

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. TS3/2987/2022 Dated: 15.07.2023.

Madam,

Sub: Forest (Conservation) Act, 1980 – Proposal for diversion of 0.95472 ha of forest land in Vandalur RF for construction of Road over Bridge in lieu of LC No. 32 in between Tambaram and Vandalur Railway Station near Perungalathur in Chengalpattu District in favour of the Divisional Engineer, Highways, Chennai Metropolitan Development Plan Division-II, Chennai - Proposal forwarding - Regarding.

- Ref: 1 Online forest clearance proposal uploaded by the Divisional Engineer, Highways, Chennai Metropolitan Development Plan Division-II Chennai - Proposal No. FP/TN/Road/ 151930/2022, dated 02.02.2022 and resubmission of proposal on 17.05.2022.
- 2 Part-II of Form-A uploaded by the District Forest Officer, Chennai Division on 14.11.2022 and EDS reply dated 03.07.2023
- 3 Part-III of Form-A uploaded by the Chief Conservator of Forests, Chennai Circle on 25.04.2023 and resubmission of proposal on 03.07.2023

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I wish to state that, the Divisional Engineer, Highways, Chennai Metropolitan Development Plan Division-II Chennai has uploaded online forest clearance proposal under Section 2 of Forest (Conservation) Act, 1980 for diversion of 0.95472 ha of forest land in Vandalur RF for construction of Road over Bridge in lieu of LC No. 32 in between Tambaram and Vandalur Railway Station near Perungalathur in Chengalpattu District under proposal No. FP/TN/Road/ 151930/2022.



2) 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 of the project in which forest land required reported as construction of Road over Bridge in lieu of LC No. 32 in between Tambaram and Vandalur Railway Station near Perungalathur.

iii) Short narrative of the project reported as this work involves construction of road over bridge in lieu of existing level crossing No. 32 on Chennai-Trichy railway line near Perungalathur Railway Station and connectivity link to Tambaram Eastern Bypass. Also this project will serve as a connectivity between Eastern and Western side of GST road.

Category of the project reported as Road and shape of the forest land proposed for diversion reported as linear.

iv) The User Agency has reported that area required in forest area is for 0.95472 ha., and non-forest land required for the project is 7.30158 ha.,

v) The User Agency has proposed the forest area diversion for the project for a period of 100 years.

vi) On behalf of User Agency, Chief Engineer, Metro, Highways Department, HRS Campus, Guindy, Chennai 23 - the present incumbent Officer of Divisional Engineer, Highways, Chennai Metropolitan Development Plan Division-II Saidapet, Chennai-15 office at No. 1 VV Koil Street, Saidapet Chennai has uploaded the proposal in the prescribed format.

vii) Legal status of the User Agency is State Government (Department).

viii) In the section of 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 Highways CMDP Circle, Saidapet Chennai to the Divisional Engineer, Highways, Chennai Metropolitan Development Plan Division-II Saidapet, Chennai has been uploaded.

ix) 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



x) Diversion of 0.95472 ha of forest has been requested in Chengalpattu Kancheepuram Forest Division (now the area is under the management control of Chennai Forest Division) of Chengalpattu District.

xi) Name of the village in which forest land requested has been reported as Perungalathur.

xii) The User Agency has furnished the component wise breakup details of land required for the project as detailed below.

a) Approach - 0.31304 ha

b) Service road - 0.64168 ha

xiii) Location map of the forest land proposed to be diverted in kml file of google earth, scanned copy of portion of Survey of India topo sheet indicating the boundary of forest land proposed to be diverted indicating the road alignment path marked in the map and scanned copy of Geo referenced location details of the forest land proposed to be diverted in the google earth along Geo-co-ordinates in the map have been uploaded.

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

The User Agency has stated that no feasible alternate route is found, hence copy of map indicating location of alternative not provided.

xv) The User Agency has stated that this project is likely to generate permanent/ regular employment for 'Zero' persons and temporary employment for 3.00 lakh persons.

xvi) The User Agency has stated that this project does not involve displacement of people due to the project.

xvii) The User Agency has stated that cost-benefit analysis for the project is not required, this project not requires clearance under the Environment (Protection) Act, 1986, the project or part thereof is not located in any protected area or their Eco sensitive zone, this project or a part thereof is not located in a Scheduled area.

xviii) 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 Lr No. 5375/2022/PA5, dated 29.04.2022 has been uploaded.



xix) 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.

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

a) Certified that the forest land demanded for the project is the barest minimum.

b) Certified that there is no catchment area treatment plan in the approved plan.

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

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

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

f) Certified that the construction of road over bridge near Perungalathur across the Vandalur RF is the only possible route as there is no other alternative feasible route available than this.

g) Undertaking to bear the cost of compensatory afforestation/ penal compensatory afforestation/ maintenance of plantation/ protection of plantation for the proposed diversion of forest land as fixed by the Forest Department.

h) Certified that the Highways Department has not violated any provisions of the Forest Conservation Act 1980 in seeking the minimum forest land required in Vandalur RF.

i) Undertaking to pay the cost along with any escalation for exploitation of trees if any in the alignment path proposed diversion of forest land as fixed by the Forest Department

j) Area requirement statement – Forest and non-forest areas

Forest area.

i) Eastern bye-pass Arm (Approach portion ) – 3130.40 sq.m

ii) Eastern bye-pass Arm (Service road portion) – 6416.8 sq.m



Total

9547.2 sq.m or 0.95472 ha

k) Reason for non availability of non forest land for the project

l) DGPS Co-ordinates of the proposed forest diversion area.

3) The District Forest Officer, Chennai Division has forwarded the proposal along with Site Inspection report and recommendation of the proposal to the Conservator of Forests, Chennai Circle on 14.11.2022 and resubmitted the proposal on 17.01.2023, 20.04.2023 and 03.07.2023 for the EDS query raised on the proposal.

Details furnished in the Part-II of Form A by the District Forest Officer, Chennai Division is furnished below.

i) The legal status of the proposed site of diversion of 0.95472 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 Vandalur RF.

ii) The District Forest Officer has reported that, density of the forest area is 0.3 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 of 204 trees.

iv) Vulnerability of the forest area to erosion reported as there is no erosion.

v) The District Forest Officer has reported that Spotted deer, Wild cat, Porcupine, Mongoose, Peafowl 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 no work in violation of the Act or guidelines issued under the Act has been carried out by the user agency.

ix) For the proposed diversion of 0.95472 ha of forest land in Vandalur RF for construction of Road over Bridge in lieu of LC No. 32 in between the Tambaram and Vandalur Railway Stations near Perungalathur, compensatory afforestation has been proposed in 1.909 ha of degraded forest area in Vandalur RF.

Planting of 1909 number of misc seedlings along with maintenance and protection of plantation over a period of 10 year period at a cost of Rs. 49,46,448/- has been proposed.

Survey of India topo sheet of Vandalur RF and surveyed sketch of the proposed CA area in geo-referenced map, Site suitability certificate of the CA area have also been furnished by the District Forest Officer.

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

a) This proposal is for diversion of 0.95476 Ha of forest land in Vandalur RF of Chennai Division for construction of Road over Bridge in lieu of LC No. 32 in between the Tambaram and Vandalur Railway Stations near Perungalathur has been inspected on 03.11.2022.

The user agency has not yet started any work in the Reserved Forest area so far and there is no encroachment in the proposed area. The forest land required for the project is not the part of National Park/Wildlife sanctuary. No rare/endangered/unique species of flora and fauna in the Reserved Forest. Forest type is Southern Dry Mixed Deciduous Forest.

There is no right of way notification for this proposal. There are 204 number of spontaneous trees in this diversion proposal. After construction of Road over Bridge need of level crossing at this location would be eliminated, thus ensuring a smooth traffic movement on the National Highways and hence recommended.

In the EDS reply, the District Forest Officer has reported that, the proposed area of diversion for construction of ROB ends at the centre of the Reserved Forests and then the road work continued with Forest Clearance proposal No. FP/TN/Road/148656/2021 in the name of Eastern Bye pass road by the Highways Department CMDP-Division-I, Alandhur.



This forest area diversion proposal has already forwarded to the District Forest Officer, Chennai Division on 05.05.2023 for processing and as per the time line details, the proposal is pending with the District Forest Officer, Chennai Division due to EDS raised by the Chief Conservator of Forests, Chennai Circle on 03.07.2023.

4) The Chief Conservator of Forests, Chennai Circle has inspected the area on 30.01.2023 and endorsed the details provided by the District Forest Officer and recommended the proposal. Forest clearance proposal forwarded through web portal on 25.04.2023.

5) The User Agency has requested forest area diversion for a period of 100 years. The District Forest Officer, Chennai Division and the Conservator of Forests, Chennai Circle have recommended the diversion of forest area for a period of 30 years and 25 years respectively.

Forest area diversion proposals for road works are permanent nature and may be recommended for a period of 50 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. Diversion of 0.95472 ha of forest land has been requested in Vandalur RF for construction of Road over Bridge in lieu of LC No. 32 in between Tambaram and Vandalur Railway Station near Perungalathur in Chengalpattu District. Construction of Rail Over Bridge in the road portion may be treated as part of Road Project.

However, this project involves felling of 204 number of spontaneous trees. Hon'ble Supreme Court of India in 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 the 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 subject to certain conditions and among others, the projects would be permitted only after the concurrence of the Integrated Regional Office (IRO), Chennai.



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

7) Based on the recommendation made by the District Forest Officer, Chennai Division and Chief Conservator of Forests, Chennai Circle, proposal received for diversion of 0.95472 ha of forest land in Vandalur RF for construction of Road over Bridge in lieu of LC No. 32 in between Tambaram and Vandalur Railway Station near Perungalathur in Chengalpattu District seeking approval under Section 2 of Forest (Conservation) Act, 1980 by the Divisional Engineer, Highways, Chennai Metropolitan Development Plan Division-II, Chennai may be considered and concurrence may be obtained from the Government of India for felling of spontaneous trees in the project area 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 1.909 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/>)

The user agency has to deposit the amount required for felling and transport of trees to be felled in the project area with the District Forest Officer concerned.

vii) 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.

viii) The total forest area utilized for the project shall not exceeds 0.95476 ha in Vandalur RF.

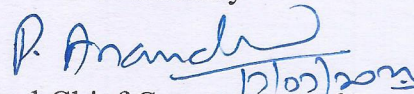
ix) The forest land proposed to be diverted shall under any circumstances be transferred to any other agencies/ department or person without prior approval.

x) Period of lease can be fifty (50) years. The User Agency has to apply renewal proposal before one year of expiry of lease with the State Forest Department.

8) 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.

9) I request that the proposal may be considered and approval may be accorded for diversion of 0.95472 ha of forest land in Vandalur RF for construction of Road over Bridge in lieu of LC No. 32 in between Tambaram and Vandalur Railway Station near Perungalathur in Chengalpattu District in favour of Divisional Engineer, Highways, Chennai Metropolitan Development Plan Division-II, Chennai for a period of 50 years.

Yours faithfully

 12/05/2023

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

6  
12/05/2023



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 – Proposal for diversion of 0.95472 ha of forest land in Vandalur RF for construction of Road over Bridge in lieu of LC No. 32 in between Tambaram and Vandalur Railway Station near Perungalathur in Chengalpattu District in favour of the Divisional Engineer, Highways, Chennai Metropolitan Development Plan Division-II, Chennai - Proposal No. FP/TN/Road/151930/2022

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  
K. Pragna  
5/7/23

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 : 05 -07-2023

Place: Chennai-32.