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

Letter No.17923/ FR.10 / 2018-], Dated: 14.11.2018

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: Forest – Forest(Conservation)Act, 1980 – Salem Circle / Salem Division – Proposal for Diversion of 4.20ha of forest land for upgradation of the road from Kannamoochi Pirivu to Kemmampatti village in Palamalai Reserve Forests of Salem Forest Division in favour of Block Development Officer, Kolathur, Salem District – Regarding.

Ref: From the Principal Chief Conservator of Forests letter No.TS3/41275/2017, dated 11.09.2018.

I am directed to state that the Principal Chief Conservator of Forests (HoFF) has sent a proposal for Diversion of 4.20ha of forest land for upgradation of the road from Kannamoochi Pirivu to Kemmampatti village in Palamalai Reserve Forests of Salem Forest Division in favour of Block Development Officer, Kolathur, Salem District under Forest(Conservation)Act, 1980.

2. The District Collector, Salem has stated that double the forest area in S.F.No.72/1 of Kuruchi village in Valapady taluk is identified for the compensatory afforestation for the above said road project.

3. The District Forest Officer, Salem has stated that the site inspection of the land involved in the proposal has been done by him on 17.07.2018 and along with the Chief Conservator of Forests, Salem Circle on 19.07.2018. On inspection of the site, it is

found that the land required by the User Agency comes under Palamalai Reserved Forests measuring 4.20 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 road to reach the hill top where the village of Kemmampatti is located as an enclosure in Palamalai Reserved Forests. In this regard District Forest Officer has furnished the following particulars details:-

- i. The density of the forest area is 0.4 and Eco class three.
- ii. The proposed forest area is not vulnerable to soil erosion.
- iii. The forest area proposed for diversion does not form part of National Park, Wildlife Sanctuary, Biosphere Reserve, Tiger Reserve, Elephant corridor, Wildlife migration corridor etc., and not located within 1 km boundary of National Park/ Wildlife Sanctuary, 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. There is no specific wildlife found in that locality.
- 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 list of spontaneous grown trees available in the project area. There are 821 standing trees and branch trees of 119 are there. These trees has to be removed for upgradation of proposed road.
- viii. Proposed Compensatory Afforestation scheme at a cost of Rs.84.02 lakhs.
- ix. As against the diversion of 4.20 ha of forest land for upgradation road in Palamalai Reserve Forests of Mettur Taluk, compensatory afforestation scheme has been proposed for 8.40 ha in the identified non forest land in Kuruchi village of Valapady Taluk in Salem District.
- x. The site suitability certificate for the identified non forest land for compensatory afforestation which is suitable for plantation from management point of view and is free from all sorts of encumbrances and encroachment.

4. The Specific recommendation for acceptance of the proposal furnished by the District Forest Officer are as follows:-

- i. In order to have approach to the Kemmampatti tribal village from Kannamoochi Pirivil in Palamalai hills, an admitted right of way to a width of 6 feet (1.80m) to a length of 2 miles (3.20km) was admitted under Section 16 Notification of the Palamalai Reserve Forests under admitted right of way No.15 (Ramanpatty to Kannamuchi). Since the right of way is not possible to be improved as road as it does not have the desired gradient, a new alignment has been proposed by following the admissible gradient for road formation for easy movement of vehicles.

- ii. There are 940 numbers of spontaneously grown trees existing in the proposed diversion area, which are required to be felled before taking up the project.
- iii. By laying of this road, which will provide better communication facilities to the 11 tribal villages, which are at present un-connected, with a population of 1800 (as per census record of 2011). The people living in this hill area basically belong of Malayali community, which is classified as Scheduled Tribes. They are living for many centuries without basic amenities like road, health, education etc., By implementing this road project, they all will benefitted for primary education to their children, primary health for the tribal men, marketing facilities for their agricultural produces and employment opportunities in the plain areas which will ultimately improve the general life-style as well as total socio-economic status of the poor tribal communities in the Palamalai hills. Hence the project strongly recommended.

5. The Chief Conservator of Forests, Salem Circle has inspected the site on 6.8.2018 and considering the importance of road connectivity to the hill top tribal village, the Chief Conservator of Forests has recommended the proposal. The District Forest Officer, Salem Division and Chief Conservator of Forests have recommended the forest area diversion for a period of 25 years.

6. Based on the recommendation of District Forest Officer and Chief Conservator of Forests, Salem Circle, the Principal Chief Conservator of Forests has recommended and requested to forwarded the proposal for diversion of 4.20 ha of forest land for upgradation of the road from Kannamoochi Pirivu to Kemmampatti in Palamalai Reserve Forests of Salem Forest Division in favour of Block Development Officer, Kolathur Union, Mettur Taluk of Salem District under Section 2 of Forest (Conservation) Act, 1980 to Government of India, Ministry of Environment, Forests and Climate Change, Chennai 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.72/1 of Kuruchi village in Salem 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 940 Spontaneous grown trees (Standing trees – 821 Nos and Branch trees – 119 Nos.) to be felled in the road alignment area.
- 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.

7. The Government have examined the proposal of the Principal Chief Conservator of Forests (HoFF) for Diversion of 4.20ha of forest land for upgradation of the road from Kannamoochi Pirivu to Kemmampatti village in Palamalai Reserve Forests of Salem Forest Division in favour of Block Development Officer, Kolathur, Salem District under Forest(Conservation) Act, 1980 and decided to forwarded the same to Ministry of Environment, Forests and Climate Change.

8. I am therefore directed to request you to kindly obtain the concurrence of the Government of India, Ministry of Environment, Forests and Climate Change, and communicated the same to the Government early.

Yours faithfully,

S. Mohamed Yusoff 16/11/2018.
for Principal Secretary to Government

SD
16/11/18

Copy to:-

1. The Principal Chief Conservator of Forests (Head of Department), Chennai-15.
2. The Block Development Officer, Kolathur, Salem District, Pin-636 303.

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

Date : *16/11/18*

Place : *Chennai*

Gov. Secy. Forest
Chennai
Signature *16/11/18*

Name & Designation
(Official Seal)

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

By
16/11/18