



GOVERNMENT OF KERALA

No.FWLD-C2/67/2020-FWLD

Forest & Wildlife (C) Department

20/08/2020, 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, 4th Floor, E&F wing
17th main Road, Koramangala Bangalore-560034.

Sir,

Sub: Forest & Wildlife Department - Forest (Conservation) Act, 1980 - Proposal for diversion of 1.495 ha of forest land under Section 2 of Forest (Conservation) Act, 1980 for Rehabilitation and Upgradation of NH85 Bodimettu to Munnar road on EPC mode- reg.

Ref: Letter No.FC2-42531/2017 dated 07.08.2020 from the Principal Chief Conservator of Forests (Forest Management) & Nodal Officer, F(C)Act, Forest Headquarters, Vazhuthacaud, Thiruvananthapuram.

I am directed to forward herewith 3 hard copies of the proposal along with the required appendices, duly recommended, for the diversion of 1.495 ha of forest land under Section 2 of the Forest (Conservation) Act, 1980, for Rehabilitation and Upgradation of NH85 Bodimettu to Munnar road on EPC mode.

As per the inspection report, Divisional Forest Officer, Munnar, has informed that the project will not adversely affect Wildlife of the area. No rare/ endangered/ unique species, of flora and fauna are found in the area. The proposed area is not part of any Protected Area. The proposed area doesn't contain any monument of historical, religious, archaeological or defense establishment. The Chief Conservator of Forests (High Range Circle), Kottayam, has reported that the proposed road is through Devikulam fuel wood reserve forest, Kannan Devan Hill proposed reserve forest and Cardamom hill reserve forest. The above proposal is submitted for consideration and 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 make online payment of cost of Compensatory Afforestation and Net Present Value with ad-hoc CAMPA through e-payment module of forest clearance portal (forestclearance.nic.in)
4. The State Government shall charge the Net Present Value of the diverted forest land of 1.495 ha from the User Agency as per the orders of the Hon'ble Supreme Court of India dated 28.03.2008 and 09.05.2008 in IA Nos 826 in 566 with related IA's in WP(C)202/1995.
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 by 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. The layout plan of the proposal shall not be changed without prior approval of Central Government.
8. No labour camp shall be established on the forest land.
9. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
10. The forest area shall be used for the purpose for which it is granted. The total forest area utilized for this project shall not exceed 1.495 ha.
11. The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without prior approval of Govt. of India.
12. The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>).
13. Proper slope should be ensured at new cuttings created such that the slope is ideally at 45% and in no case more than 60%.
14. Necessary precautions should be taken so that during work or later, the soil does not get eroded and result in siltation of lakes and marshes at chainage 154+700 to 155+800.
15. The User Agency shall at project cost construct i) Gate and approach road at chainage 148+300 in front of VSS office, ii) retaining wall and approach road at chainage 153+900 to Aruvakkad Section Office, iii) retaining wall and approach road at chainage 154+600 to Devikulam Range Office, iv) approach road at chainage 155+800 to quarters and IB, v) retaining wall and approach road at chainage 155+400 to Assistant Conservator of Forest quarters and vi) retaining wall, approach road, compound wall and gate at chainage 155+600 to Social Forestry office.
16. The User Agency shall at project cost maintain the animal crossing points by providing appropriate graded slopes/ ramps/retaining wall/removal of crash guard barriers, at i) chainage 155+400 where animals cross to approach lake for drinking water, ii) chainage 148+300 at gap road Nilgiri Tahr, Sambar, Gaur, etc iii) chainages 127+950, 127+ 180, 126+210 and 124+270 between Pooppara and Bodimettu for elephants and other large mammals. Any one of the reaches from among the three chainages should be left free of vehicle movement by constructing a flyover which would act as an underpass for the animals.
17. The User Agency shall at project cost make arrangements for purchase and transfer of vehicle as required by Divisional Forest Officer, Munnar for mitigating issues of protection and man-animal conflict.
18. The User Agency shall make arrangements for transferring and mutating equal extent of non-forest land to the Forest Department against the diverted forest land as compensation for the land diverted, preferably in the Chinnakkanal area for consolidation of Elephant habitat.
19. 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.
20. Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as per the Ministry of Environment, Forest & Climate Change Guideline F. No. 11-42/2017-FC dated 29/01/2018.
21. The User Agency has to sign an agreement with Divisional Forest Officer, Malayattoor incorporating all the conditions imposed by Government of India/Government of Kerala in this regard.

The proposal has already been uploaded in the Union Ministry's website vide

No.FP/KL/ROAD/38879/2019. The approval of the Ministry of Environment and Forests may please be communicated to the State Government at the earliest.

Yours faithfully,



BINOD K
DEPUTY SECRETARY
For Additional Chief Secretary to Government.

Form A

PART-V

(to be filled in by the Secretary in-charge of the Forest Department or by any other authorized officer of the State Government not below the rank of Under Secretary)

17.	Recommendations of the State Government (Adverse comments made by any officer or authority in Part-B or Part-C or Part-D above should be specifically commented upon)	Considering the inspection reports of Divisional Forest Officer, Munnar and Chief Conservator of Forests (High Range Circle) Kottayam & also on the basis of the recommendation of Nodal Officer, the proposal is recommended.
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Date : 20.08.2020

Place: Thiruvananthapuram

Signature
Name & Designation


BINOD K.
(PEN:101285)
DEPUTY SECRETARY

