



**GOVERNMENT OF KERALA**

Forest & Wildlife (C) Department

No.C3/106/2023-FWLD

10-03-2023,Thiruvananthapuram

From

The Additional Chief Secretary to Government

To

The Deputy Conservator of Forest (Central),  
Ministry of Environment, Forest & Climate Change,  
Government of India, Regional Office ( Southern Zone),  
Kendriya Sadan, 4<sup>th</sup> Floor, E &F Wing, 17<sup>th</sup> main Road,  
Koramangala, Bangalore-560034

Sir,

Sub: Forest & Wildlife Department - Proposal for diversion of 1.9807 ha of forest land under Section 2 of Forest (Conservation) Act, 1980 in Kozhikode Forest Division at Nellipoyil & Thiruvambady Village of Kodencherry Panchayat, Thamarassery Taluk for installation of Maripuzha Small Hydro Electric Project (2x 3 MW) run off the river scheme in Chaliyar Basin - reg

Ref: Letter No FC1-713/2021 dated 24/02/2023 from the Additional Principal Chief Conservator of Forests, Nodal Officer,Thiruvananthapuram.

I am directed to recommend and forward herewith the proposal in Form A under Section 2(ii) of Forest (Conservation) Act,1980 for diversion of 1.9807 ha of forest land under Section 2 of Forest (Conservation) Act, 1980 in Kozhikode Forest Division at Nellipoyil & Thiruvambady Village of Kodencherry Panchayat, Thamarassery Taluk for installation of Maripuzha Small Hydro Electric Project (2x3 MW) run off the river scheme in Chaliyar Basin. The Chief Engineer, Civil, Investigation & Planning, KSEBL is the user agency.

Site Inspection Reports were submitted by the Divisional Forest Officer, Kozhikode and CCF, Northern Circle, Kannur with specific recommendations. In their inspection reports, Divisional Forest Officer, Munnar and CCF northern Circle, Kannur have mentioned that the area required for diversion under the project is 1.98 ha for the construction of Maripuzha SHEP. The forest land identified for diversion is in 3 bits as below:

<b>SI. No.</b>	<b>Bits</b>	<b>Forest area (in ha)</b>
1	Bit 1- Intake chamber canal, sinking prone area and trench weir	1.6163
2	Bit 2- Surplus escape	0.0483
3	Bit 3- Power house and allied structure	0.3154
	<b>Total</b>	<b>1.98</b>

The area required to be diverted is 1.98 ha and will not affect the continuity of the forest bits. Being a SHEP, the project is site-specific. The proposal is for a run off the river project for generating clean electricity which is in public interest. A total of 239, 243 and 250 trees of various species will be affected at FRL, FRL+2 meter and FRL+4 meter respectively. The area does not have any rare, endangered, unique species of flora/fauna that will be affected by the project. The proposed forest land is not a part of protected, archeological/ heritage site/ Defense Establishment or any other important monuments is located in the area. The requirement of forest land proposed by the User Agency is unavoidable and barest minimum.

The CA land identified by the User Agency is a grassland and can be accepted as compensation towards the land diverted. For the compensation of the trees lost, the DFO Kozhikode has identified degraded forest land of 2 Ha under Kozhikode Division where CA can be taken up. He has submitted the CA scheme, site suitability certificates and the required maps of the CA land.

In the circumstances, the proposal is recommended for consideration under Section 2 of Forest (Conservation) Act, 1980 and for according Stage I (in-principle) approval subject to the following conditions:

1. Legal status of the forest land shall remain unchanged.
2. The boundary of the diverted forest land shall be suitably demarcated on ground at the project cost, as per the directions of the concerned Divisional Forest Officer.
3. The User Agency shall mutate and transfer the identified CA land in favour of the Forest Department, Kerala before applying for Stage-II approval.
4. The User Agency shall make online payment of cost of Compensatory Afforestation, Net Present Value through e-payment module of forest clearance portal.(forestclearance.nic.in)
5. Additional amount of Net Present Value 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 State Government from the User Agency. The User Agency shall furnish an undertaking to this effect.
6. All the funds received from the User Agency under the project shall be transferred/ deposited to CAMPA fund only through e-portal (<https://parivesh.nic.in/>).
7. Necessary certificates/documents under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 as per the guidelines issued by the Ministry of Environment, Forest & Climate Change vide letter No. 11-9/1998-FC(pt) dated 05.07.2013 shall be furnished before Stage-II clearance.
8. The layout plan of the proposal shall not be changed without prior approval of Central Government.
9. No labour camp shall be established on the forest land.
10. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
11. The forest area shall be used only for the purpose for which it is granted. The total forest area utilized for this project shall not exceed 1.98 ha.
12. 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.
13. The User Agency has to sign an agreement with Divisional Forest Officer incorporating all the conditions imposed by

Government of India/ Government of Kerala in this regard and lease rent as decided by the Government of Kerala may be remitted.

14. The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>).

15. The User Agency shall apply for renewal after 30 years.

16. Any other condition that the Ministry of Environment, Forests & Climate Change may stipulate from time to time in the interest of conservation, protection and development of forests & wildlife.

17. Violation of any of the above conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as per guidelines issued by the Ministry of Environment, Forest & Climate Change vide F. No. 11-42/2017-FC dated 29/01/2018.

Yours faithfully,

RAJESH G R  
JOINT SECRETARY  
For Additional Chief Secretary to Government.