

TAMILNADU FOREST DEPARTMENT

From

Dr. H.Mallesappa, IFS.,
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.TS4/ 37126/2016, Dated: 26.10.2018.

Sir,

Sub: Forests – Forest (Conservation) Act, 1980 – Madurai Circle/Theni Forest Division – Proposal for diversion of 0.00487 ha of forest land for the TANTEA sales bunk entrance areas and for the movement of Consumers – Online proposal submission by the User Agency ie. Managing Director TANTEA, Nilgiris – Regarding.

Ref: 1. Online application uploading by the User Agency, MD, TANTEA, Nilgiris (FP/TN/Others/20994/2016).
2. Part II & III uploaded by the Chief Conservator of Forests, Madurai on 23.10.2018.

I wish to inform that the User Agency ie. the Managing Director, TANTEA, Nilgiris has furnished online application under Section 2 of Forest (Conservation) Act, 1980 for diversion of 0.00487 ha of forest land for the TANTEA sales bunk entrance areas and for the movement of Consumers in Valkaradu RF areas of Theni Range in Theni Forest Division of Madurai District of Tamilnadu.

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 3 years.

The User Agency has furnished the following details / undertakings along with the proposal.

1) Form-A, Part-1 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 required vide A-1 (iii) of proposal format).

3) Location map of the proposed diversion of forest area for formation of road in kml file of google earth has been up-loaded (Section C of Maps-C.ii-b)

4) Copy of Survey of India topo sheet indicating boundary of forest land proposed to be diverted has been up-loaded. (Section C of Maps-C.iii)

5) Justification for locating the project in Forest area.

The Managing Director, TANTEA, Coonoor sales bunk approval is accorded vide GO(Ms) No.83, Agriculture (Agri . Engg.) Department, dt. 23.02.2016 and the Executive Engineer, Agriculture Engineering Theni Proc.No. P/392/2015, dt. 04.03.2016. For the movement of consumers to the TANTEA sales bunk entrance, it is proposed to divert the forest land to an area of 0.00487 ha at Valkaradu RF areas of Theni Range in Theni Forest Division. There is no suitable alternative land is available in that area.

6). The User Agency has furnished the Undertaking Certificate 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

7). The User Agency has furnished the Certificate about demands for forest land for the project is minimum.

8) The User Agency has furnished the Certificate about the provision of Forest Conservation Act, 1980 have not been violated in the RF area for the purpose of TANTEA sales bunk entrance at Valkaradu RF of Theni Range in Theni Forest Division.

9) The User Agency has obtained and enclosed the Certificate about the settlement of rights under Forest Rights Act in Form I on the forest land proposed to be diverted. (As required under section K).

10) Certificate obtained from the District Collector about no alternate suitable non forest land is available for the project has been uploaded.

11) The User Agency ie. Managing Director, TANTEA has furnished the Certificate about the condition if any stipulated by the Government of India/ Forest Department.

12) The User Agency has furnished the Certificate to pay the Net present value which will be fixed as per the guidelines of Honorable Supreme Court of India.

Theni, Forest Range Officer and other field staff of Theni Range. The area is located in Valkaradu RF of Theni Range in Theni Division. The total area proposed to be diverted for this project is 0.004876 ha only (6.40 x 7.62 m). The diversion is not likely to significantly impact the flora and fauna of the area. The proposed area for diversion does not have any important monuments of Archeological, Heritage site, Defence establishment etc., and the area requested for the project is the barest minimum and hence the project is recommended.

In this regard, the proposed area ie. TANTEA sales bunk entrance at Valkaradu RF areas of Theni Range in Theni Forest Division is not fallen within the National Park/ Wildlife sanctuary.

Under the circumstances explained above, the proposal is recommended for obtaining the concurrence of Government of India, Ministry of Environment, Forests and Climate Change, Chennai, subject to the following conditions. No felling of standing trees should be done during TANTEA sales bunk entrance at Valkaradu RF areas of Theni Range in Theni Forest Division.

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 proposed to be diverted is only for three years.

Based on recommendation made by the District Forest Officer and the Chief Conservator of Forests, Madurai the proposal is forwarded to the Government for issuing orders for diversion of diversion of 0.00487 ha of forest land for the TANTEA sales bunk entrance areas and for the movement of Consumers in Theni Range in Theni Forest Division.

The proposal is recommended subject to the following conditions.

- a. The legal status of the diverted forest land remains unchanged.
- b. The User Agency has to pay the amount of Net Present Value for the 0.00487 ha of forest land which be fixed as per the guidelines of Hon'ble Supreme Court of India.

13) The User Agency has furnished the Certificate to pay the Additional Net present value which will be fixed as per the guidelines of Honorable Supreme Court of India and Forest Department in future.

In the reference.2nd cited the **District Forest Officer, Theni Forest Division, Theni** has sent **Part II of Form A** proposal with Field inspection report and recommendation report as detailed below:

- i. The District Forest Officer has inspected the site on 27.03.2018.
- ii. This project is TANTEA sales bunk entrance at Valkaradu RF to an area of 0.00487 ha of Theni Range in Theni Forest Division.
- iii. The total area 0.00487 ha is plain adjacent to Theni – Madurai Main road, having no tree growth.
- iv. There is no spontaneous tree growth in the proposed forest area. There is no endangered species of flora and fauna found in the proposed area. The proposed area for diversion does not have any important monuments which are archaeological /heritage site/ defence establishment etc.
- v. In the proposed area the User Agency has not carried out any work, which contravenes the Forest (Conservation) Act, 1980. Since there is no alternate site for promotion of TANTEA sales (which is Tamil Nadu Government and Sister Department of Tamil Nadu Forest Department) Diversion is very much essential and hence the District Forest Officer, Theni Division recommended the for 0.0048768 ha.

In the reference 3rd cited, the **Chief Conservator of Forests, Madurai** has sent the **Part III of Form A** Online proposal for the above work, as detailed below.

Site Inspection report of the Chief Conservator of Forests, Dindigul

The Chief Conservator of Forests has inspected the site, proposed for TANTEA sales bunk entrance at Valkaradu RF areas of Theni Range in Theni Forest Division. The Chief Conservator of Forests, Madurai offers his recommendation as follows.

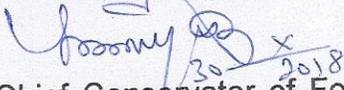
The forest land proposed for diversion for sales bunk entrance and for the movement of consumer service was inspected by the Chief Conservator of Forests, Madurai Circle on 25.08.2018 along with District Forest Officer,

- c. The User Agency has to bear the additional Net Present Value will be fixed as per the guidelines of Hon'ble Supreme Court of India.
- d. 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 for the above project in future.
- e. Period of diversion can be three years. If any maintenance to be carried out by the User Agency they have to apply renewal proposal before six month of expiry of lease with the State Forest Department.

The proposal is sent herewith duly recommended by the Additional Principal Chief Conservator of Forests (Forest (Conservation) Act, 1980) /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 0.00487 ha of forest land for the TANTEA sales bunk entrance areas and for the movement of Consumers in Valkaradu RF areas of Theni Range in Theni Forest Division of Madurai District of Tamilnadu for a period of three years.

Encl: As stated above.

Yours faithfully,


For Principal Chief Conservator of Forests
(Head of Department)

30/1/18

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 0.00487 ha of forest land for the TANTEA sales bunk entrance areas and for the movement of Consumers in Valkaradu RF areas of Theni Range in Theni Forest Division of Madurai District of Tamilnadu for a period of three years. (FP/TN/Others/20994/2016)

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: 26.10-2018
Place : Chennai

Signature: 
Name :

Official Seal:
Principal Chief Conservator of Forests
(Head of Department)
Chennai - 15.