



भारत सरकार
GOVERNMENT OF INDIA

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

समन्वित 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

F.No.4-KLB1339/2022-BAN/

Dated the 27th June, 2023

To

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

Subject: Proposal for Diversion of 0.3 ha of forest land in Nenmara Forest Division for implementation of Palakkuzhi Mini Hydro Electric Project under Vadakkencherry Section across Palakkuzhi stream at Thendillam falls – reg.

Sir,

Please refer to State Government letter No.C3/2/2022/F&WLD dated 02/02/2022 & 29.06.2022, Nodal Officer, Kerala letter No.FC1-12966/2015 dated 09/03/2023 and 25/04/2023 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 28/03/2023.

After careful examination of the proposal of the State Government and on the basis of recommendation of the Regional Empowered Committee, **in-principle approval /Stage-I clearance** of the Central Government under Section'2' of Forest (Conservation) Act, 1980 is hereby granted for diversion of 0.3 ha of forest land in Puzhakkalidan Malavaram Vested Forest Item No.37/4 of Vadakkencherry Section under Alathur Range in Nenmara Forest Division for implementation of Palakkuzhi Mini Hydro Electric Project under Vadakkencherry Section across Palakkuzhi stream at Thendillam falls in favour of The Chairperson, Palakkad Small Hydro Company Limited, District Panchayat Building, Palakkad subject to fulfilment 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. The cost of raising ten times the number of trees to be felled (including maintenance) shall be realised from the User Agency towards Compensatory Afforestation (CA). CA may be taken up over an area of 1 Ha degraded forest land identified at VFC Item No.186/3 (Kavassery Bit-III) under Choolannur Section of Alathur Range in Nenmara division for planting trees (10 times of trees to be felled in the proposed area).
3. The KML file of the area diverted and CA area shall be uploaded in the e-green watch portal with all requisite details and same shall be submitted along with the compliance report.
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 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 3rd August 2009 read with 05.07.2013 with necessary enclosures, in support thereof.
6. 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 before Stage-II approval.
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. The legal status of forest land shall remain unchanged.
2. 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.
3. The layout plan of the proposal shall not be changed without prior approval of Central Government.
4. No labour camp shall be established on the forest land.
5. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
6. 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 **0.3 ha**.
7. 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.
8. 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 lesser.
9. 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.

10. 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 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. 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 faithfully,

(B.N. Anjan Kumar)

Assistant Inspector General of Forests (Central)

Copy to:-

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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, Forests Department, Government of Kerala, 'Vanalakshmi', 1st Floor, Forest Headquarters, Vazhuthacaud, Thiruvananthapuram-695 014, Kerala.
 3. The Addl. Principal Chief Conservator of Forests & Nodal Officer (FCA), Office of the PCCF, Forests Department, Government of Kerala, 'Vanalakshmi', 1st Floor, Forest Headquarters, Vazhuthacaud, Thiruvananthapuram, PIN- 695 014, Kerala.
 4. The Chairperson, Palakkad Small Hydro Company Ltd., District Panchayath Building, Near Judges Bungalow, Palakkad, Kerala – 678 001.
 5. Guard file.

(B.N. Anjan Kumar)

Assistant Inspector General of Forests (Central)

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