation of District Forest Officer, Theni and the Conservator of Forests & Field director, SMTR, Madurai circle, the Principal Chief Conservator of Forests has recommended the proposal for diversion of 0.018 ha of forest land for the construction of Kumuly border Police check post at Kumuly in Suranganar Reserved Forests, Cumbum West Range, Theni Forest Division of Theni


District in favour of Superintendent of police, District Police office, Theni for a period of 20 years under section 2 of Forest (Conservation) Act 1980 subject to the following conditions and requested to forward same to Government of India for obtaining the concurrence.

- a. The legal status of the land shall remain unchanged and shall remain as Reserved Forests.
- b. The demarcation of the proposed forest area shall be carried out by erecting 4 feet height cement concrete pillars duly numbered at an interval of 20 mts at the cost of User Agency.
- c. The User Agency shall pay the Net present value of the diverted forest area at the rates stipulated by the Ministry of Environment and Forests from time to time, as per the orders of the Hon'ble Supreme Court Order dated 28.03.2008 and 09.05.2008 in IA Nos. 826 in 566 with related IAs in Writ Petition (Civil) No.202/1995.
- d. The Additional amount of the Net Present Value (NPV) of the diverted forest land if any, becoming due after revision of the same by the Hon'ble Supreme Court of India in future shall be charged by the State Government from the User Agency. The User Agency shall furnish an undertaking to the effect.
- e. The User Agency shall pay the NPV by generating challan from the Ministry's online web portal. UTR No and date should be furnished.
- f. The User Agency shall be responsible for any loss to Flora and Fauna in the surroundings and shall take all possible measures to conserve the same.
- g. The forest land shall not be used for any other purpose other than that specified in the proposal.
- h. The lease rent should be realized from the User Agency as per G.O.Ms.No.272, E&F (FR.XIII) Dept. dated 15.04.1991.
- i. The District Forest Officer may impose any other condition in the interest of conservation /protection land development of forests.
- j. The User Agency has to upload the compliance on stipulated conditions in the web portal.

8. The Government after careful examination have decided to accept the proposal of the Principal Chief Conservator of Forests for diversion of 0.018 ha of forest land for the construction of Kumuly border Police check post at Kumuly in Suranganar Reserved Forests, Cumbum West Range, Theni Forest Division of Theni District in favour of Superintendent of police, District Police office, Theni for a period of 20 years under section 2 of Forest (Conservation) Act, 1980 and to forward the same to Government of India for concurrence.

9. I am, therefore to request you to kindly obtain the concurrence of the Government of India, Ministry of Environment, Forests and Climate Change and communicate the same to this Government, early.

Yours faithfully,


for Additional Chief Secretary to Government

PART – V

(To be filled in by the Secretary in charge of Forest Department or by any other authorized officer of the State Government not below the rank of an Under Secretary)

Proposal for diversion of 0.018 ha of forest land for the construction of Kumuly border Police check post at Kumuly in Suranganar Reserved Forests, Cumbum West Range, Theni Forest Division of Theni District in favour of Superintendent of police, District Police office, Theni for a period of 20 years under Section 2 of Forest (Conservation) Act, 1980.

18. Recommendation of the State Government

(Adverse comments made by any officer or authority in Part-B or Part – C or Part – D above should be specifically commented upon)

Recommended

P. B. S. S.
Signature

Name & Designation
Deputy Secretary to Government
(Official Seal)
Environment, Climate Change
and Forest Department
Secretariat, Chennai - 9.

Date : 05.05.2022

Place : Chennai-9.