

TAMILNADU FOREST DEPARTMENT

From
Thiru.Syed Muzammil Abbas, I.F.S.,
Principal Chief Conservator of Forests
(Head of Forest Force)
PanagalMaaligai, Saidapet,
Chennai - 600 015.

To
The Additional Chief Secretary to Government,
Environment, Climate Change and
Forests Department,
Secretariat,
Chennai 600 009.

C.No.TS4/39100/2019 Dated: 17.06.2022

Madam,

Sub : Forests - Forest (Conservation) Act, 1980 – SMTR, Madurai Circle /
Theni Division - Proposal for diversion of 2.839 ha (now revised as
1.658 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, 03.08.2020 & 18.02.202.
- 3 Government Letter No:6553/FR10/2020-2 dated17.10.2020
- 4 Government of India, Ministry of Environment, Forests and
Climate Change, Chennai F.No:4-TNB 068/2020-CHN/248 dated
21.12.2020
- 5 Principal Chief Conservator of Forests, Chennai
Ref.No:TS4/39100/2019 dt. 18.02.21.
- 6 Govt.Letter No:6553/FR10/2020-3 dated 30.07.2021
- 7 GOI, Environment, Forests & Climate Change, Department,
Chennai F.No.4-TNB068/ 2020-CHN/942 dated 04.10.2021
- 8 District Forest Officer, Theni Forest Division, Theni C.No.
7304/2013/D dated 06.10.2021, 17.11.2021 &23.12.2021
- 9 Principal Chief Conservator of Forests, Chennai, C.No.
TS4/44316/2020 dt. 19.01.22
- 10 Divisional Engineer, Highways, Construction and Maintenance,
Theni, Letter No. 180/2021/JDO.3/ dated 20.01.2022
- 11 District Forest Officer ,Theni C.No:7304/2013/D dated 26.04/2022
- 12 The Conservator of Forests & Field Director , SMTR, Madurai
C.No:9688/2019/D1 dated 05.05.2022
- 13 Principal Chief Conservator of Forests, Chennai, C.No.
TS4/44316/2020 dt. 24.05. 22
- 14 District Forest Officer, Theni C.No:7304/2013/D dated 26.05.2022
- 15 The Conservator of Forests & Field Director, SMTR, Madurai
C.No:9688/2019/D1 dated 08.06.2022

I wish to inform that in the reference 2nd cited dated 20.03.2020, a proposal was sent to Government of India for stage I approval for the project of diversion of 2.839 ha - (now revised as 1.658 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.

The subject proposal was considered by the REC in its 43rd meeting held on 27.11.2020 and after due deliberation the committee decided to defer the proposal and to seek some documents / clarifications from the State Government in the reference 4th cited.

Replies to the clarifications were sent to Govt. on 18.02.2021 by the PCCF vide reference 5th cited and was forwarded to Government of India by the State Govt. on 30.07.2021 vide reference 6th cited.

The subject proposal was placed before the REC in its 50th meeting held on 21.09.2021 and after detailed deliberation and as informed by the user agency, committee decided to request the following addl. information from the State Govt. for further consideration of the proposal.

1. As the User Agency informed that 10.50mtrs width is required for construction of road against 23 mtr proposed in the application and recommended by State Government, the State Government shall look in to the matter and shall report actual/ barest minimum forest area required for diversion along with mentioning of actual length and width of the road (specifying carriage way, shoulder etc.)
2. As directed in the earlier inspection of Regional Office, construction of wall all along the adjoining forest area opposite to bus stand shall be done. The state forest department shall identify vulnerable locations of people entry points into RF areas and propose cost estimate for construction of wall only in such locations.
3. The User Agency in consultation with the municipality, shall devise an effective waste management proposal all along the proposed road and surroundings of the bus stand and submit along with the current proposal.
4. As rightly pointed out by APCCF in his inspection report "Movement of heavy and fast moving vehicles on the road can cause disturbance to such wildlife and their habitat and tend to result in road kills has been witnessed elsewhere. Further trash and garbage deposited by the general public on the sides of the road may also add to the discomfiture experienced by wildlife leading to death of fauna , particularly reptilian fauna", in order to mitigate the problem specifically with respect to protecting wildlife and its habitat appropriate wildlife mitigation measures shall be proposed.

In response to the discussion had in the 50th REC meeting and to the Government of India letter 7th cited, the User Agency has revised the proposal for diversion of forest land from 2.839ha to 1.658ha for improvement works of Theni By-Pass road connecting Dindigul – Theni Road and Madurai – Cochin Road and furnished their replies to the queries raised by the Government of India as follows.

Sl.No	Query raised by the GOI	Reply by the User Agency												
1.	<p>As the UA informed that 10.50 mtrs width is required for construction of road against 23 mtr proposed in the application and recommended by State Government, the State Government shall look in to the matter and shall report actual length and width of the road essentially required, that is bare minimum specifying carriage way, shoulder etc;</p>	<p>The User Agency has stated that actual requirement of 10.50m width for (Bituminous surface) construction of road against 23m proposal in the application because the project is pending from 2018-19.</p> <p>Hence the width of the road essentially needed is 13.50m (that is bituminous surface 10.50m and both side berms each (1.50 + 1.50m) is enough to complete the project.</p> <p>Hence the revised Forest Land requirement is calculated in the table noted below.</p> <table border="1" data-bbox="858 680 1528 965"> <thead> <tr> <th data-bbox="858 680 951 741">S.No</th> <th data-bbox="951 680 1193 741">Survey no and Classification</th> <th data-bbox="1193 680 1528 741">Length of Road in Chainage</th> </tr> </thead> <tbody> <tr> <td data-bbox="858 741 951 869">1</td> <td data-bbox="951 741 1193 869">Valkaradu Reserved Forest (RF) 1 st Reach</td> <td data-bbox="1193 741 1528 869">Ch:- 1+553 to 1+831 = 278</td> </tr> <tr> <td data-bbox="858 869 951 929"></td> <td data-bbox="951 869 1193 929">2 nd Reach</td> <td data-bbox="1193 869 1528 929">Ch:- 2+243 to 3+398 = 950</td> </tr> <tr> <td data-bbox="858 929 951 965"></td> <td data-bbox="951 929 1193 965">Total</td> <td data-bbox="1193 929 1528 965">1228 m</td> </tr> </tbody> </table> <p>The length requirement is 1228m x 13.50 width = 16578 sqm or 1.658 Hectare. As per the revised calculation the actual requirement of Forest land is 1.658 Hectare only. (Kml file enclosed as soft copy in CD.)</p>	S.No	Survey no and Classification	Length of Road in Chainage	1	Valkaradu Reserved Forest (RF) 1 st Reach	Ch:- 1+553 to 1+831 = 278		2 nd Reach	Ch:- 2+243 to 3+398 = 950		Total	1228 m
S.No	Survey no and Classification	Length of Road in Chainage												
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	2 nd Reach	Ch:- 2+243 to 3+398 = 950												
	Total	1228 m												
2	<p>As directed in the earlier inspection of Regional Office (MoEF, Chennai), construction of wall all along the adjoining forest area opposite to bus stand shall be done. The state forest department shall identify vulnerable locations of people entry points into RF areas and propose cost estimate for construction of wall only in such locations</p>	<p>The User Agency has given an Undertaking to bear the cost proposed for constructing Retaining wall opposite to the Theni Bus stand for a length of 500m as fixed by the Forest Department and it will be proposed under the Road safety scheme for the year 2022- 2023.” and also to bear the cost of work proposed by the Forest Department for forming fencing around the Valkaradu Reserve Forest for a length of 4.96km at a cost of Rs. 87.50 Lakhs worked out by the Forest Department and it will be proposed under the Road safety scheme for the year 2022-2023.”</p>												

3	<p>The User Agency in consultation with the municipality, shall devise an effective waste management proposal all along the proposed road and surroundings of the bus stand and submit along with the current proposal</p>	<p>The following waste management has been proposed by the Commissioner, Theni- Allinagaram Municipality , Theni as follows.</p> <p>(i).In order to prevent dumping of garbage within the RF boundary, dustbin will be placed at every 100m along the Forest boundary and the wastages will be collected Through scavengers.</p> <p>(ii).Permanent fencing to a distance of 100m along the forest boundary on the opposite side of the Theni bus stand will be erected.</p> <p>(iii).Necessary warning boards will be erected along the forest boundary displaying the information for taking action by booking offence against the persons who is dumping garbage.</p> <p>Copy of the letter from the Commissioner, Theni Allinagaram Municipality, Theni regarding waste management is enclosed.</p>
4	<p>As rightly pointed out by APCCF, Madurai Circle in his inspection report "Movement of heavy and fast-moving vehicles on the road can cause disturbance to such wildlife and their habitat and tend to result in road kills as has been witnessed elsewhere. Further trash and garbage deposited by the general public on the sides of the road may also add to the discomfiture experienced by wildlife leading to death of fauna, particularly reptilian fauna". in order to mitigate the problem specifically with respect to protecting wildlife and its habitat appropriate wildlife mitigation measures shall be proposed.</p>	<p>The User Agency has stated that "Steps will be taken to provide necessary sign boards and speed limits board with reflectors in the Valkaradu Forest Zone. All vehicles driving through the forest area will be requested to limit maximum speed to 30 km/h. in the stipulated time between 6:00 pm to 6:00 am. These types of measures will avoid death of fauna and other living Forest animals."</p>

Based on the revised proposal furnished by the user agency, the District Forest Officer, Theni has uploaded the revised Part-II details along with revised Compensatory Afforestation scheme proposed in the non forest land already handed over by the user agency for this project (now notified under section 4 of Tamilnadu Forest Act 1882) to an amount of 51.75 lacs to an extent of 3.316ha by planting of 3316 taller seedlings @ 1000 Nos per ha.

In the site inspection report, the District Forest Officer , Theni has stated that

- (i) She has inspected the project site on 08.04.2022 and 25.04.2022.
- (ii) This project is for the Improvement work of Theni Bye pass road connecting Dindigul – Theni Road and Madurai – Cochin Road across Valkaradu Reserved Forest of Theni Beat, Theni Section and Theni Range.
- (iii) The width of the road essentially needed has been revised as 13.50m (that is bituminous surface 10.50m and both side berms each (1.50 + 1.50m)) to complete the project and the requested area by the user agency now is 1.658 Ha i.e., 1228 m length x 13.50m width.
- (iv) The proposed road improvement work is at Theni Bye pass branching at Km. 68/8 (NH45 Extn. Dindigul – Kumuli Road) and joins at Km 75/6 of (NH49 Extn. Madurai – Cochin Road).
- (v) The proposed area is along the boundary of the Reserved Forest in most of the areas.
- (vi) There is no spontaneous tree growth but 153 Nos of various species raised by the Forest Department are available, but no tree felling has been proposed by the User agency as these trees are available only in the side berms.
- (vii) No major endangered species of flora and fauna found in the proposed area and also does not have any important monuments of archaeological / heritage site / defense establishment etc.
- (viii) Since there is no other alternative feasible location available and there is an existing road, the diversion of 1.658 Ha. of forest land may be considered.

In her recommendation, the District Forest Officer, Theni has stated that,

- a) Legal status of forest land proposed for Diversion: Valkaradu RF.
- b) This project is for the Improvement work of Theni Bye pass road connecting Dindigul – Theni Road and Madurai – Cochin Road across Valkaradu Reserved Forest.
- c) The area proposed by the user Agency is revised from 2.839 Ha to 1.658 Ha land and there is no alternative land for the proposed project except forest land.
- d) The User Agency has not started any work proposed in Valkaradu RF.

- e)The proposed road improvement work is at Theni Bye pass branching at Km. 68/8 (NH45 Extn. Dindigul – Kumuli Road) and joins at Km 75/6 of (NH49 Extn. Madurai – Cochin Road),the total length of the road is 1228m and total area needed is 1.658 Ha.
- f)The width of the road has been reduced to 13.50 m from already proposed 23.50 m.
- g)This project in Valkaradu RF has minimum effect on environment and more beneficial o the public.
- h)The proposed area for diversion does not have any archeological and heritage related monuments.
- i)There are no Tribal Rights affected in this project.
- j)Flagship species like Tiger and Elephant are not available in this Reserved Forest. Hence there is no threat to major wildlife species.
- k)The proposed improvement work of Theni Bye pass road is not fall under Eco Sensitive Zone.
- l)This project in Valkaradu RF has minimum effects on environment and more beneficial to the public. Hence this project may be considered.

In the reference 12th cited, the Conservator of Forests and Field Director, SMTR, Madurai has stated that,

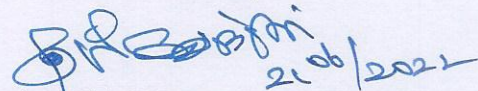
The proposed site has been inspected by the District Forest Officer, Theni on 08.04.2022 and 25.04.2022. The user agency handed over an extent of 8.59 ha of non forest land in S.No.1511/1 of veerapandi village of Theni District to forest department as compensatory land for the diversion as originally proposed and it was notified under section 4 of TNFA 1882 as PerumalKovil Karadu Extn. in GO.Ms.No.43, Environment & Forests Dt.02.03.2012 and the notification under section 16 of TNFA 1882 is under process.


The user agency has reduced the proposed area for diversion to 1.658Ha. Compensation Afforestation area has been selected from the above said land for an area of 3.316ha. The report of the District Forest Officer, Theni may be accepted for the diversion of 1.658 Ha of Forest land.

I request that the reply furnished by the user agency, the Conservator of Forests &FD, SMTR, Madurai and the District Forest Officer, Theni, by revising the proposed area for diversion to 1.658ha of Forest land in Valkaradu Reserved Forest for the improvement work of Theni Bypass road connecting Dindigul-Theni road and Madurai-Cochin road may kindly be considered and forwarded to the Government of India, to obtain In-Principle Stage-I approval from the Government of India and communicated early.

Encl:-Revised Part-II proposal& revised
forest area requirement documents

Yours faithfully


for Principal Chief Conservator of Forests
(Head of Forest Force)


21/06/2022

ANNEXURE

Area requirement details for the project

- Name of the Project : Improvement work of Theni Bye-pass Road connecting Dindigul – Theni Road (NH 45 Extn.) and Madurai – Cochin Road (NH49 Extn.) across the Valkaradu RF in Theni Taluk, Theni District.
- Location of the Project : The proposed road improvement work Theni Bye-pass branching at Km 68/8 (NH45 Extn. Dindigul Kumuli Raod) and join at Km 75/6 of (NH45 Extn. Madurai Cochin Road) and passing through Valkaradu RF.
- Forest Area involved : Valkaradu R.F.
- Forest Jurisdictions : District Forest Office,
Theni Forest Division,
Theni
- Area required for this project in Forest Area : Total Area - 1.658 Ha.*

* 1st Bit - 278 mt. length x 13.5 mt. width – 0.375 Ha.

2nd Bit - 950 mt. length x 13.5 mt. width – 1.283 Ha.

02.09/12/2014
Assistant Divisional Engineer,
Highways (C&M) Department,
Theni.

02.09
ASSISTANT DIVISIONAL ENGINEER
HIGHWAYS (C&M) THENI

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CT 43474/2019
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13/6/22
By (E.Mail (Scanned copy)/Courier) RP.

TAMILNADU FOREST DEPARTMENT

From Thiru. Deepak S.Bilgi, I.F.S.,
Conservator of Forests and
Field Director, Srivilliputhur
Megamalai Tiger Reserve,
Madurai.

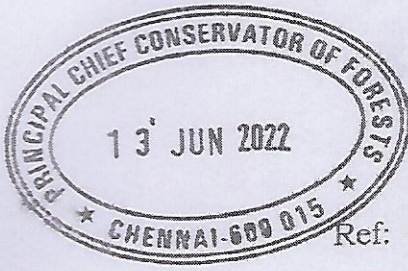
To The Principal Chief Conservator of Forests,
(Head of Forest Force),
Chennai-15.

TS4

Ref.No.9688/2019/D1 Dated: 08.06.2022.

Sir,

Sub: Forests - Forests (Conservation) Act 1980- SMTR, Madurai-
Theni Forest Division - Proposal for diversion of 2.839 Ha
(now revised as 1.658 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 - Submission of replies to the
queries raised by the Pccf - Reg.



- Ref: 1) Principal Chief Conservator of Forests, Chennai, Ref.No.
TS4/39100/2019, Dt.24.05.2022
2) Conservator of Forests and Field Director, Srivilliputhur
Megamalai Tiger Reserve, Madurai.
Ref.No.9688/2019/D1, Dt. 02.05.2022
3) District Forest Officer, Theni. Ref.No. D/7304/2013,
Dt.26.05.2022

In continuation of this office reference 2nd cited. I submit that the report called for in the Principal Chief Conservator of Forests letter 1st cited has been received from the District Forest Officer, Theni vide reference 3rd cited. The District Forest Officer, Theni, has submitted that revised Part -II and Estimate for Compensatory Afforestation as per the Handbook on Forest (Conservation) Act, 1980 under chapter 2, Compensatory Afforestation in section 2.4(iv) may be accepted. The copies of the District Forest Officer, Theni reference along with all enclosure are also enclosed herewith for favour of kind perusal.

Encl: As stated above

Yours Faithfully,
Sd/-Deepak S.Bilgi,
Conservator of Forests and Field Director,
Srivilliputhur Megamalai Tiger Reserve,
Madurai

/T.C.B.O/

Umi 2/6/22
Sr.Draughting Officer

08/06/22

TAMILNADU FOREST DEPARTMENT

From
Tmt. C. Vidhya, I.F.S.,
District Forest officer,
Theni Forest Division,
Theni.

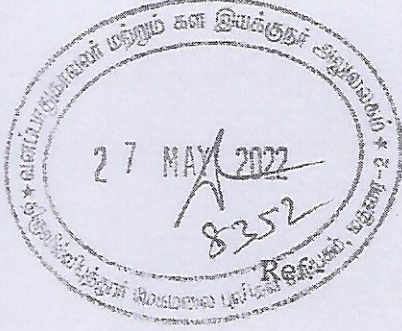
To
The Conservator of Forests and
Field Director,
Srivilliputhur Megamalai Tiger
Reserve,
Madurai.

C.No. 7304/2013/D dated 26/05/2022

Sir,

Sub:-

Forests - Forest (Conservation) Act, 1980 - Madurai Circle / Theni Forest Division - Proposal for diversion of 2.839 Ha. (now revised as 1.658 Ha.) of forest land for improvement of Theni Bye-Pass road connecting Dindigul - Theni road and Madurai Cochin road across Valkaradu Reserved Forests - Submission of revised CA Plan - Reg.



The Principal Chief Conservator of Forests, Chennai Ref. No. TS4/39100/2019 dated 24.05.2021

With reference to the above subject and reference cited, I submit that the revised Estimate for Compensation Afforestation (4 copies) as per the Handbook on Forest Conservation Act 1980, Under chapter 2, Compensatory Afforestation in section 2.4 (vi) is enclosed herewith.

This is for favour of kind information.

Yours faithfully,
Sd/- C.Vidhya
District Forest Officer,
Theni Forest Division, Theni.

/t.cb.o/

Superintendent

26/5/2022

26/5/2022