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

Letter No.14387 /FR10/2016-1, Dated.26.07.2016

From
Thiru. Atulya Misra, I.A.S.,
Principal Secretary to Government.

To
The Additional Principal Chief Conservator of Forests (Central),
Government of India,
Ministry of Environment, Forests and Climate Change,
Regional Office
(South Eastern Zone),
1 & 2nd Floor, HEPC Building,
No.34, Cathedral Garden Road,
Nungambakkam,
Chennai-34.(w.e.).

Sir,

Sub: Forest (Conservation) Act, 1980 - Proposal for diversion of 1.11 ha of land in Pulicat Lake Sanctuary of Wildlife Division, Chennai for construction of high level bridge at Km 0/4 of Chennai - Pulicat road to Pasiyavaram road including formation of approaches in favour of Divisional Engineer, Highways Department, Construction and Maintenance Division, Thiruvallur under Section 2 of Forest (Conservation) Act, 1980 - Regarding

Ref: From the Principal Chief Conservator of Forests Letter No.TS3/31240/2015, dated 19.07.2016.

I am directed to state that the Principal Chief Conservator of Forests has sent a proposal for diversion of 1.11 ha of land in Pulicat Lake Sanctuary of Wildlife Division, Chennai for construction of high level bridge at Km 0/4 of Chennai - Pulicat road to Pasiyavaram road including formation of approaches in favour of Divisional Engineer, Highways Department, Construction and Maintenance Division, Thiruvallur under Section 2 of Forest (Conservation) Act, 1980.

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2. The Principal Chief Conservator of Forests has stated that the Divisional Engineer, Highways Department, Construction and Maintenance Division, Thiruvallur has submitted online application under Section 2 of Forest (Conservation) Act, 1980 in the prescribed format of Form A - Part I for the diversion of 1.11 ha of land in Pulicat Lake Sanctuary of Wildlife Division, Chennai for construction of high level bridge at Km 0/4 of Chennai - Pulicat road to Pasiyavaram road including formation of approaches and the the User Agency (ie., Divisional Engineer, Highways Department, Construction and Maintenance Division, Thiruvallur) has requested diversion of forest area for a period of 99 years.

3. The Principal Chief Conservator of Forests has further stated that the User Agency has stated that the proposed construction of bridge is the main connectivity and escape route of Pasiyavaram and other seven villages. The proposed bridge to be constructed at the end of the Pulicat Lake and the user Agency has furnished necessary details / undertakings / certificates / maps along with the proposal.

4. After getting additional essential details from the User Agency, the proposal was forwarded to the Wildlife Warden, Chennai on 28.03.2016. The area proposed for diversion is 1.11 ha. Hence the Wildlife Warden, Chennai has proposed compensatory afforestation work for 2.22 ha in the identified non forest CA land of S. No. 435 of Kolur village of Thiruvallur District at a cost of Rs.23,55,000/- with 10 years of maintenance of plantation and providing barbed wire fencing using RCC readymade pillars (Rs. 11,47,500/-) and water harvesting structure creation (Rs. 4,00,000/-).

5. After field inspection, the Wildlife Warden, Chennai has forwarded the proposal along with the Site Inspection report and recommendation of the proposal to the Additional Principal Chief Conservator of Forests and Director, Arignar Anna Zoological Park, Vandalur on 14.07.2016 and in the Part-II of Form-A, the Wildlife Warden, Chennai has reported that, density of the forest in the area is zero and Eco class is 4. Details of wildlife present in and around the forest land proposed for diversion are Greater flamingoes, Spot-billed Pelicans, Cormorants, open billed storks, Painted storks, black headed Ibis, Spoon bills, Northern pintails, Shovellers, Whiskered terns, River terns, Gulls, Sand pip etc.,. The area proposed for diversion not forms part of National Park, Biosphere Reserve, Tiger Reserve, Elephant corridor, Wildlife migration corridor etc., and not located within 1 km from boundary of the above. There is no protected archaeological / heritage site / defence establishment or any other important monument is located in the area and the requirement of 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.

6. The Principal Chief Conservator of Forests has further stated that the Wildlife Warden, Chennai has reported that the legal status of the proposed site of diversion of 1.11 ha of Pulicat Lake Sanctuary of Wildlife Division, Chennai for construction of high level bridge at Km 0/4 of Chennai - Pulicat road to Pasiyavaram road including formation of approaches is 'Others' and reported that the land is not a reserved forest but is declared as sanctuary. In the site inspection report, the Wildlife Warden, Chennai has stated that the site where the construction of high level bridge is proposed is located within the limit of Pulicat Birds Sanctuary. The bridge aims to provide connectivity for the people living in several hamlets to Chennai-Pulicat road to Pasiyavaram road who otherwise wade through the waters specially during monsoon season. Quite often, students have been found walking in deep waters to attend to school and the scenario has been frightening. Several representations have been received for the construction

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of this bridge from the villagers. Several casualties to human life have occurred in the past in the hamlets during natural calamities like tsunami as there was no quick escape route to the people. The area does not have any vegetation and is seasonally inundated. Several water fowl and terrestrial birds are seen in Pulicat Birds Sanctuary and also adjacent to the proposed site across the road. No violation of Forest Conservation Act, 1980 has taken place in the area and preliminary works also have not been initiated. The project is only connecting bridge and does not have any livelihood of emissions or effluents being released into the Pulicat Lake. Hence the project will not have any negative impact on the biodiversity of the lake. The site has been inspected by the Wildlife Warden on 31.12.2015, 18.02.2016 and 01.07.2016 and recommended to the Principal Chief Conservator of Forests.

7. The Principal Chief Conservator of Forests has also stated that the Additional Principal Chief Conservator of Forests and Director, Arignar Anna Zoological Park, Vandalur after getting details from the Wildlife Warden Chennai on 15.07.2016 has uploaded his site inspection report and recommendation of the proposal on 16.07.2016. In his site inspection report he has stated that the site where the high level bridge is proposed to be constructed at Pasiyavaram in Pulicat Birds Sanctuary was inspected on 16.07.2016. The area is inundated seasonally and the level of water is very deep during North East monsoon every year during which the children and villagers are left to wade through deep waters to access the main road even for their daily routine activities. The situation tends to become life threatening during natural disasters like cyclones, storms and tsunami. The area does not have any vegetation and is bound to be suitable for construction of high level bridge. No violation of Forest Conservation Act 1980 has taken place in and around the site. The Project will not have any impact on the biodiversity of Pulicat Birds Sanctuary. Hence the Additional Principal Chief Conservator of Forests and Director, Arignar Anna Zoological Park, Vandalur has agreed and recommended the proposal.

8. In this regard, the Principal Chief Conservator of Forests has also stated that, the Hon'ble High Court of Madras has taken the Suo-Moto Writ Petition No. 21199/2013 and directed the respondents to take appropriate immediate action(i.e. **four weeks' time and the next hearing of this case is listed on 05.08.2016**) for transportation of children to attend the school as well as the public to reach their destination across the lake. The project of construction of High level bridge is intended to help local people including school children who otherwise have to wade through the lake to access the main road. The condition of local people and children have been miserable especially during floods and cyclones. The proposed bridge will not have adverse effects on the biodiversity of the area. In this connection, it is submitted that a meeting to sort out the issues regarding the construction of High Level Bridge at Km.0/4 Chennai-Pulicat road to Pasiyavaram road was held on 08.07.2016 in Highways and Minor Ports Department.

9. Hence, the Principal Chief Conservator of Forests has recommended the proposal subject to the following conditions:-

- a) The legal status of the diverted forest land remains unchanged.
- b) The 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.
- c) The User Agency has to mutate the identified non forest compensatory land of 2.22 ha in S.F. Nos. 435 of Kolur village in Thiruvallur District classified as Wetland-porarnboke in the name of Forest Department.

- d) The User Agency has to deposit the cost of raising compensatory afforestation and maintenance of plantation for ten years as fixed by the Forest Department for the Compensatory Afforestation work proposed in the identified non forest areas of Tiruvallur District.
- e) 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.
- f) The User Agency has 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.
- g) The User Agency has to pay the 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 of the above project in future.
- h) Period of lease can be twenty (20) years. The User Agency has to apply renewal proposal before six months of expiry of lease with the State Forest Department.

10. The Principal Chief Conservator of Forests (Head of the Department) has therefore forwarded the proposal for diversion of 1.11 ha. of forest land in favour of Divisional Engineer, Highways Department, Construction and Maintenance Division, Thiruvallur under Section 2 of Forest(Conservation) Act, 1980 to Government for obtaining the concurrence of the Government of India, Ministry of Environment, Forests and Climate Change.

11. In this connection, it is informed that Wildlife Clearance has been obtained from the National Board for Wildlife in F.No.6-209/2014/WL (32nd Meeting) dated 26.02.2015.

12. The Government have examined the proposal of the Principal Chief Conservator of Forests (Head of the Department) for the diversion of 1.11 ha. of forest land for for construction of high level bridge at Km 0/4 of Chennai - Pulicat road to Pasiyavaram road including formation of approaches in favour of Divisional Engineer, Highways Department, Construction and Maintenance Division, Thiruvallur under Section 2 of Forest (Conservation)Act, 1980 and decided to forward the same to the Government of India, Ministry of Environment, Forests and Climate Change, for its concurrence and directed to request you to kindly obtain the concurrence of the Government of India, Ministry of Environment, Forests and Climate Change, and communicate the same to Government, early.

Yours faithfully,

Amannal 27/7/16.

for Principal Secretary to Government

Copy to:

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

The Additional Chief Secretary to Government,

Highways and Minor Ports Department,

Chennai-9.

The Divisional Engineer,

Highways(Construction and Maintenance) Department,

Thiruvallur.

Environment and Forests(FR.5)Department, Chennai-9.

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)

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 -


Signature
Name & Designation
(Official Seal)

Under Secretary to Government
Environment and Forests Dept.
Secretariat, Chennai-600 009

Date : 26.7.16

Place : Chennai.