

TAMIL NADU FOREST DEPARTMENT

From

To

Thiru.T.Ritto Cyriac, I.F.S.,
District Forest Officer,
Chengalpattu Division,
Kancheepuram 631 501.

The Principal Chief Conservator
of Forests,
Chennai -15

C. No.3629/13 D Dt. 27.04.2016.

Sir,

Sub: FORESTS – Forest Conservation Act 1980 – Proposal approved under Section 2 of Forest (Conservation) Act 1980 for non forestry purposes – Non compliance of conditions stipulated by Government of India approval in certain proposals – Diversion of 1.845 Ha of Forest land for formation of access road from NH – Mahindra Industrial Park in Thirutheri RF – Report called for Regarding.

Ref: Principal Chief Conservator of Forests, Chennai -15
Ref.No.TS3/13009/16 Dt.26.04.2016. (communicated with Government Letter No.6309/FRX/2016-1 Dt.22.04.2016)

2. Government of India, Ministry of Environment Forests and Climate Change, Regional Office, South Eastern Zone, Chennai -34 Letter No.F.No.F(C)A/11.2/74/TN/RC/0757 Dt.22.03.2016.

I submit that in the reference 2nd cited, Government of India, Ministry of Environment Forests and Climate Change has enclosed a copy of the monitoring report for necessary action on non compliance of the conditions stipulated in the Government of India approval letter even No. Dt.21.07.2000 and other observation in the monitoring report in response to the diversion of 1.845 Ha of Forest land diverted in favour of Mahindra Industrial Park in Thirutheri RF of this division for the formation of access road from National Highways – Mahindra Industrial Park during the year 2000.

In the reference 1st cited it has been instructed to submit a full pledged report on the Government of India letter reference 2nd cited for non compliance of the conditions stipulated by Government of India while

according stage II approval for the diversion of 1.845 Ha of forest land in favour of Mahindra Industrial Park in Thirtheri RF of this division.

I submit that in the monitoring report sent by Government of India, Ministry of Environment Forests and Climate Change the action on stipulated conditions under each part is described below.

PART I General Particulars

Observation : DFO's Reply

No observation has been made : NIL

PART II (Details of Compensatory Afforestation)

1. It has been observed that the non forest land handed over by Mahindra Industrial Park to the extent of 6.155 Ha in S.No218, 224, 225, 226, 229, 230, 338, 339, 227 and 244 has not yet been declared as Reserved Forests. In this regard I submit that necessary draft proposal for declaration of the area of 6.09.5 Ha of Non forest land for declaring the same under section 4 of the Tamil Nadu Forest Act 1882 was sent to Collector, Kancheepuram in this office Ref.No.4268/00 D Dt.23.04.2010 with a request to transmit the proposal to the Principal Chief Conservator of Forests through Conservator of Forests, Chennai circle for onward transmission to Government for declaring the area under section 4 of the Tamil Nadu Forest Act 1882. So far this proposal has not been transmitted to the Principal Chief Conservator of Forests.

2. In this connection I wish to point out that the District Collector, Kancheepuram in his Ref.No.46719/10 B1 Dt.07.11.2011 has requested to Tahsildhar, Chengalpattu to submit his detailed report along with a recommendation through the Revenue Divisional Officer, Chengalpattu and the same is pending with the Tahsildhar, Chengalpattu till date. The District Collector, Kancheepuram frequently reminded by this office to obtain the proposal from the Tahsildhar, Chengalpattu and Revenue Divisional Officer, Chengalpattu. The proposal is still with District Collector, Kancheepuram.

3. Compensatory Afforestation was raised over an area of 6.155 Ha at Appur Village during 2003-04 at an estimated cost of Rs.4.62 Lakhs and the survival of the plants planted during the year 2004-05 was 100%. In

land in
of
the monitoring report it has been observed that the condition of plantation is 0% survival and no trees of at present.

In this connection it is submitted that the plantation raised in the CA land during 2003-04 has been failed due to the reason that the CA land has not been fenced and subsequent maintenance has not been taken up. Further adjacent to the CA land agricultural lands are located there by disturbance to the CA land by cattle ^{menace} ~~mannace~~ and hence 0% survival is noticed. Hence it is proposed to replant this CA land with misc plantations with proper fencing of the CA land in order to protect the area from cattle ~~mannace~~ ^{menace} for raising CA a sum of Rs.2.70 lakhs at Rs.44000/- per ha. In addition this area has to be fenced by providing chain link fencing for which a sum of Rs.30.00 lakhs will be required for fencing the peripheral of the CA land to a length of 1 KM at Rs.3000/- per RM. Hence a total amount of Rs.30.00 + Rs.2.70 = Rs.32.70 lakhs will be required. The user agency has already remitted a sum of Rs.28.96 lakhs.

PART III (Planting of dwarf trees in case of transmission line)

Not applicable and No remarks called for

PART IV (Reclamation of the area worked under mining / quarrying)

Not applicable and No remarks called for

PART V (Conditions stipulated by the Government of India other that mentioned above)

Sl.No	Nature of the terms/conditions	Action taken by the State Government	Remarks of the District Forest Officer
1	Legal status of forest land shall remain unchanged	Remains un changed	No Remarks
2.	The total forest area to be utilized shall not exceed 1.845 Ha. If the forest area is not utilized for the stipulated purpose, then the same shall be presumed by the Forest Department.	The forest land diverted for approach road and same has been made as concrete (Pucca) road with black topped and only small stretch of the road has made by pavers blocks.	No Remarks

3.	The Compensatory Afforestation over 6.155 Ha of non-forest land shall be raised at the cost of user agency. The non-forest land shall be declared as protected forests within six months period positively.	As mentioned in the Part II above CA land has not been declared as protected forest so far.	Draft proposal for declaration of the CA land as Reserved Forests under section 4 of the Tamil Nadu Forest Act 1882 was sent to District Collector, Kancheepuram in this office Ref.No. 4268/00 D Dt.23.4.2010 which is pending with District Collector.
4.	The barbed wire fencing of five stands with angle iron posts along the periphery of the reserved forests area (120 ha approx) as depicted in the map enclosed with State Government's letter dated 15.09.1999 shall be erected at the cost of user agency. The chain link fence shall be provided on either side of the road to be constructed through forest area at the cost of user agency.	Not complied with. It has reported that the user agency has already remitted amount to Government account. However, work has not been taken up by the Forest Department so far.	The work has been now proposed under CAMPA and necessary proposals has been submitted to PCCF vide this office Ref.No.479/16 D Dt.06.4.16.
5.	About 40 ha of forest area out of the area fenced shall be afforested and the live hedge fencing along the periphery of said area shall be provided at the cost of user agency.	Not complied with. It has reported that the user agency has already remitted amount to Government account. However, work has not been taken up by the Forest Department so far.	This will be verified and a detailed report will be submitted soon.
6.	Any other conditions to be stipulated by the State Govt/PCCF. Tamil Nadu in the interest of Conservation of forests	No other conditions stipulated.	No remarks

PART VI (Conditions informed by the State Government in addition to the Government of India's conditions and other steps taken to preserve forest wildlife and prevent soil erosion etc.,)

Not applicable and No remarks called for

PART VII

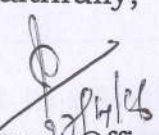
Not applicable and No remarks called for

PART VIII

1.	Abstract of inspection of forest officers, if any	<p>The subject forest land diverted for approach road, however same has been made as concrete road with black topped and only small stretch of the road has made by paver paver blocks. Electric line is drawn in the diverted forest land. Some ornamental plants have been planted on either side of the road. Optical fibre cable (OFC) lines of different companies are drawn in the diverted forest land. Commercial advertisement boards are erected all along the road sides and on road divider. All these activities have been carried out without obtaining of prior approval of Government of India and same attracts violation of Forest Conservation Act 1980.</p>	<p>The diverted forest land was laid with concrete road with black topped and MIP was instructed by the PCCF in Ref.No.65114/03 /TS3 Dt.01.12.2015 that black topping of road is objectionable under Environmental protection Act and Forest Conservation Act 1980 and it was requested to them to lay pre -cast cement concrete labs for the balance length of 100 Mtrs and the manufacturing work of precast concrete slaps should not be taken up in the forest area. (Copy enclosed) In connection with laying of optical fiber cable of different company and electric line etc., the user agency was requested to explain the reasons for the violations noticed in this office Ref.No.3629/13 D Dt.16.03.16 and copy of the same is enclosed for kind perusal.</p> <p>In response to the above Mahindra Industrial Park has informed as data communication is the most integral part of all the companies inside MWCDL, the data network is connected through the only approach available. We will abide by paying the fees/charge, if any, as applicable, along with the lease payment. However necessary proposals will be</p>
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			submitted for laying of optical fiber cable in the diverted area and necessary permission obtained from Government of India. The commercial advertisement boards erected have been removed now.
2.	Remarks of the APCCF (C) in regard to progress of the action on the stipulated conditions.	It is quite serious. In spite of point out non compliances in earlier monitoring report no action is initiated by the State Government. Once again requested to take immediate necessary action.	Necessary action has been initiated since now for all the violations informed in the monitoring report.
3.	Effect of the project on forests and wildlife	Monitoring reports of DCF (Central) dated 05.02.04, 22.08.05, 28.12.06 & CF (Central) 02.01.14 has been forwarded to Government of Tamil Nadu. However, no action has been taken by the Government of Tamil Nadu so far. Photos of the site (both forest land diverted & CA land) are enclosed for necessary action)	NA

Yours faithfully,


District Forest Officer,

27/A/16