

TAMIL NADU FOREST DEPARTMENT

From
Thiru S.Yuvaraj, IFS.,
Principal Chief Conservator of Forests,
(Head of Department),
Panagal Maaligai, Saidapet,
Chennai - 600 015.

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

Ref. No. TS4/59408/2019 dated. 04.05.2021

Sub: Forests - Forest (Conservation) Act, 1980 –Virudhunagar Circle / Sivaganga Forest Division – Proposal for diversion of 0.03 ha (now revised as 0.015ha) of forest land for development of Karaikudi-Ramnathapuram NH-210 Project road, traversing through the Devakottai, Chinnakeera Mangalam, Rajasinga Mangalam, Devipattinam and Ramnathapuram – Online proposal submitted by the National Highways Authority of India – Regarding.

- Ref:
1. Online application uploaded by the User Agency - The Project Director, NHAI, PIU, Karaikudi. (FP/TN/ROAD /43112/2019).
 2. Revised Online application uploaded by the User Agency - The Project Director, NHAI, PIU, Karaikudi on 18.08.2020.
 3. PCCF's ref.no:59408/2019/TS4 dated 09.09.2020.
 4. The Project Director, NHAI, PIU, Karaikudi Lr.No:11024 Forest /2020 / 1471 dated 15.09.2020.
 5. Part-II uploaded by the District Forest Officer ,Sivaganga on 07.10.2020 & Part-III uploaded by the Conservator of Forests,Virudhunagar on 31.10.2020.
 6. Chief Conservator of Forests & Conservator of Forests (FAC), Virudhunagar Ref.No: D/5624/2020 dated 27.11.2020.
 7. Principal Chief Conservator of Forests,Chennai-15 ref.no: 59408 / 2019 TS4 dated 23.12.2020.
 8. Revised Part-II & Part-III uploaded by the District Forest Officer , Sivaganga and Conservator of Forests ,Virudhunagar on 31.03.2021.
 9. District Forest Officer, Sivaganga Ref.No: D/3949/2020 dated 01.04.2021.
 6. Chief Conservator of Forests & Conservator of Forests (FAC),Virudhunagar Ref.No:D/5624/2020 dated 09.04.2021.

I wish to state that the Project Director, NHAI,PIU,Karaikudi has sent a proposal under Section 2 of Forest (Conservation) Act, 1980 for diversion of 0.03ha (now revised as 0.015ha) of in Sengai East RF for Karaikudi-

Ramanathapuram (NH-210) traverse through Devakottai, Chinnakeeramangalam, Rajasingamangalam, Devipattinam and Ramanathapuram.

1) The proposal is for Improvement / Augmentation of 2 lanning with paved shoulders from Km 94/000 to 174/000 of Karaikudi-Ramanathapuram section of NH-210 including 500m on SH-35 Madurai road (near Devakottai Rasta Railway station) on EPC mode (total design length is 80.000km) through Sengai East RF and total extent of forest land originally proposed for this road is 0.03ha. During the inspection of Forest Officials, it has been informed that only 0.015ha forest land is required for the road project and the user agency has been requested to furnish the proposal by revising the extent as 0.015ha in part-I of Form-A. The User agency has stated that there is no option in Parivesh web portal to change the extent of forest area required for the project as 0.015ha from 0.03ha in Part-I of Form-A. The User Agency has furnished the related documents for 0.015ha and requested for diversion of 0.015ha forest land.

2) The User Agency (NHAI, Karaikudi) has sent the proposal under section 2 of Forest (Conservation) Act 1980 in the prescribed format. The User Agency has furnished following documents/ Certificates / Undertakings.

- i. Signed copy of Form A .
- ii. Letter of Authorisation.
- iii. KML file of Google earth
- iv. Geo referenced map for the Forest land proposed for diversion.
- v. Survey of India topo - sheet indicating boundary of forest land proposed to be diverted.
- vi. Justification for locating the project in Forest land
- vii. Certificate obtained from the District Collector, Dindigul District about settlement of Tribes under Forest Rights Act 2006 in the prescribed format.
- viii. Certified that the forest land diversion involved in this proposal is unavoidable and barest minimum with reference to the alternate options examined.

- ix. Undertaking to bear the cost of exploitation of trees and the cost of Compensatory Afforestation in double the area of degraded forest land in lieu of the forest land to be diverted for the project.
- x. Undertaking for the payment of Net Present Value of the forest land proposed for diversion as assessed and demanded by the Forest Department.
- xi. Undertaking for the payment of Additional Net Present Value of the forest land as demanded by the Forest Department and undertake to pay the additional amount if any due to escalation or any other charges etc. as per demand raised by the Forest Department.
- xii. Undertaking for the payment of cost towards lease rent as fixed by the Forest Department at the time of sanction along with any escalation for the forest land to be diverted.
- xiii. Undertaking given by the User Agency regarding no work in violation of Forest (Conservation) Act, 1980 will be carried out for the purpose of formation of road
- xiv. Undertaking to bear the cost of raising and maintenance of Compensatory Afforestation as well as cost of protection and regeneration of safety zone etc. as per the scheme prepared by the State Government for the purpose of formation of road.

3) The District Forest Officer, Sivaganga has inspected the proposed project area situated in Senjai East Reserved Forest on 05.10.2020 and furnished Part II of Form A. The District Forest Officer has stated that the area of forest land proposed for diversion mentioned as 0.03ha in section i(iv) of Part-II of Form-A could not be changed as 0.015ha, as the portal has not accepted the change. In the site inspection report, the District Forest Officer has furnished details as follows.

- i. During the inspection, it was observed that there is no spontaneous growth of trees species are found, no adverse impact on Bio-diversity of the area and no alternate route available for the project and the exact area required for the project is 0.015ha.

ii. The user agency has submitted necessary undertaking on Compensatory Afforestation expenditure, Net Present Value, Additional Net Present Value and Lease rent etc. There is no tree felling involved in this project and the road is highly essential for providing access to the general public.

iii. Taking into consideration the above facts, the proposal for diversion of 0.015ha area in Senjai East Reserved Forest is recommended with the condition that there should not be any violation of Act / Rule in force related to Forest and Wildlife.

The District Forest Officer has not insisted the Compensatory Afforestation as the forest land proposed for diversion is only 0.015ha and the user agency is a Central Govt. Agency and there is no felling of trees involved in this project.

4) The Conservator of Forests, Virudhunagar has inspected the proposed site on 07.10.2020 along with the District Forest Officer, Sivaganga and the Project Director, NHAI, Karaikudi and stated that the project involves expansion of road NH-210 and agree with the recommendation of the District Forest Officer and recommended the proposal in Part-III (revised) for diversion of 0.015ha of forest land in Senjai East RF of Sivaganga division

5) In this regard, it is submitted that the User Agency has uploaded all the certificates /undertakings/details as required in this proposal.

The proposal is sent herewith duly recommended in the part IV format proposal by the Additional Principal Chief Conservator of Forests (FCA) / Nodal Officer (Forest Conservation Act).

The area proposed for diversion of 0.015ha of Senjai East RF for developement of Karaikudi-Ramanathapuram (NH-210) traverse through Devakottai, Chinna keera mangalam, Rajasinga mangalam, Devipattinam and Ramanathapuram by National Highways Authority of India is recommended and forwarded to the Government of Tamilnadu for granting general approval under Chapter 4.3 of Forest Conservation Act guidelines subject to the following conditions.

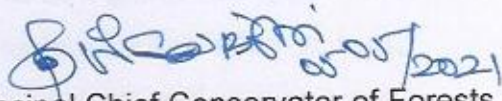
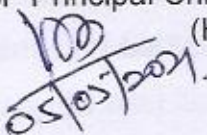
1. The legal status of the land shall remain unchanged and shall remain as Reserved Forests.

2. 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.
3. 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.
4. The fund from the User Agency towards Net Present Value under this project shall be deposited by generating chalan from the Ministry's online web portal. UTR No and date should be furnished.
5. 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.
6. 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.
7. The forest land shall not be used for any other purpose other than that specified in the proposal.
8. 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.
9. The period of lease is 20 years
10. The User Agency should send renewal proposal one year before expiry of lease.
11. The Conservator of Forests and District Forest Officer may impose any other condition in the interest of conservation /protection land development of forests.

I am enclosing the proposal duly recommended for granting approval by the State Government under General Approval Category (Chapter 4.3 of Forest Conservation Act guidelines) under Forest (Conservation) Act, 1980 for development of Karaikudi-Ramanathapuram (NH-210) traverse through Devakottai, Chinna keera mangalam, Rajasinga mangalam, Devipattinam and Ramanathapuram in Sivaganga District for a period of 20 years.

Encl.: Proposal.

Yours faithfully,


for Principal Chief Conservator of Forests
(Head of Department)


PART IV

(To be filled in by the Nodal Officer or Principal Chief Conservator of Forests or Head of Forest Department)

Name of Work: Forest (Conservation) Act, 1980 - Proposal for diversion of 0.03 ha (now revised as 0.015ha) of forest land for Improvement / Augmentation of 2 lanning with paved shoulders from Km 94/000 to 174/000 of Karaikudi-Ramanathapuram section of NH-210 including 500m on SH-35 Madurai road (near Devakottai Rasta Railway station) on EPC mode (total design length is 80.000km) through Sengai East RF. The Project Director, National Highways Authority of India, Karaikudi.

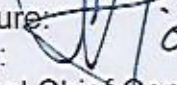
Proposal No: (FP/TN/Road/43112/2019)

17. Detailed opinion and specific recommendation of the State Forest Department for acceptance or otherwise of the proposal with remarks.

(While giving opinion, the adverse comments made by concerned Conservator of Forests or Deputy Conservator of Forests should be categorically reviewed and critically commented upon).

- Recommended -

Date 04.05.2021
Place : Chennai

Signature: 
Name :
Principal Chief Conservator of Forests
(Head of Department) and
Additional Principal Chief Conservator of Forests
(Forest Conservation Act)(i/c)

04-05-2021

2/5