

I/10543/2022



भारत सरकार  
GOVERNMENT OF INDIA  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय  
MINISTRY OF ENVIRONMENT, FOREST &  
CLIMATE CHANGE  
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**BY SPEED POST**

F.No.4-KLB1315/2021-BAN/662

Dated the 2<sup>nd</sup> September, 2022

To

The Principal Secretary,  
Government of Kerala,  
Forests & Wildlife (C) Department,  
Secretariat, Thiruvananthapuram,  
Kerala, PIN - 695 001.

**Subject:** Diversion of 0.7945 ha of forest land for laying 220 KV Double Circuit line from Thottiyar Hydro Electric Power House to 220 KV L.P. Madakkathara line for evacuating of power from Thottiyar Hydro Electric Project - reg.

Sir,

Please refer to State Government letter No.C3/194/2021/F&WLD dated 04/10/2021 and Nodal Officer, Kerala letters No.FC2-27267/2018 dated 05/11/2021 & No.FC2-1085/2021 dated 15/02/2022 seeking prior approval of the Central Government in accordance with Section'2' of Forest (Conservation) Act, 1980 for the above-mentioned project.

The proposal was examined by the Regional Empowered Committee constituted under Sub-rule (1) of Rule 4A of the Forest (Conservation ) Rules, 2003 in its meeting held on 29/04/2022.

After careful examination of the proposal of the State Government and on the basis of recommendation of the Regional Empowered Committee, **in-principle approval /Stage-I clearance** of the Central Government under Section'2' of Forest (Conservation) Act, 1980 is hereby granted for diversion of 0.7945 ha of forest land for laying 220 KV Double Circuit line from Thottiyar Hydro Electric Power House to 220 KV L.P. Madakkathara line for evacuating of power from Thottiyar Hydro Electric Project in favour of The Project Manager, Thottiyar Hydro Electric Project, Karimanal, Idukki District subject to fulfillment of the following conditions:-

**A: Conditions which need to be complied prior to handing over of**

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**forest land by the State Forest Department.**

1. The User Agency shall transfer online, the Net Present Value (NPV) of the forest land being diverted under this proposal, as per the guideline issued by Ministry vide letter No.5-3/2011-FC (Vol-I) dated 06/01/2022. The requisite funds shall be transferred through online portal into CAMPA account of the State concerned.
2. The non-forest revenue land in Sy.No. 34/1 of Chinnakanal village in Munnar Division, Idukki District identified towards Compensatory Afforestation over an extent of 1 ha. shall be transferred and mutated in favour of the Forest Department and the same shall be notified as RF/PF prior to Stage-II approval.
3. The User Agency shall transfer the cost of raising and maintaining the Compensatory Afforestation (CA) over 1 ha. of non-forest land at the current wage rate, in consultation with State Forest Department in the account of CAMPA of the concerned State through online portal. Since the identified CA area is an elephant habitat and does not require afforestation, CA may be taken up in equivalent degraded forest land in Erumely range (1965 teak plantation) as proposed by State Forest Department.
4. The KML file of the area diverted and CA area shall be uploaded in the e-green watch portal with all requisite details and same shall be submitted along with the compliance report.
5. All the funds received from the user agency under the project shall be transferred/deposited in CAMPA account only through e-portal (<https://parivesh.nic.in/>). Amount deposited through other mode will not be accepted as compliance of the Stage-I clearance.
6. The State Government shall complete the settlement of rights, in terms of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act 2006, if any, on the forest land to be diverted and submit the documentary evidence as prescribed by this Ministry in its letter No. 11-9/1998-FC dated 3<sup>rd</sup> August 2009 read with 05.07.2013 with necessary enclosures, in support thereof.
7. The boundary of the forest land to be diverted shall be suitably demarcated on ground at the project cost as per the directions of concerned Divisional Forest Officer before Stage-II approval.
8. The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>).
9. Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as prescribed in para 1.21 of Chapter 1 of the Handbook of comprehensive guidelines of Forest (Conservation) Act, 1980 as issued by this Ministry's letter No. 5-2/2017-FC dated 28.03.2019.

**B: Conditions which need to be strictly complied on field after handing over of forest land to the user agency by the State Forest Department but the compliance in form of undertaking shall be submitted prior to Stage-II approval:**

1. Legal status of the diverted forest land shall remain unchanged.
2. At the time of payment of the Net Present Value (NPV) at the then prevailing 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



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Supreme Court of India.

3. Since part of the transmission line is passing through corridors of elephants, User Agency should take sufficient precautionary and mitigation measures such as insulated wiring as per technical feasibility to avoid accidents due to electrocution etc.
4. The layout plan of the proposal shall not be changed without prior approval of Central Government.
5. No labour camp shall be established on the forest land.
6. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
7. The forest area shall be used for the purpose for which it is granted. The total forest area utilized for the project shall not exceed 0.7945 ha.
8. 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.
9. The period of diversion under this approval shall be co-terminus with the period of lease to be granted in favour of the user agency or the project life, whichever is less.
10. Any other condition that the Ministry of Environment, Forest and Climate Change may stipulate from time to time in the interest of conservation, protection and development of Forest and Wildlife.
11. The State Government and user agency shall comply with the provisions of the all Acts, Rules, Regulations, Guidelines, NGT order & Hon'ble Court Order (s) pertaining to this project, if any, for the time being in force, as applicable to the project.

After receipt of compliance report on fulfillment of the conditions mentioned above, the proposal shall be considered for final approval under Section-2 of the Forest (Conservation) Act, 1980. This in-principle approval shall be valid for a period of 5 years. The forest land shall not be transferred to the User Agency prior to the issue of final approval.

Yours faithfully,



(B.N. Anjan Kumar)

Assistant Inspector General of Forests (Central)

Copy to:-

1. The Inspector General of Forest (RoHQ), Ministry of Environment, Forest and Climate Change, Indira Paryavaran Bhavan, Agni Wing, Aliganj, Jor Bagh Road, New Delhi- 110003.
2. The Principal Chief Conservator of Forests, Forests Department, Government of Kerala, 'Vanalakshmi', 1<sup>st</sup> Floor, Forest Headquarters, Vazhuthacaud, Thiruvananthapuram-695 014, Kerala.
2. The Principal Chief Conservator of Forests (Forest Management) & Nodal Officer (FCA), Office of the Principal Chief Conservator of Forests, Forests Department, Government of Kerala, 'Vanalakshmi', 1<sup>st</sup> Floor, Forest Headquarters, Vazhuthacaud, Thiruvananthapuram, PIN- 695 014, Kerala.
3. The Project Manager, Thottiyar Hydro Electric Project, Karimanal,

Thattekkanni P.O., Idukki District, Kerala - 685606.

4. Guard file.



(B.N. Anjan Kumar)



Assistant Inspector General of Forests (Central)