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29/10/14



GOVERNMENT OF KERALA

Abstract

Forest & Wild Life Department – Raising of Water level of Peppara Dam – Sanction accorded - Orders issued.

**FOREST & WILD LIFE (D) DEPARTMENT**

GO (Ms) No. 87/2014/F&WLD

Thiruvananthapuram, Dated: 23.10.2014

- Read:
- 1) G.O (Rt) No.616/1976/LASWD dated 12.03.1976
  - 2) G.O(Rt) No. 3114/77/AD dated 02.11.1977
  - 3) G.O (P) No.379/83/AD dated 21.12.1983
  - 4) Minutes of the 1<sup>st</sup> meeting of the State Board for Wildlife held on 03.01.2013
  - 5) Minutes of the 2<sup>rd</sup> meeting of the State Board for Wildlife held on 14.05.2013
  - 6) Minutes of the 4<sup>th</sup> meeting of the State Board for Wildlife held on 18.06.2014
  - 7) Letter No.WL4 -18109/2012 dated 04.08.2014 from the Principal Chief Conservator of Forests(Wildlife) Thiruvananthapuram

**ORDER**

Government have accorded sanction for the construction of a dam at Peppara to meet water supply requirements of Thiruvananthapuram city, to the extent of 5000 million gallons as per Govt. Order read as 1<sup>st</sup> paper above. Subsequently vide G.O (Rt) 3114/1977/AD dated 02.11.1977, sanction was accorded for removal of tree growth in Kottoor and other Reserve Forests falling under the water spread area of the dam to the extent of 5.60 Sq. Km for water storage and 45.49 hectares for allied works. Government, on realizing the importance of protecting the catchment area of the Peppara dam and also for protecting the flora and fauna of the area have declared 53 Square kilometers of area in Aryanad and Palode villages of Thiruvananthapuram District as Peppara Wildlife Sanctuary vide Government Order read as 3<sup>rd</sup> paper above.

The State Board for Wildlife in its meetings held on 03.01.2013 and 14.05.2013 have recommended to take up the issue of increasing the height of the Peppara dam by 3 meters to meet the increasing demand for water at Thiruvananthapuram city with the approval of National Board for Wildlife and Hon. Supreme Court.

The meeting of the State Board for Wildlife held on 18.06.2014 have observed that the issue of raising water level of Peppara dam will come under the purview of sec 29 of the Wildlife Protection Act (substituted by Act 16 of 2003) which is as follows:

*“ No person shall destroy, exploit or remove any wildlife including Forest produce from a Sanctuary or destroy or damage or divert the habitat of any wild animal by any act*

*whatsoever or divert, stop or enhance the flow of water in to or outside the Sanctuary, except under and in accordance with the permit granted by the Chief Wildlife Warden, and no such permit shall be granted unless the State Government is being satisfied in consultation with the Board that such removal of wildlife from the Sanctuary or the change in the flow of water in to or outside the Sanctuary is necessary for the improvement of the wildlife therein, authorizes the issue of such permit:*

*provided that where the forest produce is removed from the Sanctuary, the same may be used for meeting the personal bonafide needs of the people living in and around the sanctuary shall not be used for any commercial purpose”*

Further the Central Government has clarified that *“The cases in which specific orders for dereservation or diversion of forest areas in connection with any project were issued by the State Government prior to 25/10/1980, need not be referred to the Central Government. However, in cases where only Administrative approval for the project was issued without specific orders regarding dereservation /or diversion of forest lands, a prior approval of the Central Government would be necessary”.*

In the light of Sec 29 of the Wildlife Protection Act and clarification of the Central Government mentioned above, the State Board for Wildlife has directed the Chief Wildlife Warden to submit a proposal for raising the water level of Peppara Dam by 3 meters.

Accordingly the Principal Chief Conservator of Forest (Wildlife) has forwarded a proposal for increasing the height of Peppara Dam by 3 meters to cater the increasing demand for water in Thiruvananthapuram city.

Government have examined the matter in detail and are pleased to accord sanction to Water Resources Department to increase the height of the Peppara Dam from the present level of 104.5 meters to 107.5 meters strictly in observance of the Acts and Rules in force.

(By order of the Governor)

**P.K.MOHANTY**

Additional Chief Secretary to Government

To

The Principal Secretary, Water Resources Department

The Principal Chief Conservator of Forests & Head of Forest Forces, Thiruvananthapuram.

The Principal Chief Conservator of Forests (WL), Thiruvananthapuram.

The Accountant General (A&E/Audit), Thiruvananthapuram.

The Information and Public Relations Department (*for uploading in official website*)

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Section Officer