

GOVERNMENT OF KERALA

Abstract

Forest & Wildlife Department-Forest (Conservation) Act,1980-Diversion of 0.95 ha. of forest land in Kunjithanny village in Munnar Division, Idukki District for the implementation of Upper Sengulam Small Hydro Electric Project in favour of Kerala State Electricity Board (KSEB)-Sanction Accorded- Orders- issued.

FOREST & WILDLIFE (C)DEPARTMENT

G.O.(Rt)No.253/2021/F&WLD Dated,Thiruvananthapuram,
24/08/2021

- 1 Read 1 Letter. No.FC2-45617/2016 dated 28/12/2018 from the Principal Chief Conservator of Forests (Forest Management) & Nodal Officer , Thiruvananthapuram.
- 2 Letter No.F.No.4-KLB1188/2019/BAN/1238 dated 26/11/2019 from the Ministry of Environment, Forests & Climate Change, Government of India.
- 3 Letter. No.FC2-45617/2016 dated 25/05/2021 from the Principal Chief Conservator of Forests (Forest Management) & Nodal Officer, Thiruvananthapuram.
- 4 Government Letter. No. C3/6/2019/FWLD Dated.26/06/2021 addressed to Government of India, Ministry of Environment, Forests & Climate Change, Regional Office, Bangalore.
- 5 Letter No.F.No.4-KLB1188/2019/BAN/269 dated 16/07/2021 from the Ministry of Environment, Forests & Climate Change, Government of India.

ORDER

The Principal Chief Conservator of Forests (Forest Management) & Nodal Officer as per the letter read 1st paper above has recommended and forwarded the proposal for diversion of 0.95 ha of

forest land under Section 2 of Forest (Conservation) Act, 1980 in Kunjithanny village in Munnar Division, Idukki District falling within HNL-1999 Block VIII Sengulam Eucalyptus Plantation which was leased out to M/s HNL by Kerala Forest Department for raising and maintenance of Captive Eucalyptus Plantation for the implementation of Upper Sengulam Small Hydro Electric Project. The Kerala State Electricity Board (KSEB) is the user agency.

2. As per the inspection report, the Divisional Forest Officer, Munnar and the Chief Conservator of Forests (High Range Circle), Kottayam specifically recommended for the project and reported that no rare/endangered/ unique species of flora and fauna are found in the area. The area doesn't contain any monument of historical, religious, archeological or defense establishment. The Chief Conservator of Forests has reported that the total stock of Eucalyptus standing in the area is quantified as 116.7 MT/Ha.

3. As per the letter read 2nd paper above, the Ministry of Environment, Forests & Climate Change has conveyed its in-principle approval (Stage I) under Section 2 of the Forest (Conservation) Act, 1980 for a period of 5 years subject to the fulfillment of the certain conditions.

4. The compliance report on the above conditions furnished by the Principal Chief Conservator of Forest (Forest Management) as per the letter read 3rd paper above has been forwarded to the Ministry of Environment, Forests & Climate Change, Regional Office, Bangalore, Government of India as per the Government letter read 4th paper above.

5. Accordingly, the Ministry of Environment, Forests & Climate Change, Regional Office, Bangalore, Government of India has conveyed its approval (Stage II) for the proposal as per the letter read 5th paper above subject to the following conditions:-

- 1. The legal status of forest land shall remain unchanged.*
- 2. 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.*
- 3. User Agency shall restrict the felling of trees to minimum number in*

the diverted forest land and trees shall be felled under the strict supervision of the State Forest Department.

- 4. 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.*
- 5. Catchment Area Treatment Plan shall be implemented as per the approved plan.*
- 6. The layout plan of the proposal shall not be changed without prior approval of Central Government.*
- 7. No labour camp shall be established on the forest land.*
- 8. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.*
- 9. 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 0.95 ha.*
- 10. 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.*
- 11. 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.*
- 12. User Agency shall provide free water for forest related activities / projects.*
- 13. 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.*
- 14. Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as per the MoEF&CC Guideline F.No.1 1-42/2017- FC dated 29/01/2018.*

15. The State Government and user agency shall comply the provisions of all the 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.

6. In the circumstances and subject to the above conditions, Government are pleased to accord sanction for the diversion of 0.95 ha. of forest land in Kunjithanny village in Munnar Division, Idukki District for the implementation of Upper Sengulam Small Hydro Electric Project in favour of Kerala State Electricity Board (KSEB).

(By order of the Governor)
Rajesh Kumar Sinha
Principal Secretary

To:

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

The Additional Principal Chief Conservator of Forests & Nodal Officer,
Thiruvananthapuram.

The Chief Conservator of Forests (High Range Circle), Kottayam.

The Divisional Forests Officer, Munnar.

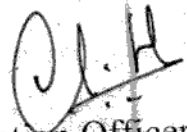
The Chief Engineer, KSEB Ltd, Vyhduathi Bhavan, Pattom.

The Principal Accountant General /A&E, Kerala.

The Information and Public Relations (Web & New Media)

Stock File/Office copy.

Forwarded /By order


Section Officer