

TAMIL NADU FOREST DEPARTMENT

From
Thiru Syed Muzammil Abbas, IFS.,
Principal Chief Conservator of Forests,
(Head of Forest Force),
Panagal Maaligai, Saidapet,
Chennai - 600 015.

To
The Additional Chief Secretary to
Government,
Environment Climate Change and
Forests Department,
Secretariat, Chennai 600 009.

Ref. No. TS4/1890/2022 dated. 24.06.2022

Madam,

Sub: Forests - Forest (Conservation) Act, 1980 – Trichy Circle / Nagapattinam Wildlife Division - Proposal for diversion of 2.553ha of forest land for widening and improvement of existing carriage way to 4- laning of Poondiyankuppam-Sathanathapuram section of NH 45A in the states of Tamilnadu under NHDP Phase IV (Pkg-3) across Gopalasamudram Reserved Forest – Online proposal submission by the User Agency ie. NHAI, PIU, Puduchery, Bommaiypalayam, Tamilnadu – Regarding.

- Ref:
1. Online application uploaded by the User Agency – NHAI, PIU, Puduchery, Bommaiypalayam, Tamilnadu dated: 24.01.2022.
(FP /TN/ Road/ 151511/ 2022)
 2. Principal Chief Conservator of Forests, Chennai-15 Ref. No: 1890 / 2022 / TS4 dated 11.02.2022
 3. Revised Online application uploaded by the User Agency – NHAI, PIU, Puduchery, Bommaiypalayam, Tamilnadu dated: 23.02.2022.
 4. Acknowledgements uploaded by the user agency on 21.03.2022
 5. Part-II uploaded by the Wildlife Warden, Nagapattinam on 20.04.2022 and Part-III uploaded by the Chief Conservator of Forests, Trichy on 28.04.2022.
 6. Revised Part-II uploaded by the Wildlife Warden, Nagapattinam on 01.06.2022 (WW, Nagapattinam Ref.No:5875/2021/D dated 01.06.2022)
 7. Revised Part-III uploaded by the Chief Conservator of Forests, Trichy on 06.06.2022

I wish to state that the NHAI, PIU, Puduchery, Bommaiypalayam, Tamilnadu has sent a proposal under Section 2 of Forest (Conservation) Act, 1980 for diversion of 2.553ha of forest land for widening and improvement of existing carriage way to 4- laning of Poondiyankuppam-Sathanathapuram section of NH 45A in the State of Tamilnadu under NHDP Phase IV (Pkg-3) across Gopalasamudram Reserved Forest through online web portal in the prescribed format.

2) The User Agency has furnished following Certificates / Undertakings.

- i. Signed copy of Form A.
- ii. Letter of Authorisation.

- iii. GPS map of the proposed road
- iv. Survey of India topo - sheet indicating boundary of forest land proposed.
- v. Geo referenced map for the Forest land proposed for diversion in Eriyur North Reserved Forest.
- vi. Justification for locating the project in Forest land
- vii. Details of alternative examined
- vii. Letter initiated to District Collector, Myladuthurai for Certificate of Settlement of rights under Scheduled Tribes and Other Traditional Forest Dwellers under Forest Rights Act 2006 in the prescribed format & non availability of non forest land.
- ix. Justification for non-identification of Compensatory Afforestation land.

In Additional information details the following documents were uploaded.

1. Undertaking by the user agency that the road does not affect any important monuments of Archaeological.
2. Under taking by the user agency to bear the cost of Compensatory Afforestation.
3. Under taking by the user agency to bear the cost of Penal Compensatory Afforestation
4. Under taking by the user agency for the payment of Net Present Value of the forest land involved.
5. Undertaking by the user agency for the payment of Additional Net Present Value if any demand raised by the forest department.
6. 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.
7. Certificate by the User Agency that the demand of forest land for the project is minimum.
8. Undertaking by the user agency that no labour camp will be established in forest area.
9. Certificate by the User Agency that diversion of forest land has been proposed due to non availability of non forest land.
10. Undertaking for the payment of cost of felling of trees and transportation cost of the trees to be removed in the forest land involved.

11. Area requirement details (568m length; 45m width=2 5553ha)
12. Government of India, MoEF & CC, New Delhi ref.no:11-43/2013 FC dated 26.02.2019 regarding compliance of the ST&OTFD(RoFR) Act 2006
13. Satellite imagery of forest area.
14. Photograph of Gopalasamudram Reserved Forest Area.
15. Certificate given by the User Agency regarding the no violation of any provisions of Forest (Conservation) Act, 1980.
16. Undertaking by the user agency for non identification of Compensatory Afforestation land.
17. EDS compliance dated 22.02.2022.

3) The Wildlife Warden, Nagapattinam has uploaded the Part-II of the above proposal and are detailed below.

- i) Area to be diverted for the above proposal is 2.5553ha in Reserved Forest and the density is 0.8 in 0.981ha and 0.2 in 1.575ha and type of forest is Eco class-4.
- ii) As per section 4(ii), Species wise and Girth wise enumeration of trees, there are 177Nos of trees at various girth level were listed and are spontaneous and have to be felled for this project.
- iii) The details of wildlife present in and around the forest land proposed for diversion is Palm civet, Monitor Lizard, Jacal, Cobra etc.
- iv) In section 13, Details of Compensatory Afforestation, under patch wise details, an area of 5.2 ha in Point Calimere Wildlife Sanctuary, in Kodiakkarai Range is selected for Compensatory Afforestation.
- v) The total financial cost of Compensatory Afforestation scheme is Rs. 229.368 lakhs for raising of nursery and planting of 5100 taller seedlings over an extent of 5.2ha including maintenance and the details of Compensatory Afforestation scheme is uploaded.

4) The Wildlife Warden, Nagapattinam has issued NOC for carrying out the Compensatory Afforestation works in the degraded forest area of Muniappan Lake area in Kodiakkadu Reserved Forest in Point Calimere Wildlife Sanctuary subject to final approval of the Principal Chief Conservator of Forests & Chief Wild life Warden.

5) The Wildlife Warden, Nagapattinam has inspected the proposed project site on 12.04.2022 and stated that

- i) The area proposed by the user agency is the minimum and there is no alternative land for the proposed project except this forest land.
- ii) The user agency has not started any work in Gopalamudram Reserved Forest and question of violation of Forest Conservation Act 1980 does not arise.
- iii) The user agency shall pay the Net Present Value and Compensatory Afforestation cost.
- iv) There are no rare/endangered/unique species of flora and fauna in the Gopalamudram Reserved Forest. There is no plantation present in the proposed site.
- v) There are no protected archeological / heritage site / defense establishment and there are no monument in the above project site.

6) In the recommendation, the Wildlife Warden has stated that he has inspected the proposed project site on 12.04.2022 and found that the project is important as the widening and four laning of NH45A is essential as the road is a congested one due to lot of tourists and public vehicles. As this project is essential for welfare of masses and saving lot of life due to reduction of accidents, recommended this proposal.

7) The Chief Conservator of Forests, Trichy has inspected the above site on 27.04.2022 and stated that the project is proposed for diversion of 2.5553ha in Gopalamudram Reserved Forest for widening and improvement of existing carriageway to 4 lanning Poondiankuppam – Sattanathapuram section of NH-45A under NHDP Phase-IV and is important as the road is congested one due to lot of Tourists and public vehicles. As this project is essential for welfare of masses and saving lot of life due to reduction of accidents and also no alternate land is available and hence recommended the proposal. The Chief Conservator of Forests, Trichy has also uploaded his recommendation in Part-III.

The rectifications were updated in the PARIVESH Portal on 31.05.2022 and finally corrected Part-II was uploaded on 01.06.2022. Revised Part-II of Form-A, Site suitability certificate and revised Compensatory Afforestation scheme estimate has been uploaded in the web portal.

8) In this regard, it is submitted that the User Agency has uploaded all the certificates/undertakings/details as required in this proposal.

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

10) The area proposed for diversion of 2.553ha of forest land for widening and improvement of existing carriage way to 4- laning of Poondiyankuppam-Sathanathapuram section of NH 45A in the states of Tamilnadu under NHDP Phase IV (Pkg-3) Bridge across Gopalamudram Reserved Forest is recommended and forwarded to the Government of Tamilnadu for obtaining approval from Government of India subject to the following conditions.

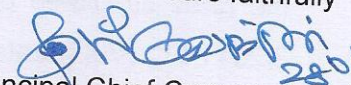
- (i) The legal status of the land shall remain unchanged and shall remain as Reserved Forests.
- (ii) The demarcation of the proposed forest area shall be carried out by erecting 4 feet height cement concrete pillars duly numbered at an interval of 20 mts at the cost of User Agency.
- (iii) The User Agency shall obtain the permission from the Hon'ble Supreme Court of India regarding felling of spontaneous growth in the forest area proposed for the road project before Stage-II approval.
- (iv) The User Agency shall obtain the certificate from the District Collector, Myladuthurai regarding compliance of ST&OTFD (RoFR) Act 2006 before Stage-II approval.
- (v) The User Agency shall remit Compensatory Afforestation amount as raised by the Forest Department.
- (vi) The Compensatory Afforestation shall be raised in the degraded forest area of Kodyakadu Reserved Forest over an extent of 5.20ha. at the cost of User Agency.
- (vii) 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 in File.No:5-3/2011-FC (Vol.I) dated 06.01.2022 and 19.01.2022 and 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.
- (viii) The fund from the User Agency towards Compensatory Afforestation and NPV under this project shall be deposited by generating chalan from the Ministry's online web portal.UTR No and date should be furnished.

- (ix) The Additional amount of the Net Present Value (NPV) of the diverted forest land 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.
- (x) 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.
- (xi) The forest land shall not be used for any other purpose other than that specified in the proposal.
- (xii) 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.
- (xiii) The period of lease is 20 years.
- (xiv) The User Agency should send renewal proposal one year before expiry of lease.
- (xv) The Chief Conservator of Forests and District Forest Officer may impose any other conditions in the interest of conservation /protection land development of forests.

I enclose the proposal in duplicate duly recommended for obtaining concurrence of Government of India, Ministry of Environment, Forests and Climate change, Integrated Regional Office, Chennai under Forest (Conservation) Act, 1980 for diversion of 2.5553ha of forest land for widening and improvement of existing carriage way to 4- laning of Poondiyankuppam - Sathanathapuram section of NH 45A in the State of Tamilnadu under NHDP Phase IV (Pkg-3) across Gopolasamudram Reserved Forest in Nagapattinam District in favour of NHAI, PIU, Puduchery, Bommaiypalayam, Tamilnadu for a period of 20 years.

Encl.: Proposal in duplicate.

Yours faithfully


for Principal Chief Conservator of Forests
(Head of Forest Force)
28/04/2022

PART IV

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

Name of Work: Forests - Forest (Conservation) Act, 1980 – Trichy Circle / Nagapattinam Wildlife Division - Proposal for diversion of 2.553ha of forest land for widening and improvement of existing carriage way to 4- laning of Poondiyankuppam-Sathanathapuram section of NH 45A in the states of Tamilnadu under NHDP Phase IV (Pkg-3) Bridge across Gopalamudram Reserved Forest in Nagapattinam District – Online proposal submission by the User Agency ie. NHAI, PIU, Puduchery, Bommaiypalayam, Tamilnadu

Proposal No: FP/TN/Road/151511/2022

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"
V. Karuna Priya
16/6/22 1/4

Date : .06.2022
Place: Chennai

Signature:

Name : V. Karuna Priya, IFS
Official Seal:
Additional Principal Chief Conservator of Forests
(Forest Conservation Act)/Nodal Officer