

TAMILNADU FOREST DEPARTMENT

From
Thiru. N.Jayaraj, I.F.S.
District Forest Officer,
Coimbatore Division,
Coimbatore – 641043.

To
The Principal Chief Conservator of Forests
(Head of Forest Force),
Chennai - 32.

Through
The Conservator of Forest and Field Director,
Anamalai Tiger Reserve,
Coimbatore – 641 043.

C. No. 9246/2019/D1 Dated: 08.08.2023

Sir,

Sub: Forest (Conservation) Act, 1980 – Coimbatore Circle / Division
– Providing water supply for 8 added areas in Coimbatore
Corporation extended areas – Diversion of 0.21 ha of forest area
requested – Online Submission of proposal – Report submission
- Regarding.

Ref: 1. Government letter No. 17155/FR.10/2022-2, dated:-
29.05.2023.
2. The Principal Chief Conservator of Forests, Chennai,
C.No.TS3/3481/2020, dated:- 14.06.2023.
3. The Conservator of Forests and Field Director, Anamalai
Tiger Reserve, Coimbatore, C. No. D1/2038/2022, dated:-
20.06.2023.

With reference to the above, I submit that the clarification details called for by the Government vide in the reference 1st cited is furnished as follows:-

1. The above proposal was uploaded by the User Agency during 2020. The area requested for diversion of forest area has also very less (0.21 ha.). Hence the then District Forest Office has not proposed for compensatory Afforestation Scheme as per Chapter -3, 3.2 of (vii)(b) of Forest (Conservation) Amendments Rules, 2004 for diversion of forest land up to one hectare (Copy enclosed herewith).
2. The condition proposed by the Principal Chief Conservator of Forests (HoFF), Chennai, stated that, "If any maintenance work is undertaken, the user agency

shall seek written permission for the District Forest Officer" is essential one as per field conditions, even though the same is not specified by the Government of India. Hence the above condition may kindly be considered for effective management.

3. The above project proposal is to be implemented in Kuruchi Forest Block I & II, which is a Reserved Land. So, the Right of way for this forest block is not declared. Hence this proposal may be considered under (d). Drinking water, 4.3 of Chapter – 4 of Forest (Conservation) Act, 1980.

This is submitted for this kind information.

Yours faithfully,
Sd/- N.Jayaraj
District Forest Officer
Coimbatore Division.

Copy submitted to the Conservator of Forests & Field Director, Anamalai Tiger Reserve, Coimbatore.

/t.c.b.o/


Superintendent

HANDBOOK
OF
Forest (Conservation) Act, 1980
(With Amendments made in 1988)
Forest (Conservation) Rules, 2003
(With Amendments made in 2004)
Guidelines & Clarifications
(Up to June, 2004)

GOVERNMENT OF INDIA
Ministry of Environment & Forest, New Delhi

- (iv) Where non-forest lands are not available or non-forest land is available in less extent to the forest area being diverted, compensatory afforestation may be carried out over degraded forest land being diverted and available non-forest land, as the case may be.
- (v) The non-availability of suitable non-forest land for compensatory afforestation in the entire State / Union Territory would be accepted by the Central Government only on the Certificate from the Chief Secretary to the State/Union Territory Government to that effect.
- (vi) **An exception to 3.2(i) above, compensatory afforestation may be raised over degraded forest land twice in extent of the forest area being diverted/deserved in respect of following types of proposals:**
 - (a) For extraction of minor minerals from the river beds. (However, if forest area to be diverted is above 500 hectares, compensatory afforestation over equivalent area of degraded forest shall be required to be done instead of twice the area being diverted subject to a minimum of 1000 hectare compensatory afforestation).
 - (b) For construction of link roads, small water works, minor irrigation works, school building, dispensaries, hospital, tiny rural industrial sheds of the Government or any other similar work excluding mining and encroachment cases, which directly benefit the people of the – in hill district having forest area exceeding 50% of the total geographical area, provided diversion of forest area does not exceed 20 hectares.
 - (c) For laying of transmission lines upto 220 KV.
 - (d) For mulberry plantation undertaken for silk-worm rearing without any felling of existing trees.
 - (e) For diversion of linear or 'strip' plantation declared as protected forest along the road/ rail/ canal sides for widening or expansion of road/ rail/ canal.
 - (f) For laying of telephone/optical fibre lines.
- (vii) **The field firing ranges**, which are used temporarily by the defence establishments for arms practice, comprises, of safety zone encompassing the field firing range and danger area/ impact zone. Keeping in view that the impact area is only a small portion of the entire firing range and as an exception to 3.2 (i) above, compensatory afforestation may be raised over equivalent degraded forest land of the forest area being diverted for impact zone of the field firing range.
- (vii) **No compensatory afforestation shall be insisted upon in respect of the following:-**
 - (a) For clearing of naturally grown trees in forest land or in portion thereof for the purpose of using it for reforestation.
 - (b) **Proposals involving diversion of forest land upto one hectare.** (However, in such cases, plantation of ten times the number of trees

Handbook of

Forest (Conservation) Act, 1980 and Forest Conservation Rules, 2003 (Guidelines & Clarifications)



Ministry of Environment, Forest and Climate Change

Government of India

2019

- No tree felling is involved for the proposed work
- After completion of the project the area under RoW should be reclaimed suitably.
- UA agrees to make good any loss to Forest/Environment.
- The UA will seek permission from the local FD for carrying out any maintenance.
- In case, the proposed area falls in the RoW of the road passing through National Parks and Wildlife Sanctuaries, General Approval is subject to requisite permissions from the State Board for Wildlife shall be obtained.
- In case, the proposed area falls in the RoW of the road passing through Tiger Reserves, General Approval is subject to requisite permissions from the National Board for Wildlife/NTCA shall be obtained.

4.3 Critical development initiatives for public

General approval for diversion of forest area for the development of following critical public utility and welfare projects:

- a. Schools/Educational Institutes;
- b. Dispensary/hospital;
- c. Electric and telecommunication lines;
- d. Drinking water;**
- e. Water/rainwater harvesting structures;
- f. Minor irrigation canal;
- g. Non-conventional sources of energy;
- h. Skill up-gradation / vocational training center;
- i. Power sub stations;
- j. Communication posts;
- k. Construction/widening of roads including approach road to roadside establishments
- l. Upgradation/strengthening/widening of existing bridges by BRO
- m. Police establishments like police stations /outposts /border outposts /towers in sensitive areas (identified by Ministry of Home Affairs)
- n. Government approved community toilets partly or fully in forest lands involving not more than one-hectare subject to approval by GP in rural areas and urban bodies in urban areas, and
- o. Water mills

4.3.1 This approval, (in addition to general conditions mentioned above in para – 4.1) is subject to following conditions:

- (a) Area not more than one hectare, in each case.
- (b) The area shall not involve felling of more than 50 trees per/ha. In case the area to be diverted is less than 1 ha, then permissible tree felling limit, within the area to be diverted, shall be worked out proportionately. In any case, if the number of trees to be felled is less than 10, irrespective of the area to be diverted, within the limit of 1 ha,