

By online / Email.

TAMILNADU FOREST DEPARTMENT

From

To

Thiru Ashok Upreti, I.F.S.,
Principal Chief Conservator of Forests,
(Head of Department)
Panagal Maaligai, Saidapet,
Chennai - 15.

The Principal Secretary to Government,
Environment, Climate Change and
Forests Department,
Secretariat,
Chennai 9.

C. No. TS3/32724/2020 Dated: 24.08.2021.

Madam,

Sub: Forest (Conservation) Act, 1980 – Villupuram Circle / Cuddalore Forest Division - Proposal for diversion of 0.02816 ha of forest land in Thiruthuraiyur RF along the admitted right of way road for Combined Water Supply Scheme to 17 habitations in 5 village panchayats of Panruti union and 18 habitations in 4 village panchayats of Annagramam union in Cuddalore District in favour of Executive Engineer, TWAD Board, RWS Division, Cuddalore - regarding.

- Ref: 1. Online application uploaded by the User Agency - TWAD Board – represented by Executive Engineer, RWS Division, Cuddalore -- Proposal No. FP/TN/Water/48754/2020
2. Principal Chief Conservator of Forests Ref. No. TS3/32724/2020, dated 09.07.2021
3. Part-II of Form-A uploaded by the District Forest Officer, Cuddalore Division on 28.07.2021
4. Part-III of Form-A uploaded by the Conservator of Forests, Villupuram Circle on 04.08.2021

I wish to state that the Executive Engineer, TWAD Board, RWS Division, Cuddalore has uploaded online application under Section 2 of Forest (Conservation) Act, 1980 for diversion of 0.02816 ha of forest land in Thiruthuraiyur RF of Cuddalore Forest Division along the admitted right of way road for Combined Water Supply Scheme to 17 habitations in 5 village panchayats of Panruti union and 18 habitations in 4 village panchayats of Annagramam union in Cuddalore District under proposal No. FP/TN/Water/48754/2020.

ii) After obtaining proposal copy from the user agency, the proposal was forwarded to the District Forest Officer, Cuddalore Forest Division for taking appropriate action under Forest (Conservation) Act, 1980 guidelines vide Principal Chief Conservator of Forests reference 2nd cited above.

2. i) 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.

ii) In the short narrative of the proposal for which forest land is required, the User Agency has stated that forest land is required to provide drinking water supply for 17 habitations in 5 village Panchayats (Natham, Sirugramam, Kudumiyankuppam, Kollappakkam and Veeraperumalnallur) of Panruti union and 18 habitations in 4 village Panchayats (Enathimangalam, Karumbur, Oraiur and Korathi villages) of Annagramam union in Cuddalore District.

iii) Diversion of 0.028 ha of forest has been requested in Cuddalore Forest Division area in Cuddalore District. Name of the village reported as Oraiur.

iv) Location map of the forest land proposed to be diverted in kml file of google earth, Scanned copy of Survey of India topo sheet indicating the boundary of forest land proposed to be diverted, Scanned copy of Geo referenced location details and DGPS co-ordinates of the proposed alignment path have been furnished.

v) The user agency has reported that the forest land requested for laying of 200mm DI pipe across forest of Oraiur-Karumbur road edge of the State Highways road about 352m (0.80m breadth and 1.20m depth) of Cuddalore Division for providing combined water supply scheme.

Forest area reported as Oraiur, 200 mm dia DI pile to a length of 352m and width of trench proposed is for 0.80m and depth of trench proposed is for 1.20m

vi) The User Agency has stated that this project does not involve displacement of people due to the project and not requires clearance under the Environment (Protection) Act, 1986 and the project or part thereof is not located in any protected area or their Eco sensitive zone.

vii) The User Agency has furnished the certificate issued by the District Collector, Cuddalore District about completion of process for settlement of rights under Forest Rights Act, 2006 on the forest land proposed for diversion.

viii) The user agency has furnished following certificates/ undertakings/ details under additional Information details section.

a) An undertaking on applicability of project under general approval empowered to State Government in Govt of India letter No. 11.09/98-FC, dated 16.10.2000.

b) Lay out plan for the forest area involved

- 352m of length involved for the proposed drinking water pipe line to be laid at the edge of the State Highways Road in the Karumbur-Oraiur village, Annagramam union.

- Laying of DI pipe size of 200mm proposed in the trench width of 0.80m at a depth of 1.20m.

- Area involved is 352m-(length) and 0.80m (width) 281 sq.m or 0.02816 ha

c) Area requirement statement

- Name of the forest area reported as Oraiur

- Trench size reported as 352m(length) x 0.80m (width) and 1.20m (depth)

d) Certified that the forest land requested for the proposed laying of 200mm DI pipe across forest of Oraiur-Karumbur road in edge of the State Highways road at about 352m length.

e) Certificate issued by the District Collector about non availability of non forest land for the project.

f) DGPS coordinates of the proposed pipeline alignment path

g) Combined certificates and undertakings for the project on

A) Certificate on no violation of the provisions of Forest (Conservation) Act, 1980 has been done by the User Agency.

B) Certificate of demand for forest land required for the project is minimum and unavoidable and all other alternative have been examined and found not feasible.

C) Certificate to bear the cost of raising and maintenance of Compensatory Afforestation scheme.

D) Undertaking to pay the amount of Net Present Value of the forest land to be diverted.

E) Undertaking to bear the Additional Net Present Value of the forest land to be diverted, which will be fixed in future.

F) Undertaking to bear the cost of felling of trees and transportation cost of the trees to be removed if any available in the alignment path.

G) Undertaking to pay the annual lease rent as fixed by the Forest Department at the time of sanction along with any escalation for the forest land to be diverted.

ix) Further the user agency has proposed this work under the guidelines issued by the MoEF in letter No. 11.09/95 FC dated 16.10.2000, in which general approval has been accorded for diversion of forest area along the admitted right of way roads for using the forest area for underground laying works like drinking water supply pipeline, laying OFC, transmission lines etc.,

As per Government of India's guidelines, NPV is exempted for laying pipelines up to 4 inches dia only. In this, proposal 200mm dia DI pipe proposed (ie., 7.87 inches) Hence NPV has to be collected from the user agency.

Further, as per the Government of India comprehensive guidelines issued during March 2019, proposal has to be processed through online application.

3) In the Part-II of Form-A, the District Forest Officer, Cuddalore Division has furnished following particulars.

i) The legal status of the proposed site of diversion of 0.02816 ha of forest land requested for the project is Reserved Forest area.

As per site inspection report, name of the forest land is "Thiruthuraiyur Reserved Forests" and extent of area proposed for diversion is 0.02816 ha

ii) The District Forest Officer has reported that, density of the forest area is 0.1 and Eco class of forest area is five

iii) As per the details uploaded in the table of species-wise girth-class wise enumeration of trees, there is no trees available in the proposed forest diversion area..

iv) On vulnerability of the forest land proposed for diversion, the District Forest Officer reported that there is no vulnerability to soil erosion.

v) The forest area proposed for diversion is not forms part of National Park, Wildlife Sanctuary, Biosphere Reserve, Tiger Reserve, Elephant corridor, Wildlife migration corridor etc., and not located within 1 km boundary of NP/WLs etc., for the forest land proposed for diversion and not located within the eco-sensitive zone of the protected area notified under Wildlife (Protection) Act, 1972.

The District Forest Officer has reported that Spotted deer, Wild pig, Reptile species are present in and around the forest area proposed for diversion. There is no rare/ endangered/ unique species of flora and fauna found in the area.

vi) There is no protected archaeological/ heritage site/ defense establishment or any other important monument is located in the area.

vii) Requirement of forest land as proposed by the User Agency is unavoidable and bare minimum for the project and no work in violation of the Act or guidelines has been carried out.

viii) Forest area proposed for diversion is 0.02816 ha and there is no felling of trees involved. This forest area diversion has intended for Government welfare measure of providing drinking water supply to the 17 habitations in five village panchayats of Panruti Union and 18 habitations in 4 village panchayats of Annagramam Union in Cuddalore District. Hence the District Forest Officer has not proposed any compensatory afforestation scheme.

ix) In the site inspection report, the District Forest Officer has stated that, the proposed area in Thiruthuraiyur Reserved Forest inspected on 21.07.2021. The proposed area is having degraded forest. The proposal is for drinking water pipe line and the TWAD Board officials explained the activities proposed are necessary for drinking water purpose. Right of way also admitted as per the Thiruthuraiyur RF notification. No felling of trees is required for the project.

x) In the specific recommendation, the District Forest Officer has stated that, the proposed area in Thiruthuraiyur Reserved Forest is having degraded forest. The proposal is for drinking water pipe line and the activities proposed for drinking water purpose also necessary for people. Right of way is also admitted as per the Thiruthuraiyur RF notification. No felling of trees is required for the project. Since

the drinking water pipeline is a basic requirement and right of way is also there, the project is recommended.

4) The Conservator of Forests, Villupuram Circle in his recommendation has stated that the based on the District Forest Officer, Cuddalore site inspection report, it is a public project. This project is necessary for providing drinking water supply to 17 habitats in five village panchayat of Panruti Union and 18 habitats in four village panchayat of Annagramam panchayat union in Cuddalore District. Hence the proposal is recommended.

5) The User Agency has requested forest area diversion for a period of 30 years. The District Forest Officer, Cuddalore Division has recommended for the project for the year 2021-22 and the Conservator of Forests, Villupuram Circle has recommended the forest area diversion for a period of 25 years

Based on the recommendations made by the Conservator of Forests, diversion of forest area for the project proposal is recommended for a period of 25 years.

6) As per guidelines issued by the Government of India in letter F. No. 5-3/2007-FC, dated 05.02.2009, collection of Net Present Value of forest land to be diverted for laying of underground drinking water supply pipeline up to 4 inches diameter of forest area diversion below one hectare is exempted.

However, this project of water supply pipeline is proposed in 250mm DI to 110mm PVC water supply line. Hence applicability of exemption of Net Present Value for the project does not arise. Hence Net Present Value of forest area may be collected.

7) As recommended by the District Forest Officer, Cuddalore Division and Conservator of Forests, Villupuram Circle, the proposal of diversion of 0.02816 ha of forest land in Thiruthuraiyur RF of Cuddalore Forest Division along the admitted right of way road for Combined Water Supply Scheme to 17 habitations in 5 village panchayats of Panruti union and 18 habitations in 4 village panchayats of Annagramam union in Cuddalore District in favour of Executive Engineer, TWAD Board, RWS Division, Cuddalore is recommended subject to the following conditions.

- a) The legal status of the diverted forest land remains unchanged.
- b) The demarcation of the proposed forest land shall be carried out by the User Agency by erecting 4 feet high cement concrete pillars duly numbered at an interval of 20 meters at their cost.
- c) The User Agency has to pay the amount of Net Present Value which will be fixed as per the guidelines of Hon'ble Supreme Court of India.
- d) The User Agency has to bear the additional amount of 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.
- e) Amount of Net Present Value of forest area under the project shall be transferred / deposited to CAMPA fund only through e-portal (<https://parivesh.nic.in/>)
- f) The User Agency has to pay the 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 of the above project in future for the entire project period.
- g) The total forest area utilized for the project shall not exceeds 0.02816 ha comprising water supply pipeline to a length of 352m and width is 0.80m and after completion of underground laying of pipeline, area should be restored to its normalcy.
- h) The pipeline shall be laid down 1.50 meter below the ground and after lying down of pipeline the ground will be leveled.
- i) Period of lease can be twenty five (25) years. The User Agency has to apply renewal proposal before one year of expiry of lease with the State Forest Department.

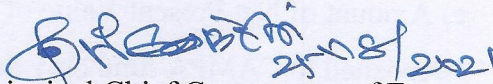
8) The proposal is sent herewith duly recommended by the Additional Principal Chief Conservator of Forests (Forest Conservation Act) (i/c) / Nodal Officer, Forest (Conservation) Act, 1980 of the State of Tamil Nadu.

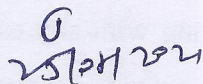
9) I request that the proposal may be considered under the General approval category where-in the State Government have empowered to divert forest areas up to one hectare for critical public utility and welfare projects undertaken by Government agencies and in-principle Stage-I approval orders may be issued for diversion of 0.02816 ha of forest land in Thiruthuraiyur RF of Cuddalore Forest

Division along the admitted right of way road for Combined Water Supply Scheme to 17 habitations in 5 village panchayats of Panruti union and 18 habitations in 4 village panchayats of Annagramam union in Cuddalore District in favour of Executive Engineer, TWAD Board, RWS Division, Cuddalore for a Period of 25 years.

Encl : As stated above.

Yours faithfully


For Principal Chief Conservator of Forests
(Head of Department)


25/08/2021

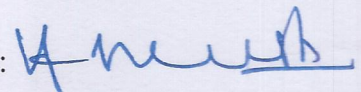
PART - IV

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

Name of the work : Forest (Conservation) Act, 1980 – Villupuram Circle / Cuddalore Forest Division - Proposal for diversion of 0.02816 ha of forest land in Thiruthuraiyur RF along the admitted right of way road for Combined Water Supply Scheme to 17 habitations in 5 village panchayats of Panruti union and 18 habitations in 4 village panchayats of Annagramam union in Cuddalore District in favour of Executive Engineer, TWAD Board, RWS Division, Cuddalore - Proposal No. FP/TN/WATER/48754/2020

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 -

Signature : 

Name Designation : A. Venkatesh, I.F.S.,
Additional Principal Chief Conservator of Forests
(Forest Conservation Act) (i/c), O/o the Principal
Chief Conservator of Forests, Chennai.

Date : *15*-08-2021

Place: Chennai-15.