

By Speed Post/ By e-mail



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

Letter No.9444 / FR.10 / 2017- 2 , Dated.14.07.2017

From
Thiru. Md. Nasimuddin, 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.).
(with State Government recommendation- Form V)

Sir,

Sub: Forest (Conservation) Act, 1980 - Coimbatore Forest Circle / Division - Proposal for diversion of 3.64 ha of forest land in Madukkarai village of Coimbatore Forest Division for expansion of burial ground of Madukkarai village of Coimbatore Corporation in favour of Commissioner, City Municipal Corporation, Coimbatore - Online Submission of proposal by the User Agency - under Section 2 of Forest (Conservation) Act, 1980 - Regarding.

Ref: From the Principal Chief Conservator of Forests Letter No.TS3/25391/2016, dated 22.05.2017 and 23.06.2017.

I am directed to state that the Principal Chief Conservator of Forests (HOD) has sent a proposal for diversion of 3.64 ha. of forest land in Madukkarai Village of Coimbatore Corporation in favour of Commissioner, City Municipal Corporation, Coimbatore under section 2 of F(C) Act, 1980 for a period for 20 years.

2. The Principal Chief Conservator of Forests has stated that the Commissioner, City Municipal Corporation, Coimbatore has submitted online application under Section 2 of Forest (Conservation) Act, 1980 in the prescribed format of Form A - Part I for the diversion of 3.64 ha of forest land in Madukkarai village of Coimbatore Forest Division for expansion of burial ground of Madukkarai village of Coimbatore Corporation and has requested diversion of forest area for a period of 99 years.

(p.t.o)

3. The Principal Chief Conservator of Forests has further stated that the User Agency (i.e. the Commissioner, City Municipal Corporation, Coimbatore) has applied online application for getting forest clearance under Section 2 of Forest (Conservation) Act, 1980 for the diversion of 3.645 ha for utilizing the land for burial ground expansion work in Coimbatore Forest Division in Coimbatore District of Madukkarai village, which has been declared under Section 26 of Tamil Nadu Forest Act, 1882 and he has also stated that, this land has been obtained as Compensatory land for the diversion of forest land for mining activities in Boluvampatti Forest area of Coimbatore Division by M/s ACC Cements Limited and the same have been notified under Section 26 of Tamil Nadu Forest Act, 1882 and the User Agency has uploaded necessary documents along with the proposal. For the diversion of 3.64 ha of forest land, the User Agency has to handover double the extent of non forest land for compensating the loss of forest wealth. Hence the User Agency has identified 7.29 ha of land in S.F. No. 958/4 (classified as -assessed Waste Dry land) of Tholapalayam village in Mettupalayam Taluk of Coimbatore District. The Commissioner of Coimbatore Corporation has addressed to the District Collector of Coimbatore District, requesting action for alienation of non forest land in lieu of forest land proposed for.

- a) The District Forest Officer, Coimbatore Division has inspected the proposed compensatory land bearing S.F. No. 958/4 of Tholampalayam village in Mettupalayam Taluk and issued a certificate for suitability of land identified for CA, from management and protection point of view.
- b) The District Forest Officer has proposed Compensatory Afforestation Scheme for 7.29 ha of compensatory land @ 400 seedlings per ha at a financial outlay of Rs.41,51,554/- and uploaded compensatory afforestation scheme estimate (Raising nursery, planting work, first year maintenance work, 2nd to 10th year maintenance). Cost estimate per hectare arrived at Rs. 5,67,703/-.

4. The Principal Chief Conservator of Forests has also stated that the District Forest Officer, Coimbatore Division and Conservator of Forests, Coimbatore Circle have inspected the proposed forest area for diversion site and forwarded the proposal and furnished particulars as below:-

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

- a) There is no possibility of land slide and density of the forest area is 0.25 and Eco class is three.

The forest area proposed for diversion does not form a part of National Park / Wildlife Sanctuary / Biosphere Reserve / Tiger Reserve / Elephant corridor / Wildlife migration corridor etc., and not located within 1 km from boundary of the above. There is no rare / endangered / unique species of flora and fauna found in the area. Elephant, Wild bear, Spotted deer are present in and around the forest land proposed for diversion. There is no protected archaeological / heritage site / defense establishment or any other important monument is located in the area. Requirement of forest land as proposed by the User Agency is unavoidable and barest minimum for the project and no work in violation of the Act or guidelines has been carried out.

- b) In the recommendation report and site inspection report, the District Forest Officer, Coimbatore Division has reported that, he has inspected the above proposed forest area diversion site on 29.12.2016 and found that, there is no tree growth of ecological importance neither valuable tree on the proposed area.

(p.t.o)

The canopy density is 0.20 to 0.30 with few Prosopis Juliflora bushes and Cylindropuntia ramosissima. The District Forest Officer has recommended the expansion of burial ground by diverting an area of 3.64 ha of forest land as required by the User Agency. This proposal may be considered in the interest of public for improving the facilities of the burial ground.

c) In the specific recommendation segment, the Conservator of Forests has recommended the proposal and stated that, there is no suitable non forest land is available in the vicinity of the proposed forest area for diversion.

5. Forest area diversion has been recommended for 20 years by the District Forest Officer and Conservator of Forests, 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 proposed Compensatory land of 7.29 ha of land in S.F. No. 958/4 of Tholampalayam village of Mettupalayam Taluk has to be mutated in favour of Forest Department and handed over to Forest Department.
- d) The User Agency has to bear the cost towards Compensatory Afforestation for 7.29 ha of land in S.F. No. 958/4 of Tholampalayam village of Mettupalayam Taluk in Coimbatore District and transfer the amount in the Tamil Nadu State CAMPA account.
- e) 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.
- f) The User-Agency has 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.
- g) 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.
- h) Period of lease can be **twenty (20) years**. The User Agency has to apply renewal proposal before six months of expiry of lease with the State Forest Department.

6. The Principal Chief Conservator of Forests has stated that there is no natural tree or any tree planted by the Department in the proposed diversion area. The area is only covered Prosopis Juliflora bushes and Cylindropuntia ramosissima and there is no need to cut any naturally grown tree or planted tree in the proposed area.

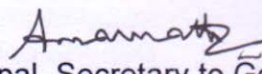
7. The proposal is received duly recommended by the Principal Chief Conservator of Forests (FCA) / Nodal Officer, Forest (Conservation) Act, 1980 in Part IV of the format.

8. The Principal Chief Conservator of Forests has, therefore recommended the proposal and has requested the Government to obtain the concurrence of the Government of India, Ministry of Environment, Forests and Climate Change for diversion of 3.64 ha of forest land in Madukkarai village of Coimbatore Forest Division for expansion of burial ground of Madukkarai village of Coimbatore Corporation in favour of Commissioner, City Municipal Corporation, Coimbatore, under Section 2 of Forest (Conservation) Act, 1980 for twenty years.(20 years).

9. The Principal Chief Conservator of Forests (HOD) has forwarded the proposal for diversion of 3.64 ha. of forest land in Madukkarai Village of Coimbatore Forest Division for expansion of burial ground of Madukkarai Village of Coimbatore Corporation in favour of Commissioner, City Municipal Corporation, Coimbatore under section 2 of F(C) Act, 1980 for 20 years for obtaining the concurrence of the Government of India, Ministry of Environment, Forests and Climate Change

10. I am directed to forward the proposal of the Principal Chief Conservator of Forests (HOD) for diversion of 3.64 ha. of forest land in Madukkarai Village of Coimbatore Forest Division for expansion of burial ground of Madukkarai Village of Coimbatore Corporation in favour of Commissioner, City Municipal Corporation, Coimbatore under section 2 of F(C) Act, 1980 for 20 years for obtaining the concurrence of the Government of India, Ministry of Environment, Forests and Climate Change and to communicate the same to this Government early.

Yours faithfully,


for Principal Secretary to Government

Copy to

The Principal Chief Conservator of Forests (HOD),
Chennai-15.

The Commissioner,
City Municipal Corporation,
Coimbatore.
SF/SC.

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)

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.



Signature

(A. SIVAPRASANTH)
Under Secretary to Govt
Name & Designation
(Official Seal)

Under Secretary to Government
Environment and Forests Department
Secretariat, Chennai-9.

Date : *14.7.17*

Place : *Chennai-9.*