

**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. TS4/29851/2021 dated. 09.07.2022**

Madam,

Sub: Forests - Forest (Conservation) Act, 1980 – SMTR, Madurai Circle / Sivaganga Division - Proposal for diversion of forest land of 0.1696 Ha for laying water pipeline under Combined Water Supply Scheme to 8 Town Panchayats, 2452 Rural Habitations, 3 Municipalities in Sivaganga District across Eriyur North Reserved Forest – Online proposal submission by the User Agency ie. TWAD Board, Karaikudi - Regarding.

- Ref: 1. Online application uploaded by the User Agency – The Executive Engineer, TWAD Board, Karaikudi dt. 07.08.2021. (FP/TN/Water/145727/2021)
2. Principal Chief Conservator of Forests ref. No: 29851/2021/TS4, dated 16.08.2021
3. Revised Online application uploaded by the User Agency on 01.10.2021
4. Acknowledgements received from the District Collector, Sivaganga, CF & F D, SMTR, Madurai & District Forest Officer, Sivaganga uploaded by the User agency on 16.11.2021.
5. Part-II uploaded by the District Forest Officer, Sivaganga on 04.03.2022 and Part-III uploaded by the Conservator of Forests & Field Director, SMTR, Madurai on 25.06.22

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I wish to state that the TWAD Board, Karaikudi has sent a proposal under Section 2 of Forest (Conservation) Act, 1980 for diversion of forest land of 0.1696 Ha for laying water pipeline under Combined Water Supply Scheme to 8 Town Panchayats, 2452 Rural Habitations, 3 Municipalities in Sivaganga District across Eriyur North Reserved Forest through online web portal in the prescribed format.



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

- i. Signed copy of Form A.
- ii. Letter of Authorisation.
- iii. GPS map of the proposed water supply pipeline through Eriyur North RF.
- iv. Survey of India topo - sheet indicating boundary of forest land proposed.
- v. Google map for the Forest land proposed for diversion in Eriyur North Reserved Forest.
- vi. Justification for locating the project in Forest land
- vii. Certificate of Settlement of rights under Scheduled Tribes and Other Traditional Forest Dwellers under Forest Rights Act 2006 in the prescribed format obtained from the District Collector, Sivagangai in Ref.No: B2-23222-2021 dated 14.09.2021.
- viii) Certificate from the District Collector, Sivagangai in Ref.No: B2-23222-2021 dated 14.09.2021 regarding no other feasibility alternate alignment for this water supply scheme.

3) In Additional information details the following documents were uploaded.

- a) Area requirement details (2120m length; 0.80m width=0.1696ha)
- b) Certificate by the user Agency that there is no CAT plan in the approved plan.
- c) Certificate given by the User Agency regarding the no violation of any provisions of Forest (Conservation) Act, 1980.
- d) Certificate by the User Agency that this is only possible route and there is no other alternative feasible route available.
- e) Under taking by the user agency 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 fixed by the Forest Department.
- f) Under taking by the user agency for the payment of Net Present Value of the forest land involved.



- g) Undertaking for the payment of cost of felling of trees and transportation cost of the trees to be removed in the forest land involved.
- h) Undertaking by the user agency for the payment of Additional Net Present Value if any demand raised by the forest department.
- i) Undertaking to pay the cost along with any escalation for exploitation of trees if any available in the alignment path any for the proposed Diversion of Forest land fixed by the Forest Department.
- j) 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.
- k) Certificate by the User Agency that the demand of forest land for the project is barest minimum.
- l) Form-A
- m) Undertaking by the user agency that no felling of trees is involved.
- n) Undertaking by the user agency regarding "in case of diversion of forest land is denied, the project shall be executed along alternate alignment and work on non-forest land shall not be cited as a reason for grant of approval of forest land under F(C) Act, 1980"

4) The District Forest Officer, Sivaganga has uploaded the Part-II of the above proposal and are detailed below.

- i) Area to be diverted for the above proposal is 0.1696ha forest land in Eriyur North Reserved Forest to a density of zero and type of forest is Eco class-4.
- ii) No spontaneous or planted tree growth is available in the proposed forest land.
- iii) The details of wildlife present in and around the forest land proposed for diversion is Black napped Hare, Spotted deer, Peacock, Monitor Lizard etc.



- iv) The proposed area does not forms part of National Park, Wildlife Sanctuary, Biosphere Reserve, Tiger Reserve, Elephant Corridor, Wildlife Migration Corridor.
- v) The proposed area is not located within Eco Sensitive Zone of the protected area notified under Wildlife (Protection) Act 1972.
- vi) The forest land proposed for diversion is not located within 1km from the boundary of National Park, Wildlife Sanctuary, Biosphere Reserve, Tiger Reserve, Elephant Corridor, and Wildlife Migration Corridor.
- vii) No rare / endangered / unique species of Flora and Fauna found in the proposed area.
- viii) No protected archeological / heritage site / defence establishment or any other important monument is located in the area.
- ix) No work in violation of the Act or guidelines issued under the act.
- x) In section 13, Details of Compensatory Afforestation, under patch wise details, no Compensatory Afforestation scheme provided as the forest area proposed for diversion is less than one ha and no tree felling involved in the project.

5) The District Forest Officer, Sivaganga has inspected the proposed project site in Eriyur North Reserved Forest on 22.12.2021 and stated that

- a) The length of the pipeline to be laid is 2120m to a width of 0.8m to a depth of 1.2m and the area proposed is 0.1696ha.
- b) The pipeline proposed to be laid is HDPE pipe of 90mm, 75mm and 63mm diameter.
- c) The pipe will be laid on the left side of the road from Eriyur to Ganesapuram and right side of the road from Ganesapuram to E.Valayapatti village and cross the road located in the Eriyur North Reserved Forest.
- d) The AEE has informed that no trees or vegetation will be felled or disturbed during the execution of the project.



e) About machinery to be used for excavation and its impact, the AEE has informed that earthmover will be used without disturbing the vegetation and the excavated earth will be dumped on the road side and not on the forest side.

f) The project is important for the welfare of people of the 8 Town Panchayats, 2452 Rural Habitations with bulk provisions to 3 Municipalities and it will be a solution to drinking water in the area.

g) It is a diversion proposed along the roadside and the AEE informed that the excavation made will be immediately closed after laying the pipes without affecting the migrating animals.

6) In his recommendation, the District Forest Officer has stated that since the work is essential for the welfare of people of the 8 Town Panchayats, 2452 Rural Habitations with bulk provisions to 3 Municipalities as it supplies drinking water to the people and the project does not involve felling of trees and other vegetation and hence it is recommended.

7) The Conservator of Forests and Field Director, Srivilliputhur Megamalai Tiger Reserve (SMTR), Madurai in his site inspection report stated that

(i).The proposed area for laying water supply pipeline under combined water supply scheme to 8 Town Panchayat, 2452 Rural Habitations and 3 Municipalities by TWAD Karaikudi in Sivagangai District to an extent of **0.1696Ha** forest land in Eriyur North Reserved Forest of Thirupathur Range in Sivagangai Division has been inspected along with District Forest Officer, Sivagangai and field staff on 09.04.2022.

(ii).The forest area requested for laying of pipeline for dedicated water supply to a length of 2120m, width of 0.80m and a depth of 1.20m is along the left side of the road from Eriyur to Ganesapuram and right side of the road from Ganesapuram to E.Valayapatti village and cross the road located in the Eriyur North Reserved Forest in Sivagangai Forest Division.

(iii).The alignment is along the berm area of the road which involves no felling of trees or causes any disturbance to the vegetation.



(iv). The proposed area doesn't fall under any Eco Sensitive Zone, Wildlife Sanctuary, National Park and Tiger Reserve.

(v). There is no tree felling required for carrying out this proposal

8) In the recommendation, the Conservator of Forests and Field Director, Srivilliputhur Megamalai Tiger Reserve (SMTR), Madurai has stated that

(i) There is no trees to be felled or vegetation disturbed, since the excavated earth for lying pipe line will be dumped on the road side and not on the forest side and after laying of pipe line the trench will be refilled with the same excavated earth.

(ii) There is no tree felling required for carrying out this proposal and the pipe line will be laid along the berm of the existing road.

(iii) The proposed forest area doesn't fall in any of the Eco Sensitive Zone, Wildlife Sanctuary, National park, Heritage Site and Tiger Reserve.

(iv) In Part-III, the Conservator of Forest & Field Director has recommended the proposal as it provides protected drinking water facilities to public.

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

10) The forest area required for laying of Underground water supply pipeline project is 0.1696Ha only (i.e) less than 1ha and involves no felling of trees and not falling in National Park and Wildlife Sanctuary. Hence I request that this project proposal may be considered by the State Govt. under Chapter 4.2 of Hand book of Forest Conservation Act 1980 and Forest Conservation Rules 2003.

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



12) The area proposed for diversion of 0.1696ha of forest land for laying water pipeline under Combined Water Supply Scheme to 8 Town Panchayats, 2452 Rural Habitations, 3 Municipalities in Sivaganga District across Eriyur North Reserved Forest is recommended and forwarded to the Government of Tamilnadu for approval under General approval Category subject to the following conditions.

- i) The legal status of the land shall remain unchanged and shall remain as Reserved Forests.
- ii) 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.
- iii) 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.
- iv) The fund from the User Agency towards NPV under this project shall be deposited by generating chalan from the Ministry's online web portal. UTR No and date should be furnished.
- v) 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.
- vi) The layout plan of the proposal shall not be changed without prior approval of Government.
- vii) The pipeline shall be laid down 1.5m below the ground and after laying down of pipeline, the ground will be levelled.
- 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 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 Compliance Report shall be uploaded on e-portal.

I request that necessary approval for diversion of 0.1696ha of forest land in Eriyur North Reserved Forest of Sivaganga Forest Division for laying water pipeline under Combined Water Supply Scheme to 8 Town Panchayats, 2452 Rural Habitations, 3 Municipalities in Sivaganga District may be accorded under Forest (Conservation) Act, 1980 in favour of AEE, TWAD Board, Project Sub Division, Karaikudi for a period of 20 years.

Encl.: Proposal

Yours faithfully

  
18/07/2022  
for Principal Chief Conservator of Forest  
(Head of Forest Force)  
18/07/2022



#### PART IV

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

**Name of Work:** Forests - Forest (Conservation) Act, 1980 –SMTR, Madurai Circle / Sivaganga Division - Proposal for diversion of forest land of 0.1696 Ha for laying water pipeline under Combined Water Supply Scheme to 8 Town Panchayats, 2452 Rural Habitations, 3 Municipalities in Sivaganga District across Eriyur North Reserved Forest – Online proposal submission by the User Agency ie. TWAD Board, Karaikudi

Proposal No: FP/TN/Water/145727/2021

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).

Date 06.06.2022  
Place: Chennai

Forests

Signature:

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

Recommended  
V. Karuna Priya  
6/6/22

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2/4