

By on-line/E-mail.

TAMILNADU FOREST DEPARTMENT

From

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

To

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

C.No. TS3/10139/2017 Dated: 24.10.2018.

Sir,

Sub: Forests - Forest (Conservation) Act, 1980 – Salem Circle –
Namakkal Forest Division - Proposal for diversion of 2.71 ha of
forest land in Pudupatti RF for formation of road from Pudupatti
to Kedamalai - km 0/0 to 11/375 through Pudupatti RF of
Namakkal Division - Online proposal Submission by the User
Agency ie., DRDA, Namakkal, Namakkal District - Regarding.

Ref: 1. Online application uploaded by the User Agency – DRDA,
Namakkal, Block Development Officer, Panchayat Union Office,
Vennandur, Namakkal District Pin code 637 505 Proposal No.
FP/ TN/ Road/ 19576/2016, dated 10.03.2017 and re-submission
of proposal on 04.05.2017, 27.01.2018 & 04.05.2018.

2. Part II of Form A uploaded by the District Forest Officer,
Namakkal Division, Namakkal on 14.08.2018

3. Part III of Form A uploaded by the Chief Conservator of
Forests, Salem Circle, Salem on 24.09.2018.

* * *

I wish to state that the Block Development Officer, Vennanthur Panchayat Union, Vennanthur, Namakkal District, has submitted online application under Section 2 of Forest (Conservation) Act, 1980 for diversion of 2.71 ha of forest land in Pudupatti RF for formation of road from Pudupatti to Kedamalai km 0/0 to 11/375 through Pudupatti RF of Namakkal Forest Division in Namakkal District in favour of Block Development Officer, Vennanthur Union, Vennanthur, Namakkal District.

2) The User Agency has requested diversion of forest area for a period of 999 years.

3) The User Agency has stated that Kedamalai village at Keelur Panchayat of Rasipuram Taluk in Namakkal District is located at Pudupatti Reserved Forests. There are 502 numbers (census 2001) of tribal living in this village. It has no connectivity to the adjacent villages, market centre, hospitals schools and colleges. At present people are using footpath along the Reserved Forest area for their needs. These villages comes under Unconnected Habitations as per PMGSY Core network. Students, Farmers, labours and patients are highly affected due to non availability of connectivity. At present, the agricultural goods like paddy, sago and others are transported by means of head load to market due to poor connectivity. So the economic status of these villages is suffering continuously.

The project will help to improving the standard of living as well as the agricultural well being. School students will be able to access schools without difficulty and the sick, invalid people will face the difficulty in accessing the health care facilities.

This project/road will be important arterial node for the people of Keelur in merging themselves with the services provided both by the Government and Market. It is however a permanent relief to the people.

4) Area requirement statement uploaded by the User Agency is as follows

Length of the road	: 2/900 to 7/600 km lies in forest area
Width of the road	: between 4.50m to 8.00 m
Area	: 2.71 ha

In the 11.375 km road (forest area lies from km 2.90 to km 7.60- 4.70km length), construction of 4 Hard bed, 14 piped causeways, 30 single row RCC pipe culvert, 3 double row RCC pipe culvert, construction of retaining wall wherever essential have been proposed for execution.

5) The User Agency has stated that this road length in forest area is 4.70 km (from 2/900 to 7/600km stretch) and width varies from 4.50m to 8.00m.

6) The User Agency has submitted following details / undertakings along with the proposal.

i) Authorization letter of District Collector, Namakkal, for making on-line proposal for forest clearance.

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

iii) Location map of the proposed diversion of forest area in kml file of google earth has been up-loaded

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

v) Scanned copy of Geo referenced location map along with GPS reading of the proposed diversion of forest area for formation of road marked in the google earth.

vi) Certificate issued by the District Collector about completion of process for settlement of rights under Forest Rights Act on the forest land proposed to be diverted for the project proposal.

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

viii) Undertaking to pay the entire amount for compensatory afforestation in lieu of the forest area diverted for formation of road from Pudupatty to Kedamalai through Pudupatti RF as per the prevailing wage rate at the time of plantation

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

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

xi) 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.

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

xiii) Undertaking to bear the cost along with any escalation for exploitation of trees in lieu of forest land to be diverted to the project.

xiv) Certificate from the Project authority (User Agency) that demands for forest land for the project is minimum.

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

xvi) The User Agency has uploaded a certificate obtained from the District Collector of Namakkal District about identification of non-forest land as compensatory land for the forest area diversion proposals in the District.

For the diversion of 2.71 ha of forest land for non forestry purpose of formation of road from Pudupatti to Kedamalai through Pudupatti Reserved Forests of Namakkal Forest Division in Namakkal District, compensatory afforestation land has been proposed twice the extent of land in S.F. No. 324/1 in Mangalapuram Village of Rasipuram taluk in Namakkal District and subdivided and assigned as 324/62 measuring 17.80 ha of land for two projects (Area proposed for diversion are $2.71 \text{ ha} + 5.96 \text{ ha} = 8.67 \times 2 = 17.34 \text{ ha}$ double the extent of land proposed for handing over to Forest Department 17.80 ha) The District Collector, Namakkal has given his consent for handing over of CA land for the project.

xvii) Scanned copy of geo-referenced map of non forest land identified for the project has been uploaded.

xviii) Copy of survey of India topo sheet indicating the boundary of non forest land proposed as CA land has been uploaded.

xix) The User Agency has uploaded certificate obtained from the District Collector stating that, there is no suitable and technically approved alternate non-forest land available in the village of Kedamalai in Rasipuram Taluk required for formation of road from Pudupatti Kedamalai village in Rasipuram Taluk, Namakkal District of Tamil Nadu.

7) After getting additional essential details from the User Agency, the proposal was forwarded to the District Forest Officer, Namakkal Division, Namakkal on 12.07.2018.

8) The District Forest Officer, Namakkal Division, Namakkal has forwarded the proposal along with her Site Inspection report and recommendation of the proposal to the Chief Conservator of Forests, Salem Circle. Salem on 14.08.2018.

9) After getting required additional details from the District Forest Officer, the Chief Conservator of Forests, Salem Circle, Salem has uploaded her site inspection report and recommendation of the proposal and forwarded the proposal to the Nodal Officer on 24.09.2018.

10) The District Forest Officer, Namakkal Division has reported that the legal status of the proposed site of diversion of 2.71 ha of land for formation of road from Pudupatti to Kedamalai in Namakkal Forest Division in Namakkal District is 'Reserved Forests'.

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

i) The District Forest Officer has reported that, density of the forest area is 0.25 and Eco class three.

ii) On vulnerability of the forest area to erosion, the District Forest Officer has reported that the area proposed for diversion has very lesser degree of erosion, where ever small streams are passing through.

iii) 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 boundary of NP/WLs etc., for the forest land proposed for diversion and not located within the eco-sensitive zone of the protected area notified under Wildlife (Protection) Act, 1972.

iv) There is no rare / endangered / unique species of flora and fauna found in the area. Wild pig, Hares, few reptiles, foxes, Peafowls and few avifauna species are found in the proposed forest area.

v) There is no protected archaeological / heritage site / defense establishment or any other important monument is located in the area.

vi) 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.

vii) The District Forest Officer has furnished the list of trees available in the project area and stated that there are 102 numbers of spontaneous grown trees are existing in the proposed diversion area, which are required to be felled before taking up the project.

viii) The District Forest Officer has proposed Compensatory Afforestation scheme at a cost of Rs. 57,63,000/- in the identified 5.65 ha of non-forest area.

ix) As against the diversion of 2.71 ha of forest land for formation of new road in Pudupatti RF of Rasipuram Taluk in Namakkal District, Compensatory

afforestation scheme has been proposed for 5.65 ha in the identified non forest land in S.F. No. 324/1 of Mangalapuram village of Rasipuram Taluk in Namakkal District.

x) The District Forest Officer has furnished the site suitability certificate for the identified non forest land for compensatory afforestation is suitable for plantation and it is also approachable and manageable and protection point of view.

12) In the site inspection report, the District Forest Officer has stated that, site inspection of the land involved in the proposal has been done by her on 13.07.2018 and 20.07.2018. On inspection of the site, it is found that the land required by the User Agency is comes under Pudupatti Reserved Forests measuring 2.71 ha.

The requirement of forest land proposed by the user agency is unavoidable and is barest minimum required for the project considering the gradient to align the black top road to reach the hill top where the village of Kedamalai is located as enclosure in Pudupatti Reserved Forests.

13) Specific recommendation for acceptance of the proposal furnished by the District Forest Officer is as follows.

The approach road from Pudupatti to Kedamalai tribal village through Pudupatti RF has an admitted right of way to a width of 4 yards and to a length of three miles and 2 furlongs (5230.367 m) as specified under Section 16 notification of Pudupatti RF. The possibility of forming road in the existing right of way is very difficult due to steep terrain. Therefore a new alignment has been proposed by following the admissible gradient for road formation for easy movement of vehicles. Further, there are 102 number of spontaneous growth trees are existing in the proposed diversion area, which are required to be felled before taking up of the project.

By laying road from Pudupatti to Kidamalai village, nearly 550 tribal people will get connectivity and also they will get other basic amenities like health & education facilities. Therefore diversion of 2.71 ha of forest land in Pudupatti RF recommended for establishing road connectivity to the unconnected village.

In his recommendation, the District Forest Officer has stated that the proposed formation of road from Pudupatti to Kedamalai will enable the tribal

villagers to get their basic amenities like anganwadi Centre and hospital in future. Therefore taking above into consideration, diversion of 2.71 ha of forest land for the purpose has been recommended,

14) The Chief Conservator of Forests, Salem Circle has also inspected the site on 24.09.2018 and stated that user agency has proposed to form the road from Pudupatti to Kedamalai village of distance of 11.375 km. Out of which, the reach of 2/900 to 7/600 (4.700km) falls in Pudupatti RF. The total area of 2.71 ha was calculated as per the area surveyed with a minimum width of 4.50m and considering the importance of road connectivity to the hill top tribal village, the Chief Conservator of Forests has also recommended the proposal.

15) The User Agency has requested forest area diversion for a period of 999 years. The District Forest Officer, Namakkal Division has not specified the period of diversion. The Chief Conservator of Forests, Salem Circle has recommended the forest area diversion for a period of 25 years.

Based on the recommendation made by the Chief Conservator of Forests, diversion of forest land may be recommended for a period of 25 years.

16) 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 User Agency has to transfer and mutate double the extent of non-forest land indentified in S. No. 324/1 of Mangalapuram village of Rasipuram Taluk, in Namakkal District to the Forest Department.
- d) The User Agency has to demarcate the non-forest area proposed for Compensatory Afforestation and hand over the land to the Forest Department.
- e) 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.

- f) 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.
- g) 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.
- h) 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 for the entire project period.
- i) The User Agency has to obtain orders from the Hon'ble Supreme Court of India for felling of 102 numbers of Spontaneous grow which are required to be felled before taking up the project.
- j) Period of lease can be twenty five (25) years. The User Agency has to apply renewal proposal before six months of expiry of lease with the State Forest Department.

17) The proposal is sent herewith duly recommended by the Additional Principal Chief Conservator of Forests (Forest Conservation Act) (i/c) / Nodal Officer, Forest (Conservation) Act, 1980 of the State of Tamil Nadu. I request that the proposal may kindly be considered and Government of India approval may please be obtained for diversion of 2.71 ha of forest land in Pudupatti RF for formation of road from Pudupatti to Kedamalai through Pudupatti RF of Namakkal Forest Division in favour of Block Development Officer, Vennanthur Union, Namakkal District for a period of 25 years.

Encl : As stated above.

Yours faithfully,



for Principal Chief Conservator of Forests
(Head of Department)

25/1/18

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 2.71 ha of forest land in Pudupatti RF for formation of road from Pudupatti to Kedamalai - km 0/0 to 11/375 through Pudupatti RF of Namakkal Division - Online proposal Submission by the User Agency ie., DRDA, Namakkal, Namakkal District Pin code 637505- Proposal No. FP/ TN/ Road/ 19576/2016.

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

Signature :

Arum
22/10/18

Name Designation :

Date : 22-10-2018

Place: Chennai

A. D. LIMATHI
Addl. Principal Chief Conservator of Forests
(Forest Conservation Act)
Chennai - 600 015.