

**BEFORE THE NATIONAL GREEN TRIBUNAL SOUTHERN
ZONE, CHENNAI**

Original Application No. 172 of 2021 (SZ)

IN THE MATTER OF

Tribunal on its own motion-SUO MOTU Based on the
News item published in The New Indian Sunday Express
News Paper, TN South Edition Dated: 11.07.2021,
“Highway Expansion project bypasses axing long-standing trees.”

--- Applicant(s)

- Vs -

1. The Chief Secretary to Govt. of Tamil Nadu,
Government Secretariat, Fort, St. George,
Chennai - 600 009.
2. The Principal Secretary to Government of Tamil Nadu,
Department of Environment, Climate Change &
Forests,
Government Secretariat, Fort, St. George,
Chennai - 600 009.
3. The Principal Secretary to Government of Tamil Nadu,
Highways and Minor Ports Department,
Government Secretariat, Fort, St. George,
Chennai, Tamil Nadu - 600 009
4. The Principal Chief Conservator of Forests,
(Head of Forest Force),
Forests Department, Tamil Nadu.,
Panagal Maligai, No. 1, Jeemis Road,
Saidapet, Chennai – 600 015
5. Tamil Nadu Highways Department,
Rep, by its Director General,
No. 76, Sardar Patel Road,
Guindy, Chennai – 600 025
6. The District Collector,
Thoothukudi District,
First Floor, Collector Office,
Thoothukudi – 628 101
7. The District Forest Officer,
Thoothukudi Division,
Collector Complex, Korampallam,
Thoothukudi – 628 101.

8. Chennai Kanyakumari Industrial Corridor Project,
Rep, by its Project Director,
No. 76, Sardar Patel Road, CKICP complex,
HRS Campus, Guindy, Chennai – 600 025

--- Respondents

**DRAFT REPORT BY THE DISTRICT FOREST OFFICER,
THOOTHUKUDI**

I, Abhishek Tomar, Son of Thiru. Harishwar Singh aged 34 years, working as District Forest Officer, Thoothukudi Forest Division, Thoothukudi and Member Secretary of District Green Committee, Thoothukudi do hereby sincerely state as follows :

2) It is respectfully submitted that I am the respondent in this Original Application and I am authorized to file this report as District Forest Officer, Thoothukudi. I am well acquainted with the facts of the case based on records.

3) It is respectfully submitted that this Original Application was filed on its own motion – SUO MOTTO by the Tribunal on the basis of newspaper report published in 'The New Indian Sunday Express' Times of India, TN South Edition dated 11.07.2021 under the caption "**Highway Expansion Project bypasses axing long-standing trees**" with direction to the District Forest Officer, Thoothukudi(7th respondent) to inspect the area in question and submit a factual as well as action taken report if there is any violation found and to ascertain the number of trees that have been cut or proposed to be cut, is there whether any law prevailing, which insist of any permission from the authorities before cutting the trees and whether any provision has been made by the Highway

Department for replantation of the number of trees cut, so as to maintain the "Green Cover" in that area, whether it will have any impact on Thamirabharani River, as according to the newspaper report, the trees are standing on the banks of Thamirabharani River along the road stretch, what is the methodology to be provide to regulate such activities in future.

4) It is respectfully submitted that the Tribunal had directed the District Green Committee, Thoothukudi to submit the report to the Tribunal through the District Collector and Chairperson of the District Green Committee, Thoothukudi regarding the total number of trees cut in both Public and patta lands and the compliance of the directions of replanting of trees as directed and when the replantation s completed.

5) It is respectfully submitted that, as per the direction given by National Green Tribunal Chennai in Application number 172 of 2021, the matter has been taken up in the District Green Committee for Thoothukudi District. During the meeting on 21.10.2021 the Chairperson of District Green Committee and District Collector, Thoothukudi had instructed Divisional Engineer, Chennai Kanniyakumari Industrial Corridor Project (CKICP), Tirunelveli to submit details of trees which have been removed from private lands to submit a revised Environment Management Plan including planting of trees in the ratio 1:10 for cutting of trees from Public as well as private lands. In reply Assistant Divisional Engineer had informed that they are compiling the details for patta-land trees and will submit the report soon. They were also instructed to explore the possibility of transplanting trees from

existing road to Thoothukudi to Madurai National Highway. They were also asked to explore the possibility of doing some plantation activity along Thoothukudi – Madurai National Highway.

6) It is respectfully submitted that the matter was discussed again during District Green Committee meeting held on 21.12.2021. During the meeting Assistant Divisional Engineer(CKICP), Tirunelveli had asked permission to cut remaining 815 number of trees. The chairperson, District Green Committee, Thoothukudi had asked if there is need to cut all the 815 number of trees immediately and to consider only to cut the trees under unavoidable circumstances in a phased manner. The Chairperson of the District Green Committee, Thoothukudi also reiterated to submit the revised tree planting proposal in compliance of the NGT judgment in case no.172/2021. The plan should include compensatory planting of 10 trees of every tree felled including those in private lands.

7) Further informed by the Divisional Engineer, CKICP, Tirunelveli that, in EPC 04 Project, upgradation of SH 40 from Tiruchendur to Tirunelveli, 1338 trees were identified as hindrance for widening work in which 625 trees were cut already before this NGT case. As pledged in National Green Tribunal that possibility of tree transplantation will also be considered in addition to tree plantation, an Expert opinion from the Professor & Head, Department of Plant Science, Manonmaniam Sundaranar University, Tirunelveli also got which states that in the balance 713 trees out of 1338 trees (already 625 trees were cut), 177 trees can be transplanted and the rest 536 trees can be cut and removed.

8) As submitted by the Divisional Engineer, CKICP, Tirunelveli as stated that, the Judgement issued by National Green Tribunal, the number of trees involved in the Land Acquisition (Private land) has also been requested from the Special District Revenue Officer (LA), CKICP, Tirunelveli and as on date it is 1689 trees. The EPC Contractor has been requested to submit estimate for plantation of 16890 saplings (10 times of Private Land trees through the Construction Supervision Consultancy (CSC) to be included in EMP of this project. Till date only 5 nos of trees in Private land (Kongarayankurichi village) has been cut for formation of road from km37/0 to 37/4 in bypass. Also all the trees in private land are not causing hindrance to formation of road and hence the tree which causes hindrance only suggested for cutting and is informed to the land Owners also for which they are paid. The trees not causing hindrance will be left as such in ROW and this identification is in progress.

9) As submitted by the Divisional Engineer, CKICP, Tirunelveli that, for transplantation which is not in this EPC 04 Contract Agreement, the EPC Contractor has been requested to submit a change of scope through the Construction Supervision Consultancy (CSC). Also out of 177 nos of trees, 32 nos of trees identified for transplantation has been transplanted till now and the rest is in progress. Regarding cutting of trees out of 536 nos of trees 280 nos of trees were cut till now and the balance 256 nos including bypass is in progress.

10) As submitted by the Divisional Engineer, CKICP, Tirunelveli that, for Plantation of trees, as per clause 10 of

Schedule B of this EPC 04 Contract Agreement, saplings will be planted at 1:10 ratio and maintained for 7 years by EPC Contractor under this Project and the budget is included in the EMP. Now planting saplings of Novel trees (Jamun trees) 2500 nos. are in progress in the finished stretch from km 46/0 to km 51/0 in which 750 nos of saplings are finished planting till now.

The matter is being constantly followed and monitored as per the directions of the Hon'ble National Green Tribunal. The above details are submitted for the kind consideration.


25/01/22
District Forest Officer,
Thoothukudi.