

By online / Email.

TAMILNADU FOREST DEPARTMENT

From

To

Thiru Ashok Upreti, I.F.S.,
Principal Chief Conservator of Forests,
(Head of Department)
Panagal Maaligai, Saidapet,
Chennai - 15.

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

C. No. TS3/4454/2020 Dated: 14.07.2021.

Sitadam,

Sub: Forest (Conservation) Act, 1980 - Vellore Forest Circle /
Tiruvannamalai Forest Division – Proposal for diversion of 0.40
ha of forest land in Patrakadu and Veerappanur RFs for
construction of retaining wall in various places of Polur-
Jamunamarathur-Alangayam-Vaniyambadi road from km 33/2 to
36/10 of SH-215) in Tiruvannamalai District in favour of
Divisional Engineer, Highways, Construction and Maintenance,
Tiruvannamalai District – Forwarding Off - Regarding

- Ref: 1 Online application uploaded by the User Agency -
The Divisional Engineer, Highways Department,
Construction and Maintenance, Tiruvannamalai - Proposal
No. FP/TN/Road/44087/2020.
- 2 Part-II of Form-A uploaded by the District Forest Officer on
10.12.2020 and EDS replies furnished
- 3 Part-III of Form-A uploaded by the Chief Conservator of
Forests and Additional Principal Chief Conservator of
Forests, Vellore Circle on 27.05.2021.

I wish to state that the Divisional Engineer, Highways Department,
Construction and Maintenance, Tiruvannamalai has uploaded online application under
Section 2 of Forest (Conservation) Act, 1980 for diversion of 0.42 ha of forest land in
Patrikadu and Veerappanur RFs for construction of retaining wall in various places of
Polur-Jamunamarathur-Alangayam-Vaniyambadi road from km 33/2 to 36/10 of SH-
215) in Tiruvannamalai District under proposal No. FP/TN/Road/ 44087/2020.

1) 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.

i) Name of the project reported as construction of retaining wall in various places of Polur-Jamunamarathur-Alangayam-Vaniyambadi road km 33/2 to 36/10.

ii) The User Agency has requested the forest area diversion for 0.42 ha., and non forest land required for the project reported as Zero ha.,

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

iv) On behalf of User Agency, Highways Department, Government of Tamil Nadu - the Divisional Engineer, Highways, Construction and Maintenance, Tiruvannamalai Division has uploaded the proposal in the prescribed format. Legal status of the User Agency is State Government (Department).

v) The User Agency has uploaded a copy of authorisation issued by the District Collector, Tiruvannamalai District for furnishing online application for diversion of forest area for the project proposal.

vi) Diversion of 0.42 ha of forest has been requested in Tiruvannamalai (South) Forest Division area in Tiruvannamalai District and Name of the village in which forest land requested has been reported as Thumnakollai and Komutteri (S).

vii) The User Agency has furnished the component wise breakup details of land required for the project as retaining wall.

In the area requirement statement for the project, the user agency has furnished the details of area required for various locations of forest area required for the work along with geo co-ordinates of the location.

viii) Location map of the forest land proposed to be diverted in kml file of google earth, Scanned copy of Survey of India topo sheet marking the road runs through forest area and Scanned copy of Geo referenced location details of the forest land proposed to be diverted have been uploaded.

The user agency has uploaded kml file at various locations. In the area requirement statement, the user agency has indicated the retaining wall works proposed at 17 locations with at which location, work proposed, length and width of area proposed etc., and geo co-ordinates of the location.

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

x) The User Agency has stated that this project is not likely to generate employment. This project does not involve displacement of people due to the project and cost-benefit analysis and Environment clearance for the project are not required.

xi) The User Agency has reported 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.

xii) The User Agency has uploaded a copy of certificate issued in ROC No. 232/JDO/2020, dated 10.07.2020 by the District Collector, Tiruvannamalai District on completion of the process for settlement of Rights under the Forest Rights Act 2006 on the forest land proposed to be diverted.

xiii) 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 and reason for this stated that not applicable.

-- As per Forest (Conservation) Act, 1980, guidelines, compensatory afforestation may not be insisted for the forest area diversion up to 1 ha. In this project proposal forest area diversion proposed is 0.48 ha.

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

a) Certified that the construction of retaining wall in Polur-Jamunamarathur-Alangayam-Vaniyambadi is lying in Jamunamarathur Revenue village in Jamunamarathur Firka.

b) Area breakup details of forest area requirement for chainage km 33/2 to 36/10 at various locations (17 sites) and certified that work is designed for minimum forest involvement.

c) Certified that there is no suitable alternative non-forest land is available for the project for chainage km 33/2 to 36/10.

d) Certified that no work in violation of the Forest Conservation Act 1980 will be carried out for forest land required for the project for chainage km 33/2 to 36/10.

e) Undertaking to pay the amount of Net Present Value which will be fixed as per the guidelines of Hon'ble Supreme Court of India for forest land required for the project for chainage km 33/2 to 36/10.

f) Undertaking to pay the additional amount of Net Present Value of forest land required for the project for chainage km 33/2 to 36/10.

g) Undertaking to deposit the cost towards raising and maintenance of compensatory afforestation scheme as per the scheme prepared by the State Government in lieu of forest land diverted for non-forestry purpose.

h) Undertaking to pay the cost towards lease rent fixed by the Forest Department at the time of sanction along with any escalation for the forest land to be diverted for this project in for chainage km 33/2 to 36/10..

i) Certified that ten times of saplings cost would be paid towards number of trees proposed to be cut, which falls on the forest alignment in chainage km 33/2 to 36/10.

j) 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 for the proposed diversion of forest land as fixed by the Forest Department.

k) Certified that no work in violation of the provisions of the Forest (Conservation) Act, 1980 has been carried out in the project proposal area.

l) The user agency has uploaded a copy of Forest Rights Act 2006 certificate issued by the District Collector of Tiruvannamalai District in Rc. No. Nil, dated Nil in the additional information details section for Chainage km 33/2 to 36/10.

m) The user agency has uploaded certificate issued by the District Collector, Tiruvannamalai District in Rc. No. 232/2020/JDO, dated 10.07.2020 about No alternate non forest land is available for the project proposed in the forest area.

n) The user agency has uploaded copy of orders obtained from the Government of Tamil Nadu in G.O. Ms No. 482, Environment and Forests (FRXI) Department, dated 12.07.1990 under Forest Conservation Act, 1980 for improvement of Ghat road from Polur to Top of Jawadhu hills and on to Alangayam in the erstwhile North Arcot District.

2) The District Forest Officer, Tiruvannamalai Division has uploaded the proposal details in the Part-II of Form-A and forwarded the proposal to the Additional Principal Chief Conservator of Forests, Vellore Circle on 10.12.2020 and furnished the additional details and EDS replies on 07.01.2021, 03.02.2021, 10.03.2021 and 26.04.2021.

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

i) The legal status of the proposed sites of diversion of 0.42 ha of forest land requested for the project is Reserved Forests and as per site inspection report, name of the forest land is "Pattaraikadu RF and Veerappanur RF" and extent of area proposed for diversion is 0.40 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 species wise and girth class wise enumeration table segment furnished by the District Forest Officer, there is no tree growth is available in the proposed forest diversion areas.

iv) On vulnerability of the forest land proposed for diversion, the District Forest Officer reported that there is no erosion in this forest area.

v) 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 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., for the forest land proposed for diversion.

vi) There is no rare/ endangered/ unique species of flora and fauna found in the area and details of wildlife present in and around the forest land proposed for diversion reported as NIL

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

viii) 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.

ix) For the diversion of 0.40 ha of forest land, the District Forest Officer has not proposed any compensatory afforestation scheme

x) In the site inspection report, the District Forest Officer has reported the following.

The District Forest Officer has inspected the site on 20.10.2020 and furnished the location wise forest area involved for the construction of retaining wall in the project area. Retaining wall will be constructed adjacent to the existing road of Polur-Jamunamarathur-Alangayam-Vaniyambadi road from km 33/2 to 36/10 of SH 215 of Jamunamarathur Range of Tiruvannamalai Division. In this 2428 sq.m forest area lies in Patrakadu RF of Jamunamarathur Range and 1728 sq.m of forest area lies in Veerappanur RF of Jamunamarathur Range. The proposed forest land is of Southern Dry Deciduous forest type. The user agency has informed that there will be no felling of trees during the execution of the project and retaining wall will be constructed leaving out trees in the proposed areas without any serious impact on the surrounding forest area and it is very essential for the safety of the highways. Geo co-ordinates of the proposed construction sites have also been furnished.

xi) In the recommendation of the project proposal, the District Forest Officer has reported the following.

An area of 0.42 ha of forest land in Patrakadu RF (0.2428 ha) and Veerappanur RF(0.1728 ha) has been proposed for construction of retaining walls and the work is essential to ensure the safety and stability of the highways and will not be any felling of trees in the proposed area and hence the proposal recommended on public interest.

xii) In the Essential Details called for section, based on the Additional Principal Chief Conservator of Forests query dated 21.01.2021 and 26.04.2021, the District Forest Officer has furnished the revised site inspection report along with the statement on chainage site wise length and width of forest area involved and area required for the project. In which forest area diversion has been mentioned and recommended for 0.40 ha (0.2428 sq.m in Patrakadu RF and 1614 sq.m (as against 1728 sq.m recommended earlier- area calculation mistake in one site-Km 36/2) in Veerappanur RF

3) The Chief Conservator of Forests and Additional Principal Chief Conservator of Forests, (FAC) Vellore Circle has inspected the area on 06.01.2021 and remarked that diversion of total area of 0.40 ha of forest land comprising 0.2428 ha in Patrakadu RF and 0.1614 ha in Veerappanur RF and further remarked that the retaining wall will be constructed adjacent to the existing road for safety of public and

stability of the road. The user agency has stated that no existing trees will be disturbed and retaining wall will be constructed leaving the trees. This proposal has been recommended in public interest.

4) The District Forest Officer has recommended the proposal for 25 years and the Additional Principal Chief Conservator of Forests (FAC) has also recommended the forest area diversion for a period of 25 years.

Based on the recommendation of the Additional Principal Chief Conservator of Forests, Vellore Circle, diversion of forest area has been recommended for a period of 25 years.

5) As recommended by the District Forest Officer, Tiruvannamalai Division and Additional Principal Chief Conservator of Forests (FAC), Vellore Circle, the proposal of diversion of 0.40 ha of forest area (0.2428 ha in Pattarakkadu Reserved Forests and 0.1614 ha in Veerappanur Reserved Forests) in Tiruvannamalai Forest Division for construction of retaining wall in various places of Polur-Jamunamarathur-Alangayam-Vaniyambadi road from km 33/2 to 36/10 of SH-215) in Tiruvannamalai District in favour of Divisional Engineer, Highways, Construction and Maintenance, Tiruvannamalai District has been recommended subject to the following 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 amount of Net Present Value which will be fixed as per the guidelines of Hon'ble Supreme Court of India.
- iv) 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.
- v) 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.
- vi) The total forest area utilized for the project shall not exceeds 0.40 ha


vii) 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.

6) The proposal is sent herewith duly recommended by the Additional Principal Chief Conservator of Forests (i/c) (Forest Conservation Act) / Nodal Officer, Forest (Conservation) Act, 1980 of the State of Tamil Nadu. I request that the proposal may be considered and Stage-I approval of Government may be issued for diversion of 0.40 ha of forest area in Pattarakkadu and Veerappanur Reserved Forests in Tiruvannamalai Forest Division for construction of retaining wall in various places of Polur-Jamunamarathur-Alangayam-Vaniyambadi road from km 33/2 to 36/10 of SH-215) in Tiruvannamalai District in favour of Divisional Engineer Highways Construction and Maintenance, Tiruvannamalai District.

Encl: As stated above.

Yours faithfully


14/07/2021
For Principal Chief Conservator of Forests
(Head of Department)


14/07/2021

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 : Forests - Forest (Conservation) Act, 1980 - Vellore Forest Circle / Tiruvannamalai Forest Division - Diversion of 0.40 ha of forest land in Patrakadu and Veerappanur RFs for construction of retaining wall in various places of Polur-Jamunamarathur-Alangayam-Vaniyambadi road from km 33/2 to 36/10 of SH-215) in Tiruvannamalai District in favour of Divisional Engineer, Highways, Construction and Maintenance, Tiruvannamalai District – Proposal No. FP/TN/Road/44087/2020.

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

Signature : *[Signature]*

Name Designation : *Thim. A. Venkatesh IAS*

Additional Principal Chief Conservator of Forests
(Forest Conservation Act), (i/c) Chennai-15

Date : *09.08.2021*.

Place: Chennai-15