

TAMILNADU FOREST DEPARTMENT

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

To
The Additional Chief Secretary to Government,
Environment Climate Change and Forests
Department, Secretariat,
Chennai 9.

Madam,

C. No. TS4/ 27103/2021, Dated: 09.02.2022

Sub: Forests - Forest (Conservation) Act, 1980 – Dindigul Circle / Karur Division - Proposal for diversion of forest land of 0.1254 Ha in Rajendram Reserved Forest for providing Combined Water Supply Scheme to 8 Town Panchayats, 2452 Rural Habitations in 11 Unions with bulk provision to 3 Municipalities in Sivaganga District – Online proposal submission by the User Agency ie. TWAD Board Project Division, Kulithalai - Regarding.

Ref: 1. Online application uploaded by the User Agency – The Executive Engineer, TWAD Board, Kulithalai dt. 14.07.2021.
(FP/TN/Water/144597/2021)
2. Part-II recommendation and field inspection report by the District Forest Officer, Karur and Part-III recommendation and field inspection report by the Chief Conservator of Forests, Dindigul uploaded on 26.01.2022.
3. District Forest Officer, Karur Ref.No:1042/2021/D1 dated 25.01.2022
4. Chief Conservator of Forests, Dindigul Ref.No:7813/2018 D1 dated 26.01.2022.

I wish to state that the User Agency, The Executive Engineer, TWAD Board Project Division, Kulithalai has furnished online application under Section 2 of Forest (Conservation) Act, 1980 in the prescribed format of Form A – Part I for diversion of forest land of 0.1254 Ha in Rajendram Reserved Forest for providing Combined Water Supply Scheme to 8 Town Panchayats, 2452 Rural Habitations in 11 Unions with bulk provision to 3 Municipalities in Sivaganga District.

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.

The User Agency has proposed forest area diversion for a period of year (A.1.x of proposal format) is 100 years.

2) In this regard, the User Agency has uploaded the following Certificates/Undertaking Certificate along with the online proposal of Form A – Part I.

1. Signed copy of Form-A
2. KML files of Google earth for the location of Proposed foot bridge and MV panel lying in forest area near Thaneerpalli, Maruthur Arch and Rajendram(N) village for Collector well-I, II and III respectively.
3. Plans showing the geo-graphic co-ordinates of the Forest land proposed for diversion for Collector well-I, II and III and foot bridges..
4. Survey of India topo - sheet indicating boundary of forest land proposed to be diverted.
5. Justification for locating the project in Forest land, stating that the 2Nos of collector wells are located in Rajendram (N) Reserved Forest and 1No. is located in Marudhur North Reserved Forest in Karur Forest Division, Karur District. The foot bridges are very essential to lay the water carrying pipe from collector well to the collection sump and MV Panel rooms are required to get EB power supply to the motars. This project is essential for providing Combined Water Supply Scheme to 8 Town Panchayats, 2452 Rural Habitations in 11 Unions with bulk provision to 3 Municipalities in Sivaganga District
6. Certificate obtained from the District Collector, Karur District about settlement of Scheduled Tribes under Forest Rights Act 2006 in the prescribed format in Form-II, for other than Linear projects in File. No: 3924/2020/B1 dated 26.08.2021.
7. Form A
8. Area requirement details of the project.
9. Certificate from the project proponent that there is no catchment area treatment plant in the approved plan
10. Certificate from the project proponent that not violated any provisions of Forest Conservation Act 1980 in seeking the minimum forest land required.
11. Certificate from the project proponent that this is only possible as there is no alternative feasible area available except this.
12. Undertaking to bear the cost of Compensatory afforestation / Penal Compensatory Afforestation / Maintenance of plantation / Protection of Plantation if any for the proposed diversion of forest land as fixed by the

Forest Department

13. Undertaking for the payment of Net Present Value of the forest land proposed for diversion if any as per the value fixed by the Honorable Supreme Court of India.
 14. Certificate from the project proponent to bear the cost of felling of trees and transportation cost of the trees to be removed if any available in the alignment path in the forest area proposed for diversion as fixed by the Forest Department.
 15. Undertaking for the payment of Additional Net Present Value of the forest land which will be fixed as per the guidelines of Hon'ble Supreme Court of India as demanded by the Forest Department
 16. Undertaking to bear the cost along with any escalation for exploitation of trees if any available in the alignment path, for the proposed diversion of the forest land as fixed by the Forest Department
 17. 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.
 18. Certificates from the project proponent that the forest land proposed for this project is barest minimum.
 19. Certificate obtained from the District Collector, Karur regarding no alternative non-forest land is available for providing Combined Water Supply Scheme to 8 Town Panchayats, 2452 Rural Habitations in 11 Unions with bulk provision to 3 Municipalities in Sivaganga District to an area of 0.1254ha.
- 3) In the reference 2nd cited the District Forest Officer, Karur has uploaded the Form A Part II with the field inspection notes dated: 25.01.2022 of the proposed site for the diversion of providing Combined Water Supply Scheme to 8 Town Panchayats, 2452 Rural Habitations in 11 Unions with bulk provision to 3 Municipalities in Sivaganga District. The details uploaded in Part-II of Form A by the District Forest Officer are as follows.

The density of the vegetation in the proposed forest land is "zero" and type is Eco – class 4 and no tree felling is involved in the project. There is no rare/endangered/unique species of flora and fauna found in the project area. The District Forest Officer has not provided Compensatory Afforestation scheme for this project as the area involved is less than one ha and no tree felling involved. In the site inspection report, the District Forest Officer has furnished the following details.

- a) The proposed area for construction of Foot bridges for laying pipeline in a linear stretch of Reserved Forest land to a length of 336.90 meter and width of 3.50 meter ($336.90\text{m} \times 3.50\text{m} = 0.1179\text{ Ha.}$) in Rajendram Reserved Forest. The proposed area for construction of 3 nos of M.V. Panel rooms is a polygon stretch of Reserved Forest land to a length of 5.00 meter and width of 5.00 meter ($3\text{Nos} \times 5\text{m} \times 5\text{m} = 0.0075\text{ Ha.}$) in Rajendram Reserved Forest. Hence the total proposed area is 0.1254 Ha in Rajendram Reserved Forest.
- b) The area proposed for diversion by the user agency is very minimum and there is no alternative land for the proposed project except the forest land.
- c) The user agency has not started any work in the proposed site inside the Rajendram Reserved Forest. Therefore the question of violation of provision in Forest Conservation Act, 1980 for this proposal does not arise.
- d) There is no rare/ endangered/ unique species of flora and fauna in the Rajendram Reserved Forest. There is no plantation present in the proposed site. Only ground bushes are present.
- e) There is no protected archaeological/ heritage site/ defence establishment and there are no monument in the above project site.

In the recommendation the District Forest Officer has stated that,

(i) The user agency has submitted necessary undertaking on Compensatory Afforestation expenditure, Net Present Value, Additional Net Present Value and Annual Lease Rent.

(ii) This diversion is proposed for a project which may reduce the water scarcity in 8 Town Panchayats, 2452 Rural Habitations in 11 Panchayat Unions with bulk provision to 3 Municipalities in Sivagangai District. Diversion of the particular stretch may not cause much disturbance to wildlife and will not adversely affect eco system.

(iii) Taking into consideration of the facts stated above, the District Forest Officer has recommended for diversion of 0.1254 Ha. forest land in Rajendram Reserved Forest.

4) The Chief Conservator of Forests, Dindigul has uploaded Part III of Form A. In Part III, the Chief Conservator of Forests has stated that he agrees with the information given in Part II of Form A and recommendation of the District Forest Officer. The Chief Conservator of Forests has inspected the area on 25.01.2022 and recommended the above project by stating that this diversion is proposed for a project which will reduce the water scarcity in 8 Town Panchayats, 2452 Rural Habitations in 11 Panchayat Unions with bulk provision to 3 Municipalities in Sivagangai District. Diversion of the particular stretch may not cause much disturbance to wildlife and will not adversely affect eco system. Taking into consideration of the facts stated above, he has recommended the project for diversion of 0.1254 Ha. forest land in Rajendram Reserved Forest.

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

The proposal for diversion of forest land of 0.1254 Ha in Rajendram Reserved Forest for providing Combined Water Supply Scheme to 8 Town Panchayats, 2452 Rural Habitations in 11 Unions with bulk provision to 3 Municipalities in Sivaganga District is recommended subject to the following conditions.

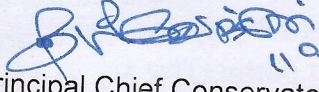
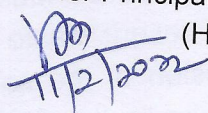
1. The legal status of the land shall remain unchanged and shall remain as Reserved Forests.
2. The demarcation of the proposed forest area shall be carried out by erecting 4 feet height cement concrete pillars duly numbered at an interval of 20 mts at the cost of User Agency.
3. The User Agency shall 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 No. 566 with related IAs in Writ Petition (Civil) No.202/1995.
4. The User Agency shall pay the NPV amount by generating challan from the Ministry's online web portal. UTR No and date should be furnished.
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 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.

7. The layout plan of the proposal shall not be changed without prior approval of the Government.
8. No labour camp shall be established on the forest land.
9. No additional (or) new path will be constructed inside the forest area for transportation of construction materials for execution of project work.
10. The forest land shall not be used for any other purpose other than that specified in the proposal.
11. 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.
12. Violation of any of these conditions will amount to violation of (Forest (Conservation) Act, 1980) and action will be taken as per Ministry of Environment, Forests and Climate Change guidelines F.No. 11-42/2017-FC, dt. 29.01.2018.
13. The District Forest Officer may impose any other condition in the interest of conservation /protection land development of forests.
14. The compliance report shall be uploaded on e-portal (<http://parivesh.nic.in>)

The proposal is sent herewith duly recommended by the Additional Principal Chief Conservator of Forests (Forest (Conservation) Act) /Nodal Officer, Forest (Conservation) Act, 1980 of the State of Tamil Nadu in Form A – Part IV. I request that the proposal may kindly be considered and necessary approval may be granted under General approval under the chapter 4.3 of FCA guidelines for diversion of forest land of 0.1254 Ha in Rajendram Reserved Forest for providing Combined Water Supply Scheme to 8 Town Panchayats, 2452 Rural Habitations in 11 Unions with bulk provision to 3 Municipalities in Sivaganga District for a period of twenty years.

Encl.: As stated above.

Yours faithfully,


for Principal Chief Conservator of Forests
(Head of Department)


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: Forests - Forest (Conservation) Act, 1980 – ^{Dindigul}~~Trichy~~ Circle / Karur Division - Proposal for diversion of forest land of 0.1254 Ha for providing Combined Water Supply Scheme to 8 Town Panchayats, 2452 Rural Habitations in 11 Unions with bulk provision to 3 Municipalities in Sivaganga District – Online proposal submission by the User Agency ie. TWAD Board, Kulithalai

Proposal No: (FP/TN/Water/144597/2021).

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: 9.2.2022

Place: CHENNAI

Signature: *Dr. V. NAGANATHAN*

Name: DR. V. NAGANATHAN

Official Seal:

Additional Principal Chief Conservator of Forests
(Forest Conservation Act)/Nodal Officer