

TAMILNADU FOREST DEPARTMENT

From
Dr. N. Krishnakumar, 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/ 20155/2016, Dated: 09.01.2017.

Sir,

Sub: Forests – Forest (Conservation) Act, 1980 –
Diversion of 0.16 ha of forest land in
Ayyampalayam Reserved Forest – Online proposal
to provide Cauvery drinking water supply
Improvement scheme to Musiri Town Panchayat of
Trichy District – In favour of TWAD Board, Urban
Division, Trichy – under Section 2 of Forest
(Conservation) Act, 1980– Regarding.

- Ref: 1. TWAD Board, Urban Division, JK Nagar, Kajamalai
Trichy Proposal sent through online dated:
20.06.2016, 19.10.2016 with Part I of Form A
proposal (FP/TN/WATER/20031/2016).
2. District Forest Officer, Trichy Division, C.No.
3633/2016/D, dated: 01.11.2016 with Part II of
Form A proposal.
3. Conservator of Forests , Trichy C.No. 8860/2016/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 0.16 ha of
forest land to provide Cauvery drinking water supply. Improvement scheme to
Musiri Town Panchayat for construction of foot bridge for taking the pipeline
from Collector well to the service Reservoirs passes through Ayyampalayam
Reserved Forest in Trichy Division, Trichy District.

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 complied by TWAD Board.
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, Musiri Town Panchayat does not have sustainable ground water potential. The water served from the existing 3 nos. of infiltration well, yield in the existing 3 nos. of infiltration well reduced considerably due to sand mining. The connecting

main below river bed level were washed away during recent floods in August 2013. Hence all the three existing infiltration wells are not in use. At present, water supply to Musiri Town Panchayat is being effected by the Town Panchayat by digging two baby wells on the river bank. Raw water with some preliminary treatment is supplied at present. The wells would dry up when the flow is reduced in the river coarse.

In order to provide a better level of water supply to the areas the water supply improvement scheme is designed for the base year 2016 and the intermediate and ultimate stage years are 2031 and 2046. The detailed project report has been administratively sanctioned for Rs.21.07 crore to install and Rs.47.80 lakhs for annual maintenance in G.O.Ms. No.27/MA&WS (WS3) Dept., dated: 10.02.2016.

The source for the water supply scheme is located in River Cauvery at Seventhalingapuram. Sufficient yield is identified only at this location. The proposed alignment for construction of Foot Bridge for taking the pipeline from Collector well to the service Reservoir passes through Ayyampalayam Reserved Forests. An area of 1600 sqm of forest land in SF.No.331/1 of Seventhalingapuram village in Trichy District requires for the above works.

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

SF.No.	Length and Width	Area in sqm.
331/1	160m length – 10 width	1600

Further the User Agency has certified that after considering all alternatives, this is the only land found to be feasible alignment for the proposed work and the required area is the minimum need for this purpose. Thus this land is absolutely essential for the proposed work.

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 17.11.2016 which lies in Ayyampalayam Reserved Forest for diversion of 0.16 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 0.16ha 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 collection well to Cauvery river bund.

This proposal involves providing Cauvery Drinking water supply improvement scheme to Musiri Town Panchayat for diversion of forest land Trichy District by TWAD Board for which Government have accorded administrative sanction for Rs.21.07 crores.

Hence the Conservator of Forests, Trichy has recommended this proposal for diversion of 0.16 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 raised 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.1,11,000/- may be recovered from the User Agency for diversion of 0.16 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 0.16 ha of forest land in Ayyampalayam Reserved Forest in Trichy Ddivision 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 User Agency shall plant and maintain two times the number of trees felled on the diverted land to maintain the green cover at the project cost, planting site for the purpose will be identified by the State Forest Department (Preferably within or in the surrounding area of the project). Only indigenous forest trees species shall be used for such plantations.
3. The project should not involve felling of more than fifty trees per hectare.
4. Felling of trees of spontaneous origin shall not be carriedout. User Agency shall furnish an undertaking to this effect.
5. 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.
6. 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.
7. 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 by charged by the State Government from the User Agency. The User Agency shall furnish an undertaking to the effect.

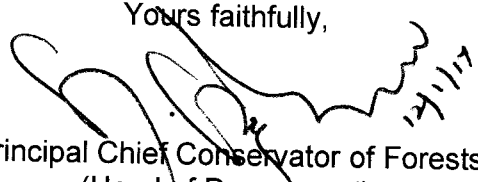
8. The fund from the User Agency forwards Compensatory Afforestation and NPV under this project shall be deposited either in SB A/C No.1025227-CAF, TamilNadu, Corporation Bank, CGO Complex, Lodhi Road, New Delhi 110 003 (RTGS/IFSC No. CORP 0000371) in SB Account No. 344902010105433 - Tamilnadu CAMPA, 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.
9. 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.
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. 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.
13. 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 Government for granting permission under Forest (Conservation) Act 1980 general approval.

I request that approval may kindly be accorded for diversion of 0.16 ha of forest land to provide Cauvery drinking water supply improvement scheme to Musiri Town Panchayat for construction of foot bridge for taking the pipeline from Collector well to the service Reservoir through Ayyampalayam Reserved Forest in Trichy District, Trichy Division, Trichy Circle to TWAD Board, Trichy early.

Encl: As stated above

Yours faithfully,


for Principal Chief Conservator of Forests
(Head of Department)


12/1/17


12/1/17

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)

Recommended.

Signature: *T.P. Raghunath*

Name: T.P. RAGHUNATH.

for
3/11

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

Date:

Place :

