

Sri.B.U.Poovanna Road permission Deputy Conservator of Forests, Virajpet Remarks

As per the inspection Report of Assistant Conservator of Forests, Virajpet Division, I am inspected the spot on date: 13-01-2021, Adverting to the above subject Sri.B.U.Poovanna has applied for seeking permission for the approach road to his private land bearing survey No. 52/A, 52/B, 52/C of Madikeri Taluk, Yuvaka Padi village with an extent Area of 41.55 acres. As the schedule land is an enclosure bearing number LV within the Padinalkunad Ghat Reserve Forest as per the Coorg Gazette Notification (No 35 dated: 23rd April 1906). The description of the said Enclosure is as follows: LV. Jamma malai enclosure area 163.58 Acres consisting of survey No. 79 Katikundu moirapole, 76 Anepare Katadi tundu, 77 and 52 Katikundu Coffee Saguvali Malai of Yuvakapadi village. Right of Ingress and Egress by P.R.W. No. 3 of Yuvakapadi village. Further the notification gives the description of the Right of Ingress and Egress to the above land as follows. P.R.W.No. 3 Katiakundu malai path to a width of three feet branching from P.R.W.No.2 above at enclosure no. LIV and passes south and westwards serving enclosures Nos LV and meets P.R.W.No.2 at enclosure No. LIX. During the year 1969 trees felled from the above land after seeking the departmental permission. During which, the department had permitted to make the forest coupe road for the transportation of the felled timber as per the condition laid by the Chief Conservator of Forests, Bangalore vide letter No. B3/M15/795/64-65 dated: 22nd / 23rd July 1965, in which the condition No. 7 of the letter reads as follows. 7. The petitioner shall not claim any compensation from the department when handing over the road to the department which shall be done immediately when his present works is over. Therefore the transportation of timber has been already done and the validity has been expired.

As per the Forest Conservation 1980 section 2, Sri.B.U.Poovanna have applied, to permit the vehicular access to his property. As the approach road in question is the old forest coupe road which Presently has natural regeneration. Initially the claimed road passes 1 Km through the Kerala forest and then enters the Karnataka State, Padinalkunadu ghat reserve forest of Udumbe section, Yelapare beat for about 2.5 Km and reaches the Schedule Property.

Scheduled land falls in the Western Ghats, which is one of the 25 mega hot-spots of bio-diversity in the world these forests are extremely fragile, with a complex pattern of survival. Besides their fundamental role in the protection of the soils, water conservation of the monsoon rains and maintenance of the regional climatic balance. The forests of the Western Ghats constitute one of the most unique example of the evergreen forest type of the world. In their wealth of endemic species these forests form a genetic reserve of fundamental importance. As there are 23 enclosures in the Makutta Range If we permit Sri.B.U.Poovanna to have an vehicular access to his private land, question

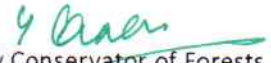
may arise as to consider other enclosure for the vehicular access. This case it will be difficult to protect forest. There is no objection to use 3 feet road mentioned in the gazette notification.

The above property situated in Padinalknadu Reserve Forest of Makut Range Virajpet Division and as Sri.B.U.Poovanna is claiming the right of way by using his Vehicle is through Kerala State, which also has forest of nearly 1 km distance border to reach the Schedule Property nearly 2.5 Kms has to be travelled through Padinalknadu Reserve Forest, which totals to 3.5 Kms of the forest including Kerala and Karnataka State. Sri.B.U.Poovanna had intentionally converted the cropping pattern from Cardamom to Coffee plantation for the past 25 years. As per the Land Revenue Re-settlement of Coorg (Kodagu District) prepared by Mr.Gustav Haller, Esq., Settlement Officer, Coorg, Mercara, dated: 18th February 1910 its clearly stated in page No.6, Rule 11, that as the designation used to represent the tenures of these various classes of land have been found unsatisfactory, the following will be used in future in the settlement and revenue registers: Termes now used (h) Cardamom malles, (i) Geni malais leased malles, (ii) Coffee Saguvali malles Terms to be used hereafter (i) Leased cardamom malles (ii) Cardamom sagu. Sl.No. (h) states that the Coffee saguvali malles are situated in the western ghats and were granted for coffee cultivation, but as coffee failed, cardamom has almost entirely replaced it.

Presently all the older coffee plants have been cut at stump level, for coppicing, and the trees existing in the whole schedule property has been profusely pruned. Sri.Poovanna has no objection to use the right of way as per mentioned in the Coorg District Gazette Notification (No. 35 dated 23rd April 1906) for Padinalkunadu Reserve forest, which is 3 feet wide. If ever private vehicle is permitted within the Reserve forest, there are 70 more enclosures situated in the whole of Padinalkunadu Reserve forest, who will also be claiming for vehicle movement, which in future not only disturbs the habitat and movement of wild animals. There will be massive destruction of micro flora and fauna, which are endemic to this region, and the forest will be widely fragmented creating more of Human and Animal Conflicts. Sri.B.U.Poovanna has no objection in using the 3 feet wide path to enter his property as per the coorg district gazette notification of 1906.

The forests of the Western Ghats constitute one of the most unique example of the evergreen forest type of the world. In their wealth of endemic species these forests form a genetic reserve of fundamental importance. As there are 23 enclosures in the Makutta Range If we permit Sri.B.U.Poovanna to have an vehicular access to his private land, question may arise as to consider other enclosure for the vehicular access. This case it will be difficult to protect forest. There is no objection to use 3 feet road mentioned in the gazette notification.

Therefore this matter will be coming under Forest Conservation Act 1980 this area is not provided to the user agency for road permission.



Deputy Conservator of Forests,
Virajpet Division, irajpet.