

TAMILNADU FOREST DEPARTMENT

From

✓ To

Dr. N. Krishnakumar, I.F.S.,
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. TS3/31240/2015 Dated: 19.07.2016.

Sir,

Sub: Forest (Conservation) Act, 1980 - Proposal for diversion of 1.11 ha of land in Pulicat Lake Sanctuary of Wildlife Division, Chennai for construction of high level bridge at Km 0/4 of Chennai - Pulicat road to Pasiyavaram road including formation of approaches in favour of Divisional Engineer, Highways Department, Construction and Maintenance Division, Thiruvallur - Online Submission of proposal by the User Agency - Regarding

- Ref: 1. Online application uploaded by the User Agency - The Divisional Engineer, Highways Department, Construction and Maintenance Division, Thiruvallur Proposal No. FP/TN/Road/10004/2015, dated 05.11.2015 and additional details uploaded on 16.03.2016 & 28.03.2016
2. Principal Chief Conservator of Forests C. No. TS3/31240/2015, dated 18.11.2015, 28.01.2016, 24.02.2016, 23.03.2016, 28.03.2016 & 21.06.2016
3. Part II of Form A uploaded by the Wildlife Warden, Chennai on 14.07.2016
4. Part III of Form A uploaded by the Additional Principal Chief Conservator of Forests and Director, Arighar Anna Zoological Park, Vandalur on 16.07.2016

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The Divisional Engineer, Highways Department, Construction and Maintenance Division, Thiruvallur 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 1.11 ha of land in Pulicat Lake Sanctuary of Wildlife Division, Chennai for construction of high level bridge at Km 0/4 of Chennai - Pulicat road to Pasiyavaram road including formation of approaches.

2) The User Agency (ie., Divisional Engineer, Highways Department, Construction and Maintenance Division, Thiruvallur) has requested diversion of forest area for a period of 99 years.

3) The User Agency has stated that the proposed construction of bridge is the main connectivity and escape route of Pasiyavaram and other seven villages. The proposed bridge to be constructed on end of the Pulicat Lake.

4) The User Agency has furnished following details / undertakings / certificates / maps along with the proposal.

i) The User Agency has uploaded the letter memo No. 32023/Palam2/2008, dated 02.07.2010 of Chief Engineer, (General), Highways Department, Chennai in which the Chief Engineer requested the Superintending Engineer, Highways, Chennai to take immediate action to furnish the sub estimates for the work of Construction of high level bridge at km 0/4 of Chennai-Pulicat road to Pasiyavaram road including formation of approaches for the road work earliest with copy marked to the Divisional Engineer, Highways, Tiruvallur. Authorization letter for making on line proposal for forest clearance by the Divisional Engineer, (Highways) C&M Dn., Thiruvallur.

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

The User Agency has stated that the proposed site for the construction of a high level bridge across the Pulicat lake is located at the tail end of the extended Chennai - Pulicat road in Thiruvallur District to give connectivity to Pasiyavaram and other Kuppams from Pazhaverkadu (Pulicat). The Pulicat lake is in backwater spread from the sea mouth of Bay of Bengal. The Bridge is proposed to be constructed across the Pulicat Back water.

The work has been sanctioned under Tsunami Rehabilitation Programme 2007-08 scheme for 1500 lakhs vide G.O. Ms No. 401, Revenue (NC III(2)/Department, dated 25.07.2007.

iii) Component wise breakup details of land required for the project as follows.

a) Bridge Portion	- 432.00m length & 12.00m width	- 0.52 ha
b) Approach R/S	- 356.79m length & 12.00m width	- 0.43 ha
c) Approach L/S	-145.61m length & 12+5/2m breadth (deducting the ROW width)	- 0.12 ha
d) Junction area	- 20.00m length & 20.00m breadth	- 0.04 ha
Total		- 1.11 ha

iv) The User Agency has certified that the land required for construction of high level bridge across Pulicat lake in Pulicat-Pasiyavaram road is in the Pulicat Bird Sanctuary area in Pasiyavaram Village, Ponneri Taluk of Thiruvallur District and stated that no other alternative land other than the proposed land and the land required for construction of High Level Bridge is very minimum in the Pulicat Bird Sanctuary area.

v) Location map of the proposed diversion of forest area for construction of high level bridge in kml file of google earth has been up-loaded.

vi) Scanned copy of Survey of India topo sheet indicating boundary of forest land proposed to be diverted has been uploaded.

vii) Scanned copy of Geo referenced location map of the proposed diversion of forest area for formation of road has been up-loaded.

viii) The User Agency has stated that the project does not involve displacement of peoples.

ix) The User Agency has stated that this project does not require clearance under the Environment (Protection) Act, 1986.

x) Wildlife clearance has been obtained from the National Board for Wildlife in file No. 6-209/2014 WL dated 25.02.2015 and furnished a copy of the NBWL order.

After discussions, the Standing Committee of NBWL considered the need of the bridge for the local population residing within the area, which is primarily wetland and hence decided to recommend the proposal subject to compliance of the conditions stipulated by the Chief Wildlife Warden. And the recommendation(s) are subject to the existing directives of Hon'ble Supreme Court and the provisions of Forest (Conservation) Act, 1980.

xi) The User Agency has proposed to hand over 2.22 ha of land in S.F. No. 205 of Eguvarpalayam classified as Kallankuthu (Total extent 13.47 ha) as Compensatory Land for the proposed diversion of Sanctuary land.

xii) Certificate to effect that no violation of the provision of Forest (Conservation) Act, 1980 occurred.

xiii) Certified that the land required for construction of high level bridge across Pulicat lake in Pulicat-Pasiyavaram road is in the Pulicat Bird Sanctuary area in Pasiyavaram Village, Ponneri Taluk of Thiruvallur District and stated that no other alternative land available other than the proposed land and the land required for construction of High Level Bridge is very minimum in the Pulicat Bird Sanctuary area.

xiv) Undertaking to deposit the cost of Raising Compensatory Afforestation as and when demanded by the Forest Department.

xv) Undertaking to pay the amount of Net Present Value which will be fixed by the guidelines of Supreme Court of India.

xvi) 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.

xvii) Undertaking to pay the lease rent for the purpose of construction of bridge in the Bird Sanctuary area as and when demanded by the Forest Department.

xviii) Undertaking to pay the amount if any as fixed by the Forest Department towards the cost of plantation, if any in the site earmarked for handing over to the Highways Department to construct a high level bridge at

Pasiyavaram village in Ponneri taluk, Thiruvallur District as per the Scheme prepared by the State Government.

xix) Undertaking to bear the cost of felling of trees and transportation cost of the trees to be removed if any available in the alignment path for the proposed diversion of forest land as fixed by the Forest Department.

xx) The certificate obtained from the District Collector about there is no suitable and technically approved alternate non forest land available for the project.

5) After getting additional essential details from the User Agency, the proposal was forwarded to the Wildlife Warden, Chennai on 28.03.2016.

6) The Wildlife Warden, Guindy Children's Park in her letter No. 2141/2014/D1, dated 12.04.2016, has requested the Divisional Engineer, Highways Dept., Thiruvallur to facilitate site inspection of identified non forest land for Compensatory afforestation for the project. After field inspection, the Wildlife Warden in her Ref. No. 2141/2014/D1, dated 22.04.2016, has informed to the Divisional Engineer, Highways Dept, Tiruvallur that, the non forest land identified for Compensatory Afforestation at Eguvarpalayam (S.F. No. 205) of Gummidipoondi Taluk was inspected and observed that the entire extent of land has already been excavated up to a depth of 10-12 feet and the land is found to be unsuitable for raising Compensatory Afforestation. She requested to identify alternate non forest land and inform urgently, so as to speed up the submission of details through online.

On 04.07.2016, the Divisional Engineer, Highways, Thiruvallur has uploaded alternate CA land details (S.F. No. 435 of Kolar Village in Thiruvallur District) through online. The District Collector, Thiruvallur Lr. No. 11937/2016/A2, dated 15.06.2016 has informed about selection of alternate compensatory land of 2.22 ha of land in S.No. 435 of Kolar village (total extent 21.95.5 classified as Wetland-poramboke) in Thiruvallur District for the purpose of Compensatory afforestation work for the proposed diversion.

7) The area proposed for diversion is 1.11 ha, hence the Wildlife Warden, Chennai has proposed compensatory afforestation work for 2.22 ha in in the identified non forest CA land of S. No. 435 of Kolur village of Thiruvallur District at a cost of Rs. Rs. 23,55,000/- with 10 years of maintenance of plantation and providing barbed wire fencing using RCC readymade pillars (Rs. 11,47,500/-) and water harvesting structure creation (Rs. 4,00,000/-)

8) After field inspection, the Wildlife Warden, Chennai has forwarded the proposal along with her Site Inspection report and recommendation of the proposal to the Additional Principal Chief Conservator of Forests and Director, Arignar Anna Zoological Park, Vandalur on 14.07.2016.

In the Part-II of Form-A, the Wildlife Warden, Chennai has furnished the following particulars.

The Wildlife Warden has reported that, density of the forest area is zero and Eco class is 4.

Details of wildlife present in and around the forest land proposed for diversion are Greater flamingoes, Spot-billed Pelicans, Cormorants, open billed storks, Painted storks, black headed Ibis, Spoon bills, Northern pintails, Shovellers, Whiskered terns, River terns, Gulls, Sand pip etc.,.

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 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 Wildlife Warden, Chennai has reported that the legal status of the proposed site of diversion of 1.11 ha of Pulicat Lake Sanctuary of Wildlife Division, Chennai for construction of high level bridge at Km 0/4 of Chennai -

Pulicat road to Pasiyavaram road including formation of approaches is 'Others' and reported that the land is not a reserved forest but is declared as sanctuary.

In the site inspection report of Wildlife Warden, Chennai has stated that the site where the construction of high level bridge is proposed is located within the limit of Pulicat Birds Sanctuary. The bridge aims to provide connectivity for the people living in several hamlets to Chennai-Pulicat road to Pasiyavaram road who otherwise wade through the waters specially during monsoon season. Quite often, students have been found walking in deep waters to attend to school and the scenario has been frightening. Several representations have been received for the construction of this bridge from the villagers. Several casualties to human life have occurred in the past in the hamlets during natural calamities like tsunami as there was no quick escape route to the people. The area does not have any vegetation and is seasonally inundated. Several water fowl and terrestrial birds are seen in Pulicat Birds Sanctuary and also adjacent to the proposed site across the road.

No violation of Forest Conservation Act, 1980 has taken place in the area and preliminary works also have not been initiated. The project is only connecting bridge and does not have any livelihood of emissions or effluents being released into the Pulicat Lake. Hence the project will not have any negative impact on the biodiversity of the lake.

The site has been inspected by the Wildlife Warden on 31.12.2015, 18.02.2016 and 01.07.2016.

Construction of the proposed bridge at this location will not have any adverse negative impact on the birds or on the biodiversity of lake. Hence "Recommended"

9) The Additional Principal Chief Conservator of Forests and Director, Arignar Anna Zoological Park, Vandalur after getting details from the Wildlife

Warden Chennai on 15.07.2016 has uploaded his site inspection report and recommendation of the proposal on 16.07.2016.

The Additional Principal Chief Conservator of Forests and Director, Arignar Anna Zoological Park, Vandalur in his site inspection report has stated that the site where the high level bridge is proposed to be constructed at Pasiyavaram in Pulicat Birds Sanctuary was inspected (on 16.07.2016). The area is inundated seasonally and the level of water is very deep during North East monsoon every year during which the children and villagers are left to wade through deep waters to access the main road even for their daily routine activities. The situation tends to become life threatening during natural disasters like cyclones, storms and tsunami. The area does not have any vegetation and is found to be suitable for construction of high level bridge. No violation of Forest Conservation Act 1980 has taken place in and around the site. The Project will not have any impact on the biodiversity of Pulicat Birds Sanctuary. Hence the proposal is "Recommended".

The Additional Principal Chief Conservator of Forests and Director, Arignar Anna Zoological Park, Vandalur has agreed the recommendation of the Wildlife Warden, Chennai.

10) In this regard, I wish to state that, the Hon'ble High Court has taken the SOU-Moto Writ Petition No. 21199/2013 for directing the respondents to take appropriate immediate action for transportation of children to attend the school as well as the public to reach their destination across the lake. The project of construction of High level bridge is intended to help local people including school children who otherwise have to wade through the lake to access the main road. The condition of local people and children has been miserable especially during floods and cyclones. The proposed bridge will not have adverse effects on the bio diversity of the area.

11) 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 mutate the identified non forest compensatory land of 2.22 ha in S.F. Nos. 435 of Kolor village in Thiruvallur District classified as Wetland-poramboke in the name of Forest Department.
- d) The User Agency has to deposit the cost of raising compensatory afforestation and maintenance of plantation for ten years as fixed by the Forest Department for the Compensatory Afforestation work proposed in the identified non forest areas of Tiruvallur District.
- e) 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.
- f) 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.
- g) 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.
- h) 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.

12) 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 be forwarded to the Government of India for diversion of 1.11 ha of forest land in Pulicat Lake Sanctuary of Wildlife Warden, Chennai for construction of high level bridge at Km 0/4 of Chennai - Pulicat road to Pasiyavaram road including formation of approaches in favour of Divisional Engineer, Highways Department,

Construction and Maintenance Division, Thiruvallur for a period of twenty years.

Encl : As stated above.

Yours faithfully

for Principal Chief Conservator of Forests
(Head of Department)

18/7/16 19/07/16

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 :  4/4

Name Designation : **Additional Principal Chief Conservator of Forests**
(Forest Conservation Act)
Chennai-600015

Date : 19.7.2016

Place: Chennai

