

By online / Email.

TAMILNADU FOREST DEPARTMENT

From

To

Thiru Syed Muzammil Abbas, I.F.S.,  
Principal Chief Conservator of Forests,  
(Head of Forest Force)  
Panagal Maaligai, Saidapet,  
Chennai - 15.

The Additional Chief Secretary to  
Government,  
Environment, Climate Change and  
Forests Department,  
Secretariat, Chennai 9.

C. No. TS3/6090/2021 Dated: 06.04.2022.

Madam,

Sub: Forest (Conservation) Act, 1980 – Dharmapuri Circle /  
Dharmapuri Forest Division – Proposal for diversion of 0.389 ha  
of forest land in Gummanur Reserve forest area in Dharmapuri  
Forest Division for four laning of Thorapalli Agraharam-  
Jittandahalli section of new NH-844 from km 23+350 to km  
60+100 (design chainage) under Bharatmala Pariyojana Phase I  
(National corridor) in Hybrid Annuity in favour of General  
Manager, Project Implementing Unit - Krishnagiri, National  
Highways Authority of India, Krishnagiri – Regarding.

- Ref: 1 Revised Online application uploaded by the User Agency -  
Project Implementing Unit, Krishnagiri, National Highways  
Authority of India, 259-1, Salem Main Road, Near KAKC  
Petrol Bunk, Krishnagiri Pin code 635001 -- Proposal No.  
FP/TN/Road/116544/2020, dated 21.09.2021
- 2 Part-II of Form-A uploaded by the District Forest Officer,  
Dharmapuri Division on 10.12.2021
- 3 Part-III of Form-A uploaded by the Conservator of Forests  
Dharmapuri Circle on 11.01.2022
- 4 Conservator of Forests, Dharmapuri Circle letter Endt No.  
2132/2021/D, dated 07.01.2022 and 19.03.2022

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1) I wish to state that the General Manager, Project Implementing Unit,  
Krishnagiri, National Highways Authority of India, Krishnagiri has uploaded  
online forest clearance proposal under Section 2 of Forest (Conservation) Act, 1980  
for diversion of 0.389 ha of forest land in Gummanur Reserve forest area in  
Dharmapuri Forest Division for four laning of Thorapalli Agraharam-Jittandahalli

section of new NH-844 from km 23+350 to km 60+100 (design chainage) under Bharatmala Pariyojana Phase I (National corridor) in Hybrid Annuity by National Highways Authority of India, Krishnagiri under proposal No. FP/TN/Road/116544/2020.

2) Details of forest area diversion proposed by the User agency and proposal forwarded by the District Forest Officer and Conservator of Forests for the project is briefed below.

i) The User Agency has uploaded the proposal in the prescribed format of Form A - Part I - under Section 2 of the Forest (Conservation) Act, 1980 for diversion of fresh forest area.

ii) Name of the project in which forest land required reported as short narrative of the project reported as, four laning of Thorapalli Agraharam-Jittandahalli section of new NH-844 from km 23+350 to km 60+100 (design chainage) under Bharatmala Pariyojana Phase I (National corridor) in Hybrid Annuity by National Highways Authority of India, Krishnagiri.

iii) Short narrative of the project reported as, Highways is prioritized the Ministry of Road Transport and Highways of Government of India as National Corridor to improve freight movement throughout the country, hence in order to construct four lane road to an extent of 0.389 ha land at Gummanur forest is required.

iv) The User Agency has reported that area required in forest area is 0.389 ha., and non forest land required for the project reported as 625.391 ha.,

v) The User Agency has proposed the forest area diversion for the project for a period of 99 years.

vi) On behalf of User Agency, Project Implementing Unit, Krishnagiri, National Highways Authority of India, Krishnagiri - the General Manager, PIU Krishnagiri, NHAI has uploaded the proposal in the prescribed format. The legal status of the User Agency is Central Government.

vii) The project proponent has uploaded a copy of self authorization issued for furnishing forest clearance proposal on behalf of NHAI.

viii) In the section of uploading details of proposal seeking prior approval of Central Government under the Act for diversion of forest land for the project already submitted in the past reported as NIL

ix) Diversion of 0.389 ha of forest has been requested in Dharmapuri Forest Division area in Dharmapuri District.

x) The User Agency has furnished the component wise breakup details of land required for the project as widening of existing NH 844.

xi) The user agency has uploaded location map of the forest land proposed to be diverted in kml file of google earth for the work in two segments, scanned copy of Survey of India topo sheet indicating the proposed water supply pipeline alignment marked in the map, scanned copy of Geo referenced location details of the forest land proposed to be diverted along with GPS co-ordinates.

xii) The user agency has uploaded a copy of note containing justification for locating the project in forest area and uploaded a copy of map indicating location of alternative examined for the project.

xiii) The User Agency has stated that this project is likely to generate permanent/regular employment for 9800 persons and temporary employment for 30 persons.

xiv) The User Agency has stated that this project does not involve displacement of people due to the project, cost-benefit analysis for the project is not required, this project does not requires clearance under the Environment (Protection) Act, 1986.

xv) The User Agency has stated that the project or part thereof is not located in any protected area or their Eco sensitive zone and this project or a part thereof is not located in a Scheduled area.

xvi) The User Agency has furnished a copy of certificate issued by the District Collector on completion of process for settlement of Rights under the Forest Rights Act 2006 on the forest land proposed to be diverted.

xvii) Under the section of details of land identified for compensatory afforestation, the User Agency has stated that, non-forest or Revenue forest is not required to be provided by user agency and reason for not providing non-forest land reported as Not applicable.

-- As per Forest (Conservation) Act, 1980, guidelines, for the projects undertaken by the Central Government, central PSU's compensatory afforestation land may not be insisted instead of CA land, afforestation in twice the extent of degraded forest area identified by the State Forest Department may be undertaken at the cost provided by the user agencies.

xviii) In the additional information details section, following documents/ certificates/ undertakings have been uploaded.

a) Certificate issued by the District Collector about non availability of non forest land for the project.

b) Certified that the work has not started in the forest area as well as in non-forest area, hence no violation of forest Conservation Act, 1980 and or its guidelines have been committed.

c) The user agency has stated that Environment clearance has not required for the project as the length of the project highway is less than 100 km and RoW less than 60m.

d) Certified that forest land from km 56.200 to 56.500 for an extent of 0.389 ha to be diverted for four laning of road is not likely to affect any monument or site of historical or archaeological importance.

e) Certified that all documents enclosed for the proposal have been scrutinized as per the revised check list and found to be correct.

f) The user agency has reported that resolution form the Gram Sabha that they have no objection for the work is not needed as per the MoEF&CC (F.C Division) notification dated 05.02.2013 F. No. 11-9/98,FC (pt).

g) Agrees to bear the cost of clearance/removal of the vegetative growth for the forest land proposed to be diverted for non forest use.

h) Undertaking to pay the entire amount of compensatory afforestation in lieu of forest area diverted for the project.

i) Undertaking for unqualified commitment towards to pay the amount towards CA scheme, removal of trees to be felled, NPV of forest area and fencing expenditure.

j) Undertaking to bear the cost of Net Present Value of forest land for the project.

k) Undertaking to bear the additional amount of Net Present Value of forest land for the project.

l) Undertaking to pay the cost towards lease rent for the forest land as fixed by the Forest Department and subsequent revision.

m) Certified that the requirement of forest land is minimum and unavoidable and all other alternatives have been examined and not feasible and no alternate non-forest land is available for the project.

3) In the Part-II of Form-A, the District Forest Officer, Dharmapuri Division has furnished following particulars.

i) The legal status of the proposed site of diversion of 0.389 ha of forest land requested for the project is Reserved Forests and as per site inspection report, name of the forest land is "Gummanur Reserved Forests". Extent of area proposed for diversion is 0.389 ha

ii) The District Forest Officer has reported that, density of the forest area is '0.4' and Eco class of forest area is three.

iii) As per the details uploaded in the table of species-wise girth-class wise enumeration of trees, 10 number of miscellaneous trees are available in the proposed forest diversion area.

a) In the site inspection report it was reported that in the alignment of the proposed road, there are existing 10 numbers of trees which are spontaneous growth in nature and requires felling.

iv) On vulnerability of the forest land proposed for diversion, the District Forest Officer reported that no soil to be eroded.

v) The forest area proposed for diversion is not part of National Park, Wildlife Sanctuary, Biosphere Reserve, Tiger Reserve, Elephant corridor, Wildlife migration corridor etc., and not located within the eco-sensitive zone of the protected area notified under Wildlife (Protection) Act, 1972 and not located within 1 km boundary of NP/WLs etc.,

a) Details of wildlife present in and around the forest area proposed for diversion reported as NIL and there is no rare/ endangered/ unique species of flora and fauna found in the area.

vi) There is no protected archaeological/ heritage site/ defense establishment or any other important monument is located in the area.

vii) Requirement of forest land as proposed by the User Agency is unavoidable and bare minimum for the project and no work in violation of the Act or guidelines has been carried out.

viii) Proposed forest diversion area is 0.389 ha and 10 number of misc trees of spontaneous nature has to be removed.

a) The District Forest Officer has proposed compensatory afforestation scheme over an extent of 1.0 ha degraded forest area selected in the Gummanur RF.

b) Salient feature of Compensatory Afforestation scheme proposed is as follows.

No of seedlings proposed for planting in one ha.	– 1000 No.
Maintenance years	- 10 years
i) Nursery, planting and 10 years maintenance cost	- Rs. 14.524 lakhs
ii) Chain link fencing around plantation to prevent biotic pressure @ 400 Rm @ Rs. 2500/ RM	– Rs. 10.00 lakhs
iii) Engaging a protection mazdoor @ 30 man days per month for 10 years	– Rs. 38.696 lakhs
Total cost of CA scheme	– Rs. 63.22 lakhs

c) For the protection of CA plantation of one ha area in the degraded forest area, chain link fencing at a cost of Rs. 10.00 lakhs and one protection mazdoor for 10 year maintenance period at a cost of Rs. 38.696 lakhs provided by the District Forest Officer and in the EDS query reply, the District Forest Officer has furnished justification for proposing the above components for the better survival and protection of compensatory afforestation plantation area.

ix) Location of the forest land proposed for carry out compensatory afforestation scheme in kml file of google earth, Scanned copy of Survey of India topo sheet indicating the boundary of forest land, Scanned copy of Geo referenced location details and GPS co-ordinates of the proposed CA area have been furnished.

x) In the site inspection report, the District Forest Officer has stated that, site inspection carried out on 07.10.2021.

a) The proposed area is passing through the Gummanur RF of Palacode Range. During the field inspection of the proposed area, it is observed that, the user agency has not yet commenced any work in the field. Therefore the question of violation of provisions of Forest (Conservation) Act 1980 does not arise and there is no encroachment in this area. Forest land required for the project is not part of any National Park/Wildlife Sanctuary/ Biosphere. The proposed road is to be laid in two segments to a total area of 0.389 ha. In the alignment of the proposed road, there area existing 10 numbers of trees which are spontaneous growth in nature and requires felling.

xi) In the recommendation of the project, it has been reported that in the alignment of the proposed road, no right of way was admitted in Gummanur Reserved Forest notification. The user agency has given undertakings to bear the cost of Net present Value, Additional Net Present Value, compensatory afforestation with maintenance and lease rent as fixed by the Forests Department at the time of sanction along with any escalation in future for the forest land to be diverted. The work will be permitted after strict supervision of Forest Officials. Possible damage to wild flora and fauna due to this project is very low.

Considering the above facts and field observations, proposal seeking diversion of land recommend by the District Forest Officer, Dharmapuri Division.

4) The Conservator of Forests, Dharmapuri Circle in his site inspection report and recommendation of the project has stated that the proposed area has been inspected on 20.12.2021. The diversion of forest land is unavoidable for widening the road for four lanning due to heavy vehicular movement. The project requires felling of 10 Nos trees which is inevitable and it will not make any difference since the user agency has come up for raising. The selected degraded compensatory afforestation area in Gummanur RF is suitable for management and protection point of view. The proposal has been recommended for the welfare of the people using this important road.

5) The User Agency has requested forest area diversion for a period of 99 years. The District Forest Officer, Dharmapuri Division and the Conservator of Forests, Dharmapuri Circle have recommended the forest area diversion for a period of 10 years

Forest area diversion proposals are being recommended for a period of 20-25 years. As recommended in other forest diversion proposals of road projects, diversion has been recommended for a period of 25 years.

6) As per the Government of India, Ministry of Environment, Forests and Climate Change, New Delhi letter in File No.7-2/2021-ROHQ(Pt), dated 22.012.2021, physical copies (hard copies) of the documents of the proposal or related document thereof, need not be insisted for processing the proposal, henceforth. Hence the forest clearance proposal has been forwarded to the Government through web portal.

7) The proposal is sent through online with the recommendation of the Additional Principal Chief Conservator of Forests (Forest Conservation Act) / Nodal Officer, Forest (Conservation) Act, 1980 of the State of Tamil Nadu.

8) As recommended by the District Forest Officer, Dharmapuri Division and Conservator of Forests, Dharmapuri Circle, the proposal for diversion of 0.389 ha of forest land in Gummanur Reserve forest area in Dharmapuri Forest Division for four laning of Thorapalli Agraharam-Jittandahalli section of new NH-844 from km 23+350 to km 60+100 (design chainage) under Bharatmala Pariyojana Phase I (National corridor) in Hybrid Annuity in favour of General Manager, Project Implementing Unit - Krishnagiri, National Highways Authority of India, Krishnagiri is recommended to the Government for issue of Stage-I approval of Government under the general approval power vested with State Government for diversion of forest area up to one ha area for Government critical public utility and welfare projects undertaken by the Government subject to the following conditions.

a) The legal status of the diverted forest land remains unchanged.

b) The demarcation of the proposed forest land shall be carried out by the User Agency by erecting 4 feet high cement concrete pillars duly numbered at an interval of 20 meters at their cost.

c) The User Agency has to pay the cost towards Compensatory afforestation scheme including protection and maintenance of plantation area as proposed by the District Forest Officer.

d) The User Agency has to pay the amount of Net Present Value which will be fixed as per the guidelines of Hon'ble Supreme Court of India.

e) The User Agency has to bear the additional amount of Net Present Value which will be fixed as per the guidelines of Hon'ble Supreme Court of India as fixed by Forest Department in future.

f) Amount towards Compensatory afforestation scheme including protection and maintenance of plantation, Protection measures of proposed forest diversion area, Net Present Value of forest area under the project shall be transferred / deposited to CAMPA fund only through e-portal (<https://parivesh.nic.in/>)

g) The User Agency has to pay the cost towards annual lease rent as fixed by the Forest Department at the time of sanction along with any escalation for the forest land to be diverted of the above project in future for the entire project period.

h) The total forest area utilized for the project shall not exceeds 0.389 ha as reported in the project proposal in two segment area

i) The forest land proposed to be diverted shall under any circumstances be transferred to any other agencies/department or person without prior approval of State Government.

j) The user agency has to obtain orders from the Hon'ble Supreme Court of India for felling of spontaneous tree growth as per Forest Conservation Act guidelines.

k) The user agency has to deposit the amount required for felling and transport of trees to be felled in the project area with the District Forest Officer concerned.


l) Any other conditions that the Ministry of Environment, Forests and Climate Change may stipulate from time to time in the interest of conservation, protection and development of Forests and wildlife.

m) Period of lease can be twenty five (25) years. The User Agency has to apply renewal proposal before one year of expiry of lease with the State Forest Department.

9) I request that the proposal may be considered under the General approval category where-in the State Government is empowered to divert forest area up to one hectare for critical public utility and welfare projects undertaken by Government agencies and in-principle Stage-I approval orders may be issued for the project proposal early.

Encl : As stated above.

Yours faithfully

  
07/04/2022  
For Principal Chief Conservator of Forests  
(Head of Forest Force)

6  
7/04/2022

PART - IV

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

Name of the work : Forest (Conservation) Act, 1980 – Dharmapuri Circle / Dharmapuri Forest Division – Proposal for diversion of 0.389 ha of forest land in Gummanur Reserve forest area in Dharmapuri Forest Division for four laning of Thorapalli Agraharam-Jittandahalli section of new NH-844 from km 23+350 to km 60+100 (design chainage) under Bharatmala Pariyojana Phase I (National corridor) in Hybrid Annuity in favour of General Manager, Project Implementing Unit - Krishnagiri, National Highways Authority of India, Krishnagiri - Proposal No. FP/TN/Road/116544/2020

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

V. Karunapriya  
29/3/22

Signature :

Name Designation : Tmt. V. Karunapriya, I.F.S.,  
Additional Principal Chief Conservator of Forests  
(Forest Conservation Act), O/o the Principal Chief  
Conservator of Forests (Head of Forest Force), Chennai.

Date : 29-03-2022

Place : Chennai-15.