

TAMILNADU FOREST DEPARTMENT

From
Thru Ashok Upreti, I F.S.,
Principal Chief Conservator of Forests
(Head of Department)
Panagal Maaligai, Saidapet,
Chennai - 600 015.

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

Madam,

C. No. TS4/ 32117/2016, Dated: 22.02.2022

Sub: Forest – Forest (Conservation) Act, 1980 – SMTR, Madurai circle – Theni Forest Division – Proposal for the diversion of 0.018ha forest land in Suranganar RF for the construction of Kumuly border Police check post at Kumuly in Theni District – online proposal submission by the User Agency – Regarding.

Ref: 1. Online application uploaded by the Use Agency Superintendent of Police, District Police office, Theni dated: 04.10.2016. (FP/TN/Others/21594/2016) and revised proposal on 11.03.2021.
2. Part-II uploaded by the District Forest Officer, Theni on 27.05.2021.
3. Part-III uploaded by the Conservator of Forests & Field Director, SMTR, Madurai dated 09.11.2021.
4. Conservator of Forests & Field Director, SMTR, Madurai Ref.No:2484/2021/D1, dated 08.11.2021 and 20.01.2022.

I wish to state that the User Agency, Superintendent of Police, District Police office, Theni has furnished online application under Section 2 of Forest (Conservation) Act, 1980 in the prescribed format of Form A – Part I for diversion of 0.018ha forest land in Suranganar RF for the construction of Kumuly border Police check post at Kumuly in Theni District.

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 in the online submission and Monitoring of Forests Clearances Proposal (OSMFCP) portal.

The User Agency has proposed forest area diversion for a period of year (A.1.x of proposal format) is 40 years.

2) In this regard, it is submitted that the User Agency has uploaded the following Certificates/Undertaking Certificate along with the online proposal of Form A – Part I.

1. Letter of Authorisation.
2. DGPS map of the Forest land proposed for diversion.
3. Survey of India topo - sheet indicating boundary of forest land proposed to be diverted.
4. Justification for locating the project in Forest land. In the Justification report, it has been stated that the Government of Tamil Nadu has initiated special step to modernize the border police check posts to ensure general security at the state border. The forest land proposed to be diverted in Suranganar RF for the construction of Kumuly border Police check post at Kumuly in Theni District is barest minimum and the project is site specific.
5. Certificate obtained from the District Collector, Theni District about settlement of Scheduled Tribes under Forest Rights Act 2006 in the prescribed format in Form-I ,Linear projects in File. No: 723/2017/W5 dated 15.03.2017
6. Certified obtained from the District Collector, Theni regarding no alternative non-forest land is available for the construction of Police Check post at Kumuly to an area of 0.018ha vide Roc.No.32509/2015B3 dated.17.04.2017.
7. Area requirement details of the project.
8. Certificate from the project proponent that the demand of Forest land for the project is minimum and all other alternative have been examined and found not feasible.
9. Certificate from the project proponent that there is no catchment area treatment plan
10. Certificate given by the User Agency regarding no work has been carried out in violation of Forest (Conservation) Act, 1980.
11. Certificate from the project proponent that this is only possible as there is no alternative feasible area available except this.
12. Undertaking to bear the cost of Compensatory afforestation / Penal Compensatory Afforestation / Maintenance of plantation / Protection of Plantation if any for the proposed diversion of forest land as fixed by the Forest Department

13. Undertaking for the payment of Net Present Value of the forest land proposed for diversion if any as per the value fixed by the Honorable Supreme Court of India.
14. Undertaking for the payment of Additional Net Present Value of the forest land which will be fixed as per the guidelines of Hon'ble Supreme Court of India as fixed by the Forest Department if any in future.
15. Undertaking to bear the cost along with any escalation for exploitation of trees if any available in the alignment path, for the proposed diversion of the forest land as fixed by the Forest Department.
16. 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.
17. Certificate from the project proponent that the forest land demanded for the Police check post construction work in Suranganar Reserved Forests in Theni Forest Division and District is the barest minimum.
18. Undertaking to bear the cost of felling of trees and transportation cost of the trees to be removed if any available in the alignment path for the proposed diversion of forest land as fixed by the Forest Department.
19. Signed copy of Form-A.

3) In the reference 2nd cited the District Forest Officer, Theni has uploaded the Form A Part II with the field inspection notes dated: 26.05.2021 of the proposed site for the diversion of 0.018ha forest land in Suranganar RF for the construction of Kumuly border Police check post at Kumuly in Theni District. The details uploaded in Part-II by the District Forest Officer are as follows.

- a. In section 4(i) Density of Vegetation, the density of forest has been mentioned as 0.1 and the Eco-Class 1.
- b. No tree felling is involved in this project.
- c. In section 8(iv) significance of forest land proposed for diversion from Wildlife point of view, SMTR, Megamalai Division, Theni is located around 20m from the proposed location and since the proposed Police check post is adjacent to the National Highway and also near to the Kumuli Town and the area proposed to be diverted is 0.018ha, there will not be any negative impact.

d. No Compensatory Afforestation has insisted as the area proposed for diversion is 0.018 ha only and no tree felling is involved in this project.

4) The District Forest Officer, Theni has inspected the area proposed by the User Agency on 24.05.2021 and stated that the area requested by the user agency is 0.018ha for construction of Border Check post at Kumily in Theni District for a length of 15m and a width of 12m.

The proposed location is a forest land of Kumily Beat, Suranganar RF of Cumbam West Range of Theni Forest Division, Theni near anti poaching shed, Kumily at Interstate border.

The proposed site is located on the side of the National Highway. The area is devoid of vegetation with no tree growth except a clump of Bamboo and no important monuments. The distance from the proposed project location to Megamalai Wildlife division is 20m and Kodaikanal Wildlife Division is 65.80km.

In District Forest Officer's recommendation it has been stated that the Project for diversion of 0.018ha of forest land in Suranganar RF of Cumbam West Range doesn't fall in Eco Sensitive zone of Megamalai and Kodaikanal Wildlife sanctuaries and also does not falls under tiger corridor.

Proposed site doesn't have any important monuments / heritage site and is devoid of vegetation with no tree growth except a clump of Bamboo. The District Collector has certified there is no alternate non forest land; the user agency has not carried out any work in violation of provisions of Forest Conservation Act 1980.

Since the police on duty at the interstate border is using a temporary structure on the side of National Highway and the proposed project is very essential to ensure general security at the state border, the diversion of 0.018ha of forest land may be permitted.

In the reference 3rd cited, the Conservator of Forests & Field director, SMTR, Madurai circle has inspected the proposed project area on 29.10.2021 along with District Forest Officer, Theni and agree with the recommendations of the District Forest Officer, Theni. The Conservator of Forests & Field director stated that the proposed diversion of forest area of 0.018ha in Suranganar RF doesn't fall in the Eco Sensitive zone of Megamalai Wildlife Sanctuary and there is no felling of trees involved in this proposal. In the specific recommendation the Conservator of Forests & Field director

has stated that this project is very essential to ensure general security as well and to prevent illegal activities in the Inter State border of Kerala State and recommended the proposal.

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

The area proposed for diversion of 0.018ha for the construction of Kumuly border Police check post at Kumuly in Suranganar Reserved Forests, Cumbum West Range, Theni Forest Division of Theni District is recommended and forwarded to the Government of Tamil nadu for obtaining Government of India's approval subject to the following conditions.

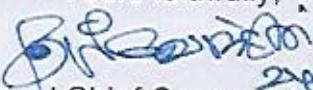
1. The legal status of the land shall remain unchanged and shall remain as Reserved Forests.
2. The demarcation of the proposed forest area shall be carried out by erecting 4 feet height cement concrete pillars duly numbered at an interval of 20 mts at the cost of User Agency.
3. The User Agency shall 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.
4. 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.
5. The User Agency shall pay the NPV by generating challan from the Ministry's online web portal.UTR No and date should be furnished.
6. 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.
7. The forest land shall not be used for any other purpose other than that specified in the proposal.
8. 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.

9. The District Forest Officer may impose any other condition in the interest of conservation /protection land development of forests.
10. The User Agency has to upload the compliance on stipulated conditions in the web portal.

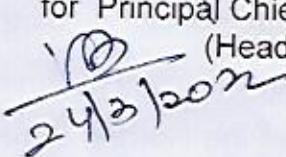
The proposal is sent herewith duly recommended by the Additional Principal Chief Conservator of Forests (Forest (Conservation) Act) /Nodal Officer, Forest (Conservation) Act, 1980 of the State of Tamil Nadu. I request that the proposal may kindly be considered and necessary approval may be obtained from the Government of India for diversion of 0.018ha forest land in Surunganar Reserved Forests of Theni Forest division for the construction of Kumuly border Police check post at Kumuly of Theni District for a period of twenty years.

Encl.: As stated above.

Yours faithfully,


for Principal Chief Conservator of Forests

(Head of Department)


24/3/2022

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 – Proposal for diversion of 0.018ha for construction of Kumuly border Police check post at Kumuly in Suranganar Reserved Forests, Cumbum West Range, Theni Forest Division of Theni District – Online proposal submission by the User Agency ie. **Superintendent of Police, District Police office, Theni.**

Proposal No: (FP/TN/Others/21594/2016).

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: 21.2.2022

Signature: *V Nagananthan* 21/2/22

Place: Chennai

Name: V. NAGANATHAN

Official Seal:
Additional Principal Chief Conservator of Forests
(Forest Conservation Act)/Nodal Officer

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2016
By Email / RPAD/Courier

TAMILNADU FOREST DEPARTMENT

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From
Thiru. Deepak S. Bilgi, IFS,
Conservator of Forests and Field Director,
Srivilliputhur Megamalai Tiger Reserve,
Madurai - 2

To
The Principal Chief Conservator
of Forests,
(Head of Department)
Chennai - 15

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5/11/2021
2016
21594/2021

C.No. 2484/2021/D1 Date: 08.11.2021

Sir,

Sub: Forests - Forest (Conservation) Act, 1980 - Srivilliputhur Megamalai Tiger Reserve, Madurai, Theni Forest Division - Proposal for diversion of 0.018 Ha of Forest land in Suranganar RF. of Cumbum West Range in Theni Forest Division for the construction of Border Police Check Post at Kumuly in Theni District - Online proposal submitted by the User Agency (ie) Police Department, Theni - Reg.

Ref: 1. Principal Chief Conservator of Forests, Chennai, Ref. No. TS4/32117/2016, Dt.04.05.2021.
2. District Forest Officer, Theni. Ref. No. D/7126/2016
Dated.08.06.2021

I submit that with reference to the Principal Chief Conservator of Forests, Chennai letter cited the District Forest Officer, Theni has submitted the proposal for diversion of 0.018 Ha of forest land in Suranganar RF. of Cumbum West Range in Theni Forest Division for the construction of Border Police Check Post at Kumuly in Theni District, submitted by the user agency in FCA file No. FP/TN/Others/21594/2016. The District Forest Officer, Theni has reported that the proposals has been uploaded in the forest clearance web portal and enclosed the of PART - II forms along with site inspection report and recommendation report.

In this regard the proposed site has been inspected by the Conservator of Forests and Field Director, SMTR, Madurai on 29.10.2021 and the site inspection report, recommendation report and Part- III form of the proposal is also enclosed herewith for kind perusal.

The copies of the report and proposals are submitted herewith and the report of the District Forest Officer, Theni may be considered and necessary orders may be obtained under Section 2 of Forest (Conservation) Act, 1980.

Encl: As stated above

Yours faithfully
Sd/- Deepak S. Bilgi,
Conservator of Forests and Field Director,
SMTR, Madurai-2

/T.C.B.O/

Deepak S. Bilgi 9/11/2021
Senior Draughting Officer.

*DS
09/11/21*

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By (E.Mail (Scanned copy)/Courier)

TAMILNADU FOREST DEPARTMENT

From To
Thiru. Deepak S. Bilgi, I.F.S., The Principal Chief Conservator of Forests,
Conservator of Forests and (Head of the Department),
Field Director, Srivilliputhur Chennai-15.
Megamalai Tiger Reserve,
Madurai

Ref.No.2484/2020/D1 Dated: 20.01.2022.

Sir,

Sub: Forest - Online application for Construction of Kumuly border Police Check Post at Kumuly in Theni District, Suranganar Reserved Forest, Cumbum west Range 0.018 Ha. Forest (Conservation) Act 1980 - General permission requested - Additional details called for - Additional details submission - Reg.

Ref: 1. Principal Chief Conservator of Forests, Chennai, Ref.No. TS4/32117/2016, Dt.22.11.2021
2. Conservator of Forests and Field Director, Srivilliputhur Megamalai Tiger Reserve, Madurai. Ref.No.2484/2021/D1, Dt.08.11.2021
3. District Forest Officer, Theni. Ref.No. D/7126/2016, Dt. 03.01.2022

I submit that the additional details called for in the Principal Chief Conservator of Forests letter 1st cited has been received from the District Forest Officer, Theni vide reference 3rd cited. The report of District Forest Officer, Theni may be accepted. The copy of the District Forest Officer, Theni reference is also enclosed herewith for favour of kind perusal.

Encl: As stated above

Yours Faithfully

Sd/-Deepak S. Bilgi,
Conservator of Forests and Field Director,
Srivilliputhur Megamalai Tiger Reserve,
Madurai

/T.C.B.O/

B. S. Bilgi
Superintendent

21/01/2022

21/01/22