

**TAMILNADU FOREST DEPARTMENT**

From

To

Dr. N. Krishnakumar, IFS.,  
Principal Chief Conservator of Forests,  
(Head of Department),  
Panagal Maaligai, Saidapet,  
Chennai - 600 015.

The Principal Secretary to Government,  
Environment and Forests Department,  
Secretariat,  
Chennai 600 009.

**C.No.TS4/ 5306/2014, Dated: 06.02.2017.**

Sir,

Sub: Forests –Nagapattinam District – Diversion of 0.53 ha of forest and in Pudupattinam Reserved Forests Bit –I – Reconstruction of New RCC Bridge improvement on both side – proposal online submitted – works take up without prior approval – submission report – regarding.

- Ref: 1 Conservator of Forests, Trichy Circle, ref.No. 12080/2013/D, dated: 04.10.2014.  
2 Conservator of Forests, Trichy Circle, ref.No. 12080/2013/D, dated:28.09.2015.  
3. The Wildlife warden, Nagapattinam Division letter No. 2930/2013, dated: 18.10.2013.

\*\*\*\*\*

I wish to inform that the Wildlife Warden, Nagapattinam Division has sent the proposal through Conservator of Forests under section 2 of Forest (Conservation) Act, 1980 for diversion of 0.53 ha of forest land in Pudupattinam Bit I Reserved Forests of Nagapattinam Division received from Divisional Engineer, Highways for reconstruction of old bridge in Pudupattinam Bit I Reserved Forests for obtaining the concurrence of Government of India. Further the Wildlife Warden, Nagapattinam Division has reported that the Pudupattinam Bit I Reserved Forests was notified under section 16 in District Gazette notification dated: 16.04.1982 and admitted right of way has been admitted to Pudupattinam Village to Fisher man quarters road for use to public. Further the Government of India, Ministry of Environment and Forests has permission accorded to 150m x 10.00m width for 0.15 ha subway for free movement to construction of above said bridge vide F.No.4-TNB 904/2012-BAN/2310, dt: 19.11.2012. Now, the Divisional Engineer has send the proposal for reconstruction of old bridge in Pudupattinam Bit I Reserved Forests area has been inspected by the Wildlife Warden, Nagapattinam on 06.01.2015, 09.09.2015 and 16.09.2015.

In this regard, the Conservator of Forests, Trichy has reported that Pudupattinam Bit I Reserved Forests was notified under section 16 vide Government

No.40134/FR-11/81/V,dt: 27.11.1981. Pudupattinam Reserved Forests consists of SF.No. 338 of Pudupattinam village and SF No.28B of Thandavankulam villages. In the Reserved Forests, the bridge falls in the admitted right of way for a width of 50 links or 10m as given in the notification, The Highways Department claims that the bridge was constructed in the year 1972 which benefits the following villages namely Palaiyur, Madavamedu and chinnakottayamedu on coastal bank and was damaged one.

For the above proposal and execution of work, a proposal for diversion of 0.15 ha Reserved Forests for temporary diversion of road for reconstruction of bridge was submitted by User Agency for 150 in length and 10M width. Based on proposal, Stage I clearance was obtained for the above proposal from Central Government vide letter No. 4-TNB 904/2012/BAN/2310, dt: 19.11.2012.

Further on receipt of Stage I clearance, the Divisional Engineer, Nagapattinam has remitted an amount of Rs.1,90,850/- (NPV – Rs.1,40,850 + Rs.50,000/- for Mangrove Plantation) at Union Bank of India, Nagapattinam and Lease rent for Survey No. 338-Rs.1900/- remitted in Forest remittance as per G.O.Ms.No.272 E&F,Dt:15.04.1991. Upon fulfilling the conditions the Stage II approval was requested from Government vide PCCF ref.No. 9696/2012/TS4, dt: 25.02.2013.

After obtaining Stage II approval, Government issued G.O.(Ms) No. 91, E&F (FR-10) Dept., dated: 28.06.2013 for the temporary diversion of 0.15 ha of forest land in Pudupattinam Reserved Forests Bit I under Section 2 of Forest (Conservation) Act, 1980.

The Project was monitored by the Chief Conservator of Forests (Central) on 19.09.2013 and during the inspection the User Agency informed that the proposed new bridge is of 8.7m as against the existing width of 4.8m. Based on the field inspection, the Chief Conservator of Forests (Central) informed Government to direct the User Agency to submit statutory proposal for diversion of additional forest land required for the project and till such time approval under Forest (Conservation) Act, 1980 is obtained from the same work for the reconstruction of bridge shall not be taken up. He has also informed not to utilise additional forest land for re-construction of bridge without prior approval of the Central Government under the Forest (Conservation) Act, 1980. Based on the instruction of the Chief Conservator of Forests (Central), the User Agency has submitted proposal under Forest (Conservation) Act, 1980 for diversion of forest land to a extent of 0.53 ha in the said

Reserved Forests area. The area has been inspected on 11.01.2014 by the Conservator of Forests, Trichy and has found the requirement of Highways Department genuine.

Further the Conservator of Forests, Trichy has reported that the instruction has been issued to the User Agency to upload the proposal for diversion of additional forest land in the Government of India website through online mode and the User Agency had submitted the proposal online on 23.12.2014 for diversion of 0.53 ha in Pudupattinam Reserved Forests Bit I.

Further the Conservator of Forests has reported that the Highways Department has started the construction work sometime in May 2014 and on the site it was found that approximately 70% of the bridge work was completed. The bridge construction area has not extended beyond the right of way allowed for 10m as the width of the bridge is as 8.5m which is well within the Right of way allowed and no new area other than the right of way admitted is being utilized for the bridge construction. Since it is found that the work was carried out without fulfilling the condition as per the Chief Conservator of Forests (Central) ref.No. 4-TNB 904/2012-BAN/4330, dt: 05.11.2013, the bridge construction is presently stopped by the Forest Department. Moreover instruction was given to the User Agency not to take up any work without the required Forest (Conservation) Act, 1980 clearance and they have been given an opportunity to explain why they went ahead with construction without getting permission under Forest (Conservation) Act, 1980. Range Officer, Sirkali Range was also instructed to stop the work with immediate effect and his explanation in this regard had been called for by the Wildlife Warden, Nagapattinam. The Conservator of Forests has also reported that the site has been inspected on 24.09.2015 and instructed the Wildlife Warden, Nagapattinam to ensure no further work is carried out until permission is obtained from the Central Government under Forest (Conservation) Act, 1980 and he has made following observations.

1. This proposed bridge and proposal falls in right of way allowed to public connecting Pudupattinam bit- I Reserved Forests notified under section 16 of Tamil Nadu Forest Act, 1882 vide Government No. 40134/FR 11/81/V, dt: 27.11.1981.
2. After obtaining Stage II approval, Government issued G.O.(Ms) No.91, E &F (FR-10) Dept., dated: 28.06.2013 for diversion of 0.15 ha of forest land in Pudupattinam RF Bit I and Wildlife Warden, Nagapattinam issued proceeding for diversion of 0.15 ha for temporary diversion of road for

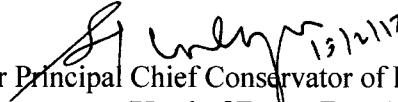
reconstruction of bridge vide Proc No. 912/10/D, dated: 25.07.2013 to the User Agency.


3. Based on the above order, alternate road was formed.
4. Now proposal is submitted for diversion of 0.53 ha of forest land in Pudupattinam Bit I Reserved Forests for reconstruction of existing damaged bridge and improvement of approach and black topping of road on both sides of bridge.
5. As requested by User agency for the improvement of road on both sides of the bridge, they had requested 1x2xL- 275m x B- 8.5/m area. As per field, it is not 275 m on either side but may be restricted to actual right of way length in Pudupattinam bit-I RF during execution.
6. The existing tar road available is 3.75m width with 2.20m shoulder on each side which comes to 8.15 m breadth of road along right way of allowed to a breadth of 10m.
7. The User agency had requested for 8.5m breadth for bridge construction for 70m length. For improvement of road on both sides, they had requested for 8.5m breadth for 275m on each side of the bridge.
8. On either side of existing road (which is to a width of 8.15m) there are mangrove plantations raised on both side of the existing road by the Forest department.
9. If 8.5m is required, for improvement of road on both sides of bridge, a few rows of mangroves will be disturbed.
10. The User agency has to pay Net present value and Compensatory Afforestation cost as per the guidelines.
11. The project will benefit fishermen of nearby villages and is necessary for their connectivity and mobility.
12. Proposed bridge and improvement of road work will not extend beyond right of way admitted as the bridge width and improvement of existing road to a width of 8.5 m is well within right of way allowed in Reserved Forests notification.

The proposal is sent herewith duly recommended in the part IV format by the Principal Chief Conservator of Forests (FCA)/Nodal Officer, FCA in duplicate with all required documents and certificate furnished by the User Agency for obtaining the concurrence of Government of India in this matter for diversion of 0.53 ha of forest land in favour of Highways Department.

Encl: As stated above

Yours faithfully,

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

  
15/2/17

  
15/2/17

PART - IV

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

17. Detailed opinion and specific comments made by concerned Conservator of Forests or Deputy Conservator of Forests , should be categorically reviewed and critically commented upon)

(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)

CF Tirunelveli has recommended the proposal for <sup>diversion</sup> ~~grant~~ of additional area of 0.53 ha under FCA due to enhancement of width of the bridge to 8.5m. As further work on the bridge has been stopped, it is in public interest, and the proposal is recommended for clearance under FCA.

Signature:

*P. C. Tyagi*

Name:

P. C. Tyagi

Official Seal: Principal Chief Conservator of Forests  
(Forest Conservation Act)  
Chennai - 600 015.

Date: 3/2/17

Place: Chennai