



GOVERNMENT OF KERALA

Forest & Wildlife (C) Department

No-C3/74/2023-FWLD

22-02-2023, Thiruvananthapuram

From

The Additional Chief Secretary to Government

To

The Deputy Conservator of Forests (Central),
Ministry of Environment, Forests & Climate Change,
Government of India, Regional Office (Southern Zone),
Kendriya Sadan, 4th Floor, E&F wing,
14th main road, Koramangala, Bangalore- 560034

Sir,

Sub: Forest Department - Proposal for diversion of 0.138 ha of forest land under Section 2 of Forest (Conservation) Act, 1980 for the construction of Vellakkayam 90 KW Micro Hydro Electric Project in Kothamangalam Division - regarding.

Ref: Letter No. FC2-1436/2022 dated 27/01/2023 from the Additional Principal Chief Conservator of Forests & Nodal Officer, Thiruvananthapuram.

I am directed to recommend and forward herewith the proposal for diversion of 0.138 ha of forest land in Kothamangalam Forest Division for the construction of Micro Hydro Electric Project at Vellakkayam to generate 90 KW power generation. Director, Vellakkayam Hydro Project Pvt Ltd. is the user agency.

As per the site inspection report, the area to be diverted is in Vellalu area near Vellakkayam in Thodupuzha Reserve Forest under Mullaringad Range in Idukki District. The total area required for this project is 0.138 ha which includes the stream submergence area. It propose to generate 90 KW through this Micro Hydel Project. It is a small scale project which run of the river power generation. The diverted area is in a single contiguous patch of 0.138 ha area including

the stream submergence. The power house is situated in the land bought by the User Agency from previous occupant whose patta was issued in 2009 under Regularization of forest Encroachment Rules - 1993 under which only 3 specific uses are permitted. Since hydro power generation is not part of that use the power house area 0.012 ha is also included. Since the power generated is only 90 KW the execution of the power is done via the nearby existing power line along the road. No other suitable land was available for this project in this locality. It does not affect the wildlife of the area.

Chief Conservator of Forests (High Range Circle) Kottayam recommended that the power proposed to be generated is 90 KV and the evacuation of the power is through the existing power line along the nearby road. This is a micro hydel project and minimum trees are to be felled. The User Agency has applied for diversion of 0.012 ha area for the construction of power house part in the encroached forest land regularized by issuing patta under Regularization of Forest Encroachment Rules 1993. Since the construction of power house is a purpose other than for which the patta was issued it necessitates diversion as per Forest (Conservation) Act, 1980. No other suitable land available for the project in the locality and project does not affect the wildlife. The project is situated on a stream surrounded by patta lands under encroachment regularization and does not affect forest or wildlife.

Hence the proposal for forest clearance is forwarded with recommendation to accord 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 make online payment of cost of Compensatory Afforestation, Net Present Value through c-payment module of forest clearance portal. (forestclearance.nic.in)
4. 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.

5. 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/>).
6. 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.
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 only for the purpose for which it is granted. The total forest area utilized for this project shall not exceed 0.138 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 Government of India.
12. 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.
13. The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>)
14. The User Agency shall apply for renewal after 25 years.
15. 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.
16. 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.