

**TAMILNADU FOREST DEPARTMENT**

From

Selvi. K. Karthikeyani, IFS.,  
Wildlife Warden,  
Hosur Forest Division,  
Mathigiri, Hosur – 635 110.

To

The Conservator of Forests,  
Dharmapuri Circle,  
Dharmapuri – 5.

**C.No. 1456/2019/D1, Dated: 04.06.2022**

(ஸ்ரீ சுபகிருது வருடம், வைகாசி மாதம் , திருவள்ளூர் ஆண்டு 2053)

Sir,

Sub : Forests – Forest (Conservation) Act 1980 – Hosur Forest Division – Proposal for diversion of 1.1517 ha of forest land for four laning of Neralur (Karnataka) – Kothakondapalli (Tamil Nadu) – Rayakottai to Dharmapuri Section from km 0.0000 to km 94/460 of NH 844 on hybrid annuity mode under Bharatmala Pariyojana Phase I in the State of Tamil Nadu – Online submission of Proposal – Further details submission - Regarding.

- Ref :
1. Online application uploaded by the User Agency - Project Implementing Unit – Krishnagiri, National Highways Authority of India, Krishnagiri – Proposal No. FP/TN/Road/38116/2019.
  2. The Assistant Inspector General of Forests (Central), Government of India, Ministry of Environment, Forests & Climate Change, Chennai File No. 4-TNB082/2022-CHN/225 dated. 24.02.2022.
  3. The Principal Chief Conservator of Forests (Head of Department), Chennai Ref. No. TS3/14741/2021 dated. 12.10.2021 and 11.03.2022.
  4. The Conservator of Forests, Dharmapuri C.No. 1577/2019/D dated.18.03.2022.
  5. The Wildlife Warden, Hosur C.No. 1456/2019/D1, dated.21.03.2022.
  6. The Project Director, Project Implementing Unit – Krishnagiri, National Highways Authority of India, #259/1, Salem Main Road, Near KAKC Petrol Bunk, Krishnagiri Lr. No. NHAI/11022/06/PIU-K'giri/2022/704 dated.23.03.2022.
  7. The Project Director, Project Implementing Unit – Krishnagiri, National Highways Authority of India, #259/1, Salem Main Road, Near KAKC Petrol Bunk, Krishnagiri Lr. No. NHAI/11022/06/2021/PKG-K'giri/1352 dated.01.06.2022.

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I submit to state that, with reference to the above letter 2<sup>nd</sup> cited, the Assistant Inspector General of Forests (Central), Government of India, Ministry of Environment, Forests & Climate Change, Chennai has sought some clarifications regarding the proposal uploaded by Project Director, Project Implementing Unit – Krishnagiri, NHAI for diversion of 1.1517 ha of

forest land under *Section 2 of Forest (Conservation) Act, 1980* in Sanamavu Reserved Forest of Hosur Range, Hosur Forest Division for “four laning of Neralur (Karnataka) – Kothakondapalli (Tamil Nadu) – Rayakottai – Dharmapuri Section from km 0/000 to km 94/460 of NH 844 on hybrid annuity mode under Bharatmala Pariyojana Phase I in the State of Tamil Nadu”. In this regard, I submit my reply as follows;

Query No.	Query	Reply
a	<p>The State Government reported that, the Sanamavu RF was declared in the St. George Gazette Notification dated. February 3<sup>rd</sup> 1903. In the notification Right of Way No. N (2), the public road from Hosur to Rayakotta to a width of twenty-two yards on each side from the centre of the direction was excluded from reservation and allowed through the block”. The existing State Highway is passing through the admitted Right of Way in Sanamavu RF to a length of 1000 m and width of 7 m and reported that the User Agency submitted instant proposal excluding the 40.2336 m of RoW.</p> <p>In view of the above and with reference to the Ministry’s Guideline No. FC-11/50/2020-FC dated. 26.10.2021 (Copy enclosed), it is requested to inform the correct legal status of the area claimed to be RoW i.e. 1000 m length and</p>	<p><b>REPLY OF USER AGNECY:</b> Regarding providing of copy of A-Register &amp; FMB sketches in respect of Sy.no's from 50 to 58 &amp; 61,63,67,68,69,74,77 &amp; 78 in (Sanamavu Forest portion) Sanamavu Village. The details were requested by this office with Tahsildar, Shoolagiri who in turn has provided copy of FMB &amp; LA register, wherein it is mentioned that the above numbers are clubbed with Reserved Forest. As such, the exact land details are not available with Revenue Department since it has been declared as reserved forest during 1903 itself vide Gazette no. 70,d1.15.05.1903.</p> <p>2. As per the above, Gazette, the existing, Row is 40.2336 m (44 Yards) and its ownership is with State Highways as per clarification and by MOEF 2CC Vide Ir.no. fc-11/30/2020-FC, dt. 26.10.2021. It is further to state that in the Gazette no. 70, Dated. 15.05.1903 under Point B, it has been mentioned that "the undermentioned Public roads are excluded from reservation and allowed though block”. Further, under sub heading (2) of the above Point B, it has been mentioned that "Road from Hosur to Royakota to a width of twenty-two yards on each side from the center of the road”. As such, it is evident on record that the road was in existence even before the declaration as Forest and the existing RoW in the above location was 22 Yards on either side (44 yards=40.2336 m). No other records</p>

<p>40.2336 m width and may also clarify whether the said area was de-reserved or otherwise and may clarify whether the land referred as RoW is a deemed forest as per the order dated.12.12.1996 of the Hon'ble Supreme Court in the WP(Civil) No. 202/1995 in the matter of T.N.Godavarman Thirumalpad vs Union of India.</p>	<p>showing the available RoW is available other than Gazette no.70 dt.15.05.1903.</p> <p>3. It is further to state that the Sanamavu Forest has been notified as Forest No 200. As per the drawing (Scale 1"=1 mile) of your good office, it is observed that the approximate width of the road is about 40 to 50 m as per the scale. It is also to state that the admitted RoW in respect of Sanamavu Forest in Hosur Krishnagiri section was 44 Yards as per the Gazette no. 70, Dated.15.05.1903 under Sub Heading (1) in Point B. (The copy submitted by the User Agency is herewith enclosed).</p> <p><b><u>COMMENTS OF WILDLIFE WARDEN, HOSUR:</u></b></p> <p><b>EXCLUDED FROM NOTIFICATION:</b> It is submitted that, in the Sanamavu RF notification Remarks B (2), "the public road from Hosur to Rayakotta to a width of twenty-two yards on each side from the centre of the direction was excluded from reservation and allowed through the block". The existing State Highway is passing through the admitted Right of Way in Sanamavu RF to a length of 1000 m and width of 7 m.</p> <p>Regarding the clarifications raised by the Government, the proposed road was inspected by the Wildlife Warden, Hosur Forest Division along with the Forest Range Officer and the staff of Hosur Range on 09.05.2022. During my inspection, it is observed that,</p> <ol style="list-style-type: none"> <li>1. The total requirement length of the project is 1000 m and width is 50 m to an extent of <b>5.00 ha</b>.</li> <li>2. The area of road excluded in the notification is 1000 m length and 40.2336 m width to an extent of <b>4.02336 ha</b>, in which the NHAI Authority has proposed the area for the project is <b>3.8483 ha</b>.</li> </ol>
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	<p>3. Area proposed in the online under FC Act for the alignment of the road in 5 stretches is <b>1.1517 ha</b> is in-addition to the excluded portion of 44 yards width.</p> <p>4. Length of the existing State Highway passing through the block is 1000 m and width is 7.00 m to an extent of area is <b>0.700 ha</b>.</p> <p>5. Among the total requirement of 5.00 ha area for the project, the proposed area under FC Act is 1.1517 ha and existing SH road is 0.700 ha, (i.e. 1.8517 ha), the <b>balance area of 3.1483 ha</b>, which lies adjacent parallel to the existing SH road and also lies in between existing SH and proposed area under FCA is already excluded in the RF notification.</p> <p>As per the notification of Sanamavu RF Remarks B (2), the public road from Hosur to Rayakotta to a width of twenty-two yards on each side from the centre of the direction was excluded from reservation and allowed through the block.</p> <p>The notification states that legal status of the road and adjacent parallel area is "excluded from reservation".</p> <p><b>DEEMED FOREST:</b> Also, it is clarified that, as per the order, dated.12.12.1996 of the Hon'ble Supreme Court in the WP(Civil) No. 202/1995 in the matter of T.N.Godavarman Thirumalpad vs Union of India, it is observed that the area has extensive growth of spontaneous trees and undergrowth which comes under the definition of forest and consequently attracts the stipulations contained in Section 2 (ii) of the Forest Conservation Act, 1980.</p> <p>Hence, the balance required area for the project <b>3.1483 ha</b> (please verify above mentioned details about area description) <b>may be considered as "Deemed Forest"</b>.</p>
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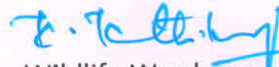
b	<p>Upon examination of the Wildlife Mitigation Measures Plan submitted with financial outlay of Rs. 625 lakhs, it reveals that the said plan yet to be approved the Principal Chief Conservator of Forests and Chief Wildlife Warden. Hence, the proposed wildlife mitigation plan needs to be verified and approved by the Chief Wildlife Warden and comments of the Chief Wildlife Warden on impact of the road on wildlife may be furnished.</p>	<p>The Wildlife Mitigation Measures Plan for an amount of Rs. 625 Lakhs has been submitted to the Principal Chief Conservator of Forests and Chief Wildlife Warden, Chennai for approval vide this office C. No. 1456/2019/D1, dated. 21.03.2022, 21.04.2022 and 18.05.2022. Awaiting for approval.</p>
c	<p>As reported, the DFO proposed Compensatory Afforestation in degraded forest area of Sanamavu RF has been proposed in double the extent of forest area of 2.3034 ha at an estimated cost of Rs. 1,15,15,991 with maintenance of plantation over a period of 10 years and construction of one water harvesting structure (6 lakhs) upon examination of CA scheme and its financial outlay, it is opined that financial outlay of CA over 2.3034 ha @ 50 / ha is appears to be exorbitant. It is multifold higher in compare with CA scheme proposed recently from the Thoothukudi, Madurai, Dindigul, Chennai Forest Division. Hence, Nodal</p>	<p><b>The earlier proposed CA cost is revised now and uploaded in the online portal. Instead of earlier proposed cost of Rs. 1,15,15,991 for nursery, planting and maintenance, revised cost of Rs.73,99,112 is uploaded.</b></p> <p><b>JUSTIFICATION FOR PROPOSAL:</b></p> <p>The area proposed for CA in Sanamavu RF for an area of 2.3034 ha is highly degraded. Planting Taller seedlings is suitable for the proposed area.</p> <p>The proposed area has herbivores like, Spotted deer, Indian hares, Wild boar, Indian Guar etc., and surrounded by villages. While raising CA plantation, it is proposed Hanging Solar Fence for a length of 1 km covering the plantation area at a cost of Rs. 7.00 Lakhs for protection from grazing and other wildlife damages.</p> <p>When the water resources get dried up in summer as a natural process, presence of water outside the forest, draw the wildlife to quench their</p>

	<p>Officer (FCA) may reexamine the CA Scheme and proposed activities therein and submit revised CA Scheme accordingly with justification in full shape.</p>	<p>thirst besides the palatable crops in the agricultural field by crossing NH / SH and other roads. To retain the wild animal inside the forests, and to overcome the shortage, water harvesting structure has to be constructed inside Reserve forest areas.</p> <p>Apart from the above items, the rates provided for the other components in the CA proposal are as per the approved FSR / FSL / NHAI ME for the year 2021-22 and also rates of MTP ME 2019-20 by the Department. The rates for wages provided in the CA Proposal are based on the Collector Wages approved for Krishnagiri District.</p> <p>Further it is state that, for the maintenance of works provided in the CA Proposal, required 10% escalation for every year.</p> <p>Since, the essential item of works such as construction of water harvesting structure, erection of Hanging Solar Fence is provided and also due to 10% escalation of the rates for every year, the financial outlay for the proposal appears to be exorbitant.</p> <p>Hence, I request that, this proposal may kindly be approved for carrying out the works.</p>
<p>d</p>	<p>In addition to the regular CA, double degraded forest land by sighting "as per the directions of the Hon'ble Supreme Court of India, the DFO proposed and state Government forwarded CA Scheme for plantation of 10 times, the trees to be felled under the project at 9.10 ha of degraded forest area in Sanamavu RF and submitted CA Scheme with financial outlay of</p>	<p>It is rectified that the order is as per <b>Hon'ble High Court of Madras</b>, as per the directions of the Hon'ble High Court of Madras in W.P No. 7811/2010, and M.P No. 1/2010 dated.25.06.2010, the Government of Tamil Nadu has issued the G.O. Ms. No. 704 Public (Misc) Department dated.03.08.2010, directing the Government Departments to plant saplings at the rate of 10 saplings for each tree fallen / cut down.</p> <p>The purpose of creation of water harvesting structure is to harvest all the water received in the</p>

	<p>Rs. 4,20,49,352/- which includes maintenance of plantation over a period of 10 years and construction of 2 water harvesting structure (12 lakhs) in the plantation area. In view of the above may clarify the provisions under which the additional plantation in addition to the regular CA has been proposed and may also clarify whether specific directions of the Hon'ble Supreme Court of India given for planting 10 times the tree to be felled under the project if any.</p>	<p>form of rainfall since the average rainfall in this area is very less so that, the vegetation is improved there will be better fodder for wildlife. To retain the wild animal inside the forests, and for providing drinking water facilities to the wildlife, water harvesting structure has to be constructed inside Reserve Forest areas.</p> <p>The proposed area has herbivores like, Spotted deer, Indian hares, Wild boar, Indian Guar etc., and surrounded by villages. Grazing is a serious threat to the forest plantation. While raising CA plantation, it is proposed Hanging Solar Fence for a length of 1.5 km covering the plantation area at a cost of Rs. 10.50 Lakhs for protection from grazing and other wildlife damages.</p> <p><b>The earlier proposed 1:10 ratio cost is revised now and uploaded in the online portal. Instead of earlier proposed cost of Rs.4,20,49,352/- for nursery, planting and maintenance, revised cost of Rs.2,01,27,285/- is uploaded.</b></p> <p>Hence, I request that, this proposal may kindly be approved for carrying out the works.</p>
e	<p>Considering the presence of / movement of wildlife like Elephant and considering the recommendation of Wildlife Warden regarding restriction of vehicle to 30 km / hr in the forest area, the User Agency may re-examine the width of the road proposed and may propose lesser width of the road in the Forest Stretch with barest minimum and submit cross section of road clearly</p>	<p>It is submitted that, the User Agency has given reply stated that, "the Sanamavu forest portion is from Km.26+900 to Km.27+900 considering the forest area, Right of Way in the above locations restricted to 50 meter against the other locations of the project highway for 60 meter. Further it has been proposed to provide elevated highway for 240 meters from Km.27+500 to enable the crossing of elephants. It has been proposed to provide 2 structures of 18 meter each with spacing of 3 meters between them. Hence, the required width of 50 meter is minimum. Necessary speed limit boards for speed restrictions and no honking</p>

indicating components like Carriage way, shoulders, slopes stabilization, drainage etc.	and informatory boards will be provided to guide the road users to reduce the speed in forest area".  The above reply was furnished by the User Agency and the same was uploaded in the online web portal Form - A of Part - I.
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Yours faithfully,

  
Wildlife Warden  
Hosur Forest Division



# भारतीय राष्ट्रीय राजमार्ग प्राधिकरण

(सड़क परिवहन और राजमार्ग मंत्रालय, भारत सरकार)

## National Highways Authority of India

(Ministry of Road Transport and Highways, Government of India)

परियोजना कार्यान्वयन इकाई : कृष्णागिरी

Project Implementation Unit : Krishnagiri

# 259/1, सेलम मेन रोड, केएकेसी पेट्रोल बंक के पास, कृष्णागिरी ( तमिलनाडु ) - 635 001.

# 259/1, Salem Main Road, Near KAKC Petrol Bunk, Krishnagiri ( Tamil Nadu ) - 635 001.

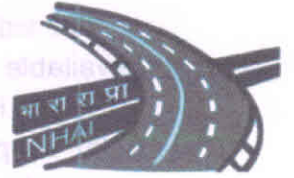
टेलीफोन / Tel: 04343 234250

फैक्स / Fax : 04343 236208

ईमेल / Email : nhaikrishnagiri@gmail.com,

kri@nhai.org

वेब : www.nhai.gov.in



NHAI/11022/06/2021/PKG-II/PIU-Kgiri/1352

01<sup>st</sup> June 2022

To

Selvi. K.Karthikeyani, IFS.,  
District Forest Officer & Wildlife Warden,  
Hosur Forest Division,  
Mathigiri, Hosur-635110.

**Sub:** NHAI, PIU-Krishnagiri- Four laning of Thorapalli Agraharam – Jittandahalli section of NH-844 from Km.23+350 to Km.60+100 (Design Chainage) under BharatmalaPariyojana Phase-I (National Corridor) on Hybrid Annuity Mode – (Package-II of NH-844) – Online submission of proposal in **Sanamavu Forest- A-Register & FMB connecting document records request - Reg.**

**Ref:** 1. DFO, Hosur Lr.no C.No.1456/2019/D1, dt.25.03.2022.  
2. DFO, Hosur Lr.no C.No.1456/2019/D1, dt.16.05.2022.  
3. Thasildar, Shoolagiri Lr.no MM.1848/2022/A1, dt.23.05.2022

Sir,

This has reference to the letters received from your good office vide ref 1<sup>st</sup> & 2<sup>nd</sup> cited regarding providing of copy of A-Register & FMB sketches in respect of Sy.no's from 50 to 58 & 61,63,67,68,69,74,77 & 78 in (Sanamavu Forest portion) Sanamavu Village. The details were requested by this office with Tahsildar, Shoolagiri who in turn has provided copy of FMB & LA register vide ref 3<sup>rd</sup> cited, wherein it is mentioned that the above numbers are clubbed with Reserved Forest. As such, the exact land details are not available with Revenue Department since it has been declared as reserved forest during 1903 itself vide Gazette no. 70, dt.15.05.1903.

2. As per the above, Gazette, the existing, Row is 40.2336 m (44 Yards) and its ownership is with State Highways as per clarification and by MOEF 2CC Vide Lr.no. fc-11/30/2020-FC, dt. 26.10. 2021. It is further to state that in the Gazette no. 70, Dated.15.05.1903 under Point B, it has been mentioned that "the undermentioned Public roads are excluded from reservation and allowed though block". Further, under sub heading (2) of the above Point B, it has been mentioned that "Road from Hosur to Royakota to a width of twenty-two yards on each side from the center of the road". As such, it is evident on record that the road was in existence even before the declaration as Forest and the existing RoW in the above location was 22 Yards on

D/UJJWAL/NHAI/NH-844/(Package-II of NH 844)/Letters/Utilities/Forest/Draft Lrto Wildlife Warden, Hosur for Compliance report of Sanamavu Forest on 01.06.2022.docx

*(Handwritten signature)*

कॉर्पोरेट कार्यालय: जी-5 और 6, सेक्टर - 10, द्वारका, नई दिल्ली - 110 075. फोन: 011 - 25074100 वेबसाइट: www.nhai.gov.in

Corp. Office : G-5 & 6, Sector - 10, Dwarka, New Delhi - 110 075. Ph : 011 - 25074100 website : www.nhai.gov.in

either side (44 yards=40.2336 m). No other records showing the available RoW is available other than Gazattee no.70 dt.15.05.1903.

3. It is further to state that the Sanamavu Forest has been notified as Forest No 200. As per the drawing (Scale 1"=1 mile) of your good office, it is observed that the approximate width of the road is about 40 to 50 m as per the scale. It is also to state that the admitted RoW in respect of Sanamavu Forest in Hosur Krishnagiri section was 44 Yards as per the Gazette no. 70, Dated.15.05.1903 under Sub Heading (1) in Point B.

Hence the proposal resubmitted with existing RoW as 44 yards (40.223 m) may please be recommended approval of Competent Authority at the earliest please.

Encl: As above

Yours faithfully

*(Signature)*  
(G.Athipathi)

Project Director

Copy to: - The Regional Office, Chennai – for kind information.