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ENVIRONMENT & FORESTS(FR.10)
DEPARTMENT, SECRETARIAT,
CHENNAI 9.

Letter No.20574 / FR.10 / 2018-1, Dated: 11.12.2018

From
Thiru. Shambhu Kallollikar, I.A.S.,
Principal Secretary to Government,

To
The Additional Principal Chief Conservator of Forests (Central),
Government of India,
Ministry of Environment, Forests and Climate Change,
Regional Office (South Eastern Zone),
1 & 2nd Floor, HEPC Building,
No.34, Cathedral Garden Road,
Nungambakkam, Chennai-34.(w.e.)

Sir,

Sub: Forests - Forest (Conservation) Act, 1980 – Salem Circle – Namakkal Forest Division - Proposal for diversion of 5.96 ha of forest land in Mallur RF for formation of road from Keelur to Vadugammelur km 0/0 to 23/625 through Mallur RF of Namakkal Division infavour of DRDA, Namakkal, Namakkal District - Regarding.

Ref: From the Principal Chief Conservator of Forests
C.No.TS3/10138/2017, dated 24.10.2018.

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I am directed to state that the Principal Chief Conservator of Forests (HoFF) has sent a proposal for diversion of 5.96 ha of forest land in Mallur RF for formation of road from Keelur to Vadugammelur km 0/0 to 23/625 through Mallur RF of Namakkal Forest Division in favour of Block Development Officer, Vennanthur Union, Namakkal District under Section 2 of Forest (Conservation) Act, 1980.

2. The District Forest Officer, Namakkal Division has inspected the site on 13.07.2018 & 20.07.2018 and furnished the following particulars under Part-II of Form-A:-

- i. The legal status of the proposed site of diversion of 5.96 ha of land for formation of road from Keelur to Vadugammelur in Namakkal Forest Division in Namakkal District is 'Reserved Forests'.
- ii. Density of the forest area is 0.25 and Eco class three.
- iii. Diversion area, slight soil erosion noticed.

- iv. 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.
- v. There is no rare / endangered / unique species of flora and fauna found in the area. Wild pig, snakes, jungle fox, rabbits etc are present in and around the forest area proposed for diversion.
- 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. There are 260 numbers of spontaneous grown trees are existing in the proposed diversion area, which are required to be felled before taking up the project.
- ix. Proposed Compensatory Afforestation scheme at a cost of Rs. 1,23,75,330/- in the identified 12.15 ha of non-forest area.
- x. As against the diversion of 5.96 ha of forest land for formation of new road in Mallur RF of Rasipuram Taluk in Namakkal District, Compensatory afforestation scheme has been proposed for 12.15 ha in the identified non forest land in S.F. No. 324/1 of Mangalapuram village of Rasipuram Taluk in Namakkal District.
- xi. 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.
- xii. 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 Kilur, Melur are located in Mallur Reserved Forests.

3) The specific recommendation for acceptance of the proposal furnished by the District Forest Officer is as follows:-

- i. While declaring the Mallur RF under Section 16 of Tamil Nadu Forest Act 1882 there is a admitted right of way was allowed to connect the Pattinam Village via Vadugam melur which is situated at foot hills of Mallur RF connecting Kilur, Melur villages which is situated hill top to a distance of 1.50 Miles (2.4km) to a width of 4 feet.

- ii. There are 260 number of spontaneously grown trees are existing in the proposed diversion area, which are required to be felled before taking up of the project. The people living in this hill area are belong to Scheduled Tribe Community. They are living in the tribal enclosure without basic facilities like road, health, education etc.,
- iii. In this project, new alignment has been proposed as per the admissible gradient for the formation of road and to facilitate easy movement of vehicles. By laying road from Vadugam to Kilur, Melur villages, the tribal people will get connectivity and also they will get other basic amenities like health care & education facilities. Nearly 1100 people will be benefitted in this project and in addition they will get better connectivity to sell their agricultural produce so as to enhance their economic status. Therefore diversion of 5.96 ha of forest land in Mallur RF recommended for establishing road connectivity to the unconnected villages.

Therefore taking above into consideration, diversion of 5.96 ha of forest land for the purpose has been recommended, by the District Forest Officer, Namakkal.

4. The Chief Conservator of Forests, Salem Circle has inspected the site on 24.09.2018 and stated that User Agency has proposed to form the road from Vadugamelur to Keelur village of distance of 23.625 km. Out of which, 12.95 km falls in Mallur RF (km 0/0 to 13.050) The total area of 5.96 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, he has also recommended the proposal. The User Agency has requested forest area diversion for a period of 999 years. He has recommended the forest area diversion for a period of 25 years.

5. The Principal Chief Conservator of Forests has therefore recommended the proposal for diversion of 5.96 ha of forest land in Mallur RF for formation of road from Keelur to Vadugammalur km 0/0 to 23/625 through Mallur RF of Namakkal Forest Division in favour of Block Development Officer, Vennanthur Union, Namakkal District for a period of 25 years under section 2 of Forest (Conservation) Act, 1980 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 identified 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 260 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.

6. The Government have examined the proposal of the Principal Chief Conservator of Forests (HoD) for diversion of 5.96 ha of forest land in Mallur RF for formation of road from Keelur to Vadugammelur km 0/0 to 23/625 through Mallur RF of Namakkal Forest Division in favour of Block Development Officer, Vennanthur Union, Namakkal District for a period of 25 years under section 2 of Forest (Conservation) Act, 1980 and have decided to accept and forward the same to Ministry of Environment, Forests and Climate Change.

7. I am therefore directed to request you to kindly obtain the concurrence of the Government of India, Ministry of Environment, Forests and Climate Change, on the above said proposal and communicate the same to the Government early.

Yours faithfully,

S. Mohamed Yusef 12/12/2018.
for Principal Secretary to Government

SD
12/12/18

Copy to:-

✓ The Principal Chief Conservator of Forests
(Head of Department),
Chennai-15.(w.e.)

✓ The Block Development Officer,
Vennanthur Panchayat Union,
Namakkal District.

PART - V

(To be filled in by the Secretary in charge of Forest Department or by any other authorized officer of the State Government not below the rank of an Under Secretary)

Forests - Forest (Conservation) Act, 1980 - Salem Circle - Namakkal Forest Division - Proposal for diversion of 5.96 ha of forest land in Mallur RF for formation of road from Keelur to Vadugammelur km 0/0 to 23/625 through Mallur RF of Namakkal Division infavour of DRDA, Namakkal, Namakkal District - Regarding.

18. Recommendation of the State Government

(Adverse comments made by any officer or authority in Part-B or Part - C or Part - D above should be specifically commented upon)

Recommended

6. 12/12/18
Signature 12/12/18

Name & Designation
(Official Seal)

Date :12.12.2018

Place :Chennai-9.

Under Secretary to Government
Environment & Forest Department
Secretariat, Chennai-600 009