



GOVERNMENT OF KERALA

Forest & Wildlife (C) Department

02/01/2020, Thiruvananthapuram

No. C2/126/2018-FWLD

From

The Additional Chief Secretary to Government

To

The Secretary,

Ministry of Environment, Forest & Climate Change, Government of India,

Indira Paryavaran Bhavan, Jorbagh Road, New Delhi- 110 003.

Sir,

Sub: Forest & Wildlife Department - Proposal for diversion of 136.8623 ha of forest land for shifting Zoo from Thrissur to Puthur - Submitting Compliance report - reg

- Ref: 1. Government letter of even No. dated 26.11.2018. 2.
 2. Your letter F No.8-72/2018-FC dated 13.02.2019.
 3. Letter No.FC2-12003/2003 dated 17.10.2019 of the Principal Chief Conservator of Forests, (Forest, Land & Resources) & Nodal Officer, F(C) Act & CAMPA, Forest Headquarters, Thiruvananthapuram.

I am directed to invite your attention to the reference cited. As per letter referred 2nd above, accorded in-principle approval/stage I clearance for diversion of 136.8623 ha of forest land for shifting Thrissur Zoo from Thrissur to Puthur at Pattikkad Range in Thrissur Forest Division, Thrissur District, Kerala subject to the conditions stipulated therein.

As per letter referred 3rd above, the Principal Chief Conservator of Forests, (Forest, Land & Resources) & Nodal Officer, F(C) Act & CAMPA submitted an item wise compliance report on conditions stipulated by Government of India. The same is recommended and forwarded for the final approval under section 2 of Forest (Conservation) Act, 1980.

1. Legal status of the diverted forest land shall remain unchanged;

The User Agency is furnished an undertaking in this regard. (Copy of undertaking enclosed as Annexure I).

2. NPV for 15% of the total area proposed to be diverted shall be paid by the UA. Thus, the User Agency shall transfer Net Present Value (NPV) of 15% of the entire area 136.8623 ha. Forest land as per the orders of the Hon'ble Supreme Court of India dated 28.03.2008, 24.04.2008 and 09.05.2008 in Writ Petition (Civil) No.202/ 1995 and the guidelines issued by the Ministry vide its letter No.5-3/2007-FC dated 05.02.2009 through online portal of CAMPA account of the State Concerned;

The cost of NPV for fifteen percent of the proposed area of diversion (20.53Ha) is Rs. 1,49,86,900. The amount has been remitted in the state head of the account 8121-00-129-99-96

(copy of the chalan attached as Annexure 2).

3. For CA, double degraded forest land equal to 30% of the total area (A Zoo involves both forestry activities such as ex situ conservation, rescue center, breeding of endangered species nature education and non-forestry activities such as cafeteria, parking. Therefore, it has been decided that for the purpose of diversion 15% of the activities shall be considered as non-forestry activities) shall be identified and the cost of CA over the identified land shall be deposited by the user agency in the designated fund Account.

The User Agency has identified land for compensatory Afforestation. Double degraded forest land equal to 30% of the total area identified is 41.06 Ha. The cost per hectare of CA is 2.14 lakhs and the cost of CA for 41.06 Ha is Rs. 87,86,840/- (the detail of the proposed CA land is attached as Annexure 3). The amount has been remitted in the State Head of the account 812 1-00-129-99-99 (Copy of the chalan is attached as Annexure 4)

4. The land under the existing Zoo, after its shifting to the new site shall be handed over to the forest department

It was decided in the High Power Committee meeting held on 20.03.2019 chaired by the Forest Minister to recommend diversion of 6 acre of land at Chembukavu Thrissur (on which the present Zoo is situated) to forest department in lieu of diversion of the forest land at Puthur. Copy of the minutes in this regard is enclosed as Annexure 5

5. Permanent diversion under non-forestry use shall not be more than 15 per cent of the total area sought for diversion

At present the effective construction of the entire Zoo and services is limited to 13% (17.96 Ha) of the total area. The permanent diversion under non forestry use is far less than 15% of the total area. User Agency submitted an undertaking to this effect and is enclosed as Annexure 6.

6. Before establishing/shifting the Zoo, the necessary clearance from Central Zoo Authority shall be obtained before seeking Stage-II clearance, if not already taken;

All the necessary clearance from Central Zoo Authority has been obtained for establishing the Zoological Park at Puthur. The copies of the clearances are attached along with the proposals. The relevant copies are attached herewith as Annexure 7 (7a, 7b, 7c, 7d)

7. The land identified for the purpose of CA shall be clearly depicted on a Survey of India topo-sheet of 1:50,000 scale

The land identified for the purpose of CA is depicted on a survey of India topo-sheet of 1:50,000 scale and is already submitted along with the proposal. Copies are attached as Annexure 8.

8. The User Agency shall transfer the cost of raising and maintaining the admissible compensatory afforestation at the current wage rate in consultation with State Government in the account of Ad-hoc CAMPA of the concerned State through online portal. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years;

The User Agency has prepared and submitted to the Deputy Conservator of Forests detailed scheme for compensatory afforestation at current wage rate including appropriate provision for cost

increase for operations to be carried out in subsequent years. Copy of the scheme is enclosed as Annexure 9. The cost is already remitted to the State CAMPA fund and challan is enclosed.

9. At the time of payment of the Net Present Value (NPV) at the present rate, the user agency shall furnish an undertaking to pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India

The User Agency furnished and undertaking to the effect and is enclosed as Annexure 10.

10. User Agency shall ensure that the Compensatory levies (CA cost NPV, etc...) are deposited through challan generated online on web portal and deposited in appropriate bank online only. Amount deposited through other mode will not be accepted as compliance of the stage -I clearance;

As per CAF Act 2016 and CAF Rules 2018, the Government of Kerala notified the specific Budget Heads for remittance of compensatory levies and accordingly User Agency has been remitted the compensatory levies in the State Budget Heads as per the challan generated online from Parivesh web portal. (Annexure 2 & 4).

11. User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act , 1986, if required

The UA has already obtained Environmental Clearance as per letter no.1127/EC/SEIAA KL 2017 dated 17.03.20 18 (copy enclosed as Annexure 11)

12. No labour camp shall be established on forest land and User agency shall provide firewood preferably alternate fuel to the labours and the staff working at the site so as to avoid any damage and pressure on the adjacent forest areas;

No labour camp is established in the forest land. The staff working at the site uses gas and electric stove; it will be ensured that no pressure of any sort affecting the forest land will be performed.

13. Forest land shall not be used for any purpose other than that specified in the proposal

The forest land shall not be used for any purpose other than that specified in the proposal. An undertaking to this effect is enclosed. Annexure 12.

14. The lay out plan of the zoo shall not be changed without the prior approval of the Central Government

The User Agency agrees to it and submitted an undertaking to this effect. is enclosed as Annexure 13.

15. Government shall complete settlement of rights, in term of the scheduled Tribes and Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, if any, on the forest land to be diverted and submit the documentary evidence in accordance with Ministry's guidelines as issued vide letter No.11-9/1998-FC (pt) dated 03.08.2009 read with 05.07.2013, in support thereof.

Accordingly Collector, Thrissur has issued the Form II (for projects other than linear projects) letter (no. B8-7310/2018 Dated 14/11/2018. Copy is enclosed as Annexure 14.

16. The forest land proposed to be diverted shall under no circumstances be transferred to any other agency, department or person without prior approval of the Central Government;

The User Agency agrees to it and submitted an undertaking to this effect, is enclosed as Annexure 15.

17. The user agency shall submit the annual self-compliance report in respect of the above conditions to the State Government, concerned Regional Office this Ministry by the end of March every year regularly

The User Agency agrees to comply with the submission of report on regular basis. An undertaking to this effect is enclosed as Annexure 16.

18. Any other conditions that the concern Regional Office of this Ministry may stipulate with the approval of competent authority in the interest of conservation, protection and development of forests & wildlife; and

User Agency agrees to comply with the condition.

19. The user agency shall comply all the provisions Acts, Rules, Regulations, Guidelines, Hon'ble Court Order (s) and NGT Order (s) pertaining to this project, if any, for the time being in force as applicable to the project.

The User Agency agrees to comply with all such provisions. An undertaking to this effect is furnished by the user agency as Annexure 17.

Yours faithfully,



GOPAKUMAR.R
DEPUTY SECRETARY

For Additional Chief Secretary to Government.

Copy to :- Principal Chief Conservator of Forests (Forest Management) & Nodal Officer

