



### **ABSTRACT**

Forests – Diversion of 0.1696 ha of forest land in Eriyur North Reserved Forest in Sivaganga Forest Division in favour of the Assistant Executive Engineer, Tamil Nadu Water Supply and Drainage Board, Project Sub Division, Karaikudi, under section 2(1) (ii) of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 – Orders – Issued.

### **ENVIRONMENT, CLIMATE CHANGE AND FOREST (FR.10) DEPARTMENT**

**G.O.(Ms) No.171**

**Dated: 09.10.2024**

**குரோதி, புரட்டாசி – 23**

**திருவள்ளூர் ஆண்டு-2055**

**Read :**

1. From the Principal Chief Conservator of Forests (Head of Forest Force) letter No.TS4/29851/2021, dated 09.07.2022.
2. Government letter No.12999/FR.10/2022-1, dated 12.09.2022.
3. From the Principal Chief Conservator of Forests (Head of Forest Force) Letter No.TS4/29851/2021, dated 20.09.2023.
4. Government letter No.12999/FR.10/2022-2, dated 26.02.2024.
5. From the Deputy Inspector General of Forests (Central), Government of India, Ministry of Environment, Forests and Climate Change, Regional Office, Chennai letter F.No.FP/TN/WATER/145727/2021/CHN/1521, dated 25.09.2024.

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### **ORDER:**

The Principal Chief Conservator of Forests in his letter first read above has furnished a proposal for diversion of 0.1696 ha of forest land for laying water pipeline under Combined Water Supply Scheme to 8 Town Panchayats, 2452 Rural Habitations, 3 Municipalities in Sivaganga District across Eriyur North Reserved Forest in favour of the Assistant Executive Engineer, Tamil Nadu Water Supply Drainage Board, Project Sub Division, Karaikudi for a period of 20 years, under Section 2 of Forest (Conservation) Act, 1980.

2. In Government letter second read above, the State Government have accorded In-principle approval (Stage-I) under general approval category, subject to certain conditions under Section 2 of Forest (Conservation) Act, 1980 for the above said proposal and requested to send the compliance report after satisfying all the conditions stipulated therein within a period of 5 years.

3. In ~~the~~ Government letter fourth read above, the compliance report for all the conditions stipulated in the State Government's In-principle approval, as

received from the Principal Chief Conservator of Forests in his letter third read above has been forwarded to the Government of India, Ministry of Environment, Forests and Climate Change, Regional Office, Chennai under Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for obtaining the final approval from the Government of India for the above said proposal.

4. The Government of India, Ministry of Environment, Forests and Climate Change, Regional Office, Chennai in its letter fifth read above have conveyed the Central Government's final approval under Section 2 (1) (ii) of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 in favour of the Assistant Executive Engineer, Tamil Nadu Water Supply Drainage Board, Project Sub Division, Karaikudi for a period of 20 years, subject to the following conditions:-

- (i) Legal status of the diverted forest land shall remain unchanged.
- (ii) Demarcation of the proposed forest area shall be carried out by erecting 4 feet high cement concrete pillars duly numbered at the appropriate distance as decided by the District Forest Officer concerned, at the cost of User Agency.
- (iii) Additional amount of the Net Present Value (NPV) of the diverted forest land 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.
- (iv) The layout plan of the proposal shall not be changed without the prior approval of the Central Government.
- (v) The User Agency shall use existing paths and roads for laying of pipeline and no new paths / roads to be formed.
- (vi) No labour camp shall be established on the forest land.
- (vii) Disturbance shall be kept minimal by creating labour camps outside the forest area as far as possible and it will be the responsibility of the User Agency to ensure that the machinery, labourers & staff engaged in execution of work shall not destruct nearby forest flora & fauna.
- (viii) Sufficient firewood, preferably the alternate fuel, shall be provided by the User Agency to the labourer after purchasing the same from the State Forest Department or the Forest Development Corporation or any other legal source of alternate fuel.
- (ix) **No tree felling shall be carried out in the diverted forest area by the User Agency.**
- (x) The forest land proposed for diversion shall under no circumstances be transferred or sublet to any other agency, department or person without prior approval of the Central Government.
- (xi) The total forest area utilized for the project shall not exceed 0.1696 ha and the forest area diverted shall not be used for any

purpose other than those shown in the diversion proposal.

- (xii) The conditions required to be adhered under the Forest Rights Act, 2006 as per the rules / guidelines issued under Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 shall be strictly complied with.
- (xiii) User Agency and State Government shall ensure compliance to provisions of all Acts, Rules, Regulations and Guidelines, for the time being in force, as applicable to the project.
- (xiv) Any other conditions that the Central Government or Deputy Director General of Forests (Central) of the Regional Office, Chennai may impose from time to time in the interest of afforestation, conservation and management of flora and fauna in the area, shall be complied by the User Agency.
- (xv) Violation of any of these conditions will amounts to violation Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and action would be taken as prescribed under the Act, Rules and Guidelines relevant.

5. The Government after careful examination, accord approval under section 2 (1) (ii) of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for diversion of 0.1696 ha of forest land for laying of water pipeline under Combined Water Supply Scheme to 8 Town Panchayats, 2452 Rural Habitations, 3 Municipalities in Sivaganga District across Eriyur North Reserved Forest in favour of the Assistant Executive Engineer, Tamil Nadu Water Supply Drainage Board, Project Sub Division, Karaikudi, for a period of 20 years, subject to the conditions stipulated in the final approval accorded by the Government of India, Ministry of Environment, Forests and Climate Change, Chennai and the User Agency has to apply renewal proposal before one year of expiry of lease with the State Forest Department.

6. The Principal Chief Conservator of Forests is directed to take action accordingly and send a report to Government in due course.

**(BY ORDER OF THE GOVERNOR)**

**P. SENTHILKUMAR  
PRINCIPAL SECRETARY TO GOVERNMENT**

To

The Principal Chief Conservator of Forests (Head of Forest Force),  
Chennai-32.

The Assistant Inspector General of Forests (Central),  
Government of India,  
Ministry of Environment Forests and Climate Change,  
Regional Office,  
Additional Office Block for GPOA, 1<sup>st</sup> Floor,  
Shastri Bhawan, Haddows Road,  
Nungambakkam, Chennai-600 006.

Copy to:-

The District Collector,  
Sivaganga District – 630 562.

The Principal Chief Conservator of Forests (FCA),  
O/o. the Principal Chief Conservator of Forests, Chennai-32.

The Chief Conservator of Forests & Field Director,  
Srivilliputhur Megamalai Tiger Reserve, Madurai – 2.

The District Forest Officer,  
Sivaganga Forest Division, Sivaganga – 630 562.

Assistant Executive Engineer,  
Tamil Nadu Water Supply Drainage Board,  
Project Sub Division, Karaikudi Taluk,  
Sivaganga – 630 002.

The Private Secretary to Principal Secretary to Government,  
Environment, Climate Change and Forest Department, Chennai-9.

The Private Secretary to Special Secretary (Environment, Climate Change / Forest),  
Environment, Climate Change and Forest Department, Chennai-9.

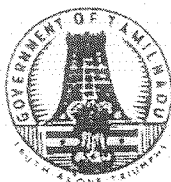
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**//FORWARDED BY ORDER//**

*A. Malathy* 9/10/24  
**SECTION OFFICER**

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9/10/24

By e-mail



ENVIRONMENT, CLIMATE CHANGE  
& FORESTS(FR.10) DEPARTMENT,  
SECRETARIAT, CHENNAI 9.

Letter No:12999/FR.10/2022-1, dated: 12.09.2022

From

Tmt.Supriya Sahu, IAS.,  
Additional Chief Secretary to Government.

✓ To

The Principal Chief Conservator of Forests  
(Head of Forest Force),  
Chennai-15.

Sir,

Sub: Forests – Forest (Conservation) Act, 1980 – Srivilliputhur  
Megamalai Tiger Reserve, Madurai Circle / Sivaganga Division –  
Proposal (No.FP/TN/Water/145727/2021) for diversion of  
0.1696 Ha of forest land for laying water pipeline under  
Combined Water Supply Scheme to 8 Town Panchayats,  
2452 Rural Habitations, 3 Municipalities in Sivaganga District –  
State Government's in principle approval (Stage-I) - Accorded.

Ref: Your letter No. TS4/29851/2021, dated 09.07.2022.

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With reference to your letter cited, I am directed to convey the State Government's in-principle approval (Stage-I) under section-2 of Forest (Conservation) Act, 1980 for diversion of 0.1696 Ha of forest land for laying water pipeline under Combined Water Supply Scheme to 8 Town Panchayats, 2452 Rural Habitations, 3 Municipalities in Sivaganga District across Eriyur North Reserved Forest in favour of the Assistant Executive Engineer, Tamil Nadu Water Supply and Drainage Board, Project Sub Division, Karaikudi for a period of 20 years, under General Approval category, as per the provisions of guidelines under Forest (Conservation) Act, 1980 for critical development initiatives for public utility, since the proposal comes under drinking water category, subject to the following conditions:-

- i) The legal status of the land shall remain unchanged and shall remain as Reserved Forests.
- ii) 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.
- iii) 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 in File.No:5-3/2011-FC (Vol.I) dated 06.01.2022 and 19.01.2022 and from time to time, as per the orders of the Hon'ble Supreme Court, dated 28.03.2008 and 09.05.2008 in IA Nos. 826 in 566 with related IAs in Writ Petition (Civil) No.202/1995.

- iv) The fund from the User Agency towards Net Present Value under this project shall be deposited by generating chalan from the Ministry's online web portal. UTR No and date should be furnished.
- v) The Additional amount of the Net Present Value (NPV) of the diverted forest land 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.
- vi) The layout plan of the proposal shall not be changed without prior approval of Government.
- vii) The pipeline shall be laid down 1.5m below the ground and after laying down of pipeline, the ground will be levelled.
- viii) 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.
- ix) The forest land shall not be used for any other purpose other than that specified in the proposal.
- x) 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.
- xi) The period of lease is 20 years.
- xii) The User Agency should send renewal proposal one year before the expiry of lease.
- xiii) The Conservator of Forests and District Forest Officer may impose any other condition in the interest of conservation/ protection and development of forests.
- xiv) The Compliance Report shall be uploaded on e-portal.

2. I am also to inform you that, only after receipt of the compliance report on all the above mentioned conditions, the proposal will be considered for final approval and transfer of Reserved Forest land to User Agency shall not be effected prior to the issue of final approval. Further, this in-principle (Stage-I) approval shall be valid for a period of 5 years and in the event of non-compliance of the above conditions, this in-principle approval shall automatically stand revoked after 5 years.

Yours faithfully,

M. Nagala  
12/9/2022

for Additional Chief Secretary to Government

Copy to:

The Assistant Executive Engineer,  
Tamil Nadu Water Supply and Drainage Board, Project Sub Division,  
Karaikudi-630 002.  
The Assistant Inspector General of Forests (Central),  
Government of India,  
Ministry of Environment, Forests and Climate Change,  
Integrated Regional Office,  
1<sup>st</sup> Floor, Additional Office Block for GPOA,  
Shastri Bhawan, Haddows Road,  
Nungambakkam,  
Chennai-600 006.

The District Collector,  
Sivagangai District-630 562.  
The Additional Principal Chief Conservator of Forests (FCA),  
Office of The Principal Chief Conservator of Forests (HoFF),  
Chennai-15.  
The Conservator of Forests and Field Director,  
Srivilliputhur Megamalai Tiger Reserve,  
Madurai.  
The District Forest Officer,  
Sivagangai Forest Division.  
Sivagangai District -630 562.  
SC/SF.

