

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. TS4/52452/2018 dated. 11.12.2020

Sub: Forests - Forest (Conservation) Act, 1980 – Dindigul Circle / Dindigul Division - Proposal for diversion of 3.708 ha of Natham-Thuvarankurichi (NH-785 extension) traverse through Natham tehsil of Dindigul District and Marungapuri Tehsil of Trichy District – Online proposal submission by the User Agency ie. National Highways Authority of India, Dindigul - Regarding.

- Ref:
1. Online application uploaded by the User Agency – Thiru.Murugaprakash, National Highways Authority of India, Dindigul, dated: 28.11.2018. (FP/TN/Road /37330/2018)
 2. PCCF, Chennai-15 Ref.No: TS4/52452/2018 dated 27.05.2019.
 3. Revised Online application uploaded by the User Agency – Thiru.Murugaprakash, National Highways Authority of India, Dindigul, dated: 03.06.2019.
 4. Acknowledgement received from the District Forest Officer, Dindigul, Chief Conservator of Forests, Dindigul and District Collector, Dindigul on 30.07.2019.
 5. Principal Chief Conservator of Forests ,Chennai-15 Ref.No: TS4/52452/2018 dated 02.08.2019, 20.03.2020 and 07.08.2020.
 6. Part-II received from the DFO,DGL dated 20.07.2020.
 7. Part-III received from the Chief Conservator of Forests, Dindigul C.No. 6319/2019/D1, dt. 06.10.2020.
 8. Principal Chief Conservator of Forests ,Chennai-15 Ref.No: TS4/52452/2018 dated 06.11.2020.
 9. Chief Conservator of Forests, Dindigul C.No. 6319/2019/D1, dt. 01.12.2020.
 10. District Forest Officer, Dindigul ref. No. 6434/2019/D1, dt. 19.11.2020.

I wish to state that the Manager,(Technical), NHAI, Dindigul has sent a proposal under Section 2 of Forest (Conservation) Act, 1980 for diversion of 3.708 ha of Natham-Thuvarankurichi (NH-785 extension) traverse through Natham tehsil of Dindigul District and Marungapuri Tehsil of Trichy District

1) The total length proposed for normal road is 618m and the width is 60 m passes through Chinnyampattikaradu RF and total extent of forest land proposed for this road is 3.708ha.

2) The User Agency (NHAI, Dindigul) has sent the proposal under section 2 of Forest (Conservation) Act 1980 in the prescribed format.

3) The user agency has stated that the proposed road serves as a main corridor between Madurai and Trichy where the existing road via Melur (NH45B) is with a length of 71km. The current road is the shortest road between the Madurai to Thuvankurichi via Natham to a design length of 61km. Current project road is shorter by 10 km and also 7 km of elevated Highway is proposed in Madurai city which further reduces the total time. Therefore, the subject project highway acts as alternative route for NH45 B.

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

- i. Signed copy of Form A .
- ii. Letter of Authorisation.
- iii. KML file of Google earth
- iv. Geo referenced map for the Forest land proposed for diversion.
- v. Survey of India topo - sheet indicating boundary of forest land proposed to be diverted.
- vi. Justification for locating the project in Forest land
- vii. Certificate obtained from the District Collector, Dindigul District about settlement of Tribes under Forest Rights Act 2006 in the prescribed format.
- viii. Certified that the forest land diversion involved in this proposal is unavoidable and barest minimum with reference to the alternate options examined.
- ix. Undertaking to bear the cost of exploitation of trees and the cost of Compensatory Afforestation in double the area of degraded forest land in lieu of the forest land to be diverted for the project.

- x. Undertaking for the payment of Net Present Value of the forest land proposed for diversion as assessed and demanded by the Forest Department.
- xi. Undertaking for the payment of Additional Net Present Value of the forest land as demanded by the Forest Department and undertake to pay the additional amount if any due to escalation or any other charges etc. as per demand raised by the Forest Department.
- xii. 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.
- xiii. Undertaking given by the User Agency regarding no work in violation of Forest (Conservation) Act, 1980 will be carried out for the purpose of formation of road.
- xiv. Undertaking to bear the cost of raising and maintenance of Compensatory Afforestation as well as cost of protection and regeneration of safety zone etc. as per the scheme prepared by the State Government for the purpose of formation of road.

6) The District Forest Officer, Dindigul has inspected the proposed project area situated in Chinnaiyampattikaradu Reserved Forest on 23.04.2020 and 09.06.2020 and furnished Part II of Form A. The District Forest Officer has furnished details as follows..

- i. The proposed area is 3.708ha land and there is no alternative land for the proposed project except forest land.
- ii. The User agency has not started any work proposed in Chinnaiyampattikaradu RF.
- iii. The project involves the formation of NH road at Chinnaiyampattikaradu RF. of 50+691 to 51+309 CHN distances, the total length of the road is 618m and the total area needed is 3.708ha.

iv. The proposed area is having plain surface and there are 783 trees in the proposed area including 455 spontaneous trees mostly comprising of Acacia chundra. The plantation trees is composed mostly of Acacia Planifrons.

v. This project in Chinniyampattikaradu RF has minimum effects on environment and more beneficial to the public.

vi. The proposed area for diversion does not have any archeological and heritage related monuments.

vii. There are no tribal rights affected in this project.

viii. Flagship species like Tiger and Elephant are not available in this RF. Hence there is no threat to major wildlife species. A scattered population of slender loris may be present due to the adjoining RF.

7) For felling of 455no.of trees of spontaneous growth, the user agency has been instructed to approach the Hon'ble Supreme court of India for granting permission for removal of 455 trees.

8) The District Forest Officer has proposed for raising Compensatory afforestation in double the degraded forest land in Chinnayampattikaradu RF, Kuttupatti beat, Natham range as per F(c)Act 1980 to an area of 8ha along with 10 years maintenance and the compensatory amount works out to Rs.158,39,844/- and the detailed estimates are uploaded in additional information details in Part -II of Form - A. Further, regarding Compensatory Afforestation, the District Forest Officer, Dindigul has certified that with respect to the proposed diversion of forest area in Chinnayampatti karadu RF under F(C)Act 1980 an extent of 8.00ha area identified in Chinniyampattikaradu Reserved Forest for compensatory afforestation is a degraded forest based on the canopy density i.e, less than 40%. The District Forest Officer has revised the Compensatory Afforestation scheme for 8th to total amount of Rs.96,93,000/- vide reference 10th cited.

The Chief Conservator of Forests, Dindigul has also forwarded the revised Compensatory Afforestation scheme vide reference 9th cited.

9) Further the District Forest Officer has stated that This project in Chinniyampattikaradu RF has minimum effects on environment and more beneficial to the public and hence recommended the proposal.

10) The Chief Conservator of Forests has inspected the proposed site on 12.06.2020 along with District Forest Officer, Dindigul and stated that the project involves widening of existing road in Chinnayampatti karadu RF of Natham range. As per RF notification the right of way is given at 17 chain length and 6 yards width. Already the existing road is being used by the public. The existing road involves diversion of 3.708 ha of RF land.

11) The Chief Conservator of Forests has recommended in Part III of Form A proposal on 31.07.2020 by stating that the proposed area of 3.708ha of Chinnayampattikaradu RF for formation of four lane road from Natham to Thuvrankurichy road for development of economic corridors through NHAI and is essential for the development of this road and recommend for the acceptance of proposal.

12) The District Forest Officer, Trichy has reported in ref. No. 6711/2018/D, dt. 09.05.2020 that she has inspected the area proposed for the road on 23.01.2020 and 25.02.2020 and stated that the alignment done in the field for the proposed road does not involve the Reserved Forest of Thuvrankurichi Range of Trichy division.

13) In this regard, it is submitted that the User Agency has uploaded all the certificates /undertakings/details 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).

The area proposed for diversion of 3.708ha of Chinnayampattikaradu RF for formation of four lane road from Natham to Thuvrankurichy road for development of economic corridors through NHAI is recommended and forwarded to the Government of Tamilnadu for obtaining approval from Government of India subject to the following conditions.

1. The legal status of the land shall remain unchanged and shall remain as Reserved Forests.

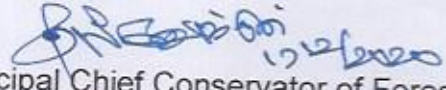
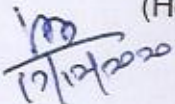
2. The demarcation of the proposed forest area shall be carried out by erecting 4 feet height cement concrete pillars duly numbered at an interval of 20 mts at the cost of User Agency.
3. The User Agency shall obtain the permission from the Supreme Court of India regarding felling of spontaneous growth in the forest area proposed for the road project before Stage-II approval.
4. The User Agency shall remit Compensatory Afforestation amount as demanded by the Forest Department.
5. 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.
6. 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.
7. The fund from the User Agency towards Compensatory Afforestation and NPV under this project shall be deposited by generating chalan from the Ministry's Online web portal. UTR No and date should be furnished.
8. 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.
9. 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.
10. The forest land shall not be used for any other purpose other than that specified in the proposal.
11. 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.

11. 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.
12. The period of lease is 20 years
13. The User Agency should send renewal proposal one year before expiry of lease.
14. The Chief Conservator of Forests and District Forest Officer may impose any other condition in the interest of conservation /protection land development of forests.

I am enclosing the proposal in duplicate duly recommended for obtaining concurrence of Government of India, Ministry of Environment, Forests and Climate change, Integrated Regional Office, Nungambakkam, Chennai under Forest (Conservation) Act, 1980 for diversion of 3.708 ha forest area in Chinnayampattykaradu Reserved Forest for Natham-Thuvarankurichi (NH-785 extension) traverse through Nathamtaluk of Dindigul District in favour of NHAI, Dindigul for a period of 20 years.

Encl.: Proposal in duplicate.

Yours faithfully


for Principal Chief Conservator of Forests
(Head of Department)


PART IV

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

Name of Work: Forest(Conservation)Act, 1980- Proposal for diversion of 3.708 ha of Natham-Thuvarankurichi (NH-785 extension) traverse through Natham tehsil of Dindigul District-online proposal submitted by the User Agency (i.e.)NHAI-Manager, Technical, NHAI, Dindigul District on behalf of NHAI.

Proposal No: (FP/TN/Road/37330/2018)

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 -

Date: 11.12.2020
Place: Chennai

Signature:

Name: S. Yuvraj IFS

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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