

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. TS3/5441/2022 Dated: 20.05.2022.

Madam,

Sub: Forest (Conservation) Act, 1980 – Proposal for diversion of 0.845 ha of forest land in Alangayam RF for widening and improvement of Polur- Jamunamarathur- Alangayam-Vaniyampadi road km 58/6-61/2 with paved shoulder (SH 215) in Tirupathur Forest Division area in Tirupathur District in favour of the Divisional Engineer, Highways, Construction and Maintenance, Tirupathur, Tirupathur District - Proposal forwarding off - Regarding.

- Ref: 1 Online application uploaded by the Divisional Engineer, Highways, Construction and Maintenance, Tirupathur - Proposal No. FP/TN/Road/152701/2022
- 2 Part-II of Form-A uploaded by the District Forest Officer, Tirupathur Division
- 3 Part-III of Form-A uploaded by the Conservator of Forests Vellore Circle

I wish to state that in the reference 1st cited, the Divisional Engineer, Highways Department, Construction and Maintenance, Tirupathur, Tirupathur District has uploaded online forest clearance proposal under Section 2 of Forest (Conservation) Act, 1980 for diversion of 0.845 ha of forest land in Alangayam RF for widening and improvement of Polur- Jamunamarathur- Alangayam-Vaniyampadi road km 58/6-61/2 with paved shoulder (SH 215) in Tirupathur Forest Division area in Tirupathur District under proposal No. FP/TN/Road/148726/2021.

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 widening and improvement of Polur-Jamunamarathur-Alangayam-Vaniyampadi of road km 58/6-61/2 with paved shoulder (SH 215).

iii) Area required in forest area is for 0.845 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 0.845 ha of forest area has been requested in Tirupathur Forest Division area in Tirupathur District. Name of the village in which forest land requested has been reported as Kavalur. Component wise breakup details of land required for the project reported as Road for the 0.845 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 100 persons and temporary establishment for 50 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, Tirupathur in ROC No. B3.10472/21, dated 25.02.2022.

x) Under the section of details of land identified for compensatory afforestation, 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.

In the additional information details section, the user agency has reported that the diversion area is below 1 ha, hence not applicable of non-forest land for compensatory afforestation

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

a) Certified that the request for diversion of forest land for widening and improvement of Polur-Jamunamarathur-Alangayam-Vaniyambadi road @ kn 58/6 to 61/2 with paved shoulder (SH-215) in Alangayam RF is 0.845 ha and designed for minimum forest involvement.

Km 58/6 to 61/2 – 2600 m length, 3.25 m width with area requirement of 8450 sq.m or 0.845 ha

b) Certified that the proposed road work forest land is lying in Kavalur Revenue village, Alangayam Firka.

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

d) Certified that ten times of saplings cost would be paid towards the number of trees proposed to be cut in the project.

e) DGPS reading of the road project work.

f) Undertaking to deposit the cost of compensatory afforestation scheme

g) Undertaking to pay the Net Present Value of diverted forest land.

h) Undertaking to pay the additional amount of Net Present Value of diverted forest area.

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

j) Undertaking to pay the cost towards lease rent.

k) Certified that no work in violation of Forest Conservation Act, 1980 will be carried out.

l) Certificate issued by the District Collector, Tirupathur District in RC No. B3/10472/2022, dated 25.02.2022, that no alternate non forest land is available for taking up the work of widening and improvement of Polur-Jamunamarathur-Alangayam-Vaniyambadi road @ km 58/6 to 61/2 with paved shoulder (SH-215) in Alangayam pertaining to Tirupathur taluk of Tirupathur District and the best possible alignment requires the utilization of the Reserve Forest land.

m) Details of Right of way allowed for the existing road reported as six yards (5.48m) and uploaded a copy of Alangayam RF notification.

n) Existing road surface reported as BT road – 3.75m and width of shoulder on each side 1.625m and Pitching stone already laid.

o) Proposed forest diversion area width of 1.625 m on either side of road is required for providing concrete drain over pitching stone to correct the level deference between the shoulder and carriage way (1.625mx2=3.25m)

6) The District Forest Officer, Tirupathur Division has forwarded the proposal along with Site Inspection report and recommendation of the proposal to the Conservator of Forests, Vellore Circle on 05.05.2022.

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 0.845 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 Alangayam RF.

ii) The District Forest Officer has reported that, density of the forest area is 0.5 and Eco class of forest area is three.

iii) In the Part-II of Form-A, the District Forest Officer has reported that species wise and girth class wise enumeration of trees in the area is NIL.

iv) The District Forest Officer has reported that the place is situated at the hillock with gently eroded slope and covered with fairly dense vegetation. Hence the area light vulnerable for soil erosion.

v) The District Forest Officer has reported that Indian Bison, Spotted deer, Wild boar, Jungle fox, Jungle cat, Civet cat, black napped hare, Indian rock python, Monitor lizard, Pea fowl, Fruiting bat and varieties of birds are present in and around the forest land proposed for diversion. 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) Forest area proposed for diversion is 0.845 ha and there is no felling of trees involved.

For the proposed diversion of 0.845 ha of forest land in Alangayam RF for widening and improvement of Polur-Jamunamarathur-Alangayam-Vaniyampadi road km 58/6-61/2 with paved shoulder (SH 215) in Tirupathur Forest Division, compensatory afforestation has been proposed in 1.69 ha of degraded forest area of Kallarapatti RF by planting of 1690 number of misc seedlings along with maintenance of plantation over a period of 10 year period at a cost of Rs. 36,56112/- and 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. 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.

a) Detailed field inspection was undertaken on 04.05.2022. The details of the site inspection report furnished below.

b) The Proposed Road work is "Widening and Improvement of Polur – Jamunamarathur – Alangayam – Vaniyambadi road at km 58/6 to 61/2 with paved shoulders (SH 215). The proposal is to construct one meter width of paved shoulders along with 0.70 meter of strengthening of side berms on either side of the existing road. The existing road has a width of 3.75 meters presently and passes through Alangayam Reserved Forests for a length of 2.485 kms. For widening of this road, an area of 0.845 hectares of road for a length of 2485 meters and extra width of 3.40 meters.

c) There is no alternative non forest land available to connect the nearby marketing centers. This road from 58/6 to 61/2 is having single lane carriage way of 3.75 mts. The stretch from km 58/6 to 61/2 passes through the mountainous area with gentle slope. Due to the restricted width of 3.75mtrs, the area regularly faces traffic issues and is prone to accidents. Due to the difference in level between the riding surface and the pitching stones laid in the road shoulders, the road users are facing

great hardships. Hence it is proposed to raise the level of the road shoulders portion only for ensuring safety of road users

d) The project envisages widening and improvement of Polur-Jamunamarathur-Alangayam- Vaniyambadi Road – Km 58/6 to 61/2 with paved shoulders (SH 215) Alangayam Range. The proposed length of the road is 2485 meters (58/6 to 61/2) and width of 3.40mts. Hence, the total area of Forest required for the above project is 0.845hec.

SL. No	Description	Proposed area details			
		Length in mts	Width in mts	Area in Sq.m	Total area in ha
1	Widening and improvement of road Km 58/6 to 61/2	2485	3.40(1.70 on each side of the road)	8450	0.845
	Total				0.845

e) The proposed site is located in Inner Jawadhi hills at an altitude of 700 mts in Alangayam Reserved Forest area of Alangayam Range. Forest Type is Southern dry mixed deciduous forests. Density of vegetation is noted as fairly dense forest. The density of the vegetation is more than 0.4 and less than 0.6. Considering the nature of the forest type and density, this forest type comes under Eco-Class III consisting of Tropical dry deciduous forests and eco value as open forest category.

f) Justification by User Agency

- 1) There is no alternative non forest land available to connect the nearby marketing centres.
- 2) This road passes through the villages, agricultural lands and is being used by farmers to transport their agricultural products to district capital and also many tourist places are connected by this road.
- 3) The stretch from km 58/6 to 61/2 has lot of hair pin bends and many hazardous places without retaining wall which is a source of discomfort to the road users and fast-moving vehicles.
- 4) Due to the difference in level between the riding surface and the pitching stones laid in the road shoulders the road users are facing great hardships. Hence it is proposed to raise the level of the road shoulders portion only for ensuring safety of road users

g) The area in which the project is proposed is a reserved forest area named as Alangayam Reserved Forest which was notified under section 16 of the Madras Forest Act (V of 1882) Notification No. 208 - 23rd May 1887 with an extent of 4690.47 hec.

As per the Reserve Forest Notification, there was an existing cart track permitted up to a width of 6 yards. Presently there is existing pakka Bituminous Road of 3.75mtrs and is being maintained by the Highways Department.

h) The area requested for diversion does not come under National Park or Wildlife Sanctuary. There is no spontaneous growth noticed in the area requested for diversion. There is no tree cutting involved in the area proposed for widening. There is no new impact on the wildlife as the road is already existing and the proposal is only for widening. There is no violation noticed with respect to the provisions of Forest Conservation Act, 1980 in the said area. There is no soil erosion or breaking of hill slope involved in the project scope. The widening of this stretch along with paved shoulders is highly essential for avoiding traffic congestion and also to regulate rain water draining along the hill slope.

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

a) The area in which the project is proposed is a reserved forest area named as Alangayam Reserved Forest which was notified under section 16 of the Madras Forest Act (V of 1882) Notification No. 208 - 23rd May 1887 with an extent of 4690.47 hec. As per the Reserve Forest Notification, there was an existing cart track permitted up to a width of 6 yards. Presently there is existing pakka Bituminous Road of 3.75mtrs and is being maintained by the highways department.

b) The area requested for diversion does not come under National Park or Wildlife Sanctuary. There is no spontaneous growth noticed in the area requested for diversion. There is no tree cutting involved in the area proposed for widening. There is no new impact on the wildlife as the road is already existing and the proposal is only for widening. There is no violation noticed with respect to the provisions of Forest Conservation Act, 1980 in the said area. There is no soil erosion or breaking of hill slope involved in the project scope. There are no pending rights under Schedule Tribes and Other Traditional Forest Dwellers (Recognition of Rights) Act, 2006. The widening of this stretch along with paved shoulders is highly essential for avoiding traffic congestion and also to regulate rain water draining along the hill slope. Considering the above and based on public interest, the proposal recommended.

7) The Conservator of Forests, Vellore Circle has inspected the area on 10.05.2022 and endorsed the details provided by the District Forest Officer and recommended the proposal. Forest clearance proposal forwarded through web portal on 12.05.2022 and resubmitted the proposal with corrected kml file of compensatory afforestation area on 16.05.2022.

8) The User Agency has requested forest area diversion for a period of 99 years. The District Forest Officer, Tirupathur Division has recommended the diversion of forest area for a period of 30 years. The Conservator of Forests, Vellore Circle has not recommended any period for his forest area diversion.

Based on the recommendations made by the District Forest Officer, diversion of forest land is recommended for 30 years.

9) State Government may accord diversion of forest land of less than one hectare in each case for non forestry purposes under the Forest (Conservation) Act, 1980, for creation of critical development and security related infrastructure of Government Departments under the general approval of Section 2 of Forest (Conservation) Act, 1980 guidelines. Construction and widening of road is one of the work allowed under general approval list. Hence this project proposal may be considered by the State Government.

10) Based on the recommendation made by the District Forest Officer, Tirupathur Division and Conservator of Forests, Vellore Circle, proposal for diversion of 0.845 ha of forest land in Alangayam RF for widening and improvement of Polur-Jamunamarathur- Alangayam-Vaniyampadi road km 58/6-61/2 with paved shoulder (SH 215) in Tirupathur Forest Division area in Tirupathur District seeking approval under Section 2 of Forest (Conservation) Act, 1980 by the Divisional Engineer, Highways, Construction and Maintenance, Tirupathur is furnished to the Government for consideration of the Government subject to the following conditions.

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 pay the cost towards compensatory afforestation scheme over an extent of 1.69 ha of degraded forest area as per the Compensatory afforestation scheme including maintenance for a period of 10 years.

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

e) 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. The user agency has to furnish undertaking to this effect.

f) 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/>)

g) 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.

h) The total forest area utilized for the project shall not exceeds 0.845 ha for a length of 2485 m and width of 3.40m in Alangayam RF.

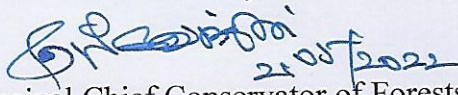
i) The forest land proposed to be diverted shall not under any circumstances be transferred to any other agencies/department or person without prior approval.


j) Period of lease can be thirty (30) years. The User Agency has to apply renewal proposal before one year of expiry of lease with the State Forest Department.

11) 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 approval may be issued for diversion of 0.845 ha of forest land in Alangayam RF for widening and improvement of Polur-Jamunamarathur- Alangayam-Vaniyampadi road km 58/6-61/2 with paved shoulder (SH 215) in Tirupathur Forest Division area in Tirupathur District seeking approval under Section 2 of Forest (Conservation) Act, 1980 by the Divisional Engineer, Highways, Construction and Maintenance, Tirupathur for a period of 30 years.

Encl: As stated above.

Yours faithfully


21/05/2022
For Principal Chief Conservator of Forests
(Head of Forest Force)


21/05/2022

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 0.845 ha of forest land in Alangayam RF for widening and improvement of Polur-Jamunamarathur- Alangayam-Vaniyampadi road km 58/6-61/2 with paved shoulder (SH 215) in Tirupathur Forest Division area in Tirupathur District in favour of the Divisional Engineer, Highways, Construction and Maintenance, Tirupathur, Tirupathur District - Proposal No. FP/TN/Road/152701/2022

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

V. Karunapriya
17/5/22
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 : 17 -05-2022

Place: Chennai-15.