

TAMILNADU WATER SUPPLY AND DRINAGE BOARD

From:
Er.K. Eswaran, B.E.,
Executive Engineer,
TWAD Board,
RWS Division,
Madurai.

To:
The Principal Chief Conservator of
Forests,
Jeenis Road,
Saidapet.
Chennai-15.

(Through Proper Channel)

Lr.No.02822/ F.Usilampatti Forest / JDO/ RWS/ MDU /Dt.03.08.2022

Sir,

Sub : Forest – Forest (Conservation) Act, 1980 – Madurai Circle /
Theni & Madurai Forest divisions – Diversion of 0.13 ha of
forest land in Theni Division & 0.0332 ha of forest land in
Madurai Division of Madurai District for Water Supply
Improvement Scheme to Usilampatti – State Government's
in-principle approval (Stage-I) accorded – Compliance
Report submitted – Reg.

Ref : 1)TWAD Board online.Proposal No. FP/TN/WATER /
27069/2017.
2) Additional Chief Secretary to Government ,
Environmental, Climate Change & Forests (FR,10)
Department, Secretariat, Chennai Lr.No.7207/FR.10/2022-1
dated 06.06.2022.
3) Principal Chief Conservator of Forests Chennai
Ref. No.TS4/39546/2017 dated 15.04.2022.
4) District Forest Officer, Theni Forest Division, Theni
Letter C.No.9661/2018/D/ dated 15.07.2022.
5) District Forest Officer, Madurai Forest Division, Madurai
Letter C.No.D1/ 7679/2018 dated 01.07.2022.

The Government of Tamil Nadu has accorded Principal approval
(Stage-I) vide 2nd reference cited, under section 2 of Forest Conservation Act,
1980 for Diversion of 0.13 ha of forest land in Theni Division of Theni District
& 0.0332 ha of forest land in Madurai Division of Madurai District for Water
Supply Improvement Scheme to Usilampatti Municipality.

In this regard the Compliance report is submitted as follows:

Sl. No	Condition Stipulated by Government of India	Compliance Report
(i)	The Legal status of the land shall remain unchanged and shall remain as Reserved Forests.	The Legal Status of land will be continued in Forest department and remain as Reserved Forests under section 16 of Tamil Nadu Forest Act 1882. The Undertaking to this effect is attached herewith.
(ii)	The demarcation of the proposal 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.	The TWAD Board undertake the demarcation of the proposed forest area .The demarcation work carried out by erecting 4 feet height cement concrete pillars duly numbered erected at an interval of 20 meters at TWAD Board cost after laying of water supply pipe line. The undertaking to this effect is attached herewith.
(iii)	The User Agency shall pay the Net Present value of the diverted forest area at the rates stipulated by 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 I.A.Nos.826 in 566 with related IAS in Writ Petition (Civil) No.202/1995.	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 Petitions (Civil) No.202/1995. As per Government of India Ministry of E&F and Forest Climate change (Forest Conservation Diversion) New Delhi file No.5-3/2011 FC Vol(I) dated, the Net Present Value is exempted for the following reasons. <ol style="list-style-type: none"> 1) The proposed Forest area to be Diversion of 0.13 ha of forest land in Theni Division & 0.0332 ha of forest land in Madurai Division of Madurai District. 2) The proposed Water Supply Pipe line under Water Supply Improvement Scheme to Usilampatti Municipality in Madurai District. 3) The proposed project is non-commercial nature and is part of plan of Government.
(iv)	The fund from the User Agency towards NPV under this project shall be deposited by generating challan from the Ministry's online web portal. UTR No. and date	The Compensatory A forestation amount of Rs.1,53,110/- (Rs.1,24,511/- for Theni District + Rs.28,599/- for Madurai District) has been deposited through RTGS/NEFT in favour of "TAMILNADU CAMPA"

	should be furnished.	payable at Union Bank of India , New Delhi vide UTR No.150875327069860 dated 22.07.2022 (UBIN0996335) and compliance report submitted in the web portal with all undertakings.
(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 this effect.	The TWAD Board undertakes to pay the additional amount of the 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. The undertaking to this effect is attached herewith.
(vi)	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.	Due to TWAD Board activities, there are no losses to the Flora and Fauna, and TWAD Board shall take all possible measures to conserve the same.
(vii)	The forest land shall not be used for any other purpose other than that specified in the proposal.	The Forest land diverted to TWAD Board shall not be used for any other purpose other than the specified one in the proposal.
(viii)	The lease rent should be realized from the User Agency as per G.O.Ms.No.272, E&F (FR.XIII) department dated 15.04.1991.	The lease rent fixed by the Forest Department as per G.O.Ms.272 E&F (FR.III) Department dated 15.04.1991, shall be paid by the TWAD Board and execute an agreement with the District Forest Officer and provide necessary under taking that lease rent will be paid by the TWAD Board every year till the date of expiry of the lease.
(ix)	The period of lease is 20 years.	The TWAD Board undertakes to agree for lease period of 20 years.
(x)	The User Agency should send renewal proposal one year before expiry of lease.	The TWAD Board undertakes to apply renewal proposal one year before the expiry of lease period with the State Forest Department. The undertaking to this effect is attached herewith.
(xi)	The Chief Conservator of Forests and District Forest Officer may impose any other condition, if required in the interest of conservation protection and development of forests.	The TWAD Board undertakes to agree regarding the District Forest Officers, Theni and Madurai Districts may impose any other condition in the interest of conservation / Protection and development of Forests.

Also, I request that necessary final approval may please be accorded and the proposed forest land may be transferred to TWAD Board under lease.

(Sd/-K.Eswaran/03.08.2022)
Executive Engineer,
TWAD Board, RWS Division,
Madurai.

Copy submitted to the Chief Engineer /TWAD Board/ Madurai for favour of kind information.

Copy submitted to the Superintending Engineer/MDT Circle/TWAD Board/ Madurai, for favour of kind information.

Copy submitted to the Conservator of Forest and Field Director, Srivilliputhur Megamalai Tiger Reserve, Madurai, for favour of kind information.

✓ Copy to the District Forest Officer, Theni for favour of kind information.

Copy to the District Forest Officer, Madurai for favour of kind information.

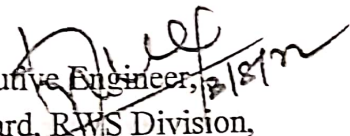
Copy to the Assistant Executive Engineer, TWAD Board, RWS Sub Division, Vaigaidam Madurai for necessary follow up action.


Executive Engineer,
TWAD Board, RWS Division,
Madurai.

3/8/22

UNDERTAKING CERTIFICATE

- 1) Undertaking that the legal status of land will be continue in Forest land and remain as Reserved Forest under section 16 of Tamil Nadu Forest act 1882.
- 2) Undertaking that the demarcation of the proposed forest land shall be carried out by erecting 4 feet height cement concrete pillars duly numbered and erected at an interval of 20 meters at TWAD Board cost after laying of water supply pipe line.
- 3) Undertaking to pay the Net Present Value of the diverted forest land at the rate stipulated by the Ministry of Environment and Forest 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.
- 4) Undertaking to pay the additional amount of the Net Present Value 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.
- 5) Undertaking that there will not be any loss to Flora and Fauna in the surroundings and TWAD Board shall take all possible measures to conserve the same.
- 6) Undertaking that the Forest land diverted to TWAD Board purpose, shall not be used for any other purpose other than the specified one in the proposal.
- 7) Undertaking to pay the cost towards lease rent as fixed by the Forest Department at the time of sanction along with any escalation of the forest land to be diverted for the above project in future for the entire project period.
- 8) Undertaking that the District Forest Officer may impose any other condition in the interest of conservation/Production and development of Forests.
- 9) Undertaking to apply renewal proposal before one year of expiry of lease with the State Forest Department.

Executive Engineer, 
TWAD Board, RWS Division,
Madurai.


3/8/22

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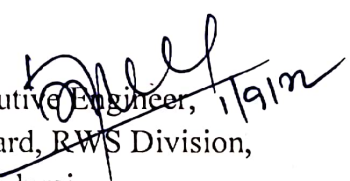
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1/19/22