

F. No. 8-72/2018-FC
Government of India
Ministry of Environment, Forests and Climate Change
(FC Division)

Paryavaran Bhawan,
C.G.O Complex, Lodhi Road,
New Delhi – 110003.

Dated: 13th February, 2019

To

The Principal Secretary (Forests),
Department of Environment & Forests,
Government of Kerala,
Thiruvananthapuram.

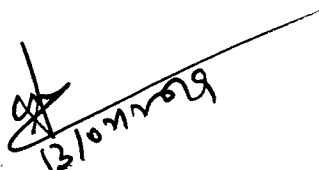
Subject: Diversion of 136.8623 ha. of Reserve Forest Land for shifting of Thrissur Zoo from Thrissur to Puthoor at Pattikkad Forest Range, Thrissur Forest Division, Thrissur District, Kerala State.

Sir,

I am directed to refer to the State Government's letter C2/126/2018/F&WLD dated 26.11.2018 on above mentioned subject seeking prior approval of the Central Government under Section-2 of the Forest (Conservation) Act, 1980 and to say that the proposal has been examined by the Forest Advisory Committee constituted by the Central Government under Section-3 of the said Act.

After careful examination of the proposal of the State Government and on the basis of the recommendations of the Forest Advisory Committee, *In-principle approval/Stage-I Clearance* of the Central Government is hereby granted for diversion of 136.8623 ha. of Reserve Forest Land for shifting of Thrissur Zoo from Thrissur to Puthoor at Pattikkad Forest Range, Thrissur Forest Division, Thrissur District, Kerala State subject to the following conditions:

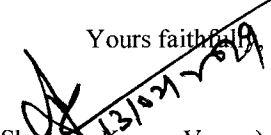
- i. Legal status of the diverted forest land shall remain unchanged;
- ii. **NPV for 15% of the total area proposed to be diverted shall be paid by the UA. Thus, the User Agency shall transfer Net Present Value (NPV) of 15% of the entire area of 140.917 ha. forest land as per the orders of the Hon'ble 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 this Ministry vide its letter No. 5-3/2007-FC dated 05.02.2009 through online portal of CAMPA account of the State Concerned;**
- iii. **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;**
- iv. **The land under the existing zoo, after its shifting to the new site, shall be handed over to the forest department.**
- v. Permanent diversion under non -forestry use shall not be more than 15 per cent of the total area sought for diversion;
- vi. Before establishing/shifting the Zoo, the necessary clearance from Central Zoo Authority shall be obtained before seeking Stage-II clearance, if not already taken;
- vii. The land identified for the purpose of CA shall be clearly depicted on a Survey of India topo-sheet of 1:50,000 scale;
- viii. The User Agency shall transfer the cost of raising and maintaining the admissible compensatory afforestation at the current wage rate in consultation with State Forest Department 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;


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- ix. 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;
- x. 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.
- xi. User agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required;
- xii. No labour camp shall be established on the forest land and User agency shall provide firewood preferably alternate fuel to the labourers and the staff working at the site so as to avoid any damage and pressure on the adjacent forest areas;
- xiii. Forest land shall not be used for any purpose other than that specified in the proposal;
- xiv. The layout plan of the zoo shall not be changed without the prior approval of the Central Government;
- xv. State 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;
- xvi. 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;
- xvii. The user agency shall submit the annual self-compliance report in respect of the above conditions to the State Government, concerned Regional Office and this Ministry by the end of March every year regularly;
- xviii. Any other condition 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
- xix. The user agency shall comply all the provisions of the all 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.

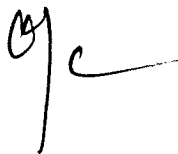
After receipt of the compliance report on fulfilment of the above conditions from the State Government, formal approval will be considered under Section-2 of the Forest (Conservation) Act, 1980. The transfer of forest land to the User Agency shall not be affected by the State Government till formal orders approving the diversion of forest land are issued by the Central Government.

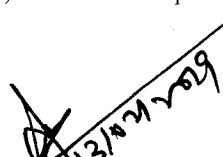
Yours faithfully,


(Shrawan Kumar Verma)
Dy. Inspector General of Forests

Copy to:

1. The Principal Chief Conservator of Forests (HoFF), Government of Kerala, Thiruvananthapuram.
2. The Addl. Principal Chief Conservator of Forests (Central), Regional Office, MoEF&CC, Bangalore.
3. The Nodal Officer (FCA), Forest Department, O/o the PCCF, Government of Kerala, Thiruvananthapuram.
4. The user agency.
5. Monitoring Cell of FC Section.
6. Guard File.




(Shrawan Kumar Verma)
Dy. Inspector General of Forests