



## ABSTRACT

Forests – Villupuram Forest Division – Diversion of 0.176 ha of forest land in Pakkamalai Reserved Forests for Nandhan Channel Rehabilitation work in Villupuram District – for a period of 20 years - in favour of Assistant Executive Engineer, Public Works Department, Water Resource Organisation, Lower Pennaiyar Basin Sub Division, Tindivanam, Villupuram District – under section 2 of Forest (Conservation) Act, 1980 – Orders – Issued.

### Environment and Forests (FR.10) Department

G.O.(Ms) No.132

Dated :18.11.2015

மன்மத, கார்த்திகை -02

திருவள்ளூர் ஆண்டு, 2046

Read :

1. Government of India, Ministry of Environment and Forests, New Delhi Letter No.11-9/98-FC, dated 3.1.2005.
2. Government of India, Ministry of Environment and Forests, New Delhi Letter No.11-9/98-FC, dated 24.09.2007, 11.09.2009 and 13.2.2014.
3. From the Principal Chief Conservator of Forests Letter No.TS3/15481/2015, dated 19.09.2015 and 28.10.2015.

### ORDER:

The Principal Chief Conservator of Forests in his letter third read above has sent a proposal for diversion of 0.176 ha. of forest land in Pakkamalai Reserved Forests of Villupuram Forest Division for Nandhan Channel Rehabilitation and Modernisation work in Villupuram District in favour of Assistant Executive Engineer, Public Works Department, Water Resource Organisation, Lower Pennaiyar Basin Sub Division, Tindivanam, Villupuram District under section 2 of Forest (Conservation) Act, 1980 through online for a period of 20 years.

2. The Principal Chief Conservator of Forests has reported that the User Agency, i.e., the Assistant Executive Engineer, Public Works Department, Water Resources Organisation, Lower Pennaiyar Basin Division, Tindivanam, Villupuram District has submitted online application under Section 2 of Forest (Conservation) Act, 1980 in the prescribed format of Form A - Part I. The User Agency has requested diversion of the forest area for a period of 50 years. The User Agency has stated that the Nandhan Channel Project was proposed to divert the surplus water from Thuringar River through the Kiranur Anaicut in Samanthakuppam village of Thiruvannamalai District to feed an extent of 6654.38 Acres through 36 tanks in Thiruvannamalai and Villupuram Districts. The User Agency has also stated that the Government of Tamil Nadu has accorded administrative sanction for taking up Rehabilitation and Modernisation of Nandhan Channel from LS 12.400 km to 37.880 km in Gingee and Villupuram Taluks of Villupuram District under the financial aid of World Bank. The Nandhan Channel originates from Keeranur Anaicut near Samanthakuppam Village in Thiruvannamalai Taluk & District and it runs upto 12.400 kms. in Thiruvannamalai District and enter into Panamalaipettai Hissa tank in Villupuram Taluk and District and runs to a length of 25.480 kms. in Villupuram District. The Channel has been formed in the year 1976 and connected with the Old Nandhan Channel at LS 30.500km. From LS 24.665 to 26.065 km., a reach of 1.40km of

Nandhan Channel runs through the Pakkamalai Reserve Forest between the villages So. Kuppam and Devathanampettai in Gingee Taluk. Since the length of 1.40 km Nandhan Channel runs in the Reserve Forest area, permission to enter upon the Reserve Forests area and to carry out the Rehabilitation work (24.665 to 25.335 kms) (i.e.,) 670 m is required. Out of the length of 670m channel, channel to a length of 318 runs in Survey No. 259, 260 and 261 of So. Kuppam village Public Works Department Patta land. The Balance length of the channel is in Reserve Forest area in two reaches of 158m and 194m. Hence, the User Agency has requested necessary permission to enter upon in the forest area from 25.355m to 26.065m for 730m length for machineries movement during execution and for doing work in 1<sup>st</sup> reach of 158m and 3rd reach of 194m in the existing right of way of Pakkamalai Reserve Forest (Reach No.2 is Public Works Department Patta lands). He assured that during execution, the Reserve Forest components will not be disturbed. Without completing the work in Forest area, scope of project will not ensure the assured supply of water to the irrigation of ayacut area 6654.38 Acres. He has also submitted necessary certificates / undertakings along with the proposal.

3. The District Forest Officer has inspected the site on 01.04.2015 and has submitted the site inspection report to Government. He has uploaded necessary certificates obtained from the User Agency. He has also reported that the minor irrigation project is highly essential to supply drinking water to public and is purely public oriented. He has recommended the proposal in the Part-II of format proposal for a period of 30 years.

4. The Conservator of Forests has also reported that this project is a minor irrigation project and it is very essential for the welfare of local people for their drinking water as well as irrigation water needs. The spontaneous tree growth (natural grown trees) of 110 trees available in the project area are found on bund area and outer edge of the channel and these trees will not be felled as per the undertaking given by the User Agency during execution of work. As per Forest (Conservation) Act, 1980 guidelines under Compensatory Afforestation, no compensatory afforestation shall be insisted for proposals involving diversion of forest land upto one hectare. However, in such cases, plantation of ten times of trees likely to be felled will have to be carried out by way of compensatory afforestation or any number of trees specified in the order. Hence Compensatory Afforestation has not been insisted, since the area proposed for diversion is less than one hectare and there is no felling of trees. Hence he has recommended the proposal for acceptance in the Part-III of format proposal for a period of 20 years.

5. The Additional Principal Chief Conservator of Forests (FCA) / Nodal Officer, Forest (Conservation) Act, 1980 has recommended the proposal in Part-IV of format proposal.

6. The Principal Chief Conservator of Forests has reported that the proposed area for diversion is within 1.00 ha. and no felling of trees is involved for execution of the Nandhan Channel project. He has recommended the proposal and requested the Government to accord necessary approval for diversion of 0.176 ha. of forest land in Pakkamalai Reserved Forests of Villupuram Forest Division for Nandhan Channel Rehabilitation and Modernisation work in Villupuram District in favour of Assistant Executive Engineer, Public Works Department, Water Resource Organisation, Lower Pennaiyar Basin Sub Division, Tindivanam, Villupuram District for a period of twenty years, subject to certain conditions.

7. The Government after careful examination, accord approval to the proposal of the Principal Chief Conservator of Forests for diversion of 0.176 ha. of forest land in Pakkamalai Reserved Forests of Villupuram Forest Division for Nandhan Channel Rehabilitation and Modernisation work in Villupuram District in favour of Assistant Executive Engineer, Public Works Department, Water Resource Organisation, Lower Pennaiyar Basin Sub Division, Tindivanam, Villupuram District under section 2 of Forest (Conservation) Act, 1980, as stipulated by Government of India, Ministry of Environment, Forests and Climate Change,

New Delhi in their Letters first and second read above, for a period of 20 years, 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 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) The User Agency has to pay the cost towards 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.
- f) Period of lease is twenty (20) years. The User Agency has to apply renewal proposal before six months of expiry of lease with the State Forest Department.

8. The Principal Chief Conservator of Forests is requested to take action accordingly and send a report to Government immediately.

(BY ORDER OF THE GOVERNOR)

HANS RAJ VERMA  
PRINCIPAL SECRETARY TO GOVERNMENT

To  
The Principal Chief Conservator of Forests  
(Head of Forest Force-FAC), Chennai-15.  
The Deputy Conservator of Forests (Central),  
Government of India,  
Ministry of Environment, Forests and Climate Change,  
Regional Office (South Eastern Zone),  
1<sup>st</sup> & 2<sup>nd</sup> Floor, HEPC Building,  
No.34, Cathedral Garden Road,  
Nungambakkam, Chennai – 600 034.  
The Inspector General of Forests,  
Government of India,  
Ministry of Environment, Forests and Climate Change,  
Indira Paryavaran Bhawan, Aliganj,  
Jor Bagh Road, New Delhi - 110 003.

**Copy to:**

The District Collector, Villupuram.  
The Conservator of Forests, Villupuram Circle, Villupuram.  
The District Forest Officer, Villupuram Division, Villupuram.  
The Assistant Executive Engineer,  
Public Works Department, Water Resource Organisation,  
Lower Pennaiyar Basin Sub-Division,  
Tindivanam-604 002.  
SF/SC.

/ Forwarded by order /

*P. Sandhi*  
Section Officer