

## TAMILNADU FOREST DEPARTMENT

**From**

Thiru.K.Thirumal I.F.S.,  
District Forest Officer (a/c),  
Thoothukudi Division,  
Collectorate Campus,  
Thoothukudi – 628 101.

**To**

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

**C.No: D/3522/2018 Dated: 20.2.2019**

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 pumphoom and Footbridge in Reserve land survey No. 600 of Srivaikundam village in Srivaikundam Range of Thoothukudi Division – Proposal submission – essential details called for – submission of – 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 ref. No: D/2016-17 dated 03.08.17, 05.10.17, 06.10.17, 06.10.17
  - 4.. Government LrNo. 20575/FR10/2018-6, dated 01.02.2019
  - 5.. Principal Chief Conservator of Forest, (Head of Department) Chennai lr No. TS4/24793/2018 dt 07.02.2019

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I submit my reply as called by the Principal Chief Conservator of Forest, Chennai reference 5<sup>th</sup> cited as follows.

**I. Why the NGT case No.128 of 2017 relating to this issue is not reported**

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The application No. 128 of 2017 filed by Thiru S, Joel Advocate, Thoothukudi before National Green Tribunal, New Delhi and in the above case the Inspector General of Forests MoEF and CC, New Delhi is the 1<sup>st</sup> respondent, the Secretary to Govt E&F Dept Chennai is the 2<sup>nd</sup> respondent

and the Principal Chief Conservator of Forests, Chennai, the Additional Principal Chief Conservator of Forests (Central), the District Collector, Thoothukudi, District Forest Officer, Thoothukudi Division, the SE, PWD and the EE Urban Division, Thoothukudi are the respondents. As instructed in Principal Chief Conservator of Forests No.WR3/24188/2017 dated 27.06.2017 the District Forest Officer Thoothukudi Division has been taken for preparation of detailed draft counter affidavit in consultation with the Special Government Pleader, High Court, Madras. The detailed report had already been submitted to the Principal Chief Conservator of Forests in this office No.D/2016/2017 dated 03.08.2017 and the same was submitted by the Conservator of Forests Tirunelveli Ref.No.D/5353/2017 dated 03.08.2017. Also the matter have been brought to the Principal Secretary to the Government, E&F Chennai in No.WR3/24188/2017 dated 21.07.2017. The above said matter have been dealt in Government Lr.No.10895/FR10/2017-6 E & F Dept dated 11.09.2017. Meanwhile the above case has been transferred to the National Green Tribunal Principal Bench, New Delhi from Hon'ble National Green Tribunal Southern Bench Chennai. Reply affidavit have been filed by the Secretary to Government E & F Chennai. As per the Govt Lr.No.10895/FR10/2017-10 E&F Dept dated 10.04.2018, for the above case hearing on 17.04.2018, the District Forest Officer Thoothukudi Division was attended the National Green Tribunal on 17.04.2018 along with Standing Council. On 28.11.2018 Judgment was issued the same, In the Judgment the Hon'ble court directed that the TWAD Board to forthwith prohibit the use of the water drawn against the Forest Clearance for 0.055 ha which admittedly had been granted only for the purpose of drinking water making it quite clear that any other order passed by this tribunal earlier contrary to this shall stand hereby superseded. In addition to that Hon'ble Supreme Court of India, New Delhi, Civil Appeal No. 11935 of 2018 has issued the final order dt 04.2012019. It is submitted for kind information.

**2. Whether the Principal Chief Conservator of Forest has accepted the explanation furnished by the Tamil Nadu Water Supply and Drainage Board:**

As ordered in the Hon'ble court the user agency has uploaded the online proposal seeking prior approval of Central Government for the additional reserved land area requirement of 0.055 Ha for construction of well, control, foot bridge in S.No.600 of Srivaikundam village. The proposal furnished by the user agency has submitted to Principal Chief Conservator of Forest, Chennai on 10.01.2019 duly with the required recommendation.

Also penalty for the violation an amount of Rs.1,97,468/ have been collected from the user agency as per FC Act guide line on 06.12.2018. Hence the excess area taken by the TWAD board may accept.

**3 .Specific comments on the G.O.Ms.No.1211, dated 20.07.1972 by the Principal Chief Conservator of Forest, Chennai**

The TWAD Board has stated the additional supporting evidence on the 20MGD case, in the Government Order

|   |           |
|---|-----------|
| a) Tuticorin Fertilizer Project of Southern Petro-Chemical Industrial Corporation Ltd         | - 9MGD    |
| b) Soda ash, Ammonium chloride plant of Tuticorin Alkali Chemicals Ltd., Joint Sector venture | - 2MGD    |
| c) Heavy Water Project of Department of Atomic Energy, Govt. Of India                         | - 1.6MGD  |
| d) Thermal Power Station of Tamilnadu Electricity Board                                       | - 1.33MGD |
| e) PVC Project of Plastic Resinc Chemicals Ltd  | - 3 MGD   |
| f) Ilmenite Project of Dharangadhara Chemicals works  | - 1.5MGD  |
| Total   | 18.43     |

Based on that they have climbed further period it will continue then the proposal may be considered.

**4) Why the violation was not uploaded in Part II of Form A of Forest (Conservation ) Act, 1980:**

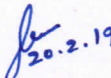
Now the details of violation has been pointed out in the Part II of Form A of Forest (Conservation )Act, 1980 and name of person has also pointed out , but by mistake the penalty amount Rs. 1,97,468/- has not pointed out in the Part II. Now it has been pointed out in the Part II of Form A of Forest (Conservation) Act, 1980.


2. The violation of the project will lead to erosion of river bund. There is no endangered fauna and flora. The site is about 2.8 metre above Thamiraparani river bed. The area is already developed. It was ascertained that the construction was done during 2008 to 2010 and no tree was felled during construction. In overall including now proposed 0.055 ha, the requirement of the forest area for this project is within one ha (0.080 Ha) and hence the proposal may be considered.

Yours faithfully,  
Sd/-K.Thirumal,  
District Forest Officer(A/c),  
Thoothukudi

Encl: As above

// True Copy // By order //

  
20.2.19  
Superintendent

  
20/2/19