

TAMIL NADU FOREST DEPARTMENT

From

Thiru Ashok Upreti, IFS.,
Principal Chief Conservator of Forests,
(Head of Department),
Panagal Maaligai, Saidapet,
Chennai - 600 015.

To

The Principal Secretary to Government,
Environment Climate Change and Forests
Department,
Secretariat,
Chennai 600 009.

Ref. No. TS4/20484/2021 dated. 29.10.2021

Madam,

Sub: Forests - Forest (Conservation) Act, 1980 -Thanjavur Circle /
Thanjavur Division - Proposal for diversion of forest land of 0.1925 Ha
for creation of addl. source of pump house for Ayyanallur CWSS to 893
habitations in Nagapattinam District - Online proposal submission by
the User Agency ie. TWAD Board, Nagapattinam- Regarding.

- Ref:
1. Online application uploaded by the User Agency - The
Executive Engineer, Maintenance, TWAD Board,
Nagapattinam dt.25.05.2021. (FP/TN/Water/142613/2021)
 2. Principal Chief Conservator of Forests Ref.No. TS4/ 20484/
2021, Dated:14.06.2021.
 3. Revised Online application uploaded by the User Agency -
The Executive Engineer, Maintenance, TWAD Board,
Nagapattinam , dt. 2.07.2021.
 4. Part-II & Part-III uploaded by the District Forest Officer,
Thanjavur and Conservator of Forests, Thanjavur,
dated . 04.08.2021.
 5. Revised Part-II & Part-III uploaded by the District Forest
Officer, Thanjavur and Conservator of Forests, Thanjavur
dated 14.09.2021. *and 12.10.2021.*
 - 6.CF,Thanjavur C.No:3740/2021/TS4 dated 12.10.2021.

I wish to state that the Executive Engineer, Maintenance, TWAD Board, Nagapattinam has sent a proposal under Section 2 of Forest (Conservation) Act, 1980 for diversion of forest land of 0.1925 Ha for creation of addl. source of pump house for Ayyanallur CWSS to 893 habitations in Nagapattinam District through online web portal in the prescribed format.

2) The user agency has stated that the area proposed is for creation of addl. source of pump house to construct 1 No. of collector well cum Foot Bridge within the riverbed of Coleroon at Ayyanallur under CWSS to 893 in Nagapattinam District. Also stated that in order to mitigate the anticipated drought condition, it is highly essential to establish an addl. source for the CWSS. During the Collectors and Superintendent of Police conference conducted by

the Hon'ble Chief Minister of Tamilnadu on 07.03.2018, the Hon'ble Chief Minister announced an announcement No.5 stating that investigation to be taken up for creating additional source with pump room to CWSS to 893 Habitations in Nagapattinam District. Accordingly the user agency has furnished forest land diversion proposal under Forest Conservation Act 1980.

3) The User Agency has furnished following Certificates / Undertakings.

- i. Form A.
- ii. Letter of Authorisation.
- iii. Survey of India topo sheet indicating boundary of forest land proposed for diversion in Maharajapuram Reserved Forest.
- iv. Justification for locating the project in Forest land
- v. Essentiality certificate issued by the District Collector, Thanjavur in RC.No. 985/2021 LR1, dt. 09.07.2021.
- vi. Certificate obtained from the District Collector, Thanjavur District about Settlement of rights under Scheduled Tribes and Other Traditional Forest Dwellers under Forest Rights Act 2006 in the prescribed format along with certificate of no alternate suitable non forest land is available for the above project vide R.C.no. 985/2021 LR1, dt. 09.07.2021.
- vii. Certificate about all required particulars are in English.
- viii. Combined Certificates for the following.
 1. The demand of forest land for the project is minimum.
 2. No alternate suitable non forest land is available for the project.
 3. Willing to pay the Net Present Value as fixed by the Forest Department for the forest land required to be diverted to TWAD for the implementation of the project after finalization of the same by the Hon'ble Supreme Court of India.
 4. The payment of lease rent as fixed by the Forest Department.
 5. Felling of all trees is essential for the implementation of the project.
 6. TWAD Board is ready to pay the cost fixed by the Forest Department for the trees getting affected and to be cut and removed in the forest land due to the implementation of the project.
 7. The cost of Compensatory Afforestation plantation estimated and insisted by the Forest Department will be paid by the TWAD.
 8. The funds for afforestation, compensation are available with the TWAD Board and will be deposited as and when required by the Forest Department.
- ix. certified by the User Agency regarding the no violation of the provisions of Forest (Conservation) Act, 1980

- x. certified that no alternative suitable non forest land is available except the above forest land for the project.
- xi.. Area requirement details.
- xii. Combined Certificates for the following.
 - 1. The payment of Additional Net Present Value of the forest land as demanded by the Forest Department in future as per the guidelines of the Hon'ble Supreme Court of India.
 - 2. To bear the cost of raising and maintenance of Compensatory Afforestation / Penal Compensatory Afforestation / Maintenance of Plantation /Protection of plantation for the proposed diversion of forest land as fixed by the Forest Department and willingness to deposit additional amounts if any suggested as amended owing to the change in planting technique, enhancement in the FSR etc., demanded subsequently.
 - 3. To bear the cost of felling of trees and transportation cost of the trees to be removed for the trees available in the alignment path in the forest land which shall be fixed by the Forest Department.
 - 4. No felling of trees is involved in the proposed project.
- xiii. Geo referenced map for the Forest land proposed for diversion in Maharajapuram Reserved Forest.

4) The District Forest Officer, Thanjavur has inspected the proposed project area in Maharajapuram Reserved Forest for diversion of forest land of 0.1925 Ha for creation of addl. source of pump house at Ayyanallur under CWSS to 893 habitations in Nagapattinam District on 05.07.2021 and 28.07.2021 and furnished his report as follows.

- (i) The proposed area for diversion is very minimum and there is no alternative land for the proposed project.
- (ii) The user agency has not started any work in the proposed site inside Maharajapuram Reserved Forest. Hence the question of violation of provision of Forest Conservation Act 1980 for this proposal does not arise.
- (iii) The user agency shall pay the Net Present Value imposed and Compensatory Afforestation cost as per the revised Forest Conservation Act 1980 guidelines.
- (iv) There are no rare or endangered or Unique species of Flora and Fauna in the Maharajapuram Reserved Forest. There are 65 Teak trees which are planted and not natural in which Thanjavur Forest Division have raised 54 trees (2014 Maharajapuram-Kollidam RB plantation) and 11 Teak trees (1991 Seedling Seed Orchard - Sholapuram Research Centre) by Industrial Wood Research Division, Trichirapalli. All the trees earmarked for removal are planted by the Forest Department. 10 times of 65 teak trees (i.e.) 650 teak trees will be planted in the same Reserved Forest as Compensatory Afforestation.
- (v) There is no protected archaeological / Heritage site / defence establishment and there are no monument in the above project site.

5) The District Forest Officer has proposed Compensatory Afforestation scheme to an amount of Rs.31.21 lakhs for raising and maintenance of 650 teak trees.

6) In his recommendation the District Forest Officer, Thanjavur has stated that the project is designed to provide drinking water facilities to 893 habitations and a population of 244130 in Nagapattinam District which is a genuine requirement and hence recommended the proposal.

7) The Conservator of Forests, Thanjavur has inspected the areas proposed for diversion of forest land of 0.1925 Ha for creation of addl. source of pump house to CWSS at Ayyanallur to 893 habitations in Nagapattinam District on 02.09.2021 and stated that the area proposed for diversion has sparse growth of Prosopis Juliflora and there is no native vegetation observed. The Ayyanallur village is a Agriculture hamlet situated on the village and connected the Cholapuram village.

8) The Conservator of Forests has recommended in part III of Form A proposal and stated that the proposed area is unavoidable as the project is critical for drinking water purpose and benefit for around 244130 populations in Nagapattinam District. Since it is a genuine requirement, it can be permitted within the guidelines of Forest Conservation Act 1980.

In this regard, it is submitted that the User Agency has uploaded all the certificates/undertakings/details as required in this proposal.


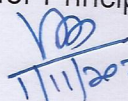
9) The proposal is sent herewith duly recommended in the part IV of Form A by the Additional Principal Chief Conservator of Forests (FCA) / Nodal Officer (Forest Conservation Act).

10) The area proposed for diversion of 0.1925ha of forest land in Maharajapuram Reserved Forest for creation of addl. source of pump house at Ayyanallur under CWSS to 893 habitations in Nagapattinam District in Thanjavur Forest Division is recommended and forwarded to the Government of Tamilnadu for considering the proposal under the General Category wherein the State Government has empowered to divert forest areas upto one Ha for critical public utility and welfare projects undertaken by the Government agencies and in principle Stage-I approval orders may be issued subject to the following conditions.

- (i) The legal status of the land shall remain unchanged and shall remain as Reserved Forests.
- (ii) 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.
- (iii) 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 Order dated 28.03.2008 and 09.05.2008 in IA Nos. 826 in 566 with related IAS in Writ Petition(Civil) No.202/1995.
- (iv) The User Agency shall remit CA amount as demanded by the Forest Department.
 - (v) The User Agency shall plant and maintain ten times the number of trees felled on the diverted land to maintain the green cover at the project cost in degraded areas of Maharajapuram Reserved Forest as guided by the Forest Department.
 - (vi) The fund from the User Agency towards NPV under this project and Compensatory Afforestation cost shall be deposited by generating challan from the Ministry's online web portal. UTR No and date should be furnished.
 - (vii) 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.
 - (viii) 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.
 - (ix) The forest land shall not be used for any other purpose other than that specified in the proposal.
 - (x) 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.
 - (xi) The period of lease is 20 years.
 - (xii) The User Agency should send renewal proposal one year before expiry of lease.
 - (xiii) The Conservator of Forests and District Forest Officer may impose any other condition in the interest of conservation /protection land development of forests.
- 11) I request that in-principle Stage-I approval under Forest (Conservation) Act, 1980 for diversion of 0.1925ha of forest land in Maharajapuram Reserved Forest for creation of addl. source of pump house at Ayyanallur under CWSS to 893 habitations in Nagapattinam District for a period of 20 years may be accorded in favour of the Executive Engineer, TWAD Board, Maintenance, Nagapattinam District.
- Encl.: Proposal in duplicate.

Yours faithfully


01/11/2021
for Principal Chief Conservator of Forests
(Head of Department)

11/11/2021.

PART IV

(To be filed in by the Nodal Officer or Principal Chief Conservator of Forests or Head of Forest Department)

Name of the work: - Forest (Conservation) Act, 1980 –Thanjavur Circle / Thanjavur Division - Proposal for diversion of forest land of 0.1925 Ha for creation of addl. source of pump house for Ayyanallur CWSS to 893 habitations in Nagapattinam District – Online proposal submission by the User Agency ie. TWAD Board, Nagapattinam- Regarding. Proposal No: (FP/TN/Water/142613/2021)

17. Detailed opinion and specific recommendation of the State Forest Department for acceptance or otherwise of the proposal with remarks.

(While giving opinion, the adverse comments made by concerned Conservator of Forests or Deputy Conservator of Forests should be categorically reviewed and critically commented upon).

Recommended

Date: 29.10.2021

Place: Chennai

Signature:

[Handwritten Signature] 29/10/21

Name : Dr. V. Nagarathan, IFS.

Official Seal: Addl. Principal Chief Conservator of Forests
(Forest Conservation Act)