



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

Letter No. 18547/FR.10/2022- 4 ,Dated 26.02.2024

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,
Regional Office,
Additional Office Block for GPOA, 1st Floor,
Shastri Bhawan, Haddows Road,
Nungambakkam, Chennai - 600 006. (w.e).

Sir,

Sub: Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 –
Proposal (FP/TN/Approach/ 43097/2019) for temporary
diversion of 0.091 ha of forest land in Thiruthuraiyur
Reserved Forest of Cuddalore Forest Division for the
purpose of Reconstruction of damaged bridge at km 6/4 of
Pudupettai - Oraiur-Karumbur-Paithampady road across
Malattar River in Cuddalore District in favour of the
Divisional Engineer (H) (C&M), Cuddalore - Forwarding of -
Regarding.

Ref: 1. From the Principal Chief Conservator of Forest (HoFF),
Letter No.TS3/12645/2020, dated 12.11.2022
2. Government Letter No.18547/FR.10/2022-1, dated
08.12.2022., 07.03.2023 and 01.11.2023
3. From the Principal Chief Conservator of Forest (HoFF),
Letter No.TS3/12645/2020, dated 07.02.2023,
14.07.2023,15.12.2023

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I am directed to enclose copy of the references first, third cited. The Principal Chief Conservator of Forests (Head of Forest Force) in his letter first cited has stated that, the Divisional Engineer, Highways Department, Construction and Maintenance, Cuddalore has uploaded online forest clearance proposal under section 2 of Forest (Conservation) Act, 1980 for temporary diversion of 0.091 ha of forest land in Thiruthuraiyur Reserved Forest of Cuddalore Forest Division for the purpose of Reconstruction of damaged bridge at km 6/4 of Pudupettai-Oraiur-Karumbur-Paithampady road across Malattar River in Cuddalore District under proposal No.FP/TN/Approach/43097/2019.

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

- i. The legal status of the proposed site of diversion of 0.091 ha of forest land requested for the project is area notified Reserved Forest. As per site inspection report, name of the forest land is "Thiruthuraiyur Reserved Forest" and extent of area proposed for diversion is 0.091 ha.
- ii. Density of the forest area is 0.1 and Eco class of forest area is five.
- iii. There is no tree enumerated in the proposed forest diversion area. (No spontaneous (or) planted trees)
- iv. On the Brief note on vulnerability of the forest area to erosion, he has reported that no vulnerability to soil erosion.
- v. The District Forest Officer reported that Spotted deer, Wild pig, Raptile species are present in and around the forest land proposed for diversion. The forest area proposed for diversion is not form 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 0.091 ha of forest land, the District Forest Officer has not proposed any compensatory afforestation scheme work.
- ix. In the site inspection report, the District Forest Officer has stated that, the proposed area in Thiruthuraiyur Reserved Forest inspected on 18.03.2022. The proposed Thiruthuraiyur Reserved Forest is having degraded forest. The Proposal for diversion of road for construction of minor bridge 6/4km in Pudupettai – Oraiur – Karumbur -Paithampady across Malattar River. No tree felling is required for the project.
- x. In the specific recommendation of the proposal, the District Forest Officer has reported that the activities proposed for road necessary for the people. Since, the road is a basic requirement and right of way not admitted as per Thiruthuraiyur Reserved Forest notification, this project is recommended based on File No.11/203/2019-FC of Government of India, Ministry of Environment, Forest and Climate Change, dated 11.10.2019 (Guidelines on temporary use of forest land)
- xi. In the EDS reply, the District Forest Officer has reported that the existing road totally owned by Highways department and their demand is just an alternate road till the reconstruction of damaged bridge in their road as the entire road belongs to Highways Department and question of Right of way not arise.

3. The Conservator of Forests, Villupuram circle has reported that the user agency has stated that this minor bridge was constructed before 1970 and maintained by the Highways Department. It is in deteriorated condition and the riding surface above the bridge causing hardship to the road users. Moreover the existing damaged slab culvert is choked and having narrow width. In rainy season, water overflows the bridge and traffic through the road often disconnected. It has been proposed to construct the above bridge. The District Forest Officer, Cuddalore

inspected the site on 18.03.2022 and recommended. Hence the work of reconstruction of damaged bridge involving 0.091 ha of forest land is recommended.

4. The Principal Chief Conservator of Forests has further stated that, the User Agency has requested forest area diversion for a period of one year. The District Forest Officer, Cuddalore Division recommended the project for the year 2022 and Conservator of Forests, Villupuram circle has recommended the forest area diversion for a period of 25 years. Since the forest area diversion has been requested for the purpose of temporary usage of forest area during the bridge reconstruction period in the existing road and as requested by the user agency, temporary diversion of 0.091 ha of forest area in Malattar River of Thiruthuraiyur Reserved Forest is recommended by the Principal Chief Conservator of Forests (HoFF) for a period of one year.

5. The Principal Chief Conservator of Forests (HoFF), has stated that, the proposal is sent duly recommended by the Additional Principal Chief Conservator of Forests (Forest Conservation Act) / Nodal Officer, Forest (Conservation) Act, of the State of Tamil Nadu.

6. Based on the recommendations of the District Forest Officer, Cuddalore Division, Conservator of Forests, Villupuram Circle and Nodal Officer, Forest (Conservation) Act, the Principal Chief Conservator of Forests (Head of Forest Force) has recommended the proposal for temporary diversion of 0.091 ha of forest land in Thiruthuraiyur Reserved Forest of Cuddalore Forest Division for the proposed approach path for Reconstruction of damaged bridge at km 6/4 of Pudupettai- Oraiur-Karumbur-Paithampady road across Malattar River in Cuddalore District in favour of the Divisional Engineer (H) (C&M), Cuddalore, for a period of one year, subject to the following conditions and requested to issue in-principle (Stage-I) approval under general approval category as per the provision of guidelines under Forest (Conservation) Act, 1980:-

- i. The legal status of the diverted forest land remains unchanged.
- ii. The temporary 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. On completion of project diversion period, demarcation stones should be removed from the forest area and the temporary diversion forest area should be restored to its original condition by the user agency.
- iii. 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.
- iv. 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.
- v. Amount of Net Present Value of forest area under the project shall be transferred / deposited to CAMPA fund only through e-portal (<https://parivesh.nic.in/>)
- vi. The User Agency has to pay the cost towards annual 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.
- vii. The total forest area utilized for the project shall not exceed 0.091 ha comprising the forest area to a length of 130m and 7.00m width.

- viii. The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies / department or person without prior approval of State Government.
- ix. 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.
- x. The forest land shall not be used for any other purpose other than that specified in the project proposal.
- xi. 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.
- xii. 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 shall be complied by the user agency.
- xiii. Temporary diversion of forest area and period of lease can be one year only. If extension of time is required for usage of forest area, then the user agency has to apply forest diversion freshly in the web portal.

7. On further clarification, the Principal Chief Conservator of Forests, (HoFF) in his letter third cited has furnished the following details:-

- The District Forest Officer, Cuddalore Division has reported that, the user agency has requested temporary diversion of forest area for road formation work for a period of one year while re-construction of minor bridge proposed. After completion of bridge construction, the temporary diversion road area will be handed over back to the Forest Department by the user agency after reclaiming the area to the original state. Hence, compensatory afforestation not required. There is no tree felling is involved in this project and diversion of forest area is below one hectare, hence as per Para 2.6 of Handbook of Forest Conservation Act, 1980 and Forest Conservation Rule 2003 issued by the Government of India, Ministry of Environment, Forest and Climate Change in March 2019, compensatory afforestation has not been proposed by the District Forest Officer, Cuddalore Division and the same has been recommended by the Nodal Officer (Forest Conservation Act) and Principal Chief Conservator of Forests (Head of Forest Force).
- Temporary diversion of forest land has been requested in Thiruthuraiyur Reserve Forest. This forest block includes the area of Malattar River and spotted deer, Wild pig, Reptiles are present in and around the forest land proposed for temporary diversion for a period of one year. The District Forest Officer, Cuddalore Division has informed following instruction has been sent to the user agency for adoption during the diversion period:-
 - i. The vehicle speed limit should be within 40km/hr.
 - ii. Awareness caution board should be erected in the Reserve Forest area.
 - iii. Speed breakers should be laid in animal crossing areas.

8. The Principal Chief Conservator of Forests, (HoFF) has further stated that, the District Forest Officer, Cuddalore Division has proposed Compensatory Afforestation of planting of 100 seedlings in Thiruthuraiyur Reserved Forest at a project cost of Rs.1,73,231/- and furnished relevant documents in EDS reply section. He has, therefore, requested the Government to consider the proposed approach path for reconstruction of bridge in the existing road under Road Category in General approval and requested the issue stage-1 approval for temporary

diversion of 0.091 ha of forest land in Thiruthuraiyur Reserved Forest of Cuddalore Forest Division for the purpose of Reconstruction of damaged bridge at km 6/4 of Pudupettai-Oraiyur-Karumbur-Paithampady road across Malattar River in Cuddalore District in favour of Divisional Engineer (H) (C&M), Cuddalore for a Period of one year.

9. The Principal Chief Conservator of Forests (HoFF) has submitted the above proposal in Parivesh 1.0 portal for consideration under General Approval category. However, as per Van (Sanrakshan Eexam Samvardhan) Adhiniyam, 1980 which came into force from 1st December, 2023, the authority to process the above said proposal is the Government of India, MoEF&CC, Regional Office, Chennai. Therefore, the above proposal shall be forwarded to Government of India for obtaining their concurrence.

10. The Government have examined and accept the proposal (FP/TN/Approach/43097/2019) of the Principal Chief Conservator of Forests (Head of Forest Force) for diversion of 0.091 ha of forest land in Thiruthuraiyur Reserved Forest of Cuddalore Forest Division for the proposed approach path for the Reconstruction of damaged bridge at km 6/4 of Pudupettai-Oraiyur-Karumbur-Paithampady road across Malattar River in Cuddalore District in favour of the Divisional Engineer (H) (C&M), Cuddalore, for a period of one year, and to forward the same to Government of India in Parivesh 1.0 portal for obtaining in-principle approval of the Competent Authority under section 2(1) of Van (Sanrakshan Eexam Samvardhan) Adhiniyam, 1980, subject to the following conditions:-

- i. The legal status of the diverted forest land remains unchanged.
- ii. The temporary 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. On completion of project diversion period, demarcation stones should be removed from the forest area and the temporary diversion forest area should be restored to its original condition by the user agency.
- iii. 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.
- iv. 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.
- v. Amount of Net Present Value of forest area under the project shall be transferred / deposited to CAMPA fund only through e-portal (<https://parivesh.nic.in/>)
- vi. The User Agency has to pay the cost towards annual 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.
- vii. The total forest area utilized for the project shall not exceed 0.091 ha comprising the forest area to a length of 130m and 7.00m width.
- viii. The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies / department or person without prior approval of State Government.
- ix. 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.
- x. The forest land shall not be used for any other purpose other than that specified in the project proposal.
- xi. 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.

- xii. 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 shall be complied by the user agency.
- xiii. Temporary diversion of forest area and period of lease can be one year only. If extension of time is required for usage of forest area, then the user agency has to apply forest diversion freshly in the web portal.

11. 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,

N-B

for Additional Chief Secretary to Government

*R.C.
21/2/2024.*

Copy to:-

The Principal Chief Conservator of Forests (HoFF),
Chennai-32.

The Divisional Engineer
Highways, Construction and Maintenance,
Beach Main Road,
Cuddalore-607 001.

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 (FP/TN/Approach/ 43097/2019) for temporary diversion of 0.091 ha of forest land in Thiruthuraiyur Reserved Forest of Cuddalore Forest Division for the purpose of Reconstruction of damaged bridge at km 6/4 of Pudupettai - Oraiyyur- Karumbur-Paithampady road across Malattar River in Cuddalore District in favour of the Divisional Engineer (H) (C&M), Cuddalore, for a period of 1 year under Section 2(1) of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980.

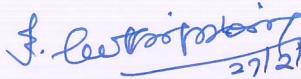
18. Recommendation of the State Government

: Recommended.

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

Date : 27.02.2024

Place : Chennai-9.


27/2/2024
[J. MOHAN RAMAN]

Signature
Name & Designation
(Official Seal)
Deputy Secretary to Government
Environment, Climate Change and Forest Department
Secretariat, Chennai-09

[C. no. 18547 /Re. 10/2022]

சு.கா.ஐ.டி. (ID) வ.துறை
18547
5 NOV 2022
By online / Email.
அஞ்சல்

TAMILNADU FOREST DEPARTMENT

From

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.

To

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

C. No. TS3/12645/2020 Dated: 12.11.2022.

Madam,

Sub: Forest (Conservation) Act, 1980 – Proposal for temporary diversion of 0.091 ha of forest land in Thiruthuraiyur RF of Cuddalore Forest Division for the purpose of Reconstruction of damaged bridge at km 6/4 of Pudupettai-Oraiyur-Karumbur-Paithampady road across Malattar River in Cuddalore District in favour of ~~the~~ Divisional Engineer (H) (C&M), Cuddalore) - Proposal forwarding – Regarding.

Ref: 1 Online forest clearance proposal uploaded by the Divisional Engineer, Highways Department, Construction and Maintenance, Cuddalore, Proposal No. FP/TN/Approach/ 43097/2019, dated 20.05.2020 and re-submission of proposal on 24.03.2021, 30.04.2021, 30.10.2021 and 18.02.2022

2 Part-II of Form-A uploaded by the District Forest Officer, Cuddalore Division on 29.03.2022 and resubmission of proposal on 11.04.2022, 17.06.2022 and 28.07.2022

3 Part-III of Form-A uploaded by the Conservator of Forests, Villupuram Circle on 18.04.2022 and resubmission of proposal on 23.05.2022, 17.06.2022 and 22.08.2022

I wish to state that, ~~the~~ Divisional Engineer, Highways Department, Construction and Maintenance, Cuddalore has uploaded online forest clearance proposal under Section 2 of Forest (Conservation) Act, 1980 for temporary diversion of 0.091 ha of forest land in Thiruthuraiyur RF of Cuddalore Forest Division for the purpose of Reconstruction of damaged bridge at km 6/4 of Pudupettai-Oraiyur-Karumbur-Paithampady road across Malattar River in Cuddalore District under proposal No. FP/TN/Approach/ 43097/2019.

1) 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.

i) Name of the project in which forest land required reported as temporary diversion of 0.091 ha of forest land in Thiruthuraiyur RF for reconstruction of damaged bridge at km 6/4 of Pudupettai-Oraiayur- Krumbur-Paithampady road across Malattar river for one year.

ii) In the short narrative of the proposal for which forest land is required the User Agency has stated that diversion of forest area is required for the purpose as follows.

The existing slab culvert have heavily damaged During heavy floods, the flood water flows at this location above 1meter over the road level continuously until the flood water minimize its flow and it caused traffic interruption.

iii) The User Agency has reported that area required in forest area is for 0.091 ha., and non forest land required for the project is zero ha.,

iv) On behalf of User Agency, Divisional Engineer, Highways Department, Construction and Maintenance, Government of Tamil Nadu - the present incumbent Officer has uploaded the proposal in the prescribed format. Legal status of the User Agency is State Government (Department).

v) The User Agency has uploaded copy of autherisation issued by the District Collector, Cuddalore District for obtaining temporary diversion of forest land for the work of reconstruction of minor bridge.

vi) In the section of uploading details of proposal seeking prior approval of Central Government under the Act, proposal for diversion of forest land for the project already submitted in the past reported as NIL

vii) Diversion of 0.091 ha of forest has been requested in Cuddalore Forest Division of Cuddalore District. Name of the village in which forest land requested has been reported as Thiruthuraiyur. Component wise breakup details of land required for the project reported as diversion road.

viii) Location map of the forest land proposed to be diverted in kml file of google earth, Scanned copy of Survey of India topo sheet marking the road runs through forest area and Scanned copy of Geo referenced location details of the forest land proposed to be diverted have been uploaded.

ix) Note containing justification for locating the project in forest area has been uploaded.

x) The User Agency has stated that this project is likely to generate permanent/ regular employment for 50 persons and temporary establishment for 50 persons.

xi) The User Agency has stated that this project does not involve displacement of people due to the project, cost-benefit analysis for the project is not required and this project not requires clearance under the Environment (Protection) Act, 1986.

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

xiii) The User Agency has uploaded a copy of certificate issued by the District Collector, Cuddalore District in Roc. No. PE2/1056/2019, dated 05.03.2020 on completion of process for settlement of rights under Forest Rights Act 2006 on the forest land proposed to be diverted.

xiv) In the additional information details section, following details/ certificates/ undertaking have been uploaded.

a) Area break-up details for the project

130m length and 7m width – 910 sq.m or 0.091 ha

b) The user agency has certified that the diversion of forest land for reconstruction of minor bridge is designed for minimum forest involvement.

c) Certified that no alternate non forest land is available for taking up the work of reconstruction of minor bridge and best possible alignment requires the utilization of the reserve forest land.

d) Certified that the reconstruction of minor bridge at km 6/4 of Puupettai-Oraiayur-Karumbur-Paithampady road lies in Chinnapettai revenue village Panruti firka.

e) Certified that no work in violation of the Forest Conservation Act 1980 has been carried out.

f) Undertaking to pay the amount of Net Present Value which will be fixed as per the guidelines of Hon'ble Supreme Court of India.

g) Undertaking to bear the additional 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

h) Undertaking to deposit the cost towards compensatory afforestation scheme and willingness to deposit additional amount if any suggested owing to change in planting technique and enhancement of FSR etc., demanded subsequently.

i) Undertaking to bear the cost of felling of trees and transportation cost of the trees likely to be removed, those available in the alignment path for the proposed diversion of forest land as fixed by the Forest Department.

j) Undertaking to bear the cost along with any escalation for exploitation of trees and for raising compensatory afforestation in double the area of degraded forest land in lieu of forest land to be diverted.

k) Undertaking to pay the cost towards lease rent fixed by the Forest Department at the time of sanction along with any escalation for the forest land to be diverted for this project.

l) GPS co-ordinates of the reconstruction of damaged bridge in lieu of existing damaged slab culvert.

m) Certified that ten times of saplings cost would be paid towards the number of trees proposed to be cut, which falls on the forest alignment of the project proposal.

n) The user agency has uploaded the certificate issued by the District Collector, Cuddalore District that no alternate non forest land is available for the work of temporary diversion of reconstruction of minor bridge at km 6/4 of Pudupettai-Oraiyyur-Karumbur-Paithampady road (MDR) pertaining to Panruti taluk of Cuddalore district and the best possible alignment requires the utilization of the reserve forest land temporary for a period of one year.

o) Copy of letter addressed to the APCCF GIS Chennai to issue geo reference map for the project.

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

i) The legal status of the proposed site of diversion of 0.091 ha of forest land requested for the project is area notified Reserved Forests.

As per site inspection report, name of the forest land is "Thiruthuraiyur Reserved Forest" and extent of area proposed for diversion is 0.091 ha

ii) The District Forest Officer has reported that, density of the forest area is 0.1 and Eco class of forest area is five

iii) The District Forest Officer has reported that there is no tree enumerated in the proposed forest diversion area. (No spontaneous (or) planted trees)

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

v) The District Forest Officer reported that Spotted deer, Wild pig, Raptile species are present in and around the forest land proposed for diversion. The forest area proposed for diversion is not forms 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 0.091 ha of forest land, the District Forest Officer has not proposed any compensatory afforestation scheme work.

ix) In the site inspection report, the District Forest Officer has stated that, the proposed area in Thiruthuraiyur RF inspected on 18.03.2022. The proposed Thiruthuraiyur RF is having degraded forest. The proposal for diversion of road for construction of minor bridge 6/4 km in pudupettai-Oraiur-Karumbur-Paithampady across Malattar River. No tree felling is required for the project.

x) In the specific recommendation of the proposal, the District Forest Officer has reported that the activities proposed for road necessary for the people. Since the

road is a basic requirement and right of way not admitted as per Thiruthuraiyur RF notification, this project is recommended based on File No. 11/203/2019-FC of Government of India, MoEF&CC dated 11.10.2019. (Guidelines on temporary use of forest land)

xi) In the EDS reply, the District Forest Officer has reported that the existing road totally owned by Highways department and their demand is just a alternate road till the reconstruction of damaged bridge in their road as the entire road belongs to Highways Department and question of Right of way not arise.

3) The Conservator of Forests, Villupuram Circle has reported that the user agency has stated that this minor bridge was constructed before 1970 and maintained by the Highways Department. It is in deteriorated condition and the riding surface above the bridge causing hardship to the road users. Moreover the existing damaged slab culvert is choked and having narrow width. In rainy season, water overflows the bridge and traffic through the road often disconnected. It has been proposed to construct the above bridge. The District Forest Officer, Cuddalore inspected the site on 18.03.2022 and recommended. Hence the work of reconstruction of damaged bridge involving 0.091 ha of forest land is recommended.

4) The User Agency has requested forest area diversion for a period of one year. The District Forest Officer, Cuddalore Division recommended the project for the year 2022 and Conservator of Forests Villupuram Circle has recommended the forest area diversion for a period of 25years.

Since the forest area diversion has been requested for the purpose of temporary usage of forest area during the bridge reconstruction period in the existing road and as requested by the user agency, temporary diversion of 0.091 ha of forest area in Malattar River of Thiruthuraiyur RF is recommended for a period of one year.

5) As recommended by the District Forest Officer, Cuddalore Division and Conservator of Forests, Villupuram Circle, the proposal for temporary diversion of 0.091 ha of forest land in Thiruthuraiyur RF of Cuddalore Forest Division for the

purpose of Reconstruction of damaged bridge at km 6/4 of Pudupettai-Oraiyyur-Karumbur-Paithampady road across Malattar River in Cuddalore District in favour of Divisional Engineer (H) (C&M), Cuddalore is recommended to the Government for consideration subject to the following conditions.

- i) The legal status of the diverted forest land remains unchanged.
- ii) The temporary 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. On completion of project diversion period, demarcation stones should be removed from the forest area and the temporary diversion forest area should be restored to its original condition by the user agency.
- iii) 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.
- iv) 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.
- v) Amount of Net Present Value of forest area under the project shall be transferred / deposited to CAMPA fund only through e-portal (<https://parivesh.nic.in/>)
- vi) The User Agency has to pay the cost towards annual 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.
- vii) The total forest area utilized for the project shall not exceeds 0.091 ha comprising the forest area to a length of 130m and 7.00m width.
- viii) 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.
- ix) 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.
- x) The forest land shall not be used for any other purpose other than that specified in the project proposal.

xi) 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.

xii) 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.

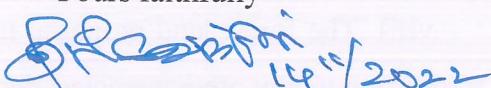
xiii) Temporary diversion of forest area and period of lease can be one year only. If extension of time is required for usage of forest area, then the user agency has to apply forest diversion freshly in the web portal.

6) The proposal is sent herewith duly recommended by the Additional Principal Chief Conservator of Forests (Forest Conservation Act) / Nodal Officer, Forest (Conservation) Act, 1980 of the State of Tamil Nadu.

7) I request that the proposal may be considered under the General approval category where-in the State Government have empowered to divert forest areas up to one hectare for critical public utility and welfare projects undertaken by Government agencies with certain conditions and the proposed approach path for reconstruction of bridge in the existing road may be considered under Road category and in-principle Stage-I approval orders may be issued for temporary diversion of 0.091 ha of forest land in Thiruthuraiyur RF of Cuddalore Forest Division for the purpose of Reconstruction of damaged bridge at km 6/4 of Pudupettai-Oraiyur-Karumbur-Paithampady road across Malattar River in Cuddalore District in favour of Divisional Engineer (H) (C&M), Cuddalore for a Period of one year.

Encl : As stated above.

Yours faithfully


B. R. Rao
14/11/2022
For Principal Chief Conservator of Forests
(Head of Forest Force)

14/11/2022

(Poe - 18547/FR.10/2022)

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27 DEC 2023

By online / Email.

From

Subrat Mohabatra, I.F.S.,
Principal Chief Conservator of Forests,
(Head of Forest Force)
Forest Head Quarters Building, Guindy-
Velachery Main Road, Guindy, Chennai-32.

TAMILNADU FOREST DEPARTMENT

அஞ்சலி

To

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

C. No. TS3/12645/2020 Dated: 15.12.2023.

Madam,

Sub: Forest (Conservation) Act, 1980 – Proposal for temporary diversion of 0.091 ha of forest land in Thiruthuraiyur RF of Cuddalore Forest Division for the purpose of Reconstruction of damaged bridge at km 6/4 of Pudupettai-Oraiyur-Karumbur-Paithampady road across Malattar River in Cuddalore District – Details called for – Regarding.

Ref: 1 Online forest clearance proposal uploaded by the Divisional Engineer, Highways Department, Construction and Maintenance, Cuddalore, Proposal No. FP/TN/Approach/43097/2019

2 Part-II of Form-A uploaded by the District Forest Officer, Cuddalore Division

3 Part-III of Form-A uploaded by the Conservator of Forests, Villupuram Circle

4 Principal Chief Conservator of Forests Ref. No. TS3/12645/2020, dated 12.11.2022 and 07.02.2023 and 14.07.2023

5 Government letter No. 18547/FR.10/2022-3, dated 01.11.2023

With reference to the Government letter 5th cited, I am to furnish the details called therein as detailed below.

1) The District Forest Officer, Cuddalore Division has proposed compensatory afforestation of planting of 100 seedlings in Thiruthuraiyur RF at a project cost of Rs. 173231/- and furnished relevant documents in the EDS reply section. A copy of the same is enclosed herewith.

Yours faithfully

ப. முன்
For Principal Chief Conservator of Forests
(Head of Forest Force)

