

TAMILNADU FOREST DEPARTMENT

From

Dr. H. Basuvaraju, I.F.S.,
Principal Chief Conservator of Forests
(Head of Department-FAC),
Panagal Maaligai, Saidapet,
Chennai - 600 015.

To

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

C.No. TS3/25391/2016 Dated: 22.05.2017.

Sir,

Sub: Forest (Conservation) Act, 1980 – Coimbatore Forest Circle / Division - Proposal for diversion of 3.64 ha of forest land in Madukkarai village of Coimbatore Forest Division for expansion of burial ground of Madukkarai village of Coimbatore Corporation in favour of Commissioner, City Municipal Corporation, Coimbatore - Online Submission of proposal by the User Agency - Regarding.

Ref: 1. Online application uploaded by the User Agency - The Commissioner, City Municipal Corporation, Coimbatore Pin code 641001. Proposal No. FP / TN / Others / 20886 / 2016, dated 08.08.2016 and additional details uploaded on 27.08.2016, 01.11.2016 & 01.12.2016

2. Part II of Form A uploaded by the District Forest Officer, Coimbatore Division on 01.02.2017 and rectification dated 26.04.2017 & 15.05.2017.

3. Part III of Form A uploaded by the Conservator of Forests, Coimbatore Circle on 07.02.2017

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The Commissioner, City Municipal Corporation, Coimbatore has submitted online application under Section 2 of Forest (Conservation) Act, 1980 in the prescribed format of Form A - Part I for the diversion of 3.64 ha of forest land in Madukkarai village of Coimbatore Forest Division for expansion of burial ground of Madukkarai village of Coimbatore Corporation.

2) The User Agency has stated that proposal has been furnished for burial ground expansion work in Madukkarai village area. The User Agency has requested diversion of forest area for a period of 99 years.

3) On behalf of User Agency – The Commissioner, City Municipal Corporation, Coimbatore has applied online application for getting forest clearance under Section 2 of Forest (Conservation) Act, 1980 for the diversion of 3.645 ha for utilizing the land for burial ground expansion work in Coimbatore Forest Division in Coimbatore District of Madukkarai village, which has been declared under Section 26 of Tamil Nadu Forest Act, 1882.

4) This land has been obtained as Compensatory land for the diversion of forest land for mining activities in Boluvampatti Forest area of Coimbatore Division by M/s ACC Cements Limited and the same have been notified under Section 26 of Tamil Nadu Forest Act, 1882.

5) The User Agency has uploaded following documents along with the proposal.

i) Note containing justification for locating the project in forest area and no alternate suitable non forest land is available for the project.

ii) Location map of the proposed diversion of forest area for the project in kml file of google earth.

iii) Scanned copy of Survey of India toposheet indicating boundary of forest land proposed to be diverted.

iv) Scanned copy of Geo referenced location map along with GPS reading of the proposed diversion of forest area in the google earth.

v) Certificate obtained from the District Collector about the settlement of rights under Forest Rights Act 2006 on the forest land proposed to be diverted.

vi) Certificate obtained from the District Collector about no alternate suitable non forest land is available for the project.

vii) Undertaking to bear the cost of felling of trees and transportation cost of the trees to be removed if any available in the proposed diversion of forest land as fixed by the Forest Department.

viii) Undertaking to pay the amount of Net Present Value which will be fixed by the guidelines of Supreme Court of India.

ix) Undertaking to bear the Additional Net Present Value which will be fixed by the guidelines of Supreme Court of India as fixed by Forest Department in future.

x) Undertaking to pay the 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 of the above project.

xi) Undertaking to deposit the cost of Raising Compensatory Afforestation / Maintenance of plantation as fixed by the Forest Department.

xii) Certificate from the User Agency that demands for forest land required for the project is minimum and unavoidable and all the alternative have been examined for the project

xiii) Certificate to effect that no suitable alternative non forest land is available for the project.

xiv) Certificate to effect that no violation of the provision of Forest (Conservation) Act, 1980 occurred.

6) For the diversion of 3.64 ha of forest land, the User Agency has to handover double the extent of non forest land for compensating the loss of forest wealth. Hence the User Agency has identified 7.29 ha of land in S.F. No. 958/4 (classified as Un-assessed Waste Dry land) of Tholampalayam village in Mettupalayam Taluk of Coimbatore District. The Commissioner of Coimbatore Corporation has addressed to the District Collector of Coimbatore District requesting action for alienation of non forest land in lieu of forest land proposed for diversion in favour of Forest Department.

a) The District Forest Officer, Coimbatore Division has inspected the proposed compensatory land of S.F. No. 958/4 of Tholampalayam village in Mettupalayam Taluk and issued a certificate for suitability of land identified for CA, from management and protection point of view.

b) The District Forest Officer has proposed Compensatory Afforestation Scheme for 7.29 ha of compensatory land @ 400 seedlings per ha at a financial outlay of Rs. 41,51,554/- and uploaded compensatory afforestation scheme estimate

(Raising nursery, planting work, first year maintenance work, 2nd to 10th year maintenance). Cost estimate per hectare arrived at Rs. 5,67,703/-

7) After field inspection of the proposed forest area diversion site, the District Forest Officer, Coimbatore Division and Conservator of Forests, Coimbatore Circle have forwarded the proposal.

8) In the Part-II of Form-A, the District Forest Officer has furnished the following particulars.

a) There is no possibility of land slide and density of the forest area is 0.25 and Eco class is three.

The forest area proposed for diversion is not forms part of National Park, Wildlife Sanctuary, Biosphere Reserve, Tiger Reserve, Elephant corridor, Wildlife migration corridor etc., and not located within 1 km from boundary of the above. There is no rare / endangered / unique species of flora and fauna found in the area. Elephant, Wild boar, Spotted deer are present in and around the forest land proposed for diversion. There is no protected archaeological / heritage site / defense establishment or any other important monument is located in the area. Requirement of forest land as proposed by the User Agency is unavoidable and barest minimum for the project and no work in violation of the Act or guidelines has been carried out.

b) In the recommendation report and site inspection report, the District Forest Officer, Coimbatore Division has reported that, he has inspected the above proposed forest area diversion site on 29.12.2016 and found that, there is no tree growth of ecological importance neither valuable tree on the proposed area. The canopy density is 0.20 to 0.30 with few Prosopis Juliflora bushes and Cylindropuntia ramosissima. The District Forest Officer has recommended the expansion of burial ground by diverting an area of 3.64 ha of forest land as required by the User Agency. This proposal may be considered in the interest of public for improving the facilities of the burial ground.

c) In the specific recommendation segment, the Conservator of Forests has recommended the proposal and stated that, there is no suitable non forest land is available in the vicinity of the proposed forest area for diversion.

9) Forest area diversion has been recommended for 20 years by the District Forest Officer and Conservator of Forests.

10) Hence, the proposal is recommended subject to the following conditions :

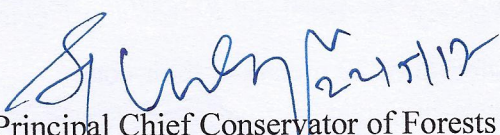
- a) The legal status of the diverted forest land remains unchanged.
- b) The demarcation of the proposed forest land shall be carried out by the User Agency by erecting 4 feet high cement concrete pillars duly numbered at an interval of 20 meters at their cost.
- c) The proposed Compensatory land of 7.29 ha of land in S.F. No. 958/4 of Tholampalayam village of Mettupalayam Taluk has to be mutated in favour of Forest Department and handed over to Forest Department.
- d) The User Agency has to bear the cost towards Compensatory Afforestation for 7.29 ha of land in S.F. No. 958/4 of Tholampalayam village of Mettupalayam Taluk in Coimbatore District and transfer the amount in the Tamil Nadu State CAMPA account.
- e) The User Agency has to pay the amount of Net Present Value which will be fixed as per the guidelines of Hon'ble Supreme Court of India.
- f) The User Agency has to bear the additional 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) The User Agency has to pay the 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 of the above project in future.
- h) Period of lease can be twenty (20) years. The User Agency has to apply renewal proposal before six months of expiry of lease with the State Forest Department.

11) The proposal is sent herewith duly recommended by the Principal Chief Conservator of Forests (FCA) / Nodal Officer, Forest (Conservation) Act, 1980.

I request that the proposal may kindly be forwarded to the Government of India for obtaining approval under Section 2 of Forest (Conservation) act, 1980 for diversion of 3.64 ha of forest land in Madukkarai village of Coimbatore Forest Division for expansion of burial ground of Madukkarai village of Coimbatore Corporation in favour of Commissioner, City Municipal Corporation, Coimbatore for a period of twenty years.

Encl : As stated above.

Yours faithfully


for Principal Chief Conservator of Forests
(Head of Department-FAC)

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22/5/17

Proposal No. FP / TN / Others / 20886 / 2016, dated 08.08.2016

Proposal for diversion of 3.64 ha of forest land in Madukkarai village of Coimbatore Forest Division for expansion of burial ground of Madukkarai village of Coimbatore Corporation in favour of Commissioner, City Municipal Corporation, Coimbatore - Online application uploaded by the User Agency - The Commissioner, City Municipal Corporation, Coimbatore

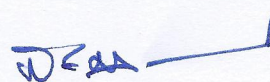
PART - IV

(To be filled in 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 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)

As it is for common public purposes, the proposal is recommended.

Signature :



Name - Designation :

PRINCIPAL CHIEF CONSERVATOR OF FORESTS
(HEAD OF DEPARTMENT) (P.C.)
CHENNAI - 600 015.

Date : 22.5.17

Place: CHENNAI