

TAMILNADU FOREST DEPARTMENT

From
Dr. H. Basavaraju, IFS.,
Principal Chief Conservator of Forests,
(Head of Department),
Panagal Maaligai, Saidapet,
Chennai - 600 015.

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

C.No.TS4/ 20156/2016, Dated: 15.05.2017.

Sir,

Sub: Forests – Forest (Conservation) Act, 1980 – Trichy Circle – Trichy Forest Division – Proposal for combined water supply scheme (CWSS) to 293 Habitations in Musiri Thathayangarpettai, Thuraiyur and Uppiliyapuram Union in Trichy district for diversion of 0.17 ha of forest land in Ayyampalayam Reserved Forest (Foot Bridge – 700 m²+ control room – 1000m²) in Trichy Forest Division – Online proposal /submission by the User Agency ie. TWAD Board, Urban Division, Trichy – under Section 2 of Forest (Conservation) Act, 1980– Regarding.

- Ref: 1. Online application uploaded by the User Agency, Tamil Nadu Water Supply and Drainage Board, Trichy (FP/TN/WATER/18488/2016), dated: 16.06.2016..
2. District Forest Officer, Trichy Division, C.No. 4530/2016/D, dated: 01.11.2016 with Part II of Form A proposal.
3. Conservator of Forests, Trichy C.No. 8905/2016/D, dated: 21.11.2016 with Part III of Form A proposal.

I wish to state that the User Agency (TWAD Board, Trichy) has furnished online application under Section 2 of Forest (Conservation) Act, 1980 in the prescribed format of Form A – Part I for diversion of 0.17 ha of forest land Ayyampalayam Reserved Forest in Trichy Forest Division for combined Water supply Scheme (CWSS) to 293 Habitations in Musiri Thathayangarpettai, Thuraiyur and Uppiliyapuram Union in Trichy District. The source for the scheme is a collector well located at River Cauvery near Senventhilingapuram in Musiri Taluk of Trichy District.

The proposed water main from the Collector well has to be laid over the proposed Foot Bridge is to be constructed from Collector well to Northern Bund of River Cauvery. Also it is to be constructed a control room and Transformer yard in nearby river bank.

In this regard, the proposal was submitted by the User Agency to the Managing Director/TAFCORN for getting permission for the above said works under the scheme. The Managing Director, TAFCORN, Trichy letter No. 1/4140/2015, dated: 05.12.2015 (Copy enclosed) requested the TWAD Board to remit a sum of Rs. 35,000/- as a revenue loss to TAFCORN and has given consent and No objection for handing over the land to TWAD Board.

Then the User Agency has uploaded the proposal in the prescribed format of Form A – Part I under section 2 of Forest (Conservation) Act, 1980 for diversion of fresh forest area in the online submission and monitoring of Forest Clearance proposal (OSMECP) portal vide reference 1st cited.

In this regard, it is submitted that the User Agency has upload the following Certificates/Undertaking Certificate along with the online proposal of Form A – Part I.

1. The demand for forest land for the project is minimum.
2. No alternative suitable non-forest land is available for the project.
3. Certificate regarding, TWAD Board is willing to pay the NPV as fixed by the Forest Department.
4. Certificate regarding, TWAD Board is committed to pay the lease amount as fixed by the Forest Department.
5. Certificate regarding, felling of all the trees is essential for implementing the project.
6. Certificate regarding, TWAD Board is ready to pay the cost as 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. Certificate regarding the cost of Compensatory Afforestation plantation estimated and insisted by the Forest Department will be paid by the TWAD Board.
8. Certificate regarding the funds for afforestation, Compensation are available with the TWAD Board and will be deposited as and when required by the Tamil Nadu Forest Department.
9. Certificate regarding no violation of the provisions of the Forest (Conservation) Act, 1980 has occurred and all relevant conditions with respect to diversion of forest land for non-forest uses have been compiled by TWAD Board.

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10. Certificate obtained from the District Collector, Trichy District about no alternate suitable non-forest land is available for the project.
11. Certificate obtained from the District Collector, Trichy District about settlement of Tribes under Forest Rights Act 2006 in the prescribed format.

Further the User Agency has reported in the justification report that the location of the foot bridge in the forest area since no other alternate alignment is available for taking the water main. Also, the collector well, the source of water supply is located in River Cauvery at the said location is approved by the Regional Scientific source finding Committee (RSSFC).

These areas do not have sustainable ground water potential. The water served from the existing power pump and hand pump schemes in these rural areas are not sufficient to cater the full demand of the people. At present, due to sufficient monsoon yield from the open wells have reduced. The power pump and hand pump water supply schemes are giving less quantity of water in most of habitations of this area.

In order to provide a better level of water supply to the areas the combined water supply scheme is designed for the base year 2016 and the intermediate and ultimate stage years are 2026 and 2036. The detailed project report has been administratively sanctioned for Rs.140.22 crore to install and Rs.2.36 crore for annual maintenance in G.O. Ms.No. 58/MAWS (WS4)/Dept/ Dt:23.03.2015.

The source for the water supply scheme is located in River Cauvery at Seventhalingapuram. Sufficient yield is identified only at this location. The proposal alignment for construction of Foot Bridge and control room for taking the pipeline from Collector well to the rural area sump passes through Ayyampalayam Reserved Forests an area of 1700 sqm of forest land in SF.No. 331/1 of Seventhilingapuram village in Trichy District required for the above works.

The details of SF.No and Reserved Forests land are as follow.

SF.No.	Length and Width	Area in M ²
331/1	70m length – 10m width (Foot Bridge)	700
	40m length – 25m width (Control room)	1000

In the reference 2nd cited the District Forest Officer, Trichy has upload the online proposal of Form A Part II with the field inspection notes dated: 01.11.2016 and stated that the District Forest Officer has inspected the area on 01.11.2016 along with members of User Agency. This project site is located in Ayyampalayam Reserved Forest over an area of 38.32 ha which is leased out to Tamil Nadu Forest Plantation Corporation (TAFCON), Tiruchirapalli for raising Eucalyptus plantation. This proposal is for providing drinking water facilities to the local public and it is very essential in the sense of larger public interest. Hence the District Forest Officer has recommended this proposal.

In the reference 3rd cited, the Conservator of Forests, Trichy Circle has Upload the online proposal of Form-A Part III with the field inspection notes and stated that the Conservator of Forests has inspected the proposed project area on 18.11.2016, which lies in Ayyampalayam Reserved Forest for diversion of 0.17 ha forest land with District Forest Officer, Trichy and User Agency officials. It is a Cauvery river Padugai land situated near by inside the Cauvery river right side river bank, which was leased out to TAFCON Trichy in this Reserved Forest TAFCON had raised Eucalyptus plantation 4 years back. There is no spontaneous growth and no fauna is available.

For diversion of forest land involved only 0.17 ha It is a very meagre land involved for which TAFCON have given concurrence for the diversion of forest land. There is no alternate alignment forest land is required for the construction of foot bridge from the collector well to Cauvery river bund.

This proposal involves providing Cauvery Drinking water supply for Combined Water Supply Scheme (CWSS) to 293 Habitations in Musiri

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Thathayangarpettai, Thuraiyur and Uppiliyapuram Union in Trichy District by TWAD Board for which Government has accorded administrative sanction.

Hence the Conservator of Forests, Trichy has recommended this proposal for diversion of 0.17 ha to TWAD Board for the above purpose which involves no damage to the existing flora.

In this regard, it is submitted that the User Agency has upload all the certificates /undertaking certificates as required in this proposal. The proposed Ayyampalayam Reserved Forests land was leased out to TAFCON Trichy. In this Ayyampalayam Reserved Forest TAFCON had laid Eucalyptus plantation during 2006 over an extent of 38.32 ha. The Administrative Director of TAFCON, Trichy has given No Objection Certificate for implementation of the above water supply scheme subject to condition that an amount of Rs.35,000/- may be recovered from the User Agency for diversion of 0.17 ha of forest land towards the compensation amount for raising cost of Eucalyptus plantations already raised during 2006.

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

The area proposed for diversion of 0.17 ha of forest land in Ayyampalayam Reserved Forest in Trichy Division 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. Felling of trees of spontaneous origin shall not be carried out. User Agency shall furnish an undertaking to this effect.
3. 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.
4. 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.

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 fund from the User Agency forwards Compensatory Afforestation and NPV under this project shall be deposited either in SB A/C No.1025227-CAF, TamilNadu, Corporation Bank, CGO Complex, Lodhi Road, New Delhi 110 003 (RTGS/IFSC No. CORP 0000371) in SB Account No. 344902010105433 - Tamilnadu CAMPA, Union Bank of India, Sundar Nagar, New Delhi - 110 003(RTGS/IFSC No.UBI No.534498) The details of deposition of funds including inter-alia the DD Nos. and date, amount, the Bank on which drawn and the date of deposition in the designated Bank shall also be furnished. The User Agency shall generate chalan from the Ministry's Online web portal to deposit the amount towards Compensatory levies.
7. 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.
8. The forest land shall not be used for any other purpose other than that specified in the proposal.
9. 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.
10. The User Agency / TWAD Board, Trichy should issue constructive order on free supply of water to the Forest Department buildings in the locality near by the project area.
11. The District Forest Officer may impose any other condition in the interest of conservation /protection land development of forests.

According to the Government of India guidelines issued in Government of India F.No.11-9/98-FC dated 13.02.2014, "drinking water projects" have been identified. Under general approval under Forest (Conservation) Act 1980 and the state Government may grant permission under Forest (Conservation) Act 1980. Hence this proposal is forwarded to the

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Government for granting permission under Forest (Conservation) Act 1980 general approval.

I request that approval may kindly be accorded for diversion of 0.17 ha of forest land for twenty years (20 years) to provide Cauvery drinking water supply Proposal for Combined Water Supply Scheme (CWSS) to 293 Habitations in Musiri Thathayangarpettai, Thuraiyur and Uppiliyapuram Union in Trichy District through Ayyampalayam Reserved Forest in Trichy District, Trichy Division, Trichy Circle to TWAD Board, Trichy early.

Encl.: As stated above.

Yours faithfully,
Sd/-H. Basavaraju
Principal Chief Conservator of Forests
(Head of Department-FAC)

Copy to the Conservator of Forests, Trichy Circle, Trichy.
Copy to the District Forest Officer, Trichy Division, Trichy.
Copy to the Executive Engineer, No.21, II nd main road,
Pon Nagar, Trichy 620023.

/True copy/By order/

(Poe)
[Signature] 22/5/15
Senior Draughting Officer

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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 comments made by concerned Conservator of Forests or Deputy Conservator of Forests , should be categorically reviewed and critically commented upon)

(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)

The proposal is for diversion of 0.17 ha of Ayyampalayam RF leased out to TAFORN where Eucalyptus trees are planted without any spontaneous growth of trees. Since the land is required for drinking water supply and is for general public interest & for small extent of area, the proposal is recommended

Signature:

Name:

P. C. Tyagi

Official Seal:

Principal Chief Conservator of Forests
(Forest Conservation Act)
Chennai - 600 015.

Date: 27/4/17

Place: Chennai

