

TAMILNADU FOREST DEPARTMENT

From
Dr.V.K.Melkani, IFS
Principal Chief Conservator of Forests
(Head of Department)(FAC)
PanagalMaaligai, Saidapet,
Chennai - 600 015.

To
The Principal Secretary to Government,
Environment and Forests Department,
Secretariat,
Chennai - 600 009.

C.No.TS4/31494/2014 Dated: 30.11.2015

Sir,

Sub:- Forest (Conservation) Act,1980 – Madurai Forest Circle/
Theni Forest Division – Proposal for diversion of 0.01 ha of
forest land in Valkaradu Reserved Forests of Theni Forest
Division in Theni District for laying 200mm sewer line for
90 m length – Theni Allinagaram Municipality – Online
Submission of proposal by the User Agency – Proposal
submission – Regarding.

- Ref:-
1. Online application and additional details uploaded by the
User agency – The Commissioner, Theni –
Allinagaram Municipality, Theni Roc.No.5754/2001 E1
dated 24.07.2015 addressed to the District Forest Officer,
Theni.
 2. Part II of Form A uploaded by the District Forest Officer,
Theni Division
 3. Part III of Form A uploaded by the Conservator of Forests,
Madurai Circle.

A copy of the Government of India, Ministry of Environment, Forests &
Climate Change, Chennai F.No.4-TNC005/2015-CHN/651 Dated 10.07.2015
is enclosed herewith for kind perusal. As per the direction of the Government
of India, Ministry of Environment, Forests & Climate Change, Chennai letter
cited, the Commissioner, Theni Allinagaram Municipality, Theni has modified
and submitted fresh online application under Section 2 of F(C) Act, 1980 in
the "Others" category in the prescribed format of Form-A Part I for diversion
of 0.01 ha of forest land in Valkaradu Reserved Forests of Theni Forest
Division in Theni District for laying 200mm sewer line for 90 m length – Theni
Allinagaram Municipality.

The User Agency has requested diversion of forest area for a period of
30 years.

The User Agency has submitted the following details / documents/Certificates / Undertakings along with the proposal.

1. Demand for forest land for the project is minimum.
2. No violation of the provision of Forest (Conservation) Act, 1980 occurred.
3. Certificate obtained from the District Collector to effect that no alternate suitable non forest land is available for the project.
4. Undertaking to deposit the cost of raising compensatory afforestation and maintenance of plantation as fixed by the Forest Department and willingness to deposit additional amount if any suggested as amended owing to the change in planting technique, enhancement in the FSR etc., demanded subsequently.
5. The User Agency has certified that no work in violation of the Forest (Conservation) Act, 1980 has been carried out for the Laying of sewer line involved in Theni Forest Division.
6. Undertaking to pay the amount of Net Present Value which will be fixed as per the guidelines of Hon'ble Supreme Court of India.
7. Undertaking to pay the cost towards lease rent as fixed by the Forest Department at the time of sanction along with escalation if any for the forest land to be diverted of the above project in future.
8. The Forest Rights Act, 2006 Certificate issued by the District Collector of Theni on 22.04.2015 has been uploaded in the proposal.

After getting additional details from the User Agency, the proposal was forwarded to the District Forest Officer, Theni Forest Division, Theni.

After field inspection, the District Forest Officer, Theni Division and the Conservator of Forests Madurai Circle have forwarded the proposal.

The District Forest Officer, Theni Division has reported that the land required is less than 1 ha. Hence the requirement of compensatory afforestation land is does not arise.

The DFO, Theni has inspected the linear area proposed for the laying of sewage line Valkaradu Reserved Forests in Theni on 22.09.2015. He has reported that

- a) The area has no trees and the area is located in gently undulating terrain. The area falls under the Vaigai Catchment.

Following details

b) The linear area proposed for the laying of sewage line is 0.01 ha in area and is located right on the boundary of Valkaradu Reserved Forests adjacent to the Theni- Allinagaram Municipality residential area.

c) There is no spontaneous tree growth in the proposed area. There is no endangered species of flora and fauna found in the proposed area.

d) The proposed area for diversion does not have any important monuments which are archaeological / heritage site / defense establishment etc.

e) In the proposed area, the user agency has not carried out any work, which contravenes the FCA 1980. Since there is no alternate route for inter connecting sewage lines, diversion is very much essential on this ground diversion of 0.01 ha is recommended.

The Conservator of Forests, Madurai has inspected the site proposed for laying sewage line in Valkaradu Reserved Forests with District Forest Officer, Theni and Forest Range Officer Theni on 14.11.2015. The linear area proposed for laying sewerage line is located right on the boundary of Valkaradu Reserved Forests adjacent to the Theni – Allinagaram Municipality Residential area.

The area proposed is barest minimum and absolutely essential. The Conservator of Forests recommends the proposal.

The District Forest Officer, Theni Division has recommended the proposal in the Part II format proposal

The Conservator of Forests, Madurai Circle has recommended the proposal in the Part III format proposal.

The proposal is recommended subject to the following conditions

(i) The User Agency has to deposit the cost of raising compensatory afforestation in the degraded forest land over the area of 1.00 ha and maintenance of plantation as fixed by the Forest Department and willingness to deposit additional amount if any suggested as amended owing to the change in planting technique, enhancement in the FSR etc., demanded subsequently.

(ii) The User Agency has to pay the amount of Net Present Value which will be fixed as per the guidelines of Hon'ble Supreme Court of India.

(iii) The User Agency has to pay the cost towards lease rent as fixed by the Forest Department at the time of sanction along with escalation if any for the forest land to be diverted of the above project in future.

The proposal in the part IV is sent herewith duly recommended by the Additional Principal Chief Conservator of Forests (FCA) / Nodal Officer, Forest (Conservation) Act, 1980. I request that the proposal may kindly be forwarded through on-line to GOI for obtaining concurrence of GOI for diversion of 0.01 ha of forest land in Valkaradu Reserved Forests of Theni Forest Division for laying 200 mm dia sewer line for 90 m length in Theni - Allinagaram Municipality in favour of Commissioner Theni - Allinagaram Municipality, Theni, early.

Encl.: As stated above.

Yours faithfully,

For Principal Chief Conservator of Forests.
(Head of Forest Force)

by
1-12-15

भारत सरकार

GOVERNMENT OF INDIA

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय

MINISTRY OF ENVIRONMENT, FORESTS & CLIMATE CHANGE

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(17)



F.No. 4-TNC005/2015-CHN/651

Dated: 10.07.2015

The Principal Secretary to Government of Tamil Nadu,
Environment & Forests (FR.10) Department, Secretariat,
Fort St. George, Chennai-600009

Subject: Diversion of 0.00816 ha or 816 Sqm of Forest land in Valkaradu Reserved Forest in Theni District for laying 200 mm Sewer line for 90 m length in favour of the Theni- Allinagaram Municipality-Reg.

Reference: The State Government of Tamil Nadu letter No. 9959/FR.10/2015-1 dated 16.06.2015

Sir,

Please refer to above cited reference wherein the State Government of Tamil Nadu forwarded the above subject proposal to Regional Office, MoEF&CC, Chennai seeking prior approval of the Central Government in accordance with Section '2' of Forest (Conservation) Act, 1980 for the project.

2. The above mentioned proposal has been scrutinized by the Regional Office, MoEF & CC, Chennai and it has noted that the proposal for diversion of forest land for non-forest activity is for underground sewerage scheme. However, in online application the project has been reported under the category of Transmission Line.

3. Considering the above facts and in relating to that I am hereby directed to inform that the above mentioned proposal has been **rejected** and User Agency may modify the proposal accordingly and fresh proposal may be submitted through online.

Yours faithfully

(Dr.K.Ganesh Kumar)

Deputy Conservator of Forests (Central)

Copy to:

1. The Principal Chief Conservator of Forests, Govt. of Tamil Nadu, Forest Department, No.1, Jeenis Road, Panagal Building, Saidapet, Chennai - 600 015.
2. The Additional PCCF O/o Principal Chief Conservator of Forests, Govt. of Tamil Nadu, Forest Department, No.1, Jeenis Road, Panagal Building, Saidapet, Chennai - 600 015.
3. The Commissioner, Theni Allinagaram Municipality, Theni District, Tamil Nadu


(Dr.K.Ganesh Kumar)

Deputy Conservator of Forests (Central)

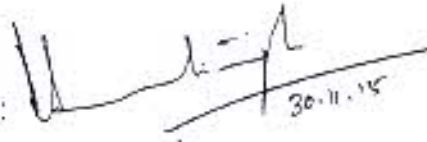
PART - IV

(To be filled 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.

(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.

Signature: 

Name and Designation

(Official Seal)

Date: 30.11.15

Place: Chennai-15