

TAMILNADU FOREST DEPARTMENT

From
Thiru Ashok Upreti, IFS.,
Principal Chief Conservator of Forests,
(Head of Department),
Panagal Maaligai, Saidapet,
Chennai - 600 015.

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

C.No.TS4/ 47810/2020, Dated: 24.09.2021

Madam,

Sub: Forests - Forest (Conservation) Act, 1980 – Trichy Circle / Trichy Forest Division - Proposal for diversion of 0.127ha of forest land for Combined Water Supply Scheme to 138 Rural Habitations in Thottiyam Union of Trichy District - Online proposal Submission by the User Agency ie., TWAD Board, Urban Division, Trichy - Regarding.

Ref: 1. Online application uploaded by the User Agency - The Assistant Executive Engineer, TWAD Board, Urban Division, JK nagar, Kajamalai, Trichy (FP/TN/Pipeline /114004/2020).
2. PCCF Ref.No:TS4/47810/2020 dated 22.02.2021.
3. Revised application uploaded by the User agency on 02.03.2021.
4. PCCF Ref.No:TS4/47810/2020 dated 15.03.2021.
5. Acknowledgement received from the District Forest Officer, Trichy on 17.03.2021, the Chief Conservator of Forests, Trichy on 18.03.2021 and the District Collector, Trichy dated. Nil.
6) District Forest Officer, Trichy C.No:2852/2021/D dated 20.04.2021& 13.09.2021
7) District Forest Officer, Trichy C.No. 2853/2021/D, dated 03.09.2021.
8) Chief Conservator of Forests, Trichy C.No:999/2021/D dated 28.04.2021& 08.09.2021

I wish to state that the User Agency (The Assistant Executive Engineer, TWAD Board, Urban Division, JK Nagar, Kajamalai, Trichy) has furnished online application under Section 2 of Forest (Conservation) Act, 1980 in the prescribed format of Form A – Part I for diversion of 0.127ha forest land for Combined Water Supply Scheme to 138 Rural Habitations in Thottiyam Union of Trichy 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 (OSMFCEP) portal.

The User Agency has proposed forest area diversion for a period of year (A.1.x of proposal format) is 99 years.

In this regard, it is submitted that the User Agency has uploaded the following Certificates / Undertakings along with the online proposal of Form A – Part I.

1) Short narrative of the proposal for which the forest land is required. (As required vide A-1 (iii) of proposal format.)

2) Copy of document in support of the competence / authority of the person making this application to make application on behalf of the User Agency (As required vide A-3, (xvii) of proposal format).

3) Copy of Survey of India Topo sheet indicating boundary of forest land proposed to be diverted has been up-loaded forest boundary (Section C of Maps-C.iii)

4) Geo referenced location map of the proposed diversion of forest area for formation of road marked in the google earth (Section C of Maps-C.iv).

5) Note containing justification for locating the project in forest area (As required vide D (i) of proposal format) enclosed.

6) For settlement of Rights under the Forest Rights Acts 2006 and for no suitable and technically approved alternate non forest land available for construction of foot bridge for laying pipeline of 127m length and 10m width in Arasalur Reserved forests for 138 habitations in Thottiyam Taluk of Trichy District is enclosed.(as required vide K(i)of the proposed format)

7) Google earth KML file uploaded.

8) Details of land required for the project and area calculation has been uploaded.

9) Form A signed copy enclosed.

10) Certified that to agree to pay the cost towards lease rent as fixed by the Forest Department for the forest land to be diverted of the above project.

11) Certificate regarding No violation of Forest (Conservation) Act, 1980 has been occurred.

12) Undertaking to pay the amount of Net Present Value which will be fixed as per the guidelines of Hon'ble Supreme Court of India

13) 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.

14) Undertaking to pay the cost for exploitation of trees if any available in the alignment path for the proposed land as fixed by Forest Department.

15) Certificate from the project proponent demands for forest land for the project is barest minimum.

16) Certificate that to bear the cost of Compensatory Afforestation / Penal Compensatory Afforestation / Maintenance of Plantation / Protection of plantation for the proposed diversion of forest land as fixed by the Forest Department.

17) Certified that the TWAD board will 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.

18) Work order for the project is enclosed.

Further the User Agency has reported in the justification report that 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 it is absolutely essential for the proposed work.

The details of SF.No. and Reserved Forests land are as follow.

SF.No.	Length and Width	Area in M ²
349/1	127m length – 10m width	1270sqm

The Managing Director, TAFCON, Trichy has stated in his Ref.No:D3/6046/2019 dated 14.12.2020 that there is an amount of Rs.2,80,000/- loss to the corporation for this proposed project and TWAD board has remitted the amount on 08.02.2021 and the details are enclosed.

The District Forest Officer, Trichy has uploaded Form A Part II and stated that the District Forest Officer has inspected the area on 27.04.2021. In the site inspection report, the District Forest Officer has stated that the forest land proposed for diversion is situated in Arasalur Reserved Forest and leased out to TAFCON since 1974. This area is covered with Eucalyptus Taraticornix plantation raised by TAFCON during the year 2015. No felling of trees is required for the project. The area proposed by the user agency is bare minimum and is not part of any Wildlife sanctuary and Wildlife Corridor and there is no alternative land is available for the proposed project. Hence the District Forest Officer has recommended this proposal for the welfare of the villages in Thottiyam Union.

The District Forest Officer has proposed Compensatory Afforestation scheme to carry out Afforestation over an extent of 0.281 ha degraded area in Mavilipatty Reserved Forest to an amount of Rs. 0.60 lakhs.

In the reference 8th cited, the Chief Conservator of Forests, Trichy Circle has upload Form-A Part III with the field inspection notes. The Chief Conservator of Forests has inspected the proposed project area on 27.04.2021, which lies in Arasalur Reserved Forest and leased out to TAFCON since 1974 Eucalyptus tereticornis plantation was raised during 2015 and currently harvesting is going on. Other than Eucalyptus plantation, there are no indigenous trees or vegetation is available in this Reserved Forest. Therefore no felling of trees is required. The proposed area is bare minimum and it is not a part of any wildlife sanctuary and wildlife corridor and there is no alternate land available. Hence recommended the proposal.

In this regard, it is submitted that the User Agency has uploaded all the certificates /undertakings 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 0.127ha of forest land in Arasalur Reserved Forest in Trichy 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 by generating challan from the Ministry's Online web portal. UTR No and date should be furnished.
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, Trichy should issue constructive order on free supply of water to the Forest Department buildings in the locality near by the project area.
11. The period of lease is for 25 years. The User Agency has to furnish renewal proposal six months before expiry of lease period.
12. The District Forest Officer may impose any other condition in the interest of conservation /protection land development of forests.


According to the Government of India guidelines issued in Government of India F.No.11-9/98-FC dated 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 am enclosing the proposal duly recommended in Part-IV for diversion of 0.127ha of forest land for Combined Water Supply Scheme to 138 Rural Habitations in Thottiyam Union through Arasalur Reserved Forest of Trichy Division, Trichy Circle.

I request that approval may kindly be accorded to TWAD Board, Urban Division, Trichy for diversion of 0.127ha of forest land for Combined Water Supply Scheme to 138 Rural Habitations in Thottiyam Union through Arasalur Reserved Forest of Trichy Division, Trichy Circle in Trichy District to TWAD Board, Urban Division, Trichy early.

Encl.: As stated above.

Yours faithfully,


for Principal Chief Conservator of Forests
(Head of Department)


29/9/2021

PART IV

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

Name of Work: Forest(Conservation)Act,1980- Proposal for diversion of forest land of 0.127ha for CWSS to 138 Rural habitation in Thottiyam union of Trichy District-Trichy Division – Online proposal submission by the User Agency ie. TWAD Board, Trichy- Proposal No: (FP/TN/Pipeline/114004/2020)

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

Date: 24.09.2021

Place: Chennai

Signature:

Name : Dr.V.Naganathan

Official Seal: Nodal Officer
Additional Principal Chief Conservator of Forests
(Forest Conservation Act)