



सत्यमेव जयते

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-KLB1280/2021-BAN/  
Dated the 21<sup>st</sup> September, 2021

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To

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

Subject: Diversion of 0.03352 ha. of forest land for re-construction of Kolad bridge across Ancharakandy river, Kannur District in favour of Assistant Engineer, PWD, Kannur - reg.

Sir,

Please refer to State Government letter No. C3/213/2020/FWLD dated 10/12/2020 & 24.08.2021 and PCCF's letter No.FC1-3027/2020 dated 30/07/2021 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 **in-principle approval /Stage-I clearance** of the Central Government under Section'2' of Forest (Conservation) Act, 1980 for diversion of 0.03352 ha. of forest land in Sy.No.191 & 196 of Pinarayi Vilalge, Kannur Division for re-construction of Kolad bridge across Ancharakandy river, Kannur District in favour of Assistant Engineer, PWD, Kannur, subject to fulfillment of the following conditions:-

**A: Conditions which need to be complied prior to handing over of 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 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. The requisite funds shall be transferred through online portal into CAMPA account of the State Concerned.
2. The cost of raising plantation of ten times the number of trees to be felled shall be realised from the user agency.
3. The location of the area identified for raising the plantation shall be furnished before Stage-II clearance.

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4. 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.
  5. The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>).
  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 diverted forest land shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, distance from pillar to pillar and GPS co-ordinates.
  8. The KML file of the area proposed for diversion and degraded forest area identified for plantation in lieu of felling of trees shall be uploaded in the e-green watch portal with all requisite details
  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 Supreme Court of India.
  3. 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.
  4. No labour camp shall be established on the forest land and the User Agency shall provide fuels preferably alternate fuels to the labourers and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas.
  5. 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.
  6. No damage to the flora and fauna of the adjoining area shall be caused.

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