

By e-mail



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

**Letter No.4737213/FR.10/2023-1, dated 20.06.2023**

From

Thiru.T.Ritto Cyriac, I.F.S.,  
Special Secretary (Forest).

To

✓ The Principal Chief Conservator of Forests  
(Head of Forest Force),  
Chennai-32.

Sir,

Sub: Forests – Forest (Conservation) Act, 1980 – Proposal  
(FP/TN/Road/151612/2022) for diversion of 0.768 ha of forest  
land with Carriage way @ 7.00m width and berm width @ 2.50m  
on either side for 640m length road lies in forest land of  
Ravathanallur Reserved Forests of Villupuram Forest Division  
for road expansion work on Vellimalai Moolakadu road between  
Pakkam and Ravathanallur villages across Ravathanallur  
Reserved Forests in Kallakuruchi District in favour of Assistant  
Divisional Engineer, Highways, Construction and Maintenance  
Sankarapuram Sub division, Sankarapuram, Kallakuruchi District  
– Clarification -Called for - Regarding.

Ref: Your letter No.TS3/2374/2022, dated 09.05.2023.

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I am directed to invite attention to your letter cited, wherein you have stated among others that, the District Forest Officer, Villupuram has reported that no work in violation of the Act or guidelines issued under Forest (Conservation) Act has been carried out by user agency. In the EDS reply, the District Forest Officer, Villupuram has also reported that this road was formed by the Highways Department prior to 1980 and maintained by them and as per the Reserved Forests notification, there is no right of way allowed.

2. In this connection, I am to state that the Vellimalai Moolakadu pudur road as proposed for its expansion work is under the utilization of the user agency, without obtaining prior permission from the Forest Department. As such, after enactment of the Forest (Conservation) Act, 1980, any non-forestry activity allowed within the forest land without obtaining prior permission of competent authority is a violation of the provisions under Forest (Conservation) Act, 1980. I am, therefore to request you to inform whether any action has been taken by the concerned District Forest Officer in respect of the above said violation of Forest (Conservation) Act, 1980 committed by the Highways Department and if there is a violation



committed by the user agency, then clarify how the subject proposal can be considered under General approval category by the State Government. This is a proposal submitted for ex-post facto approval, involving violation of Forest (Conservation) Act, 1980 and hence to be treated at par with encroachment cases under clause(c), sub rule 2 of Rule 7 of Forest (Conservation) Rules, 2003.

3. Further, I am to state that it is a fresh diversion of forest land for the entire road which includes both the existing carriage way and expansion of road, but not only for the expansion of road. Hence, the proposed Compensatory Afforestation scheme is not applicable as proposed under the special provisions for Compensatory Afforestation under Chapter 2.5 of the Handbook of Forest (Conservation) Act guidelines. I am, therefore, to request you to revise the Compensatory Afforestation scheme as per the provisions of Forest (Conservation) Act, 1980.

Yours faithfully,

M. Megala  
20/6/2023

for Special Secretary (Forest).

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20/6/23