

By e-mail



ENVIRONMENT, CLIMATE CHANGE  
& FOREST(FR.10) DEPARTMENT,  
SECRETARIAT, CHENNAI 9.

Letter No.11028/FR.10/2022-3, dated 17.03.2023

From  
Tmt.Supriya Sahu, IAS.,  
Additional Chief Secretary to Government.

To  
The Assistant Inspector General of Forests (Central),  
Government of India,  
Ministry of Environment, Forest and Climate Change,  
Integrated Regional Office,  
1<sup>st</sup> Floor, Additional Office Block for GPOA,  
Shastri Bhawan, Haddows Road,  
Nungambakkam, Chennai-600 006. (w.e).

Sir,

Sub: Forest (Conservation) Act, 1980 – Proposal for diversion of 2.91 ha (revised against earlier proposed 5.00 ha) of forest land in Kesarkuli RF and Thirumalvadi RL of Palacode Range in Dharmapuri Forest Division for formation of road from Thimmalanmedu to Kotturmalai in Pennagaram Block of Dharmapuri District - In favour of the Block Development Officer (BP), Pennagaram, Dharmapuri District - Additional details furnishing - Regarding.

Ref: 1. From the Principal Chief Conservator of Forests (HoFF), letter No.TS3/31973/2019, dated 17.06.2022.  
2. Government letter No.11028/FR.10/2022-1, dated 22.07.2022.  
3. Your office letter F.No.4-TNB091/2022-CHN/900, dated 23.8.2022.  
4. From the Principal Chief Conservator of Forests (HoFF), letter No.TS3/31973/ 2019, dated 16.02.2023.

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I am directed to forward a copy of the reference fourth cited along with its enclosures, wherein the Principal Chief Conservator of Forest has furnished the clarification details as called for in your office letter third cited and revised proposal for diversion of 2.91 ha of Forest land (revised against earlier proposed 5.00 ha) in Kesarkuli RF and Thirumalvadi RL of Palacode Range in Dharmapuri Forest Division for formation of road from Thimmalanmedu to Kottumalai in Pennagaram Block of Dharmapuri District.

2. I am therefore to request you to obtain the concurrence from the Competent Authority for the revised subject proposal and for felling of 167

spontaneous trees, as per directions of the Hon'ble Supreme Court of India, in its judgement dated 11.01.2023 in I.A.Nos.168320/2022, 168313/2020 and 191583/2022.

Yours faithfully,

M. Megala  
20/3/2023

for Additional Chief Secretary to Government

SD  
20/3/2023

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[Pre. C.No. 11028/FR.10/2022]  
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By online / E-mail.  
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TAMILNADU FOREST DEPARTMENT

From Subrat Mohapatra, I.F.S.,  
Principal Chief Conservator of Forests,  
(Head of Forest Force)  
Forest Head Quarters Building, Guindy-  
Velachey Main Road, Guindy, Chennai-15.

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

C. No. TS3/31973/2019 Dated: 16.02.2023.

Madam,

Sub: Forest (Conservation) Act, 1980 – Proposal for diversion of 5.00 ha of forest land in Kesarkuli RF for formation of road from Thimmalankadu to Kotturmalai to a length of 6.00 km and to a width of 7.50m in Dharmapuri Forest Division of Dharmapuri District in favour of the Block Development Officer (BP), Pennagaram, Dharmapuri District furnished - Additional/clarification details called for by the Government of India - Regarding.

- Ref: 1 Online application uploaded by the Block Development Officer (BP), Pennagaram, Dharmapuri District - Proposal No. FP/TN/Road/37176/2018
- 2 Part-II of Form-A uploaded by the District Forest Officer, Dharmapuri Division on 22.10.2021
- 3 Part-III of Form-A uploaded by the Conservator of Forests, Dharmapuri Circle on 04.02.2022 and resubmission of proposal on 05.05.2022.
- 4 Principal Chief Conservator of Forests letter No. TS3/31973/2019 dated 17.06.2022
- 5 Government letter No. 11028/FR.10/2022-1, dated 22.07.2022
- 6 Government of India letter F.No. 4-TNB091/2022-CHN/900, dated 23.08.2022
- 7 Government letter No. 11028/FR.10/2022-2, dated 02.09.2022
- 8 Revised proposal uploaded by the user agency

P.171ate -

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With reference to the Government letter 7<sup>th</sup> cited above, I wish to state the following.

1) For the forest clearance proposal forwarded to the Government of India vide Government letter 5<sup>th</sup> cited above, some additional/clarification details have been called for in Government of India letter 6<sup>th</sup> cited above.

i) Based on the observation made by the Government of India on road alignment lies in non-forest area, the user agency has revised the forest clearance proposal by aligning the road alignment in the Reserve Forest and Reserve land area and the forest area requirement has been revised to 2.91 ha from the earlier proposal of 5.00 ha and necessary corrections were carried out in the Part-I of Form-I in the parivesh web portal and the revised proposal has been forwarded by the District Forest Officer, Dharmapuri Division and by the Conservator of Forests, Dharmapuri Circle and furnished the hard copy of the proposal.

2) Revised forest clearance proposal details and details called for by the Government of India are furnished as follows.

i) Revised proposal for diversion of 2.91 ha of Forest land in Kesarkuli RF and Thirumalvadi RL of Palacode Range in Dharmapuri Forest Division for formation of road from Thimmalanmedu to Kotturmalai village in Dharmapuri District had been uploaded by the User Agency ie., Block Development Officer (BP), Pennagaram Panchayat Union, Pennagaram of Dharmapuri District in the parivesh web portal.

ii) Revised forest area required for the proposed road in Kesarkuli RF and Thirumalvadi Reserve Land in Palacode Range of Dharmapuri Forest Division is as follows.

Road in Kesarkuli RF	:	2136m X 7.50m	= 16020.00 Sq.m.
Road in Thirumalvadi RL	:	1745m X 7.50m	= 13087.50 Sq.m.
Total area			= 29107.50 Sq.m (or) 2.91 ha .

The user agency has reported that as planning of roads in hill areas is much different from plains and alignment of roads has thus to be circuitous and is primarily governed by topography. The hilly region in Dharmapuri has geographically difficult to put geometric designs without exceptional gradients, thus needs extra land because vehicles such as semi trucks have difficulty when the grade is too slope. With these needs it is very much requirement to have a road land width of 7.50m for the proposed road.

iii) Regarding the Compensatory Afforestation land, the user agency i.e., the Block Development Officer, Pennagaram Panchayat Union of Dharmapuri District has identified the non-forest land in Survey Field No. 692/5 of No.18 Kammampatti village to an extent of 5.82 ha. The Consent letter has been furnished by the District Collector, Dharmapuri letter dated 25.11.2022 and enclosed in the revised project proposal, since in the earlier proposal, compensatory afforestation land has been proposed for 10.00 ha area for the diversion of 5.00 h a forest area.

iv) The Non-Forest land in Survey Field No. 692/5 of No.18 Kammampatti village has been inspected by Integrated Regional Office, MoEF&CC, Chennai, Regional Empowered Committee's Sub-committee with the District Forest Officer, Dharmapuri on 13-12-2022 during the field inspection related to the forest clearance proposal of Vachathy to Kalasapadi road. This non-forest land is supporting good growth of vegetation such as *Acacia nilotica*, *Prosopis* sps, *Acacia leucophloea*, *Azadirachta indica*, *Albezzia lebbeck*, *Acacia ferruginea* etc. This area was planted during 1975-1980 under Social Forestry Scheme. Considering the good growth & stock of the plantation in the non-forest land, planting of seedlings as proposed earlier in the CA scheme is not possible. Therefore the Compensatory afforestation planting has been proposed to be raised at Thoppur Reserved Forest (Degraded Forest area) in 5.82 Ha area in Dharmapuri Range. This portion of the Thoppur Reserved Forest area also inspected by the REC subcommittee along with the District Forest Officer, Dharmapuri and ascertained that this area can be chosen for the CA area for protecting this forest area from encroachment and to improve the vegetation in the area. It is quite suitable for raising compensatory afforestation and also approachable and manageable on protection point of view.

v) In the alignment of the proposed road of 7.50m in width, there are 167 numbers of trees exists which are spontaneous growth in nature.

As per the orders issued by the Hon'ble Supreme Court of India judgment dated 11.01.2023 in I.A Nos 168328/2022 and 168313/2022 and I.A Nos. 191583/2022, order requiring permission of the Court for felling of trees in all forest areas in respect of any road projects initiated by NHAI or any other instrumentality of the State, which involves cutting of up to 500 trees is recalled. Hence Hon'ble Supreme Court of India permission is not required for felling of 167 number of spontaneous trees.

3) Revised recommendation of the project has been uploaded under additional information details section of Part-II of Form-A by the District Forest Officer, Dharmapuri Division.

i) The Compensatory Afforestation land identified by the User Agency in S.F.No.692/5 of No.18.Kammampatti village is already having a good growth of vegetation. Hence the improvement activities such as fire line clearing, removal of invasive species, Soil Moisture Conservation works, gap plantation will be carried out in future to augment the forestry activity in that area.

ii) The chain link fencing is proposed for Compensatory afforestation area in degraded forest area of Thoppur Reserved Forest of Dharmapuri Range over 5.82 Ha which is very much necessary to protect plantation from biotic pressure and cattle grazing. The chain link fencing is to be covered for a peripheral length of 1210mtr only, because one end is adjoining to the Compensatory afforestation area (8.00Ha) proposed for Vatchathi to Kalasapadi road FCA proposal is covered.

iii) In Parivesh Web portal, there is no option to upload the KML file of degraded forest land, therefore the Proposed Compensatory Afforestation land identified to raise CA in degraded forest area of Thoppur Reserved Forest of Dharmapuri Range, KML file is enclosed in Compact Disc. There is a provision for uploading KML file of CA land and the same has been uploaded by User Agency in Part -I of form A.

iv) Editing/delete of already uploaded details/documents of some sections are not made available in the parivesh web portal. Hence revised recommendation letter of District Forest Officer has been uploaded under additional information details section.

v) The Compensatory Afforestation scheme is revised as per the para 2.4(vi) under chapter 2 of Compensatory Afforestation of handbook of Forest Conservation Act,1980 and Forest Conservation Rule 2003 issued by the Government of India during 2019. Hence the Compensatory afforestation to be raised 1000 plants per hectare at Thoppur Reserved Forest (Degraded Forest area) over 5.82 Ha as 5820 Nos of plants to be planted. This portion of the Thoppur Reserved Forest area also inspected by the REC subcommittee along with the District Forest Officer, Dharmapuri on 13.12.2022 and ascertained that this area

can be chosen for the CA area that can support a minimum of 1000 seedlings per ha. It is also approachable and manageable on protection point of view.

vi) The Survey of India topo sheet and the DGPS readings of the selected degraded forest area is given in separate tabulation and the same is uploaded in additional details of PART II of form A and furnished in the hardcopy.

vii) The work cost of compensatory afforestation scheme for 5.82 ha degraded forest area selected in Thoppur RF including protection of CA plantation area with chain link fencing proposed to Rs. 95.6453 lakhs.

viii) Further, the District Forest Officer, Dharmapuri Division has reported that, the portion of proposed road alignment of 1.745 km falls in Thirumalvadi Reserved Land lies within the default Eco-sensitive zone of 10.00 Km radius of recently notified Cauvery South Wildlife Sanctuary. Therefore the user agency has been informed to obtain clearance from the State Board of Wildlife.

4) Clarification details called for by the Government of India is furnished below.

(a) Revision of road alignment path.

Based on the observation made by the Government of India on road alignment lies in non-forest area, the user agency has revised the forest clearance proposal by aligning the road alignment in the Reserve Forest and Reserve land area and the forest area requirement has been revised to 2.91 ha from the earlier proposal of 5.00 ha and necessary corrections were carried out in the Part-I of Form-A in the parivesh web portal and the revised proposal has been furnished.

(b) Rationale of applying 7.50m width against the standard width 6m

The user agency has reported that as planning of roads in hill areas is much different from plains and alignment of roads has thus to be circuitous and is primarily governed by topography. The hilly region in Dharmapuri has geographically difficult to put geometric designs without exceptional gradients, thus needs extra land because vehicles such as semi trucks have difficulty when the grade is too slope. With these needs it is very much requirement to have a road land width of 7.50m for the proposed road.

(c) Examination of alternate path

The District Forest Officer, Dharmapuri Division has reported that, road alignment towards eastern may reduce the forest land requirement, but it is steep,

gradient is high and involves felling of more number of trees, which are spontaneous growth in nature when compared to the proposed alignment, Also the proposed alignment in Kesarkuli RF is along the admitted right of way and thus requires less felling of trees.

(d) Right of way details of alignment path

The District Forest Officer, Dharmapuri Circle has reported that in the Kesarkuli Reserve Forest notification right of way was allowed for this proposed road alignment path in Right of way No. 1 mentioned as Kottayur to Tirumalavadi to width of three yards and path allowed for men, cattle and pack animals.

(e) Orders of Hon'ble Supreme Court of India for felling of 167 number of spontaneous tree.

As per the orders issued by the Hon'ble Supreme Court of India judgment dated 11.01.2023 in I.A Nos 168328/2022 and 168313/2022 and I.A Nos. 191583/2022, order requiring permission of the Court for felling of trees in all forest areas in respect of any road projects initiated by NHAI or any other instrumentality of the State, which involves cutting of up to 500 trees is recalled. Hence Hon'ble Supreme Court of India permission is not required for felling of 167 number of spontaneous trees in the forest clearance proposal.

(f) Forest Rights Act certificate

The user agency has furnished revised forest area diversion proposal of 2.91 ha, and the revised certificate issued by the District Collector, Dharmapuri in Roc No. 1123/2018/R2, dated 25.11.2022 uploaded in parivesh web portal.

(g) kml file of CA plantation area selected in degraded forest area.

As observed by the REC sub-committee and site inspection made, degraded forest area in Thoppur RF selected for CA plantation area details in Kml file, area marked in Survey of India topo sheet, geo-referenced map are furnished in compact disc.

5) Revised forest clearance proposal furnished by the user agency and the District Forest Officer, Dharmapuri Division along with connected documents are enclosed herewith.

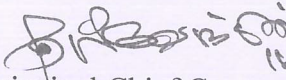
I request that the revised proposal for diversion of 2.91 ha of Forest land in Kesarkuli RF and Thirumalvadi RL of Palacode Range in Dharmapuri Forest Division for formation of road from Thimmalanmedu to Kottumalai in Pennagaram




Block of Dharmapuri District and clarification details furnished as above may be considered and forwarded to the Government of India for their approval.

Encl: As stated above.

Yours faithfully

  
16/02/2023  
For Principal Chief Conservator of Forests  
(Head of Forest Force)

  
16/02/2023

