

TAMILNADU FOREST DEPARTMENT

From

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

To

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

C. No. TS3/39369/2021 Dated: 10.02.2023.

Madam,

Sub: Forest (Conservation) Act, 1980 – Proposal for diversion of 0.8169 ha of forest land in Vallam RF of Kancheepuram Forest Division for relaying and periodical maintenance of Singaperumalkoil-Reddikuppam road to Chengalpattu-Thiruporur road via Anjur, Pattaravakkam, Thenur road km 7/747-8/593 and 8/703.80-8/947 in Chengalpattu Taluk/District in favour of the Divisional Engineer, Highways, Nabard and Rural Roads, Chengalpattu - Proposal forwarding off - Regarding.

- Ref: 1 Online forest clearance proposal uploaded by the Divisional Engineer, Highways Department, Rural Roads, Chengalpattu - Proposal No. FP/TN/Road/148705/2021, dated 05.12.2021 and Re-submission of revised proposal on 03.01.2022
- 2 Part-II of Form-A uploaded by the District Forest Officer, Kancheepuram Division on 25.08.2022
- 3 Part-III of Form-A uploaded by the Conservator of Forests, Chennai Circle on 11.10.2022 and resubmission of proposal on 14.12.2022 and 23.01.2023

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I wish to state that, 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 0.8169 ha of forest land in Vallam RF of Kancheepuram Forest Division for relaying and periodical maintenance of Singaperumalkoil-Reddikuppam road to Chengalpattu-Thiruporur road via Anjur, Pattaravakkam, Thenur road km 7/747-8/593 and 8/703.80-8/947 in Chengalpattu Taluk/District under proposal No. FP/TN/Road/148705/2021.

- 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 and short narrative of the project in which forest land required reported as relaying and periodical maintenance of Singaperumal Koil-Reddikuppam road to Chengalpattu-Thiruporur road via Anjur, Pattaravakkam, Thenur road km 7/747-8/593 and 8/703.80-8/947 in Chengalpattu District.

iii) The User Agency has reported that area required in forest area is for 0.8169ha., and non forest land required for the project is Zero ha.,

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

v) On behalf of User Agency, Divisional Engineer, Highways Department, Government of Tamil Nadu - the present incumbent Officer of Divisional Engineer, Construction and Maintenance, Chengalpattu has uploaded the proposal in the prescribed format. Legal status of the User Agency is State Government (Department).

vi) In the uploading of copy of documents in support of the competence/authority of the person making this application to make application on behalf of the User Agency section, the User Agency has uploaded the authentication issued by the Superintending Engineer, Nabard and Rural Roads Circle, Chengalpattu to the Divisional Engineer, Highways Nabard and Rural Roads Division, Chengalpattu in letter dated 22.10.2021 has been uploaded.

vii) 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

viii) Diversion of 0.8169 ha of forest has been requested in Chengalpattu-Kancheepuram Forest Division of Chengalpattu District. Name of the village in which forest land requested has been reported as Vallam RF.

ix) The User Agency has furnished the component wise breakup details of land required for the project as road in two segments.

x) 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.

xi) Note containing justification for locating the project in forest area has been uploaded.

The user agency has proposed forest area diversion for relaying and periodical maintenance of Singaperumalkoil-Reddikuppam road to Chengalpattu-Thiruporur road via Anjur, Pattaravakkam, Thenur road km 7/747-8/593 and 8/703.80-8/947 with carriage way width of 5.50m and shoulder width of 1.00m on either side for 1089.20m length lies in Vallam RF has a total area of 0.8169 ha in two segments in Chengalpattu District.

xii) The User Agency has stated that this project is likely to generate permanent/ regular employment for 100 persons and temporary employment for 50 persons. This project does not involve displacement of people due to the project, cost-benefit analysis for the project is not required and this project not requires clearance under the Environment (Protection) Act, 1986.

xiii) The User Agency has stated that the project or part thereof is not located in any protected area or their Eco sensitive zone and the project or a part thereof is not located in a Scheduled area.

xiv) The User Agency has stated that, the process for settlement of Rights under the Forest Rights Act 2006 on the forest land proposed to be diverted has been completed and uploaded a copy of certificate issued by the District Collector, Chengalpattu in R.C No. 1192/2021/B2, dated 06.09.2021 for 0.90 ha of forest land required for the project. (1200m length and 7.50m width = 9000 sq.m – BT width of 5.50m and shoulder width of 1.00m on either side)

xv) 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 as not applicable.

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

a) Area requirement statement –

km 7/747-8/593 and 8/703.80-8/947 with carriage way width of 5.50m and shoulder width of 1.00m on either side for 1089.20m length has a total area of 0.8169 ha in two segments.

b) Certified that the requested diversion of forest land designed for minimum forest involvement

c) Certified that there is no suitable alternative non-forest land is available for the project.

d) Certified that no work in violation of the Forest Conservation Act 1980 has been carried out for the work proposed in the forest area.

e) GPS reading of the proposed forest diversion area.

f) Undertaking to bear the cost of felling of trees and transportation cost of trees to be removed under the project.

g) Undertaking to bear the cost along with any escalation for exploitation of trees in the project.

h) Undertaking to pay the additional amount of Net Present Value of forest land required for the project.

i) Undertaking to pay the cost towards lease rent as fixed by the Forest Department at the time of sanction and along with any escalation.

j) Undertaking to pay the Net Present Value of forest land required for the project.

k) Undertaking to deposit the cost of compensatory afforestation twice in extent of degraded forest area.

l) Certificate issued by the District Collector, Chengalpattu District in C. No. 1192/2021/B2, dated 06.09.2021 on no alternate non forest land is available for the project and the best possible alignment requires the utilization of the Reserve Forest land.

3) 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 25.08.2022 and resubmitted the proposal on 25.08.2022, 07.11.2022, 07.01.2023, 13.01.2023.

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 0.8169 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 Vallam 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 15 No and status of the trees reported as spontaneous grown trees.

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

v) The District Forest Officer has reported that Spotted deer, Black buck, Civet Cat, Rabbit, Fox, Peacock, Monkey, Mongoose, Leopard, Porcupine 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.

viii) The District Forest Officer has reported that work in violation of the Act or guidelines issued under the Act has been carried out by the Rural Development and information of the person responsible for the violation has been sought from DRDA

and awaiting response from the DRDA for the same. Period of work done reported as 22 years.

In the EDS reply, the District Forest Officer has reported that, there is no information available to determine when the road was laid. The User Agency has mentioned that in 1985 it was laid and was maintained during 2008, however no supporting documents were submitted. Hence it was not possible to identify who was responsible.

Concerned staff details were called for from the Joint Director and Project Director, Chengalpattu vide District Forest Officer, Chengalpattu Division Kancheepuram in Ref. No. D/1120/2022, dated 01.08.2022 and details awaited.

ix) For the proposed diversion of 0.8169 ha of forest land in Vallam RF for relaying and periodical maintenance of Singaperumalkoil-Reddikuppam road to Chengalpattu-Thiruporur road via Anjur, Pattaravakkam, Thenur road km 7/747-8/593 and 8/703.80-8/947 with carriage way width of 5.50m and shoulder width of 1.00m on either side for 1089.20m length lies in Vallam RF, revised compensatory afforestation has been proposed in 1.634 ha of degraded forest area in Salur RF by planting of 1634 number of misc seedlings along with maintenance of plantation over a period of 10 year period at a cost of Rs. 29,04,345/- including 5% amount provided to contingency fund to meet out the special nature of works for restocking the plantation at Rs. 1,38,302/- and Rs.97,884/- towards to carry out water harvesting trench to a length of 300m along the boundary of Salur RF 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.

In the EDS reply, the District Forest Officer has justified the inclusion of water harvesting trenches for the better survival of CA scheme plantation.

x) In the site inspection report and recommendation of the proposal (copy enclosed with the proposal), the District Forest Officer has stated the following.

a) This proposal is for diversion of 0.8169 Ha of forest land in Vallam Reserved Forests of Kancheepuram Forest Division for up gradation of Singaperumalkoil-Reddikuppam road to Chengalpattu-Thiruporur road via Anjur, Pattaravakkam, Thenur road km 7/747-8/593 and 8/703.80-8/947. The general public

has been using this route for a longtime. This road passes through 0.8169 Ha of forest land in Vallam RF of Chengalpattu Range. The said area was inspected by him on 16.06.2022.

b) Total area requested for diversion is 1089.20 mtr (length) x 5.500mtr (width) + 1.00 on either side (shoulder width) = 8169 M2 (or) 0.8169 Ha.

c) The Divisional Engineer (H), N&RR, Chengalpattu has applied for diversion of 0.8169 Ha of this forest land for up gradation of Singaperumalkoil-Reddikuppam road to Chengalpattu-Thiruporur road via Anjur, Pattaravakkam, Thenur road. User agency has submitted necessary undertaking on Compensatory Afforestation expenditure, NPV, Additional Net Present Value and lease Rent. There are 15 trees to be removed along the existing road in the forest area proposed for diversion. The road is highly essential for providing access to the people of Reddikuppam, Anjur, Pattaravakkam and Thenur villages. Many representations from all corners were received by the District administration and the District Collector, Chengalpattu has also insisted during the inter departmental meetings for the upkeep of this road as Ambulances and other essential service vehicles are facing problem while crossing the particular road stretch passing through the Vallam RF due to the bad condition of the road in this stretch.

d) Taking into consideration of the above facts, the proposed diversion of 0.8169 ha area in Vallam Reserved Forest is recommended.

In the EDS reply, the District Forest Officer has reported the following.

i) The road was already laid in past and relaying and periodical maintenance of Singaperumalkoil-Reddikuppam road to Chengalpattu-Thiruporur road via Anjur, Pattaravakkam, Thenur Road km 7/747-8/947 and thus this proposal is for relaying and periodical maintenance.

ii) Present condition of road length 1089.20m and 5.50m road width of BT portion and 1.00m wide on either side of shoulder width and the Divisional Engineer Highways N&RR, Chengalpattu has applied for forest land diversion of same area. Hence it does not involve any expansion work of road.

iii) User agency has uploaded Survey of India topo sheet of year 2005. As per Survey of India topo sheet No. 66D/2 of 1976 year, the road is not mentioned, thus it cannot be ascertained whether the road was laid before 1980.

4) The Conservator of Forests, Chennai Circle has inspected the area on 10.10.2022 and endorsed the details provided by the District Forest Officer and recommended the proposal. Forest clearance proposal forwarded through web portal on 11.10.2022 and resubmitted the proposal on 14.12.2022 and 23.01.2023.

5) 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.

6) 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.

However as per the Government of India guidelines in F. NoFC-11/113/2022-FC, dated 08.09.2022, proposal has to be got approval from the Government of India.

7) This proposal involves felling of 15 Ns. of trees identified in the proposed forest diversion area. As per the EDS reply furnished by the District Forest Officer, Kancheepuram Division, the status of trees reported as spontaneous trees.

For felling of spontaneous trees in the forest areas, Hon'ble Supreme Court of India orders to be obtained. Now, the Hon'ble Supreme Court its judgment dated 11.01.2023 in I.A Nos 168328/2022 and 168313/2022 and I.A Nos. 191583/2022, have directed that the order requiring permission of this 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 and the project would be permitted only after the concurrence of the Integrated Regional Office (IRO), Chennai.

Hence concurrence of the Integrated Regional Office, Chennai is required for this project.

8) Based on the recommendation made by the District Forest Officer, Kancheepuram Division and Conservator of Forests, Chennai Circle, proposal received for diversion of 0.8169 ha of forest land in Vallam RF of Kancheepuram Forest Division for relaying and periodical maintenance of Singaperumalkoil-Reddikuppam road to Chengalpattu-Thiruporur road via Anjur, Pattaravakkam, Thenur road km 7/747-8/593 and 8/703.80-8/947 of road with carriage way width of 5.50m and shoulder width of 1.00m on either side for 1089.20m length lies in Vallam RF in Chengalpattu Taluk/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 proposal and to obtain approval from the Government of India and the following conditions recommended for imposition of the project.

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 1.634 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 pay the cost towards cutting and transport of 15 number of trees identified on the proposed forest diversion area to the District Forest Officer, Kancheepuram Division

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 0.8169 ha for with a length of 1089.20m and width of 7.50m (5.50m carriage way and 1.00 m shoulder on either side) in Vallam 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.

9) 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.

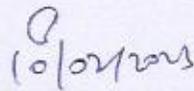
10) I request that the proposal may be considered and approval may be obtained from the Government of India for diversion of 0.8169 ha of forest land in Vallam RF of Kancheepuram Forest Division for relaying and periodical maintenance of Singaperumalkoil-Reddikuppam road to Chengalpattu-Thiruporur road via Anjur, Pattaravakkam, Thenur road km 7/747-8/593 and 8/703.80-8/947 of road with carriage way width of 5.50m and shoulder width of 1.00m on either side for 1089.20m length lies in Vallam RF in Chengalpattu Taluk/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

  
10/02/2023

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

  
10/02/2023

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 0.8169 ha of forest land in Vallam RF of Kancheepuram Forest Division for relaying and periodical maintenance of Singaperumalkoil-Reddikuppam road to Chengalpattu-Thiruporur road via Anjur, Pattaravakkam, Thenur road km 7/747-8/593 and 8/703.80-8/947 in Chengalpattu Taluk/District in favour of the Divisional Engineer, Highways, Nabard and Rural Roads, Chengalpattu - Proposal No. FP/IN/Road/148705/2021

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)

Recommended  
Ketija  
06/2/23

Signature :

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 -02-2023

Place: Chennai-32.