

TAMILNADU FOREST DEPARTMENT

From
Thiru.S.Yuvaraj, I.F.S.,
Principal Chief Conservator of Forests
(Head of Department)
Panagal Maaligai, Saidapet,
Chennai - 600 015.

To
The Addl.Chief Secretary to
Government,
Environment and Forests Department,
Secretariat,
Chennai 9.

C.No.TS4/49630/2019 Dated: 27.10.2020

Sub: Forests - Forest (Conservation) Act, 1980 -Dindigul Circle / Karur Forest Division - Proposal for diversion of 0.1756 Ha of forest land for providing water supply to 274 rural habitations in over exploited blocks of Thanthoni union in Karur district - Online proposal Submission by the User Agency ie., Executive Engineer, TWAD, Karur - Regarding.

- Ref
1. Online application uploaded by the User Agency – Srinivasan, Executive Engineer, TWAD Board, Karur, (FP/TN/WATER /42348/2019).
 2. Principal Chief Conservator of Forests ref.No. TS4/49630/2019, dt. 15.11.2019.
 3. Revised online application by the User Agency on 06.02.2020.
 4. Principal Chief Conservator of Forests ref.No. TS4/49630/2019, dt. 24.02.2020.
 5. Revised online application by the User Agency on 06.06.2020.
 6. Principal Chief Conservator of Forests ref.No. TS4/49630/2019, dt. 20.06.2020.
 7. Acknowledgements for the receipt of proposal by the Chief Conservator of Forests, Dindigul, District Forest Officer, Karur & the District Collector Karur uploaded by the User Agency on 03.08.2020.
 8. Principal Chief Conservator of Forests ref.No. TS4/49630/2019, dt. 04.08.2020
 9. Revised online proposal uploaded by the User Agency on 20.08.2020 due to EDS raised by the DFO.
 10. Part-II and Part-III received from the District Forest Officer, Karur and the CCF, Dindigul dated 15.09.2020.
 11. Principal Chief Conservator of Forests ref.No. TS4/49630/2019, dt. 17.09.2020.
 12. District Forest Officer, Karur Lr.No:3585/2019 D dated 19.09.2020
 13. Chief Conservator of Forests, Dindigul Lr.No:4529/2020 D1 dated 26.09.2020.

The Executive Engineer, TWAD Board, Karur has furnished online application under Section 2 of Forest (Conservation) Act, 1980 for diversion of 0.1424 ha and then revised as 0.1756ha for CWSS to 274 habitations in Thanthoni union in Karur District vide reference 1st cited and uploaded the revised proposal vide ref.9th cited.

The User Agency has uploaded the proposal in the prescribed format of Form A - Part I - under Section 2 of the Forest (Conservation) Act, 1980 for diversion of fresh forest area in the online submission and Monitoring of Forests

Clearances Proposal (OSMFCP) portal for providing water supply to 274 habitations in over exploited blocks of Thanthoni union in Karur District.

The User Agency has proposed forest area diversion for a period of 30years (A.1.x of proposal format)

The User Agency (ie.,TheExecutive Engineer, TWAD Board, Karur) has furnished the following details / undertakings along with the proposal.

1) Form-A, Part-1 for seeking prior approval under Section 2 of the Forest (Conservation) Act, 1980.

2) Short narrative of the proposal for which the forest land is required. (As required vide A-1 (iii) of proposal format).

3) Copy of Survey of India topo sheet indicating boundary of forest land proposed to be diverted has been up-loaded forest boundary (Section C of Maps-C.iii)

4) Geo referenced location map of the proposed diversion of forest area for formation of road marked in the google earth (Section C of Maps-C.iv).

5) Note containing justification for locating the project in forest area (As required vide D.(i) of proposal format) Brief scheme report is enclosed.

6) Certificate from the project proponent about no alternate suitable non forest land is available for the project and demands for forest land for the project is minimum has been uploaded.

7) Certificate from the project proponent about not violated any provisions of the Forest (Conservation) Act, 1980.

8) Copy of document in support of the competent / authority of the person making this application to make application on behalf of the User Agency (As required vide A-3, (xvii) of proposal format).

9) Component wise break up details of forest area required for the project of 0.1756 ha such as length, width etc., (As required vide B-2.4 of proposal format)

10) For settlement of Rights under the Forest Rights Acts 2006 on the forest land proposed to be diverted, the certificate obtained from the District Collector, Karur is enclosed.as required vide K(i)of the proposed format.

11) Signed copy of Form A enclosed.

12) Undertaking to bear the cost of Compensatory Afforestation, Penal Compensatory Afforestation, Maintenance of Plantation and Protection of plantation for the proposed diversion as fixed by the Forest Department.

13) Undertaking to pay the Net Present Value as fixed by Hon'ble Supreme Court of India.

14) Undertaking to pay the Additional Net Present Value as fixed by Hon'ble Supreme Court of India in future.

15) Undertaking to pay the cost along with any escalation for exploitation of trees if any available in the path for the proposed diversion of land as fixed by the Forest Department.

16) Undertaking to pay the cost towards lease rent as fixed by the Forest Department at the time of sanction along with any escalation in future.

In this regard, I wish to inform that the User Agency has uploaded all the certificates /undertaking certificates as required in this proposal.

The DFO, Karur has inspected the proposed site on 07.08.2020 and stated that the area for foot path has been proposed as 307m length and 4m width instead of 390m length and 4m width. Hence the area of foot path is 0.156ha; control room of size 10m X 10m to an area of 0.01ha and for transformer yard of size 12m X 8m to an area of 0.0096ha and the total proposed area is 0.1756 ha falling in Mayanur Reserved Forest. The land area is under TAFCON lease on plantation with Eucalyptus. The requested layout of the Foot path, Transformer Yard and control room linear stretch is devoid of vegetation and Eucalyptus plantation. The DFO has not proposed CA scheme for this project as the forest area proposed is less than one Ha and no felling of trees is involved.

The DFO in his recommendation stated that this proposal is for supplying drinking water for 274 Rural Habitations in over exploited blocks of Thanthoni union in Karur district and this diversion may reduce the water scarcity in 274 rural habitations and the particular stretch may not cause much disturbance to wildlife and will not adversely affect eco system and hence the DFO has recommended the proposal.

The CCF, Dindigul in his site inspection report has stated that he has inspected the site on 14.09.2020 and the proposed area is situated in Mayanur

RF which is a padugai RF of Cauvery river. The proposed alignment is within the existing right of way to a length of 390m and the proposed width of the project is 4m.

The CCF has also stated that there is no standing tree available in this site and no spontaneous growth of trees. The RF area required by the project proponent is bare minimum which is also essential for drinking water supply to the public of Thanthoni union of Karur District covers 274 Habitations and no alternate alignment is possible. The proposed area is not part of any protected area or Tiger Reserve and also does not fall under any migratory path of wild animals and hence recommended for the proposed diversion of 0.1756ha for the above project.

The area proposed for diversion of 0.1756 ha for CWSS to 274 habitations in Thanthoni union in Karur District is recommended and forwarded to the Government of Tamilnadu for approval subject to the following conditions.

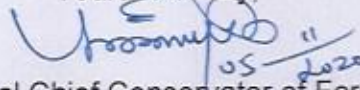
1. The legal status of the land shall remain unchanged and shall remain as Reserved Forests.
2. The demarcation of the proposed forest area shall be carried out by erecting 4 feet height cement concrete pillars duly numbered at an interval of 20 mts. at the cost of User Agency.
3. The User Agency shall 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.
4. The Additional amount of the Net Present Value (NPV) of the diverted forestland 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 this effect.
5. All the funds should be remitted by the User Agency into CAMPA fund only by generating challan through e-portal.
6. The layout plan of the proposal shall not be changed without prior approval of Government.
7. No labour camp shall be established on the forestland.
8. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.

9. The User Agency has to pay the cost of raising Compensatory Afforestation and maintenance of plantation, Protection of plantation etc. if any demanded by the Forest Department in future.
10. 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.
11. The forest land shall not be used for any other purpose other than that specified in the proposal.
12. 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 and subsequent changes.
13. Period of lease is twenty years. The User Agency has to apply renewal proposal before 6 months of expiry of lease with the State Forest Department.
14. The Compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>).
15. Any other conditions may impose by the Forest Department in the interest of conservation /protection and development of Forests.

The proposal duly recommended by the Additional Principal Chief Conservator of Forests (Forest (Conservation) Act) /Nodal Officer, Forest (Conservation) Act, 1980 is sent herewith. I request that the proposal may kindly be approved by the Government under general approval for diversion of 0.1756ha for CWSS to 274 habitations in Thanthoni union in Karur District for a period of twenty years.

Encl.: Proposal in Form A
Part I, II, III & IV (original)
in duplicate.

Yours faithfully,



for Principal Chief Conservator of Forests
(Head of Department)

By
5-11-2020

PART IV

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

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

Name of the work: Forest (Conservation) Act, 1980 – Proposal for diversion of 0.1756ha for CWSS to 274 habitations in Thanthoni union in Karur District - Online proposal submission by the User Agency ie. TWAD Board, Karur

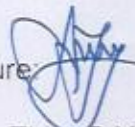
(FP/TN/Water /42348/2019).

(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: 27.10.2020.

Place: Chennai

Signature: 

Name : Thiru S. Yuvaraj IFS.

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Official Seal:

Principal Chief Conservator of Forests
(Head of Department)
Chennai - 15.