

By online / E-mail.

TAMILNADU FOREST DEPARTMENT

From

To

Thiru Syed Muzammil Abbas, I.F.S.,
Principal Chief Conservator of Forests,
(Head of Forest Force)

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

Forest Head Quarters Building, Guindy-
Velachery Main Road, Guindy, Chennai-32.

C. No. TS3/15954/2022 Dated: 12.12.2022.

Madam,

Sub: Forest (Conservation) Act, 1980 – Proposal for diversion of 0.9856 ha of forest land recorded in Revenue records as un-assessed waste-Forest Range land which defined as Forests in Ayaranapalli village, Soolagiri Taluk of Krishnagiri District for erection of 110KV transmission line from Rayakottai-Kelamangalam road to TATA Electronics Company passing through forest area to an extent of 0.9856 ha of Ayaranapalli village, Soolagiri Taluk, Krishnagiri District in favour of Executive Engineer, TLC/TANTRANSCO, Dharmapuri, Dharmapuri District - Proposal forwarding off - Regarding.

- Ref: 1 Online forest area diversion proposal uploaded by the Executive Engineer, TLC/TANTRANSCO, Opp. Collectorate, Dharmapuri, Dharmapuri District - Proposal No. FP/TN/ Trans/155570/2022, dated 19.05.2022 and resubmission of proposal on 01.07.2022 and EDS reply uploaded n 23.11.2022.
- 2 Part-II of Form-A uploaded by the Wildlife Warden, Hosur Division on 20.09.2022 and EDS reply uploaded on 28.10.2022 and 24.11.2022
- 3 Part-III of Form-A uploaded by the Conservator of Forests, Dharmapuri Circle on 12.10.2022 and EDS reply uploaded on 29.10.2022 and 24.11.2022

I wish to state that, the Executive Engineer, TLC/TANTRANSCO, Dharmapuri, Dharmapuri District has uploaded online forest area diversion proposal under Section 2 of Forest (Conservation) Act, 1980 for diversion of 0.9856 ha of forest land in Ayaranapalli village for erection of 110 Kv line transmission line from Rayakottai-Kelamangalam road to TATA Electronic Company in Ayaranapalli village in Krishnagiri District under Proposal No. FP/TN/ Trans/155570/2022.

1) Brief details of the project are given 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) In the short narrative of the proposal for which forest land is required, the User Agency has stated that erection of 110 kv transmission line from Rayakottai-Kelamangalam road to TATA Electronic Company in Ayaranapalli Panchayat, Soolagiri Taluk, Krishnagiri District.

iii) 0.9856 ha of forest area diversion for the project has been proposed and the User Agency has stated that non forest land required for the project is Zero ha.

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

v) The Executive Engineer, TLC/TANTRANSCO, Dharmapuri, Dharmapuri District has reported as User Agency and the officer in person has uploaded the proposal. Legal status of the user agency reported as State PSU.

vi) The Project Proponent has uploaded a copy of authorization document issued by the Superintending Engineer, GCC, TANTRANSCO, Salem to the project proponent to make application for obtaining forest clearance.

vii) 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.

viii) Diversion of 0.9856 ha of forest area has been requested in Hosur Wildlife Division area in Krishnagiri District. Name of the village in which forest land requested has been reported as Ayaranapalli.

ix) The User Agency has furnished the component wise breakup details of land required for the project as transmission line for 0.9856 ha.

x) Location map of the forest land proposed to be diverted in kml file of google earth, Survey of India topo sheet indicating the boundary of forest area and marking the transmission line passing through the forest area, scanned copy of Geo referenced location details of the forest land proposed to be diverted prepared by using GPS or Total Station along with DGPS readings of the transmission line.

xi) Note containing justification for locating the project in forest area has been uploaded.

xi-a) The User Agency has reported that the project requires only the proposed forest area, hence copy of map indicating location of alternative examined not provided.

xii) The User Agency has stated that, the project is likely to generate permanent/ regular employment for 4000 persons and temporary employment for 500 persons.

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

xiv) The User Agency has stated this project or part thereof is not located in any protected or their eco sensitive zone and this project or part thereof is not located in any Scheduled area.

xv) The User Agency has stated that, the process for settlement of Rights under the Forest Rights Act 2006 on the forest land proposed to be diverted has been completed and uploaded a copy of document of certificate issued by the District Collector, Krishnagiri District in Ref. No. 14821/2021/L5, dated 16.05.2022 for the area of mentioned in the Revenue records as UAW-Vanasaragam.

xvi) Under the section of details of land identified for compensatory afforestation, the User Agency has not furnished the details of compensatory Afforestation land to be provided to the Forest Department in lieu of diversion of forest land required for the work.

The user agency has stated that non-forest or revenue forest land is not required to be provided by the user agency and reason for this stated as laying of transmission lines.

-- As per Forest (Conservation) Act, 1980, guidelines, transmission line projects are exempted from providing compensatory land.

xvii) In the additional information details section, the user agency has uploaded certificates/ undertaking required under the Forest Conservation Act.

a) Certificate issued by the District Collector, Krishnagiri in Roc. No. L5/14821/2022, dated 16.05.2022 that no alternative found other than this and for the proposed works in the areas mentioned in Revenue records as UAW-Vanasaragam.

b-i) Certified that the forest land involved for the project is unavoidable and barest minimum.

ii) Certified that no work in violation of the Forest (Conservation) Act, 1980 has been carried out.

c-i) Undertaking to bear the cost of raising and maintenance of Compensatory Afforestation Scheme

ii) Undertaking to pay the Net Present Value of forest land.

iii) Undertaking to pay the additional amount of Net Present Value of forest land.

iv) Undertaking to pay the annual lease rent

v) Undertaking to bear the cost of felling of trees and transportation cost of the trees likely to be removed those available in the alignment path.

vi) Area requirement statement of the project proposal.

Length- 448m, Right of way Width- 22.00m width and area of 0.9856 ha

v) 110 KV KCR Tower details furnished is as follows.

a) No of towers to be erected in the forest area – Two Numbers (Loc. 4 and 5)

b) Height of the towers proposed.

In Loc 4- KCR +6m – 32.235m height with base size of 8.943m x 8.943m

In Loc 5- KCR Normal tower- 26.235m height with base size of 6.891m x 6.891m

c) Ground clearance proposed

Between tower Loc 3 to 4 : 14.35m and between tower Loc 4 to 5 : 8.10.m

2) In the Part-II of Form-A, the Wildlife Warden, Hosur Division has furnished following particulars.

i) The legal status of the proposed site of diversion of 0.9856 ha of forest land requested for the project is Forest by dictionary meaning.

In the site inspection report, name of the forest land reported is, as per Revenue Records, the proposed site is classified as 'Un-assessed waste- Vanasaragam' land which defined as Forest and area proposed for diversion is 0.9856 ha

ii) The Wildlife Warden has reported that, density of the forest area is 0.25 and Eco class of forest area is three

iii) The District Forest Officer has reported that there is no tree enumerated in the proposed forest diversion area. (No spontaneous or planted trees)

iv) On the Brief note on vulnerability of the forest area to erosion, the Wildlife Warden has reported that it is a linear project and there will not be possibilities of soil erosion.

v) On the presence of wildlife in and around the forest land proposed for diversion, the Wildlife Warden reported that occasional/seasonal movement of Elephant found.

a) 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., for the forest land proposed for diversion

The Wildlife Warden has reported that the proposed area is not part of any notified Wildlife Corridor. But, the proposed diversion area is seasonally and occasionally used by the Elephants. The distance from the nearest boundary of the sanctuary (Cauvery North Wildlife Sanctuary) to this proposed area is at about 2.10 km, and there is seasonal and occasional movement of elephants noticed from the sanctuary area to the proposed area and around for crop raid. There is also a railway line passing close to the proposed diversion area at a distance of nearly 2.00 km for a length of nearly 10km. The railway line is located between Cauvery North Wildlife Sanctuary and proposed area. In the year 2003 and 2013, totally 7 number of elephants died due to train hit in this railway stretch.

b) Forest land proposed for diversion is 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.,

In 1.00 km radius of proposed diversion area, there is no any notified Wildlife Corridor. But, the proposed diversion area is seasonally and occasionally used by the Elephants to a radius of more than 5.00 km from the proposed diversion area for seasonal crop raid. The brief details of elephant movement and Human–Elephant negative interaction is mentioned in the Wildlife Mitigation plan along with maps.

c) Rare/ endangered / unique species of flora and fauna found in the area and reported that, Occasional / Seasonal movement of Elephant is found in the proposed 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) For the diversion of 0.9856 ha of forest land, the Wildlife Warden has proposed the compensatory afforestation scheme work in the 2.00 ha degraded forest area in Melumalai RF to at an amount of estimated cost of Rs. 29,56,400/-.

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

Nursery, planting and 10 years maintenance cost

With escalation of cost over the years - Rs. 29,56,400

Site suitability certificate of the proposed CA area has been uploaded by the Wildlife Warden.

ix) The Wildlife Warden has proposed wildlife mitigation plan for the project proposal and implementation of wildlife mitigation plan is justified for the following reasons.

a) In 1.00 km radius of proposed diversion area, there is no any notified Wildlife Corridor. But, the proposed diversion area is seasonally and occasionally used by the Elephants to a radius of more than 5.00 km from the proposed diversion area. The distance from the nearest boundary of the sanctuary (Cauvery North Wildlife Sanctuary) to this proposed area is at about 2.10 km, and there is seasonal and occasional movement of elephants noticed from the sanctuary area to the proposed area and around for crop raid. There is also a railway line passing close to the proposed diversion area at a distance of nearly 2.00 km for a length of nearly 10km. The railway line is located between Cauvery North Wildlife Sanctuary and proposed area. In the year 2003 and 2013, totally 7 number of elephants died due to train hit in this railway stretch. The brief details of elephant movement and Human-Elephant conflict and negative interaction is mentioned in the Wildlife Mitigation plan along with maps. Hence, in order to manage Man-animal conflict, the Wildlife Mitigation plan is proposed for Rs. 765.00 lakhs by the Wildlife Warden, Hosur Division.

b) The Wildlife Mitigation Measures plan submitted by the Wildlife Warden Hosur has been approved by the Principal Chief Conservator of Forests and Chief Wildlife Warden, Chennai in Ref. No. WL5/33675/2022, dated 11.11.2022. Copy of the approval is enclosed.

x) In the site inspection report, the Wildlife Warden has stated that, the proposed site was inspected on 02.09.2022. The user agency has furnished proposal requesting prior permission under forest Conservation Act, 1980 for diversion of 0.9856 ha of forest land for erection of 110KV transmission line from Rayakottai-Kelamangalam road to TATA Electronics Company passing through SF No. 954-956, 959-965, 970-972, 977, 978 to an extent of 0.9856 ha of Ayaranapalli village, Soolagiri Taluk, Krishnagiri District. As per Revenue records, the proposed site is classified as un-assessed waste-Vanasaragam land which defined as Forests. The proposed site for the erection of 110 KV transmission line under FC Act 1980 is linear project.

a) The user agency has not yet commenced any work in the field therefore the question of violation of provisions of the Forest (Conservation) Act, 1980 does not arise and there is no encroachment in this area.

b) The forest land required for the project is not the part of any National Park, Wildlife Sanctuary, Biosphere Reserve or any notified Wildlife corridor. But, the proposed diversion area is seasonally and occasionally used by the Elephants to a radius of more than 5.00 km from the proposed diversion area. The distance from the nearest boundary of the sanctuary (Cauvery North Wildlife Sanctuary) to this proposed area is at about 2.10 km, and there is seasonal and occasional movement of elephants noticed from the sanctuary area to the proposed area and around for crop raid. There is also a railway line passing close to the proposed diversion area at a distance of nearly 2.00 km for a length of nearly 10km. The railway line is located between Cauvery North Wildlife Sanctuary and proposed area. In the year 2003 and 2013, totally 7 number of elephants died due to train hit in this railway stretch.

c) The proposed site consists of only shrubs and hence the question of damages to the flora and fauna does not arise and there is no tree felling involved due to the diversion of 0.9856 ha of the area for the erection of transmission line.

d) The proposed line is to be laid to a length of 448m and to a width of 22.00m.

xi) In the specific recommendation of the proposal, the Wildlife Warden, Hosur Division has reported that the proposed site is located on the northern side of the Udedurgam RF at a distance of 2.10km. The site consists of only shrubs and no tree felling is involved due to the diversion of 0.9856 ha of the area for the erection of transmission line. Seasonal/occasional movement of Elephants noticed in the proposed diversion area, accordingly detailed Wildlife Mitigation plan proposed. Considering the above facts and field observations, the Wildlife Warden has recommended the proposal for seeking diversion of land.

3) The Conservator of Forests, Dharmapuri Circle has inspected the area on 12.10.2022 and has remarked that, the proposed 110 Kv transmission line is erected to the TATA Electronic company, it will also serve for the benefit of job opportunity to the local residents including Scheduled Caste and Scheduled Tribe in this area and recommended the proposal for diversion of 0.9856 ha of forest area.

Part-III of Form-A with site inspection and recommendation of the project has been uploaded in the web portal by the Conservator of Forests, Dharmapuri Circle on 12.10.2022 and furnished the hard copy of the proposal.

4) The User Agency has requested forest area diversion for a period of 99 years. The Wildlife Warden, Hosur Division and Conservator of Forests Dharmapuri Circle have recommended the forest area diversion for a period of 10 years.

Based on the recommendations made by the Wildlife Warden, and Conservator of Forests, diversion of forest area for the project proposal is recommended for a period of 10 years.

5) State Government may accord diversion of forest land of less than one hectare in each case for non forestry purposes under the Forest (Conservation) Act, 1980, for creation of critical development and security related infrastructure of Government Departments under the general approval of Section 2 of Forest (Conservation) Act, 1980 guidelines. Laying of electric and telecommunication lines is one of the work allowed under general approval list. Hence this project proposal may be approved by the State Government.

6) As recommended by the Wildlife Warden, Hosur Division and Conservator of Forests, Dharmapuri Circle, the proposal for diversion of 0.9856 ha of forest land recorded in Revenue records as 'un-assessed waste-Vanasaragam' land which defined as Forests in Ayaranapalli village, Soolagiri Taluk of Krishnagiri District for erection of 110KV transmission line from Rayakottai-Kelamangalam road to TATA Electronics Company passing through forest area to an extent of 0.9856 ha of Ayaranapalli village, Soolagiri Taluk, Krishnagiri District in favour of Executive Engineer, TLC/TANTRANSCO, Dharmapuri, Dharmapuri District is recommended subject to the following additional conditions.

- i) The legal status of the diverted forest land remains unchanged.
- ii) 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.
- iii) 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.
- iv) 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.
- v) 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.
- vi) The user agency has to pay the cost towards Wildlife Mitigation Measures Plan approved by the Principal Chef Conservator of Forests and Chief Wildlife Warden, Chennai.
- vii) Amount of Compensatory levies, Net Present Value of forest area, Wildlife Mitigation Measures Plan etc., under the project shall be transferred / deposited to CAMPA fund only through e-portal (<https://parivesh.nic.in/>)
- viii) 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 as the forest area diversion is meant for commercial activity usage.

ix) 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.

x) The maximum width of Right of Way for the proposed transmission line on the forest land shall not be more than 22 mtrs

xi) The layout plan of the proposal shall not be changed without prior approval of the Government.

xii) Height of the 110 Kv transmission line tower should be maintained to 32.235m at tower location No. 4 and 26.235m at tower location No. 5 and minimum ground clearance should be maintained at 14.35m between tower location No. 3 to 4 and 8.10m between tower location No. 4 to 5.

xiii) The user agency shall ensure compliance to provisions of all Acts, Rules, Regulation and guidelines of the MoEF&CC for the time being in force as applicable to the transmission line projects

xiv) The total forest area utilized for the project shall not exceed 0.9856 ha and the forest area diverted shall not be used for any other purpose other than those shown in the diversion proposal. The User Agency shall furnish an undertaking to this effect.

xv) The approval under FCA 1980 is subject to the clearance under all other Acts, Rules, Guidelines, Regulations and Court Orders applicable to such projects.

xvi) Any other conditions that the Central Government or Regional Officer (Central) of Integrated Regional Office, Chennai or State Government-Forest Department may impose from time to time in the interest of afforestation, conservation and management of flora and fauna in the area, shall be complied by the user agency.

xvii) In the event of failure to comply with any of the above conditions, the User Agency is liable for penal action provision made under FCA 1980 and guidelines made there under.


xviii) Period of lease can be ten (10) years. The User Agency has to apply renewal proposal before one year of expiry of lease with the State Forest Department.

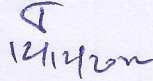
7) The proposal is sent through online with the recommendation of the Additional Principal Chief Conservator of Forests (Forest Conservation Act) / Nodal Officer, Forest (Conservation) Act, 1980 of the State of Tamil Nadu. Hard copy of the proposal also furnished.

8) I request that the proposal may be considered and approval may be issued for diversion of 0.9856 ha of forest land recorded in Revenue records as 'un-assessed waste-Vanasaragam' land which defined as Forests in Ayaranapalli village, Soolagiri Taluk of Krishnagiri District for erection of 110KV transmission line from Rayakottai-Kelamangalam road to TATA Electronics Company passing through forest area to an extent of 0.9856 ha of Ayaranapalli village, Soolagiri Taluk, Krishnagiri District in favour of Executive Engineer, TLC/TANTRANSCO, Dharmapuri, Dharmapuri District for a period of 10 years.

Encl: As stated above.

Yours faithfully


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


12/11/2022

(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 Forest Circle / Hosur Division - Diversion of 0.9856 ha of forest land recorded in Revenue records as un-assessed waste-Forest Range land which defined as Forests in Ayaranapalli village, Soolagiri Taluk of Krishnagiri District for erection of 110KV transmission line from Rayakottai-Kelamangalam road to TATA Electronics Company passing through forest area to an extent of 0.9856 ha of Ayaranapalli village, Soolagiri Taluk, Krishnagiri District in favour of Executive Engineer, TLC/TANTRANSCO, Dharmapuri, Dharmapuri District - Proposal No. FP/TN/Trans/155570/2022

	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 "

[Signature]

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 : 04 .11.2022.

Place : Chennai 32.