

TAMILNADU FOREST DEPARTMENT

From	To
Thiru Syed Muzammil Abbas, I.F.S., Principal Chief Conservator of Forests, (Head of Forest Force) Forest Head Quarters Building, Guindy- Velachery Main Road, Guindy, Chennai - 32.	The Additional Chief Secretary to Government, Environment, Climate Change and Forests Department, Secretariat, Chennai 9.

C. No. TS3/31972/2019 Dated: 23.12.2022.

Madam,

Sub: Forest (Conservation) Act, 1980 Proposal for diversion of 2.50 ha of forest land in Parigam B RF in Dharmapuri Forest Division for formation of road from Barigam Konayankadu to Malayurkadu village to a length of 3000m and to a width of 7.50m in Dharmapuri District in favour of the Block Development Officer, Nallampalli Union, Nallampalli, Dharmapuri District - Proposal forwarding off - Regarding.

- Ref: 1 Online application uploaded by the User Agency - Block Development Officer, Nallampalli Union, Nallampalli, Dharmapuri District, Pin code 636 807 - Proposal No. FP/TN/Road/37283/2018.
- 2 Part-II of Form-A uploaded by the District Forest Officer, Dharmapuri Division on 20.10.2021 and resubmission of proposal to the Circle on 03.02.2022, 23.09.2022, 03.11.2022 and 04.11.2022
- 3 Part-III of Form-A uploaded by the Conservator of Forests, Dharmapuri Circle on 04.02.2022 and resubmission of proposal on 10.03.2022, 29.09.2022 and 05.11.2022.

I wish to state that in the reference 1st cited, the Block Development Officer, Nallampalli Union, Nallampalli, Dharmapuri District has uploaded online forest clearance proposal under Section 2 of Forest (Conservation) Act, 1980 for diversion of 2.50 ha of forest land in Parigam B RF in Dharmapuri Forest Division for formation of road from Barigam Konayankadu to Malayurkadu village to a length of 3000m and to a width of 7.50m in Dharmapuri District under proposal No. FP/TN/Road/37283/2018.

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 for which forest land required and short narrative of the project reported as Formation of Barigam Konayankadu to Malayurkadu road.

iii) The User Agency has reported that area required in forest area is for 2.50 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) On behalf of User Agency – Block Development Officer, Panchayat Union Office, Nallampalli, Dharmapuri District, the incumbent Officer has applied the on-line proposal for diversion of forest land.

v) In the section of uploading details of proposal seeking prior approval of Central Government under the Act for diversion of forest land for the project already submitted in the past reported as NIL.

vi) Diversion of 2.50 ha of forest land has been requested in Dharmapuri Forest Division of Dharmapuri District. The User Agency has specified the village wise breakup details of land required for the project as Malayurkadu for 2.50 ha of forest area. In the component wise break up of forest land required details, the User Agency has reported as Road for the 2.50 ha diversion area.

vii) The user agency has uploaded kml file of the proposed road, copy of location map of the forest land proposed to be diverted in kml file of google earth, Survey of India Topo sheet indicating the boundary of proposed forest diversion area and scanned copy of the Geo-referenced map of the forest land proposed to be diverted.

viii) The User Agency has uploaded the copy of note containing justification for locating the project in forest area.

In this segment, the User Agency has reported that this road length is 3.00 km and width is 7.50m. The existing surface of the road is earthen. The mentioned road is very much useful to the people those who are living in the habitation of Malayurkadu, Konayankadu, Manadamedu and Barigam habitations, which having the population of 1000 in Maniyathahalli Panchayat, Nallampalli Block. Now the people of above habitations are very much struggling to reach Public Distribution Shop, School, Hospital and market as no connectivity by all weather roads to that habitation. Since completion of this road, the people very much benefit to schooling, marketing and hospital purposes. Vehicle movement will help the socio economic development of the individuals. Hence it is justified that the road from Barigam Konayankadu to Malayurkadu in Barigam RF in Nallampalli Taluk on Dharmapuri District is essential.

ix) The User Agency has stated that, the project is likely to generate permanent/ regular employment for 150 persons and temporary employment for 100 persons. The User Agency has stated that this project does not involve displacement of people, this project does not require cost-benefit analysis, clearance under the Environment (Protection) Act, 1986.

x) The User Agency has stated that, the project or a part thereof is not located in any protected area or their eco sensitive zone and is not located in a Scheduled Area.

xi) 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 in ROC No. 1123/2018/R2, dated 14.12.2018 by the District Collector, Dharmapuri District about completion of process for settlement of Rights under Forest Rights Act, 2006 in the 2.50 ha of forest land proposed to be diverted for the project.

xii) For the diversion of 2.50 ha of degraded forest area in Barigam RF, the user agency has identified 5.00 ha of non forest compensatory land in SF No. 692/4 of Kammampatty village of Nallampalli Taluk in Dharmapuri District.

a) The District Collector, Dharmapuri District in his proceedings No. 13305/2018/T1, dated 12.07.2021 has ordered for the transfer of 41.6334 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 formation of Barigam Konayankadu to Malayurkadu road involving 2.50 ha of forest area is one of the project involving diversion of forest land and the District Collector has ordered for transfer of 5.00 ha of land to the Forest Department.

b) 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.

xiii) In the additional information details section, following details/ certificates/ undertakings have been uploaded.

a) Break-up details of forest land required for the project.

Break-up details of forest land required for the project.

Length of the road : 3000m

Width of the road: 7.50 m

Add area for curves : $10\text{m} \times 250\text{m} = 0.25 \text{ ha}$

Area including curves: 2.50 ha.

- b) Certified that no alternate non-forest land is available for the project.
- c) Certified that, they have not violated any provision of the Forest (Conservation) Act, 1980 in seeking the minimum forest land required for the formation of road.
- d) Geo-reference google map of identified CA land.
- e) Geo-reference co-ordinates of identified CA land.
- f) Certified that forest area involved in the proposal is unavoidable and barest minimum forest area proposed for diversion.
- g) Certificate issued by the District Collector, Dharmapuri about no alternate non-forests land is available and best possible alignment requires the utilization of the Reserve Forests land for the project. Roc No. 1646/2014/A3
- h) Undertaking to bear the cost of felling of trees and transportation cost of the trees to be removed during formation of road under the project in the forest area as fixed by the Forest Department has not been furnished.
- i) 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 for the formation of road.
- j) Certified that, proposed road lying in Maniyathahalli Revenue village, Maniyathahalli Firka.
- k) Certified that assured employment will be generated throughout the year after completion of the road project. Due to commercial vehicle movement, there is a possibility to hike in transaction of Agricultural and Commercial products.
- l) Undertaking to pay the entire amount for compensatory afforestation in lieu of the forest area diverted for the project at the prevailing wage rates at the time of plantation.
- m) GPS reading of the proposed road aligned in forest area.
- n) Statement showing the details of non forest area involved in the proposal.
- o) Undertaking to pay the Net Present Value of the forest land proposed for diversion.
- p) Undertaking to pay the additional amount of Net Present Value of the forest land proposed for diversion if any fixed in future.
- q) Block Development Officer, Nallampalli Union letter No. 1646/2014 A3, dated 14.09.2022 addressed to the District Forest Officer on furnishing rectified forest clearance proposal.

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

i) The legal status of the proposed site of diversion of 2.50 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 Barigam B 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 308 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.

Further, the District Forest Officer has reported that, the proposed road is situated approximately 26 Kms away from the boundary of newly notified Cauvery South Wildlife Sanctuary.

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 2.50 ha of forest land in Barigam RF for formation of Barigam Konayankadu to Malayurkadu road in Nallampalli Taluk in Dharmapuri District, compensatory afforestation has been proposed for planting of 600 number of saplings per ha in 5.00 ha of identified non forest CA land in SF No. 692/4 of Kammampatty in Nallampalli Taluk of Dharmapuri District (3000 Nos) and 800 number of saplings per ha in 2.50 ha of degraded forest area selected in Parigam B RF (2000 Nos).

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 B RF.

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

i) a) CA scheme in 5.00 ha of non-forest CA land

@ 600 numbers per ha including maintenance

of plantation for 10 year period (3000 plants) - Rs. 39,33,914/-

b) Chain link fencing around plantation to prevent

biotic pressure -Protection of CA plantation - Rs. 23,78,860/-

Subtotal - Rs. 63,12,774/-

ii) a) CA scheme in 2.50 ha of degraded forest CA area in Parigam B RF

@ 800 numbers per ha including maintenance

of plantation for 10 year period (2000 Nos) - Rs. 28,05,246/-

Subtotal - Rs. 28,05,246/-

Grand total of CA scheme - Rs. 91,18,020/-

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 06.10.2021. 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. The proposed road alignment lies in the Parigam B RF. In the alignment of the proposed road, there are exist 308 numbers of trees, which are spontaneous growth in nature and requires felling. The proposed road is to be laid to a length of 3000m to a width of 7.50m.

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 forest land for formation of road from Barigam Konayankadu to Malayurkadu road in Nallampalli Taluk of Dharmapuri District lies in Parigam B RF. In the alignment of the proposal road, no right of way was admitted in Parigam B RF notification.

The proposed road connects Malayurkadu, Moolakkadu villages with Barigam Konayankadu villages. Currently the people of Barigam and Konayankadu villages facing difficult situation to travel around the RF for about 40 km distance via, Jarugu, Arakkasanahalli, Chinnampalli and Perumpalai villages to reach Malayurkadu village. The proposed road cut short that distance between Barigam and Malayurkadu village to just 3 km. This is the long-lasting demand by the village peoples. This demand has also been raised in the Legislative Assembly often.

b) 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 observations, 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 30.11.2021 and endorsed the details provided by the District Forest Officer and recommended the proposal for the welfare of the people living in Malayurkadu and Moolakkadu villages.

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.

Forest area diversion proposals for road works are being recommended for a period of 20 years. Hence this forest area diversion is recommended for a period of 20 years.

5) Based on the recommendation made by the District Forest Officer, Dharmapuri Division and Conservator of Forests, Dharmapuri Circle, proposal for diversion of 2.50 ha of forest land in Parigam B RF for formation of road from Barigam Kodayankadu to Malayurkadu village in Dharmapuri Forest Division to a length of 3000m and to a width of 7.50m in Dharmapuri District seeking approval under Section 2 of Forest (Conservation) Act, 1980 by the Block Development Officer, Nallampalli Union, Nallampalli, 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.

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

ii) 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.

iii) The User Agency has to mutate and transfer 5.00 ha of non-forest land indentified in SF No. 692/4 of Kammampatty Village of Nallampalli Taluk in Dharmapuri District to the Forest Department.

iv) The User Agency has to pay the cost of Raising Compensatory Afforestation / Maintenance of plantation, protection of plantation etc., 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.

v) 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.

vi) 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.

vii) 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/>)

viii) The user agency has to obtain permission from the Hon'ble Supreme Court of India for felling of 308 number of spontaneous trees growth in the forest area proposed for diversion for the project proposal.

ix) The user agency has to pay the cost towards felling and transportation cost of trees to be cut in the project area to the District Forest Officer, Dharmapuri Division for immediate execution of the felling of trees work after getting necessary permission for felling of trees.

x) 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.

xi) The total forest area utilized for the project shall not exceeds 2.50 ha for with a length of 3000 m and width of 7.50m in Parigam B RF.

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

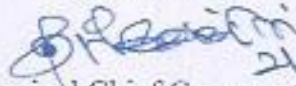
xiii) Period of lease can be twenty (20) years. The User Agency has to apply renewal proposal before one year of expiry of lease with the State Forest Department.

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.

7) I request that the proposal may be considered and Government of India approval may be obtained for diversion of 2.50 ha of forest land in Parigam B RF for formation of road from Barigam Kodayankadu to Malayurkadu village in Dharmapuri Forest Division to a length of 3000m and to a width of 7.50m in Dharmapuri District in favour of Block Development Officer, Nallampalli Union, Nallampalli, Dharmapuri District for a period of 20 years.

Encl: As stated above.

Yours faithfully


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

26/12/22

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 2.50 ha of forest land in Parigam B RF in Dharmapuri Forest Division for formation of road from Barigam Konayankadu to Malayurkadu village to a length of 3000m and to a width of 7.50m in Dharmapuri District in favour of the Block Development Officer, Nallampalli Union, Nallampalli, Dharmapuri District - Proposal No. FP/TN/Road/37283/2018

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
13/12/22

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 : 13-11-2022

Place: Chennai-32.