



सत्यमेव जयते

भारत सरकार
GOVERNMENT OF INDIA

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
MINISTRY OF ENVIRONMENT, FORESTS & CLIMATE CHANGE
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BY SPEED POST

F.No.4-KLB 1220/2019-BAN/
Dated the 31st January, 2020

1566

To

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

Subject: Diversion of 1.4318 ha. of forest land for widening of two lane National Highway into six lane National Highway from Vadakkencherry to Mannuthy under NHDP IN FAVOUR OF of NHA I Palakkad -reg.

Sir,

Please refer to State Government letter No.C3/120/2019/FWLD dated 18/11/2019 and PCCF and Nodal Officer (FCA) letter no. FC2- 5850/2019 dated 24/01/2020 seeking prior approval of the Central Government in accordance with Section'2' of Forest (Conservation) Act, 1980 for the above-mentioned project.

After careful consideration of the proposal of the State Government, I am directed to convey the Central Government in-principle approval (**Stage-I**) under Section'2' of Forest (Conservation) Act, 1980 for diversion of 1.4318 ha. of forest land (0.9984 ha. in Peechi Wild Life Sanctuary and 0.4334 ha. in Thrissur Forest Division) for widening of two lane National Highway into six lane National Highway from Vadakkencherry to Mannuthy under NHDP in favour of NHA I Palakkad, subject to fulfillment of the following conditions:-

1. The legal status of forest land shall remain unchanged.
2. The work shall not be undertaken without the prior approval of NBWL, is obtained by the User Agency.
3. 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.
4. User Agency shall restrict the felling of trees to minimum number in the diverted forest land and the trees shall be felled under the strict supervision of the State Forest Department.
5. The non-forest land proposed for CA shall be transferred and mutated in the name of Forest Department and notified as RF/PF prior to Stage II approval. A copy of the original notification declaring the non-forest land under Section 4 or Section 29

of the Indian Forest Act, 1927, or under the relevant section of the State Forest Act as the case may be, will be submitted by the State Government prior to Stage -II approval. The land identified for the purpose of CA shall be clearly depicted on a Survey of India toposheet of 1:50,000 scale and the DGPS readings of the said forest land be submitted to the Regional Office.

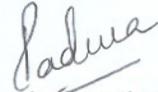
6. Cost of raising Compensatory afforestation over an extent of 1.4318 ha. shall be realized from the User Agency. Justification for carrying out Compensatory Afforestation in degraded forest land as proposed by State Forest Department shall also be furnished.
7. The State Government shall charge the Net Present Value for 1.4318 ha. (0.9984 ha. in Peechi Wild Life Sanctuary and 0.4334 ha. in Thrissur Forest Division) of forest area to be diverted under this proposal from the user agency as per the orders of the Hon'ble Supreme Court dated 28.03.2008 and 09.05.2008 in IA Nos.826 in 566 with related IA's in Writ Petition (Civil) No.202/1995.
8. Additional amount of the Net Present Value (NPV) 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 the State Government from the user agency. The user agency shall furnish an undertaking to this effect.
9. All the funds received from the user agency under the project shall be transferred /deposited to CAMPA fund only through (<https://parivesh.nic.in/>).
10. State Government shall complete settlement of rights, in term 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 it's letter No. 11-9/1998-FC dated 3rd August 2009 read with 05.07.2003, in support thereof, as the document furnished is not in the proper format.
11. The layout plan of the proposal shall not be changed without prior approval of Central Government.
12. No labour camp shall be established on the forest land.
13. Sufficient firewood, preferably the alternate fuel shall be provided by the User agency to the labourer after purchasing the same from the State Forest Department or the Forest Development Corporation or any other legal source of alternate fuel.
14. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
15. 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 1.4318 ha.
16. 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.

17. 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 lesser.
18. The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>).
19. The User agency shall obtain Environmental Clearance as per the provisions of Environmental (Protection) Act, 1986, if applicable.
20. 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.

Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as per the MoEF & CC Guideline F.No.11-42/2017-FC dated 29/01/2018. 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 the compliance report on the above conditions, the proposal will be considered for final approval. 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 sincerely,



(R. Padmawathe)

Assistant Inspector General of Forests (Central)

Copy to:-

1. The Principal Chief Conservator of Forests, Forests Deptt, Government of Kerala, 'Vanalakshmi', 1st 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', 1st Floor, Forest Headquarters, Vazhuthacaud, Thiruvananthapuram, PIN- 695 014, Kerala.
3. The Project Director, National Highways Authority of India, No. 8/1187, Arumugan Colony, Chandra Nagar, Palakkad -678 007.
4. Guard file.



(R. Padmawathe)

Assistant Inspector General of Forests (Central)

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31/4/2020