

No. DGC/AEE V/Forest/2014 /159

Dated : 14.05.2018

To

**The Principal Chief Conservator of Forests &
Head of Forest Force,**
Forest Headquarters, Forest Department,
Vazhuthacaud, Thiruvananthapuram.

Sir,

Sub : Diversion of forest land proposed to be diverted for Hydro Electric Projects of KSEBL - Compensatory Afforestation - Handing over of non-forest land in lieu of forest land proposed to be diverted - Proposal put forth by Forest Department - Follow up action - reg:

Ref : Decision taken in the High Level Committee Meeting chaired by the Chief Secretary held on 08.05.2018.

Proposals : The following proposals of KSEBL have been successfully uploaded in the portal of Ministry of Environment, Forest & Climate Change for diversion of forest land viz.

- **Upper Sengulam Small Hydro Electric Project (24 MW)** - Diversion of 0.95 Ha. - Proposal No: FP/KL/HYD/15833/2015.

Located in Kunjithanni Village of Devikulam Taluk in Idukki District.

- **Maripuzha Small Hydro Electric Project (6 MW)** - Diversion of 3.0388 Ha. - Proposal No: FP/KL/HYD/26829/2017.

Located in Nellipoyil & Thiruvambady Village of Kodencherry Panchayat, Thamarassery Taluk in Kozhikode District.

Diversion of forest land - Compliance of conditions : As per the Forest (Conservation) Act, 1980, Compensatory Afforestation is one of the most important conditions stipulated by the Central Government while approving proposals for de-reservation or diversion of forestland for non-forest uses. It is essential that with all such proposals, a comprehensive scheme for compensatory afforestation is formulated and submitted to the Central Government. The detailed compensatory afforestation scheme along with details of non-forest/degraded forest area identified for compensatory afforestation, map, etc. is required to be submitted in the prescribed form.

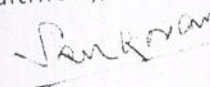
Present status & facts : In light of the above, KSEBL had approached the State Government for obtaining a certificate from the Chief Secretary, regarding the non-availability of non-forest land for compensatory afforestation in lieu of forest land diverted for Upper Sengulam & Maripuzha SHEP. The subject matter came up for discussion in the meeting chaired by the Chief Secretary of the State held on 08.05.2018. It was opined by your good self there are large numbers of enclosures within vested forest areas which if acquired can easily form part of contiguous forest areas and can be constituted as a land bank for the compensatory afforestation. This would enable consolidation of forest areas and exclude inhabitation within forest. It was assured that forest department would provide the list of such areas including the cost of acquisition so that the KSEBL would remit the requisite amount with the Forest Department.

This would enable the forest department to initiate appropriate action for acquisition or purchase by negotiation the said extent of land(s) and in turn forest department could adjust the non-forest land required for compensatory afforestation in lieu of forest land diverted for various project proposals submitted by KSEBL.

It was decided in the meeting held on 08.05.2018 that KSEBL shall address the office in this regard. Accordingly it is informed that KSEBL is willing to remit the requisite amount for acquisition of land identified for consolidation of forests for formation of a land bank which in turn the forest department could adjust the non-forest land required for compensatory afforestation in lieu of forest land diverted for various project proposals submitted by KSEBL.

Expecting an early favourable response from your end,

Yours faithfully,



CHAIRMAN & MANAGING DIRECTOR

Various options before KSEBL for fulfilling the condition of compensatory afforestation in lieu of the forestland diverted for the above project(s) is as detailed below:

- (i) Compensatory afforestation shall be done over equivalent area of non-forest land.
- (ii) As far as possible, the non-forest land for compensatory afforestation should be identified contiguous to or in the proximity of Reserved Forest or Protected Forest to enable the Forest Department to effectively manage the newly planted area.
- (iii) In the event that non-forest land of compensatory afforestation is not available in the same district, non-forest land for compensatory afforestation may be identified anywhere else in the State/UT as near as possible to the site of diversion, so as to minimize adverse impact on the micro-ecology of the area.
- (iv) Where non-forest lands are not available or non-forest land is available in less extent to the forest area being diverted, compensatory afforestation may be carried out over degraded forest twice in extent to the area being diverted or to the difference between forest land being diverted and available non-forest land, as the case may be.
- (v) The non-availability of non-forest land for compensatory afforestation would be accepted by the Central Government only on the Certificate from the Chief Secretary to the State/UT Government to that effect.

Availability of non-forest land for undertaking compensatory afforestation : It is well-accepted fact that land is the most limiting resource as far as Kerala is concerned and thus KSE Board is unable to comply with the above stipulation. Hence for the smooth implementation of hydroelectric projects of KSEBL, which require diversion of forestland, compliance of condition with respect to Compensatory Afforestation was fulfilled by a certificate from the Chief Secretary, Kerala State Government to the effect regarding non-availability of non-forest land for undertaking Compensatory Afforestation. The practice was followed for the smooth implementation of hydro electric projects viz. Kuttiyadi Additional Extension Scheme, Thottiyar Hydro Electric Project, Mankulam Hydro Electric Project, etc.

MINUTES OF THE HIGH LEVEL COMMITTEE MEETING – ISSUES
RELATED TO FOREST CLEARANCES OF HYDRO ELECTRIC
PROJECTS – ON 08/05/2018 AT 2.00 PM CHAIRED BY THE CHIEF
SECRETARY IN THE CHIEF SECRETARY'S COMMITTEE
ROOM.

The meeting commenced at 2.00 pm with Chief Secretary in the chair. The list of participants is attached.

The Chief Secretary welcomed the participants and discussed the agenda items.

1). Anakkayam SHEP

The Chairman & Managing Director, KSEBL requested to accord sanction for removal of tree growth by KSEBL in the forest land allowed to be diverted for the project and for stacking in the nearest forest depot as per instructions of the Forest Department. The cost of such activity would be borne by KSEBL

PCCF ((FLR) assured permission would be given by 11/5/18. ✓

2). Upper Sengulam SHEP

A proposal for diversion of 0.95 ha of Forest land in Idukki District was submitted by KSEBL to Forest Department. The Chairman & Managing Director, KSEBL informed that there is a dispute between Revenue Department and Forest Department about the ownership of the land. But representatives of Forest Department informed that no dispute is there and it is expected that the District Collector, Idukki will issue a certificate as per FRA by 15/5/18, upon which the proposal can be sent to MoEF by 21/5/18.

3). Kuttiadi Augmentation Scheme

The Chairman & Managing Director, KSEBL requested to remove the rose wood trees standing in private land and to facilitate repair and maintenance work in the private road acquired for the project in the possession of KSEBL. He also requested to expedite the process of obtaining stage 2 Forest clearance within a timeframe.

It was decided that the pending mutation process will be completed within 2 weeks ie, by 21/5/18.

4). Sanction for undertaking investigation & Survey.

The Chairman & Managing Director, KSEBL requested for extension of the earlier sanction for undertaking drilling of Bore Holes for projects in Thodupuzha and Adimali Range. It was decided that sanction will be given by Forest on or before 21/5/18.

5). Reimbursement of Seignorage Value remitted by KSEBL.

The Chief Secretary directed Principal Secretary, Power to move the file for placing in Cabinet. But the file has been forwarded to Forest Department for concurrence of draft lease agreement.

6). Identification of Forest land

It was decided to submit proposal by KSEBL for identification of non forest land for compensatory afforestation for Maripuzha SHEP & Upper Sengulam SHEP on or before 11/5/2018.

7). KSEBL requested to issue permission to the contractor for transporting men & materials as part of Eco Tourism. KSEBL shall submit proposal to Revenue Department within 2 days.

Decisions in Agenda items of Energy Management Centre are as follows:

1). Forest clearance for Keezharkuthu SHEP.

The Director, EMC requested for reconsideration of the proposal by Forest Department. After discussion it was decided to have a joint inspection of the project site by EMC, Forest Department & Power Department on or before 31/5/2018.

2). Poru SHEP

The Director, EMC has requested for a speedy clearance for early commissioning of the scheme. The Forest Department replied that EMC has not completed the procedures/answered the queries of Forest Department. Hence the Chief Secretary directed EMC to clear the queries of Forest Department at the earliest.

3). Anakkal SHEP

No correspondence has been made by EMC yet. So committee advised the Director, EMC to take the proposal with Forest Department.

The committee also discussed issues of Athirappilly Hydro Electric Project.

At the end issues related to forest clearances regarding Transgrid project was discussed as out of agenda item. The Chief Secretary directed the Principal Secretary (Power) to address the Forest Department.

The meeting concluded at 3.00 pm.