

C.No.TS3/27219/2021

By On-line / E-mail

Office of the Principal Chief Conservator
of Forests (Head of Forest Force),
Forest Head Quarters Building, Guindy-
Velachery Nain Road, Guindy, Chennai-32.

Dated: 30.08.2024.

- Sub Forest (Conservation) Act, 1980 – Proposal for diversion of 4.81 ha of forest land in Kesarkuli RF for formation of Seenkadu to Alakkattu via Erimalai Road in Dharmapuri Forest Division area in Dharmapuri District - Proposal forwarded to Government of India – EDS raised on the proposal - Regarding.
- Ref 1 Online forest clearance proposal uploaded by the Block Development Officer BP, Pennagaram Union, Pennagaram, Dharmapuri District, Pin code 636 801 Proposal No. FP/TN/Road/37291/2018
- 2 Part-II of Form-A uploaded by the District Forest Officer, Dharmapuri Division
- 3 Part-III of Form-A uploaded by the Conservator of Forests, Dharmapuri Circle
- 4 Principal Chief Conservator of Forests reference No. TS3/27219/2021, dated 28.06.2023 and 22.11.2023
- 5 Government letter No. 5141781/FR.10/2023-2, dated 07.12.2023
- 6 Government of India, MoEF&CC, RO Chennai letter F. No. 4-TNB116/2023-CHN/04, dated 01.01.2024
- 7 Government letter No. 5141781/FR.10/2023-3, dated 19.01.2024
- 8 Principal Chief Conservator of Forests reference No. TS3/27219/2021, dated 05.04.2024
- 9 Government of India, MoEF&CC, RO Chennai letter F. No. 4-TNB116/2023-CHN/1139, dated 29.07.2024
- 10 Government letter No. 5141781/FR.10/2023-5, dated 22.08.2024

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Attention of the Conservator of Forests is invited to the references cited.

A copy of Government letter 10th letter along with Government of India letter 9th cited is enclosed herewith. Details called for on the proposal may be furnished in the parivesh portal and resubmit the proposal early.

Sd/-S. Alayam,

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

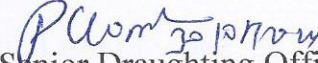
To

The Conservator of Forests, Dharmapuri Circle, Dharmapuri.

The District Forest Officer, Dharmapuri Division, Dharmapuri.

Copy to the Block Development Officer BP, Pennagaram Union, Pennagaram,
Dharmapuri District, Pin code 636 801. (User Agency)

/ True copy / By order /


Senior Draughting Officer.

Letter No.5141781/FR.10/2023-5, dated:22.08.2024

From
Thiru.T.Ritto Cyriac, I.F.S.,
Special Secretary (Forests).

To
The Principal Chief Conservator of Forests (HoFF),
Chennai – 32. (w.e.)

Sir,

Sub: Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 – Proposal (FP/TN/Road/37291/2018) for diversion of 4.81 ha of forest land in Kesarkuli Reserved Forest and Thirumalvadi Reserved Land for formation of road from Seenkadu to Allakatu via Erimalai village in Dharmapuri Forest Division to a length of 6415 m and to a width of 7.50m in Dharmapuri District in favour of the Block Development Officer BP, Pennagaram Union, Pennagaram, Dharmapuri District – EDS raised by Government of India – Reply - Requested - Regarding.

- Ref:
1. Your Letter No.TS3/27219/2021, dated 28.06.2023.
 2. Government letter No.5141781/FR.10/2023-2, dated 07.12.2023.
 3. From the Assistant Inspector General of Forests (C), Government of India, Ministry of Environment Forests and Climate Change, Regional Office letter No.4-TNB116/2023-CHN/04, dated 01.01.2024.
 4. Government letter No.5141781/FR.10/2023-3, dated 19.01.2024.
 5. Your Letter No.TS3/27219/2021, dated 05.04.2024.
 6. Government letter No.5141781/FR.10/2023-4, dated 31.05.2024.
 7. From the Assistant Inspector General of Forests (C), Government of India, Ministry of Environment Forests and Climate Change, Regional Office letter No.4-TNB116/2023-CHN/1139, dated 29.07.2024.

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I am directed to enclose a copy of the reference 7th cited and to request you to furnish your reply/report as called for therein to Government immediately, so as to forward the same to Government of India for further consideration of the proposal.

Yours faithfully,

A. Malathy 22/8/24

for Special Secretary (Forests)

भारत सरकार
GOVERNMENT OF INDIA

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
MINISTRY OF ENVIRONMENT, FORESTS &
CLIMATE CHANGE



क्षेत्रीय कार्यालय / Regional Office, Chennai
1st Floor Additional Office Block for GPOA, Shastri
Bhawan,
Haddows Road, Nungambakkam, Chennai -600 006.
email: ro.moefccc@gov.in

F.No. 4-TNB116/2023-CHN/1139

Dated: 29th July, 2024

To

The Principal Secretary to the Government of Tamil Nadu.
Environment & Forests Department,
Secretariat, Fort St. George, Chennai – 600 009.

Subject: Diversion of 4.81 ha of forest land in Kesarkuli RF and Thirumalvadi Reserved Land for formation of road from Seenkadu to Allakatu via Erimalai Village in Dharmapuri Forest Division to a length of 6415 m and to a width of 7.5 m in Dharmapuri District in favour of the Block Development Officer, Pennagaram Union, Pennagaram, Dharmapuri District. - Reg.

Sir,

I am directed to refer to the State Government's letter No. 5141781/FR.10/2023-4 dated 31/05/2024 on the above subject. In this regard, it is informed that site inspection of the proposal was carried out by this office on 18/07/2024 and during the site visit the following were noticed:-

1. The original road proposal with the 7.5 mtr width was submitted earlier with the felling proposal of 343 numbers. Whereas after the EDS raised by this office to reduce the width of the road, the proposal was amended for laying road for the width of 6 mtr and accordingly the trees to be felled for this proposal was re-worked as 272 numbers and the same was forwarded by the State Forest Dept. vide letter No. 5141781/FR.10/2023-4 dated 31.05.2024. But while verification of details in the field, the DFO & RFO reported that trees to be felled for the revised proposal as 297 numbers and on verification of the details uploaded in Parivesh 1.0 portal the number of trees to be felled is mentioned as 297 only. While verifying the actual trees enumerated in the field for felling, it is seen that trees to be felled were not physically marked. Therefore, it was not possible to ascertain the exact number of trees identified for felling.
2. The trees to be felled are very less in the road portion from Seenkadu to Erimalai, but the numbers are very high from the Village Erimalai to Alakattu. In the Alakattu Village only around 50 people are living hence it is suggested the road width may be restricted to 3 mtr carriage way /tarring portion with sufficient drainage and provision in curves so that substantial numbers of trees to be felled can be avoided.

3. During the field verification indirect evidence of elephant movement and presence of spotted deer were observed. This has also been confirmed by Field Officials.
4. The revised CA area, which was identified in Hoggenakkal Range, Pennagaram RF for the extent of 19.14ha was inspected and it is seen that the area was already planted during the last monsoon season i.e. 2023-24 under NABARD Scheme. Hence the area cannot be proposed again for the CA Scheme for this proposal.

In view of the above, it is requested that the following information may please be furnished for further consideration of the proposal: -

- a. The number of trees to be felled shall be re-verified thoroughly especially in the road portion from Erimalai to Alakattu Village with the minimum damage to environment. The revised number of trees to be felled shall be updated in Parivesh 1.0 and the same needs to be recommended by the State Government.
- b. Since the proposed CA area was already utilized for planting under other scheme, CA area to be amended satisfying the requisite suitability requirement such as crown density of the area is below 40 percent as per FC Rules 2023, the same along with with kml file, CA Scheme etc. need to be updated in Parivesh 1.0.
- c. Since part of the proposed road area falls under ESZ of Cauvery South Wildlife Sanctuary, approval under District Committee constituted as per ESZ Notification, if any may need to be obtained.
- d. Considering the road passes through the Cauvery south wildlife sanctuary and its ESZ, Wildlife Mitigation Measures as approved by the competent authority need to be implemented in the locality of sanctuary area.

Yours faithfully,

Signed by Karthikeyan
Karupiah

Date: 29-07-2024 14:40:10

(K. Karthikeyan),

Assistant Inspector General of Forests (Central).

Copy to:

1. The Principal Chief Conservator of Forests, Govt. of Tamil Nadu, Forest Department, Guindy Velachery Main Road, Guindy, Chennai – 32.
2. The Principal Chief Conservator of Forests/Nodal Officer (FCA), Office of the Principal Chief Conservator of Forests, Govt. of Tamil Nadu, Forest Department, Guindy Velachery Main Road, Guindy, Chennai – 32.
3. The Block Development Officer, Pennagaram Union, Pennagaram, Dharmapuri District -636 801.

Sd/-

(K. Karthikeyan)

Assistant Inspector General of Forests (Central)

Site Inspection Report

1. Name of the proposal: Diversion of 4.81 ha of forest land in Kesarkuli RF and Thirumalvadi Reserved Land for formation of road from Seenkadu to Allakatu via Erimalai Village in Dharmapuri Forest Division to a length of 6415 m and to a width of 7.5 m in Dharmapuri District in favour of the Block Development Officer, Pennagaram Union, Pennagaram, Dharmapuri District.

2. Basic details of the proposal: The State Government of Tamil Nadu has submitted the said proposal which is also received through Parivesh 1.0 as per No. FP/TN/OTHERS/37291/2018.

The User Agency in their justification note has stated that the existing surface of the road is earthen and the road will be useful to the people living in the habitations of Erimalai and Alakattu habitation having a population of 495 for their schooling, marketing and hospital purposes. Though the User Agency has not provided the alternatives examined, the District Collector has certified the non availability of non forest land for alternatives.

As per Part-II of the proposal, out of 6.415 km road, 6.310 km falls in Kesarkuli RF within the Cauvery South Wildlife Sanctuary and it was excluded vide GO MS No. 193 dated 07/11/2022 and the balance length of the road is 0.105 km falls in Thirumalvadi Reserve Land which is in default ESZ and therefore, User Agency has been informed to obtain State Board of Wildlife clearance / NBWL. As per the proposal, it involves felling of 343 spontaneous growth trees. The State Government has proposed translocation of trees at the cost of User Agency.

CA is proposed in 9.65 ha of non forest land in Sy.No.692/6 of Kammampatty in Nallampalli Taluk, Dharmapuri District. It was reported that the identified non forest land is having naturally grown trees and proposed to plant 600 trees per ha. It also proposed to take up plantation in 5.0 ha of degraded forest land at the rate of 800 per ha in Parigam B RF of Dharmapuri Range. Accordingly, CA Scheme has been prepared. No violation in the proposed area is reported

On scrutiny of the proposal the following clarifications were raised as EDS vide this office letter dated 01.01.2024. The State Forest Dept. vide letter No. 5141781/FR.10/2023-4 dated 31.05.2024 submitted reply to the EDS as below;

Clarification raised	Reply received from the SFD
Since the proposal involves felling of 343 trees of spontaneous origin, the State Government may revise the width of the road to 6 m by restricting the tarring portion to 3.75 mtrs. In curves, the actual technical area	The SFD informed that as suggested width of road reduced to 6 mtr and accordingly no. of trees marked for felling reduced to 272 Nos.

required may be considered. Accordingly, the revised requirement of area may be furnished with revised KML files, number of trees to be felled etc.	Considering the area requirement in the curve portion the total area required remains the same.
The Compensatory Afforestation area proposed in non-forest land in Sy No 692/6 of Kammampatty and degraded forest area in Parigam-B RF is not found suitable during the recent site inspection carried out by the officer from this office. Therefore, the non-forest land may be obtained in lieu of the proposed diversion but for planting in degraded forest land alternative suitable degraded forest land for planting of sufficient seedling preferably with less than 40% crown density may be identified and the details of the same viz KML file, map, revised CA scheme etc. may be furnished	As suggested the revised CA area is identified in Hoggenakkal Range, Pennagram RF for the extent of 19.14 ha for planting seedlings at the rate of 500 per ha. The total cost of the CA Scheme is Rs. 147.84 Lakh.

3. Site inspection of the proposal

On scrutiny of the proposal, it was suggested by the competent authority to undertake field inspection to verify the trees of spontaneous origin identified / marked for felling for implementing the project as well as proposed CA area and its suitability.

With regard to trees of spontaneous origin marked for felling, the State forest department has submitted revised numbers of trees to be felled as 272 numbers against the previous enumeration of 343 numbers due to reduction of width of road from 7.50 mtr to 6.0 mtr width. On verification the details in Parivesh 1.0 portal, it is seen that kml files of proposed diversion area were modified but the number of trees to be felled is mentioned as 297 in Parivesh, the detailed list of trees attached as a pdf document in Parivesh 1.0 also confirm the same numbers.

As far as felling of trees of spontaneous origin in the State of Tamil Nadu is concerned, Hon'ble Supreme Court of India in its order dated 16.01.2023 in IA No. 168320/2022 and 168313/2022 of Writ Petition(s) (Civil) Nos 202/1995 between T.N.Godavarman Thirumulpad & Union of India has orders the following;

" we therefore, direct that the order requiring permission of this court for felling of trees in all forest areas in respect of any road

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projects initiated by the State Government, National Highways Authority of India or any other instrumentality of the State which involves cutting of up to 500 trees is recalled, however, subject to the following conditions:-

- (i) Such felling shall be done only after necessary approval under the Forest Conservation Act, 1980, Forest Conservation Rules, 2022, Compensatory Afforestation Fund Act, 2016 and Compensatory Afforestation Rules, 2018 are obtained from the Competent Authority under the said enactment.
- (ii) The Projects would be permitted only after the concurrence of the Integrated Regional Office (IRO), Chennai;
- (iii) While Granting such permission, the authorities also should provide for necessary mitigation measures for ensuring free flow of the Wildlife from one part of the forest to the other whenever such forest is divided by roads

However, such modification shall not apply in respect of the roads which are required to be constructed or upgrade inside wildlife sanctuaries, national parks, tiger reserves and elephant corridors.

Considering around 300 numbers of trees of spontaneous origin to be felled and to verify the revised CA Scheme, it was decided to do Site Inspection of the proposal along with the proposed CA site in the degraded forest area under Hogenakkal Range.

Site inspection was carried out on the forenoon of 18th July 2024 along with Sri. Rajangam IFS, District Forest Officer, Dharmapuri, Sri. Natarajan RFO, Palacode Range and their Staff and representatives from the User Agency also joined during the inspection.

3.1 Details of the Road and RoW:

Total length of the proposed road is 6.415 km, in which 6.310 km falls in Kesarkuli RF within the Cauvery South Wildlife Sanctuary and it was excluded vide GO MS No. 193 dated 07/11/2022 and the balance length of the road is 0.105 km falls in Thirumalvadi Reserve Land which is in default ESZ and therefore, the State Government has stated in its forwarding letter that the User Agency has to obtain NBWL clearance as some portion of the road falls in the default ESZ. As per the Ministry's guidelines dated 17/05/2022, NBWL clearance required in ESZ area if the project attracts Environmental clearance. In this case, the project may not attract Environmental clearance.

3.2 Observations:

3.2.1 Felling of trees proposed under this proposal:

Original road proposal with the 7.5 mtr width was submitted earlier with the felling proposal of 343 numbers. Whereas after the EDS raised by this office to reduce the width of the road, the proposal was amended for laying road for the width of 6 mtr and accordingly the trees to be felled for this proposal was re-worked as 272 numbers and the same was forwarded by the State Forest Dept. vide letter No. 5141781/FR.10/2023-4 dated 31.05.2024.

But while verification of details from the field, the DFO & RFO reported that trees to be felled for the revised proposal as 297 numbers and on verification of the details uploaded in Parivesh 1.0 portal the number of trees to be felled is mentioned as 297 only.

While verifying the actual trees enumerated in the field for felling, it is seen that trees to be felled was not physically marked / banded. Hence it was very difficult to ascertain the identified trees to be felled. Moreover the trees to be felled are very less in the road portion from Seenkadu to Erimalai, but the numbers are very high from the Village Erimalai to Alakattu. In the Alakattu Village only around 50 people are living hence it is suggested the road width may be restricted to 3 mtr carriage way /tarring portion with sufficient drainage and provision in curves so that substantial numbers of trees to be felled can be avoided.

During the field verification indirect evidences of elephant movement and presence of spotted deer were observed. The field officials also confirmed that seasonal movement of elephant herd/ elephants are observed in this area and wildlife such as spotted deer, Indian bison and wild boar present is there.

3.2.2 Proposed CA in DFL area:

The revised CA area is identified in Hoggenakkal Range, Pennagram RF for the extent of 19.14 ha for planting seedlings at the rate of 500 per ha. The total cost of the CA Scheme is Rs. 147.84 Lakh.

This area was inspected on the afternoon of 18th July 2024 along with Sri. Rajangam IFS, District Forest Officer, Dharmapuri, Sri. Rajkumar RFO, Hogenakkal Range and their Staff.

It is seen that the area was already planted during last monsoon season i.e. 2023-24 under NABARD Scheme. Hence the area cannot be proposed again for the CA Scheme for this proposal.

4. Suggestions and Recommendations

1. The number of trees to be felled shall be re-verified thoroughly especially in the road portion from Erimalai to Alakattu Village with the minimum damage to environment. The revised number of trees to be felled shall be updated in Parivesh 1.0 and the same need to be recommended by the State Government.
2. Since the proposed CA area was already utilized for planting under other scheme, CA area to be amended satisfying the requisite

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suitability requirement such as crown density of the area is below 40 percent as per FC Rules 2023, the same along with with kml file, CA Scheme etc need to be updated in Parivesh 1.0.

3. Part of the proposed road area falls under ESZ of Cauvery South Wildlife Sanctuary, but the project not does not attracts the provision under Environmental protection Act, hence approval under SC-NBWL is not required as per the Ministry's guidelines dated 17/05/2022. But approval under District Committee constituted as per ESZ Notification, if any may need to be obtained.
4. Considering the road passes through the Cauvery south wildlife sanctuary and its ESZ, Wildlife Mitigation Measures as approved by the competent authority need to be implemented in the locality of sanctuary area.

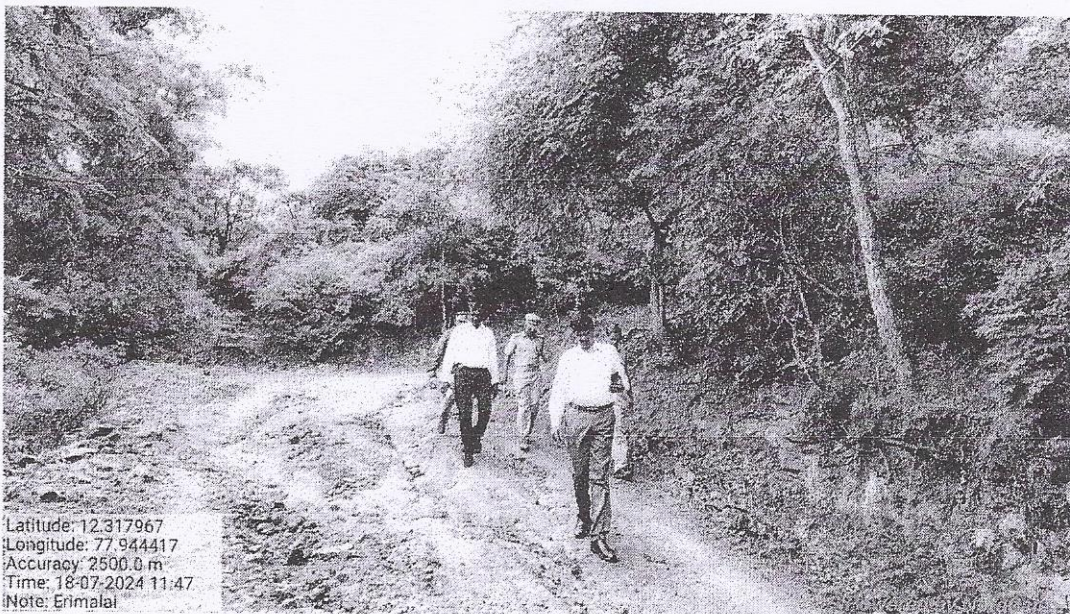
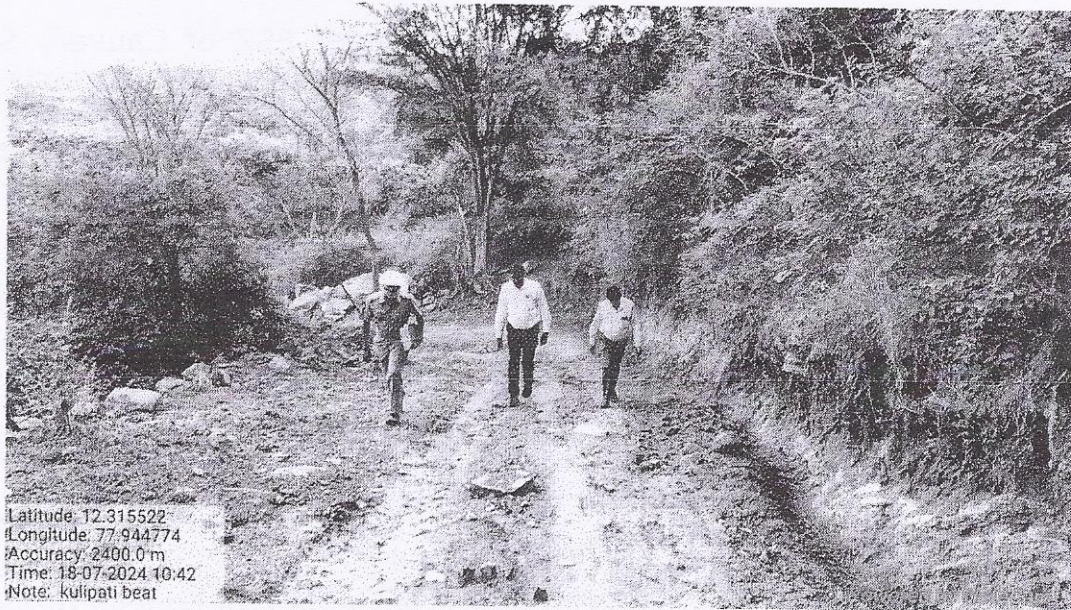
Signed by Karthikeyan
Karuppiah

Date: 19-07-2024 20:55:37

K. Karthikeyan,
Asst. Inspector General of Forests (Central),
Regional Office, Chennai.

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Photos - 4.81 ha in the proposed road alignment from Seenkadu to Allakadu via Erimalai Village



CA land proposed in Hogenakkal Range for the 4.81 ha road proposal

