

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. TS4/358382017 dated. 05.04.2021

- Sub: Forests - Forest (Conservation) Act, 1980 – Dindigul / Madurai Circle / Dindigul / Madurai Forest Division - Proposal for diversion of 6.1 ha now revised as 2.3824ha of forest land for formation of Madurai-Natham road for preparation of DPR for development of Economic corridors, Inter corridors, feeder routes and coastal roads to improve the efficiency of freight movement in India - Online proposal Submission by the User Agency ie., NHAI- Project Director, Madurai - Regarding.
- Ref: 1 Online application uploaded by the User Agency –Project Director, NHAI, Madurai dated 27.09.2017. (FP/TN/ROAD/29470/2017).
- 2 Part-II & Part-III received from the District Forest Officers Dindigul and Madurai and Chief Conservator of Forests, Dindigul and Additional Principal Chief Conservator of Forest, Madurai.
- 3 Principal Chief Conservator of Forests Ref.No.TS4/35838/2017,dt.07.08.2020.
- 4 District Forest Officer, Madurai C.No:D1/1173/2018 dt. 15.09.2020 and 24.02.2021.
- 5 District Forest Officer, Dindigul C.No:D1/2439/2019 dt. 29.09.2020.
- 6 Principal Chief Conservator of Forests ref.No. TS4/35838/2017, dt. 19.10.2020 & 11.12.2020.
- 7 Additional Principal Chief Conservator of Forests, Madurai C.No:D1/1485/2019 D1 dated 13.10.2020& 28.02.2021.
- 8 Chief Conservator of Forests, Dindigul C.No:D1/2574/2019 dt.28.10.2020.

I wish to state that the Project Director, NHAI, Madurai has sent a proposal under Section 2 of Forest (Conservation) Act, 1980 for diversion of 6.1 ha now revised as 2.3824ha of forest land for widening of existing Madurai-Natham road to 4/6 laning for preparation of DPR for development of Economic corridors, Inter corridors, feeder routes and coastal roads to improve the efficiency of freight movement in India through online web portal in the prescribed format.

2) The user agency has stated that the area proposed for the Madurai-Natham project is widening of existing road to 4/6 lanning by dividing into 2 packages in which package-1 is an elevated corridor that starts from Madurai (km 0+000) near Pandian Hotel Junction on the section of NH785 and ends at Chettikulam (km7+300) for a length of 7.300km and package-2 starts from Chettikulam(7/300km) and crossing at SH 35 inter junction ends at Natham Bypass (km36/690) for a length of 29.390 km in the State of Tamil Nadu. Also stated that to cater the increasing traffic levels, the project road is proposed with Right of Way of 60m for which the forest land is diverted which is under Madurai and Dindigul Districts.

3) The User Agency has furnished following Certificates / Undertakings.

- i. Signed copy of Form A.
- ii. Letter of Authorisation.
- iii. Justification for locating the project in Forest land
- iv. Certificate obtained from the District Collector, Madurai and Dindigul Districts about Settlement of rights under Scheduled Tribes and Other Traditional Forest Dwellers under Forest Rights Act 2006 in the prescribed format along with certificate of no alternate suitable non forest land is available for the above project.
- v. Undertaking given by the User Agency regarding the non violation of any provisions of Forest (Conservation) Act, 1980 for the purpose of Madurai Natham road stretch (NH-785)
- vi. Undertaking for the payment of Additional Net Present Value of the forest land as demanded by the Forest Department in future as per the guidelines of the Hon'ble Supreme Court of India.
- vii. Undertaking to bear the cost of raising and maintenance of Compensatory Afforestation / Penal Compensatory Afforestation / Maintenance of Plantation / Protection of plantation for the proposed diversion of forest land 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.
- viii. 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.

- ix. Undertaking given by the User Agency regarding No alternate suitable non forest land is available for the project and the demand of forest land for the project is minimum.
- x. Undertaking for the payment of cost of felling of trees and transportation cost of the trees to be removed for the trees available in the alignment path in the forest land which shall be fixed by the Forest Department.
- xi. Undertaking for the payment of Net Present Value of the forest land required for the purpose of Madurai-Natham road project.
- xii. Geo referenced map for the Forest land proposed for diversion in Kiluvamalai Reserved Forest, Usilampatty Reserved Forest and Alagarmalai Reserved Forest.
- xiii. Survey of India topo - sheet indicating boundary of forest land proposed for diversion in Kiluvamalai Reserved Forest, Usilampatty Reserved Forest and Alagarmalai Reserved Forest.

4) The District Forest Officer, Madurai has inspected the proposed project area on 15.08.2019, 06.11.2019 and 16.11.2019 and furnished his report as follows.

- (i) The proposed area for diversion is in Kiluvamalai Reserved Forest (0.59ha) and in Usilampatty RF (0.2249ha) of Madurai Range, Madurai Division for Madurai-Natham road project is minimum.
- (ii) The proposed area in both the Reserved Forest is having gentle terrain. The density of vegetation in Kiluvamalai RF is 0.6 and in Usilampatty RF is 0.4.
- (iii) The length proposed by the user agency through Kiluvamalai RF is 220m and Usilampatty RF is 260m.
- (iv) There are 173 spontaneous trees (468 nos. including branch trees) present in the proposed area for diversion in Kiluvamalai Reserved Forest (Tree forked below breast height is treated as though it was a separate tree.)The DFO has also stated that the user agency has been directed to take necessary action to file Interlocutory Application for getting permission from the Hon'ble Supreme Court of India for felling of 173 Nos. of Spontaneous trees in Kiluvamalai Reserved Forest.
- (v) The project has been proposed under feeder route scheme by connecting Trichy from Madurai via Natham and Thuvankurichi.
- (vi) The project shall save distance and travel time between Madurai and Trichy.
- (vii) The proposed diversion in Kiluvamalai RF and Usilampatty Reserved Forest will be having minimum effects on the environment.
- (viii) The proposed project will be beneficial to public.

(ix) The District Forest Officer in his Lr.No:D1/1173/2018 dated 15.09.2020 has stated that there are 197 trees in total in 0.59ha area proposed for diversion of Kiluvamalai Reserved Forest. They are numbered individually for the branched trees and the total is 500. Of this, 24 Eucalyptus trees (i.e.32 in number including branched trees) are not spontaneous. The remaining 173 trees (i.e. 468 in number including branched trees) are spontaneous in origin.

There are 27 trees (i.e. 84 in number including branched trees) of Eucalyptus species in 0.2249ha area proposed for diversion in Usilampatty RF which are non-spontaneous.

For felling of 224 no. of trees (173 Nos of Spontaneous and 51 Nos of non-spontaneous growth), the District Forest Officer has sent the Compensatory afforestation scheme for planting including 10years maintenance cost of 2240 Nos. of seedlings for Rs.27,02,762/- in the degraded area of 2.24ha identified in Waguthumalai RF. The District Forest Officer has sent the Geo Reference map and suitability certificate for the Compensatory area identified for the Compensatory Afforestation to be raised. The no.of trees mentioned in Part-II is including no.of branches of trees.

5) In his recommendation the District Forest Officer, Madurai has stated that the area proposed for diversion is minimum required and will be having minimum effects on the environment, shall be decongest the Madurai city traffic, will be beneficial to the public and hence recommended the proposal.

6) The Additional Principal Chief Conservator of Forests, Madurai has inspected the areas proposed for diversion of 0.59ha in Kiluvamalai RF and 0.2249ha in Usilampatty RF on 03.03.2020 along with District Forest Officer, Madurai, Forest Range Officer, Forester and Forest Guard of Madurai Range and the NHAI authorities and recommended in part III of Form A proposal. He has stated that most of the vegetation in the Reserved Forest consists of Kiluvai species and Eucalyptus plantations and the density of the vegetation is 0.6. He has also stated that at the time of inspection most of the road work was in full progress, save the stretch passing through the Reserved Forests. The proposed road stretch connects Natham town with the city of Madurai and would also serve as an outlet to the proposed ring road under consideration for the decongestion of the city of Madurai.

7) The Additional Principal Chief Conservator of Forests, Madurai has recommended this proposal with the following conditions.

(i) A reinforced fence to prevent the crossing of wildlife primarily small mammals may be provided along the length of the 220m section of the Kiluvamalai RF and length of 260m section of Usilampatty RF proposed to be diverted.

(ii) Speed breakers need to be provided on the stretch of the road passing along the RFs to reduce the speed of the vehicles.

(iii) Adequate number of sign boards at vantage points along the sides of the road may be erected to warn the drivers of vehicles and commuters passing through the affected stretch regarding wildlife crossing the road, avoid throwing of inflammable material like cigarette butts etc. along the roadsides leading to fire in the dry season, littering the road with discarded trash cans, rubbish etc.

8) The District Forest Officer, Dindigul in the site inspection report has stated that the proposed areas in Alagarmalai Reserved Forest was inspected on 10.05.2019, 11.05.2020 and 30.05.2020 and furnished the following details.

- (i) This road project is for the development of Economic corridors, Inter corridors, feeder routes and coastal roads to improve the efficiency of freight movement in India from Madurai to Natham.
- (ii) The length of the road proposed in Alagarmalai RF is 650m and the total area required is 1.567ha.
- (iii) The proposed area is having plain surface and there are 440 trees (294 nos. standing trees and 146 nos. branch trees) including 77 Nos. of spontaneous trees mostly comprising of Albizzia Amara and the plantation trees are mostly Eucalyptus species involved in the project.
- (iv) The proposed area is along the boundary of the RF involving 5Nos. of Cairns.
- (v) This project in Alagarmalai RF has minimum effects on environment and more beneficial to the public.
- (vi) For diversion of 1.567ha of forest land in Alagarmalai RF to NHAI which is a Central Government Project, Compensatory afforestation shall be raised and maintained at the cost of User Agency on degraded forest land twice in extent of forest area proposed for diversion as per sec.2.5 of Handbook of F(C) Act 1980. In this case the area to be diverted is 1.567ha. Also for felling of trees of 294Nos ((i.e.)77Nos. of spontaneous and 217 Nos. of Misc. Trees), the District Forest Officer has sent the Compensatory afforestation scheme in degraded forest land of 3.50ha selected in Alagarmalai Reserved Forest of Alagarkovil Range for planting including 10years maintenance to an amount of Rs. 39,84,304/-. The

District Forest Officer has sent the Geo Reference map and suitability certificate for the Compensatory Afforestation area identified for the Compensatory Afforestation to be raised.

9) In the recommendation, the District Forest Officer, Dindigul has stated that

(i). The area proposed for the road project is 1.567ha land and there is no alternative land for the proposed project except forest land.

(ii). The user agency has not started any work in Alagarmalai Reserved Forest.

(iii). The project involves the formation of NH road at Alagarmalai Reserved Forest 19+000 to 19+650 RH distances and total length of the road is 650m and the total area is 1.567ha having plain surface.

(iv). The proposed area for diversion does not have any archaeological and heritage related monuments.

(v). There is no Tribal Rights affected in this project.

(vi). Flagship species like Tiger and Elephants are not available in this RF and hence there is no threat to major Wildlife species.

(vii) The project in Alagarmalai Reserved Forest has minimum effects on environment and more beneficial to the public and hence recommended the project.

10) The Chief Conservator of Forests, Dindigul has inspected the proposed area on 19.02.2020 and 05.06.2020 along with the District Forest Officer, Dindigul and Forest Range staff of Alagarkovil Range and furnished the following details.

(i) The proposed area for diversion is situated in Alagarmalai Reserved Forest of Alagarkovil Range, Dindigul Forest Division.

(ii) An estimated area of 1.567ha of RF land is proposed for conversion of existing two lane road from Madurai to Natham into four lane for development of economic corridors through NHAI.

(iii) The proposed diversion of area is essential for the development of this road. The area required is bare minimum, Alternative alignment is not possible because the existing road is passing through the RF on both the sides. The forest type of the proposed diversion is Southern Tropical Thorn Forests with less than 0.4 canopy density.

(iv) The proposed area contains old Eucalyptus plantation and sparse spontaneous growth of trees like Albizzia amara, Tamarindus Indica, Neem, Wrightia tinctoria etc.

(v) The proposed area does not fall in any wildlife Corridor or Movement path of Wild animals.

11) The Chief Conservator of Forests, Dindigul in Part-III of Form-A has stated that he agreed with the information given in Part-II of Form-A and the recommendations of the District Forest Officer. He also stated that the proposed area of 1.567ha of Alagarmalai RF land is proposed for conversion of existing two lane road from Madurai to Natham into four lane for development of economic corridors through NHAI and this is essential for the development of this road and hence recommended.

12) Regarding FRA certificate received from the District Collector, Madurai and Dindigul, it is stated that the area of the jurisdiction of the Dindigul District Collector covers the Area to be diverted in Alagarmalai RF of 1.5675ha of Dindigul Forest Division and Usilampatty RF of 0.2249ha of Madurai Forest Division and the FRA certificate issued for a total area of 1.7924 ha (1.5675+0.2249) and The District Collector, Madurai has issued the FRA certificate for an area of 0.59ha of Kiluvamalai Reserved Forest.

13) The user agency has given undertaking that regarding "in case of diversion of forest land is denied, the project shall be executed along alternate alignment and work on non-forest land shall not be cited as a reason for grant of approval of forest land under F(C) Act, 1980"

14) In this regard, it is submitted that the User Agency has uploaded all the certificates /undertakings/details as required in this proposal.

15) The proposal is sent herewith duly recommended in the part IV of Form A by the Additional Principal Chief Conservator of Forests (FCA) / Nodal Officer (Forest Conservation Act).

16) The area proposed for diversion of 1.567ha of forest land in Alagarmalai Reserved Forest in Dindigul Forest Division and 0.59ha of forest land in Kiluvamalai Reserved Forest and 0.2249ha of forest land in Usilampatti Reserved Forest of Madurai Forest Division is recommended subject to the following conditions.

- (i) The legal status of the land shall remain unchanged and shall remain as Reserved Forests.
- (ii) 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.
- (iii) The User Agency shall remit CA amount as demanded by the Forest Department.
- (iv) 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

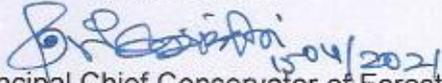
surrounding area of the project). Only indigenous forest trees species shall be used for such plantations.

- (v) 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.
- (vi) The fund from the User Agency towards Compensatory Afforestation and NPV under this project shall be deposited by generating challan from the Ministry's online web portal. UTR N+o and date should be furnished.
- (vii) 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.
- (viii) 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.
- (ix) The forest land shall not be used for any other purpose other than that specified in the proposal.
- (x) 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.
- (xi) The period of lease is 20 years
- (xii) The User Agency should send renewal proposal before one year of expiry of lease.
- (xiii) The District Forest Officers may impose any other condition in the interest of conservation /protection land development of forests.

I enclose 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 1.567ha in Alagarmalai RF of Dindigul Forest Division and 0.2249ha in Usilampatty RF and 0.59ha in Kiluvamalai RF of Madurai Forest Division for formation of Madurai-Natham road to improve the efficiency of freight movement in India.

Encl.: Proposal in duplicate.

Yours faithfully


for Principal Chief Conservator of Forests
(Head of Department)

1023
15/4/2021.

PART IV

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

Name of Work: Forests - Forest (Conservation) Act, 1980 – Dindigul and Madurai Circle / Dindigul and Madurai Forest Division - Proposal for diversion of 6.1 ha now revised as 2.3824ha of forest land for formation of Madurai-Natham road for preparation of DPR for development of Economic corridors, Inter corridors, feeder routes and coastal roads to improve the efficiency of freight movement in India - Online proposal Submission by the User Agency ie., NHAI- Project Director, Madurai (Proposal No:FP/TN/Road/29470/2017)

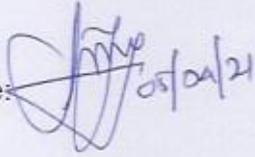
17. Detailed opinion and specific recommendation of the State Forest Department for acceptance or otherwise of the proposal with remarks.

(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 -

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Date: 03.2021

Place : Chennai

Signature: 

Name :

Official Seal:

Principal Chief Conservator of Forests
(Head of Department) and
Additional Principal Chief Conservator of Forests
(Forest Conservation Act)(i/c)

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