

**TAMILNADU FOREST DEPARTMENT**

From  
Thiru Syed Muzammil Abbas IFS.,  
Principal Chief Conservator of Forests,  
(Head of Forest Force),  
Forest Headquarters Building,  
Guindy\_Velachery Main road,  
Near Kannikapuram Checkpost, Guindy,  
Chennai - 600 032.

To  
The Additional Chief Secretary  
to Government,  
Environment, Forests & Climate Change  
Department,  
Secretariat,  
Chennai 600 009.

**Ref. No. TS4/25987/2018 dated. 19.10.2022**

**Madam,**

Sub: Forest – Forest (Conservation) Act, 1980 – SMTR, Madurai Circle / Madurai division – Proposal for diversion of 0.1275 ha of forest land in Mannadimangalam Reserved Forests for formation of new black top road from Vikramangalam to Kadupatti village – Regarding.

- Ref:
1. Online application uploaded by the User Agency – Block Development Officer, Vadipatty (FP/TN/Road/34073/2018)
  2. Principal Chief Conservator of Forests Ref.No.TS4/25987/2018 dated.10.07.2018.
  3. Revised proposal uploaded by User Agency on 30.08.2021.
  4. Principal Chief Conservator of Forests ref. No. TS4/25987/2018, dt. 29.09.2021
  5. Acknowledgements for receipt of proposals by the (i) Conservator of Forests & Field Director, SMTR, Madurai on 03.11.2021 (ii) District Collector, Madurai dated Nil (iii) District Forest Officer ,Madurai on 15.12.2021 uploaded by the User Agency on 05.01.2022.
  6. Principal Chief Conservator of Forests ref. No. TS4/25987/2018, dt. 16.02.2022
  7. Part-II uploaded by the District Forest Officer, Madurai on 10.03.2022 and Part-III uploaded by the Conservator of Forests & Field Director, SMTR, Madurai on 08.08.2022 and EDS reply dt.24.09.2022.

\*\*\*\*\*

I wish to state that the Block Development Officer, Vadipatty, Madurai District has sent a proposal under Section 2 of Forest (Conservation) Act, 1980 for diversion of 0.1275 ha of forest land in Mannadimangalam Reserved Forests for formation of new black top road from Vikramangalam - Kadupatti village through online web portal in the prescribed format.

The user agency has stated that the proposed road is very essential one which connecting Vikramangalam and Mannadimangalam via Kadupatti village. This road is situated within the area of Vikramangalam hence this road will be used heavily for transport. The local people from vadakadupatti, Kadupatti, Vikramangalam, Kalpulichanpatti villages are using this road to reach Usilampatti, Sholavanthan and Madurai city for their higher education, hospital facility. They are also using this road to transport their agriculture products. There is no alternative route other than this for carrying the agricultural products.

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

- i. Form-A, Part-I
- ii. Letter of Authorisation.
- iii. KML file of Google earth
- iv. Survey of India toposheet indicating boundary of forest land proposed to be diverted.
- v. Geo referenced map for the Forest land proposed for diversion with DGPS readings.
- vi. Justification for locating the project in Forest land
- vii. Certificate obtained from the District Collector, Madurai District about Settlement of rights under Scheduled Tribes and Other Traditional Forest Dwellers under Forest Rights Act 2006 in the prescribed format for linear projects in Ref.No:A4/1771/2021 dated 24.08.2021.
- viii. Certificate obtained from the District Collector, Madurai District no alternate suitable non forest land is available for the above project in Ref.No:A4/1771/2021 dated 24.08.2021.
- ix. Area requirement details for the project.
- x. Certificate given by the User Agency that there is no catchment area treatment plan in the approved plan.
- xi. Certificate given by the User Agency has not violated any provisions of Forest (Conservation) Act, 1980 in seeking the minimum forest land required in Mannadimangalam Reserved Forest belongs to Madurai Forest Division.
- xii. Certified given by the User Agency regarding this is only possible as there is No other alternate feasible route is available except this.
- xiii. Under taking 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.
- xiv. Undertaking Certificate for the payment of Net Present Value of the forest land required for the purpose of the above project.
- xv. Undertaking Certificate 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.
- xvi. Certificate of undertaking to agree to pay the cost along with any escalation for exploitation of trees if any available in the alignment path for the proposed diversion of forest land as fixed by the Forest Department.
- xvii. 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.
- xviii. Certificate given by the User Agency that the demand of forest land for the project is the barest minimum.
- xix. Copy of Form-A.

- 3) The District Forest Officer, Madurai has inspected the proposed project area for diversion of 0.1275 ha of forest land in Mannadimangalam Reserved Forests for formation of new black top road from Vikramangalam - Kadupatti village on 04.03.2022 and furnished his report as follows.
- i. An area of 0.1275 hectares of Forest Land in Mannadimangalam RF of Sholavandan Range was proposed to be diverted for formation of new BT road from Vikramangalam to Kadupatti by the Block development Officer (Village panchayat), T.Vadipatti.
  - ii. The length of road is measured along the line of alignment and is confirmed as 150.00 meter and the Width of road is measured and confirmed as 8.50 Meter. The proposed length and width of the forest land is measured on ground and found correct.
  - iii. The area of Forest land to be diverted in the Mannadimangalam RF for the project ( $150.00 \times 8.50 = 1275 \text{ Sq.M}$ )-0.1275 hectares including road strengthening works on both sides.
  - iv. The requested Forest area for diversion is a portion of mannadimangalam RF abutting the Vikkiramangalam Kadaupatti Road. The road connects to the District road nearby. and the forest portion of the Vikkiramangalam- Kadupatti Road is not developed (Block Topped) and there is no alternate road possible.
  - v. The diversion of RF portion for black topping of road is essential for ensuring better connectivity and provision of essential services to the villages and hamlets.
  - vi. Further the Block Development Officer informed that no trees or vegetation to be felled or disturbed during the execution of the project.
  - vii. While enquiry during the inspection about the machinery to be used for excavation, consolidation, leveling, Laying of BT and its impact, The Block Development Officer, Vadipatti assured that machinery will be used without disturbing the Forest area.
  - viii. The materials will be dumped within the proposed road side and not in the forest side.
  - ix. There is no felling of trees involved and least interference to the forest observed. In section 4(ii) Species wise /Girth wise Enumeration of trees the District Forest Officer has stated as NIL .(No spontaneous or planted trees to be felled due to this project.)
  - x. The project is for welfare of the surrounded village peoples to have good access the District Road and based on the public necessity, the proposal is considered.
  - xi. No CA scheme has been proposed as the area required for the project is less than one ha (i.e.,0.1275 ha) and no tree felling is involved.

4) In his recommendation, the District Forest Officer has stated that an area of 0.1275 Hectares of Forest Land in Mannadimangalam RF of Sholavandan Range was proposed to be diverted for formation of new BT road from Vikkiramangalam to Kadupatti is recommended based on the following observations.

- i. Mannadimangalam RF area is 604.80.0 Hectares and an end portion of RF is abutting the Vikkiramangalam Vadipatti Road. .
- ii. The alternate road formation in area other than the requested land is least possible.
- iii. There is no perceptible flora and fauna likely to be disturbed.
- iv. There is no felling of trees involved.
- v. There exists well developed road on either side of the proposed Reserved Forest area and the request of the people to have well compact, contiguous road is long pending.

5) The Conservator of Forests and Field Director, SMTR, Madurai has inspected the proposed area for formation of BT Road by the Block Development Officer, T.Vadipatti in Mannadimangalam Reserved Forest in Madurai Division in Madurai District along with District Forest Officer, Madurai, Forest Range Officer, Sholavandan and field staff and Block Development Officer, T.Vadipatti on 04.08.2022 and the details are as follows.

- i. An area of 0.1275 Ha of Forest land in Mannadimangalam RF of Sholavandan Range was proposed for diversion for formation of BT Road by the Block Development Officer, T.Vadipatti
- ii. The area for diversion is measuring 150M length and 8.50M width (**150 x 8.50 = 1275 Sqm. or 0.1275 Ha**). The requested area is for both road formation and road strengthening works on both sides.
- iii. The requested forest area for diversion is a portion of Mannadimangalam RF abutting the Vikkiramangalam Kadupatti Road. The road connects to the district road nearby. There is no alternate road available / feasible. The forest portion of Vikkiramangalam – Kadupatti road is not developed (Block topped). The diversion of RF portion for block topping of road is essential for ensuring better connectivity and provision of essential service to the Villages and Hamlets.
- iv. The proposed diversion of 0.1275 ha of forest land does not have any important monuments of Archeological, Heritage site, Defense establishment etc., and the project is location specific and the area requested for the project is barest minimum.
- v. There is no trees to be felled and also the user agency ensure no disturbances to the adjacent Reserved Forest during the execution of the project. While laying the road, the required machineries and materials will be kept outside RF area.

6) In the recommendation, the Conservator of Forest & Field Director, SMTR, Madurai has stated that

- i. The area for diversion is measuring 150M length and 8.50M width (**150 x 8.50 = 1275 Sqm. or 0.1275 Ha**). The requested area is for both road formation and road strengthening works on both sides.
- ii. The requested forest area for diversion is a portion of Mannadimangalam RF abutting the Vikkiramangalam - Kadupatti Road is not developed / Block topped. The road connects to the district road nearby. There is no alternate road available / feasible. The diversion of RF portion for block topping of road is essential for ensuring better connectivity and provision of essential service to the Villages and Hamlets.
- iii. There is no tree to be felled and also the user agency ensure no disturbances to the adjacent Reserved Forest during the execution of the project. While laying the road, the required machineries and materials will be kept outside RF area.

To lay the road, no tree felling and damage to the adjacent Reserved Forest and also considering necessity of public, it is considered and proposal for diversion may be recommended with the conditions for providing speed breakers and sign boards wherever necessary by the User Agency.

7) In his specific recommendation in Part-III, the Conservator of Forest & Field Director has stated that, the proposed diversion of 0.1275 ha of forest land does not have any important monuments of Archeological, Heritage site, Defense establishment etc., and the project is location specific and the area requested for the project is barest minimum. The proposed road for formation work is passing through Mannadimangalam Reserved Forest to a length of 150m and width of 8.50m. This project is very essential to ensure general public for their day to day activities as well as for patrolling of Forest officials and recommended the proposal for a period of 20 years.

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

9) 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).

10) The area proposed for diversion of 0.1275 ha of forest land in Mannadimangalam Reserved Forests of Madurai Forest Division for formation of new black top road from Vikramangalam -Kadupatti village in Madurai District is recommended and forwarded to the Government of Tamilnadu for considering the proposal under the General Category wherein the State Government has empowered to divert forest areas upto one Ha for critical public utility and

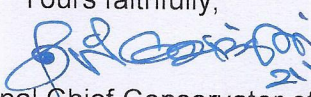
welfare projects undertaken by the Government agencies and in principle Stage-I approval orders may be issued subject to the following conditions.

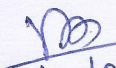
- (i) The legal status of the land shall remain unchanged and shall remain as Reserved Forests.
- (ii) The demarcation of the proposed forest area shall be carried out by erecting 4 feet height cement concrete pillars duly numbered at an interval of 20 mts at the cost of User Agency.
- (iii) The User Agency shall 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 and as per the revised guidelines issued by the Government of India in letter No.5-3/2011-FC(Vol-I) Government of India Ministry of Environment, Forest and Climate Change (Forest Conservation Division) Indira Paryavaran Bhavan, Aliganj, Jorbagh Road New Delhi-110 003 Date: 6th January, 2022
- (iv) The fund from the User Agency towards NPV under this project shall be deposited by generating challan from the Ministry's online web portal. UTR No and date should be furnished.
- (v) 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.
- (vi) 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.
- (vii) The forest land shall not be used for any other purpose other than that specified in the proposal.
- (viii) 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.
- (ix) The period of lease is 20 years
- (x) The User Agency should send renewal proposal one year before expiry of lease.
- (xi) The Conservator of Forests and District Forest Officer may impose any other condition in the interest of conservation / protection land development of forests.

11) I request that in-principle Stage-I approval under Forest (Conservation) Act, 1980 for diversion of 0.1275 ha of forest land in Mannadimangalam Reserved Forests of Madurai Forest Division for formation of ~~new~~ black top road from Vikramangalam to Kadupatti village in Madurai District for a period of 20 years may be accorded in favor of the Block Development Officer, Vadipatti Panchayat Union, Vadipatti.

Encl.: Proposal in duplicate.

Yours faithfully,

  
for Principal Chief Conservator of Forests  
(Head of Forest Force)

  
21/10/2022

#### PART IV

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

**Name of the work:** Forest (Conservation) Act, 1980 – SMTR, Madurai Circle / Madurai division - Proposal for diversion of 0.1275 ha of forest land in Mannadimangalam Reserved Forests for formation of new black top road from Vikramangalam to Kadupatti village

**Proposal No:** FP/TN/Road/34073/2018

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"  
K. Priya  
13/10/22

1/3

Date: 13.10.2022

Place: Chennai.

Signature:

Name : V.Karunapriya I.F.S.

Official Seal:  
Additional Principal Chief  
Conservator of Forests (FCA)  
/Nodal Officer