

TAMILNADU FOREST DEPARTMENT

From
Dr. H. Malleshappa, I.F.S.,
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 9.

C. No. TS4/ 12378/2018, Dated:16.05.2019

Sub: Forests - Forest (Conservation) Act, 1980 – Dindigul Circle / Karur Division - Proposal for diversion of 0.0512 ha of forest land for laying of pipeline from CWSS to Manmangalam and 71 other Habitations in Karur District – Online proposal submission by the User Agency ie. The Executive Engineer, TWAD, RWS Division, Sengunthapuram, Karur - Regarding.

Ref: 1. Online application uploaded by the User Agency – The Executive Engineer, TWAD, RWS Division, Sengunthapuram, Karur dated: 27.03.2018 . (FP/TN/Water/32782/2018).
2. PCCF ref.No. TS4/12378/2018, dt. 19.04.2018 and 29.06.2018 and 10.08.2018.
3. Reply by User Agency on 04.05.2018 and 07.08.2018 and 12.09.2018.
4. Acknowledgement uploaded by the User Agency on 30.01.2019.
5. Part II and Part III uploaded by the District Forest Officer, Karur and Chief Conservator of Forests, Dindigul on 25.02.2019 and 11.03.2019.
6. District Forest Officer, Karur C.No. 2293/2017/D, Dt.14.03.2019 (Revised recommendation dt.27.02.2019 and revised site inspection report uploaded in EDS of the proposal).

I wish to state that the User Agency the Executive Engineer, TWAD Board, RWS Division, Sengunthapuram, Karur has furnished online application under Section 2 of Forest (Conservation) Act, 1980 in the prescribed format of Form A – Part I for diversion of 0.0512 ha of forest land for laying of pipeline from CWSS to Manmangalam and 71 other Habitations in Karur 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 year (A.1.x of proposal format) is 20 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. Letter of Authorisation.
2. Survey of India Toposheet for the proposed land for diversion.
3. Geo referenced Map of the forest land proposed for diversion with GPS points.
4. Justification for locating the project in Forest land
5. Certificate obtained from the District Collector, Karur District about settlement of rights under Forest Rights Act 2006 in the prescribed format.
6. Area requirement for the project.
7. 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, Karur.
8. Certificate regarding no other alternate land available for the project.
9. Certificate obtained from the District Collector, Karur District about no alternate suitable non-forest land is available for the project.
10. Form A signed copy of the proposal.
11. Certificate for the demand for forest land for the project is minimum.
12. Certificate that, TWAD Board, Karur is willing to pay the NPV, Additional NPV, Lease amount as fixed by the Forest Department.
13. Certificate regarding payment for Compensatory afforestation, Compensation will be made by TWAD Board, Karur as and when required by the Tamil Nadu Forest Department.

14. Certificate regarding cost of felling of trees and transportation cost of the trees if any will be bear by the TWAD, Board, Karur.

Further the User Agency has reported in the justification report that the existing source for the water supply scheme is located in River Cauvery at Vangal village. During last year summer, the water in the existing well goes to dry condition. To meet out the water shortage of the 72 villages, the Government of Tamil Nadu sanctioned a sum of Rs.60.00 lakhs under drought fund for 2017-18. In the proposal an infiltration well in the upstream of the existing well for a distance of 1200m, 4mx3m size pump room and pipeline has been sanctioned, During execution, the pipeline alignment crosses the forest land for a distance of 500m. The details of activity wise forest land requirement for this project is furnished below.

- i. For the construction of pump room : 4m x 3m = 12 sqm
- ii. For laying of pipeline : 500m x 1m = 500 sqm

Total	----- 512 sqm -----
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The User Agency has also stated that after considering all alternatives, this is the only land found to be feasible alignment for the proposed work and that the required area is minimum need for this purpose and hence this land is absolutely essential for the proposed work.

In the reference 5th cited, the District Forest Officer, Karur has uploaded the Form A Part II with the field inspection notes dated: 07.02.2019 and the proposed site for laying of pipeline from CWSS to Manmangalam and 71 other Habitations in Karur District.

The requested land area for pipeline and pump room for TWAD board, Karur in Vangal RF of Karur Range was inspected by District Forest Officer, Karur on 07.02.2019 with Forest Range Officer, Karur and Assistant Engineer, TWAD Board, Karur.

In the reference 6th cited, the District Forest Officer, Karur has sent the revised site inspection report and revised recommendation dt. 27.02.2019 of the above project as enclosure in EDS section of the proposal.

The proposed area for laying water supply pipeline is a linear stretch of RF land to a length of 500m and width of 1.0m (0.05 ha) and area proposed for construction of pump room is 0.0012 ha in Vangal RF.

The requisition is from the TWAD board, Karur for supplying drinking water for Manmangalam and 71 other habitations. This diversion will not make any impact inside the Forest area.

The User Agency has submitted necessary undertaking on Compensatory Afforestation expenditure, Net present value, Additional Net Present Value and Annual Lease rent. The diversion is proposed for a project which may reduce the water scarcity in Manmangalam and 71 other habitations of Karur District. Diversion of the particular stretch may not cause much disturbance to wildlife and will not adversely affect eco system. Taking into consideration of the facts stated above, District Forest Officer has recommended the user Agency's proposal for diversion of the forest land in Vangal RF.

In the reference 5th cited, the Chief Conservator of Forests, Dindigul Circle has inspected the proposed project area on 11.03.2019 along with Forest Range Officer, Karur and Assistant Engineer, TWAD Board, Karur. The forest land required for construction of pump room (0.0012 ha) and for laying of water supply pipeline to a length of 500m (0.05 ha) is situated in Vangal RF of Karur Range of Karur Division. Total extent of forest land required for the project is 0.0512 ha. There is no tree growth in the proposed forest land. There is no other suitable land available for this project except the forest land.

The Chief Conservator of Forests, Dindigul agree with the recommendations of the District Forest Officer, Karur. The Chief Conservator of Forests, Dindigul has stated that the User Agency may be permitted to implement the water supply improvement scheme, in the proposed forest land in Vangal RF as the project will reduce the water scarcity in Manmangalam and

other 71 habitations in Karur District. As this project will reduce the water scarcity in Manmangalam and other 71 habitations in Karur District, the Chief Conservator of Forests Dindigul has recommended the proposal.

In this regard, it is informed 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 Principal Chief Conservator of Forests (FCA) / Nodal Officer (Forest Conservation Act).

The area proposed for diversion of 0.0512 ha of forest land for laying of pipeline from CWSS to Manmangalam and 71 other Habitations in Karur District is recommended and forwarded to the Government 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 IA 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 User Agency has to pay the cost of raising Compensatory Afforestation and maintenance of plantation, Protection of plantation etc. as fixed by the Forest Department and willingness to deposit additional amount if any suggested and demanded subsequently.
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 and subsequent changes.
10. Period of lease is twenty years. The User Agency has to apply renewal proposal before 6 months of expiry of lease with the State Forest Department.
11. The District Forest Officer may impose any other condition in the interest of conservation /protection and 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 0.0512 ha of forest land for laying of pipeline from CWSS to Manmangalam and 71 other Habitations in Karur District as requested by the User Agency ie. Executive Engineer, TWAD Board, Karur. for a period of twenty years.

Yours faithfully,
Sd/-H. Malleshappa
for Principal Chief Conservator of Forests
(Head of Department)

Copy to the Chief Conservator of Forests, Dindigul Circle, Dindigul.
Copy to the District Forest Officer, Karur.
Copy to the Executive Engineer, TWAD Board, Karur.

/True copy/By order/

P. Arundhan
Senior Draughting Officer

PART IV

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

Name of the work: Forest (Conservation) Act, 1980 – Proposal for diversion of diversion of 0.0512 ha of forest land for laying of pipeline from CWSS to Manmangalam and 71 other Habitations in Karur District

Proposal No. (FP/TN/Water/32782/2018).

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 —

Date: 16-5-2019

Place:

Signature

Name: Principal Chief Conservator of Forests
(Forest Conservation Act)
Official Seal: Chennai - 600 015.