

TAMILNADU FOREST DEPARTMENT

From

To

Dr. N. Krishnakumar, IFS.,
Principal Chief Conservator of Forests,
(Head of Department),
Panagal Maaligai, Saidapet,
Chennai - 600 015.

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

C.No.TS4/ 36403/2015, Dated: 17.08.2016.

Sir,

Sub: Proposal- Diversion of 0.063 ha of Forest of Karumalai Reserved Forests - for formation of black top road from Vellimalai village to Oduvanpatti passing through Karumalai Reserved Forests-Online proposal submission by the User Agency ie. BDO, Kottampatti - Proposal under Section 2 of Forest (Conservation) Act, 1980- Regarding.

- Ref: 1 Block Development Officer, Kottampatti proposal sent through online dated 27.11.2014 , 25.02.2015 and 6.01.2016 with Part I of the online proposal. (FP/TN/ROAD/8266/2014)
- 2 District Forest Officer, Madurai Division, Madurai ref.No. D1/4870/2014, dated: 29.01.2016, District Forest Officer field inspection report dated:29.01.2016 with Part II of Form A of the online proposal.
- 3 Conservator of Forests, Madurai Circle, Madurai field inspection report dated:6.02.2016 with Part III - Form A of the online proposal.

The User Agency (Block Development Officer, Kottampatti) has submitted online application under Section 2 of F(C)Act, 1980 in the prescribed format of Form-A Part I for diversion of 0.063 Ha of Karumalai Reserve Forests, for formation of Black Topped Road, vide reference 1st cited.

In this regard, it is submitted that the user agency has upload the following certificates/undertaking certificates along with the on line proposal of Form-A Part -I

1. Forest area required 0.063 Sq.m for the project is minimum.
2. List of trees at karumalai RF to be felled is nil
3. Certificate from District Collector for non availability of non forest land.

4. Certificate regarding no violation of FCA 1980 in diversion of the forest land in karumalai RF.

5. There is no exploitation of forest trees in the right of way transferred to the BDO and there are no trees involved to be felled

6. Certificate regarding there is no catchment area treatment plan in the approved plan.

7. undertaking to pay the Compensatory Afforestation cost with 5 years maintenance as fixed by the Forest Department

8. Undertaking to pay the lease rent as fixed by the Forest Department

9. Undertaking to pay Net Present Value.

10. Undertaking to pay cost of trees to be fixed which implementing the project as fixed by the forest department.

11. If any condition amount has been fixed by the Forest department is ready to pay to the Forest department.

12. Certificate of Settlement of Rights – Forest Right Act 2006 issued by the District Collector.

In the reference 2nd cited, the District Forest Officer has sent a Part II of Form A of the online proposal and reported as follows.

The above area was earlier inspected by the District Forest Officer on 10.09.2014 (when the proposal was sent paper mode). After that the User Agency has resubmitted the proposal through online portal and the DFO has re-inspected the area on 23.01.2016 and he has sent his recommendations as follows:

1. The proposed formation of Black Topped Road lies in the foot hills of the Karumalai Reserved Forest. Length of proposed road is 180 Meters. The District Forest Officer has recommended that the requested width of the road (3.5 Meters) be permitted under Forest Conservation Act., since the connecting road in Dindigul District is already having a width of 3.5 Meters.

2. Further, the Net present Value, arrived as per Government of India guidelines communicated by the Principal Chief Conservator of Forests ref.No.9336/09/TS4 dated:26.02.2009 is as follows:-

Type of forest is "Tropical dry deciduous to thorn and dry ever green" Eco Class III Open forest-

NPV fixed 6.26lakhs / Ha.

NPV Amount $0.063 \times 6.26 \text{ Lakhs} = \text{Rs. } 39,438/=$ or, **Rs.40,000/-**

3. Further, the fixation of lease rent amount based on the Tamilnadu Registration Department guideline value and the lease rent amount has to be fixed as per G.O(Ms.) No.272 Environment and Forests (FR. VIII), department dated 15.4.1991 at 1% of cost of market value of land for the public purpose of diversion of land and hence the lease fee may be fixed as detailed below.-

Name of the Reserved Forest	Land Value (in Rs./Acre)	Land Value (in Rs./Ha.)	Forest land Involved (in Ha.)	1% of the value fixed as Annual Lease Rent
Karumalai	1,60,000/-	4,06,400/=	0.063	Rs. 4,06,400 x 0.063 x 1% = Rs. 256
Total				(or) Rs. 260/=

Hence, the District Forest Officer has recommended that the lease amount may be fixed at Rs.260/- per Annum and the Block Development Officer, Kottampatty may be asked to remit the Annual Lease Rent for initial period of 5 years.

4. Due to the proposed formation of road, 4 nos. of trees have to be felled. The yield of the trees has been arrived at 1.10 Ton. The trees are fuel wood trees. The fuel wood rate arrived during 2014-15 is Rs.4, 000/ Ton. Accordingly, the exploitation cost of Rs. 5,400/= may be collected from the user agency.

5. The total area of forest land proposed to be diverted for this project (0.063 ha.) is less than 1 Ha and hence Compensatory Afforestation Cost need not be insisted. Further, as per General approval issued by Government of India, Ministry of Environment and Forest in

letter No.11- 9/98 FC dated: 13.02.14 the State Government is empowered to issue concurrence approval for Construction/ widening of roads.

6. Hence the proposal is recommended to accord necessary approval / orders for diversion of 0.063 ha of forest land in Karumalai Reserved Forest in formation of black topped road in favour of Block Development Officer, Kottampatti subject to the following conditions stipulated in Government of India, Ministry of Environment and Forest, New Delhi letter No.1 /-9/98 FC Dt. 13.02.14 since the area involved is within 1 Ha and minimum tree felling is involved:

(a) Legal status of the land shall remain unchanged and shall remain as Reserved Forest.

(b) The user agency shall pay Net Present Value of the forest land to be diverted under this project as per the orders of Hon'ble Supreme Court of India dt. 28.3.08 and 9.5.08 in 1.A.No.826 in 566 with related IAS in W.P.(C) No.262/1995.

(c) Additional amount of Net Present Value if any becoming due after revision of the same by Hon'ble Supreme Court of India in future shall be charged by State Government. The user agency shall furnish an undertaking to this effect.

(d) The funds received from the user agency towards Net Present Value under this project shall be transferred to Adhoc CAMPA along with the details of deposition to be furnished.

(e) The user agency shall be responsible for any loss to Flora and Fauna in the surroundings of the proposed land and shall take all possible measures to conserve the same.

(f) The forest land shall not be used for any other purpose other than the specified in the proposal.

(h) The Forest land should not be diverted without compliance of condition (b) above.

Further, the District Forest Officer has inspected the Karumalai Reserved Forests in Madurai Range of Madurai Forest Division on 10.09.2014 and 23.01.2016 and his field inspection reports are as follows:

(i) The proposal black topped road is in the foot hills of Karumalai Reserved Forests.

- (ii) The type of forest is Tropical thorny/scrubs Forests.
- (iii) There is no significant wildlife presence observed by the DFO
- (iv) Except for this part (180 m of length) of road, black topped road has already been laid.
- (v) Width of proposed black topped road as 3.5 m should be sufficient for the purpose, in the existing circumstances. Otherwise, there will be a lot of tree felling involved in the project.
- (vi) Only 4nos. of planted Usil (Albizzia Amara) trees need to be felled if we limit the width of the road to 3.5 m.

The District Forest Officer has recommended the proposal of 180 m by 3.5 m of black topped road in Karumalai Reserved Forests coming in Madurai Forest Division.

In the reference 3rd cited, the Conservator of Forests has sent a Part III of Form A of the online proposal and reported as follows.

The Conservator of Forests has inspected the Karumalai Reserved Forests in Madurai Range of Madurai Forest Division on 15.02.2016 and his Site inspection reports are as follows.

The Conservator of Forests inspected the site proposed for forming black top road from Vellimalai village to Oduvanpatti passing through Karumalai Reserved Forests with District Forest Officer, Madurai on 15.02.2016. The length and width proposed inside the Karumalai Reserved Forests is 180 M and 3.50 M respectively. The wildlife in this area is found to be very low and the area sports southern Tropical thorn scrubs Forests. The distance and width sought for are barest minimum only. Hence the Conservator of Forests has recommended this proposal.

In this regard, it is submitted that the user agency has upload all the certificates/undertaking certificates 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, 1980. As per the guidelines issued under F© Act 1980, in GOI letter NO.11-9/98-FC MoEF(FC Division) New Delhi, Dated 13.02.2014,

General approval under Section 2 of the Forest Conservation Act, 1980 for diversion of Forest land to Government departments for roads has been accorded subject to the conditions that the Forest land to be diverted for the Developmental works should be less than 1.00 ha and no felling of more than 50 trees/ha should be involved.

As the proposal for forming black top road from Vellimalai village to Oduvanpatti passing through Karumalai Reserved Forests and for the diversion of 0.063 ha of Forest land is less than 1.00 ha and felling of trees is 4 Nos only. Hence approval for this project may be accorded by the State Government.

Therefore I request that the approval may kindly be accorded to the BDO, Kottampatty for diversion of 0.063 ha of Forest land in Karumalai RF of Madurai Division for forming black top road from Vellimalai village to Oduvanpatti.
Encl: As stated above.

Yours faithfully

for Principal Chief Conservator of Forests,
(Head of Department)

by
18/8/16

18/8/16

PART - IV

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

17. Detailed opinion and specific recommendation of the State Forest Department for acceptance of 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: Dr. M. Govinda Rao, I.F.S.,
Additional Principal Chief Conservator of Forests
(Forest Conservation Act)
Chennai-600015

(Official Seal)



Date : 17-8-2016.

Place: Chennai

