

By online / Email.

TAMILNADU FOREST DEPARTMENT

From

To

Thiru Ashok Upreti, I.F.S.,
Principal Chief Conservator of Forests,
(Head of Department)
Panagal Maaligai, Saidapet,
Chennai - 15.

The Principal Secretary to Government,
Environment, Climate Change and
Forests Department,
Secretariat,
Chennai 9.

Ref. No. TS3/3483/2020 Dated: 03.12.2021.

Madam,

Sub: Forest (Conservation) Act, 1980 – Chennai Circle / Tiruvallur Forest Division – Proposal for diversion of 0.8514 ha of forest land in Erumaivettipalayam RF for upgradation of road from GNT road to New Erumaivettipalayam km 2/350-4/150 through Erumaivettipalayam RF to a length of 1523m and triangle portion base length of 50m for 5.50m width road formation (BT surface and shoulder width) in Tiruvallur District area in favour of Divisional Engineer, Highways, Construction and Maintenance, Tiruvallur – Forwarding Off - Regarding

- Ref: 1 Online application uploaded by the User Agency - The Divisional Engineer, Highways Department, Tiruvallur - Proposal No. FP/TN/Road/44090/2020,
- 2 Part-II of Form-A uploaded in the web portal by the District Forest Officer, Tiruvallur Division on 27.06.2021 and EDS replies uploaded.
- 3 Part-III of Form-A uploaded by the Chief Conservator of Forests, Chennai Circle on 28.07.2021 and EDS replies uploaded.

I wish to state that the Divisional Engineer, Highways Department, Construction and Maintenance, Tiruvallur has uploaded online application under Section 2 of Forest (Conservation) Act, 1980 for diversion of 0.99 ha of forest land in Erumaivettipalayam RF for upgradation of GNT road to New Erumaivettipalayam road @ 2/350 to 4/150 km in Tiruvallur District under proposal No. FP/TN/Road/44090/2020

The District Forest Officer, Tiruvallur Division after field inspection, has recommended the forest area diversion of 0.8514 ha. The Chief Conservator of Forests, Chennai Circle also recommended for diversion of 8514 sq.m of forest area for the project proposal.

Hence the user agency has revised the forest area diversion proposal to 0.8514 ha and details modified in the project proposal.

ii) The User Agency has uploaded the revised proposal in the prescribed format of Form A - Part I - under Section 2 of the Forest (Conservation) Act, 1980 for diversion of fresh forest area.

iii) Name of the project in which forest land required and short narrative of the project reported as GNT road to New Erumaivettipalayam km 2/350-4/150 and this road is badly damaged.

iv) The User Agency has reported that area required in forest area is for 0.93 ha., and non forest land required for the project is Zero ha.,

Based on the site inspection of the District Forest Officer, project area revised to 0.8514 ha

v) The User Agency has proposed the forest area diversion for the project for a period of 99 years.

vi) In the section of uploading details of proposal seeking prior approval of Central Government under the Act for diversion of forest land for the project already submitted in the past reported as NIL

vii) Diversion of 0.8514 ha of forest has been requested in Tiruvallur Forest Division area Tiruvallur District. Name of the village in which forest land requested has been reported as New Erumaivettipalayam.

viii) The User Agency has furnished the component wise breakup details of land required for the project as follows.

Road – 0.83765 ha

Road 1 - 0.01375 ha.

Total - 0.8514 ha

In the area requirement statement for the project, the user agency has furnished the details of area required as Reach 1 – 1523m length and 5.50m width and area is

8376.50 sq.m and for reach-2 triangle portion – $1/2 \times 50.00 \times 5.50 =$ Area of 137.50 sq.m totally 8514.00 sq.m or 0.8514 ha.

ix) Location map of the forest land proposed to be diverted in kml file of google earth, Scanned copy of Survey of India topo sheet indicating the boundary of forest land proposed to be diverted, Scanned copy of Geo referenced location details and GPS co-ordinates of the proposed alignment path have been furnished.

x) The user agency has uploaded note containing justification for locating the project in forest area.

xi) The User Agency has stated that this project is likely to generate permanent/regular employment for 150 persons and temporary employment for 75 persons, this project does not involve displacement of people due to the project, cost benefit analysis for the project is not required, not requires clearance under the Environment (Protection) Act, 1986 and the project or part thereof is not located in any protected area or their Eco sensitive zone and not located in Scheduled area.

xii) The User Agency has uploaded a copy of Forest Rights Act 2006 certificate issued by the District Collector of Tiruvallur District in Rc. No. 2678/2020, dated 15.09.2021 for the work in upgradation of GNT road to New Erumavettipalayam road @ km 2/350-4/100 in New Erumaivettipalayam RF in Tiruvallur District to an extent of 0.8514 ha.

xiii) Under the section of details of land identified for compensatory afforestation, the User Agency has not furnished the details of compensatory Afforestation land to be provided to the Forest Department in lieu of diversion of forest land required for the work.

The user agency has stated that non-forest or revenue forest land is not required to be provided by the user agency and reason for this stated that not applicable.

xiv) In the additional information details section, following documents/ certificates/ undertakings have been uploaded.

a) Area breakup details of forest area requirement.

Reach 1 1523m length, 5.50m width and area of 8376.50 sq.m

Reach 2 Triangle portion $1/2 \times 50.00 \times 5.50$ area of 137.50 sq.m

Total area is 8514 sq.m or 0.8514 ha

b) GPS reading of the proposed forest diversion area chainage 0-1523 and 1523-1573 triangle portion.

c) Certified that the area required for the project is 0.8514 ha and is designed for minimum forest involvement.

d) Certified that no suitable alternate non-forest land is available for the project.

e) Certified that the project area lying in Attur Revenue village, Ponneri Firka.

f) Certified that ten times of saplings cost would be paid towards the number of trees proposed to be cut in the project area.

g) Certified that the project proponent have not violated any provisions of the Forest Conservation Act, 1980 in seeking the minimum forest land required for the project.

h) Undertaking to bear the cost of felling of trees and transportation cost of the trees likely to be removed, those available in the alignment path for the proposed diversion of forest land as fixed by the Forest Department.

i) Certified that no work in violation of the Forest Conservation Act, 1980 will be carried out.

j) Undertaking to pay the cost towards lease rent fixed by the Forest Department at the time of sanction along with any escalation for the forest land to be diverted for this project.

k) Undertaking to pay the amount of Net Present Value which will be fixed as per the guidelines of Hon'ble Supreme Court of India.

l) Undertaking to bear the additional Net Present Value which will be fixed as per the guidelines of Hon'ble Supreme Court of India as fixed by Forest Department in future

m) Undertaking to deposit the cost towards compensatory afforestation scheme and willingness to deposit additional amount if any suggested owing to change in planting technique and enhancement of FSR etc., demanded subsequently.

n) Certified that the forest area involved in the proposal is unavoidable and barest minimum forest area ie., 0.8514 ha area is proposed for diversion.

o) Certified that there is no claims received or pending under Forest Rights Act 2006 in the extent of 0.8514 ha of forest land proposed to be diverted. It is further certified that there is no suitable non-forest land is available for the project.

3) In the Part-II of Form-A, the District Forest Officer, Tiruvallur Division has furnished following particulars.

i) The legal status of the proposed site of diversion of 0.8514 ha of forest land requested for the project is Reserved Forest area.

As per site inspection report, name of the forest land is "Erumaivettipalayam Reserved Forests" and extent of area proposed for diversion is 0.8514 ha

ii) The District Forest Officer has reported that, density of the forest area is 0.4 and Eco class of forest area is four

iii) As per the details uploaded in the table of species-wise girth-class wise enumeration of trees, there is no trees available in the proposed forest diversion area.

iv) Brief note on vulnerability of the forest land to erosion reported as the area is plain and is not subjected to severe soil and water erosion.

v) The forest area proposed for diversion is not forms part of National Park, Wildlife Sanctuary, Biosphere Reserve, Tiger Reserve, Elephant corridor, Wildlife migration corridor etc., and not located within the eco-sensitive zone of the protected area notified under Wildlife (Protection) Act, 1972 and not located within 1 km boundary of NP/WLs etc., for the forest land proposed for diversion

The District Forest Officer has reported that wild boar, spotted deer, jackal, porcupine etc., are present in and around the forest area proposed for diversion. There is no rare/ endangered/ unique species of flora and fauna found in the area.

vi) There is no protected archaeological/ heritage site/ defense establishment or any other important monument is located in the area.

vii) Requirement of forest land as proposed by the User Agency is unavoidable and bare minimum for the project and no work in violation of the Act or guidelines has been carried out.

viii) Proposed forest area diversion is 0.8514 ha and there is no felling of trees involved.

The District Forest Officer has not proposed any compensatory afforestation scheme for the diversion of 0.8514 ha of degraded forest area in Erumaivettipalayam RF for the project proposal.

ix) In the site inspection report of the project proposal, the District Forest Officer has reported the following.

a) The Divisional Engineer, Highways Department, Tiruvallur has submitted proposal for diversion of 0.93 ha of forest land in Erumaivettipalayam RF for upgradation of GNT road to New Erumaivettipalayam road @ 2/350 to 4/150 . The proposed project was inspected on 22.06.2021.

b) The Erumaivettipalayam forest block was notified as RF on 18.07.1893 with an extent of about 215.038 ha. The proposed land diversion area lies in the Right of Way admitted as footpath No.7 mentioned in the notification. The forest type of southern tropical thorn scrub forest is found distributed in the RF area. The forest is found to be degraded with canopy density less than 0.4. The density class of forest comes under open forest category with Eco class IV, The wild animals such as wild boar, Porcupine, hares, jackals etc are found in the forest area.

c) However, the inspection of the project and intensive survey and demarcation reveals that the existing road passing through RF connecting New Erumaivettipalayam village requires the diversion of forest land to an extent of 8415 sq.m or 0.8514 ha only.

d) The road enters the forest from S. No. 53 of Attur village which constitutes a triangular pattern for a base length of 50m and a base width of 5.50m Subsequently runs about 1523 m with the width of 5.50m together constituting an extent of 8514 sq.m

e) The existing road is only the public way connecting the New Erumaivettipalayam village from other neighboring villages and towns. Further, there is no alternate road available for the village. The improvement of the road helps villages the comfortable movement of goods and other essential services. It is also found that a chain link fencing on either side of the road is highly necessitated as the existing road is passing through middle of RF to prevent further biotic interference.

x) In the recommendation of the project proposal, the District Forest Officer has reported that the proposed forest land diversion for carrying out the improvement of existing road involves forest area of about 8415 sq.m in Erumaivettipalayam RF. The proposed diversion of forest land lies in the existing public right of way. It is also found that there is no alternate road available to the New Erumaivettipalayam village from the neighboring villages and towns. The project site is situated about 30 km away from Pulicat Birds Sanctuary. Diversion of the forest land is found to be bare minimum and highly essentially for the local people. Considering the above views, diversion of 8415 sq.m (0.8514 ha) of forest land is recommended subject to the fulfillment of condition that a full fledged chain link fencing shall be erected on either side of the road to prevent further interference at the cost of user agency.

4) The then Chief Conservator of Forests, Chennai Circle has inspected the proposed site for diversion which falls in Erumaivettipalayam RF on 12.07.2021 and reported that there will be no damage to vegetation. The existing road is the only connectivity to Erumaivettipalayam village. The improvement of this road will enhance and improve accessibility and mobility of the people of this village. A chain link fencing may be provided by the user agency to prevent trespassing into RF by miscreants as road is cutting through middle of the RF.

The Chief Conservator of Forests, Chennai Circle has recommended the forest clearance proposal.

5) The User Agency has requested forest area diversion for a period of 99 years. The District Forest Officer, Tiruvallur Division has recommended the forest area diversion for a period of 20 years and the Chief Conservator of Forests, Chennai Circle has recommended the forest area diversion period for a period of one year.

Normally forest area diversion proposals are recommended for a period of 20 years for the road diversion proposals. Based on the recommendation made by the District Forest Officer, Tiruvallur Division, diversion of forest area for upgradation of road work has been recommended for a period of 20 years.

6) As recommended by the District Forest Officer, Tiruvallur Division and Chief Conservator of Forests, Chennai Circle, the proposal for diversion of 0.8514 ha of forest land in Erumaivettipalayam RF for upgradation of road from GNT road to

New Erumaivettipalayam km 2/350-4/150 through Erumaivettipalayam RF to a length of 1523m and triangle portion base length of 50m for 5.50m width road formation (BT surface and shoulder width) in Tiruvallur District area in favour of Divisional Engineer, Highways, Construction and Maintenance, Tiruvallur is recommended to the Government for considering the proposal under the power vested with State Government for according approval in General approval category of critical public utility and welfare projects undertaken by the Government, subject to the following conditions.

a) The legal status of the diverted forest land remains unchanged.

b) The demarcation of the proposed forest land shall be carried out by the User Agency by erecting 4 feet high cement concrete pillars duly numbered at an interval of 20 meters at their cost.

c) Full fledged chain link fencing shall be erected on either side of the road to prevent trespassing into RF by miscreants as road is cutting through middle of the RF by the user agency at their cost and responsibility lies with the user agency for its further maintenance during the project diversion period.

d) The User Agency has to pay the amount of Net Present Value which will be fixed as per the guidelines of Hon'ble Supreme Court of India.

e) The User Agency has to bear the additional amount of Net Present Value which will be fixed as per the guidelines of Hon'ble Supreme Court of India as fixed by Forest Department in future.

f) Amount of Net Present Value of forest area under the project shall be transferred / deposited to CAMPA fund only through e-portal (<https://parivesh.nic.in/>)

g) The User Agency has to pay the cost towards annual lease rent as fixed by the Forest Department at the time of sanction along with any escalation for the forest land to be diverted of the above project in future for the entire project period.

h) The total forest area utilized for the project shall not exceeds 0.8514 ha comprising the forest area to a length of 1523m and triangle portion base length of 50m for 5.50m width road formation (BT surface and shoulder width)

i) Speed regulating signage and information board on diversion of forest area shall be erected along the road at regular intervals by the user agency.

j) The forest land proposed to be diverted shall under any circumstances be transferred to any other agencies/department or person without prior approval of State Government.

k) Violation of any of these conditions will amount to violations of Forest (Conservation) Act, 1980 and action would be taken as per rules in force.

l) Any other conditions that the Ministry of Environment, Forests and Climate Change may stipulate from time to time in the interest of conservation, protection and development of Forests and wildlife.

m) Period of lease can be twenty (20) years. The User Agency has to apply renewal proposal before one year of expiry of lease with the State Forest Department.

7) The proposal is sent herewith duly recommended by the Additional Principal Chief Conservator of Forests (Forest Conservation Act) / Nodal Officer, Forest (Conservation) Act, 1980 of the State of Tamil Nadu. I request that the proposal may be considered and Stage-I approval of Government may be issued for diversion of 0.8514 ha of forest land in Erumaivettipalayam RF for upgradation of road from GNT road to New Erumaivettipalayam km 2/350-4/150 through Erumaivettipalayam RF to a length of 1523m and triangle portion base length of 50m for 5.50m width road formation (BT surface and shoulder width) in Tiruvallur District area in favour of Divisional Engineer, Highways, Construction and Maintenance, Tiruvallur for a period of twenty years.

Encl: As stated above.

Yours faithfully

[Signature]
03/12/2021

For Principal Chief Conservator of Forests
(Head of Department)

[Signature]
31/12/2021

PART - IV

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

Name of the work : Forest (Conservation) Act, 1980 – Chennai Circle / Tiruvallur Forest Division – Proposal for diversion of 0.8514 ha of forest land in Erumaivettipalayam RF for upgradation of road from GNT road to New Erumaivettipalayam km 2/350-4/150 through Erumaivettipalayam RF to a length of 1523m and triangle portion base length of 50m for 5.50m width road formation (BT surface and shoulder width) in Tiruvallur District area in favour of Divisional Engineer, Highways, Construction and Maintenance, Tiruvallur - Proposal No. FP/TN/Road/ 44090/2020

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

Signature : *Anaghaanathan* 24/11/21

Name Designation : Dr. V. Naganathan, I.F.S.,
Additional Principal Chief Conservator of Forests
(Forest Conservation Act), O/o the Principal Chief
Conservator of Forests (Head of Department), Chennai.

Date : 24 -11-2021

Place: Chennai-15.