

By e-mail



ENVIRONMENT, CLIMATE CHANGE
& FORESTS(FR.10) DEPARTMENT,
SECRETARIAT, CHENNAI 9.

Letter No:11662/FR.10/2022-1, dated: 12.09.2022

From
Tmt.Supriya Sahu, IAS.,
Additional Chief Secretary to Government.

To
The Assistant Inspector General of Forests (Central),
Government of India,
Ministry of Environment, Forests and Climate Change,
Integrated Regional Office,
No.1st Floor, Additional Office Block for GPOA,
Shastri Bhawan,
Haddows Road,
Nungambakkam, Chennai-600 006 (w.e).

Sir,

Sub: Forest (Conservation) Act, 1980 – Trichy Circle/ Nagapattinam
Wildlife Division – Proposal (No.FP/TN/Road/151511/2022) for
diversion of 2.5553 ha 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 Tamil Nadu
under NHDP Phase IV (Pkg-3) Bridge across Gopalasamudram
Reserved Forest in Nagapattinam District in favour of National
Highways Authority of India, PIU, Puduchery, Bommaiypalayam,
Tamil Nadu – Forwarding of - Regarding.

Ref: From the Principal Chief Conservator of Forests letter No.TS4/
1890/2022, dated 24.06.2022.

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I am directed to enclose a copy of the reference cited and to state that the Principal Chief Conservator of Forests (HoFF) in his letter cited has stated that, the National Highways Authority of India, PIU, Puduchery, Bommaiypalayam, Tamil Nadu has sent a proposal under section 2 of Forest (Conservation) Act, 1980 for diversion of 2.5553 ha 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. In the Part-II of Form A, the Wildlife Warden, Nagapattinam Division has furnished the following details:-

- i. Area to be diverted for the above proposal is 2.5553 ha in Reserved Forest and the density is 0.8 in 0.981 ha and 0.2 in 1.575 ha and type of forest is Eco class-4.
- ii. As per section 4(ii), Specieswise and Girth wise enumeration of trees, there are 177 Nos. of trees among which 10 Eucalyptus trees, 10 Samania Saman trees, 2 Thespesia Populenea trees, 1 Pongamia Pinnata trees, 7 Alangium Lamarckii trees, 70 Bamboo trees, 3 Cassia Fistula trees, 74 Prosopis trees, at various girth levels 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, Jackal, 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 Kodiakarai 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 5.2 ha including maintenance and the details of Compensatory Afforestation scheme is uploaded.

3. 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 Wildlife Warden.

4. 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.

5. In the recommendation, the Wildlife Warden has stated 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, he has recommended this proposal.

6. 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 2.5553 ha in Gopalasamudram Reserved Forest for widening and improvement of existing carriageway to 4 lanning Poondiankuppam – Sathanathapuram section of NH-45A under NHDP Phase-IV and he has also uploaded his recommendation in Part-III.

7. The Principal Chief Conservator of Forests has stated that, the proposal is sent duly recommended in the Part IV of Form A by the Additional Principal Chief Conservator of Forests (FCA) / Nodal Officer (Forest Conservation Act).

8. The Principal Chief Conservator of Forests has therefore recommended the proposal, for diversion of 2.5553 ha 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 Tamil Nadu under NHDP Phase IV (Pkg-3) Bridge across Gopalasamudram Reserved Forest in Nagapattinam District in favour of National Highways Authority of India, PIU, Puduchery, Bommaiypalayam, Tamil Nadu, for a period of 20 years, under section 2 of Forest (Conservation) Act, 1980 and requested the Government to forward the same to Government of India for obtaining their concurrence for the project proposal, 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 5.20 ha. 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, 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 and development of forests.

9. The Government have examined and accepted the proposal of the Principal Chief Conservator of Forests (Head of Forest Force) for diversion of 2.5553 ha 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 Tamil Nadu under NHDP Phase IV (Pkg-3) Bridge across Gopalamudram Reserved Forest in Nagapattinam District in favour of National Highways Authority of India, PIU, Puduchery, Bommaiypalayam, Tamil Nadu, for a period of 20 years under section 2 of Forest (Conservation) Act, 1980 and decided to forward the same to Ministry of Environment, Forests and Climate Change, Government of India for obtaining their concurrence.

10. I am, therefore, directed to request you to kindly obtain the concurrence of the Competent Authority and communicate the same to this Government, early.

Yours faithfully,

M. Nagala
12/9/2022

for Additional Chief Secretary to Government

V. S. S. S.
12.09.2022

Copy to:-

The Principal Chief Conservator of Forests (HoFF),
Chennai-15.

The Deputy General Manager(T) & Project Director,
National Highways Authority of India,
PIU-Puducherry, Street No.29, Sun City, ECR,
Bommaiypalayam,
Viluppuram-605 104.

PART – V

(To be filled in by the Secretary in charge of Forest Department or by any other authorized officer of the State Government not below the rank of an Under Secretary)

Proposal for diversion of 2.5553 ha 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 Tamil Nadu under NHDP Phase IV (Pkg-3) across Gopolasamudram Reserved Forest in Nagapattinam District in favour of National Highways Authority of India, PIU, Puduchery, Bommaiypalayam, Tamil Nadu, for a period of 20 years under Section 2 of Forest (Conservation) Act, 1980.

18. Recommendation of the State Government

(Adverse comments made by any officer or authority in Part-B or Part – C or Part – D above should be specifically commented upon)

Recommended

Date : 12.09.2022

Place : Chennai-9.

Signature

Name & Designation
(Official Seal)

Anomala 12/9/2022
Under Secretary to Government
Environment, Climate Change and
Forest Department
Secretariat, Chennai-600 009.

V. R. R.
12/09/2022

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Under Secretary to Government
Environment, Climate Change and
Forest Department
Secretariat, Chennai-600 009.

V. R. 12.09.2022

