



भारत सरकार
GOVERNMENT OF INDIA

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
MINISTRY OF ENVIRONMENT, FOREST &
CLIMATE CHANGE

क्षेत्रीय कार्यालय
REGIONAL OFFICE

Kendriya Sadan, IVth Floor, E& F Wings, 17th
Main Road, IInd Block, Koramangala, Bangalore
- 560 034. Tel.No.080-25635902, E.Mail:
rosz.bng-mef@nic.in



BY SPEED POST
No. 4-KLB1439/2023-BAN/
Dated: 18th October, 2023

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To

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

Subject: Proposal for diversion of 0.0077 ha of forest land under Section 2 of the Forest (Conservation) Act, 1980 for the purpose of laying pipeline under Muppini Lift Irrigation Scheme in Chungathara Grama Panchayath in Nilambur North Division – reg. (Online Proposal No. FP/KL/ Pipeline/153543/2022)

Sir,

I am directed to refer to the State Government's Letter No. C3/82/2023-FWLD) on 24/02/2023 and 06/10/2023 seeking prior approval of the Central Government in accordance with Section'2' of the Forest (Conservation) Act, 1980 for the above mentioned project.

After careful examination of the proposal of the State Government, **in-principle approval /Stage-I clearance** of the Central Government is hereby granted under Section'2' of Forest (Conservation) Act, 1980 for diversion of **0.0077 ha of forest land** under Section 2 of the Forest (Conservation) Act, 1980 for the purpose of laying pipeline under Muppini Lift Irrigation Scheme in Chungathara Grama Panchayath in Nilambur North Division, Malappuram District in favour of the Executive Engineer, Minor Irrigation Section, Malappuram, Kerala 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 guideline issued by Ministry vide letter No.5-3/2011-FC (Vol-I) dated 06/01/2022. The requisite funds shall be transferred through online portal into CAMPA account of the State Concerned.
2. cost of raising ten times number of trees to be felled (including maintenance) , subject to a minimum of 100 trees, shall be realized from user agency towards compensatory afforestation,
3. 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.
4. The KML file of the forest area diverted and forest area selected towards CA plantation (ten times no. of trees to be felled) shall be uploaded on the e-green watch portal with all requisite details and same shall be submitted along with compliance report including GPS ids.
 5. The State Government shall ensure that all the rights and claims under RoFR Act are settled and FRA Certificate is certified by the competent authority before giving working permission. The State Government shall submit FRA certificate along with documentary evidence as prescribed by this Ministry in its letter No. 11-9/1998-FC dated 3rd August 2009 read with 05.07.2013 with necessary enclosures, in support thereof.
 6. The boundary of the diverted forest land shall be suitably demarcated on ground at the project cost as per the directions of concerned Divisional Forest Officer.
 7. The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>).
 8. 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. Tree felling shall be restricted to the barest minimum possible and under confirmation from the local forest officials.
4. 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.
5. No labour camp shall be established on the forest land.
6. No additional or new paths will be constructed inside the forest area for transportation of construction materials for execution of the project work.
7. 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.
8. The forest land shall not be used for any purpose other than that specified in the project proposal.
9. The total forest area utilized for the project shall not exceed 0.0077 ha.
10. 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;
11. No damage to the flora and fauna of the adjoining area shall be caused.
12. The layout plan of the proposal shall not be changed without the prior approval of the Central Government.
13. The User Agency shall submit the annual self-compliance report in respect of the above stated conditions to the State Government and Integrated Regional Office, Bangalore by the end of March every year.
14. The user agency shall comply with 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.
15. 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

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Forest and Wildlife.

After receipt of compliance report on fulfillment of the conditions mentioned above, the proposal shall be considered for final approval under Section-2 of the Forest (Conservation) Act, 1980.

Further, it may also be noted that this in-principle approval shall be valid for a period of 2 years from the date of issue of this letter. In the event of non-compliance of the above conditions within 2 years, the in-principle approval shall be deemed to be null and void.

Yours faithfully,



(B.N. ANJAN KUMAR)

Asstt. Inspector General of Forest (Central)

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Copy to:-

1. The Inspector General of Forests (ROHQ), Govt. of India, Ministry of Environment, Forests and Climate Change, Indira Paryavaran Bhavan, Agni Wing, Aliganj, Jor Bagh Road, New Delhi – 110 003
2. The Principal Chief Conservator of Forests (HoFF), Forest Department, Government of Kerala, 'Vanalakshmi', 1st Floor, Forest Headquarters, Vazhuthacaud, Thiruvananthapuram, PIN- 695 014, Kerala.
3. The Addl. 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.
4. The Executive Engineer, Minor Irrigation Section, Nilambur, Malappuram, Kerala – 679 329.
5. Guard file.



(B.N. ANJAN KUMAR)

Asstt. Inspector General of Forest (Central)

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19/10/2023