

By online / Email.

TAMILNADU FOREST DEPARTMENT

From

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

To

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

C. No. TS3/23613/2021 Dated: 28.01.2022.

Madam,

Sub: Forest (Conservation) Act, 1980 – Villupuram Circle / Cuddalore Forest Division - Proposal for diversion of 0.12 ha of forest land in Karmangudi RF along the admitted right of way road for laying of water supply pipeline Combined Water Supply Scheme to Tittakudi, Pennadam, Mangalampettai, Gangaikondan, Vadalur and Kurinchipadi Town Panchayats and 625 rural habitations in Virudhachalam, Nallur Mangalore union in Cuddalore District in favour of Executive Engineer, TWAD Board, Project Division, Cuddalore - Regarding.

- Ref: 1. Online application uploaded by the User Agency - TWAD Board – represented by Executive Engineer, TWAD Board, Project Division, Cuddalore -- Proposal No. FP/TN/Water/143706/2021, dated 23.06.2021.
2. Principal Chief Conservator of Forests letter No. TS3/23613/2021 dated 17.08.2021.
3. Part-II of Form-A uploaded by the District Forest Officer, Cuddalore Division on 02.09.2021
4. Part-III of Form-A uploaded by the Conservator of Forests, Villupuram Circle on 24.12.2021.

I wish to state that the Executive Engineer, TWAD Board, Project Division, Cuddalore has uploaded online application under Section 2 of Forest (Conservation) Act, 1980 for diversion of 0.12 ha of forest land in Karmangudi RF of Cuddalore Forest Division along the admitted right of way road for laying of water supply pipeline for Combined Water Supply Scheme to Tittakudi, Pennadam, Mangalampettai, Gangaikondan, Vadalur and Kurinchipadi Town Panchayats and 625

rural habitations in Virudhachalam, Nallur Mangalore union in Cuddalore District under proposal No. FP/TN/Water/143706/2021.

2) 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.

i) The User Agency- Executive Engineer, TWAD Board, Projects Division, Cuddalore has uploaded online application under Section 2 of Forest (Conservation) Act, 1980 for diversion of 0.12 ha of forest area in Karmangudi RF for Combined Water Supply Scheme to Tittakudi, Pennadam, Mangalampettai, Gangaikondan, Vadalur and Kurinchipadi Town Panchayats and 625 rural habitations in Virudhachalam, Nallur Mangalore union in Cuddalore District under proposal No. FP/TN/Water/143706/2021

ii) 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.

iii) Name of the project in which forest land required reported as Combined Water Supply Scheme to Tittakudi, Pennadam, Mangalampettai, Gangaikondan, Vadalur and Kurinchipadi Town Panchayats and 625 rural habitations in Virudhachalam, Nallur Mangalore union in Cuddalore District with NLC mine water.

iv) In the short narrative of the proposal for which forest land is required, the User Agency has stated that forest land required for Combined Water Supply Scheme to Tittakudi, and 5 other Town Panchayats and 625 rural habitations in Virudhachalam, Nallur Mangalore union in Cuddalore District with NLC mine water.

v) Diversion of 0.12 ha of forest has been requested in Cuddalore Forest Division area in Cuddalore District. Name of the village reported as Karmankudi.

vi) 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.

vii) In the justification report for locating the project in forest area, the user agency has reported that the main scope of the CWSS is to supply drinking water to Thittakudi, Pennadam, Mangalampettai, Vadalur, Kurinjipadi and Gangaikondan Town Panchayats and 625 Rural habitations in Mangalore, Nallur and Virudhachalam

Unions of Cuddalore District with NLC mine-II water is taken as source. The raw water collected from the mine-II is proposed to be treated at Head works Keelvalayamadevi. The treated water is to be collected in the collection sump at Head works.

From the collection sump water to be pumped to various capacity of sump through various sizes of pipe 800 mm DI pipe to 100 mm DI pipe for a length of 251.87 km and 250mm HDPE pipe to 63mm HDPE pipe for a length of 481.57 km. From the booster sump and group sump water is to be supplied to beneficiaries.

In this pipe line reach 1500m length of pipe to be laid in the forest land in between Virudhachalm to Jayankondam road near Karuveppilankuruchi. There is no alternate alignment or enroute are not available in this alignment to avoid forest land to complete the scheme. Hence TWAD Board has proposed to lay the pipeline in the forest land. The approximate area required for laying of pipeline in the forest land is 0.12 ha

viii) 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.

ix) The User Agency has furnished the certificate dated 26.05.2021 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.

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

i) Flow diagram of the project implementation work-area.

ii) Rough sketch of the project proposed area in forest land.

iii) Undertaking has been furnished that the District Collector recommendation certificate will be submitted at the time of execution of pipeline work in the forest area.

However, District Collector certificate on non availability of non forest – alternate area other than forest and FRA certificate have been uploaded in the proposal.

iv) Certificate issued by the District Collector, Cuddalore that no alternate Government Vacant land of an extent of 0.12 ha is not available other than the forest land for the project.

v) DGPS reading of the project area.

vi) Details of DI pipe to be laid along the State highways road in forest area - 600mm dia DI-K7 pipe for 1500m length, width of the trench of 0.80m and depth of the trench is 2.10m

vii) Combined certificates and undertakings as detailed below.

a) Certified that no work violation of the provision of Forest Conservation Act, 1980 has been done by the user agency.

b) Certified that the demand of the forest land for the project is minimum and unavoidable and all other alternative have been examined and found not feasible.

c) Undertaking to deposit the cost of compensatory afforestation scheme.

d) Undertaking to bear the Net Present Value of forest area

e) Undertaking to pay the additional amount of Net Present Value of forest area

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

g) Undertaking to pay the cost towards annual lease rent

3) The proposal was forwarded to the District Forest Officer, Cuddalore Division through on-line on 25.08.2021 for necessary follow up action.

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 0.12 ha of forest land requested for the project is Reserved Forest area.

As per site inspection report, name of the forest land is "Karmangudi Reserved Forests" and extent of area proposed for diversion is 0.12 ha

ii) The District Forest Officer has reported that, density of the forest area is 0.6 and Eco class of forest area is three.

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 to erosion, the District Forest Officer reported that not vulnerable to 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 the eco-sensitive zone of the protected

area notified under Wildlife (Protection) Act, 1972 and not located within 1 km boundary of NP/WLs etc., for the forest land proposed for diversion

The District Forest Officer has reported that wild boar, wild hare, spotted deer, peacock, monkey 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 0.12 ha and there is no felling of trees involved. This forest area diversion has intended for Government welfare measure of providing Combined Water Supply Scheme to Tittakudi, Pennadam, Mangalampettai, Gangaikondan, Vadalur and Kurinchipadi Town Panchayats and 625 rural habitations in Virudhachalam, Nallur Mangalore 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 Karmangudi Reserved Forest inspected on 01.09.2021. 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 Karmangudi 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 Karmangudi 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 Karmangudi 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 site has been inspected on 16.09.2021 and the project falls in Karmangudi RF is having degraded forests. This pipeline will lay all along the right of

way admitted as per the notification of Karmangudi RF. No tree felling involved in this project. Based on the District Forest Officer, Cuddalore site inspection report, it is a public project. This project is necessary for providing Combined Water Supply Scheme to Tittakudi, Pennadam, Mangalampettai, Gangaikondan, Vadalur and Kurinchipadi Town Panchayats and 625 rural habitations in Virudhachalam, Nallur Mangalore 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 to be carried out in various sizes of pipe 800mm DI pipe to 100mm DI pipe and 250mm HDPE pipe to 63mm HDPE pipe in the project. 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 0.12 ha of forest land in Karmangudi RF along the admitted right of way road for Combined Water Supply Scheme to Tittakudi, Pennadam, Mangalampettai, Gangaikondan, Vadalur and Kurinchipadi Town Panchayats and 625 rural habitations in Virudhachalam, Nallur Mangalore union in Cuddalore District is recommended subject to the following conditions.

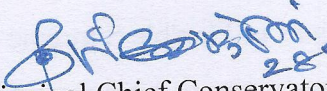
a) The legal status of the diverted forest land remains unchanged.

- 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 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 of the above project in future for the entire project period.
 - g) The total forest area utilized for the project shall not exceeds 0.12 ha comprising water supply pipeline to a length of 1500m 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 at-least 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) / 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 0.12 ha of forest land in Karmangudi RF along the admitted right of way road for Combined Water Supply Scheme to Tittakudi, Pennadam, Mangalampettai, Gangaikondan, Vadalur and Kurinchipadi Town Panchayats and 625 rural habitations in Virudhachalam, Nallur Mangalore union in Cuddalore District in favour of

Executive Engineer, TWAD Board, Project Division, Cuddalore for a Period of 25 years.

Encl : As stated above.

Yours faithfully


28.01/2022
For Principal Chief Conservator of Forests
(Head of Department)

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28/01/2022

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 0.12 ha of forest land in Karmangudi RF along the admitted right of way road for laying of water supply pipeline for Combined Water Supply Scheme to Tittakudi, ^{Pennadam.} Mangalampettai, Gangaikondan, Vadalur and Kurinchipadi Town Panchayats and 625 rural habitations in Virudhachalam, Nallur Mangalore union in Cuddalore District in favour of Executive Engineer, TWAD Board, Project Division, Cuddalore - Proposal No. FP/TN/WATER/143706/2021

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)

Recommended

Signature :

V. Naganathan

Name Designation : Dr. V. Naganathan, I.F.S.,
Additional Principal Chief Conservator of Forests
(Forest Conservation Act),
O/o the Principal Chief Conservator of Forests
(Head of Department), Chennai.

Date : 27-01-2022

Place: Chennai-15.