

TAMILNADU FOREST DEPARTMENT

From

To

Thiru Syed Muzammil Abbas, I.F.S.,
Principal Chief Conservator of Forests,
(Head of Forest Force)
Panagal Maaligai, Saidapet,
Chennai - 15.

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

C. No. TS3/39351/2021 Dated: 01.07.2022.

Madam,

Sub: Forest (Conservation) Act, 1980 – Proposal for diversion of 0.678 ha of forest land for upgradation of Mahaniyam to Padappai road km 0/188-1/200 lies in Mahaniyam RF to a length of 1012m in Kancheepuram Forest Division in Kancheepuram District in favour of the Divisional Engineer, Highways, Nabard and Rural Roads, Chengalpattu - Proposal forwarding off - Regarding.

- Ref: 1 Online application uploaded by the Divisional Engineer, Highways Department, Rural Roads, Chengalpattu - Proposal No. FP/TN/Road/148552/2021,
- 2 Part-II of Form-A uploaded by the District Forest Officer, Kancheepuram Division on 24.03.2022 and EDS reply dated 15.06.2022
- 3 Part-III of Form-A uploaded by the Conservator of Forests Chennai Circle on 08.04.2022 and EDS reply dated 18.05.2022 and 20.06.2022

I wish to state that in the reference 1st cited, the Divisional Engineer, Highways Department, Rural Roads, Chengalpattu has uploaded online forest clearance proposal under Section 2 of Forest (Conservation) Act, 1980 for diversion of 0.678 ha of forest land for upgradation of Mahaniyam to Padappai road km 0/188-1/200 lies in Mahaniyam RF to a length of 1012m in Kancheepuram Forest Division in Kancheepuram District under proposal No. FP/TN/Road/148552/2021.

- 1) Brief details of the project are given below.

i) The User Agency has uploaded the 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.

ii) Name of the project in which forest land required reported as upgradation of Mahaniyam to Padappai road km 0/188-1/200 of Mahaniyam RF.

iii) Short narrative of the project for which the forest land required reported as upgradation of Mahaniyam to Padappai road with more villages connected to Tambaram and Kancheepuram via Padappai.

iv) Diversion of 0.678 ha of forest has been requested in Kancheepuram Forest Division area in Chengalpattu District. Name of the village reported as Mahaniyam for 0.678 ha forest area and component wise break up reported as road.

v) 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 map has been furnished.

vi) The user agency has proposed forest area diversion for upgradation of Mahaniyam to Padappai road to a length of 1012m lies in forest area with 3.75m carriageway width and shoulder width of 1.475m on either side of Mahaniyam RF has a total area of 0.678 ha

vii) The user agency has stated that the project or part thereof is not located in any protected area or their Eco sensitive zone.

viii) The User Agency has furnished the certificate issued by the District Collector, Kancheepuram District about completion of process for settlement of rights under Forest Rights Act, 2006 on the forest land proposed for diversion in Ref. No. B2/13235/2021, dated 21.10.2021

ix) The user agency has furnished required certificates/ undertakings/ details under additional Information details section.

a) Certified that, there is no work in violation of Forest (Conservation) Act, 1980 has been carried out in the project area.

b) Certified that forest land requested is the minimum required for the project and all other alternatives have been examined and found not feasible.

c) Undertaking to pay the Net Present Value of forest land and additional amount if any revised in future.

d) To bear the cost of raising and maintenance of compensatory afforestation
e) Undertaking to lay the lease rent as fixed by the Forest Department at the time of sanction along with any escalation for the subsequent years.

f) Certificate obtained from the District Collector, Kancheepuram about non-availability of non-forest land for the project in Ref. No. B2/13235/2021, dated 21.10.2021

g) Area requirement for the project reported as 1012 length and 3.75m width for carriageway and 1.475m width on either side for shoulder thus area requirements is 0.678 ha

2) The District Forest Officer, Kancheepuram Division has forwarded the proposal along with Site Inspection report and recommendation of the proposal to the Conservator of Forests, Chennai Circle on 24.03.2022 and furnished EDS reply on 31.03.2022 and 17.05.2022.

Details furnished in the Part-II of Form A by the District Forest Officer, Kancheepuram Division is furnished below.

i) The legal status of the proposed site of diversion of 0.678 ha of forest land requested for the project is Reserved Forests.

As per the site inspection report and recommendation of the project uploaded by the District Forest Officer, Kancheepuram Division, name of the forest land reported as Mahaniyam RF.

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

iii) In the Part-II of Form-A, the District Forest Officer has reported the species wise and girth class wise enumeration of trees in the area is eight trees.

In the EDS reply uploaded, the District Forest Officer has reported that out of the 8 trees, 4 numbers are planted trees and 4 numbers are of spontaneous growth trees.

iv) Vulnerability of the forest area to erosion reported as NIL

v) The District Forest Officer has reported that Civet cat, Rabbit, Fox, Snacks, Spotted deer, Peacock, Monkey, Monitor lizard are present in and around the forest land proposed for diversion. The forest area proposed for diversion is not 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. 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) For the proposed diversion of 0.678 ha of forest land in Mahaniyam RF for upgradation of Mahaniyam to Padappai road lies in Mahaniniyam RF for a length of 1012m and total width of 6.70m, compensatory afforestation has been proposed in 1.436 ha of degraded forest area in Mahaniyam RF by planting of 1436 number of misc seedlings along with maintenance of plantation over a period of 10 year period at a cost of Rs. 28,27,790/- including 5% amount provided to contingency fund to meet out the special nature of works for restocking the plantation and furnished the cost estimate of the CA scheme and area marked in the Survey of India topo sheet and surveyed sketch of the proposed CA area in geo-referenced map. Site suitability certificate of the CA area has also been furnished by the District Forest Officer.

Forest area proposed for diversion in this project proposal is 0.678 ha and the District Forest Officer has proposed CA scheme for 1.436 ha of forest area in Mahaniyam RF.

ix) In the site inspection report, the District Forest Officer has stated that, site inspection carried out on 22.02.2022. Total area required for diversion is 1012m length and 3.75m width for carriage way and 1.475m width on either side of the road for shoulder (total width is 6.70m)

a) The District Forest Officer has reported that, on inspection, it was found that the road was already laid long time back in forest area and there is no proper records available on when the road was formed by the user agency. Also, the requested forest stretch is in continuation of the already existing Mahaniyam-

Padappai road. As per the report of the user agency, the present road was constructed before 1980 and it was maintained by Rural Development Department and also informed that the last renewal was carried out prior to 2006 and the road is heavily damaged for the past 16 years in forest portion. Forest Range Officer, Sriperumpudur reported that this road has no right of way as per Mahaniyam RF notification.

b) Now the Divisional Engineer (H) N&RR, Chengalpattu has applied for diversion of 0.678 ha of this forest land for upgradation of road. There are 8 trees to be removed along the existing road in the forest area proposed for diversion. The road is highly essential for providing access for the people of surrounding villages.

c) Many representations from all corners were received by the District Administration and the District Collector, Kancheepuram has also insisted during the inter departmental meeting for the upkeep of this road and ambulances are facing problem crossing the particular road stretch passing through the Mahaniyam RF due to the bad condition of the road in this stretch.

d) Taking into consideration of the above facts, the proposed diversion of 0.678 ha area in Mahaniyam RF recommended by the District Forest Officer, Kancheepuram Division.

3) The Conservator of Forests, Chennai Circle has inspected the area on 30.03.2022 and endorsed the details provided by the District Forest Officer and recommended the proposal. Forest clearance proposal forwarded through web portal on 08.04.2022 and resubmitted the proposal on 18.05.2022.

4) The User Agency has requested forest area diversion for a period of 99 years. The District Forest Officer, Kancheepuram Division and the Conservator of Forests, Chennai Circle have recommended the diversion of forest area for a period of 20 years.

Based on the recommendations made by the District Forest Officer and Conservator of Forests, diversion of forest land is recommended for 20 years.

5) State Government may accord diversion of forest land of less than one hectare in each case for non forestry purposes under the Forest (Conservation) Act, 1980, for creation of critical development and security related infrastructure of Government Departments under the general approval of Section 2 of Forest

(Conservation) Act, 1980 guidelines. Construction and widening of road is one of the work allowed under general approval list.

6) Based on the recommendation made by the District Forest Officer, Kancheepuram Division and Conservator of Forests, Chennai Circle, proposal received for diversion of 0.678 ha of forest land for upgradation of Mahaniyam to Padappai road km 0/188-1/200 lies in Mahaniyam RF to a length of 1012m in Kancheepuram Forest Division in Kancheepuram District seeking approval under Section 2 of Forest (Conservation) Act, 1980 by the Divisional Engineer, Highways, Nabard and Rural Roads, Chengalpattu is furnished to the Government for consideration of the Government subject to the following conditions.

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

ii) 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.

iii) The user agency has to pay the cost towards compensatory afforestation scheme over an extent of 1.436 ha of degraded forest area as per the Compensatory afforestation scheme including maintenance for a period of 10 years.

iv) The User Agency has to pay the Net Present Value of proposed forests diversion area which will be fixed as per the guidelines of Hon'ble Supreme Court of India /Government of India.

v) 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.

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

vii) The user agency has to obtain permission from the Hon'ble Supreme Court of India for felling of 4 number of spontaneous tree growth in the forest area proposed for the project.

viii) The User Agency has to pay the cost towards annual lease rent for the forest area diversion period 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.

ix) The total forest area utilized for the project shall not exceeds 0.678 ha for with a width of 1012 m and width of 6.70m (3.75m carriage way and 1.475 ha shoulder on either side) in Mahaniyam RF.


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

xi) 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 of Forest (Conservation) Act, 1980 of the State of Tamil Nadu. I request that the proposal may be considered and approval may be issued for diversion of 0.678 ha of forest land for upgradation of Mahaniyam to Padappai road km 0/188-1/200 lies in Mahaniyam RF to a length of 1012m in Kancheepuram Forest Division in Kancheepuram District in favour of the Divisional Engineer, Highways, Nabard and Rural Roads, Chengalpattu for a period of 20 years.

Encl: As stated above.

Yours faithfully


04/02/2022
For Principal Chief Conservator of Forests
(Head of Forest Force)

G
4/02/2022

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 – Diversion of 0.678 ha of forest land for upgradation of Mahaniyam to Padappai road km 0/188-1/200 lies in Mahaniyam RF to a length of 1012m in Kancheepuram Forest Division in Kancheepuram District in favour of the Divisional Engineer, Highways, Nabard and Rural Roads, Chengalpattu - Proposal No. FP/TN/Road/148552/2021

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)

DFO and CF have stated that the road was laid long time back and no proper records are available as to when the road was formed. Range officers enquiry with the village people revealed it was formed by Rural development department prior to 1980. The maintenance and widening of this road is essential for better connectivity and welfare of public. As the User agency has applied for 0.678ha including 3.75m of existing road in the proposal for diversion, based on DFO's and CF's Recommendation this proposal is "Recommended"

Signature

V. Karunapriya
21/6/22

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

Date : -06-2022

Place: Chennai-15.