

VINOD KUMAR D.K IFS
Chief Conservator of Forests



Office of the Chief Conservator of Forests
High Range Circle, Kottayam- 686 006.
☎ 0481 2312448 (O)
ccf-hrc.for@kerala.gov.in

C5- 1792/2022

Date: 14.11.2025

To

The Addl. Principal Chief Conservator of Forests &
Nodal Officer F(C) Act,
Thiruvananthapuram.

Sir,

Sub:- Forest & Wildlife Department – Proposal for diversion of 0.138 Ha of forest land under Section 2 of Forest (Conservation) Act, 1980 for the construction of Vellakkayam Micro Hydro Electric Project - reg.

Ref:- 1) That office letter No. FC2-1436/2024 dtd 19.07.2025
2) Letter No. 4-KLB1437/2023-BAN dated 12.06.2025 of Ministry of Environment, Forest and Climate Change, Delhi.
3) Letter No. KFDDO/28586/2023-DFOKGLM/A3 dtd 23.07.2025, 16.09.2025 of Divisional Forest officer, Kothamangalam.

Kind attention is invited to the above subject and references read above. Iam submitting herewith the report of the observations raised by Ministry of Environment, Forest and Climatic Change.

- i. Clarify whether the instant proposal is the first Hydro Electric Project in the river.

The instant proposal is not the first Hydro Electric Project in the river. An application for Pattayakudy Hydro Electric Project in Edathana thode, a tributary of Kothamangalam thode near the Vellakayam Hydro Electric Project has been submitted through PARIVESH portal and received Stage-1 approval which is first Hydro Electric Project in this river.

- ii. Submit an action taken report against the said violation in the instant proposal.

Immediate response from the Forest Department (Range Forest Officer) resulted in issuance of stop memo to the project preventing any irreversible damage to the site. A detailed site inspection report of Chief Conservator of Forest, High Range Circle is enclosed herewith.

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- iii. Disciplinary action against the official concerned for not being able to prevent use of forest land for non forestry purpose without prior approval of Government of India.

On my inspection of the site on 21.08.2025, it was found that, timely adequate action was taken by the forest officials in preventing commission of any offence or violation of Forest Conservation Act 1980. Further it was understood that, the user agency inadvertently made arrangements for the initiation of the project, but there was no mens rea from his part as he did not willfully intended to commit any offence. On receiving instructions from forest officials to stop the work, he had complied with the same and applied for clearance under Forest Conservation Act. Hence it is submitted that no offence or violation were committed under Forest Conservation Act or Kerala Forest Act 1961. Since there is no dereliction of duties from the part of forest officials, there is no need to proceed with disciplinary action against the forest officials.

- iv. Status of CIA/ CCS study (Impact Assessment) of river on which the proposal has been proposed shall be provided: &
v. The KML file and map of the entire project area:

The proposal has been returned to User Agency for the submitting the same.

Yours Faithfully,



Chief Conservator of Forests
High Range Circle, Kottayam

**Site Inspection Report by Chief Conservator of Forests, High Range Circle
Kottayam on 21.08.2025 at Vellakkayam Micro Hydro Electric Project** ✓

Visited the proposed site of Vellakkayam Micro Hydro Electric Project along with Divisional Forest Officer, Kothamangalam, Divisional Forest Officer, Flying Squad, Kothamangalam, Range Forest Officer, Mullaringad and Range Forest Officer, Thodupuzha.

There were no visible disturbances to the vegetation nor the site per-se. The proposed site was identified by the presence of name board by the side of the road on the opposite side to the flowing river. The site is having riverine vegetation on either banks of the river predominated by reeds (*Ochlandra species*), No felling signs were seen and no constructions were visible. It is inferred that at the onset of activities proposed to be carried out in the area for the proposed Hydro Electric Project itself, Forest Officers have taken necessary steps to avoid any violations. The proposed site is a land having status of forest but was assigned for settlement after getting necessary clearance from Government of India under the Forest Conservation Act, 1980. Since, that area is having human habitations all around the status of land was overlooked and the user agency inadvertently went ahead with the initiation of execution of the project oblivious to the fact that the status of land was unchanged still continued to be forest despite having been assigned for settlement.

In this regard the inferences are :

1. Timely adequate actions were taken by Forest Officials preventing commission of any offence or violation of Forest Conservation Act, 1980.
2. The user agency inadvertently made arrangements for initiation of the project oblivious to the fact that the status of land was Forest. There was no mens rea from his part as he did not willfully intend to commit any offence. Further, on receiving instructions from Forest Officer to stop the work he had complied with the same and took necessary actions for applying to secure appropriate clearances for the project.

Hence, it is concluded that no offence or violations were committed under Forest Conservation Act, 1980 or Kerala Forest Act, 1961 and there is no need for proceeding with punitive actions in this regard.


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