

TAMIL NADU FOREST DEPARTMENT

From
Thiru Ashok Upreti, IFS.,
Principal Chief Conservator of Forests,
(Head of Department),
Panagal Maaligai, Saidapet,
Chennai - 600 015.

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

Ref. No. TS4/15109/2020 dated. 25.08.2021

Madam,

Sub: Forests - Forest (Conservation) Act, 1980 – Thanjavur Circle / Nagapattinam Division - Proposal for diversion of 0.48ha of forest land for Formation of road and bridge at km 3/434 to 4/074 in Thandavankulam to Nadukottayamedu road – Online proposal submission by the User Agency ie. The Assistant Engineer, Kollidam RD Panchayat Union, Nagapattinam District - Regarding.

- Ref:
1. Online application uploaded by the User Agency – The Assistant Engineer, Kollidam RD Panchayat Union, Nagapattinam District dated: 10.07.2020. (FP/TN/Road /45847/2020).
 2. Principal Chief Conservator of Forests, Ref.No:15109/2020/TS4 dated. 09.07.2021.
 3. Wildlife Warden, Nagapattinam Ref.No:901/2016/D dated. 14.07.2021
 4. Conservator of Forests, Thanjavur Ref.No3072/2021/D dated. 15.07.2021
 5. Revised Part-II & Part-III uploaded by the Wildlife Warden, Nagapattinam and Conservator of Forest, Thanjavur dated 12.08.2021

I wish to state that the Assistant Engineer, Kollidam RD Panchayat Union, Nagapattinam District has furnished online application under Section 2 of Forest (Conservation) Act, 1980 for diversion of 0.48ha of forest land for formation of road and bridge at km 3/434 to 4/074 in Thandavankulam to Nadukottayamedu road .

- 1) The proposal is for formation of road and bridge at km 4/434 – 4/074 (640mt X 7.5m= 4800sqm) 0.48ha in Thandavankulam to Nadukottayamedu road passes through Pudupattinam Reserved Forest Bit-I of Sirkali Range of

Nagapattinam Wildlife Division as there is no existing road passing through Pudupattinam Reserved Forest .

2) The User Agency (Assistant Engineer, Kollidam RD Panchayat Union, Nagapattinam District) has sent the proposal under section 2 of Forest (Conservation) Act 1980 in the prescribed format.

3) The user agency has stated that the proposed road is useful to the people those who are living in the habitation of Kottayamedu village in Thandavankulam Panchayat of 670 families. At present the people are very much struggling for going to Schools, Public Distribution Shops, Hospitals, Colleges and Market and no connectivity by all weather roads to the habitation. The formation of road helps the people for Schools, hospitals and markets. The vehicle movement will help the socio-economic development of the individuals.

The user agency has mentioned in Part-I of this proposal as up gradation of road. But during field inspection ,it is found that there was no existing road and this proposal is for Formation of road. The user agency has inadvertently sent the proposal for up gradation of road instead of Formation of road.

4) The User Agency has furnished following Certificates / Undertakings.

- i. Signed copy of Form A .
- ii. Letter of Authorisation.
- iii. KML file of Google earth
- iv. Geo referenced map for the Forest land proposed for diversion.
- v. Survey of India topo - sheet indicating boundary of forest land proposed to be diverted.
- vi. Justification for locating the project in Forest land
- vii. Certificate obtained from the District Collector, Nagapattinam District about settlement of Tribes under Forest Rights Act 2006 in the prescribed format.
- viii. Certified that the forest land diversion involved in this proposal is unavoidable and barest minimum with reference to the alternate options examined.
- ix. Undertaking to bear the cost of exploitation of trees and the cost of Compensatory Afforestation in double the area of degraded forest land in lieu of the forest land to be diverted for the project.

- x. Undertaking for the payment of Net Present Value of the forest land proposed for diversion as assessed and demanded by the Forest Department.
- xi. Undertaking for the payment of Additional Net Present Value of the forest land as demanded by the Forest Department and undertake to pay the additional amount if any due to escalation or any other charges etc. as per demand raised by the Forest Department.
- xii. Undertaking for the payment of cost towards lease rent as fixed by the Forest Department at the time of sanction along with any escalation for the forest land to be diverted.
- xiii. Undertaking given by the User Agency regarding no work in violation of Forest (Conservation) Act, 1980 will be carried out for the purpose of formation of road
- xiv. Undertaking to bear the cost of raising and maintenance of Compensatory Afforestation as well as cost of protection and regeneration of safety zone etc. as per the scheme prepared by the State Government for the purpose of formation of road.

6) The Wildlife Warden, Nagapattinam has inspected the proposed project area situated in Pudupattinam Bit-I Reserved Forest on 09.07.2021 and furnished Part II of Form A. The Wildlife Warden, Nagapattinam has furnished details as follows.

i. The area proposed by the user agency is very minimum and there is no alternative land for the proposed project except forest land.

ii. The User agency has not started any work proposed in Pudupattinam Bit-I Reserved Forest and hence question of violation does not arise.

iii. There are no rare/endangered / unique species of flora and fauna in the Pudupattinam Bit-I Reserved Forest. There is no plantation present in the proposed site.

iv. There are no protected archeological /heritage site / defense establishment and no monuments in the proposed site.

v. In section 4(ii) species wise local/scientific names and girth wise enumeration of trees, the Wildlife Warden has mentioned 30 Nos. of Prosopis Juliflora under 0-30cm girth.

vi. Further the District Forest Officer in his recommendation stated that this project will connect the Thandavankulam and Nadukotteyamedu villages across the Buckingham Canal. Mainly school students and fishermen need the bridge to cross the Buckingham canal and hence recommended the proposal.

vii. The District Forest Officer has not insisted Compensatory Afforestation for this project as the area proposed for diversion is less than 1 ha and no tree felling is involved in this project.

7) The Conservator of Forests, Thanjavur has inspected the proposed site on 14.07.2021 and 11.08.2021 and stated that the Pdupattinam Reserved Forest area has sparse growth of Prosopis Juliflora and there is no native vegetation observed in the proposed area. Thandavankulam village is a fishermen hamlet situated on the village and connected the Nadukotteyamedu village. The proposed road will give connectivity to around 10000 people living in the village of Puthupattinam, Palayar and Madavamedu.

8) The Conservator of Forests in his recommendation letter has stated that he has inspected the proposed site of Formation of road and bridge at km 3/434 – 4/074 (640X7.5m=4800sqm)(i.e).0.48ha in Pudupattinam Reserved Forest Bit-I with Wildlife Warden, Nagapattinam on 11.08.2021 and agreed with the recommendation of the Wildlife Warden, Nagapattinam and it is essential for connecting the Thandavankulam village is a fishermen hamlet situated and connected the Nadukottaiyamedu village requested by the user agency may be permitted and recommended for the acceptance of the proposal. In Part III of Form A proposal dated 11.08.2021, the Conservator of Foersts has stated that Thandavankulam, Puthupattinam, Palayar and Madavamedu villages are not having any connectivity to the main road. The people of Thandavankulam, Kottayamedu and adjoining villages are put to necessary hardships for meeting their daily requirements. The School students have to walk one km to reach their school. The elected representatives have also requested the District Collector to provide road to the villages. Since it is a genuine requirement, it can be permitted under Forest Conservation Act 1980.

9) In this regard, it is submitted that the User Agency has uploaded all the certificates /undertakings/details as required in this proposal.

10) The proposal is sent herewith duly recommended in the part IV format proposal by the Additional Principal Chief Conservator of Forests (FCA) / Nodal Officer (Forest Conservation Act).

11) The area proposed for diversion of 0.48ha in Pudupattinam Bit-I Reserved Forest of Nagapattinam Wildlife Division, for formation of road and bridge at km 3/434 to 4/074 in Thandavankulam to Nadukottayamedu road is recommended and forwarded to the Government of Tamilnadu for considering the proposal under the General approval Category wherein the State Government has empowered to divert forest areas upto one Ha for critical public utility and welfare projects undertaken by the Government agencies and in principle Stage-I approval orders may be issued subject to the following conditions.

- (i) The legal status of the land shall remain unchanged and shall remain as Reserved Forests.
- (ii) The demarcation of the proposed forest area shall be carried out by erecting 4 feet height cement concrete pillars duly numbered at an interval of 20 mts at the cost of User Agency.
- (iii) The User Agency shall pay the Net present value of the diverted forest area at the rates stipulated by the Ministry of Environment and Forests from time to time, as per the orders of the Hon'ble Supreme Court Order dated 28.03.2008 and 09.05.2008 in IA Nos. 826 in 566 with related IAS in Writ Petition(Civil) No.202/1995.
- (iv) The fund from the User Agency towards NPV under this project shall be deposited by generating challan from the Ministry's Online web portal. UTR No and date should be furnished.
- (v) The Additional amount of the Net Present Value (NPV) of the diverted forest land if any, becoming due after revision of the same by the Hon'ble Supreme Court of India in future shall be charged by the State Government from the User Agency. The User Agency shall furnish an undertaking to the effect.
- (vi) The User Agency shall be responsible for any loss to Flora and Fauna in the surroundings and shall take all possible measures to conserve the same.
- (vii) The forest land shall not be used for any other purpose other than that specified in the proposal.
- (viii) The lease rent should be realized from the User Agency as per G.O.Ms.No.272, E&F(FR.XIII) Dept dated 15.04.1991.
- (ix) The period of lease is 20 years
- (x) The User Agency should send renewal proposal one year before expiry of lease.
- (xi) The Conservator of Forests and Wildlife Warden may impose any other condition in the interest of conservation /protection land development of forests.

PART IV

(To be filed in by the Nodal Officer or Principal Chief Conservator of Forests or Head of Forest Department)

Name of Work: Forests - Forest (Conservation) Act, 1980 – Thanjavur Circle / Nagapattinam Wildlife Division - Proposal for diversion of 0.48ha of forest land for Formation of road and bridge at km 3/434 to 4/074 in Thandavankulam to Nadukottayamedu road - Online proposal Submission by the User Agency ie., The Assistant Engineer, Kollidam RD Panchayat Union, Nagapattinam District. (Proposal No: FP/TN/Road/45847/2020)

17. Detailed opinion and specific recommendation of the State Forest Department for acceptance or otherwise of the proposal with remarks.

(While giving opinion, the adverse comments made by concerned Conservator of Forests or Deputy Conservator of Forests should be categorically reviewed and critically commented upon).

Recommended

Date: .08.2021

Place : Chennai

Signature:

Name :

Official Seal:

Additional Principal Chief Conservator of Forests
(Forest Conservation Act)