

TAMIL NADU FOREST DEPARTMENT

From
Thiru Syed Muzammil Abbas, IFS.,
Principal Chief Conservator of Forests,
(Head of Forest Force),
Panagal Maaligai, Saidapet,
Chennai - 600 015.

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

Ref. No. TS4/44927/2021 dated.01.07.2022

Madam,

Sub: Forests - Forest (Conservation) Act, 1980 –KMTR, Tirunelveli Circle / Thoothukudi Division - Proposal for diversion of 0.9896ha of forest land in Alagiamanavalapuram Reserved Land for construction of a Checkdam across the Thamirabarani river between Alwarthoppu and Alwarthirunagari villages of Srivaikuntam Taluk in Thoothukudi District – Online proposal submission by the User Agency ie. Thamirabarani Basin Circle, WRD, Palayamkottai - Regarding.

- Ref:
1. Online application uploaded by the User Agency – Executive Engineer, Thamirabarani Basin Division, WRD, Palayamkottai dated: 14.12.2021. (FP/TN/IRRIG/150193/2021)
 2. PCCF ,Chennai-15 Ref.No:TS4/44927/2021 dated 10.03.2022
 3. District Forest Officer, Thoothukudi C.No:D/67/2022 dated 23.03.2022. (Part-II uploaded by the District Forest Officer on 24.03.2022.)
 4. Conservator of Forests &Field Director, KMTR, Tirunelveli C.No:D1/98/2022 dated 01.04.2022. (Part-III uploaded by the Conservator of Forests on 01.04.2022)
 5. Principal Chief Conservator of Forests, Chennai-15 Ref. No: 44927 / 2021 / TS4 dated 27.04.2022
 6. Revised Part-II uploaded by the District Forest Officer, Thoothukudi on 29.04.2022
 7. Conservator of Forests & FD, KMTR, Tirunelveli C.No: D1/98 / 2022 dated 04.05.2022.(EDS reply uploaded on 04.05.2022)

I wish to state that the Executive Engineer, Thamirabarani Basin Division, WRD, Palayamkottai has sent a proposal under Section 2 of Forest (Conservation) Act, 1980 for diversion of 5.5 ha (now revised as 0.9896ha)of forest land for construction of a Checkdam across the Thamirabarani river between Alwarthoppu and Alwarthirunagari villages of Srivaikuntam Taluk in Thoothukudi District through online web portal in the prescribed format.

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

- I. Signed copy of Form A (Part-I)
- II. Brief Scheme report
- III. Justification for locating the project in Forest land
 - a. Thoothukudi is an important district situated on the South-East Coast of India. This city is connected by road, rail and by air. An ayacut of 46107 Acres is getting benefitted by Lower Thamirabarani basin system. Alwarthoppu, Alwarthirunagari and Alagiyamanavala puram villages are having population of 9289. These villages are situated in Thoothukudi District near Srivaikuntam which is a Taluk Headquarters. Thamirabarani river is crossing these villages in the downstream side of Srivaikuntam Anicut before it confluence into Bay of Bengal at Punnakayal. Though the Thamirabarani river is running through these villages, the water for all purposes including irrigation and drinking for these villages and all other villages nearby would get only during monsoon season because of surplus water from Srivaikuntam Anicut. Hence the public and farmers of the surrounding villages often grievancing the District Collector, Thoothukudi and Government of Tamilnadu for constructing a Check Dam across Thamirabarani river in between Alwarthoppu, Alwarthirunagari and Alagiyamanavalapuram villages. Based on the requisition of Publics and farmers, the Government of Tamilnadu has accorded Administrative Sanction for the work of "Construction of Check Dam across the Thamirabarani river between Alwarthoppu and Alwarthirunagari village of Srivaikundam Taluk of Thoothukudi District" for an estimate value of Rs.2514.12 Lakhs.
- IV. Certificate obtained from the District Collector, Thoothukkudi District about Settlement of rights under Scheduled Tribes and Other Traditional Forest Dwellers under Forest Rights Act 2006 in the prescribed format (Form-II Non-Linear Projects) (File. No: Nil dated 28.02.2022)

- V. Certificate from the District Collector, Thoothukkudi District about no alternate suitable non forest land other than this forest land for the above project.
- VI. Letter of Authorisation.
- VII. Undertaking for the payment of Net Present Value of the forest land required for the purpose of the above project.
- VIII. Undertaking 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.
- IX. Undertaking for the payment of cost along with any escalation for exploitation of trees if any available in the alignment path in the forest land which shall be fixed by the Forest Department.
- X. Combined certificate for land alternation by the project proponent.
 - a. Certified that the forest land demanded for this project is the barest minimum.
 - b. Certified that no alternate suitable non forest land is available.
 - c. Amount required for CA and CAT cost etc. is provided in the project estimate and would be paid to Forest department.
- XI. Certificate given by the User Agency regarding the no violation of any provisions of Forest (Conservation) Act, 1980.
- XII. Undertaking for the payment of 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.
- XIII. Undertaking for the payment of Additional Net Present Value of the forest land as demanded by the Forest Department in future as per rules in force.
- XIV. GPS surveyed map of the proposed area
- XV. Survey of India topo - sheet indicating boundary of forest land proposed for diversion in Alagiamanavaalaapuram RL

XVII. Geo referenced map for the Forest land proposed for diversion in Alagiamanavaalaapuram RL.

XVIII. Undertaking for the payment of cost towards lease rent as fixed by the Forest Department at the time of sanction along with any escalation for the forest land to be diverted.

3) In part-II of the proposal, the District Forest Officer, Thoothukkudi has furnished the details as follows:

- a. The legal status of the land proposed for the project is section 26 notified land. In the site inspection report it has been stated that the proposed area lies in Alagiamanavalapuram RL.
- b. The density of the vegetation is 0.33 and Eco class is IV.
- c. In sec.4 (ii) Species-wise local/scientific names and girth-wise enumeration of trees, it has been stated that 25 Nos. Babul trees are available.
- d. There is no rare /endangered / unique species of flora and fauna found in the area
- e. There is no violation of the Act or guidelines take place.
- f. Compensatory Afforestation scheme has been proposed in the degraded forest area identified in Kuthiramazhitheri Reserved Forest over an extent of 1.9792ha (double the area of proposed diversion) to an amount of 18.27 lakhs. Suitability certificate to raise Compensatory Afforestation has also been furnished by the District Forest Officer.

4) In the site inspection report the District Forest Officer has stated that the proposed project area for diversion of forest land in Alagiyamanavalapuram Reserved Land of Thoothukkudi Division was inspected by him on 15.03.2022 and furnished his report as follows.

- i. The area of Alagiamanavalapuram RL is 51.37ha and it is located at the river bank of Thamirabarani
- ii. The Major floral species are Prosopis Juliflora and Babul.

- iii. The Fauna species found in Alagiamanavalapuram RL are limited and common.
- iv. In the proposed area there are 25 Nos of planted babul trees and 18.9655 ton of area Prosopis Juliflora which have to be removed.
- v. The construction work does not pose any danger to the Forest area and wildlife in the region.

5) In the recommendation, the District Forest Officer, Thoothukkudi has stated that

- a) The Wildlife movement in the proposed area of 0.9896ha is limited.
- b) The construction of check dam does not pose any danger to the Forest area and wildlife in the region.
- c) Hence the proposal is recommended.

6) The Conservator of Forests & Field Director, KMTR, Tirunelveli has inspected the area proposed area for diversion in Alagiamanavalapuram Reserved land of Thoothukkudi Division on 30.03.2022 and stated that

- I. The proposed Check Dam will be constructed in Alagiamanavalapuram RL which comprises 51.37ha with rectangular shape.
- II. The check dam will be built with dimension of 21m width and 440m length parallel to the existing bridge outside the RL.
- III. The proposed Check dam construction requires an area of 0.9896ha.
- IV. There is presence 25 Nos of planted babul plantation and existence of Prosopis juliflora ,which was assessed and reported by the District Forest officer Thoothukudi weighing 18.9655MT. These Babul and Prosopis have to be removed before starting the work.
- V. The wildlife movements is limited in the said area .
- VI. The construction of check dam does not pose any threat to the forest and wildlife in the region.
- VII. The Compensatory Afforestation proposed by District Forest officer Thoothukudi is recommended.
- VIII. Construction of Check Dam may improve the water table around 1km radius as reported will be helpful for 1500 Acres of Agricultural land

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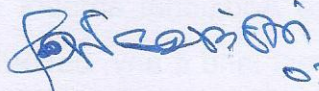
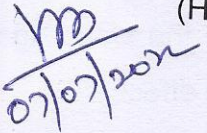
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- iv) The User Agency shall pay the Net present value of the diverted forest area at the rates stipulated by the Ministry of Environment and Forests in File.No:5-3/2011-FC (Vol.I) dated 06.01.2022 and 19.01.2022 and from time to time, as per the orders 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.
- v) The fund from the User Agency towards NPV and CA scheme under this project shall be deposited by generating challan from the Ministry's online web portal.UTR No and date should be furnished.
- vi) 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.
- vii) The User Agency shall remit the cost for felling and transport of trees to the DFO concerned.
- 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 for 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.
- xiv) The user agency should upload the compliance report in the web portal.

11) I request that in-principle Stage-I approval under Forest (Conservation) Act, 1980 for diversion of 0.9896 ha of forest land in Alagiamanavalapuram Reserve Land for construction of a Checkdam across the Thamirabarani river between Alwarthoppu and Alwarthirunagari villages of Srivaikuntam Taluk in Thoothukudi District may be accorded in favour of Executive Engineer, Thamirabarani Basin Division, WRD, Palayamkottai for a period of 20 years.

Encl.: Proposal.

Yours faithfully


07/07/2022
for Principal Chief Conservator of Forests
(Head of Forest Force)

07/07/2022

PART IV

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

Name of Work: Proposal for diversion of 0.9896ha of forest land in Alagiamanavalapuram Reserved Land for construction of a Checkdam across the Thamirabarani river between Alwarthoppu and Alwarthirunagari villages of Srivaikuntam Taluk in Thoothukudi District– Online proposal submission by the User Agency ie. Thamirabarani Basin Circle,WRD,Palayamkottai .

Proposal No: FP/TN/IRRIG/150193/2021

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
V. Karuna Priya
26/2/22

Date : 2.05.2022
Place: Chennai

Signature:

Name : V. Karuna Priya, IFS
Official Seal:
Additional Principal Chief Conservator of Forests
(Forest Conservation Act)/Nodal Officer

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