

**TAMILNADU FOREST DEPARTMENT**

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

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

**C.No.TS4/ 24793/2018, Dated: 22.10.2018.**

Sir,

Sub: Forests - Forest (Conservation) Act, 1980 – Tirunelveli Circle / Thoothukudi Forest Division - Proposal for diversion of 0.08 ha of forest land for 20 MGD Closed circuit Scheme for Water supply scheme to Thermal Power Project, SIPCOT complex, Heavy water plant and other industries in Thoothukudi District for drinking and industrial purpose - Online proposal sent by the User Agency - Regarding.

- Ref: 1 Online application uploaded by the User Agency - Project Director, Executive Engineer, TWAD Board, Maintenance Division, Thoothukudi Proposal No. FP/TN/IND/34099/2018, dated 11.06.2018.
- 2 PCCF ref. No. TS4/24793/2018, dt. 09.07.2018, 12.07.2018 and 18.07.2018.
- 3 Proposal received by the District Forest Officer, Thoothukudi on 27.07.2018.
- 4 Part II and Part III Particulars received from District Forest Officer and Chief Conservator of Forests through online dated: 25.09.2018.

\*\*\*\*\*

I wish to state that the User Agency (TWAD Board, Thoothukudi) has furnished online application under Section 2 of Forest (Conservation) Act, 1980 in the prescribed format of Form A – Part I for diversion of 0.08 ha of forest land for 20 MGD Closed circuit Scheme for Water supply scheme to Thermal Power Project, SIPCOT complex, Heavy water plant and other industries in Thoothukudi District for drinking and industrial purpose.

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) 99 years.

In this regard, it is submitted that the User Agency has uploaded 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.
10. Certificate obtained from the District Collector, Thoothukudi District about no alternate suitable non-forest land is available for the project.
11. Certificate obtained from the District Collector, Thoothukudi 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 execution of project the components were constructed within the permitted area. Control room was constructed near by the River bund and there was a gap in between control room and river bund. To have path way to control room from bund the sloppy area was filled up with earth and protected from erosion of soil and it is being used as open path way. While getting power supply from EB as per IE rules transformer yard was erected in the path way and the excess area amounts to 0.025ha. During execution, these area only been protected against erosion of river bund in favour of Forest Department and also there is no endangered fauna and flora. The total area including excess utilized area is only 0.080 ha. The excess area was executed as pathway and Transformer yard by assuming as Government poramboke land during execution of the project.



The detailed project report has been administratively sanctioned for Rs.2193.00 lakhs to install and Rs.275.98 lakhs to maintain in B.P. Ms.No.39, Programme Management Wing dated: 13.04.2007. (Board Resolution No. 2.20, dt. 19.01.2006).

The details of SF No. and 20 MGD WSS head works at Srivaikundamvillage

SF.No.	Length and Width	Area in sqm
600	Intake well 0.785x10.90 x 10.90	93.30
	Foot Bridge 64.80 x 3.00	194.40
	Control room 24.70 x 12.40	256.68
	Transformer yard 13x7.70	100.10
	Passage 26.60 x 6.00	159.60
	TOTAL	804.08

In the reference 4th cited the District Forest Officer, Thoothukudi has uploaded the online proposal of Form A Part II with the field inspection notes dated: 30.08.2018 and stated that the District Forest Officer has inspected the area on 21.08.2018. This project site is located in Srivaikundam Forest block Reserved land and the area proposed by the user agency is very minimum and there is no alternative land for the proposed project except this forest land.

The area was inspected with User Agency on 21.08.2018. The land required for diversion is (804.8m<sup>2</sup>) 0.804ha out of this 0.0552 ha had already approved by the Government of Tamil Nadu vide GO(Ms) No.18, E&F(FR-10) Dept., dt. 07.03.2008 now the User Agency has proposed additional area 0.025 ha for already constructed at the time of original allotment during 2008 which is in excess ie Pathway and EB Transformer yard was found as deviated. The total area is found to be 0.080 ha which is below 1 ha. In view of importance of the project ie. for industrial purpose double the extent of land for that is to be diverted ie 0.16 ha of degraded reserved forest in Vallanadu RF of this division can be afforested by collecting the required fund from the User Agency. The area proposed for Compensatory Afforestation had been marked in the map and the user agency had given an undertaking that they will pay all amounts as demanded and collect the lease rent at the prevailing rates.



The details of amounts to be collected from user agency are below.

Sl.No.	The land proposed for diversion in 0.080 ha	Already collected for 0.0552 ha	Now arrived amount	Balance amount
1	The NPV to be collected is 0.080 x 6.99 lakhs	38,088	55920	22832
2	Penalty for 0.025 ha		17475	17475
3	Lease rent for 0.025 ha x 111.25 x 10		1113	1113
4	Cost of Compensatory Afforestation 0.080 x 2 = 0.16 ha (0.160 x 2,50,000)	4,162	40000	35837
5	1 <sup>st</sup> year maintenance Rs.50,000 (0.16 x 50000) = 8000.00		8000	8000
6	Maintenance cost of 4year @ Rs.4480/- per year x 0.1600 ha	3,894	17920	14026
	<b>Total</b>	<b>Rs. 46,144</b>	<b>1404285</b>	<b>99283</b>

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 issued under the Act has been carried out.

As against the diversion of 0.08 ha of forest land for 20 MGD Closed circuit Scheme for Water supply scheme to Thermal Power Project, SIPCOT complex, Heavy water plant and other industries in Thoothukudi District for drinking and industrial purpose, Compensatory Afforestation scheme has been proposed for 0.16 ha identified in the Vallanadu RF of Thoothukudi Division.

The District Forest Officer has stated that there is no protected archaeological or any other important monument is located in the area, no tree growth is available in the proposed forest area. The District Forest Officer has also furnished the site suitability certificate for the identified non forest land is suitable for Compensatory Afforestation.

In the reference 4th cited, the Chief Conservator of Forests, Tirunelveli 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 08.09.2018, which lies in Srivaikundam Forest block Reserved land for diversion of 0.08 ha forest land and stated that he agrees with the recommendations of the DFO.

Diversion of 0.08 ha of forest land for 20 MGD Closed circuit Scheme for Water supply scheme to Thermal Power Project, SIPCOT complex, Heavy water plant and other industries in Thoothukudi District for drinking and industrial purpose, which is meager and there is no alternate non forest land available for the above project.



This proposal involves diversion of 0.08 ha of forest land for 20 MGD Closed circuit Scheme for Water supply scheme to Thermal Power Project, SIPCOT complex, Heavy water plant and other industries in Thoothukudi District for drinking and industrial purpose.

Hence the Chief Conservator of Forests, Tirunelveli has recommended this proposal for diversion of 0.08 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 uploaded all the certificates /undertaking certificates as required in this proposal.

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).

The area proposed for diversion of 0.08 ha of forest land in Srivaikundam Forest block Reserved land in Thoothukudi 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 forestland 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 towards Compensatory Afforestation and NPV under this project shall be deposited in SB A/C No.1025227-CAF, Tamil Nadu, Corporation Bank, CGO Complex, Lodhi Road, New Delhi 110 003 (RTGS/IFSC No. CORP 0000371) 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, Thoothukudi 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.

The proposal is sent herewith duly recommended by the Additional Principal Chief Conservator of Forests (Forest (Conservation) Act, 1980) /Nodal Officer, Forest (Conservation) Act, 1980 of the State of Tamil Nadu. I request that the proposal may kindly be considered and Government of India approval may please be obtained for diversion of 0.08 ha of forest land in Srivaikundam Forest block Reserved land in Thoothukudi District for 20 MGD Closed circuit Scheme for Water supply scheme to Thermal Power Project, SIPCOT complex, Heavy water plant and other industries in Thoothukudi District for drinking and industrial purpose for a period of twenty years.

Encl.: As stated above.

Yours faithfully  
H. Malleshappa  
for Principal Chief Conservator of Forests  
(Head of Department)

Copy to the Conservator of Forests, Tirunelveli Circle, Tirunelveli

Copy to the District Forest Officer, Thoothukudi Division, Thoothukudi.

Copy to the Executive Engineer, TWAD, Thoothukudi

/True copy/By order/

S. Alayam 26/1/18  
Senior Draughting Officer



#### PART IV

(To be filed in 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 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]*  
22/10/18

Date:  
Place :

Signature:

Name :

Official Seal:

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