

By online / Email.

TAMILNADU FOREST DEPARTMENT

From

To

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

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

C. No. TS3/41320/2020 Dated: 21.10.2022.

Madam,

Sub: Forest (Conservation) Act, 1980 – Chennai Circle / Tiruvallur Forest Division – Proposal for diversion of 14.029 ha of forest land in Tiruvallur Forest Division for construction of six lane highways green field corridor from Chittoor to Thatchur road (NH 716B) lies in 3.4186 ha of area in Thirumalairajupettai RF and 10.6103 ha of forest area in Nediyaam RF of Tiruvallur District in favour of Project Director, National Highways Authority of India, PIU-Kancheepuram, Chennai – Regarding.

- Ref: 1 Online application uploaded by the User Agency - Project Director, National Highways Authority of India, PIU-Kancheepuram, Guindy Chennai 32 -- Proposal No. FP/TN/Road/53276/2020
- 2 Part-II of Form-A uploaded by the District Forest Officer, Tiruvallur Division on 01.06.2022 and additional details uploaded in the proposal
- 3 Part-III of Form-A uploaded by the Conservator of Forests, Chennai Circle on 15.07.2022 and additional details uploaded in the proposal

1) I wish to state that the Project Director, National Highways Authority of India, PIU-Kancheepuram, Guindy Chennai has uploaded online forest clearance proposal under Section 2 of Forest (Conservation) Act, 1980 for diversion of 14.029 ha of forest land in Tiruvallur Forest Division for construction of six lane highways green field corridor from Chittoor to Thatchur road (NH 716B) lies in 3.4186 ha of

area in Thirumalairajupettai RF and 10.6103 ha of forest area in Nediya RF of Tiruvallur District under proposal No. FP/TN/Road/53276/2020.

2) Details of forest area diversion proposed by the User agency and proposal forwarded by the District Forest Officer and Conservator of Forests for the project is briefed 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 and short narrative of the project reported as, construction of 6 lane highway Greenfield corridor from Chittoor to Thatchur road (NH 716B).

iii) The User Agency has reported that area required in forest area is for 14.029 ha., and non forest land required for the project is 294.7696 ha.,

iv) The User Agency has proposed the forest area diversion for the project for a period of 99 years. The legal status of the User Agency is Central Government.

v) 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

vi) Diversion of 14.029 ha of forest has been requested in Tiruvallur Forest Division area in Tiruvallur District.

vii) In the village wise breakup, the user agency has reported the forest area requirements as follows.

a) Thirumalrajpetti village	- 3.4186 ha.
b) Kelipudi village	- 3.1763 ha
c) Samanthawada village	- 5.4685 ha
d) Puniyan village	- 1.9656 ha
Total	- 14.029 ha.

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

a) Carriage way	- 4.9954 ha
b) Shoulders	- 1.0696 ha
c) Drain	- 0.2692 ha
d) RoW	- 7.6948 ha
Total	- 14.029 ha

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

Forest area diversion has been requested in the following villages and segment area.

Sl. No	Name of the village	S F No.	Chainage from	Chainage to	Total length	Area (in Ha)
	Thirumalairajupetta RF					
1	Thirumalraju-pettai	78/2	42+245.05	42+759.10	514.050	3.4186
	Nediyam RF					
2	Kelipudi	200	50+133.20	50+303.95	170.75	0.3348
3	Kelipudi	200	50+404.94	50+798.09	393.150	2.8414
4	Samanthawada	280	50+798.09	51+276.55	478.460	4.0639
5	Samanthawada	301	53+102.60	53+383.76	281.160	1.4046
6	Puniyam	276	53+863.64	54+151.02	297.380	1.9656
	Total					14.029

x) Note containing justification for locating the project in forest area has been uploaded. The User Agency has uploaded a copy of alternative examined for the project.

xi) The User Agency has stated that this project is likely to generate permanent/regular employment for 100 persons and temporary employment for 2000 persons. The User Agency has stated that this project does not involve displacement of people due to the project. The User Agency has stated that cost-benefit analysis for the project is not required.

xii) The user agency has reported that environmental clearance has been issued by the MoEF&CC on 28.12.2020 and no CRZ clearance is required for the project

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

xiv) 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.

xv) Under the section of details of land identified for compensatory afforestation, the User Agency has stated that, non-forest or Revenue forest is not required to be provided by user agency and reason for not providing non-forest land reported as Not applicable.

-- As per Forest (Conservation) Act, 1980, guidelines, for the projects undertaken by the Central Government, central PSU's compensatory afforestation land may not be insisted instead of CA land, afforestation in twice the extent of degraded forest area identified by the State Forest Department may be undertaken at the cost provided by the user agencies.

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

a) Certified that the work has not started in the forest area as well as in non-forest area, hence no violation of forest Conservation Act, 1980 and or its guidelines have been committed.

b) Certified that fly ash from Ennore Thermal Power Station will be used for the road project.

c) Certified that all documents enclosed for the proposal have been scrutinized as per the revised check list and found to be correct.

d) Forest area requirement statement. 2134.95m length with 14.029 ha area in six location

Purpose wise break up details of forest area has also been furnished.

e) The user agency has reported that resolution from the Gram Sabha that they have no objection for the 6 laning of Chittoor – Thatchur road is not needed as per the MoEF&CC (F.C Division) notification dated 05.02.2013 F. No. 11-9/98,FC (pt).

f) Note on the project

g) Traffic details of the project

h) The user agency has certified that cost benefit analysis for the project is not required as the forest area required is 14.029 ha which is less than 20.00 ha in plain area. This is in reference to Ir No. 7-69/2011-FC (pts) dated 01.08.2017 issued by the MoEF&CC.

i) Agrees to bear the cost of clearance/removal of the vegetative growth for the forest land proposed to be diverted for non forest use.

j) Undertaking to pay the entire amount of compensatory afforestation in lieu of forest area diverted for the project.

k) Undertaking to pay the cost towards lease rent for the forest land as fixed by the Forest Department and subsequent revision.

l) undertaking for unqualified commitment towards to pay the amount towards CA scheme, removal of trees to be felled NPV of forest area and fencing expenditure.

m) Undertaking to bear the cost of Net Present Value of forest land for the project.

n) Undertaking to bear the additional amount of Net Present Value of forest land for the project.

o) Statement on village wise forest and non forest area details.

p) GPS reading of the project area.

q) Certificate of the user agency that the requirement of forest land is minimum and unavoidable and all other alternatives have been examined and not feasible and no alternate non-forest land is available for the project.

r) User agency has furnished the details on location of under pass proposed at 12m span at three locations and culverts proposed in two locations proposed to be constructed in the forest area along the alignment.

s) The user agency has uploaded the certificate issued by the District Collector, Tiruvallur in Rc No. 24342/2020/F2, dated 12.05.2021 on non-availability of non forest land for the project.

t) The user agency has reported that environmental clearance has been issued by the MoEF&CC on 28.12.2020 and no CRZ clearance is required for the project

3) The District Forest Officer, Tiruvallur Division after obtaining additional details from the user agency has forwarded the proposal to the Conservator of Forests, Chennai Circle on 01.06.2022 and furnished EDS query reply on 17.08.2022, 01.09.2022, 07.09.2022, 09.09.2022 and 29.09.2022.

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

i) The legal status of the proposed site of diversion of 14.029 ha of forest lands requested for the project is Reserved Forests.

As per site inspection report, Thirumalarajupettai RF and Nediyaam RF areas are involved in the project.

ii) The District Forest Officer has reported that, density of the forest area is 0.4 and Eco class of forest area is four

iii) In the Part-II of Form-A, the District Forest Officer has furnished the details of species wise and girth class wise enumeration of trees in the area and 1783 number of trees enumerated in the proposed forest diversion area.

The District Forest Officer has reported that out of 1783 number of trees, 264 number of trees are spontaneous and all the 1783 number of trees including thorny bushes are to be removed for this project.

iv) On the Brief note on vulnerability of the forest area to erosion, the District Forest Officer has reported that no vulnerability to erosion.

v) The District Forest Officer has reported that Wild pig, Monitor lizard, hares, Deer 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 and no work in violation of the Act or guidelines has been carried out.

viii) For the diversion of 14.029 ha of forest land, the District Forest Officer has proposed the compensatory afforestation scheme work in the following degraded forest areas.

a) For the diversion of 14.029 ha of forest area, revised compensatory afforestation scheme including to carry out soil conservation work, protection of plantation etc., has been proposed in 28.0 ha of effective area comprising 10.45 ha area in Mylarwada RF, 7.12 ha in Konasamuthiram Extension RF and 10.488 ha area in Konasamuthiram RF with a financial out lay of Rs. 5,93,51,282/- with the following item of works.

Sl. No.	Name of the work-components	Amount in Rs
	Compensatory Afforestation scheme	
1	Raising and maintenance of plantation of 28 ha area over a period of ten years	5,36,81,600/-
	Plantation Protection measures and water harvesting structures	
2	Creation and maintenance of fire lines 10 km length-four years	4,78,724/-
3	Removal of lemon grass in 28 ha CA plantation area yearly twice for four year period	31,90,958/-
4	Providing water harvesting structures 2 No. of Percolation ponds and 2 No. of check dam	20,00,000/-
	Grand total for CA scheme	5,93,51,282/-

b) In the compensatory afforestation scheme, provision has been made for plantation protection measures like creation and maintenance of fire lines and removal of lemon grass in the identified degraded forest area of compensatory afforestation scheme site apart from providing water harvesting structures based on site needs.

ix) In the site inspection report, the District Forest Officer, Tiruvallur Division has stated that, the proposed project site in Thirumalarajupettai RF and Nediyaam RF was inspected on 09.03.2022. The forest type of southern tropical dry mixed deciduous forest is distributed in the Reserved Forests. The density class is moderately dense with eco-class-IV. Wild animals like Spotted deer, Wild boar, Pythan, porcupine, Mongoose, Peacock, Monitor lizard, and Snakes etc., are said to be present in the forest.

x) In the specific recommendation of the proposal, the District Forest Officer, Tiruvallur Division has reported that the proposed forest land diversion for carrying out the six lane highways green field corridor involves forest area to an extent of 3.4186 ha in Thirumalarajupettai RF and an extent of 10.6103 ha in Nediya RF. The proposed diversion of forest land does not lie in the protected area. The proposed site is situated about 60 km away from the Pulicat Wildlife Sanctuary. The diversion of the forest land is found to be bare minimum area. Considering the above views, diversion of 14.0289 ha area recommended subject to the fulfillment of condition that full-fledged chain link fencing shall be erected on either side of the road to prevent further biotic interference at the cost of user agency.

4) The Conservator of Forests, Chennai Circle has inspected the area on 08.07.2022 and has endorsed the facts and views furnished by the District Forest Officer, Tiruvallur Division and forwarded the proposal with her recommendation.

5) The User Agency has requested forest area diversion for a period of 99 years. The District Forest Officer, Tiruvallur Hosur Division has recommended the proposal for a period of 25 years and the Conservator of Forests, Chennai Circle has recommended the forest area diversion for a period of 20 years.

Based on the recommendations made by the Conservator of Forests, diversion of forest area for the project proposal is recommended for a period of 20 years.

6) As recommended by the District Forest Officer, Tiruvallur Division and Conservator of Forests, Chennai Circle, the proposal of diversion of 14.029 ha of forest land in Tiruvallur Forest Division for the construction of six lane highways green field corridor from Chittoor to Thatchur road (NH 716B) lies in 3.4186 ha of area in Thirumalairajupettai RF and 10.6103 ha of forest area in Nediya RF of Tiruvallur District in favour of Project Director, National Highways Authority of India, PIU-Kancheepuram, Chennai is recommended subject to the following conditions.

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 of Raising Compensatory Afforestation / Maintenance of plantation, protection of plantation etc., 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.

iv) 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.

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 levies, Net Present Value of forest area under the project shall be transferred / deposited to CAMPA fund only through e-portal (<https://parivesh.nic.in/>)

vii) Full fledged chain link fencing shall be erected on either side of the road to prevent further biotic interference at the cost of user agency and responsibility lies with the user agency for its further maintenance during the project diversion period.

viii) The user agency has to obtain orders from the Hon'ble Supreme Court of India for felling of 264 number of spontaneous trees to be felled in the project proposal area.

ix) The user agency has to pay the cost towards felling and transportation cost of trees to be cut in the project area (1783 numbers) to the District Forest Officer, Tiruvallur Division for immediate execution of the felling of trees work after getting necessary permission for felling of trees.

x) 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 as the forest area diversion is meant for commercial activity usage.

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

xii) Violation of any of these conditions will amount to violations of Forest (Conservation) Act, 1980 and action would be taken as per rules in force.

xiii) Any other conditions that the Ministry of Environment, Forests and Climate Change may stipulate from time to time in the interest of conservation, protection and development of Forests and wildlife.

xiv) The total forest area utilized for the project shall not exceeds 14.029 ha


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

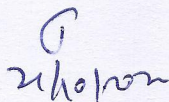
7) The proposal is sent through online with the recommendation of the Additional Principal Chief Conservator of Forests (Forest Conservation Act) / Nodal Officer, Forest (Conservation) Act, 1980 of the State of Tamil Nadu. Hard copy of the proposal also furnished.

8) I request that the proposal may be considered and Government of India approval may be obtained for diversion of 14.029 ha of forest land in Tiruvallur Forest Division for construction of six lane highways green field corridor from Chittoor to Thatchur road (NH 716B) lies in 3.4186 ha of area in Thirumalairajupettai RF and 10.6103 ha of forest area in Nediya RF of Tiruvallur District in favour of Project Director, National Highways Authority of India, PIU-Kancheepuram, Chennai for a period of 20 years.

Encl : As stated above.

Yours faithfully,


21/10/2022
For Principal Chief Conservator of Forests
(Head of Forest Force)


21/10/2022

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 – Chennai Circle / Tiruvallur Forest Division – Proposal for diversion of 14.029 ha of forest land in Tiruvallur Forest Division for construction of six lane highways green field corridor from Chittoor to Thatchur road (NH 716B) lies in 3.4186 ha of area in Thirumalairajupettai RF and 10.6103 ha of forest area in Nediya RF of Tiruvallur District in favour of Project Director, National Highways Authority of India, PIU-Kancheepuram, Chennai - Proposal No. FP/TN/Road/53276/2020

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. Priya
13/10/22

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 : 13-10-2022

Place : Chennai-32.

