

TAMILNADU FOREST DEPARTMENT

From

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

To

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

C.No. TS3/20703/2015 Dated: 11.06.2016.

Sir,

Sub: Forest (Conservation) Act, 1980 - Villupuram Forest Circle / Villupuram Forest Division - Proposal for diversion of 0.542 ha of forest land in Gramam Reserve Forests of Villupuram Forest Division for construction of bridge at Km 0/4 of Kooranur road across Malattar River in favour of Divisional Engineer (Highways), NABARD & Rural Roads Division, Cuddalore - Online Submission of proposal by the User Agency - Regarding.

Ref: 1. Online application uploaded by the User Agency - the Divisional Engineer, Highways Department, NABARD & Rural Roads Division, Cuddalore dated 07.08.2015 and additional details uploaded on 08.12.2015 & 13.01.2016
2. Part II of Form A uploaded by the District Forest Officer, Villupuram Division on 06.02.2016
3. Part III of Form A uploaded by the Conservator of Forests, Villupuram Circle on 08.02.2016 and additional details furnished on 27.05.2016

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The Divisional Engineer, Highways Department, NABARD & Rural Roads Division, Cuddalore has submitted online application under Section 2 of Forest (Conservation) Act, 1980 in the prescribed format of Form A - Part I for the diversion of 0.528 ha of forest land in Gramam Reserve Forests of Villupuram Forest Division for construction of bridge at Km 0/4 of Kooranur Road across Malattar River in Villupuram District.

2) The User Agency has requested diversion of forest area for a period of 99 years.

3) The User Agency has stated that the proposed bridge construction site is located in Gramam Reserved Forest area in Villupuram Forest Division of Villupuram District.

The site is located at Km 0/4 of Kooranur road (Other District Roads) which has been maintained by Tamil Nadu Highways Department (Kallakuruchi Highways Construction and Maintenance Division).

The Kooranur Road is started at Km 42/2 of Cuddalore Thirukoilur - Sankarapuram Road (SH-68). This road originates at Gramam Village and passes through Thenmangalam Village and ends at Kooranur village. The site is just 17 km from Villupuram town.

At present there has been a bed level causeway which is having a length of 106 km and to a width of 7.00 m.

The road work has been administratively sanctioned by the Government of Tamil Nadu vide G.O. Ms No. 22, Highways (HW-1) and Minor Ports Department, dated 20.02.2015.

During rainy season, village public and school going children at Kooranur, Thenmangalam and Gramam find very difficult, since flood water crosses the causeway at an height of 2.50m for more than 1 month. Hence it is absolutely necessary to construct a high level bridge at this location.

Extent of forest land need to be diverted is as follows.

i) Permanent diversion (Bridge & approach) -	$240\text{m} \times 12.0\text{m} = 0.288 \text{ ha}$
ii) Temporary diversion (diversion road) -	$240\text{m} \times 10.0\text{m} = 0.240 \text{ ha}$
Total	0.528 ha.

4) The User Agency (ie., Divisional Engineer, Highways Department, NABARD & Rural Roads Division, Cuddalore) has submitted the following details / undertakings along with the proposal.

i) Authorization letter of Chief Engineer (Highways), NABARD and Rural Roads, Chennai - 32, for making on line proposal for forest clearance by the Divisional Engineer, (Highways) NABARD & Rural Roads, Cuddalore.

ii) Note containing justification for locating the project in forest area and no alternate suitable non forest land is available for the project.

iii) Location map of the proposed diversion of forest area for formation of approach road, bridge in kml file of google earth has been up-loaded

- iv) Scanned copy of Survey of India toposheet indicating boundary of forest land proposed to be diverted.
- v) Scanned copy of Geo referenced location map along with GPS reading of the proposed diversion of forest area for formation of road marked in the google earth.
- vi) Certificate obtained from the District Collector about no alternate suitable non forest land is available for the project.
- vii) Certificate obtained from the District Collector about the settlement of rights under Forest Rights Act 2006 on the forest land proposed to be diverted.
- viii) Undertaking to deposit the cost of Raising Compensatory Afforestation / Maintenance of plantation as fixed by the Forest Department and willingness to deposit additional amounts if any suggested as amended owing to the change in planting technique, enhancement in the FSR etc., demanded subsequently.
- ix) Undertaking to pay the amount of Net Present Value which will be fixed by the guidelines of Supreme Court of India.
- x) Undertaking to bear the additional Net Present Value which will be fixed by the guidelines of Supreme Court of India as fixed by Forest Department in future.
- xi) Undertaking 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.
- xii) Certificate to effect that no violation of the provision of Forest (Conservation) Act, 1980 occurred.
- xiii) Undertaking to bear the cost along with any escalation for exploitation of trees in lieu of forest land to be diverted to the project.
- xiv) Certificate from the Project authority (User Agency) that demands for forest land for the project is minimum.
- xv) Certificate to effect that no suitable alternative non forest land is available for the project.
- xvi) The User Agency certified that ten times of saplings cost would be paid towards the number of trees proposed to be cut, which falls on the forest land alignment for this project. The User Agency has informed that, at present no trees are available in the existing road and in berms.

5) After getting additional essential details from the User Agency, the proposal was forwarded to the District Forest Officer, Villupuram Division.

6) After field inspection, the District Forest Officer, Villupuram Division and Conservator of Forests, Villupuram Circle have forwarded the proposal.

The District Forest Officer has reported that the proposed site (Gramam RF) has been inspected on 04.02.2016.

In the site inspection report, the District Forest Officer has narrated the project as detailed below.

The Kooranur Bridge is a project of Highways Department involving construction of bridge at km 0/4 of Kooranur road across Malattar River in Gramam RF. The project proposal aims at constructing a bridge on the existing causeway to permit uninterrupted communication and transportation to the public of Kooranur, Thenmangalam and Gramam villages during heavy floods as flow increases to 2.50m in rainy season. Since the project is carried out on the existing causeway and road, alternate alignment does not arise. It is informed by the Project authorities, during the execution of the project, a diversion road will be laid nearby which is also part of the proposal and the same will be dismantled upon completion of the bridge work.

The Kooranur road connects the Gramam and Kooranur villages and passes across Gramam RF. There lies an existing road with a causeway. The Construction of the bridge starts at about 246m from the RF boundary. The Project involves a bridge at 240m length and 12m width along with a diversion road of 240m length and 10m width thus measuring to an area of 0.528 ha. In one patch. Thus, a total of 0.528 ha is proposed for diversion for the construction of the bridge. It is necessary to quote that, there exist a right of way for public and cattle on the Kooranur road to a length of 486.6m on the eastern side and 486.6m on the western side and to a width of 14m on the Kooranur village side and 11.8m on the Gramam village side.

There is one tree at the south west boundary of the road and falls within the proposed area. The User Agency informed that, felling of tree does not arise, since the felling of trees does not arise and the project aims at constructing a bridge on the existing causeway to permit uninterrupted communication and transportation to

the public of Kooranur, Thenmangalam and Gramam villages and also there is no violation of Forest (Conservation) Act, 1980, the proposal is recommended for acceptance.

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

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

The forest area proposed for diversion not forms part of National Park, Wildlife Sanctuary, Biosphere Reserve, Tiger Reserve, Elephant corridor, Wildlife migration corridor etc., and not located within 1 km from boundary of the above.

There is any rare / endangered / unique species of flora and fauna found in the area.

There is no protected archaeological / heritage site / defense establishment or any other important monument is located in the area.

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.

The District Forest Officer has reported that, there is one tree at the south west boundary of the road and falls within the proposed area. The User Agency informed that, felling of tree does not arise. Since the felling of trees does not arise and the project aims at constructing a bridge on the existing cause way to permit uninterrupted communication and transportation to the public of Kooranur, Thenmangalam and Gramam villages and also there is no violation of Forest (Conservation) Act, 1980, the proposal is recommended for acceptance. The District Forest Officer has recommended for period of diversion of forest area as 20 years.

7) The Conservator of Forests, Villupuram Circle after field inspection of the site, recommended the proposal for acceptance for the reason of uninterrupted communication and transportation to the public of Kooranur, Thenmangalam and Gramam villages.

8) As per Forest (Conservation) Act, 1980 guidelines under Compensatory Afforestation, No compensatory afforestation shall be insisted for proposals

involving diversion of forest land up to one hectare. However, in such cases, plantation of ten times of trees likely to be felled will have to be carried out by way of compensatory afforestation or any number of trees specified in the order.

In this proposal, forest area diversion has been proposed for 0.528 ha (in this 0.288 for permanent diversion and 0.254 ha for temporary diversion for approach road during bridge construction period and after that likely for dismantling) and felling of tree (only one tree available in the area and proposed to be retained without felling) not involved for the project, compensatory afforestation has not been insisted.

9) State Government may accord diversion of forest land 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 issued in F. No. 11-9/98-FC dated 03.01.2005 and period extended till 2018 in letter dated 13.02.2014. Construction/widening or road including approach roads to road side establishment is one of the items allowed under general approval category.

Diversion of 0.528 ha of forest land in Gramam RF in Villupuram Division for construction of bridge at Km 0/4 of Kooranur Road across Malattar River in Villupuram District item work is comes under the above category.

10) Hence, the proposal is recommended subject to the following conditions :

- a) The legal status of the diverted forest land remains unchanged.
- b) 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.
- c) 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 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 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.

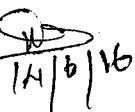
f) Period of lease can be twenty (20) years. The User Agency has to apply renewal proposal before six months of expiry of lease with the State Forest Department.

11) The proposal is sent herewith duly recommended by the Additional Principal Chief Conservator of Forests (FCA) / Nodal Officer, Forest (Conservation) Act, 1980. I request that the proposal may kindly be approved and Government orders may be issued for diversion of 0.528 ha of forest land in Gramam Reserve Forests of Villupuram Forest Division for construction of bridge at Km 0/4 of Kooranur Road across Malattar River in Villupuram District in favour of Divisional Engineer, Highways Department, NABARD & Rural Roads Division, Cuddalore for a period of twenty years.

Encl : As stated above.

Yours faithfully

for Principal Chief Conservator of Forests
(Head of Department)

14/6/16 
14/6/16

PART - IV

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

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]
Signature :

Name Designation :

T. S. Raghunath - IFS
Additional Principal
Chief Conservator of
Forests - Forest
Conservation Net /
Nodal Officer -

Date : 11-06-2016

Place: Chennai