

## 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. TS4/31700/2017 dated. 03.12.2020**

Sub: Forests - Forest (Conservation) Act, 1980 - Dindigul Circle / Dindigul Forest Division - Proposal for diversion of 1.68 ha of forest land for road up gradation of black top road from the foot hills of L.Maliyur to L.Maliyur Village - Online proposal Submission by the User Agency ie., DRDA- A.E.,Natham Union Office Dindigul District on behalf of DRDA, Collectorate, Dindigul District, Pin code 624004 - Regarding.

- Ref: 1. Online application uploaded by the User Agency - A.E., Natham Union Office Dindigul District on behalf of DRDA, Collectorate, Dindigul District, Pin code 624004 dated 21.08.2017. (FP/TN/ROAD/28608/2017).
2. Chief Conservator of Forests, Dindigul ref.No.7289/2017/D, dt. 19.04.2018.
3. Supreme Court of India Record of proceedings on IA No:14948/2019 dated 22.04.2019
4. Chief Conservator of Forests, Dindigul ref.No.7289/2017/D, dt. 11.03.2020 & 11.09.2020
5. Part-II uploaded by the District Forest Officer, Dindigul dated 10.09.2020
6. Part-III uploaded by the Chief Conservator of Forests ,Dindigul dated 11.09.2020.
7. District Forest Officer, Dindigul ref. No. 2439/2019/D1, dt. 12.11.2020.
8. Chief Conservator of Forests, Dindigul ref. No. 7289/2017/D1, dt. 20.11.2020.

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I wish to state that the Project Director, DRDA, Dindigul has sent a proposal under Section 2 of Forest (Conservation) Act, 1980 for diversion of 1.68 ha of forest land for road upgradation of black top road from the foot hills of L.Maliyur to L.Maliyur Village of Dindigul Forest Division in Dindigul District in favour of DRDA, Dindigul. The total length proposed for normal road is 2100 m and the width is 6 m and for curved portion length of the road is 420m and the width is 10m, totally 2.520 kms passes through Perumalai RF and total extent of forest land proposed for this road is 1.68ha.

2) The User Agency (District Rural Development Agency, Dindigul) has sent the proposal under section 2 of Forest (Conservation) Act 1980 in the prescribed format.

3) The user agency has stated that the proposed road is the first road construction in between the foot of the Perumalai RF to L.Maliyur village. Now the villagers, Daily workers, school students and college students are using this road for day-to-day activities and also transporting the agricultural materials by head load or by using horse only. The proposed road will be useful for the village people and 250 acres of Agricultural land will also be benefitted by this road.

4) The User Agency has furnished following 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. 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.
- ix. Undertaking for the payment of Net Present Value of the forest land required for the purpose of formation of road from the foot hills of L.Maliyur to L.Maliyur Village of Dindigul Forest Division in Dindigul District.
- x. Undertaking for the payment of Additional Net Present Value of the forest land required for the purpose of formation of road from the foot hills of L.Maliyur to L.Maliyur Village of Dindigul Forest Division in Dindigul District.
- xi. 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.
- xii. Undertaking given by the User Agency regarding the no work in violation of Forest (Conservation) Act, 1980 will be carried out for the purpose of

formation of road from the foot hills of L.Maliyur to L.Maliyur Village of Dindigul Forest Division in Dindigul District.

- xiii. 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 from the foot hills of L.Maliyur to L.Maliyur Village of Dindigul Forest Division in Dindigul District.
- xiv. The demand for forest land for the up gradation of black top road from the foot hills of L.Maliyur to L.Maliyur Village road is minimum.
- xv. The District Collector, Dindigul has certified that no other alternate route is available through non-forestland for the formation of above new road. The District Collector has also certified that 3.36ha of land transfer for compensation is available in Survey No.1154/2 of Sendurai village of Natham Taluk, Dindigul District in this matter.

5) The District Forest Officer, Dindigul has certified and sent the following Certificates.

- (i) No violation of the provisions of Forest (Conservation) Act 1980 occurred in this demand.
- (ii) The proposal does not affect any monuments of historical religious and archeological of recreational importance including Wild Life Sanctuary and National Park etc.,
- (iii) All required annexure and particulars pertaining to the proposal are furnished in English.
- (iv) The non-forest land to be handed over to the Forest Department for Compensatory Afforestation is suitable for raising Compensatory Afforestation works.
- (v) The requirement of forest land for the project is unavoidable and barest minimum.

6) The District Forest Officer, Dindigul has inspected the proposed project area on 14.02.2018. The proposed area is having hilly terrain and there are 202 small spontaneous trees found available in the forest area proposed for the road project.

The list of 202 Nos. spontaneous trees is enclosed in Additional Information Section of Part-II, Form-A. All the 202 trees were numbered in the field.

7) For felling of 202 no.of trees of spontaneous growth, the user agency had approached the CEC and the Hon'ble Supreme court of India has granted permission for removal of 202 trees. Copy of Hon'ble Supreme court of India's order is enclosed.

8) The District Forest Officer has also inspected the Compensatory Afforestation land in SF.No. 1154/2 of Sendurai village of Natham Taluk over an extent of 3.36 ha on 04.02.2020 and furnished site suitability certificate. He has proposed Rs.57.707 lakhs towards Compensatory Afforestation for raising of Misc. plantation in the compensatory land with 10 years maintenance cost of plantation. Now, the District Forest Officer has furnished revised Compensatory Afforestation scheme for Rs.39.16 lakhs for raising and 10 years maintenance vide reference 7<sup>th</sup> cited and this revised Compensatory Afforestation scheme was uploaded in additional information section of Part II of Form A. The Chief Conservator of Forests, Dindigul has also forwarded the revised Compensatory Afforestation scheme vide reference 8<sup>th</sup> cited.

9) Further the District Forest Officer has stated that this road project in Perumalai reserved forest has minimum effects on environment and more beneficial to the public. This Road project would help the villagers to ease their access to Basic amenities on Education and Medical treatment and hence recommended the proposal.

10) The Chief Conservator of Forests has inspected the proposed site on 18.04.2018 along with District Forest Officer, Dindigul. The Total length of the road proposed in RF is 2.520 Kms and extent of forest land required for the project is 1.68 ha. The Chief Conservator of Forests, Dindigul has also inspected the CA land identified in Sy.No:1154/2 of Sendurai village on 01.09.2020.

11) The Chief Conservator of Forests has agreed with the remarks of District Forest Officer, Dindigul and recommended in part III of Form A proposal on 11.09.2020. The Chief Conservator of Forests, Dindigul has recommended this road proposal with a condition that the patta boundaries of the inhabitants are demarcated in the field physically before the start of the project to avoid encroachment and other illegal land issues in future.

12) 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 1.68 ha of forest land in Perumalai Reserved Forest in Dindigul Division is recommended and forwarded to the Government of Tamilnadu for approval Subject to the following conditions.

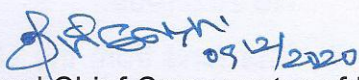
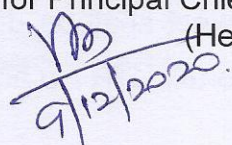
1. The legal status of the land shall remain unchanged and shall remain as Reserved Forests.
2. The demarcation of the proposed forest area shall be carried out by erecting 4 feet height cement concrete pillars duly numbered at an interval of 20 mts at the cost of User Agency.
3. The User Agency shall mutate the compensatory land of 3.36 ha identified in Sy.No: 1154/2 of Sendurai village, Natham Taluk of Dindigul District to Forest Department and the same to be notified as Reserved Forests as per Tamilnadu Forest Act 1882 before Stage-II approval.
4. The User Agency shall remit CA amount as demanded by the Forest Department.
5. The User Agency shall plant and maintain ten times the number of trees felled on the diverted land to maintain the green cover at the project cost, planting site for the purpose will be identified by the State Forest Department (Preferably within or in the surrounding area of the project). Only indigenous forest trees species shall be used for such plantations.
6. 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.
7. The fund from the User Agency towards Compensatory Afforestation and NPV under this project shall be deposited by generating chalan from the Ministry's Online web portal. UTR No and date should be furnished.

8. 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.
9. 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.
10. The forest land shall not be used for any other purpose other than that specified in the proposal.
11. 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.
12. The User agency shall ensure that all the patta land boundaries of the inhabitants are demarcated in the field physically before the commencement of the project to avoid encroachments and other illegal land issues in future.
13. The period of lease is 20 years
14. The User Agency should send renewal proposal before one year of expiry of lease.
15. The District Forest Officer may impose any other condition in the interest of conservation /protection land development of forests.

I am enclosing the proposal in duplicate duly recommended for obtaining concurrence of Government of India, Ministry of Environment, Forests and Climate change, Regional Office, Nungambakkam, Chennai under Forest (Conservation) Act, 1980 for diversion of 1.68 ha of forestland in favour of District Rural Development Agency, Dindigul in this matter.

Encl.: Proposal in duplicate.

Yours faithfully

  
for Principal Chief Conservator of Forests  
(Head of Department)  


#### PART IV

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

Name of the work: Forest (Conservation) Act, 1980 – Proposal for diversion of 1.68 ha of forest land for road up gradation of black top road from the foot hills of L.Maliyur to L.Maliyur Village - Online proposal Submission by the User Agency ie., DRDA- Assistant Engineer, Natham Union Office, Dindigul District on behalf of DRDA.

Proposal No. (FP/TN/ROAD/28608/2017).

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: 03.12.2020

Place: Chennai

Signature:

Name: S. Yuvaraj IFS

Official Seal:

Principal Chief Conservator of Forests  
(Head of Department) &

Addl. Principal Chief Conservator  
of Forests (FCA) (I/c)