



GOVERNMENT OF KERALA

Abstract

Forest & Wildlife Department- Diversion of 0.113 ha of forest land for the purpose of up gradation of 66 KV Substation Nedumpoil to 110 KV at Vekkalam Village in Kannur District under Section 2 of Forest (Conservation) Act, 1980 - Stage 1 approval - Sanction accorded - Orders issued.

FOREST & WILDLIFE [C] DEPARTMENT

G.O.(Rt)No.51/2021/F&WLD Dated, Thiruvananthapuram, 17/02/2021

Read Letter No. FCI-14967/2016 dated 25/01/2021 from the Principal Chief Conservator of Forest (Forest Management) & Nodal Officer

ORDER

The Principal Chief Conservator of Forest (Forest Management) & Nodal Officer as per letter read above has recommended and forwarded the proposal for diversion of 0.113 ha of forest land under section 2 of Forest (Conservation) Act, 1980 for the purpose of up gradation of 66 KV Substation Nedumpoil to 110 KV in Kannur District. The Assistant Engineer, KSEBL, Nedumpoil, Kannur is the user agency. 0.113 ha of forest land in RS 53/3 at Vekkaram Village, Thalassery Taluk, Kannur District was leased out to KSEB as per GO(MS) No. 309/74/AD dated 14.11.1974 for the period of 10 years. After expiry of the lease period on 31.03.1984 further extension for the period of 10 years from 01.04.1984 was given vide GO(MS) No.1/90 dated 03.01.1990. After the expiry of lease in the year 1994, this land continued to be in possession of KSEB without any formal orders for the extension of lease. Now KSEB has applied for the renewal of lease for 99 years with effect from 01.04. 1994.

2. The total area required for the proposed project is 0.113 Ha, which is essential for the up gradation of 66 KV substation Nedumpoil to 110 KV. The proposed land does not contain any rare and endangered and endemic flora and fauna and the area is not important from the Archaeological/ Heritage/ Defense point of view. The requirement of land is essential and substation already exists on the forest land leased to KSEB. This land is required for further extension of the substation. The requirement of forest land as proposed by the User Agency is unavoidable and bare minimum.

3. Government have examined the proposal in detail and are pleased to accord sanction for Stage 1 approval for of 0.113 ha of forest land under Section 2 of Forest (Conservation) Act, 1980 for the purpose of up gradation of 66 KV Substation Nedumpoil to 110 KV in Kannur District under Section (2) of Forest (Conservation) Act, 1980 subject to the following conditions:-

1. Legal status of the forest land shall remain unchanged.
2. The boundary of the diverted forest land shall be suitably demarcated on ground at the project cost, as per the directions of the concerned Divisional Forest Officer.
3. The User Agency shall make online payment of cost Net Present Value with ad-hoc CAMPA through e-payment module of forest clearance portal.
(forestclearance.nic . in)
4. The User Agency shall pay the Net Present Value of the diverted forest land of 0.113 ha as per the orders of the Hon'ble Supreme Court of India dated 28.03.2008 and 09.05.2008 in IA Nos 826 in 566 with related IA's in WP(C)202/ 1995.
5. Additional amount of Net Present Value 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 State Government by 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 e-portal
(<https://parivesh.nic.in/>).
7. Necessary certificates/documents under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 as per the guidelines issued by the Ministry of Environment, Forest & Climate Change vide letter No. 11-9/ 1998-FC(pt) dated 05.07.2013 shall be furnished before stage-II clearance.
8. The layout plan of the proposal shall not be changed without prior approval of Central Government.
9. No labour camp shall be established on the forest land.
10. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
11. The forest area shall be used for the purpose for which it is granted. The total forest area utilized for this project shall not exceed 0.113 ha.
12. The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without prior approval of Govt. of India
13. 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.
14. The compliance report shall be uploaded on e-portal
(<https://parivesh.nic.in/>).
15. Any other condition that the Ministry of Environment, Forests &

Climate Change may stipulate from time to time in the interest of conservation, protection and development of forests & wildlife.

16. Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as per the Ministry of Environment, Forest & Climate Change Guideline F. No. 11-42/2017-FC dated 29/01/2018.

17. The User Agency shall not use the forest land for any purpose other than the purpose for which the forest land is diverted.

18. The User Agency has to execute a lease deed.

19. When the forest land is no longer required for the purpose, the Land will be resumed back to the Forest Department.

20. The User Agency shall abide by any other condition imposed later on by Government of Kerala/Forest Department in the interest of Forest Conservation.

21. The User Agency shall apply for renewal of approval after 99 years.

22. The User Agency has to sign an agreement with Divisional Forest Officer incorporating all the conditions imposed by Government of India/Government of Kerala in this regard and a nominal lease rent as decided by the Government of India may be remitted.

(By order of the Governor)
RAJESH KUMAR SINHA
PRINCIPAL SECRETARY

To:

The Principal Chief Conservator of Forest & Head of Forest Force,
Forest Head Quarters, Thiruvananthapuram
The Principal Chief Conservator of Forest (Forest Management) &
Nodal Officer, Forest Head Quarters, Thiruvananthapuram
The Chief Conservator of Forest (Northern Circle) Kannur
The Divisional Forest Officer, Kannur
The Assistant Engineer, KSEBL, Nedumpoil, Kannur
The Principal Accountant General (A&E)/ Audit , Thiruvananthapuram.
I & PR (Web & New Media) Department
Stock File

Forwarded /By order

Section Officer