

By online / Email.

TAMILNADU FOREST DEPARTMENT

From

Thiru Syed Muzammil Abbas, I.F.S.,
Principal Chief Conservator of Forests,
(Head of Forest Force)
Forest Head Quarters Building, Guindy-
Velachery Main Road, Guindy, Chennai-32.

To

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

C. No. TS3/57873/2019 Dated: 12.11.2022.

Madam,

Sub: Forest (Conservation) Act, 1980 – Proposal for diversion of 0.27 ha of forest land in Thiruthuraiyur RF of Cuddalore Forest Division for construction of BT approach road, cremation shed, providing water supply and street lights to burial ground of Thiruthuraiyur village in Cuddalore District in favour of the Block Development Officer (BP), Panchayat Union, Annagramam, Cuddalore District - Proposal forwarding – Regarding.

- Ref: 1 Online application uploaded by the User Agency - The Block Development Officer, Panchayat Union Office, Annagramam, Cuddalore District Pin code 607112. Proposal No. FP/TN/Others/42069/2019
- 2 Part-II of Form-A uploaded by the District Forest Officer, Cuddalore Division on 27.01.2021 and resubmission of proposal in the web portal
- 3 Part-III of Form-A uploaded by the Conservator of Forests, Villupuram Circle on 16.02.2021 and resubmission of proposal on 30.03.2022 and 06.09.2022.

I wish to state that, the Block Development Officer, Panchayat Union Office, Annagramam, Cuddalore District has uploaded online forest clearance proposal under Section 2 of Forest (Conservation) Act, 1980 for diversion of 0.27 ha of forest land in Thiruthuraiyur RF of Cuddalore Forest Division for construction of BT approach road, cremation shed, providing water supply and street lights to burial ground of Thiruthuraiyur village in Cuddalore District under proposal No. FP/TN/Others/42069/2019.

1) 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.

i) Name of the project and short narrative of the project in which forest land required reported as construction of approach road (BT Road), cremation shed, providing water supply to burial ground Thiruthuraiyur village.

ii) Area required in forest area is for 0.27 ha., and non forest land required for the project is Zero ha., The User Agency has proposed the forest area diversion for the project for a period of 30 years.

iii) Diversion of 0.27 ha of forest area has been requested in Cuddalore Forest Division area in Cuddalore District. Name of the village in which forest land requested has been reported as Thiruthuraiyur village.

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

a) Cremation shed	- 15m x 15m = 225 sq.m	- 0.0225 ha
b) BT road	- 400m x 5.00m = 2000 sq.m	- 0.20 ha
c) Water supply hand pump - 6" dia 220 ft	- 15mx5m = 75 sq.m	- 0.0075 ha
d) Street light 415 volt over transmission line - 400m length		- 0.04 ha
Total area		- 0.27 ha

v) The user agency has uploaded the kml file of the area proposed for diversion, scanned copy of Survey of India topo sheet indicating boundary of forest land proposed to be diverted and scanned copy of Geo referenced location map of the proposed diversion of forest area. GPS co-ordinates of the project area.

vi) The user agency has uploaded a copy of justification report for locating the project in forest area.

vii) The User Agency has stated that this project is not likely to generate employment. This project does not involve displacement of people due to the project and cost-benefit analysis and Environment clearance for the project are not required.

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

ix) 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, Cuddalore in letter No. A4/720/2019, dated 07.05.2020.

x) The User Agency has uploaded following documents in the additional information details section.

a) The User Agency has uploaded the certificate issued by the District Collector, Cuddalore District that no alternate Government / vacant land available for the project (Letter No. A4/0720/2019, dated 20.02.2020).

b) Certified that no violation has been carried out under the provision of Forest Conservation Act, 1980.

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

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

e) Undertaking to deposit the cost of raising compensatory afforestation / scheme as fixed by the forest department.

f) Undertaking to bear the cost along with any escalation for exploitation of trees in the forest land to be diverted for the project.

g) Certified that no alternative suitable non forest land is available for the project.

h) Certified that the demand for the forest land for the project is minimum.

i) Undertaking to pay 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 to the above project.

j) Further, the user agency has uploaded a copy of Thiruthuraiyur Reserve Forest Notification in which right to burial ground has been allowed for Thiruthuraiyur Hindus over a extent of one acre.

k) The user agency has furnished the map of component wise area required for the project.

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

i) The District Forest Officer, Cuddalore Division has reported that the legal status of the proposed site of diversion of 0.27 ha of forest land is 'Reserved Forests'. As per site inspection report, name of the forest land is "Thiruthuraiyur RF".

ii) The District Forest Officer has reported that, density of the forest area is 0.1 and Eco class of forest area is five

iii) The District Forest Officer has reported that there is no trees available in the project area. (No spontaneous or planted trees)

iv) On vulnerability of the forest land proposed for diversion, the District Forest Officer reported that not vulnerable to 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 not located within 1 km from boundary of NP/WLs etc.,

The District Forest Officer has reported that spotted deer, Reptiles are present in and around 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) The District Forest Officer has reported that Compensatory afforestation may not be insisted as the clearance requested is for approach road to burial ground which is basic requirement for nearby people.

ix) In the site inspection report, the District Forest Officer has stated that he inspected the area on 07.01.2021 and reported that the proposed Thiruthuraiyur RF area is having degraded forest, the existing pathway has been utilized by village people to reach the burial ground. The Rural Development Officials (user agency)

explained that the activities proposed for electricity connection and bore well are also necessary for burial ground. Right of way is also admitted as per Thiruthuraiyur RF notification. No tree felling is required for the project.

x) In the recommendation of the project, the District Forest Officer has reported that approach road to burial ground is a basic requirement and right of way is also there, the project is recommended.

3) The Conservator of Forests, Villupuram Circle has also recommend the project and stated that, approach road to burial ground is a basic requirement and right of way is also there, the project is recommended.

4) Forest area diversion has been requested for a period of 30 years. The District Forest Officer, Cuddalore Division has recommended the proposal for 30 years. The Conservator of Forests, Villupuram Circle has recommended the project for a period of 10 years only.

Based on the recommendation of the District Forest Officer, Cuddalore Division, diversion of forest area is recommended for a period of 30 years.

5) State Government is empowered to accord forest area diversion up to one ha area for certain critical public utility and welfare projects undertaken by the Government as detailed below.

(a) Schools/ Educational Institutes (b) Dispensary/ hospital (c) Electric and telecommunication lines (d) Drinking water (e) Water/ rainwater harvesting structures (f) Minor irrigation canal (g) Non-conventional sources of energy (h) Skill up-gradation / vocational training center (i) Power sub stations (j) Communication posts (k) Construction/ widening of roads including approach road to roadside establishments (l) Upgradation/ strengthening/widening of existing bridges by BRO (m) Police establishments like police stations /outposts /border outposts /towers in sensitive areas (identified by Ministry of Home Affairs) (n) Government approved community toilets partly or fully in forest lands involving not more than one-hectare subject to approval by GP in rural areas and urban bodies in urban areas, and (o) Water mills.

The present forest clearance proposal furnished under the category of others and diversion of forest area has been requested for following purposes.

Sl. No.	Category	Extent	Area	Category under critical public utility and welfare projects
1	BT road	400m x 5.00m = 2000 sq.m	0.20 ha	comes under (k) above
2	Water supply hand pump – 6” dia 220 ft	15mx5m = 75 sq.m	0.0075 ha	comes under (d) above
3	Street light 415 volt - over transmission line	400m length	0.04 ha	comes under (c) above
4	Cremation shed	15m x 15m = 225 sq.m	0.0225 ha	not covered under critical public utility and welfare projects undertaken by the Government.
	Total		0.27 ha	

Diversion of forest land for activities like burial ground – cremation centre is not find place in the list. Hence out of 0.27 ha proposed for diversion, extent required for cremation shed of 0.0225 ha requires Government of India approval.

6) As recommended by the District Forest Officer, Cuddalore Division and Conservator of Forests, Villupuram Circle, the proposal for diversion of 0.27 ha of forest land in Thiruthuraiyur RF of Cuddalore Forest Division for construction of approach road, cremation shed, providing water supply and street lights to burial ground of Thiruthuraiyur village in Cuddalore District in favour of the Block Development Officer (BP), Panchayat Union, Annagramam, Cuddalore District is recommended to the Government for consideration subject to the following conditions.

- The legal status of the diverted forest land remains unchanged.
- 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.
- 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.

d) 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.

e) The user agency shall compulsorily transfer the Net present Value of forest land proposed for diversion under the project to CAMPA funds only through e-portal (<https://parivesh.nic.in/>)

f) The User Agency has to pay the 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 of the above project in future for the entire project period.

g) The total forest area utilized for the project shall not exceeds 0.27 ha

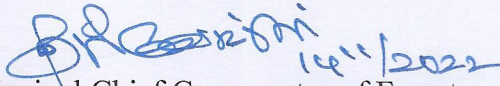
h) Period of lease can be thirty (30) years. The User Agency has to apply renewal proposal before one year of expiry of lease with the State Forest Department.

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.

8) I request that the proposal may be considered and orders may be obtained from the Government of India for diversion of 0.27 ha of forest land in Thiruthuraiyur RF of Cuddalore Forest Division for construction of approach road, cremation shed, providing water supply and street lights to burial ground of Thiruthuraiyur village in Cuddalore District in favour of the Block Development Officer (BP), Panchayat Union, Annagramam, Cuddalore District for a Period of thirty year.

Encl : As stated above.

Yours faithfully


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

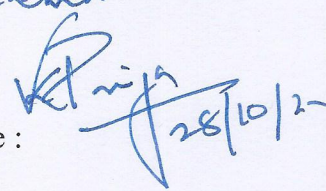
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(4/11/22)

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 – Proposal for diversion of 0.27 ha of forest land in Thiruthuraiyur RF of Cuddalore Forest Division for construction of BT approach road, cremation shed, providing water supply and street lights to burial ground of Thiruthuraiyur village in Cuddalore District in favour of the Block Development Officer (BP), Panchayat Union, Annagramam, Cuddalore District - Proposal No. FP/TN/Others/42069/2019

17	Detailed opinion and specific recommendation of the State Forest Department for acceptance of 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 :  28/10/22

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 : 28-10-2022

Place: Chennai-32.