



भारत सरकार

GOVERNMENT OF INDIA

पर्यावरण, बन एवं जलवायु परिवर्तन मंत्रालय

MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE

समन्वित क्षेत्रीय कार्यालय



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BY SPEED POST

F.No.4-KLC1190/2019-BAN/ *684*
Dated the 5th October, 2020

To

The Additional Chief Secretary,
Government of Kerala,
Forests & Wildlife (C) Department,
Secretariat, Thiruvananthapuram,
Kerala, PIN – 695 001.

Subject: Diversion of 18.1417 ha. of forest land under Walyar Range of Palakkad Division for Establishment of IIT, Palakkad in favour of Secretary Higher Education Department, Government of Kerala -reg.

Sir,

Please refer to State Government letter No. FWLD-C2/19/2019-FWLD dated 25/03/2019 and PCCF & Nodal Officer's letter No.FC1-4783/2018 dated 14/06/2019, 28/09/2019, 21/08/2020, 08/09/2020 and e-mail dated 28/09/2020 seeking prior approval of the Central Government in accordance with Section'2' of Forest (Conservation) Act, 1980 for the above-mentioned project.

The proposal was examined by the Regional Empowered Committee constituted under sub-rule (1) of rule 4A of the Forest (Conservation) Rules, 2003 in its meeting held on 29/09/2020.

After careful consideration of the proposal of the State Government and on the basis of the approval of the Regional Empowered Committee, I am directed to convey the Central Government's in-principle approval (**Stage-I**) under Section'2' of Forest (Conservation) Act, 1980 for diversion of 18.1417 ha. of forest land under Walyar Range of Palakkad Division for Establishment of IIT, Palakkad in favour of Secretary Higher Education Department, Government of Kerala, subject to fulfillment of the following conditions:-

1. The legal status of forest land shall remain unchanged.
2. The boundary of the forest land to be diverted shall be suitably demarcated on ground at the cost of User Agency as per the directions of concerned Divisional Forest Officer.
3. The non-forest land identified for Compensatory Afforestation in villages Puthur (4.04 ha), Sholiyar (9.17 ha) and Kottathara (6.79) of Palakkad District, shall be transferred and mutated in favour of Forest Department. The Non-forest land for

Compensatory Afforestation shall be notified as RF/PF by the State Government before the Stage II Clearance. A copy of the original notification declaring the non-forest land under Section-4 or Section-29 of the Indian Forest Act, 1927, or under the relevant section of the local Forest Act as the case may be, sent to this Ministry for information and record.

4. The cost of raising Compensatory Afforestation in degraded forest land over an extent of 18.14 ha. in 3 bits namely; Palakkizhkadu Bit 1 Reach-II (0.9 ha), Kallamparamba (9.70 ha) and Koonankad (7.53 ha), in Palakkad Forest Division, shall be realized from the User Agency. State Forest Department shall raise 1000 plants per ha. on identified degraded forest land as per Working Plan prescriptions, as it is reported that the non forest land identified for CA is not suitable for raising of CA plantation.
5. The State Government shall charge the Net Present Value for 18.1417 ha. of forest area to be diverted under this proposal from the user agency as per the orders of the Hon'ble Supreme Court dated 28.03.2008 and 09.05.2008 in IA Nos.826 in 566 with related IA's in Writ Petition (Civil) No.202/1995.
6. Additional amount of the Net Present Value (NPV) of the diverted forest land if any, becoming due after revision of the same by the Hon'ble Supreme Court of India in future, shall be charged by the State Government from the user agency. The user agency shall furnish an undertaking to this effect.
7. All the funds received from the user agency under the project shall be transferred /deposited to CAMPA fund only through (<https://parivesh.nic.in/>).
8. Suitable barriers shall be installed around the IIT campus to prevent Human-Elephant conflict. An undertaking to this effect shall be furnished by user agency
9. No civil construction shall be undertaken by the user agency within the diverted forest area and the forest area shall be protected as such. An undertaking to this effect shall be furnished by user agency
10. The layout plan of the proposal shall not be changed without prior approval of Central Government.
11. No labour camp shall be established on the forest land.
12. Sufficient firewood, preferably the alternate fuel shall be provided by the User agency to the labourer after purchasing the same from the State Forest Department or the Forest Development Corporation or any other legal source of alternate fuel.
13. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
14. The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required.
15. The forest area shall be used for the purpose for which it is granted. The total forest area utilized for the project shall not exceed 18.1417 ha.

16. The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, Department or person without prior approval of Government of India.
17. The period of diversion under this approval shall be co-terminus with the period of lease to be granted in favour of the user agency or the project life, whichever is less.
18. The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>).
19. Any other condition that the Ministry of Environment, Forest and Climate Change may stipulate from time to time in the interest of conservation, protection and development of Forest and Wildlife.

Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as per the MoEF&CC Guideline F.No.11-42/2017-FC dated 29/01/2018. The State Government and user agency shall comply with the provisions of the all Acts, Rules, Regulations, Guidelines, NGT order & Hon'ble Court Order (s) pertaining to this project, if any, for the time being in force, as applicable to the project.

After the receipt of the compliance report on the above conditions, the proposal will be considered for final approval. This in-principle approval shall be valid for a period of 5 years. The forest land shall not be transferred to the User Agency prior to the issue of final approval.

Yours sincerely,



(R. Padmawathe)

Deputy Inspector General of Forests (Central)



Copy to:-

1. The Principal Chief Conservator of Forests (HoFF), Forests Department, Government of Kerala, 'Vanalakshmi', 1st Floor, Forest Headquarters, Vazhuthacaud, Thiruvananthapuram-695 014, Kerala.
2. The Principal Chief Conservator of Forests (Forest Management) & Nodal Officer (FCA), Office of the Principal Chief Conservator of Forests, Forests Department, Government of Kerala, 'Vanalakshmi', 1st Floor, Forest Headquarters, Vazhuthacaud, Thiruvananthapuram, PIN- 695 014, Kerala.
3. The Higher Education Secretary to Government of Kerala, Government Secretariat, Thiruvananthapuram -695 001.
4. Guard file.



(R. Padmawathe)

Deputy Inspector General of Forests (Central)



5/10/2023