

TAMILNADU FOREST DEPARTMENT

From

Subrat Mohapatra, 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. TS3/39364/2021 Dated: 13.08.2023.

Madam,

Sub: Forest (Conservation) Act, 1980 – Proposal for diversion of 0.686 ha of forest land in Paratur RF for relaying and periodical maintenance of GST road to Vadagal via Chettipuniyam road km 1/280-2/0 in Chengalpattu District to a length of 686m and 10m width (7.00m carriage way and 1.50m shoulder width on either side) in Chengalpattu Forest Division in Chengalpattu District in favour of the Divisional Engineer, Highways, Nabard and Rural Roads, Chengalpattu - Proposal forwarding - Regarding.

- Ref: 1 Online forest clearance proposal uploaded by the Divisional Engineer, Highways Department, Rural Roads, Chengalpattu - Proposal No. FP/TN/Road/148740/2021, dated 24.10.2021, and Re-submission of revised proposal on 05.12.2021, 03.01.2022 and 12.01.2022
- 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

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I wish to state that, the Divisional Engineer, Highways, Nabard and Rural Roads, Chengalpattu has uploaded online forest clearance proposal under Section 2 of Forest (Conservation) Act, 1980 for diversion of 0.686 ha of forest land in Paratur RF for relaying and periodical maintenance of GST road to Vadagal via Chettipuniyam road km 1/280-2/0 in Chengalpattu District to a length of 686m and 10m width (7.00m carriage way and 1.50m shoulder width on either side) in Chengalpattu Forest Division in Chengalpattu District under proposal No. FP/TN/Road/ 148740/2021.



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 GST road to Vadagal via Chettipuniyam road km 1/314-2/0 in Paranur RF of Chengalpattu Taluk.

iii) The User Agency has reported that area required in forest area is for 0.686 ha., 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, Nabard and Rural Roads, Chengalpattu, the present incumbent Officer of Divisional Engineer, Highways Department, Nabard and Rural Roads, Chengalpattu has uploaded the proposal in the parivesh portal. 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.

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 0.686 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 Paranur.

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

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 GST road to Vadagal via Chettipuniyam road km 1/314-2/0 in Paranur RF of Chengalpattu Taluk to a length of 686m lies in forest area with 7.00m carriageway width and shoulder width of 1.50m on either side of Paranur RF has a total area of 0.686 ha

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 0.72 ha of forest land required for the project. (720m length and 10.0m width = 7200 sq.m – BT width of 7.00m and shoulder width of 1.50m 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 1/314-2/0 = 686m length and 7.00m carriageway width and 1.50m shoulder width on both sides = 6860 sq.m or 0.686 ha

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) Certified that the work lies in Chettipuniyam village, Chengalpattu Firka.

f) GPS reading of the proposed forest diversion area.

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

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

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

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

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

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

m) Certificate issued by the District Collector, Chengalpattu District in C. No. 1192/2021/B2, dated 06.09.2022 on no alternate non forest land is available for the project and the best possible alignment requires the utilization of the Reserve Forest land.

n) Joint Director/Project Director District Rural Development Agency, Chengalpattu letter No. dated 3003/2022/A9 dated .07.2022 addressed to the Divisional Engineer, Nabard and Rural Roads Chengalpattu on non tracing of document on prior approval obtained from Forest Department for formation/maintenance of road in forest area.

2) After raising EDS query to the user agency on 23.03.2022, 13.04.2022, 21.04.2021 and 24.06.2022, 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

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 0.686 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 Paranur 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 "ZERO".

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, Wolf, Peacock, Monkey, Mongoose, Porcupine etc., 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 on violation of the Act or guidelines issued under the Act has been carried out by the Rural Development Department 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.

ix) For the proposed diversion of 0.686 ha of forest land in Paranur RF for relaying and periodical maintenance of GST road to Vadagal via Chettipuniyam from km 1/314 to 2/00, compensatory afforestation has been proposed in 1.372 ha of degraded forest area in Thirukalukundram RF by planting of 1372 number of misc seedlings along with maintenance of plantation over a period of 10 year period at a cost of Rs. 23,86,615/- including 5% amount provided to contingency fund to meet



out the special nature of works for restocking the plantation, Rs. 32628/- to carry out water harvesting trench to a length of 100m along the boundary of Thirukalukundram 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, the District Forest Officer has stated the following.

i) This proposal is for diversion of 0.686 Ha of forest land in Paranur Reserved Forests of Kancheepuram Forest Division for up gradation of GST road to Vadagal Road at KM 1/314 - 2/0. The general public has been using this route for a longtime. This road passes through 0.686 Ha of forest land in Paranur RF of Chengalpattu Range. The said area was inspected by me on 16.06.2022.

a) Total area requested for diversion is 686 mtr (length) x 7.00mtr (width) + 1.50 on either side (shoulder width) = 6860 M2 (or) 0.686 Ha.

b) 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, as per user agency was report submitted Ref No.753/2021/JDO - 1 dated.26.07.2022. Also, the requested forest stretch is in continuation of the already existing GST road to Vadagal Road. Forest Range Officer, chengalpattu reported based on enquiry with village people that, this road was formed 30 years before and also reported that this road has Right of way No.4 as per the Paranur Reserved Forest notification.

c) As per the report of the user agency, the present road was constructed before 1985 and it was maintained by Rural Department and also informed that the last renewal was carried out prior to 2010 in violation of Forest Conservation Act 1980 and the road is heavily damaged for the past 11 years in forest portion. Considering the above facts, penal action may be taken as per Government of India, Ministry of Environment, Forests and Climate Change, Ref. No. F.No.11-42/2017-FC, dated 29/01/2018 or other rules as deemed fit.

d) Now the Divisional Engineer (H), N&RR, Chengalpattu has applied for diversion of 0.686 Ha of this forest land for up gradation of GST road to Vadagal Road. User agency has submitted necessary undertaking on Compensatory



Afforestation expenditure, NPV, Additional Net Present Value and lease Rent. There is no tree growth along the existing road in the forest area proposed for diversion. The road is highly essential for providing access to the people of Vadagal, Settipunniyam & 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 Paranur RF due to the bad condition of the road in this stretch.

e) Taking into consideration of the above facts, the proposed diversion of 0.686 ha area in Paranur Reserved Forest is recommended.

ii) 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 repaired up to 210. However no supporting documents were furnished. Thus it is not possible to identify responsible subordinate staff and initiate action.

a) Concerned staff details from DRDA has been called from the Project Director, DRDA Chengalpattu.

b) Right of way is available for 12 feet wide to a length of 686mts. Present condition of road is 5.50m width and Shoulder width of 1.00 m on either side available. Road improvement work is proposed for carriage way width of 7.00m with shoulder width of 1.50m width on either side

3) 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, 24.01.2023 and 24.07.2023.

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.

Forest area diversion proposals for road works are permanent nature and is recommended for a period of 50 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.

However as per the Government of India guidelines in F. NoFC-11/113/2022-FC, dated 08.09.2022, proposals submitted for ex-post facto approval, involving violation of Forest Conservation Act, 1980 are at par with the cases pertaining to encroachments of forest land and therefore the process prescribed under clause (c) of sub rule 2 of Rule 7 of the Forest Conservation Rules 2003. Proposal of regularization of encroachments including proposal or ex-post facto approval shall be decided by the Ministry at Central level.

6) Based on the recommendation made by the District Forest Officer, Chengalpattu Division and Chief Conservator of Forests, Chennai Circle, proposal received for diversion of 0.686 ha of forest land in Paranur RF for relaying and periodical maintenance of GST road to Vadagal via Chettipuniyam road km 1/280-2/0 in Chengalpattu District seeking approval under Section 2 of Forest (Conservation) Act, 1980 by the Divisional Engineer, Highways, Nabard and Rural Roads, Chengalpattu may be furnished to the Government for consideration and to obtain concurrence from the Government of India and the following conditions may be 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 1.372 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.



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



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 0.686 ha of forest land in Paranur RF for relaying and periodical maintenance of GST road to Vadagal via Chettipuniyam road km 1/280-2/0 in Chengalpattu District to a length of 686m and 10m width (7.00m carriage way and 1.50m shoulder width on either side) in Chengalpattu Forest Division in Chengalpattu District in favour of the Divisional Engineer, Highways, Nabard and Rural Roads, Chengalpattu - Proposal No. FP/TN/Road/148740/2021

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



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 : 04 -08-2023

Place: Chennai-32.