

By R.P.A.D

C.No.D/2016/2017

O/o the District Forest Officer
Thoothukudi Division
Thoothukudi
Dated: 03.08.2017

Notice

To .

The Executive Engineer,
TWAD Board, Maintenance division,
Chidambara nagar,
Thoothukudi.

Sub: Forests - Land Lease-Srivaikundam-Forest Land over an extent of 0.055 Ha allotted to the user agency of TWAD board- under section 2 of Forest Conservation Act, 1980 for construction of Intake-well-along with control room and foot bridge- Commitment of violation observed - notice issued - reg.

Ref: 1) Government of Tamilnadu G.O. No.18 E&F dt 07.03.2008

<<<<>>>>

It is informed that the Government had issued orders vide G.O. (Ms) No. 18 Environment and Forests Department dated 07.03.2008 for diversion of 0.055 ha of forest land in S.No. 600 of Srivaigundam Village in Tuticorin District under the provisions made in Section 2 of the Forest Conservation Act, 1980 for construction of Intake well along with Control room and foot bridge on the bund of Tamiraparani river for drinking water purpose only which is very specifically mentioned therein.

2. It has been requested in this office even No dated 12.05.2017 to offer your remarks on this subject matter in order to verify genuineness of the utilization of the area of 0.055 ha allotted for fulfillment of drinking water purpose as stated above. But, your reply is still awaited.

3. a) During the field inspection by the District Forest Officer, Thoothukudi along with your representative on 03.08.2017, it discloses that the total extent of area utilized by you is 0.080 Ha whereas the extent of area leased (0.055 ha) to you vide G.O. (Ms) No. 18 Environment and Forests Department dated 07.03.2008 is only 0.055 ha only. Hence you have

utilized the extent of 0.025 Ha illegally and unlawfully and executed the following works without valid orders from the competent authorities.

1) Compound wall and passage - 0.015 Ha


2) Transformer Yard - 0.010 Ha

Total - 0.025Ha

b) Furthermore, it is also brought out that , in the above said G.O, it has been very clearly and specifically mentioned as the area of 0.055 Ha required has been allotted for drinking water purpose only. However, during the field inspection on 03.08.2017, it is found that the water is being utilized for Industrial purpose which is ~~violated~~ ^{violated} the objective of the G.O resulting total violation of above said Government Order.

4) For the above said violations, you are requested to send your explanation within 60 days from the date of receipt of this notice as to why legal action should not be initiated against you. If any failure to send your explanation within the stipulated time limit, is seen, further action will be pursued as per Forest Conservation Act, 1980 and rules in force.

5) The receipt of this letter shall be acknowledged by return of post.


District Forest Officer > 18/17
Thoothukudi Division (A/c)
Thoothukudi

Copy to the Forest Range officer, Srivaikundam Range, Srivaikundam to submit a full-fledged report in this regard for taking necessary further follow-up action in this regard.

TAMILNADU WATER SUPPLY AND RAINFALL BOARD

From

M. Jeyaseelan, B.E.,
Executive Engineer,
TWAD Board, Maintenance Division,
Thoothukudi.

To

The District Forest Officer
Thoothukudi District
Thoothukudi

Lr. No: 18817/ F 20MGD/ JDO/ 2017/ dated 23.08.2017.

Sub: TWAD Board - 20 MGD WSS - Executed and commissioned during the year 1975 with Arumugamangalam as source and later shifted to upstream side Srivaikundam Anaicut - Permission sought for Constructions intake well, foot Bridge and control room for supply of water to industries as well as drinking purpose and to Divert forest land to an extent of 0.055 ha. to non forest purpose in the prescribed format - Recommended by the District Collector - Scrutinized and recommended by District Forest officer and Conservator of forest - G.O accorded permission for 0.055 ha. to construct structures for drinking purpose - Forest land handed over for execution & commissioned in the year 2011- Mr. Joel file a petition before NGT and got order for stay the operation of 20 MGD WSS and latter modified the order and direct to seek permission of MoEF&CC for supply of water to industries - Notice of Violation issued by the District forest Officer acknowledge this receipt of letter- reg.

Ref: Notice issued by the District Forest Officer Thoothukudi Division Thoothukudi Vide C.No D/2016/2017/ Dated 3.8.2017

I hereby acknowledge the receipt of the letter cited in the ref. In this regard I wish to inform that, the letter dated 12.5.17 as mentioned in the notice not been received by this office. However as requested orally the Draft Counter for the application filed by Mr. Joel before National Green Tribunal is mailed for taking further action in this regard. The said violation of GO Ms No: 18 dt 7.3.2008 was happened during execution in the year 2008 by then Executive Engineer Urban

Division Thoothukudi. After completion of the project the above Division was wound up and the related records were handed over to the Executive Engineer TWAD Board RWS Division Thoothukudi for further follow up action in this regard.

from
M.Jeyase
Executive
TWAD B
Thoothu

Hence the said notice is enclosed and sent to the Executive Engineer RWS Division Thoothukudi for detailed further reply in this regard. On receipt of reply from Executive Engineer RWS Division Thoothukudi a detailed explanation for violation will be submitted at once. This is for information please.

Sir,
Sut

Executive Engineer TWAD Board
Maintenance Division, Thoothukudi

Copy Recd
Sut
மாண்புமிகு
- 7. SEP 2017
தூத்துக்குடி

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TAMILNADU WATER SUPPLY AND RAINAE BOARD

From

M.Jeyaseelan, B.E.,
Executive Engineer,
TWAD Board, Maintenance Division,
Thoothukudi.

To

The District Forest officer
Thoothukudi district
Thoothukudi

Lr. No:18817/ F 20MGD/ JDO/ 2017/ dated 20.9.17.

Sir,

Sub: TWAD Board - 20 MGD WSS - Executed and commissioned during the year 1975 with North main channel - Arumugamangalam as source and later shifted to upstream side Srivaikundam Anaicut - Permission sought for Constructions Intake well, Foot Bridge and Control room for supply of water to industries as well as for drinking purpose and to Divert forest land to an extent of 0.055 ha. to non forest purpose in the prescribed format - Recommended by the District Collector - Scrutinized and recommended by District Forest officer and Conservator of forest - G.O accorded approval for 0.055 ha. to construct structures for drinking purpose - Forest land handed over for execution & commissioned in the year 2011- Mr. Joel file a petition before NGT and got order for stay the operation and latter modified the order and direct to seek permission of MoEF&CC for supply of water to industries -Notice of Violation issued by District forest officer - detailed reply submitted reg .-

Ref:

1. Executive Engineer TWAD Board - Urban division Thoothukudi addressed to District Forest Officer Thoothukudi District Letter No: 2910/JDO1/ F 20MGD/ 2007/ dated 25.10.2007.
2. District Collector Thoothukudi addressed to DFO Thoothukudi District - ROC NO: PA9 6801/07 Dt 30.10.07.
3. District Forest Officer Thoothukudi District Thoothukudi addressed to the Conservator of forest Tirunelveli Circle Tirunelveli C.No: D/7868/2007/ Dt 09.11.2007.
4. Conservator of Forest Tirunelveli circle addressed to the Principal chief conservator of Forest Chennai C.No: D/12455/2007 Dt.04.12.2007.
5. The Principal conservator of Forest Chennai addressed to the Secretary Environmental and Forest Department Ref No: 754/74244/2007 Dt 20.12.2007.
6. GO Ms No:18 Environment and Forest department Dt: 07.03.2008.
7. BP Ms.No.45 PM Wing dated 29.5.2003
8. BP Ms.No.39 PM Wing dated 13.4.2005

9. Orders of Hon'ble National Green Tribunal South zone Chennai dated 7.7.2017
10. Notice issued by the District Forest officer Thoothukudi division Thoothukudi Vide C No D/2016/2017/ Dated 3.8.2017
11. EE /Maint Dn/ TWAD Bd/Thoothukudi Ir no. 18817/F.20 MGD /JDO/2017/ dated .8.2017 addressed to EE/RWS Dn / TWAD Bd /Thoothukudi.
12. Executive Engineer TWAD Bd Maintenance Divn Thoothukudi letter no.18817/F.20 MGD /JDO/2017/ dated 23.8.2017 addressed to District Collector Thoothukudi.
13. District Collector Thoothukudi Lr No.18817/F.20 MGD /JDO/2017/ dated 29.8.2017 addressed to District Forest officer Thoothukudi.

(((((()))))

With reference to the Notice issued by the District Forest officer Thoothukudi cited in the ref -10 regarding Violations of G.O Ms No. 18 of Environment and Forest department dated 07.03.2008 in 20 Mgd WSS – Closed conduit system. I submit the following details for kind consideration please.

1. The High power committee constituted by Tamilnadu Government for Thoothukudi area development has recommended that the requirement of water for the industries shall be tapped from Thamiraparani River vide G.O Ms No:2289 Public Work Department Dt.12.11.1970. Accordingly a proposal for tapping the water for industries ie 20 MGD from North Main Canal near Arumugamangalam tank from Srivaikundam anaicut had been prepared at a cost of Rs.470 Lakhs. As per the proposal, the raw water from North Main canal - Arumugamangalam tank was pumped to Manjalneerkayal treatment site where it was treated to the drinking water standards and supplied to the industries. From the industries own sump it had been used for drinking needs and for industrial purposes after required treatment for the concerned industries. This scheme was commissioned in the year 1975 and functioning till 28.2.2011.
2. Due to objection in drawl of water, the Agriculturist got direction from Honorable High Court of Madras to consider the proposal of tapping water directly from

Srivaikundam Anaicut through closed conduit system. Accordingly a proposal for providing closed conduit system to 20MGD WSS had been accorded administrative sanction for Rs.21.93 Cr. to draw 20MGD of raw water directly from Srivaikundam Anaicut through intake well of 10M dia and other auxiliary units to pump the water through closed conduit system to Iruvappapuram and then the water was conveyed through existing arrangement to Manjalneerkayal treatment plant site .The proposal was implemented as per B.P. Ms.No.39 dt.13.04.2005. The scheme was executed by then Urban Division Thoothukudi .On completion of the scheme the related records and files were handed over to RWS division Thhothukudi for further follow up action .

3. At present 20 MGD WSS closed conduit system is not in functional status and it was stopped from 7th jan 2017 onwards considering the poor storage in dams to meet the drinking water requirement of public during summer. In this situation an Advocate Thiru S.Joel , filed an application before the National Green Tribunal south Zone in application no.128 / 2017 seeking directions to stop the function of 20 Mgd WSS on the ground that TWAD Bd violating G.O Ms No. 18 dt7.3.2008 of Environment & Forest Dpt. The Hon'ble National Green Tribunal has also passed an interim order to stay the operation of 20 MGD WSS and on 7th july 2017 Hon'ble Judges passed an interim order modifying the earlier order dt 31.5.17 . In the order it has been noted that " *the supply of water for the industrial activities which is stated to be on contributory basis by these industries, has been continued for the past many years and it was taking note of all these facts only, the conservator of Forests has given recommendation to the Principal Chief Conservator of Forests who in turn, has given his recommendations to the Government of Tamil Nadu on 20.12.2007. The Government of Tamil Nadu while passing G.O Ms No: 18 E&F (FR 10) department dated 7.3.2008 has not chosen to mention to*

other purposes like industrial activities and restricted only for drinking purposes alone and it appears that there is a mistake in passing such order" Further applying the principle of sustainable development, the industries should not allowed to the run out of water, There is another issues viz the employees working in the industries who are residing in the said area are also deprived of water. Therefore, as an interim arrangements, the earlier order dated 31.5.2017 is modified to effect that the situation which was in existence before the interim order dated 31.5.2017. Further NGT also directed the user agency in the mean time to approach MoEF & CC for seeking permission. Accordingly a proposal seeking permission from Forest Dept have been sent to District forest officer Thoothukudi by the District Collector vide ref -13 .

4. Under this situation a joint Inspection was made by the District Forest Officer Thoothukudi in Head Works of 20 MGD WSS _ Closed conduit system at Srivaigundam Anicut on 3.8.17 and a Notice was issued vide C.No/2016/2017 dt 3.08.17. The main content of the notice is as follows.

- I. A letter dt 12.05.17 has been sent to Division office to offer remarks on genuineness of utilization of the area of 0.055 ha allotted for the construction of Head works components for drinking purpose as approved in the G.O but so far no reply has been received .
- II. Total area utilized is 0.08 Ha ,where as the extent of area leased vide G.O Ms. No. 18 Environment and Forest dept dt 7.03.2008 is only 0.055 Ha. Hence you have utilized an extent of 0.025 Ha illegally and unlawfully executed the following work without valid order from the competent authorities.

a)	Compound wall and Passage	- 0.015 ha
b)	Transformer yard	- 0.010 ha
	Total	= 0.025 ha

1. As per G.O it has been very clearly and specifically mentioned as the area 0.055 Ha required has been allotted for drinking purpose only. However during the field inspection on 3.8.17 it is found that the water is being utilized for Industrial purpose which is vitiating the objective of the G.O resulting total violation of the Government order .

5. In this regard it is submitted that

- the said letter dt 12.5.17 from District Forest Officer not been received in this office the same has been informed while acknowledging the receipt of the notice.
- the said violation was happened during execution of project in the year 2008- 2011. On completion and commissioning of the scheme, the execution Division ie Urban Division Thoothukudi has wound up and the related records and files were handed over to RWS division, Thoothukudi for further follow up action regarding this project and hence in the ref-11. the Executive Engineer RWS Dn has been requested to explain the reasons for violations notified by the District Forest officer . The Executive engineer RWS division Thoothukudi on pursuing the related records and informed that there is no correspondence was made with regard to Violations either by TWAD Bd or by Forest Dept during or even on completion of the project. The lease amount has been paid regularly to Forest Dept .On enquiry from those engineers during execution, it was informed that Intake well, Foot Bridge and control Room were the main components of Head works and While commencing execution of Head works in the upstream of Srivaikundam anicut , the forest authority objected and stop the work stating that, the storage area of Srivaikundam Anaicut falls under Reserve Forest survey No:600 and instructed to get suitable permission

from Forest Department. Accordingly permission proposal in the prescribed format was submitted and necessary permission was obtained. As per permission the components were constructed without deviation. Control Room was constructed near by the River bund and there was a gap in between control room and River Bund .To have path way to control room from bund the sloppy area was filled up with earth and protected from erosion of soil, and it is being used as open path way then while getting power supply from EB as per IE rules transformer yard was erected in the path way as such it was consider as River Poram poke land (RS no.601) and also there is no objection from Forest Dept till violation was notified during joint inspection made by the District Forest Officer on 3.8.17 . Hence said violation is only deviation and the notified deviated area amounts to 0.025 ha. During execution, these area only been protected against erosion of river bund in favor of Forest Dept and also there is no endangered fauna or flora. As per guideline issued by GoI vide 11-9/98-PC dt 21.9.2007, State government can accord general approval for conversion of Forest land to non forest purpose to an extent of 1.0 ha. The total area including deviated area is only 0.088 ha and is well within 1.0 ha and hence the said violated area may please be consider for ratification. In this regard a Proposal already been sent to District forest officer by the District Collector, Thoothukudi vide Ir No 18817/F.20 MGD /JDO/2017/ dated 9.8.2017 as directed by the Hon'ble National green Tribunal.

- While execution of Head works as said earlier ; the forest authority objected and stop the work stating that, the storage area of Srivaikundam Anaicut falls under Reserve Forest survey No:600 and instructed to get suitable permission from Forest Department.

➤ In the District collector letter addressed to the District forest officer Thoothukudi cited in the ref- 2 it has been specifically mentioned that the 20 MGD WSS was sanctioned by the Govt to meet the requirements of water for the industries like Southern Petro chemical industries Corporation, Thoothukudi Alkali Chemicals, Thoothukudi Thermal Power Plant , Dharangadhara Chemical works, SIPCOT, Zirconium and Titanium Sponge project, Heavy Water Plant etc ., further the proposals to draw 20 MGD water from Srivaikundam anaicut through closed conduit system also approved vide G.O M/s No 160 /Rd/Dt 30.7.1998 for Rs 21.93 crores and request to give enter upon permission in SF No 600/(Forest Land) for early execution of the project.

Based on the recommendation of the District Collector, Thoothukudi, the proposal duly countersigned by the District Forest Officer and submitted to the Conservator of the Forest Tirunelveli, in which it has been mentioned that the TWAD Board has submitted a proposal for diversion of land for non forest purpose for construction of certain infrastructure required for supply of water to Industries like Southern Petro Chemical Industries Corporation, Thoothukudi Alkali Chemicals Thoothukudi thermal power plant, Dharangadhara Chemical works , SIPCOT , Zirconium and Titanium Sponge project, heavy water plant etc /. The same proposal was submitted to the Principle chief conservator of Forest by the Conservator of forest with recommendation that, **the proposed reserved land is essential for Providing Water Supply to the Industries and also for Drinking Purpose.**

Accordingly, in the reference 1st letter cited, then Executive Engineer urban Division, Thoothukudi has sent a proposal to District forest Officer, Thoothukudi for seeking permission for construction of intake well , Foot bridge and control room in Reserve Forest Survey No:600 to meet out the water requirement of following industries viz.

- a.) Southern Petrochemical industries corporation(SPIC)
- b.) Thoothukudi Alkali Chemicals (TAC)
- c.) Thoothukudi Thermal Power Station
- d.) Dharangadhara chemical works
- e.) SIPCOT
- f.) Zirconium & Titanium plant and
- g.) Heavy water plant

The proposal was prepared and submitted in the prescribed format as per Forest Conservation Act 1980. In the prescribed format for seeking permission under Forest Conservation Act 1980, in Annexure I " Check List for proposal under Forest (Conservation) act 1980" under SI No: 24 "Information regarding number of benefits of Beneficiary of the project it has been specifically mentioned as **"water supply to industries"**. Further in the Form- A (Form for seeking prior approval under section 2 of the proposals by the state government and other Authorities) Part I (to be filled by the user agency) under SI no.1 , Short narrative of the proposal and project /scheme for which forest land is required it is furnished as " 20 MGD WSS closed conduit system water supply scheme to Thermal power project , SIPCOT Complex, Heavy water plant and other industries in Thoothukudi district for drinking and other purpose"

But, while passing the G.O.Ms No.18 dt7.3.2008 by the Environment and Forest Dept, it was approved for diversion of 0.055 ha. of forest land in Survey No.600 of Srivaikundam Village to TWAD Bd for construction of Intake well along with Control room and Foot Bridge for drinking purpose. Based on the above facts Hon'ble National Green Tribunal has noted in the order dt 7.7.17 that "***it was taking note of all these facts only, the conservator of Forests has given recommendation to the Principal Chief Conservator of Forests who in turn, has given his recommendations to the Government of Tamil Nadu on 20.12.2007. The Government of Tamil Nadu while passing G.O Ms No: 18 E&F (FR 10) department dated 7.3.2008 has not chosen to mention to other purposes like industrial activities and restricted only for drinking purposes alone and it appears that there is a mistake in passing such order***" Further applying the principle of sustainable development, the industries should not allowed to the run out of water, There is another issues viz the employees working in the industries who are residing in the said area are also deprived of water. Therefore, as an interim arrangements, the earlier order dated 31.5.2017 is modified to effect that the situation which was in existence before the interim order dated 31.5.2017. Further directed the user agency in the mean time to approach MoEF & CC for seeking permission.

6. A proposal, for getting ratification & approval for the violations notified by the District Forest Officer has already been submitted to the District Collector Thoothukudi vide letter cited in the - ref 12 and in turn it was sent to the District Forest officer by the District Collector vide ref-13.

7. Considering the following that,

- a. The proposal submitted by then Executive Engineer Urban division Thoothukudi for seeking permission to Construct Intake well, Foot Bridge and Control Room is submitted in the prescribed format furnished by the Forest dept under Forest act 1980 and subsequently in the recommendation made on the proposal by the District Forest officer and Conservator of Forest viz " The Reserved land is essential for providing water supply to Industries and also for drinking purpose"
- b. Taking note of the points in the order passed by the Hon'ble National Green Tribunal south zone dated 7.7.17 that' "while passing G.O Ms No: 18 E&F (FR 10) department dated 7.3.2008 has not chosen to mention to other purposes like industrial activities and restricted only for drinking purposes alone"...
- c. the notified deviated area was executed as pathway and Transformer yard by assuming as Govt Poram poke land (RS no.601) during execution of the project . These area only been protected against erosion of river bund in favor of Forest Dept and also there is no endangered fauna or flora. Further as per guideline issued by GoI vide 11-9/98-PC dt 21.9.2007, State government can accord general approval for conversion of Forest land to non forest purpose to an extent of 1.0 ha. The total area including deviated area is only 0.088 ha and is well within 1.0 ha.

For the said violations by the District Forest Officer, a proposal requesting
(i) To ratify the additional area utilized during execution over and above the sanctioned area in the G.O Ms No.18 of Environment and Forest dept dated 7.03.2008 , (ii) Necessary amendment to the GO Ms No. 18 of Environment and

Forest dept dated 7.03.2008 ie " Drinking purpose" amended as "Industrial purpose as well as drinking purpose" has already been submitted to the District Forest officer vide ref -13 cited.

Hence considering the above facts and the circumstances explained above, the said violations made during execution may kindly recommended for ratification and to grand necessary amendment to the GO Ms No. 18 of Environment and Forest dept dated 7.03.2008. This is submitted for information and favorable order please. Since the matter is pending before the Honourable Green Tribunal south zone, no further action may please be pursued .

Encl:- Copy of letters mentioned as above

[Signature]
Executive Engineer,
TWAD Bd Maintenance Division,
Thoothukudi.

Copy submitted to Ho

- 1) The managing Director TWAD Bd Chennai
for information of.
- 2) The Law officer TWAD Bd Chennai
for information of.
- 3) The chief Engineer TWAD Bd Chennai
for information of
- 3) The Superintending Engineer TWAD Bd
T.V Circle, Kollupatti.
for information of.

[Signature]
20/11
2008

Sr.
Copy received
[Signature]
25/11/08

Tamil Nadu Forest Department

From
Thiru. D. Sambath, I.F.S.,
District Forest Officer,
Thoothukudi Division,
Thoothukudi – 628 101.

To
The Executive Engineer,
TWAD Board,
Maintenance Division,
Thoothukudi

C.No. D/3522/2018, Dated: 4 .12.2018.

Sir,

Sub : Forests – Diversion of Forest land for Non Forest purpose – proposal under Forest Conservation Act 1980 – Tamil Nadu Water supply Board proposed to construction of In tank well along with pump room and Footbridge in Reserve land survey No. 600 of Srivaikundam village in Srivaikundam Range of Thoothukudi Division Commitment of violation observed-notice issued-Further details called for-regarding,

Ref : 1. The Government letter No 20575/FR.10/2018-1, dated 19.11.2018
2. Principal Chief Conservator of Forest, Chennai Ir TS4/24793/2018 dt 03.12.2018


A Copy of the above reference are enclosed here with in which the Government has called for details regarding work in violation of Forest Conservation Act 1980, has been uploaded in the Par-II of Form – hence the work violation amount have been fixed as Government of India New Delhi guide line as follows :

1. Violation area 0.025ha X NPV Rs 6.99 lakhs/ ha = Rs 17,475
2. As per guide line 5 times 17475 X 5 = Rs. 87,375.00
3. 12% Interest (from 2008 to 2018) 87375X12 % =Rs 10485.00
4. 2008 July month to December 2008 =
5. 10485/2= 5,243.00+87375 = Rs 92618.00
6. 2009 to 2018 - 10 Years X 10485 = Rs. 1,04,850.00
- Total Rs: 1,97,488.00

The Executive Engineer is requested to remit the violation work amount Rs.1,97,488/- in CAMPA Account Number **SB. Account Number1025227** –

CAF, Tamil Nadu Coparation Bank CGO Complex. Lodhi Road New
Delhi 110 003 (RTGS/IFSC No. CORP 0000371) and report the fact to this
Office with in three days

Yours faithfully,


4.12.18
District Forest Officer,
Thoothukudi.

Copy to the Forest Range Officer, Srivaikundam range for information and
necessary action.

Copy Received

Recd 5/12
AEE/MT/TEN.

2-1-1970

TAMILNADU WATER SUPPLY AND DRAINAGE BOARD

From

Er.G.Balasubramanian.B.E.,M.Tech.,
Executive Engineer,
TWAD Board,
Maintenance Division,
Thoothukudi.

To

The District Forest Officer,
Thoothukudi.

Lr.No.261218/ F.NGT/ 20MGD/ JDO/ 2018/ dt.26.12.18

Sir,

Sub: Forest land over an extent 0.055 Ha. allotted to the user agency of TWAD Board - under sec.2 of forests conservation act 1980 for construction of intake well along with control room and foot bridge - NGT Principal Bench New Delhi dated 28.11.2018 - notice issued reply - submitted - Reg.

- Ref: 1. GO MS.No.2289/ Public Works Department/ dt.12.11.1970
2. G.O MS.No.18/ E & F dt.7.3.18.
3. DFO/ Thoothukudi C.No: D/2016-17/ dt.3.8.2017
4. T.O Lr.No.18817/ F.20MGD/ JDO/ 2017/ dt.20.9.17
5. DFO/ Thoothukudi C.No: D/2016-17/ dt.5.10.2017
6. DFO/ Thoothukudi C.No: D/2016-17/ dt.21.11.2017
7. T.O Lr.No.231217/ F.20MGD/ JDO/ 2017/ dt.23.12.17
8. NGT Principal Bench New Delhi order dt.28.11.2018
9. DFO/ Thoothukudi C.No: D/2016-17/ dt.19.12.2018

With reference to the above cited, I submit that the 20MGD Water Supply Scheme in Thoothukudi District was formulated for the development of Industries in Thoothukudi with the recommendation of High power Committee, Constituted by Tamilnadu Government vide G.O Ms No.2289 of Public Works Department dt.12.11.1970 in the ref (1) cited. After the Technical Committee suggestions and the Directions obtained from Honb'le Madras High Court vide its order dt.23.1.2002, a proposal for providing water supply to the Industries with Closed Conduit System was prepared and the sanction had been accorded for 21.93 crores to draw 20MGD of water directly from Srivaikundam Anaicut through Intake well, vide GO Ms.No.160/ Rural Development/ dt.30.7.1998 & TWAD Board BPMs.No.45 programme

Management wing dt.29.5.2003. On completion of the Closed Conduit Scheme the water is being supplied to the Industries directly from Srivaikundam anaicut for Industrial and drinking purposes, from 2011 onwards.

The detailed reply for the details called for vide the ref (6) cited have already been submitted by this office vide ref (7) cited, clearly states that the average quantity of water pumped from Srivaikundam Head works under 20MGD WSS is 30-55MLD (6-12MGD). It is being measured with electronic type water meter fitted in Srivaikundam Control room.

The water pumped from the Srivaikundam pumping station is supplied for drinking purpose alone from 01.12.2018, as per the directions of the Hon'ble NGT Principal Bench, New Delhi dated 28.11.2018 vide ref 8th cited.

This is for the favour of information and further action in this regard please.


Executive Engineer, TWAD Board,
Maintenance Division, Thoothukudi.

28/12/18

TAMILNADU FOREST DEPARTMENT

From

Thiru.D.Sambath, I.F.S.,
District Forest Officer ,
Thoothukudi Division,
Collectorate Campus,
Thoothukudi – 628 101.

To

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

C.No: D/3522/2018 Dated:17.12.2018

Sir,

Sub : Forests – Diversion of Forest land for Non Forest purpose – proposal under Forest Conservation Act 1980 – Tamil Nadu Water supply Board proposed to construction of In tank well along with pump room and Footbridge in Reserve land survey No. 600 of Srivaikundam village in Srivaikundam Range of Thoothukudi Division – Proposal submission – regarding.

- Ref:-
1. Government LrNo. 20575/FR10/2018-1, dated 19.11.2018
 2. Principal Chief Conservator of Forest, (Head of Department) Chennai lr No. TS4/24793/2018 dt 03.12.2018
 3. District Forest Officer, Thoothukudi reply to Principal Chief Conservator of Forest, Chennai vide DFOs ref. No: D/2016-17 dt:03.08.2017
 4. District Forest Officer, Thoothukudi ref. No: D/2016-17 dated 03.08.17, 05.10.17, 06.10.17, 06.10.17, 21.11.2017,01.12.2017,
 5. Executive Engineer, TWAD Board, ref. No:18817/F20MGD/JDO/2017/Dt 23.08.2017, 20.09.2017,

In continuation of this office reference 3rd and 4th cited above. I submit the additional details called for in the reference Principal Chief Conservator of Forest, Chennai and Government letter cited, the reply is submit as below.

- 1) The reply has been received from the Executive Engineer TWAD Board, Thoothukudi vide reference 5th cited for District Forest Officer 03.08.2017 dated notice. They have been requested to send explanations for the show cause notice in full shape and additional details regarding quantity of water pumped/listed from the Reserve Land and quantity delivered to the companies along with details of Revenue realized from them. They have

sent the reply on 5.10.2017 and copy of the same is enclosed here with. (Copy enclosed)

- 2) The reply has been received from the User Agency for Genuineness details of utilization of Tamiraparani Water as per G.O. (Ms) No.18 Environment and Forests (FR.10) Department, dated 07.03.2008. In their reply TWAD Board accepted the utilization of Thamiraparani water to the industries in their reply dated 30.11.2018.(Copy of the same is enclosed herewith).
- 3) Yes As per Government of India guidelines and Government LrNo. 20575/FR10/2018-1, dated 19.11.2018 the Penalty amount Rs1,97,468/- has been fixed and intimate to User Agency and same have been deposited (Rs 1,97,468/-) in the CAMPA Account No 0000371/SB/1/1025227 CAF Tamilnadu Corporation Bank, CGO Complex, Lodhi Road, New Delhi 110003, (RTGS) IFSC No. CORP 0000371 in Thoothukudi on 06.12.2018 and copy of the Chelan is enclosed.
- 4) During the year 2008 while carrying out the construction of intake well along with control room and footbridge after the completion of the above work no violation has been pointed out at that time. Subsequently during the year 2017 some discrepancy has been noticed as below.



The control room has been constructed by the user agency with passage for a length of 26.60m and width of 6.00m and Transformer yard 13m length and width 7.70m also has been constructed during that time. Total area under violation is 0.025 Ha for the above works which has not been included in the original proposal. Hence this has not been included in the Part II proposal.

The total area in $(0.055+0.025=)$ 0.080ha only, below one ha hence this proposal may be considered

Yours faithfully,


District Forest Officer,
Thoothukudi

Encl: As above


17/12/18

17.12.18

6-12-18

TAMILNADU WATER SUPPLY AND DRAINAGE BOARD

From

Er.G.Balasubramanian.B.E.,M.Tech.,
Executive Engineer,
TWAD Board,
Maintenance Division,
Thoothukudi.

To

The District Forest Officer,
Thoothukudi.

Lr.No.71218/ F.NGT/ 20MGD/ 2018/ JDO/ dt.7.12.18



Sir,
Sub: Forests - Forest (Conservation) Act,1980 - Thirunelveli Circle/ Thoothukudi.
Forest Division - Proposal for diversion of 0.08 hec.of forest land for 20MGD closed conduit scheme for water supply scheme to Thoothukudi Thermal Power Plant, SIPCOT complex, Heavy Water Plant and other habitations in Thoothukudi District - by TWAD - reg.

- Ref:
- 1.Online application no. FP/TN/34099/218
 2. T.O Lr.No.18817/ F.20MGD/ JDO/ 2017/ 23.8.17.
 - 3.Environment & Forest Department, secretariate, Chennai Lr.No.20575/ FR10/ 2018-1/ dt.19.11.18.
 4. T.O Lr.No.18817/ F.20MGD/ JDO/ 2017/ 20.9.17.
 5. T.O Lr no.30118/F.20MGD WSS/JDO/30.11.18
 6. PCCF (HOD) Chennai Lr.No. C No.TS4/ 24793/ 2018 dt.3.12.2018.

In continuation of this office letter 6th cited, I submit the following additional details for your reference.

- 1) The reply for the notice received from District Forest Officer, Thoothukudi were already submitted vide this office letters ref.2rd & 4th cited. The copy of the same are enclosed herewith for ready reference.
- 2) TWAD Board has given genuineness report in the reply dated 30.11.18(Copy enclosed).
- 3) Yes, An amount of Rs.1,97,468/- towards the charges for the additional area utilized (0.025ha) in the Forest reserve land S.No.600 at Srivaikundam with penalty remitted in CAMPA in SB (A/C.No. 1025227- CAF,Tamilnadu corporation Bank CGO Complex, Lodhi Road, New Delhi 110003. (RTGS) IFSC No.CORP 0000371.)

account no.371/SB/1/1025227 Corporation bank, Thoothukudi dated 06.12.2018.

4) The control room was constructed near by the Tamirabarani River bund and there was a gap in between control room and river bund. To have path way to control room from bund the sloppy area was filled by earth and protected from erosion of soil. The path way ie passage measured as 26.60mt length and 6.00mt width to a total area of 0.015ha and while getting power supply from EB as per IE rules Transforms Yard was erected in the path way for a Length 13.0mt & width 7.70mt having area of 0.01ha and the total additional area found to 0.025 ha, which was deviated against the GO in which the area 0.055ha only had been sanctioned. The 0.025ha for the above have been found violation of Forest Conservation Act 1980 section 2. The work in said violated area have been done so as to protect the river bund against the erosion and to utilize as path way to control room. There is no endangered fauna or flora in the overall 0.08ha and it is well with in one ha. Hence, the proposal may be considered.

AmC 07/12/18
Executive Engineer,
TWAD, Maintenance Division
Thootukudi

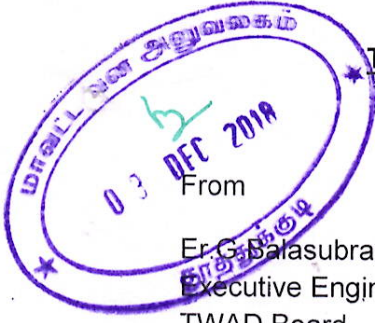
5/7/12

CHARGES REMITTED FOR THE ADDITIONAL AREA UTILISED
 (0.025 HA) IN THE FOREST RESERVE LAND S.NO 600 AT
 SRIYAIKUNDAM WITH PENALTY BY THE USER AGENCY
 (EXECUTIVE ENGINEER, TNAD BOARD, THOOTHUKUDI) FOR
 20 MGD W.S.S IN THOOTHUKUDI DIST VIDE IN CAMPA
 A/c NO 371 /SB/1/1025 227 CORPORATION BANK
 THOOTHUKUDI DT. 06.12.2018.

कार्पोरेशन बँक Corporation Bank		जमा / भूगतान पर्ची DEPOSIT / PAY IN SLIP	
शाखा Branch	Thoothukudi		
दिनांक Date	06	12	2018
एसबी / सीए / ओडी / सीसी / आरडी / टीएल / डीएल खाता सं. / क्रेडिट कार्ड सं. SB / CA / OD / CC / RD / TL / DL A/c No. / Credit Card No.	371	SB	1/1025227
नाम NAME	CAF		
मोबाइल/ दूरभाष Mob./Tel.No.			
राशि Amount	₹ 197468	₹.	00
राशि (अक्षरों में) Amount (in Words)	One lakh ninety seven thousand four hundred and sixty eight		
चक्र / चेक सं. / दिनांक व बैंक व शाखा का नाम Cash/Cheque No./Date & Name of Bank & Branch			
	197468	-	
कुल TOTAL	197468	-	

कार्पोरेशन बैंक टॉल फ्री 24 घंटे कॉल सेंटर
 18004253555 कार्पोरेशन बैंक
 CORPORATION BANK Toll Free 24 hours
 call centre 18004253555

अधिकारी / रोकाडिया / एसडब्ल्यूओ
 Officer/Cashier/SWO



TAMILNADU WATER SUPPLY AND DRAINAGE BOARD

From

Er. G. Balasubramanian. B.E., M.Tech.,
Executive Engineer,
TWAD Board,
Maintenance Division,
Thoothukudi.

To

The District Forest Officer,
Thoothukudi.

Lr.No.30118/ F.20MGD WSS/ JDO/ dt.30.11.18

Sir,

Sub: TWAD Board - Maintenance Division, Thoothukudi - water supply under 20MGD WSS - Water drawn from River Tamirabarani - Genuineness report sub- reg.

Ref: Special Secretary to Govt, Environment & Forest Dept, Lr.No.20575/ FR10/ 2018-1, dt.19.11.2018, addressed to PCCF (HOD), Chennai.

With reference to the above letter cited, I submit that, the reply in respect of Genuineness details of utilization of Tamirabarani water as per G.O (MS) No.:18, Environment and Forest (FR 10) Department dt.07.03.2008 has already been given vide this office Lr.No. 18817/ F.20 MGD/ JDO/ 2017/ dt.20.09.2017

The above said G.O (MS) No.:18, Environment and Forest (FR 10) Department dt.07.03.2008 obtained only for the permission for forest Reserve land for the Construction of infrastructure of the Head works of 20MGD Scheme @ Srivaikundam. For utilization of Tamirabarani water originally the Government of Tamilnadu had already issued order vide G.O.Ms.No:1211 Dated 20.07.1972 and based on which the TWAD Board. is supplying Tamirabarani Water to industries as allocated in G.O Genuinely.

[Handwritten signature]
Executive Engineer, TWAD Board,

Maintenance Division, Thoothukudi. *(Camp @ Chennai)*

[Handwritten date]
30/11