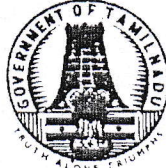


By Speed Post



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

Letter No.4733/FR-10/2019-2, Dated. 30.04.2019

From
Thiru. Shambu Kallollikar, I.A.S.,
Principal Secretary to Government.

To
The Additional Director General 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: Forests - Forest (Conservation) Act, 1980 – Tirunelveli Circle /
Thoothukudi Forest Division – Diversion of 0.17688 ha. of forest land
for Conveyor and pipeline crossing Korampallam canal at
Thoothukudi District in favour of Vice President, SEPC Power Private
Ltd., MEIL House, Chennai – Regarding.

Ref: From the Principal Chief Conservator of Forests Letter
No.TS4/32917/2018, dated 14.03.2019.
Government letter No.4733/FR.10/2019-1, dated 03.04.2019.
From the Principal Chief Conservator of Forests Letter
No.TS4/32917/2018, dated 09.04.2019.

I am directed to state that in the reference first cited, the Principal Chief Conservator of Forests has stated that the User Agency, i.e. SEPC Power Private Ltd. has furnished online application under Section 2 of Forest (Conservation) Act, 1980 in the prescribed format of Form A – Part I for diversion of fresh forest area of 0.17688 ha. for the Conveyor and pipeline crossing Korampallam canal at Thoothukudi District for a period of 30 years. The User Agency has uploaded necessary Certificates and Undertaking in the Online Submission and Monitoring of Forest Clearances Proposal (OSMFCP) portal.

2. The User Agency in the justification report has reported that the Thoothukudi Thermal Power Project Stage IV–IX525 MW (unit 1) within 36.81 ha. of land allotted by VOC Port Trust. The Power plant land is located adjacent to check post no.1 with two sides of the site surrounded by Korampallam Canal and the other two sides by Port

boundary. The project comprises of Power plant to be established within 36.81 ha of Non-Forest land adjacent to Check Post No.1 of VOC Port Trust with Coal Jetty and Cooling Water intake located within the Harbour Basin. The Sea water pipeline from Intake and Conveyor from Coal Jetty has to be taken to power plant only by the two sides and has to necessarily be taken across the Korampallam Canal in which forest land is situated. The current location of the crossing has been considered based on the following:-

- i. Shortest distance for crossing.
- ii. Minimal interface with forest land
- iii. Absence of shrubs/mangroves in the crossing.

3. The District Forest Officer, Thoothukudi has uploaded the online proposal of Form A Part-II with the field inspection notes dated: 03.12.2018 and stated that the District Forest Officer, Thoothukudi has inspected the proposed site for providing Conveyor and Pipeline crossing Korampallam canal at Mullakadu RF of Mullakadu village in Thoothukudi Range of Thoothukudi Forest Division by the SEPC Power private Ltd., Chennai on 27.11.2018 along with User Agency. The proposed project area is around 0.17688 ha of forest land in Mullakadu RF. The project comprises of Power plant to be established with an area of 36.81 ha. located non forest land and an area of 0.17688 ha. of forest land is proposed for laying to running Coal conveyor Gallery and Sea water pipeline for cooling the power plant, the proposed Conveyor from Coal Jetty be taken to Power plant only on the choice taken across the Korampallam canal. There is flora and fauna is available in that area like Mangrove trees standing in the proposed area. No protected Archaeological site is situated nearby. The land required also is only barest minimum.

4. The District Forest Officer, Thoothukudi has also stated that 80 nos. of Mangrove plants spontaneous growth are available in the area proposed for the diversion by the User Agency. The list of 80 nos. of spontaneous growth (Mangroove trees) are uploaded in Part-II of Form A (Additional details column).

5. The Chief Conservator of Forests, Tirunelveli Circle has inspected the proposed project area on 18.12.2018 and stated that the proposed project site of proposal for diversion of forest land in Mullakadu RF of Mullakadu village in Thoothukudi Range of Thoothukudi Forest Division for "Conveyor and pipeline crossing Kormapallam canal at Mullakadu RF, Thoothukudi by SEPC Power private Ltd., Chennai along with the District Forest Officer and field staff and User Agency. The proposed area is about 8.8m wide and 201m length on the southern side of an existing bridge across the Korampallam canal. The area is partially vegetated with Mangrove spread partially slushy and water logged due to being in tidal zone. The details of flora and fauna is submitted by District Forest Officer in Part II. No protected archaeological site is situated nearby. The area proposed for diversion is bare minimum. The Chief Conservator of Forests, Tirunelveli agreed with the recommendation of the District Forest Officer, Thoothukudi.

6. On further clarification raised by the PCCF regarding felling of spontaneous growth of Mangrove trees 80 nos. available in the proposed area, the District Forest Officer has sent his revised Part-II and site inspection report on 26.02.2019 that no felling of trees to be carried out. The Principal Chief Conservator of Forests has furnished the revised Part-III by the Chief Conservator of Forests, Tirunelveli.

7. The Principal Chief Conservator of Forests has further stated that the User Agency has uploaded all the certificates/ undertakings required for the proposal, along with the Certificate obtained from the District Collector, Thoothukudi for having initiated and completed the process of settlement of rights under Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 on the proposed forest land, in compliance of the Government of India, Ministry of Environment and Forests, FC(Division) letter F.No.11-9/1998-FC (Pt), dated 3.8.2009 and 05.02.2013. The proposal is recommended and uploaded by the Additional Principal Chief Conservator of Forests (FCA) / Nodal Officer (Forest Conservation Act) in the Part-IV format.

8. The Principal Chief Conservator of Forests has, therefore recommended the proposal and requested to consider the proposal for diversion of 0.17688 ha. for the Conveyor and pipeline crossing Korampallam canal at Thoothukudi District in favour of the User Agency i.e. Vice President, SEPC Power Private Ltd., MEIL House, Anna Salai, Chennai for a period of 20 years under Section 2 of Forest (Conservation) Act, 1980 and requested to forward the same to Government of India for obtaining their concurrence, subject to the following conditions:-

- 1) The legal status of the land shall remain unchanged and shall remain as Reserved Forests.
- 2) Felling of trees of spontaneous origin shall not be carried out. User Agency shall furnish an undertaking to this effect.
- 3) 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.
- 4) 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 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.
- 5) 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.
- 6) The fund from the User Agency towards cost of Compensatory Afforestation and NPV under this project shall be deposited in SB A/C No.1025227-CAF, Tamil Nadu, Corporation Bank, CGO Complex, Lodhi Road, New Delhi 110 003 (RTGS/IFSC No. CORP 0000371) The details of deposition of funds including inter-alia the DD Nos. and date, amount, the Bank on which drawn and the date of deposition in the designated Bank shall also be furnished. The User Agency

- shall generate chalan from the Ministry's Online web portal to deposit the amount towards Compensatory levies.
- 7) 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.
 - 8) The forest land shall not be used for any other purpose other than that specified in the proposal.
 - 9) 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.
 - 10) The District Forest Officer may impose any other condition in the interest of conservation / protection / and development of forests.

9. The Government have carefully examined the proposal of the Principal Chief Conservator of Forests for diversion of 0.17688 ha. at Mullakadu Reserve Forests of Mullakadu village in Thoothukudi Forest Division of Thoothukudi District for providing Conveyor and pipeline crossing Korampallam canal for a period of 20 years, subject to the conditions mentioned at para 8 above in favour of Vice President, SEPC Power Private Ltd., Chennai under section 2 of Forest (Conservation) Act, 1980 and decided to forward the same. I am, therefore, request you to kindly obtain the concurrence of the Government of India, Ministry of Environment, Forests and Climate Change and communicate the same to this Government, early.

Yours faithfully,

S. Indu
3/5/19

for Principal Secretary to Government.

Sy
3/5/19

Copy to:-

- ✓ The Principal Chief Conservator of Forests (Head of Department),
Chennai-15.
- The Vice President,
SEPC Power Private Limited,
MEIL House, First Floor,
No.395, Anna Salai, Teynampet, Chennai-18.

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 of the Principal Chief Conservator of Forests for diversion of 0.17688 ha. at Mullakadu Reserve Forests of Mullakadu village in Thoothukudi Forest Division of Thoothukudi District for providing Conveyor and pipeline crossing Korampallam canal for a period of 20 years, ² in favour of Vice President, SEPC Power Private Ltd., Chennai

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 : 02.05.2019
Place : Chennai-9.

Signature *[Signature]*
Name & Designation
(Official Seal)

[M. SATHISH KUMAR]

Under Secretary to Government
Environment & Forest Department
Secretariat, Chennai-600 009