

TAMILNADU FOREST DEPARTMENT

From
Thiru.S.Yuvaraj, I.F.S.,
Principal Chief Conservator of Forests
(Head of Department)
Panagal Maaligai, Saidapet,
Chennai - 600 015.

To
The Additional Chief Secretary to
Government,
Environment and Forests Department,
Secretariat,
Chennai 9.

C.No.TS4/39100/2019 Dated: 18.02.2021

- Sub: Forests - Forest (Conservation) Act, 1980 – Madurai Circle / Theni Division - Proposal for diversion of 2.79 ha (now revised as 2.839 Ha) of forest land for the improvement work of Theni Bye-pass road connecting Dindigul-Theni road and Madurai-Cochin road across Valkaradu Reserved Forest – Online proposal submission by the User Agency ie. The Divisional Engineer, Highways Construction and Maintenance Theni - Regarding.
- Ref: 1. Online application uploaded by the User Agency The Divisional Engineer, Highways Construction and Maintenance, Theni dated: 07.08.2019 (FP/TN/Road/41255/2019)
2. Principal Chief Conservator of Forest's Ref.No: TS4/39100/2019 dated 20.03.2020.
3. Government letter No:6353/FR10/2020-1 dated 28.05.2020.
4. Deputy Engineer, Highways C.No:25/2020/JDO dated 02.07.2020.
5. District Forest Officer, Theni C.No:7304/2013/D dated 06.07.2020.
6. Principal Chief Conservator of Forests & Additional Principal Chief Conservator of Forests (FAC)Madurai Letter No:9688/2019/D1 dated 09.07.2020.
7. Principal Chief Conservator of Forest's Ref.No: TS4/39100/2019 dated 03.08.2020
8. Government of India, Ministry of Environment and Forests, Chennai-34 F.No:4-TNB 068/2020-CHN/248 dated 20.12.2020.
9. Govt.Lr.No:6353/FR-10/2020-3 dated 31.12.2020.
10. District Forest Officer, Theni C.No:7304/2013/D dated 29.12.2020.
11. Additional Principal Chief Conservator of Forests, Madurai Letter No:9688/2019/D1 dated 18.01.2021.

I wish to state that the replies to the queries raised by the Government of India in the in the reference 8th cited are as follows.

- a. **Clarification on acquiring the non forest area prior consideration of the proposal and approval from competent authority and also further clarification required for considering forest clearance for 3rd reach alone when UA applied for 4.295 ha in 3 stretches.**

The User Agency has proposed to seek clearance under Forest Conservation Act to improve the existing road in 2013 and has applied for Forest Conservation Act clearance for diversion of 4.295 ha of Forest land in Valkaradu Reserve Forest as below.

S.No	Survey No. Involved in the Alignment	Classifications	Length of Road	
			Patta / Karadu Poraboke	Forest
1	108, 109, 110, 111, 135, 136, 137, 138, 139, 142, 143, 258, 1367, 256, 1378, 1377, 1376, 189 & 190	Patta Land	1505 m	-
2	1237	Karadu Poramboke	1005 m	-
3	Valkaradu RF	Reserved Forest	-	1 st reach 278m
				2 nd reach 950m
				3 rd reach 662m
Sub Total			2510m	1890m
Total				4400m

From the above, forest land required is $1890m \times (22+23.44)/2 = 42950 m^2$ (i.e) 4.295 Ha. The User Agency has handed over 8.59 ha of non forest land in Sy.No:1511 of Veerapandi village, Theni Taluk of Theni District to forest department as a compensatory land for the proposed diversion and is notified under Section 4 of Tamil Nadu Forest Act 1882 and the notification under section 16 of Tamil Nadu Forest Act 1882 is under process. The proposal was not pursued further. A separate proposal was initiated by the User Agency for diversion of 0.7944 ha land (IIIrd reach 662m length and 12m width) stating that this portion of the road formed prior to Forest (Conservation) Act, 1980 and permission was accorded vide Principal Chief Conservator of forests C.No. TS1/34967/2013 dated 27.08.2013.

b. The State Government has to provide details of clearance i.e. copies of the Stage I & II approval for 0.7944 ha if any.

A fresh proposal for improvement and re-gradation of road IIIrd reach from Theni Bus Stand to Madurai – Cochin road for a length of 662 mts. and a width of 12 mts ie. 0.7944 ha was received from Highways Department stating that this portion of the road formed prior to Forest (Conservation) Act, 1980 and being utilised for public purpose and

hence permission accorded vide Principal Chief Conservator of Forests, Chennai ref. No. TS1/34967/2013 dated 27.08.2013. (Copy enclosed) for improvement of existing road.

c. Legal status of the existing road needs to be provided and whether existing road (width of 7 mtr) also included in the present proposal needs to be explained;

In the notification of Reserved Forests, no mention about the road. However it has been reported that the existing road was present even before the year 1980.

The present proposal is including the existing road of 7 mts. width.

d) As per the Site Inspection Report of Additional Principal Chief Conservator of Forests, Madurai Circle, considering the wild animal movements in the road appropriate mitigation plan needs to be submitted.

The User Agency has reported that there are no possibilities to make a provision for underpass or overpass for free movement of the wildlife. Alternatively they are proposing to control the speed limit of road traffic by providing caution boards and reflection board to safeguard the wildlife.

Copy of the letters received from the User Agency, District Forest Officer, Theni and the Additional Principal Chief Conservator of Forests, Madurai are enclosed.

I request that the orders of Government of India may be obtained and communicated early.

Encl.: as above

Yours faithfully,
Sd/- S. Yuvaraj
for Principal Chief Conservator of Forests
(Head of Department)

Copy to

1. The Additional Principal Conservator of Forests, Madurai Circle, Madurai.
2. The District Forest Officer, Theni Division, Theni.
3. The Divisional Engineer, Highways Construction and Maintenance, Theni.

/True copy/By order/

P. Anand
Senior Draughting Officer
25/2/2014