

TamilNadu Forest Department

From:

Tmt.R.Padmawathe,I.F.S.,
Chief Conservator Forest & Field Director,
Srivilliputhur Megamalai Tiger Reserve,
Madurai-2.

To:

The Principal Chief Conservator of Forest,
(HOFF),
Guindy, Velchery Main road,
Chennai -32.

C.No: 12025/2021/D1, Date:18.07.2023

Sir,

Sub: Forests – Forest (Conservation) Act 1980 – SMTR Madurai Circle – Madurai Division – Proposal for diversion of 0.1275 ha of forest land for formation of new black top road from Vikramangalam – Kadupatti Village through Mannadimangalam Reserved Forests – additional details called for - reply submission of - Reg

- Ref :**
1. Govt.Lr.No.17883/Fr-10/2022-2, Environment Climate Change and Forests (FR-10) Department Dated:25.04.2023.
 2. Principal Chief Conservator of Forests (HOFF), Chennai. Ref.No. TS4/25987/2018 Dated:26.04.2023.
 3. District Forest Officer, Madurai Division C.No. D1/4289/2018, dated:12.05.2023.
 4. Chief Conservator of Forests & Field Director, SMTR, Madurai. C.No.D1/12025/2021 dated:17.05.2023.
 5. District Forest Officer, Madurai Division C.No.D1/4289/2018, dated:04.07.2023

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With reference to the above, in the reference 5th cited, the District Forest Officer, Madurai Division has submitted that, the chapter 2.5 of hand Book of FCA Rules 2003 GuidelInes & Clarifications – 2019

Sl.No.2.5 (i) g

Conservation of link roads, small water, 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 area in hill districts and in other districts having Forest area exceeding 50% of the geographical area, provided diversion of Forest area does not exceed 20 Ha.

It is also submitted that, in Madurai Forest division, the forest area (Forest Cover 13.83%) does not exceed 50% at the total Geographical area and the diversion of the Forest area is only 0.1275 Ha , and the proposed road for formation of new black top road from Vikramangalam – Kadupatti Village is situated within the area of Vikramangalam town limits. There are no standing trees that needs to be felled in the proposed area of diversion 0.1275 Ha in and adjacent by and there no tree felling involved in the proposed area.

He has also reported that, the path is being used by public and is a long pending demand from local people. It is also informed that, delevpment of existing kacha road into black top road (Length-150 Mt. and Width-8.5 Mt) does not involved felling of trees or affect any wildlife and no threat to flora and fauna or adverse impact on surroundings. Therefore and recommended for consideration of the proposal.

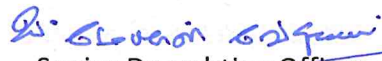
Hence, as already submitted in this office reference 4th cited, as the Forest cover in Madurai District is less than 50% of the total geographical area and the area required for diversion is 0.1275 Ha and there is no tree felling involved. For which the proposal does not require Compensatory Afforestation. However as per Government of India letter.No. FC-11/118/2021-FC-MOEF & CC ,New Delhi. dated 13.07.2023.,for Compensatory Afforestation 100 trees may be taken up. Accordingly the above proposal may be considered. The copy of District Forest Officer, Madurai division report 5th cited, is enclosed herewith for necessary action.

Encl: As stated above

Yours Sincerely,
Sd/-R.Padmawathe.
Chief Conservator Foresters and Field Director
Srivilliputhur Megamalai Tiger Reserve,
Madurai

Copy to the District Forest Officer ,Madurai.

//T.C.B.O.//


Senior Draughting Officer.
20/7/23


20/7/23

D1

12025/2

TAMILNADU FOREST DEPARTMENT

From :

Dr. Guruswamy Dabbala, I.F.S.,
District Forest Officer,
Madurai Forest Division,
Madurai - 02

To :

The Principal Chief Conservator of
Forests, (Head of Forest Force)
Forest Head Quarters, Guindy,
Velachery Main Road,
Near Kannigapuram Check Post,
Chennai 600 032.

(Through Proper Channel)

The Chief Conservator of Forests and
Field Director, Srivilliputhur Tiger
Reserve, Madurai

C.No. 4289/2018/D1 Dated : 04 .07.2023

Sir,

Sub : Forests – Forest Conservation Act 1980 – SMTR Madurai Circle
and Division – Proposal for diversion of 0.1275 ha of Forest
Land for formation of new black top road from
Vickramangalam – Kadupatti village through
Mannadimangalam RF- report submitted - regarding.

Ref: Government Letter No.17883/FR-X/2022-2
Dated: 25.04.2023.

2. The Principal Chief Conservator of Forests, (Head of Forest Force), Chennai C.No.TS4/25987/2018, Dated: 26.04.2023 and 30.05.2023.
3. The District Forest Officer, Madurai Ref.No.D1/4289/2018 Dated: 12.05.2023.

I wish to inform that in the Government reference 1st cited it has requested to clarify the reason for non-submission of Compensatory Afforestation Scheme for the project proposal diversion of 0.1275 ha of Forest land in Mannadimangalam Reserve Forest for formation of new black top road from Vickramangalam to Kadupatti Village. The reply submitted to the Principal Chief Conservator of Forests (Head of Forest Force) through proper channel for the query raised by the Government in the reference 3rd cited (Copy enclosed).



In this continuation the Principal Chief Conservator of Forests (Head of Forest Force) has requested to go through the chapter 2.5 of Hand book on Forest Conservation Act guidelines 2019 and prepare and upload the details of Compensatory Afforestation Scheme in the degraded forest Land for the said project proposal. Whereas as per 2.5 special provision for Compensatory Afforestation for certain categories at projects.

Sl.No.2.5 (i) g

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 area in hill districts and in other districts having Forest area exceeding 50% of the total geographical area, provided diversion of Forest area does not exceed 20 ha.



It is also informed that the District of the Madurai Forest Division having Forest area (Forest cover -13.83%) not exceeding 50% at the total Geographical area and the diversion of the forest area is 0.1275 ha not more than 20 ha. The proposed road for formation of new black top road from Vikramangalam to Kadupatti Village is situated within the area of Vikramangalam town limits. There is no standing trees or vegetation in the proposed area of 0.1275 ha in and adjacent by Hence there is no tree felling involved in the proposed said area.

I request that the path is being used by public and is a long pending demand from local people. It is that the development of existing path into Black top road (length – 150 Rmt and Width – 8.5 Mtr) does not involved felling of trees or affect wildlife directly as road is covered by houses on both sides and there is no perceptible, threat to flora and fauna or adverse impact on surroundings. I request for consideration of proposal that is already sent to Government at the earliest.

Yours faithfully
Sd/-Guruswamy D,
District Forest Officer,
Madurai Division,
Madurai

✓ Copy Submitted to the Chief Conservator of Forests and Field Director,
Srivilliputhur Megamalai Tiger Reserve Forest, Madurai.

/T.C.B.O/


Superintendent

04/07/23
4/7/2023

TAMILNADU FOREST DEPARTMENT

From :

Dr.Guruswamy Dabbala, I.F.S.,
District Forest Officer,
Madurai Forest Division,
Madurai - 02

To:

The Principal Chief Conservator of
Forests,
(Head of Forest Force),
Forest Head Quarters Building,
Guindy Velachery Main Road,
Near Kannigapuram Checkpost,
Guindy, Chennai-600032

(Through Proper Channel)

The Chief Conservator of Forests
and Field Director,
Srivilliputhur Megamalai Tiger
Reserve,
Madurai-625 002.

C.No. 4289/2018/D1 Dated : 12.05.2023

Sir,

Sub : Forests – Forest Conservation Act 1980 – SMTR Madurai Circle
and Division – Proposal for diversion of 0.1275 ha of Forest
Land for formation of new black top road from Vickramangalam
– Kadupatti village through Mannadimangalam RF- report
submitted - regarding.

- Ref: 1. Online application uploaded by the user agency – Block
Development Officer, Vadipatti (FP/TN/ Road/34073
/2018)
2. Government Lr No.17883/FR-X/2022-2 Dated:
25.04.2023.
3. The Principal Chief Conservator of Forests, (Head of Forest
Force), Chennai, Ref.No. TS4/25987/2018,
Dated: 19.10.2022, 08.11.2022 and 26.04.2023.

I wish to submit that, the proposal for diversion of 0.1275 Ha of
Forest Land in Mannadimangalam Reserve Forest for formation of new
black top road from Vickramangalam to Kadupatti village under section -
2 of Forest Conservation Act 1980 has been submitted to the

Government vide the Principal Chief Conservator of Forests, (Head of Forest Force), Chennai ref 3rd cited Dated: 19.10.2022 for the Principal State – I approval of the State Government.

In this continuation the Government has raised the request to clarify the reason for non-submission of Compensatory Afforestation scheme for this subject proposal.

Report:

The proposed road for formation of new black top from Vikramangalam to Kadupatti village is situated within the area of Vikramangalam (inside the town limits). The area for Diversion for this project is 0.1275 ha less than 1ha. There is no standing trees or vegetation in the proposed area of 0.1275 ha in and adjacent by. Hence there are no trees like to be felled.

As per the Guideline of Forest (C) Act 1980 for the year of 2004 in the chapter – 3 regarding Compensatory Afforestation in sub.No.3.2 no Compensatory Afforestation shall be insisted upon in Sl.No.(VIII (b)) it has informed the proposal involving diversion of Forest Land up to 1ha.

However as per 3rd reference under the guidelines of Forest (C) Act 1980 for the year 2019 in the chapter 2 regarding Compensatory Afforestation scheme of read with special provisions for Compensatory Afforestation for certain categories of ***“Constructions of link roads, small water works, minor irrigation works, school building, dispensaries, hospitals, tiny rural industrial sheds of the Government or any other similar work excluding mining and encroachment cases which directly benefit the people of the area in hill districts and in other districts having Forest area***


exceeding 50% of the total Geographical area, provided diversion of Forest area does not exceed 20 Hectares”.

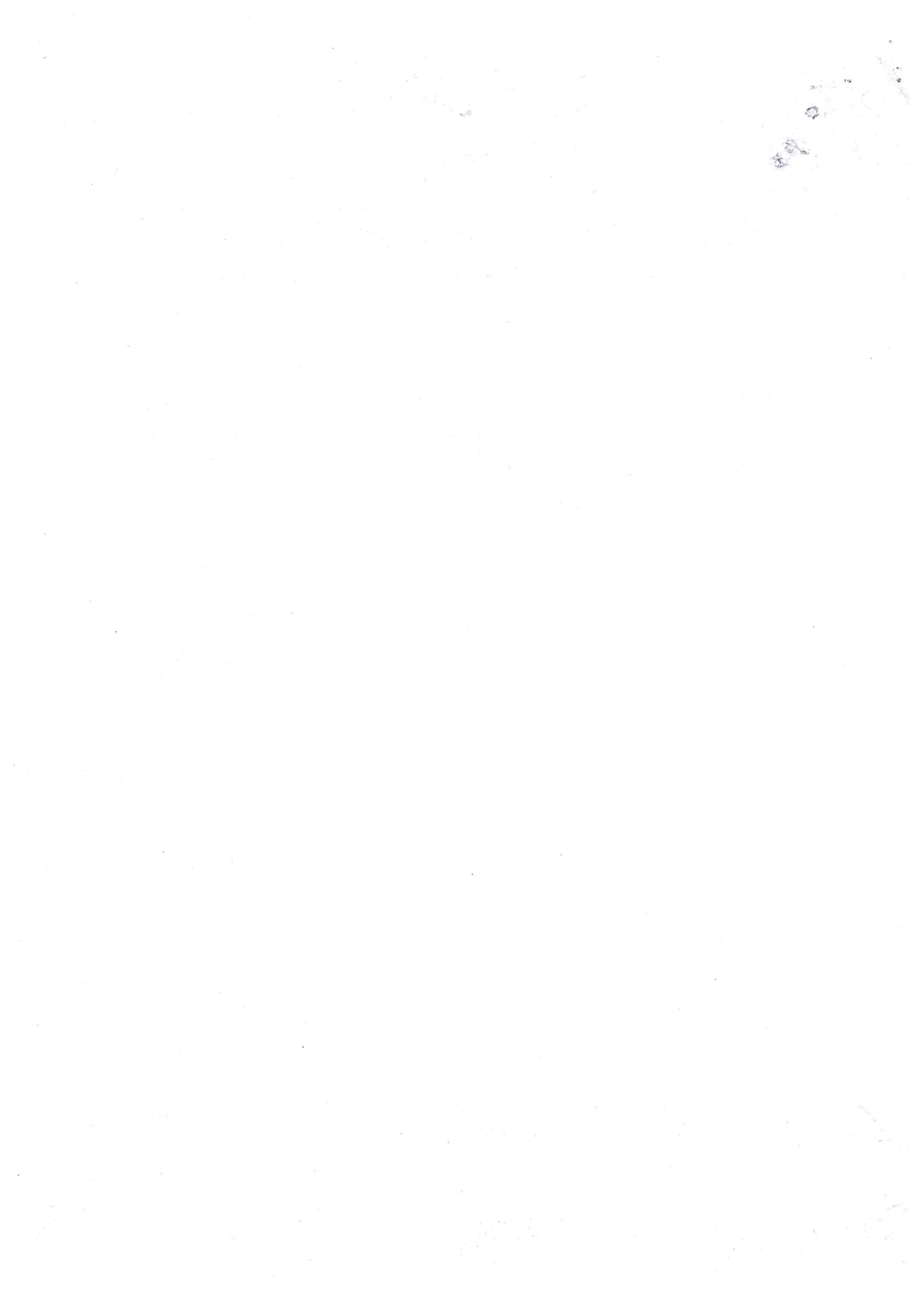
Madurai District having Forest area not exceeding 50% of the total Geographical area and the diversion of the Forest area is 0.1275 ha more less than 20 ha. Further there is no tree felling involved and considered that the said proposal in Madurai District (Forest Cover – FSI 13.83%) does not require Compensatory Afforestation under special provisions for Compensatory Afforestation for certain category of projects. Hence it is reported that there is no Compensatory Afforestation scheme proposed for this project for kind perusal.

Yours faithfully
Sd/-Guruswamy D,
District Forest Officer,
Madurai Division,
Madurai

Copy submitted to the Chief Conservator of Forests & Field Director,
Srivillipudhur Megamalai Tiger Reserve, Madurai.

/T.C.B.O/


Superintendent
12/5/23
12/5/2023



Handbook of

Forest (Conservation) Act, 1980

and

Forest Conservation Rules, 2003

(Guidelines & Clarifications)



**Ministry of Environment, Forest and Climate Change
Government of India**

2019

(viii) In case of bifurcation of States, during processing of proposals seeking prior approval of Central Government under the Forest (Conservation) Act, 1980, if the land identified for creation of CA is within the undivided State, and the forest land proposed to be diverted does not fall in the same newly created State, proposals shall continue to be processed without insisting on identification of non-forest land for creation of compensatory afforestation in the State in which the forest land proposed to be diverted is located. In such cases, if Central Government agrees In-principle for diversion of forest land for non-forest purpose, it shall be subject to a condition that amounts realized from the user agency for creation and maintenance of compensatory afforestation shall be transferred from the State with which the money has been deposited to the State in which the land identified for creation of compensatory afforestation is located. In case for some valid and cogent reason, cost of creation and maintenance of compensatory afforestation needs to be revised, additional amount, if any, will be realized from the concerned user agency and transferred to the State where CA is proposed. All other levies realized from the user agency in lieu of diversion of such forest land will however be retained in the State in which the forest land proposed to be diverted is located.

(ix) Non-forest land, not coming under the purview of FC Act, 1980 reclaimed by any user agency by planting native species of a minimum of 1000 trees per hectare and of minimum 10 cm diameter at breast height can be considered as CA in lieu of forest land to be diverted, without levying planting cost. The ownership of the non-forest land identified for the purpose of CA is to be transferred and mutated in favour of the State/UT Forest Department and declared as RF/PF under the Indian Forest Act, 1927 or State Forest Act / Rules / Regulations, before the Stage II approval.

2.5 Special provisions for CA for certain categories of projects:

- (i) CA shall be raised and maintained at the cost of the user agency on degraded forest land twice in extent of the forest area diverted in the cases of:
- a. Laying of transmission lines;
 - b. Laying of telephone/optical fibre lines;
 - c. Mulberry plantation undertaken for silkworm rearing,
 - d. Diversion of linear or 'strip' plantations declared as protected forest along road/ rail/canal sides for widening or expansion of road/rail/canal,
 - e. Extraction of minor materials from the river beds,
 - f. The projects implemented by the Central Government/PSUs, excluding Central Govt./Central PSUs Projects implemented by/through State Government and State Sector Projects implemented by the Central Government/PSUs
 - g. 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 area in hill districts and in other districts having forest area exceeding 50% of the total geographical area, provided diversion of forest area does not exceed 20 hectares.

- h. For construction of small hydro-electric project (up to 25 MW) duly approved by the competent authority in the Government which would directly benefit the people of the area, i.e. in hill districts of the country having forest area exceeding 50% of the total geographical area, provided diversion of the forest land doesn't exceed five (5) hectares
- (ii) For extraction of minor minerals from the river beds, if forest area to be diverted is above 500 hectares, CA 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 plants/hectare for compensatory afforestation.
- (iii) CA shall be raised and maintained over an equivalent area proposed for diversion in a degraded forest in RFs or such other forest land which are already under administrative control of the State Forest Department at the cost of the user agency in cases of Strategic Defence projects including infra-structure and road projects undertaken by the BRO or falling within 100 km aerial distance from the Line of Actual Control (LAC) along Indo-China border and undertaken by any user agency identified by the Ministry of Defence.
- (iv) CA shall be raised over equivalent degraded forest land of the forest area being diverted for actual impact zone of the Field Firing Range (FFR). If diversion of forest land for Field Firing Range is for actual impact area, CA has to be over degraded forest equal in extent of the forest area diverted, otherwise, it has to be over 10% of the forest area diverted.
- (v) In case of proposal for construction of zoobeing submitted by central Government agency, then CA will be done over the degraded forest area equivalent to 30 per cent of the total forest area being diverted. In case, the project is being submitted and constructed by State Government agencies /private agencies, then CA will be done over non-forest land equivalent to 15 per cent of total area being diverted. In such cases the non-forest land shall be transferred, mutated in the name of forest department and notified as Protected Forest/Reserved forest (PF/RF) prior to stage II approval.
- vi) In the State of Maharashtra, in lieu of diversion/regularization of encroachment over 86,409 ha. of zudpi jungle land (which has already under various non-forestry use) under Forest (Conservation) Act 1980, CA shall not be insisted by the Central Government subject to the condition that:
- (a) the State Government will ensure the notification of 92,115 ha of Zudpi Jungle as RF/PF (16, 309 ha already notified and 75,806 ha to be notified), which has been considered suitable for forestry management, development and conservation, by the High-Powered Committee.
- (b) the State Government shall submit a 10 years perspective plan for greening of the zudpi jungle land being notified to the Ministry of Environment & Forests which may also include compensatory afforestation to be taken against future diversions of the forest lands for State Government's purpose.

2.6. Provision for plantation of specified number of trees by way of CA in certain cases: