



GOVERNMENT OF TAMIL NADU

ABSTRACT

Forests - Forests (Conservation) Act, 1980 - diversion of forest land for construction of a collection well cum pump house in Survey field No.477/9 of Padanthurai village in Gudalur Division, Udhagai over an extent of 0.06 ha. to TWAD Board under section 2 of Forest (Conservation) Act, 1980 - Proposal under Section 2 of Forest (Conservation) Act, 1980 - Orders issued.

ENVIRONMENT & FORESTS (FR.10) DEPARTMENT

G.O.(Ms) No.91

Dated: 1.9.2008

Read:

1. Government of India, Ministry of Environment and Forests letter No. 11-9/98-FC dated 3.1.2005 and 24.9.2007.
2. From the Principal Chief Conservator of Forests, Chennai Ref.No.TS3/28761/2008, Dated 28.5.2008 and 28.7.2008.

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**ORDER:**

In the Government of India's letter first read above, general approval for diversion of forest land of less than one ha. to Government departments for various developmental schemes under section 2 of Forest Conservation Act, 1980 granted initially for a period of two years ending 31.12.2006 has been, further extended upto 31.12.2008 or till the Scheduled Tribes and other Traditional Forest Dwellers Act 2006 is brought in to force which ever is earlier.

2. The Principal Chief Conservator of Forests in his letter second read above has sent proposal under section 2 of Forest (Conservation) Act, 1980 for diversion of forest land for non-forestry purpose for construction of a collection well cum pump house in Survey No.477/9 in Padanthurai Village in Gudalur Division over an extent of 0.06 ha. to a size of 15 x 30 : 450 M2 and a Raw water main to approach road to a length of 25.00 m and a width of 6.00 m (150 M2) (Total area required 600 M2 or 0.06 ha.)

3. The Principal Chief Conservator of Forests has informed that the above project falls under the category of General approval accorded by Government of India under section 2 of Forest (Conservation) Act, 1980 in Ministry of Environment and Forests, F.C. Division, New Delhi in letter No:P11.9/98 FC. Dated 3.1.2005 & 24.9.2007 and comes under water supply activity. Empowering the State Government, for granting order for diversion of Forest land up to 1.00 ha. extent for non-forestry activity in each case, he has, therefore, requested that Stage-I / II approval for diversion of 0.06 ha. in Survey field No.477/9 in Padanthurai Village in Gudalur Division infavour of TWAD Board may be issued subject to following conditions :-

1. The Legal Status of Forest land shall remain unchanged.
2. The user agency shall deposit the Net Present Value of the Forest land 0.06 ha. with State Forest Department as per the orders of the Hon'ble Supreme Court of India, dated 30.10.2002 and 1.8.2003 in I.A.NO.566 in W.P.(C) No.202/95 and the guidelines issued by Ministry vide letter No.5-1/1998 FC(Pt.ii) dated : 18.9.2003 and 22.9.2003.
3. Additional amount of Net Present Value of the diverted forest land if any becoming due after finalization of the same by the Hon'ble Supreme Court of India on receipt of the report from the Expert Committee, shall be charged by the State Government from the user agency. The user agency shall furnish the under taking to this effect.
4. The Net Present Value under this Project shall be transferred to Ad-hoc CAMPA in account number C.A. - 1579 of Corporation Bank, Block-II, CGO Complex Phase-I, Lodhi Road, New Delhi - 110 003.
4. The Government after careful examination accord approval for diversion of 0.06 ha. of forest land in Gudalur Division, in favour of Executive Engineer, TWAD Board, TWS Division, Udhagamandalam for construction of a collection well cum pump house for providing water facility to Gudalur Municipality to a size of 15 x 30: 450M2 and Raw water main to approach road to a length of 25.00m and a width of 6.00m (150m2) (Total area 600m2 or 0.06 ha.) in Survey Field No.477/9 in Padanthurai village, Gudalur Division. Subject to the conditions mentioned at para 3 above.
5. The Principal Chief Conservator of Forests is requested to incorporate any other suitable conditions which are necessary for the above said diversion of the forest land.
6. The Principal Chief Conservator of Forests is also requested to adhere to the orders of Supreme Court of India dated 28.3.2008 and 9.5.2008 in I.A.No.566 in W.P.(C) No.202/95 scrupulously while fixing Net Present Value to the forest land to be diverted to non-forestry activity.

7. The Principal Chief Conservator of Forests is requested to take action accordingly and send a report to Government in due course.

**(BY ORDER OF THE GOVERNOR)**

**N. SUNDARDEVAN**  
**PRINCIPAL SECRETARY TO GOVERNMENT**

To  
The Principal Chief Conservator of Forests,  
Chennai.15.  
The Inspector General,  
Government of India,  
Ministry of Environment and Forests,  
New Delhi - 110 003.  
The Chief Conservator of Forests (Central),  
Government of India,  
Ministry of Environment and Forests,  
Regional Office, Bangalore.  
The District Collector, Gudalur.  
The Conservator of Forests, Gudalur.  
The District Forest Officer, Gudalur.  
The Executive Engineer,  
Tamil Nadu Water Supply and Drainage Board,  
Urban Division, Gudalur.

/ FORWARDED BY ORDER /

SECTION OFFICER.