

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)
Panagal Maaligai, Saidapet,
Chennai - 15.

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

C. No. TS3/31973/2019 Dated: 17.06.2022.

Madam,

Sub: Forest (Conservation) Act, 1980 – Proposal for diversion of 5.00 ha of forest land in Kesarkuli RF for formation of road from Thimmalankadu to Kotturmalai to a length of 6.00 km and to a width of 7.50m in Dharmapuri Forest Division of Dharmapuri District in favour of the Block Development Officer (BP), Pennagaram, Dharmapuri District - Proposal forwarding off - Regarding.

- Ref: 1 Online application uploaded by the Block Development Officer (BP), Pennagaram, Dharmapuri District - Proposal No. FP/TN/Road/37176/2018
- 2 Part-II of Form-A uploaded by the District Forest Officer, Dharmapuri Division on 22.10.2021
- 3 Part-III of Form-A uploaded by the Conservator of Forests, Dharmapuri Circle on 04.02.2022 and resubmission of proposal on 05.05.2022.

I wish to state that in the reference 1st cited, the Block Development Officer (BP), Pennagaram, Dharmapuri District has uploaded online forest clearance proposal under Section 2 of Forest (Conservation) Act, 1980 for diversion of 5.00 ha of forest land in Kesarkuli RF for formation of road from Thimmalankadu to Kotturmalai to a length of 6.00 km and to a width of 7.50m in Dharmapuri Forest Division of Dharmapuri District under proposal No. FP/TN/Road/37176/2018.

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) Name of the project and short narrative of the project in which forest land required reported as Thimmalankadu to Kotturmalai road.

iii) Area required in forest area is for 5.00 ha., and non forest land required for the project is Zero ha., The User Agency has proposed the forest area diversion for the project for a period of 99 years.

iv) Diversion of 5.00 ha of forest area has been requested in Dharmapuri Forest Division area in Dharmapuri District. Name of the village in which forest land requested has been reported as Kesarkuli RF. Component wise breakup details of land required for the project reported as Road for the 5.00 ha of land.

v) Location map of the forest land proposed to be diverted in kml file of google earth, scanned copy of Survey of India topo sheet indicating the proposed road alignment area marked in the map and scanned copy of Geo referenced location details of the forest land proposed to be diverted prepared in google earth map have been uploaded.

vi) Note containing justification for locating the project in forest area has been furnished. The User Agency has stated that, there is no alternative route examined, hence copy of map indicating location of alternative examined for the project is not provided.

vii) The User Agency has stated that this project is likely to generate permanent/regular employment for 400 persons and temporary establishment for 650 persons. 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.

viii) 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.

ix) 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 certificate issued by the District Collector, Dharmapuri in ROC No. 1123/2018/R2 dated 27.02.2019.

a) For the diversion of 5.00 ha of degraded forest area in Kesalkuli RF, the user agency has identified 10.00 ha of non forest compensatory land in SF No. 692/5 of Kammampatty village of Nallampalli Taluk in Dharmapuri District.

b) The District Collector, Dharmapuri District in his proceedings No. 13305/2018/T1, dated 12.07.2021 has ordered for the transfer of 45.98.34 ha of

Government Poramboke land classified as un-assessed waste dry Karadu to the Forest Department as compensatory lands for the forest areas involved in five projects. This Thimmalankadu to Kotturmalai road involving 5.00 ha of forest area is one of the project involving diversion of forest land and the District Collector has ordered for transfer of 10.00 ha of land to the Forest Department.

c) Location map of the identified non-forest CA land proposed to be transferred to Forest Department in kml file of google earth, scanned copy of Survey of India topo sheet indicating the proposed road alignment area marked in the map and scanned copy of Geo referenced location details of the forest land have been furnished in the web portal.

x) In the additional information details section, following documents have been uploaded.

a) Certified that the forest area involved in the proposal is unavoidable and barest minimum areas ie., 5.00 ha area proposed for diversion.

b) Certified that the user agency have not violated any provisions of the Forest Conservation Act, 1980 in seeking the minimum forest land required for the project.

c) Undertaking to pay the entire amount of compensatory afforestation scheme cost/ Net Present Value of forest area to be diverted for the project/ additional amount of Net Present Value of forest land if any revised in future.

d) Area requirement statement for the project area.

i) Length of the road 6000m

ii) Width of the Road – 7.50m

Area for road – 45000 sq.m

iii) Area for curves 48 curvesx30mx3.47m – 4996.80 sq.m

Total area of the project proposal – 49996.80 sq.m or 5.00 ha.

e) Undertaking to bear the cost of felling of trees and transportation cost of trees to be removed during the road formation work.

f) Undertaking to pay the cost towards lease rent.

g) DGPS reading of the road project work.

h) Certificate issued by the District Collector, Dharmapuri about non availability of non forest land for the project (Roc No. 1123/2018/R2)

2) The District Forest Officer, Dharmapuri Division has forwarded the proposal along with Site Inspection report and recommendation of the proposal.

Details furnished in the Part-II of Form A by the District Forest Officer, Tirupathur Division is furnished below.

i) The legal status of the proposed site of diversion of 5.00 ha of forest land requested for the project is Reserved Forests.

As per the site inspection report and recommendation of the project uploaded by the District Forest Officer, name of the forest land reported as Kesarkuli RF.

ii) The District Forest Officer has reported that, density of the forest area is 0.25 and Eco class of forest area is three.

iii) Species wise and girth class wise enumeration of trees in the area reported as 167 numbers.

iv) On vulnerability of the forest area to erosion reported as the area already eroded and no soil to be eroded.

v) Details of wildlife present in and around the forest land proposed for diversion reported as NIL. The forest area proposed for diversion is not 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. There is no rare/ endangered / unique species of flora and fauna found in the 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 proposed diversion of 5.00 ha of forest land in Kesarkuli RF for Thimmalamkadu to Kotturmalai road, compensatory afforestation has been proposed in 10.00 ha of identified non forest CA land in SF No. 692/5 of Kammampatty in Nallampalli Taluk of Dharmapuri District by planting @ 600 number of trees per ha and 800 numbers per ha of 5.00 ha of degraded forest area selected in Parigam A RF.

a) The District Forest Officer has reported that the non forest land has been inspected on 06.10.2021 and it is quite suitable for raising compensatory afforestation . It is also approachable and manageable on protection point of view.

Naturally grown trees are existing in the identified CA land and looks like a forest. Due to lack of possibilities to plant the targeted saplings in this place, it has been decided to plant the remaining saplings in the degraded forest area of Dharmapuri Range in Parigam A RF.

b) CA scheme cost proposed by the District Forest Officer is as follows.

i) a) CA scheme in 10.00 ha of non-forest CA land

@ 600 numbers per ha including maintenance

of plantation for 10 year period – Rs. 90,14,400/-

b) Chain link fencing around plantation to prevent

biotic pressure – Rs. 28,12,500/-

c) Engaging protection mazdoor for 3 year period – Rs. 7,02,630/

Total – Rs. 1,25,29,530 or

Rs. 1,25,30,000/-

ii) a) CA scheme in 5.00 ha of degraded forest CA area in Parigam A RF

@ 800 numbers per ha including maintenance

of plantation for 10 year period – Rs. 35,55,727/-

b) Chain link fencing around plantation to prevent

biotic pressure – Rs. 18,75,000/-

c) Engaging protection mazdoor for 3 year period – Rs. 7,02,630/

Total – Rs. 61,33,267 or

Rs. 61,33,500/-

Grand total of CA scheme – Rs. 1,86,63,500/-

c) The District Forest Officer has furnished the cost estimate of the CA scheme and area marked in the Survey of India topo sheet and surveyed sketch of the proposed CA area in geo-referenced map for the non forest CA land. Site suitability certificate of the CA area has also been furnished by the District Forest Officer.

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

Proposed site inspected on 07.10.2021. The user agency has not yet commenced any work in the field therefore the question of violation of the provisions of Forest (Conservation) Act, 1980 does not arise and there is no encroachment in this area. The forest land required for the project is not part of any National Park/Wildlife Sanctuary/Biosphere. In the alignment of the proposed road, there are exist 167 numbers of trees which are spontaneous growth in nature and

requires felling, The proposed road is to be laid to a length of 6000m and to a width of 7.50m and the alignment area lies in Kesarkuli RF.

x) In the Specific Recommendation of the project, the District Forest Officer, Dharmapuri Division has reported the following

a) The proposal submitted by the user agency for diversion of 5.00 ha of forest land in Kesarkuli RF for formation of road from Thimmalankadu to Kotturmalai village. In the alignment of the proposed road, no right of way was admitted in the Tamil Nadu Gazette notification of Kesarkuli RF. The proposed road connects Thimmalankadu to Kotturmalai. Until now, there is no any other alternative road for them to drive vehicles. This is the long lasting demand by the village peoples for the past ten years. This demand has also been raised in the Legislative Assembly often. The work will be permitted under strict supervision of the Forest Officers. Possible damage to wild flora and fauna due to this project is very low. Considering the facts and field observation, the District Forest Officer has recommended the proposal for seeking diversion of land.

3) The Conservator of Forests, Dharmapuri Circle has inspected the area on 01.12.2021 and endorsed the details provided by the District Forest Officer and recommended the proposal for the welfare of the people living in Kotturmalai habitation.

4) The User Agency has requested forest area diversion for a period of 99 years. The District Forest Officer, Dharmapuri Division and the Conservator of forest, Dharmapuri Circle have recommended the diversion of forest area for a period of 10 years.

Generally forest area diversion proposal for formation of road in forest areas have been recommended for a period of 25-30 years. Based on the above, diversion of forest land is recommended for 25 years.

5) Based on the recommendation made by the District Forest Officer, Dharmapuri Division and Conservator of Forests, Dharmapuri Circle, proposal for diversion of 5.00 ha of forest land in Kesarkuli RF for formation of road from Thimmalankadu to Kotturmalai to a length of 6.00 km and to a width of 7.50m in Dharmapuri Forest Division of Dharmapuri District seeking approval under Section 2 of Forest (Conservation) Act, 1980 by the Block Development Officer (BP), Pennagaram, Dharmapuri District is furnished to the Government for consideration

of the Government and to obtain approval from the Government of India and the following conditions may be recommended for imposition of the project.

a) The legal status of the diverted forest land remains unchanged.

b) 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.

c) The User Agency has to mutate and transfer double the extent of non-forest land of 10 ha indentified in SF No. 692/5 of Kammampatty Village of Nallampalli Taluk in Dharmapuri District to the Forest Department.

d) The User Agency has to pay the cost of Raising Compensatory Afforestation / Maintenance of plantation, protection of plantation etc., both in non-forest land and degraded 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.

e) The User Agency has to pay the Net Present Value of proposed forests diversion area which will be fixed as per the guidelines of Hon'ble Supreme Court of India /Government of India.

f) 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.

g) Amount of Compensatory afforestation scheme, Net Present Value of diverted forest area under the project shall be transferred/ deposited to CAMPA fund only through e-portal (<https://parivesh.nic.in/>)

h) The User Agency has to pay the cost towards annual lease rent for the forest area diversion period 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.

i) The user agency has to obtain permission from the Hon'ble Supreme Court of India for felling of 167 number of spontaneous trees growth in the forest area proposed for the project.

j) The total forest area utilized for the project shall not exceeds 5.00 ha for with a length of 6000 m and width of 7.50m in Kesarkuli RF.


k) The forest land proposed to be diverted shall under any circumstances be transferred to any other agencies/department or person without prior approval.

l) 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 (Forest Conservation Act) / Nodal Officer of Forest (Conservation) Act, 1980 of the State of Tamil Nadu. I request that the proposal may be considered and Government of India approval may be obtained for diversion of 5.00 ha of forest land in Kesarkuli RF for formation of road from Thimmalankadu to Kotturmalai to a length of 6.00 km and to a width of 7.50m in Dharmapuri Forest Division of Dharmapuri District in favour of Block Development Officer (BP), Pennagaram, Dharmapuri District for a period of 25 years.

Encl: As stated above.

Yours faithfully


21/06/2022
For Principal Chief Conservator of Forests
(Head of Forest Force)

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21/06/2022

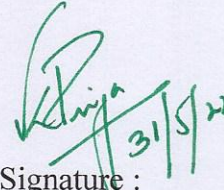
PART - IV

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

Name of the work : Forest (Conservation) Act, 1980 – Proposal for diversion of 5.00 ha of forest land in Kesarkuli RF for formation of road from Thimmalankadu to Kotturmalai to a length of 6.00 km and to a width of 7.50m in Dharmapuri Forest Division of Dharmapuri District in favour of the Block Development Officer (BP), Pennagaram, Dharmapuri District - Proposal No. FP/TN/Road/37176/2018

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)

"Recommend"


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 : 31 -05-2022

Place: Chennai-15.