

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 / 28635/ 2015, Dated: 24.02.2016

Sir,

Sub: Forests - Forest (Conservation) Act, 1980 – Dindigul Circle / Dindigul Forest Division - Proposal for diversion of 0.0573 ha of forest land for providing water supply improvement scheme to Theni – Allinagaram Municipality in Theni District- On line proposal submission by the User Agency ie., Commissioner, Theni Allinagaram Municipality, Theni- Government Sanction requested - Regarding.

Ref: 1. Online application uploaded by the User Agency – The Commissioner, Theni Allinagaram Municipality, Theni (FP/TN/WATER/14881/2015).
2. District Forest Officer, Theni Division, Theni Ref.No.8275/2015 D1, Dated 23.10.2015.
3. Conservator of Forests, Madurai Circle, Madurai Endt.No.12481/2015 D1 / Dt.09.11.2015.

The Commissioner, Theni Allinagaram Municipality, Theni has furnished online application under Section 2 of Forest (Conservation) Act, 1980 for diversion of 0.0573 ha of forest land for providing water supply improvement scheme to Theni – Allinagaram Municipality in Theni 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 (A.1.x of proposal format) 30 years

The User Agency has furnished the following details / undertakings along with the proposal.

- 1) Form-A, Part-1 for seeking prior approval under Section 2 of the Forest (Conservation) Act, 1980. (New online form)
- 2) Short narrative of the proposal for which the forest land is required as detailed below (As required vide A-1 (iii) of proposal format).

The Government of Tamilnadu has decided for providing water supply improvement scheme to Theni- Allinagaram municipality in Theni District a detailed

project report has been prepared and sanctioned vide GO.(MS) No.12 of MA& WS (WS2) department dated 28.01.2013

- 3) Location map of the proposed diversion of forest area for formation of road in kml file of Google earth up-loaded (Section C of Maps-C.ii-b)
- 4) Copy of Survey of India Toposheet indicating boundary of forest land proposed to be diverted is uploaded (Section C of Maps-C.iii-b)
- 4) Geo referenced location map of the proposed diversion of forest area for providing water supply distribution pipeline marked in the Google earth up-loaded (Section C of Maps-C.iv-b)

5. Justification for locating the project in Forest area:

The Commissioner, Theni- Allinagaram Municipality , Theni has stated that the work providing Water Supply improvement scheme to Theni- Allinagaam Municipality in Theni district is in progress, in which the pumping main of 600 mm dia DI K7 pipes and water supply distribution pipeline 110mm HDPE has to be laid for a length of 382 metre in forest land along the edge of the forest boundary which falls on the western side of forest stretch in the location namely "Valkaradu" area for laying of water supply pipe line to be laid in Municipal areas located adjacent to the forest boundary.

Further he has stated that this stretch of forest land is seemed to be existing track being utilized by the peoples for their vehicular traffic and other public utilities. While starting these works as these areas, they came to know that this stretch of land falls in forest land which is the extreme end of forest boundary. Moreover they have **no other alternate route except this alignment** for completing this water supply system. Further he assured that, Theni- Allinagaram Municipality will not claim any ownership in the future and the laying of water supply pumping main and distribution main does not disturb any trees and herbs in that area. Further he has stated that the work is now executed by the Tamilnadu Water Supply and Drainage Board. After completion of work the scheme will be taken over by Theni- Allinagaram Municipality for further maintenance.

Hence, The Commissioner Ttheni- Allinagaram Municipality has requested necessary permission for doing the above work in the forest area.

6. The User Agency has furnished the following undertakings/ certificates

(i) The User Agency department is agreed to deposit the cost of Compensatory Afforestation as fixed by the Forest Department. It is also assured that the above funds will be deposited with the Forest Department, which will be implementing the Compensatory Afforestation Scheme and also give willingness to deposit such additional amounts if any suggested as amended to the above owning to the charge in planning technique, enhancement in the FSR etc., demanded subsequently.

(ii) Theni – Allinagaram Municipality is agreeing to remit the necessary amount to Forest Department towards annual lease Rent which will be fixed by the Government annually.

(iii) The User Agency Department is ready to bear the cost along with any escalation for exploitation of trees if any in the forest land to be diverted for the project proposal for diversion of 0.0573 ha of Forest land for providing Water Supply

Improvement Scheme and cost of Compensatory afforestation as fixed by the Forest Department.

(iv) The User Agency department is agreeing to pay the net present value as fixed by the forest department for the area 0.0573 ha of land to be diverted for the above project.

(v) No alternate forest land available certificate issued by the District Collector of Theni dated on 20.07.2015 has been uploaded in the proposal.

(vi) Forest Rights Act, 2006 Certificate issued by the District Collector of Theni dated on 20.07.2015 has been uploaded in the proposal.

(vii) Undertaking to bear the additional Net Present Value which will be fixed as per the guidelines of Hon'ble Supreme Court of India as fixed by Forest Department in future.

(viii) Certificate to effect that no violation of the provision of Forest (Conservation) Act, 1980 occurred has been furnished.

7. The user agency has stated that the Project is benefiting the entire population of Theni – Allinagaram Municipality. Base year 2014 is 99,414 numbers benefited.

8. The User Agency has certified that an area of 0.0573 ha of forest reserve land in Valkaradu RF required for laying of clear water pumping main and Distribution main in Valkaradu Forest Block in Theni Range of Theni Forest Division is 573 m² which is very **minimum**.

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

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

11. The District Forest Officer, Theni Division has reported that the proposed site has been inspected by him on 23.10.2015 and the proposals have been uploaded in the Forest Clearance web portal. The District Forest Officer, Theni Division has recommended the proposal in the Part II format proposal.

The DFO Theni has stated in his site inspection report as follows

The linear area has no trees proposed for the maintenance of already laid water supply pipeline in Valkaradu Reserved Forests in Theni. The area is located in gently undulating terrain. The area falls under the Vaigai catchment.

The linear area proposed for the maintenance of water supply pipe line is 0.0573 ha (572m²) and in the length of 382 metre, average width of 1.50 metre and average depth of 2.10 metre in area and is located right on the boundary of existing road connects KRR Nagar to Periyakulam Bye pass road in Valkaradu Reserved Forests

There is no spontaneous tree growth in the proposed forest area. There is no endangered species of flora and fauna found in the proposed area. The proposed area for diversion does not have any important monuments which are archaeological / heritage site / defence establishment etc.,

In the proposed area, the user agency has not carried out any work, which contravenes the Forest Conservation Act 1980. Since there is no alternate route for

water supply pipeline, Water supply is very much essential to public, on this ground diversion of 0.0573 ha Forest land is recommended.

12. The Conservator of Forests, Madurai Circle has recommended the proposal in the Part III format proposal and uploaded the same along with his site inspection report. He has stated that the site proposed for providing water supply improvement scheme to Theni-Allinagaram Municipality in Valkaradu Reserved Forests with District Forest Officer, Theni on 14.11.2015 and again 10.02.2016. The linear area proposed for water supply improvement is located right on the boundary of existing road connects KRR Nagar to Periakulam Bypass Road in Valkaradu Reserved Forests.

The area for which proposed is bare Minimum & absolutely essential. Hence the Conservator of Forests recommended the proposal.

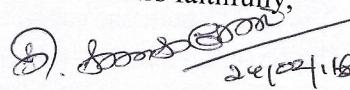
13. The proposal is sent herewith duly recommended in the Part IV format proposal by the Additional Principal Chief Conservator of Forests (FCA) / Nodal Officer, Forest (Conservation) Act, 1980. The area proposed for diversion of 0.0573 ha of Forest land in Valkaradu in Theni Forest Division is recommended and forwarded to the Government of Tamilnadu for approval.

According to the GOI guidelines issued in GOI F.NO.11-9/98-FC dt.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 0.0573 ha of forest land for laying of water supply pumping main and distribution main in Valkaradu Reserved Forests of Theni Allinagaram Municipality on behalf of the Commissioner, Theni Allinagaram Municipality, Theni early.

Yours faithfully,

Encl: As stated above.


for Principal Chief Conservator of Forests,
(Head of Department)

24/2/16 
24/2/16

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 of 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: *[Signature]*

Name and Designation T.P. Raghunath.

(Official Seal) *Additional Principal Chief Conservator of Forests (Forest Conservation Act) Chennai-000015*

Date : 24/2/16

Place: Chennai



