



- P.A. TS4

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2015

### ABSTRACT

Forests - Forest (Conservation) Act, 1980 - Diversion of 0.26 ha of forest land for twenty years (20 years) for widening of Mulaiyur-Alanganallur road in Perumalai Reserved Forests of Dindigul District / Division/Circle in favour of Divisional Engineer, Construction and Maintenance(Highways), Madurai on behalf of Highways Department - Orders -Issued.

### Environment Forests(FR.10)Department

G.O.(Ms) No.114

Dated : 21.09.2017

ஹேவிளம்பி, புரட்டாசி -5,

திருவள்ளூர் ஆண்டு-2048

Read :

From the Principal Chief Conservator of Forests (HOD)  
No.TS4/11466/2015, dated 18.07.2017.

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### ORDER :

The Principal Chief Conservator of Forests in his letter read above has furnished the proposals to Government and has stated that the User Agency (i.e.,) the Divisional Engineer, Construction and Maintenance (Highways), Madurai has sent the proposal online on behalf of Highways Department, Government of Tamil Nadu for the Diversion of 0.26 ha of forest land for widening of Mulaiyur - Alanganallur road in Perumalai Reserved Forests of Dindigul District, Dindigul Division, Dindigul Circle and the User Agency has requested for diversion of forest area for a period of 99 years. The User Agency has stated that this road lies in the Madurai (Highways) Division, Vadipatti sub Division and classified as Other District Roads. This road starts at km 0/0 of Mulaiyur-Alanganallur road and ends at km 8/0 of Solavandan - Valayapatti (Via) Andipatti road and the total length of road to be widened i.e. 4.0 km. At present this road is having a carriage way of 3.75 m. The present riding surface is having a wearing surface. The CBR of the sub grade soil is ranging from 4 to 9. Traffic Volume as per 2011, Traffic census is 642 cv/per day. Most of the Stretch of the road runs through agricultural land and it is over loaded with vehicles carrying commodities and this road issued for transportation. So it is necessary to widen the road to meet the present traffic requirements. Widening of this road will reduce the vehicle operating costs by the way of savings in fuel consumptions and wear and tear to the tyres and machine parts. It will also reduce accidents and it will be a safety measure for road users.

2. The Principal Chief Conservator of Forests has further stated that, the user agency has stated that most of the road runs through the Agricultural land and the following Villages are benefitted by this road 1. Palamedu, 2. Theththoor, 3. Valayapatti, 4. Alanganallur, 5. Chatravellalapatti.

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**Area requirement details are as follows :-**

Perumalai Reserved Forests –  $1500 \times 2.00 = 3000$  sqm or 0.30.0 ha. (The road proposed for widening passes through Reserved Forests over a length of 1500 m (4 – 5.5km) stretch).

The User Agency has furnished necessary certificates in this regard.

3. The Principal Chief Conservator of Forests has further stated that the District Forest Officer, Dindigul has furnished the site inspection report and the recommendation of the District Forest Officer are detailed below :-

- i. The District Forest Officer inspected the site on 28.04.2016 and 30.06.2016.
- ii. This project is widening of Mulaiyur-Alanganallur road in Perumalai Reserved Forests.
- iii. The project involved widening from single lane to intermediate lane of Mulaiyur to Alanganallur road at km 4/0 – 8/0 strengthening at km 4/0 – 5/0 reconstruction of culvert 1 no. and construction of retaining wall in Perumalai Reserved Forests.
- iv. The total length proposed by the User Agency is 1500m and 2.00m width. But the actual length required in the field has been worked out to 1472 m and 1.75 m width. Therefore, the actual area needed for diversion is 0.26 ha only.
- v. The proposed area is having plain topography.
- vi. The density of the vegetation of the proposed site is  $< 0.40\%$ .
- vii. This road widening project in Perumalai Reserved Forests has minimum effects on environment and beneficial to the public.

**Recommendation**

- i. Widening this road will be helpful to the people of nearby villages (Gopalpatty, Natham, Mulaiyur, Palamedu and Alanganallur) for transportation by considering increase of population and number of vehicles.
- ii. Road widening will not involve any loss of vegetation.
- iii. The proposed area for diversion does not have any archeological and heritage related monuments.
- iv. There is no Tribal Right affected in this project.
- v. There is no change in the alignment of the existing road. Hence new forest area is not needed.
- vi. Flagship species like tiger and elephant are not present in this Reserved Forests. Hence there is no threat to major wildlife species.

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This road widening project in Perumalai Reserved Forests has minimum effects on environment and more beneficial to the public. Hence the project is recommended by the District Forest Officer.

4. The Principal Chief Conservator of Forests has further stated that the Conservator of Forests, Dindigul has reported that the proposed site has been inspected on 30.08.2016 along with the District Forest Officer, Dindigul and Assistant Engineer (H) Construction and Maintenance, Vadipatty and the Conservator of Forests has agreed with the remarks of the District Forest Officer and recommended the proposal for diversion of 0.26 ha of forest land in Perumalai Reserved Forests for the Mulaiyur road widening project. Further he has reported that in his site inspection report that the road starts from the end of Mulaiyur village and to a distance of 1472m inside the Reserved Forests to cross the Reserved Forests area. The Highways Department has proposed for 2m width for widening the road. During the inspection, it was noticed that there are some trees located in the width of 2m and in some locations there are some rocky outcrops found in proposed width.

Further, the District Forest Officer, Dindigul has proposed to restrict the additional width of 1.75m to avoid tree felling in the Reserved Forests area. It was verified in the field and found that the recommendations of the District Forest Officer is justified. The issue was then clarified to the accompanied representatives from Highways Department and it was agreed by them also. Hence it is suggested that as recommended by the District Forest Officer / Conservator of Forests widening of the road for the project may be recommended for a width of 1.75m to a length of 1472 m in Perumalai Reserved Forests of Dindigul Division. The total area to be diverted for road widening is 0.26 ha.

5. The proposal duly recommended in the part IV format by the Principal Chief Conservator of Forests (FCA) / Nodal Officer (Forest Conservation Act) and noted that the restricted areas mentioned by the Conservator of Forests to avoid felling of trees.

6. The Principal Chief Conservator of Forests has therefore recommended the proposal and requested the Government to accord necessary permission to divert the 0.26 ha of forest land for widening of Mulaiyur – Alanganallur road in Perumalai Reserved Forests of Dindigul District, Dindigul Division, Dindigul Circle for a period of 20 years in favour of the Divisional Engineer, Construction and Maintenance(Highways), Madurai on behalf of Highways Department, Government of Tamil Nadu subject to the following conditions and parameters laid under Forest (Conservation) Act, 1980 in Government of India, Ministry of Environment and Forests, ND.No.11-9/98-FC, dated 13.02.2014, in which the Central Government has delegated power to State Government to accord permission for general approval under the Forest (conservation) Act, 1980 for diversion of not more than one hectare of forest land for creation of public utility, critical development and security related infrastructure projects of 11 categories by Government Departments :-

- i. The legal status of the land shall remain unchanged and shall remain as Reserved Forests.

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- ii. Felling of trees of spontaneous origin and of any other tree also shall not be carried out. User Agency shall furnish an undertaking to this effect.
- iii. The demarcation of the proposed forest area shall be carried out by erecting 4 feet height cement concrete pillars duly numbered at an interval of 20 mts at the cost of User Agency.
- iv. The User Agency shall pay the Net Present Value of the diverted forest area at the rates stipulated by the Ministry of Environment and Forests from time to time, as per the orders of the Hon'ble Supreme Court order dated 28.03.2008 and 09.05.2008 in IA Nos. 826 in 566 with related Interlocutory Applications in Writ Petition (Civil) No.202/1995.
- v. The Additional amount of the Net Present Value (NPV) of the diverted forest land if any, becoming due after revision of the same by the Hon'ble Supreme Court of India in future shall be charged by the State Government from the User Agency. The User Agency shall furnish an undertaking to the effect.
- vi. The fund from the User Agency forwards Compensatory Afforestation and NPV under this project shall be deposited either in SB A/C No.1025227-CAF, TamilNadu, Corporation Bank, CGO Complex, Lodhi Road, New Delhi - 110 003 (RTGS/IFSC No. CORP 0000371) in SB Account No. 344902010105433 – Tamilnadu CAMPA, Union Bank of India, Sundar Nagar, New Delhi – 110 003 (RTGS/IFSC No. UBI No.534498) The details of deposition of funds including inter-alia the DD Nos. and date, amount, the Bank on which drawn and the date of deposition in the designated Bank shall also be furnished. The User Agency shall generate chalan from the Ministry's Online web portal to deposit the amount towards Compensatory levies.
- vii. The User Agency shall be responsible for any loss to Flora and Fauna in the surroundings and shall take all possible measures to conserve the same.
- viii. The forest land shall not be used for any other purpose other than that specified in the proposal.
- ix. The lease rent should be realized from the User Agency as per G.O.Ms.No.272, E&F(FR.XIII) Dept. dated 15.04.1991.
- x. The District Forest Officer may impose any other conditions in the interest of conservation / protection land development of forests.

In addition to the above the following two other conditions are included :-

(i) "In the event of failure to comply with any of the prescribed conditions, the user agency is liable to pay penalty as decided by the Additional Principal Chief Conservator of Forests (Central), Regional Office, Chennai".

(ii) "For violation of any condition by the user agency, the State Government shall be at liberty to terminate the lease and decision of State Government shall be final in this regard".

7. The Government after careful examination of the proposal of the Principal Chief Conservator of Forests (HOD) in detail accord approval for diversion of 0.26 ha. of forest land for twenty years (20 yrs) for widening from single lane to intermediate lane of Muliayur – Alanganallur road (Part – I) km 4/0 to 8/0 in Perumalai Reserved Forests to Dindigul division / circle in favour of the user agency (ie.)the Divisional Engineer, Construction and Maintenance (Highways), Madurai on behalf of Highways Department Government of Tamil Nadu, under Forest(Conservation) Act, 1980, subject to the conditions stipulated at para-6 above.

8. The Principal Chief Conservator of Forests is requested to make necessary arrangements for diversion of the above mentioned land for the said purpose. He is also requested to pursue further action and a report to be furnished to Government in due course.

(BY ORDER OF THE GOVERNOR)

Md. NASIMUDDIN  
PRINCIPAL SECRETARY TO GOVERNMENT

To  
The Principal Chief Conservator of Forests(HOD), Chennai-15.  
The Divisional Engineer,  
Construction and Maintenance (Highways),  
Madurai.

**Copy to**

The District Forest Officer, Dindigul Divison,  
The Conservator of Forests, Dindigul Circle, Dindigul.  
SF/SC.

// Forwarded By Order //

P. Sankar  
SECTION OFFICER