



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

Letter No.20575/FR.10/2018-14, Dated. 23.12.2019

From
Thiru. Shambu Kallollikar, I.A.S.,
Principal Secretary to Government.

To
The Additional Director General of Forests (Central),
Government of India, Ministry of Environment, Forests and Climate Change,
Regional Office (South Eastern Zone),
1st & 2nd Floor, HEPC Building,
No.34, Cathedral Garden Road,
Nungambakkam, Chennai-34.(w.e.)

Sir,

Sub: Forests - Forest (Conservation) Act, 1980 – Tirunelveli Circle /
Thoothukudi Forest Division - Proposal for diversion of 0.08 ha of
forest land for 20 MGD Closed circuit Scheme for Water supply
scheme in Thoothukudi District for drinking as well as industrial
purpose - in favour of Executive Engineer, TWAD Board, Thoothukudi
– Regarding.

- Ref:
1. From the Principal Chief Conservator of Forests Letter No.TS4/24793/2018, dated 22.10.2018 and 23.01.2019.
 2. Government Letter No.20575/FR.10/2018-1, dated 01.02.2019 and 27.02.2019.
 3. From the Principal Chief Conservator of Forests Letter No.TS4/24793/2018, dated 26.02.2019 and 28.02.2019.
 4. Orders of Hon'ble Supreme Court of India dated 04.02.2019 in C.A.No.11935 of 2018 and batch cases.
 5. Government Letter No.20575/FR.10/2018-9,dated 25.03.2019.
 6. From the Assistant Inspector General of Forests, Government of India, Ministry of Environment, Forests and Climate Change, Chennai letter F.No.4-TNB033/2019-CHN/0610, dated 10.04.2019.
 7. From the Managing Director, Tamil Nadu Water Supply and Drainage Board, Chennai Letter No.F.20 MGS-Forest/AE/Line Dept./Mega/2019, dated 20.09.2019 addressed to the Principal Chief Conservator of Forests with a copy marked to Government.
 8. From the Principal Chief Conservator of Forests Letter No.TS4/24793/2018, dated 01.10.2019.
 9. Government Letter No.20575/FR.10/2018-13, dated 15.10.2019.
 10. From the Principal Chief Conservator of Forests Letter No.TS4/24793/2018, dated 28.11.2019.

(P.T.O)

I am directed to invite your attention to the reference first cited wherein the Principal Chief Conservator of Forests has stated that the User Agency, the Managing Director, Tamil Nadu Water Supply and Drainage Board has furnished online application under Section 2 of Forest (Conservation) Act, 1980 in the prescribed format of Form A – Part I for diversion of 0.08 ha. of forest land for 20 MGD Closed Circuit Scheme for Water supply scheme to Thermal Power Project, SIPCOT complex, Heavy water plant and other industries in Thoothukudi District for drinking and industrial purpose.

2. While the above proposal was under examination, the Hon'ble National Green Tribunal (Southern Zone), Chennai in Original Application No.128 of 2017 filed by Thiru.S.Joel, Advocate, Tuticorin with a prayer to demolish the unauthorized raw water pumping house constructed in Reserve Forest land situated in S.F.No.600, Srivaigundam Dam, in its Order dated 28.11.2018 has allowed the above said Application with a direction to the Tamil Nadu Water Supply and Drainage Board to prohibit the use of the water drawn against the forest clearance for 0.055 ha. which admittedly has been granted only for the purpose of drinking water and the Tribunal do not prohibit use of water for drinking purpose by the housing colonies, schools, hospitals, etc. and is only confined to the industrial units.

3. Against the said orders of the National Green Tribunal dated 28.11.2018, the Managing Director, Tamil Nadu Water Supply and Drainage Board and others have filed Civil Appeals before the Hon'ble Supreme Court of India. The Hon'ble Supreme Court of India have disposed of the appeals vide its Order fourth cited with a direction that a joint meeting be held of the representatives of the State Government and of the Tamil Nadu Water Supply and Drainage Board to resolve the issue within a period of two weeks from the date of issue of the order and the proposal shall thereupon be forwarded to Ministry of Environment, Forests and Climate Change within three weeks from 04.02.2019.

4. As per the above direction of the Hon'ble Supreme Court of India, a review meeting was conducted on 18.02.2019 along with the officials of Forest Department and Tamil Nadu Water Supply and Drainage Board. In the said review meeting, the Principal Chief Conservator of Forests has been requested to send his reply on the clarifications as called for by the Government vide reference second cited in respect of the above said diversion proposal within the time limit specified by the Hon'ble Supreme Court of India vide its Order fourth cited.

5. Accordingly, the Principal Chief Conservator of Forests vide reference third cited has sent a revised proposal. He has stated that the Additional Principal Chief Conservator of Forests in the Part-IV recommendation dated 28.2.2019 has stated that the User Agency has violated the provisions of Forest (Conservation) Act, 1980 by usage of excess forest area of 0.025 ha. and by supply of water to industries other than allowed by State Government orders. For the said violation, penalty has been imposed by the District Forest Officer. He has, therefore recommended the proposal for drinking water purpose only and not for usage of Industrial purpose. The Principal Chief Conservator of Forests has also recommended the proposal for diversion of 0.08 ha. of forest land in Srivaikundam Forest block Reserved land in Thoothukudi Forest Division, Thoothukudi District for 20 MGD Closed Circuit Scheme for Water supply for **drinking purpose only** and not for industrial use for a period of 20 years, subject to certain conditions.

(P.T.O)

6. The above said proposal of the Principal Chief Conservator of Forests has been forwarded to the Government of India, Ministry of Environment, Forests and Climate Change vide Government letter fifth cited, since certain violations have been committed by the User Agency by usage of excess forest area of 0.025 ha. and by supply of water to industries other than allowed by State Government orders.

7. In this connection, the Government of India vide their letter sixth cited has stated that it is discernible that the State Government has recommended the proposal for drinking water purpose only, against the proposal of the User Agency for supply of water for both drinking and industrial purposes. As per the existing guidelines issued by the Ministry of Environment, Forests and Climate Change, Government of India, the category of the project would fall under "General Approval" category for which the State Government itself is competent to deal with such proposals. Hence, the Government of India has requested to take appropriate action on the subject proposal as per the provisions under Forest (Conservation) Act, 1980 and Rules / Guidelines issued there under.

8. Meanwhile, Thiru.S.Joel, Advocate, Tuticorin has filed another Original Application No.33 of 2019 before Hon'ble National Green Tribunal (Southern Zone), Chennai with a prayer to direct the third and seventh Respondents viz., the Managing Director, Tamil Nadu Water Supply and Drainage Board, Chennai and the Executive Engineer, Tamil Nadu Water Supply and Drainage Board, Thoothukudi respectively to strictly implement G.O.Ms.No.18, Environment and Forests (FR.10) Department, dated 07.03.2008 by supplying the water drawn under 20 MGD water supply scheme to general public for drinking purpose only. The Hon'ble National Green Tribunal, Principal Bench, New Delhi in its Order dated 23.09.2019 has admitted the case and directed the Chief Secretary, State of Tamil Nadu to submit his views on the allegations made in view of the direction given by the Tribunal and the Hon'ble Apex Court regarding the use of the water in that area under this project and what is the action taken on the basis of the direction given by the Ministry of Environment, Forests and Climate Change, Government of India as per their letter sixth cited. A Reply Affidavit in the above mentioned case has been filed before the National Green Tribunal on behalf of the Chief Secretary to Government of Tamil Nadu. The said case is still pending before the National Green Tribunal.

9. In the meantime, Managing Director, Tamil Nadu Water Supply and Drainage Board, Chennai in his representation seventh cited has requested the Principal Chief Conservator of Forests to recommend the proposal to the State Government as already applied by the Tamil Nadu Water Supply and Drainage Board for the purpose of 20 MGD Water Supply Scheme for Industrial as well as drinking purpose.

10. The Principal Chief Conservator of Forests in his letter eighth cited has recommended the proposal of the Managing Director, Tamil Nadu Water Supply and Drainage Board for providing water supply for drinking as well as Industrial purpose and requested to obtain and communicate the approval of the Government of India for the above proposal for diversion of 0.08 ha. of forest land for the purpose of 20 MGD Water Supply Scheme.

11. In this regard, certain clarifications have been called for from the Principal Chief Conservator of Forests in Government letter ninth cited and the Principal Chief

Conservator of Forests has furnished his report in his letter tenth cited for the said clarifications as follows:-

Sl. No	Clarifications sought for in Government letter ninth cited	Report of the Principal Chief Conservator of Forests
1.	Furnish and upload the revised Part-IV recommendation (in original).	The revised Part-IV recommendation is uploaded and Part-IV (in original) is furnished herewith.
2.	The justification for recommending the proposal for drinking water purposes and the Industrial use, may be intimated, so as to forwarded the same to the Government of India.	<p>Proposal for diversion of 0.08 ha. of forest land to TWAD Board is recommended both for Drinking and Industrial purposes for the reasons stated below:-</p> <ol style="list-style-type: none">1) The User Agency stated that the project is for providing drinking water supply to public, Industrial townships, schools, hospitals and Industries of State owned / Central Government owned / Private Industries so as to provide employment opportunities and for upliftment of Socio-Economic status of the public in Thoothukudi District and also for Industrial growth.2) Subject to the decision taken by the District Collector, Thoothukudi as per Court order regarding quantum of water to be allotted to industrial purpose after fulfilling the present and future requirement of the public.3) Subject to the outcome of the final order of the Hon'ble National Green Tribunal in OA.No.33/2019 (SZ).
3.	Since the User Agency, i.e. Tamil Nadu Water Supply and Drainage Board had violated the provisions under Section 2 of Forest (Conservation) Act, 1980 in the Forest land diverted vide G.O.(Ms).No.18, Environment and Forests (FR.10) Department, dated 07.03.2008, furnish and upload the action taken for the said violations committed as per Section 3B and 9 of the Forest (Conservation) Act, 1980.	For the violation, notice has been sent to the user agency and the User Agency deposited the penalty amount of Rs.1,97,468/- (one lakh ninety seven thousand four hundred and sixty eight) in CAMPA account on 06.12.2018. These details have already been uploaded by the District Forest Officer, in the section 11 of Part-II of Form-A.

12. The Government after careful examination have decided to accept the proposal of the Principal Chief Conservator of Forests for diversion of 0.08 ha. of forest land in Srivaikundam Forest block Reserved land in Thoothukudi Forest Division, Thoothukudi District for a period of 20 years for 20 MGD Closed Circuit Scheme for Water supply for drinking as well as industrial purpose, subject to the decision taken by the District Collector, Thoothukudi as per the orders of the Hon'ble Supreme Court of India in the reference fourth cited and subject to the outcome of the final orders of the Hon'ble National Green Tribunal in O.A. No.33 of 2019 (SZ) and forward the same to the Government of India, Ministry of Environment, Forests and Climate Change for obtaining their concurrence. I am, therefore to request you to kindly obtain the concurrence of the Government of India, Ministry of Environment, Forests and Climate Change for the said proposal and communicate the same to this Government, early.

Yours faithfully,

A. R. Sundaraj
23/12/19

for Principal Secretary to Government

Sy
23/12/19

Copy to:

The Principal Chief Conservator of Forests (HoD),
Chennai-15.

✓ The Managing Director,
TWAD Board, Chennai-5.

3/19

PART – V

(To be filled in by the Secretary in charge of Forest Department or by any other authorized officer of the State Government not below the rank of an Under Secretary)

Proposal for diversion of 0.08 ha. of forest land in Srivaikundam Forest block Reserved land in Thoothukudi Forest Division, Thoothukudi District for a period of 20 years for 20 MGD Closed circuit Scheme for Water supply for drinking as well as industrial purpose under Section 2 of Forest (Conservation) Act, 1980 subject to the decision taken by the District Collector, Thoothukudi as per the orders of the Hon'ble Supreme Court of India dated 04.02.2019 in C.A.No.11935 of 2018 and batch cases and subject to the outcome of the final order of the Hon'ble National Green Tribunal in O.A. No.33 of 2019 (SZ).

18. Recommendation of the State Government

(Adverse comments made by any officer or authority in Part-B or Part – C or Part – D above should be specifically commented upon)

- Recommended -

60. 23/12/19.
[M. SAADHISH KUMAR]
Signature

Name & Designation
(Official Seal)

Under Secretary to Government.
Environment and Forests Department
Secretariat, Chennai-9

Date : .12.2019

Place : Chennai-9.

1. The first part of the document is a letter from the author to the editor, dated 12/15/1964. The letter discusses the author's interest in the subject of the journal and the author's hope that the editor will accept the author's manuscript for consideration.

2. The second part of the document is the author's abstract, which summarizes the main points of the paper. The abstract states that the author has developed a new method for the determination of the concentration of a certain substance in a mixture. The method is based on the use of a special reagent which reacts with the substance to form a colored complex. The intensity of the color is proportional to the concentration of the substance. The author has determined the limits of detection and the range of the method and has shown that it is accurate and precise.

3. The third part of the document is the main body of the paper, which describes the experimental procedure and the results. The author describes the preparation of the reagent and the conditions of the reaction. The author then describes the determination of the concentration of the substance in a mixture. The author shows that the method is accurate and precise and that it can be used for the determination of the concentration of the substance in a wide range of mixtures. The author also discusses the advantages of the method and compares it with other methods.

4. The fourth part of the document is the conclusion, in which the author summarizes the main findings of the paper. The author states that the new method is a simple and accurate method for the determination of the concentration of a certain substance in a mixture. The author also states that the method can be used for the determination of the concentration of the substance in a wide range of mixtures. The author concludes that the method is a valuable addition to the analytical chemistry repertoire.

5. The fifth part of the document is the references, in which the author lists the sources of the information used in the paper. The references include several papers on the determination of the concentration of the substance in a mixture and several papers on the use of colorimetric methods for the determination of the concentration of a substance in a mixture.