

By on-line/E-mail.

TAMILNADU FOREST DEPARTMENT

From

Thiru. R.K. Upadhyay, I.F.S.,  
Principal Chief Conservator of Forests  
(Head of Forest Force),  
Panagal Maaligai, Saidapet,  
Chennai - 600 015.

To

The Principal Secretary to Government,  
Environment and Forests Department,  
Secretariat,  
Chennai 600 009.

C.No. TS3/41275/2017 Dated: 11.09.2018.

Sir,

Sub: Forests - Forest (Conservation) Act, 1980 – Salem Circle / Salem Division - Proposal for diversion of 4.20 ha of forest land for upgradation of the road from Kannamoochi Pirivu to Kemmampatti village in Palamalai RF of Salem Forest Division - Online proposal Submission by the User Agency ie., Block Development Officer, Kolathur, Salem District, Pin code 636 303 - Regarding.

- Ref: 1. Online application uploaded by the User Agency – Block Development Officer, Kolathur, Salem District, Pin code 636 303 Proposal No. FP/TN/Road/21076/2016, dated 22.08.2016 and re-submission of proposal on 03.11.2017, 16.03.2018 & 16.04.2018
2. Part-II of Form A uploaded by the District Forest Officer, Salem Division on 06.08.2018 and resubmission of proposal on 13.08.2018 & 27.08.2018.
3. Part-III of Forma-A uploaded by the Conservator of Forests, Salem Circle on 06.08.2018 and re-submission of proposal on 13.08.2018 & 27.08.2018.

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I wish to state that the Block Development Officer, Kolathur Union, Mettur Taluk, Salem District has submitted online application under Section 2 of Forest (Conservation) Act, 1980 in the prescribed format of Form A - Part I for the diversion of 4.20 ha of forest land for upgradation of the road from Kannamoochi Pirivu to Kemmampatti village in Palamalai RF of Salem Forest Division in favour of Block Development Officer, Kolathur Union, Mettur Taluk, Salem District.

2) The User Agency has requested diversion of forest area for a period of 50 years.

3) The User Agency has stated that there are eleven habitations located in Kannamoochi pirivu to Kemmampatti road namely, Kemmampatti, Pathiramaduvu, Ramanpatti, Thalakadu, Namankadu, Pullampatti, Uramarathur, Kadukkamarathukadu, Sothankadu, Singarathoppu and Periyaelaikadu. Total population covered 2144. At present no connectivity by all weather road to that habitation. Since completion of this road, the people very much benefit to schooling, marketing and hospital purpose. Vehicle movement will help the socio-economic development of the individuals. So, road forming to Kannamoochi Pirivu to Kemmampatti is very essential one.

4) Area requirement statement uploaded by the User Agency is as follows

Length of the road : 7030m

Width of the road : 6.00m

Area :  $7030 \times 6.00 = 42000$  sq. m (OR) 4.20 ha.

5) The User Agency has stated that this road length is 7.00 km and width 6.00m. The existing surface of this road is earthen. This earthen road is formed under MGNREGS Scheme. The mentioned road is very much useful to the people who are living in the habitation of Palamalai Total population covered is 2144. Now the people of above habitations are very much struggling for going to school, hospital and market. No connectivity by all weather roads to that habitation. Since completion of this BT road work, the people of Palamalai panchayat are very much benefitted. Vehicle movement will help the socio-economic development of the individuals. Hence forming of BT road to Palamalai is very essential one.

6) The User Agency has submitted following details / undertakings along with the proposal.

i) Authorization letter of District Collector, Salem, for making on-line proposal for forest clearance.

ii) Note containing justification for locating the project in forest area and no alternate suitable non forest land is available for the project.

iii) Location map of the proposed diversion of forest area in kml file of google earth has been up-loaded

iv) Scanned copy of Survey of India toposheet indicating boundary of forest land proposed to be diverted

v) Scanned copy of Geo referenced location map along with GPS reading of the proposed diversion of forest area for formation of road marked in the google earth.

vi) Certificate issued by the District Collector about completion of process for settlement of rights under Forest Rights Act on the forest land proposed to be diverted for the project proposal.

vii) Certificate obtained from the District Collector about no alternate suitable non-forest land is available for the project.

viii) Undertaking to pay the entire amount for compensatory afforestation in lieu of the forest area diverted for formation of road to Kemmampatti village of Palamalai as per the prevailing wage rate at the time of plantation

ix) Undertaking to pay the amount of Net Present Value which will be fixed by the guidelines of Supreme Court of India.

x) Undertaking to bear the additional amount of Net Present Value which will be fixed by the guidelines of Supreme Court of India as fixed by Forest Department in future.

xi) Undertaking to pay the 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 of the above project.

xii) Certificate to effect that no violation of the provision of Forest (Conservation) Act, 1980 occurred.

xiii) Undertaking to bear the cost along with any escalation for exploitation of trees in lieu of forest land to be diverted to the project.

xiv) Certificate from the Project authority (User Agency) that demands for forest land for the project is minimum.

xv) Certificate to effect that no suitable alternative non forest land is available for the project.

xvi) The User Agency has uploaded a certificate obtained from the District Collector of Salem District about identification of non-forest land as compensatory land for the forest area diversion proposals in the District.

The District Collector has stated that an area of 124.52 ha in S,F. No. 72/1 of Kuruchi village in Valapady taluk is identified for the compensatory afforestation for the following road project.

1. Formation of road to Jarugumalai (4.80 ha)
2. Upgradation of the road from Neyyamalai bus stop to Neyyamalai village ( 1.80 ha)
3. Formation of road from Malayalapatty to Jambuthumalai (1.69 ha)
4. Upgradation of road from Kannamoochi pirivu to Kemmampatty in Palamalai RF ( 4.20 ha).

The total area to be handed over for compensatory afforestation for the above four projects 24.98 ha (double the area of forest). The remaining extent in S.F. No. 72/1 will be kept as reserve compensatory land for any further development work in forest lands.

xvii) The User Agency has uploaded certificate obtained from the District Collector stating that, there is no suitable and technically approved alternate non-forest land available in the village of Palamalai in Kolathur Block for upgradation of the road from Kannamoochi Pirivu to Kemmmampatty in Mettur Taluk, Salem District of Tamil Nadu.

7) After getting additional essential details from the User Agency, the proposal was forwarded to the District Forest Officer, Salem Division, Salem on 05.07.2018.

8) After field inspection, the District Forest Officer, Salem Division and Conservator of Forests, Salem Circle have forwarded the proposal on 06.08.2018 and essential details sought on the proposal had been submitted on 13.08.2018 & 27.08.2018.

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

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

ii) The proposed forest area is not vulnerable to soil erosion.

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

iv) There is no rare / endangered / unique species of flora and fauna found in the area. There is no specific wildlife found in that locality.

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

vi) 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.

vii) The District Forest Officer has furnished the list of spontaneous grown trees available in the project area. There is 821 Standing trees and branch trees of 119 are there. These trees has to be removed for upgradation of proposed road.

viii) The District Forest Officer has proposed Compensatory Afforestation scheme at a cost of Rs. 84.02 lakhs.

ix) As against the diversion of 4.20 ha of forest land for upgradation road in Palamalai RF of Mettur Taluk, compensatory afforestation scheme has been proposed for 8.40 ha in the identified non forest land in Kuruchi village of Valapady Taluk in Salem District.

x) The District Forest Officer has furnished the site suitability certificate for the identified non forest land for compensatory afforestation is suitable for plantation from management point of view and is free from all sorts of encumbrances and encroachment.

10) The District Forest Officer has reported that the proposed site falls in Palamalai RF has been inspected on 17.07.2018.

In the site inspection report, the District Forest Officer has stated that, site inspection of the land involved in the proposal has been done by him on 17.07.2018 and along with the Chief Conservator of Forests, Salem Circle on 19.07.2018. On inspection of the site, it is found that the land required by the User Agency is comes under Palamalai Reserved Forests measuring 4.20 ha.

The requirement of forest land proposed by the user agency is unavoidable and is barest minimum required for the project considering the gradient to align the road to reach the hill top where the village of Kemmampatti is located as an enclosure in Palamalai Reserved Forests.

Specific recommendation for acceptance of the proposal furnished by the District Forest Officer is as follows.

In order to have approach to the Kemmampatti tribal village from Kannamoochi Pirivi in Palamalai hills, an admitted right of way to a width of 6 feet (1.80m) to a length of 2 miles (3.20km) was admitted under Section 16 Notification of the Palamalai Reserved Forests under admitted right of way No. 15 (Ramanpatty to Kannamuchi). Since the right of way is not possible to be improved as road as it does not have the desired gradient, a new alignment has been proposed by following the admissible gradient for road formation for easy movement of vehicles.

Further there are 940 numbers of spontaneously grown trees are existing in the proposed diversion area, which are required to be felled before taking up the project.

By laying of this road, which will provide better communication facilities to the 11 tribal villages, which are at present un-connected, with a population of 1800 (as per census record of 2011). The people living in this hill area basically belong to Malayali community, which is classified as Scheduled Tribes. They are living for many centuries without basic amenities like road, health, education etc., By implementing this road project, they all will benefitted for primary education to their children, primary health for the tribal men, marketing facilities for their agricultural produces and employment opportunities in the plain areas which will ultimately improve the general life-style as well as total socio-economic status of the poor tribal communities in the Palamalai hills. Hence the project strongly recommended.

In his recommendation, the District Forest Officer has stated that the facts explained above, recommended for diversion of 4.20 ha in Palamalai Reserved Forests for the purpose of laying black top road, which will be a permanent lifeline for the whole of Palamalai tribal villages.

11) The Chief Conservator of Forests, Salem Circle has also inspected the site on 06.08.2018 and considering the importance of road connectivity to the hill top tribal village, the Chief Conservator of Forests has also recommended the proposal.

12) The District Forest Officer, Salem Division and Chief Conservator of Forests, Salem Circle have recommended the forest area diversion for a period of 25 years.

Based on the recommendation made by the District Forest Officer and Chief Conservator of Forests, diversion of forest land has been recommended for a period of 25 years.

13) Hence, the proposal is recommended subject to the following conditions:

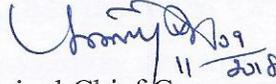
- a) The legal status of the diverted forest land remains unchanged.
- b) The demarcation of the proposed forest land shall be carried out by the User Agency by erecting 4 feet high cement concrete pillars duly numbered at an interval of 20 meters at their cost.
- c) The User Agency has to transfer and mutate double the extent of non-forest land indentified in S. No. 72/1 of Kuruchi village in Salem District to the Forest Department.
- d) The User Agency has to demarcate the non-forest area proposed for Compensatory Afforestation and hand over the land to the Forest Department.
- e) The User Agency has to pay the cost of Raising Compensatory Afforestation / Maintenance of plantation, protection of plantation etc., as fixed by the Forest Department and willingness to deposit additional amounts if any suggested as amended owing to the change in planting technique, enhancement in the FSR etc., demanded subsequently.
- f) 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.
- g) 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.
- h) The User Agency has to pay the 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 of the above project in future for the entire project period.
- i) The User Agency has to obtain orders from the Hon'ble Supreme Court of India for felling of 940 Spontaneous grown trees (Standing trees – 821 Nos and Branch trees - 119 Nos.) to be felled in the road alignment area.

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

14) The proposal is sent herewith duly recommended by the Additional Principal Chief Conservator of Forests (Forest Conservation Act) / Nodal Officer, Forest (Conservation) Act, 1980 of the State of Tamil Nadu. I request that the proposal may kindly be considered and Government of India approval may please be obtained for diversion of 4.20 ha of forest land in Palamalai RF of Salem Forest Division in Salem District for upgradation of road from Kannamoochi Piruvu to Kemmampatti in Palamalai hill village through Palamalai Reserved Forests in favour of Block Development Officer, Kolathur Union, Mettur Taluk of Salem District for a period of 25 years.

Encl : As stated above.

Yours faithfully



For Principal Chief Conservator of Forests  
(Head of Forest Force)

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11/8/12

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 - Proposal for diversion of 4.20 ha of forest land for upgradation of the road from Kannamoochi Pirivu to Kemmampatti village in Palamalai RF of Salem Forest Division - Online proposal Submission by the User Agency ie., Block Development Officer, Kolathur, Salem District, Pin code 636 303 - Proposal No. FP/TN/Road/21076/2016.

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)

The proposal for diversion of 4.20 ha forest land for formation of black top road from Kannamoochi pirivu to Kemmampatti will provide communication facilities to 11 tribal hamlets with population of about 1800. The tribal in these hamlets will be able to access better education, health, marketing facilities and employment opportunities. The proposal is therefore recommended.

Signature :

*[Handwritten Signature]*

Name Designation :

Date : 11/09/2018

Place : Chennai

Shri A. Phale IAS  
Add. Principal Chief Conservator of Forests  
(Forest Conservation Act)  
Chennai - 600 015.

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