

TAMIL NADU FOREST DEPARTMENT

From Dr.N. Krishnakumar, 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.

Ref.No.21927/2015/TS4 dated 25.07.2016.

Sir,

Sub: Forests - Forest (Conservation) Act, 1980 - Tirunelveli Circle/Kanniyakumari Forest Division - Proposal for diversion of 0.88ha of forest land for laning of NH-47B Nagercoil to Kavalkinaru - Online proposal submission by the User Agency ie. Project Director, National Highways Authority of India PIU, Kanniyakumari - Regarding.

- Ref: 1. Online application uploaded by the User Agency Project Director, National Highways Authority of India, Tirunelveli Plot No.21, Thomas Nilayam St. Thomas Road, Tendral Nagar, Maharaja Nagar Post, Tirunelveli (FP/TN/ROAD/9818/2015).
2. Part-II Form A uploaded by the District Forest Officer, Kanniyakumari Division.
3. Part-III of Form A uploaded by the Conservator of Forests, Tirunelveli Circle.

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The Project Director, National Highways Authority of India, Tirunelveli has furnished online application under section 2 of Forest (Conservation) Act, 1980 for diversion of 0.88ha of forest land of Thekkumalai Reserve Forests for laning of NH 47B Nagercoil to Kavalkinaru in Kanniyakumari Division of Tirunelveli Circle.

The User Agency has proposed forest area diversion for a period of year (A-1(x) of proposed format) 99 years.

- 1) Form A part-I for seeking prior approval under section 2 of the Forest (Conservation) Act, 1980 (new Online form).
- 2) Short narrative of the proposal for which the forest land is required as detailed below (As required vide A-1 (iii) of proposed format).

Four laning of Kerala-Tamil Nadu border to Kanniyakumari section of NH 47 including Nagercoil to Kavalkinaru section of NH-47B.

- 3) Location map of the proposed diversion of forest area for formation of road in kml file of google earth up loaded (Section c of Maps ii (b)).
- 4) Geo referenced location map of the proposed diversion of forest area for formation of road marked in the google earth uploaded (section c of Maps C (iv)).
- 5) Justification for locating the project in forest area.

The Collector has certify that there is no primitive S.T. (or) pre-Agricultural Communities found in the forest land an extent of 0.88 hectares which is proposed to be diverted for the project of four laning of Nagercoil to Kavalkinaru section from km o/o to 16/376 of NH 47B of forest land in Thoivalai village, Thoivalai Taluk, Kanniyakumari District.

- 6) The user agency has furnished the following undertaking certificates

- (i) undertaking to pay the amount of Net Present Value which will be fixed as per the guidelines of Hon'ble Supreme Court of India.
- (ii) Undertaking 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.
- (iii) Undertaking to bear the cost along with any escalation for exploitation of trees in the forest land to be diverted to the project and cost of Compensatory Afforestation as fixed by the Forest Department.
- (iv) 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.
- (v) Certified that no alternative suitable non forest land is available for the project of four laning of Nagercoil to Kavalkinaru section from km o/o to 16/376 of NH-47B in the State of Tamil Nadu and demands for forest land for the project (0.88ha.) is minimum compared to 426.15ha of total land required for the project
- (vi) Certified that no violation of the provision of Forest (Conservation) Act, 1980 occurred in the proposed diversion in connection with the project of four laning of Nagercoil to Kavalkinaru section from km o/o to 16/376 of NH 47B in the State of Tamil Nadu.

- 7) After getting details from the user Agency the proposal was forwarded to the District Forest Officer, Kanniyakumari Division.
- 8) After field inspection, the District Forest Officer, Kanniyakumari division and the Conservator of Forests, Tirunelveli Circle have forwarded the proposal.
- 9) The District Forest Officer, Kanniyakumari division has reported that the field inspection was carried out along with National Highways Authority of India officials on 12.8.2015 and 17.11.2015. An area of 0.88ha has been sought in 2 bits of Therkkumalai west Reserve Forests for the purpose of laying 4 lane road (NH / 47B - Nagercoil - Kavalkinaru) by National Highways Authority of India, Further he has also reported that a new alignment is proposed by National Highways Authority of India for this portion of the 4 lane road, instead of widening the existing 2 lane road between Nagercoil and Kavalkinaru citing reasons of crammed traffic and heavy built up area flanking the existing road. Moreover the National Highways Authority of India officials opined that widening of existing road will not be able to meet the required standards as per IRC for NH and may cause considerable land acquisition laborious work, huge cost, profound dislocation and relocation of people and disturbance to the public at large. The proposed alignment traverses the Therkkumalai west Reserve Forests at two locations along the boundary seeking diversion of an extension of 0.88ha in two bits ie. Bit-I (0.60ha) and Bit-II (0.28ha). The officials of National Highways Authority of India have certified that various alternative have been considered before

finalizing this proposal and no suitable alternative along non forest land is available which is also endorsed by the District Collector.

The Therkkumalai West Reserve Forests supports dry deciduous to dry scrub / thorn forests with a crown density < 0.4 *Acacia planiferons* *Acacia leucophloea*, *Morinda tinctoria* and *Albizia amara* are the predominant vegetation with associate shrub species like *Randia Zizyphus*, *Dodonia* and *Cymbopogar glass sp.* The area falls in Therkkumalai west Reserve Forests which is part of Kanniyakumari Wildlife Sanctuary. There are no reports of unique / endangered fauna and flora identified from this area.

During his field inspection along with National Highways Authority of India officials some discrepancy was noticed in calculation of area and hence the concerned Range Officer (Range Officer, Boothapandy) was directed to survey the area. Subsequently the area was surveyed and it was identified that the total area marked on the ground was 0.94ha instead of 0.88ha has proposed by National Highways Authority of India. On subsequent deliberations with the National Highways Authority of India the area was jointly surveyed on 17.11.2015 and the area on the ground was re-fixed in order to limit the proposed area as to 0.88ha and a new surveyed sketch was drawn.

The Range Officer has enumerated all standing trees in the area and a list showing 286 miscellaneous trees of short and slender nature has been submitted. Although diversion of less than one hectare and as such does not require any compensatory land if diversion is approved the loss of 286 trees needs to be suitably compensated by planting with taller

saplings ten times the trees removed with adequate tree guard protection along the proposed road (NH 47B) as avenue at the cost of Highways Department ensuring adequate undertaking. A condition also be imposed that the user agency has to erect a retaining wall between the Reserve Forests boundary and road over a distance 450mt along which the road passes in Reserve Forests limit, so as to avoid / limit instances of wildlife traversing the road / road kills in future. This would also help to arrest soil erosion from Reserve Forests and subsequent soil sedimentation in the road during rainy season.

In view of the socio-economic benefit accruable and the importance of the project the proposal of diversion of 0.88ha firm Therkkumalai Reserve Forests west Reserve Forests may be considered and may be referred to Central Government for prior approval the proposed area being part of Kanniyakumari wildlife sanctuary. Then proposal is recommended considering the importance of the project.

11)The Conservator of Forests, Tirunelveli Circle has recommended the proposal in the part-III format proposal and reported as follows:-

The following officers accompanied with him for inspection.

- 1) District Forest Officer, Kanniyakumari
- 2) Assistant Conservator of Forests, Kanniyakumari Division
- 3) Forest Range Officer, Boothapandy Range
- 4) Deputy General Manager (T) & Project Director, National Highways Authority of India, PIU, Nagercoil.

The proposed area for diversion to form four lane road of Nagercoil to Kavalkinaru section (o/o to 16/376) of N.H.47B has been

inspected by him on 31.12.2015. The area lies on the edge of the Reserve Forests where practically wildlife is absent and also it forms part of artificial plantation raised during 1988. The new road formation is for the National Development and hence he accept the recommendations of the District Forest Officer, Kanniyakumari division for diversion of an extent of 0.88ha of forest land for the above purpose.

12)The proposal in the part IV is sent herewith duly recommended by the Additional Principal Chief Conservator of Forests (FCA) / Nodal Officer, Forest (Conservation) Act, 1980. The total period for which the forest land is proposed to be diverted only 20 years.

13)Therefore I request that the proposal may kindly be forwarded through online to Government of India for obtaining concurrence of Government of India for diversion of 0.88ha of forest land in Therkkumalai Reserve Forests for four laning of NH 47B Nagercoil to Kavalkinaru on behalf of the Project National Highways Authority of India PIU, Nagercoil early.

Encl: As stated above.

Yours faithfully,


for Principal Chief Conservator of Forests
(Head of Department)


29/1/16

PART - IV

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

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| 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 :  25/7/16

Name Designation :

T.P. Raghunath

Additional Principal Chief Conservator of Forests
(Forest Conservation Act)
Chennai-600016

Date : 25.7.2016

Place: Chennai.