



सत्यमेव जयते

भारत सरकार
GOVERNMENT OF INDIA
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
MINISTRY OF ENVIRONMENT, FORESTS & CLIMATE CHANGE
Regional Office (Southern Zone),
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BY SPEED POST

F.No.4-KLB1208/2019-BAN/
Dated the 13th April, 2020

To

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

Subject: Diversion of 0.0745 ha. of forest land for the upgradation of Punalur – Muvattupuzha Highway in Ambanur Forest Station of Pathanapuram Range by the Executive Engineer, KPWD, KSTP, Ponkunnam -reg.

Sir,

Please refer to State Government letter No. C3/115/2019/FWLD dated 26/08/2019 and PCCF's letter No.FC2-1649/2019 dated 06/01/2020 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 02/04/2020.

After careful consideration of the proposal of the State Government and on the basis of the approval of the Regional Empowered Committee, I am directed to convey the Central Government in-principle approval (**Stage-I**) under Section'2' of Forest (Conservation) Act, 1980 for diversion of 0.0745 ha. of forest land for the upgradation of Punalur – Muvattupuzha Highway in Ambanur Forest Station of Pathanapuram Range by the Executive Engineer, KPWD, KSTP, Ponkunnam, subject to fulfillment of the following conditions:-

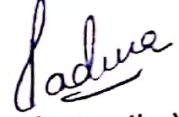
1. The legal status of forest land shall remain unchanged.
2. The boundary of the forest land to be diverted shall be suitably demarcated on ground at the project cost as per the directions of concerned Divisional Forest Officer.
3. The cost of raising plantation of ten times the number of trees to be felled shall be realised from the user agency. The location of the area identified for raising the plantation shall be furnished for considering Stage-II clearance.
4. The State Government shall charge the Net Present Value for 0.0745 ha. 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.

5. 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.
6. All the funds received from the user agency under the project shall be transferred /deposited to CAMPA fund only through (<https://parivesh.nic.in/>).
7. State Government shall complete the 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 its letter No. 11-9/1998-FC dated 3rd August 2009 read with 05.07.2003, in support thereof.
8. The layout plan of the proposal shall not be changed without prior approval of Central Government.
9. The User Agency shall construct Box Culverts or other similar structures for easy movement of Wildlife.
10. No labour camp shall be established on the forest land.
11. 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.
12. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
13. 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 0.0745 ha.
14. 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.
15. 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.
16. The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>).
17. 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 the 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 Department, 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 Executive Engineer, Kerala Public Works Department, KSTP Division, Ponkunnam, Kanjirapally, Kottayam -686 507.
4. Guard file.



(R. Padmawathe)

Assistant Inspector General of Forests (Central)