

TAMILNADU FOREST DEPARTMENT

From
Dr. H. Malleshappa, IFS.,
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.TS4/ 42075/2018, Dated: 11.04.2019.

Sir,

Sub: Forests - Forest (Conservation) Act, 1980 –Tirunelveli Circle / Thoothukudi Division - Proposal for diversion of 0.4626 ha for improvement of existing Korampallam surplus course bridge in Mullakadu Reserved Forest of Mullakadu village – VOC Port Trust, Thoothukudi District – Online proposal submission by the User Agency ie. Mr. Sudalai, Executive Engineer, VOC Port Trust, Thoothukudi - Regarding.

- Ref:
- 1 Online application uploaded by the User Agency – Mr. Sudalai, Executive Engineer, VOC Port Trust, Thoothukudi dated: 27.09.2018. (FP/TN/Road /35317/2018).
 - 2 District Forest Officer, Thoothukudi recommended on 28.11.2018, 12.03.2019 and 30.03.2019..
 - 3 Chief Conservator of Forests, Tirunelveli recommended on 10.01.2019, 08.02.2019 and 03.04.2019.
 - 4 Part II and Part III Particulars received from District Forest Officer and Chief Conservator of Forests through online dated: 21.01.2019.
 5. Revised Part II and Part III Particulars received from District Forest Officer and Chief Conservator of Forests through online dated:30.03.2019 and 03.04.2019.

I wish to state that the User Agency (VOC Port Trust, Thoothukudi) has furnished online application under Section 2 of Forest (Conservation) Act, 1980 in the prescribed format of Form A – Part I for diversion of 0.4626 ha for improvement and existing Korampallam surplus course bridge at Thoothukudi District

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 in the online submission and Monitoring of Forests Clearances Proposal (OSMFCP) portal.

The User Agency has proposed forest area diversion for a period of (A.1.x of proposal format) 999 years. The following Certificates and Undertaking are uploaded by the User Agency ie. VOC Port Trust, Thoothukudi.

1. Signed copy of Form A .
2. Letter of Authorisation.
3. KML file of Google earth
4. Geo referenced map for the Forest land proposed for diversion.
5. Survey of India topo sheet indicating boundary of forest land proposed to be diverted.
6. Justification for locating the project in Forest land
7. Certificate obtained from the District Collector, Thoothukudi District about settlement of Tribes under Forest Rights Act 2006 in the prescribed format.
8. Photographs of the proposed site.
9. Undertaking to bear the cost of exploitation of trees and the cost of Compensatory Afforestation in double the area of degraded forest land in lieu of the forest land to be diverted for the project at Thoothukudi.
10. Undertaking for the payment of Net Present Value of the forest land require for the purpose of construction of widening the bridge over Korampallam at VOC Port Trust in Thoothukudi Forest Division.
11. Undertaking for the payment of Additional Net Present Value of the forest land require for the purpose of construction of widening the bridge over Korampallam at VOC Port Trust in Thoothukudi Forest Division as per the orders of the Hon'ble Supreme Court of India .
12. Undertaking for the payment of 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.
13. Undertaking for payment of Compensatory Afforestation cost as fixed by the Forest Department.
14. Certificate regarding ten times of saplings would be bear by the User Agency towards the number of trees proposed to be cut, which falls on the forest alignment with regard to construction of widening the bridge over Korampallam at VOC Port Trust in Thoothukudi Forest Division.
15. Undertaking given by the User Agency regarding the no work in violation of Forest (Conservation) Act, 1980 will be carried out for the construction

of widening the bridge over Korampallam at VOC Port Trust in Thoothukudi Forest Division.

16. Undertaking to bear the cost of raising and maintenance of Compensatory Afforestation as well as cost of protection and regeneration of safety zone etc. as per the scheme prepared by the State Government for the construction of widening the bridge over Korampallam at VOC Port Trust in Thoothukudi Forest Division.
17. Undertaking given by the User Agency regarding the special provision for Central Government undertaking projects provision has been made that Compensatory Afforestation may be raised on degraded forest land twice in extent of forest area being diverted. Hence the User Agency ie. VOC Port Trust, Thoothukudi is agreed to deposit the cost of Compensatory Afforestation twice in the degraded forest.

Further the User Agency has reported in the justification report that the proposed improvement is in existing Korampallam Surplus Course (KSC) Bridge at VOC Port Trust, which already passes through Thoothukudi Reserved Forest to a length of 277m. The Thoothukudi RF has a total area of 11.010 ha out of which 0.46 ha forest and is required for diversion (including the area of forest land in the existing road).

VOC Port Trust also justify that

1. Korampallam Surplus Course (KSC) Bridge is the only connectivity of VOC Port Trust to NH-45B (Madurai and NH-7A (Tirunelveli) to cater all measures of import and export cargoes, machineries and employee.
2. Tourist attraction for Harbour beach and Hare Island.
3. Better connectivity for local people TTPS, NTPL and Customs House.
4. Boost the economy of the area by generating more employment through cargo handling and other allied activities.

In the reference 2nd cited the District Forest Officer, Thoothukudi has uploaded the online proposal of Form A Part II with the field inspection notes dated: 30.03.2019 and stated that the District Forest Officer, Thoothukudi has inspected the proposed site on 28.02.2019 for widening of the bridge over Korampallam Surplus Course Bridge and Roll over bridge canal at Mullakadu RF of Mullakadu village in Thoothukudi Range of Thoothukudi Forest Division by the VOC Port Trust, Thoothukudi along with User Agency. The proposed project area is around 0.4626 ha of forest land in Mullakadi RF of Thoothukudi Forest Range. The over bridge was already constructed by the Port Trust and now

improvement of existing bridge on the Korampallam Surplus Course Bridge, (North side 183.39m length and width 14.87m = 2727.009sqm, South side 265.38m x 7.10 = 1884.19sqm, Total 0.4611 ha in Mullakadu RF) has to be done. The bridge is only connectivity of VOC Port Trust to NH-45B(Madurai and NH-7A (Tirunelveli) to cater all measures of import and export cargoes, and better connectivity for the people, TTPS, NTPL and Customs House. It is across the Korampallam canal and Mullakadu Reserved Forest. No protected Archaeological site is nearby. The land required is only barest minimum.

The District Forest Officer, Thoothukudi has also stated that 109 nos of Mangrove plants spontaneous growth are available in the area proposed for the diversion by the User Agency ie. VOC Port Trust, Thoothukudi and no felling of mangrove trees is required to carry out this project. The list of 109 nos. of spontaneous growth (Mangrove trees) are uploaded in Part II of Form A (Additional details column).

In the reference 3rd cited, the Chief Conservator of Forests, Tirunelveli Circle has inspected the proposed project area on 18.12.2018 and stated that the proposed project site of proposal for diversion of forest land in Mullakadu RF of Mullakadu village in Thoothukudi Range of Thoothukudi Forest Division for "improvement of the existing Korampallam surplus course bridge at Mullakadu RF, Mullakadu village, Thoothukudi district" (FP/TN/Road/35317/2018) by VOC Port Trust, Thoothukudi along with the District Forest Officer and field staff and User Agency. The proposed area is partially vegetated with Mangrove species and partially slushy and water logged due to being in tidal zone. The details of flora and fauna is submitted by the District Forest Officer is Part II. No protected archaeological site is situated nearby. The area proposed for diversion is bare minimum.

Based on the site inspection dated. 28.02.2019 by the District Forest Officer, Thoothukudi Part II and recommendation were uploaded by the District Forest Officer along with the undertaking by the User Agency to carry out the work without felling of mangroves of spontaneous growth. The Chief Conservator of Forests has sent his recommendation in Part III on 03.04.2019.

In this regard, it is submitted that the User Agency has uploaded all the certificates /undertaking as required for this proposal.

The proposal is sent herewith duly recommended in the part IV format proposal by the Additional Principal Chief Conservator of Forests (FCA) / Nodal Officer (Forest Conservation Act).

The area proposed for diversion has been ~~maintained~~^{mentioned} as 0.4626 ha for the improvement the existing Korampallam surplus course bridge at Mullakadu RF, Mullakadu village, Thoothukudi district by the User Agency ie. Mr. Sudalai, Executive Engineer, VOC Port Trust, Thoothukudi. But the component wise requirement of forest land has been furnished in Part I B.2.4 of Form A as 0.4611 ha as follows.

Northern side	– 0.27270093 ha
Southern side	– 0.1884198 ha
Total	– 0.46112073 ha.

The District Forest Officer has also recommended for 0.4611 ha (Northern side – 0.2727ha and southern side – 0.1884 ha) for this project. Hence an extent of 0.4611 ha in Mullakadu RF, Thoothukudi District is recommended and forwarded to the Government of India for approval Subject to the following conditions.

1. The legal status of the land shall remain unchanged and shall remain as Reserved Forests.
2. Felling of trees of spontaneous origin shall not be carried out. User Agency shall furnish an undertaking to this effect.
3. The demarcation of the proposed forest area shall be carried out by erecting 4 feet height cement concrete pillars duly numbered at an interval of 20 mts. at the cost of User Agency.
4. The User Agency shall pay the Net present value of the diverted forest area at the rates stipulated by the Ministry of Environment and Forests from time to time, as per the orders of the Hon'ble Supreme Court Order dated 28.03.2008 and 09.05.2008 in IA Nos. 826 in 566 with related IAS in Writ Petition (Civil) No.202/1995.
5. The Additional amount of the Net Present Value (NPV) of the diverted forestland if any, becoming due after revision of the same by the Hon'ble Supreme Court of India in future shall be charged by the State

Government from the User Agency. The User Agency shall furnish an undertaking to the effect.

6. The User Agency has to pay the cost of raising Compensatory Afforestation and maintenance of plantation, Protection of plantation etc. as fixed by the Forest Department and willingness to deposit additional amount if any suggested and demanded subsequently.
7. The User Agency shall be responsible for any loss to Flora and Fauna in the surroundings and shall take all possible measures to conserve the same.
8. The forest land shall not be used for any other purpose other than that specified in the proposal.
9. The lease rent should be realized from the User Agency as per G.O.Ms.No.272, E&F(FR.XIII) Dept. dated 15.04.1991 and subsequent changes.
10. Period of lease is twenty years. The User Agency has to apply renewal proposal before 6 months of expiry of lease with the State Forest Department.
11. The District Forest Officer may impose any other condition in the interest of conservation /protection and development of forests.

The proposal is sent herewith duly recommended by the Additional Principal Chief Conservator of Forests (Forest (Conservation) Act, 1980) /Nodal Officer, Forest (Conservation) Act, 1980 of the State of Tamil Nadu. I request that the proposal may kindly be considered and Government of India approval may please be obtained for diversion of 0.4611ha for the improvement the existing Korampallam surplus course bridge at Mullakadu RF, Mullakadu village, Thoothukudi district requested by the User Agency ie. Mr. Sudalai, Executive Engineer, VOC Port Trust, Thoothukudi for a period of twenty years.

Yours faithfully
Sd/- H. Malleshappa
Principal Chief Conservator of Forests
(Head of Department)

Copy to the Conservator of Forests, Tirunelveli Circle, Tirunelveli
Copy to the District Forest Officer, Thoothukudi Division, Thoothukudi.
Copy to the Mr. Sudalai, Executive Engineer, VOC Port Trust, Thoothukudi .

/True copy/By order/


Senior Draughting Officer

12/4/19

PART IV

(To be filed 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.

Recommended. No felling of trees should be done while executing the work.

(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).

Date: *11/4/2019*
Place: *Chennai*

Signature: *[Signature]*
Name :
Official Seal:

2/4
Additional Principal Chief Conservator of Forests
(CAMPA & Forest Settlement)
O/o. PCCF (HOFF), Chennai-16.