

HANDBOOK
OF
Forest (Conservation) Act, 1980
(With Amendments made in 1988)
Forest (Conservation) Rules, 2003
(With Amendments made in 2004)
Guidelines & Clarifications
(Up to June, 2004)

GOVERNMENT OF INDIA
Ministry of Environment & Forest, New Delhi

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CHAPTER 3

Compensatory Afforestation

3.1 Compensatory Afforestation. –

- (i) Compensatory afforestation is **one of the most important** conditions stipulated by the Central Government while approving proposals for de-reservation or diversion of forest land for non-forest uses. **It is essential that all such proposals, a comprehensive scheme for compensatory afforestation is formulated and submitted to the Central Government.**
- (ii) The comprehensive scheme shall include the details of non-forest/degraded forest area identified for compensatory afforestation, map of areas to be taken up for compensatory afforest, year-wise phased forestry operations, details of species to be planted and s suitability certificate from afforestation/management point of view alongwith the cost of structure of various operations.
- (iii) Sometimes the compensatory afforestation schemes are being submitted at such a cost structure, which is at variance with the cost norms for the same area. The compensatory afforestation schemes, no doubt has to be site specific and thus per hectare rate will vary according to species, type of forest and site. In this regard, it has been decided that henceforth the compensatory afforestation schemes which are being submitted alongwith the proposals for forestry clearance, must have technical and administrative approval from the competent authority and should be in conformity with cost norms based on species, type of forest and site.

3.2 Land for Compensatory Afforestation. –

- (i) Compensatory afforestation shall be done over equivalent area of non-forest land.
Clarification:- As a matter of pragmatism, the revenue lands/zudpi jungle/ Chhote/ Bade jhar ka jungle/ jungle-jhari land/civil – soyam lands and all other such categories of land, on which the provisions of Forest (Conservation) Act, 1980 are applicable, shall be considered for the purpose of compensatory afforestation provided that lands on which compensatory afforestation is proposed shall be notified as FR under the Indian Forest Act, 1927.
- (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/Union Territory as near as possible to the site of diversion, so as to minimise 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 land being diverted and available non-forest land, as the case may be.
- (v) The non-availability of suitable non-forest land for compensatory afforestation in the entire State / Union Territory would be accepted by the Central Government only on the Certificate from the Chief Secretary to the State/Union Territory Government to that effect.
- (vi) **An exception to 3.2(i) above, compensatory afforestation may be raised over degraded forest land twice in extent of the forest area being diverted/deserved in respect of following types of proposals:**
 - (a) For extraction of minor minerals from the river beds. (However, if forest area to be diverted is above 500 hectares, compensatory afforestation over equivalent area of degraded forest shall be required to be done instead of twice the area being diverted subject to a minimum of 1000 hectare compensatory afforestation).
 - (b) For construction of link roads, small water works, minor irrigation works, school building, dispensaries, hospital, tiny rural industrial sheds of the Government or any other similar work excluding mining and encroachment cases, which directly benefit the people of the – in hill district having forest area exceeding 50% of the total geographical area, provided diversion of forest area does not exceed 20 hectares.
 - (c) For laying of transmission lines upto 220 KV.
 - (d) For mulberry plantation undertaken for silk-worm rearing without any felling of existing trees.
 - (e) For diversion of linear or ‘strip’ plantation declared as protected forest along the road/ rail/ canal sides for widening or expansion of road/ rail/ canal.
 - (f) For laying of telephone/optical fibre lines.
- (vii) **The field firing ranges**, which are used temporarily by the defence establishments for arms practice, comprises, of safety zone encompassing the field firing range and danger area/ impact zone. Keeping in view that the impact area is only a small portion of the entire firing range and as an exception to 3.2 (i) above, compensatory afforestation may be raised over equivalent degraded forest land of the forest area being diverted for impact zone of the field firing range.
- (vii) No compensatory afforestation shall be insisted upon in respect of the following:-
 - (a) For clearing of naturally grown trees in forest land or in portion thereof for the purpose of using it for reforestation.
 - (b) Proposals involving diversion of forest land upto one hectare. (However, in such cases, plantation of ten times the number of trees

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CE (IPDS)
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CE (ENV)



GOVERNMENT OF KERALA

11/11/04

K.S.E. BOARD
MEMBER (GENERATION)

CE (IPDS) 26/11

No.11825/C2/2003/F & WLD

Forest & Wild Life (C) Department
Thiruvananthapuram

Dated : 17.11.2004

MLM
h
6/12

From

The Principal Secretary to Government.

To

The Principal Secretary (Power)

The Chairman,
Kerala State Electricity Board
Pattom, Thiruvananthapuram.

The Principal Chief Conservator of Forest
Thiruvananthapuram.

The Chief Conservator of Forest (P)
Thiruvananthapuram.

Sir,

Sub : Diversion of forest land for JIEPs - Meeting held
Minister on 2.11.04 minutes forwarded.

I am forward herewith the minutes of the above meeting for information
and urgent necessary action

Yours faithfully,

P. G. LOOKU ADAS

Under Secretary

For Principal Secretary to Government

Approved for Issue

Signature
Officer

Encl on GPC-2(C)/67/2003 dt 30.11.04

Copy forwarded to CEC (IPDS) for information
and urgent necessary action.

MLM 3

MINUTES OF THE MEETING HELD IN PRESENCE OF HON'BLE CHIEF MINISTER, HON'BLE MINISTER FOR FORESTS AND HON'BLE MINISTER FOR ELECTRICITY FOR DISCUSSING ISSUES RELATING TO HYDRO ELECTRIC PROJECTS PENDING FOREST CLEARANCE.

The meeting commenced at 10:00 clock on 2.11.04. The following officers attended the meeting.

Principal Secretary (Power)
Principal Secretary (Forest & Wildlife)
Sri. R.P. Sharma, PCCF, TVPM
Sri. T.M. Manoharan, Chairman, KSEB
Sri. P.N. Mohanan, Member (G & T), KSEB
Sri. Chandramohan R.S., Chief Engineer (IPDS), KSEB
Sri. K.J. Varughese, Conservator of Forests, Kollam
Sri. T. Ajith, Spl. Officer, KSEB

The following Projects were discussed in detail :-

Mankulam Hydro Electric Project

The forestland required for the project is 11.93 ha. The chairman, Electricity Board informed that the forest clearance is pending for want of decision regarding non-forest land equivalent in extent.

The Principal Secretary (Forests) informed that already there is a short fall of 8,000 Ha in the extent of degraded forests committed in respect of forestland diverted for regularization of pre 11/77 encroachments in the State. Also it was informed that non-forestland anywhere in the state can be taken up for compensatory afforestation. It was also pointed out by Principal Secretary (F) that the forest land required for power evacuation is not proposed by KSEB. Net Present Value of the forests at rates ranging from 5.8 Lakhs to 9.2 Lakhs depending on the nature and extent of forest land diverted is to be remitted by the user agency. In the present case the forest being rich in biodiversity maximum rate of Rs.9.2 lakhs per ha. is demanded by Forest Department.

It was observed that the project was held up for want of decision. After detailed discussion the following decisions were taken.

1. For avoiding delay in submitting all proposals to Govt. of India, Forest Department will accept the proposal for compensatory afforestation over double the extent of degraded forestland identified by the Forest Department.
2. Cost of compensatory afforestation as per existing norms will be remitted by KSEB.
3. The rate of Net Present Value to be paid will be decided by Principal Secretary (Forests) and Principal Secretary (Power).

4. The proposal for forestland required for power evacuation will be submitted by the KSEB separately for forest clearance.

Thottiyar Hydro Electric Project

The forestland required for the project is 3.83 ha. Issues pending in this case are similar to the issues in case of Mankulam Hydro Electric Project. After discussion, the following decisions are taken.

1. Forest Department will accept the proposal for compensatory afforestation over double the extent of degraded forestland identified by Forest Department.
2. Cost of compensatory afforestation as per existing norms will be remitted by KSEB.
3. The rate of Net Present Value to be paid will be decided by Principal Secretary (F) / Principal Secretary (Power).
4. The proposal for forestland required for power evacuation will be submitted by KSEB separately for forest clearance.

Kuttiyadi Additional Extension Scheme

The forestland required for the project is 11.12 ha. The Chairman, KSEB informed that the handing over of the forestland is pending for want of tree growth clearance. It is informed by Principal Secretary (F), that decision regarding right sale of tree growth will be taken expeditiously.

Kuttiyadi Augmentation Scheme

The extent of forestland required for the project is 223.41 ha. It is informed by the Forest officials that stage I clearance for the project has been obtained. The land for compensatory afforestation equivalent in extent has already been taken over by the Forest Department. Balance cost towards compensatory afforestation amounting to Rs. 195 Lakhs and seigniorage value together with working cost for the tree growth in the forestland amounting to Rs. 230.2 Lakhs is to be remitted by KSEB. The Chairman, KSEB agreed to remit the amount subject to verification of the valuation by Forest Department.

Perunthenaruvi Small Hydro Electric Project

It was informed by the Forest officials that the project has been received by the Divisional Forest Officer, Ranni on 26.9.2004 and the same is being proposed. In addition to 5.7 ha. of forest land proposed, it is found that about 2.35 ha. of forest land occupied by private persons also are involved in the project. So the project needs revision incorporating the extent of encroached forest land also. KSEB officials agreed to expedite the revised proposal. The Forest Department will process the proposal expeditiously.

(True Copy)
Deputy Chief Engineer
With Full Powers of Chief Engineer
Civil Circle
Chamangalam

Certificate No: 1

**KERALA STATE ELECTRICITY BOARD
VYDYUTHI BHAVANAM, PATTOM, THIRUVANANTHAPURAM
KERALA, PIN-695 004**

UNDERTAKING

(Regarding cost of compensatory afforestation vide item No: 5 of Form A-
Part I)

Kerala State Electricity Board hereby undertakes that, it will bear the cost of raising and maintenance of compensatory afforestation and/or penal compensatory afforestation as well as cost of protection and regeneration of Safety Zone etc. as per the scheme prepared by the State Government in lieu of 32.081 ha of the affecting forest land for the drawal of the proposed 220kV Mankulam - Valara Double circuit line for evacuation of power from Hydro Electric Project in Mankulam, Adimali Panchayat, Devikulam Taluk, Idukki Dist.



Executive Engineer
Kerala State Electricity Board
Transmission Division
Kothamangalam

Kothamangalam

5 -08-2010



GOVERNMENT OF KERALA

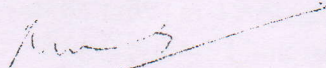
CERTIFICATE

(Vide check list item D 1)

Certified that suitable non forest land is not available for compensatory afforestation to the forest land required for the Thottiyar Hydro Electric Project proposed by the Kerala State Electricity Board in Idukki District.

Place: Thiruvananthapuram.

Date : 9 - 7 - 83.


Chief Secretary,
Government of Kerala.

<u>Forest land on lease deed(10.03.2011)- 11.913 ha</u>		
Compensatory afforestation, Catchment area treatment plan and Net Present Value (NPV)	12780760.00	Paid on 23.4.2007 SBT-Kothamangalam DD
Additional NPV	1465299.00	Paid on 26.7.2010
Total (a)	14246059.00	
Seniorage value of trees	2542333.00	Challan -90 dated 21.10.2010,Sub tressury Devikulam
Seniorage value of fire wood	74439.00	
Total (b)	2616772.00	
Tax inrespect of forest & VAT (c)	474289.00	As per letter 24.11.2011 of DFO, Devikulam
Grand Total (a+b+c)	17337120.00	16862831.00

FC2- 58697/2016

Forest Headquarters,
Vazhuthacaud,
Thiruvananthapuram - 14.
Date : 16.01.2018

From

The Principal Chief Conservator of Forests,
(Forest, Land & Resources) &
Nodal Officer, F(C)Act & CAMPA,
Forest Headquarters, Vazhuthacaud,
Thiruvananthapuram.

To

The Executive Engineer,
Transmission Division,
KSEB Ltd, College P.O, Kothamangalam.

Sir,

Sub :- Proposal for construction of 220 KV DC Transmission line from Mankulam to Valara land identified for Compensatory Afforestation - regarding.

Ref :- Online proposal No. FP/KL/TRANS/20292/2016.

Your attention is invited to the reference cited. KSEB Ltd. has applied to divert 32.081 ha forest land from Munnar Forest Division for the above said project vide reference cited. Compensatory Afforestation is mandatory and shall be done over equivalent area of non forest land in lieu of forest land to be diverted. It is learnt from the field that the owners of private land contiguous to Reserve Forest/Private lands are willing to exchange their land on compensation and move out of the area. Hence you are requested to dig out such option for Compensatory Afforestation land, since it is mandatory.

Yours faithfully,

B. Lakshmi B.

For Principal Chief Conservator of Forests
(Forest, Land & Resources) & Nodal Officer,
F(C) Act & CAMPA

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