



GOVERNMENT OF KERALA

Abstract

Forest & Wildlife Department - Forest (Conservation) Act, 1980 - Diversion of 0.0254 ha of forest land for Black Spot rectification work at Vazhakode Curve Km 62/805 of Kodungallur-Shornur State Highway 22 in Thrissur Forest Division- Stage I Approval - Orders Issued - reg

FOREST & WILDLIFE (C) DEPARTMENT

G.O.(Rt)No.228/2022/F&WLD Dated,Thiruvananthapuram, 20-05-2022

Read Letter no. FC2-1128/2022 dated 04.05.2022 from the Additional Principal Chief Conservator of Forests & Nodal Officer, Thiruvananthapuram.

ORDER

The Additional Principal Chief Conservator of Forests & Nodal Officer as per the letter read above has recommended and forwarded the proposal in Form A under section 2 of Forest (Conservation) Act, 1980 for diversion of 0.0254 ha of forest land for Black spot rectification work at vazhakode curve Km-68/805 of Kodungallur - Shornur State Highway 22 in Thrissur Forest Division. The Assistant Engineer, PWD Road Section, Chelakkara is the User Agency.

As per the site inspection reports, the proposed project area is an isolated rectangular-plot having an extent of 0.0276 ha situated in Sy. No. 480/14 in Mullurkkava Village, Thalappilly Taluk in Thrissur District. The boundaries of this plot was consolidated with cairns. Cairns were intact in all the four corners of the plot. As per BTR, this bit is recorded as Government Poramboke (Forest Station) land and is situated about 300 m away from the nearest Reserve Forest (Bharanipachamala). 5 trees are existed in this land and these are to be felled for executing the work. The piece of land is highly required for the rectification of Black spot at Vazhakode. There are 5 trees Samania saman (GBI-300 M), Artocarpus heterophyllus (GBH-166 Cm), Mangifera indica (GBH-150 cm), Tectona grandis (GBH-150 cm), Azadirachata Indica (GBH-90 cm)

have to be felled for the execution of the project. No other endangered/unique species of flora and fauna were found in the proposed area. The area proposed by the User Agency is bare minimum and unavoidable for the project. The proposal is uploaded in 'PARIVESH' website vide No.FP/KL/Road/151269/2022 and all due procedures have been completed.

In the circumstance, Government have examined the proposal and are pleased to accord Stage I (in principle) approval subject to the following conditions:-

1. Legal status of the forest land shall remain unchanged.
2. The boundary of the diverted forest land shall be suitably demarcated on ground at the project cost, as per the directions of the concerned Divisional Forest Officer.
3. The User Agency shall make online payment of cost of Compensatory Afforestation, Net Present Value through e-payment module of forest clearance portal. (forestclearance.nic.in)
4. The State Government shall charge the Net Present Value of the diverted forest land of 0.254 ha from the User Agency as per the orders of the Hon'ble Supreme Court of India dated 28.03.2008 and 09.05.2008 in IA Nos 826 in 566 with related IA's in WP(C) 202/1995.
5. Additional amount of Net Present Value 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 State Government from the User Agency. The User Agency shall furnish an undertaking to this effect.
6. All the funds received from the user agency under the project shall be transferred/ deposited to CAMPA fund only through e-portal (<https://parivesh.nic.in/>).
7. Necessary certificates/ documents under the scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 as per the guidelines issued by the Ministry of Environment, Forest & Climate Change vide letter No.11-9/ 1998-FC(pt) dated 05.07.2013 shall be furnished before Stage-II clearance.
8. The layout plan of the proposal shall not be changed without prior approval of Central Government.
9. No labour camp shall be established on the forest land.
10. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the

project work.

11. The forest area shall be used only for the purpose for which it is granted. The total forest area utilized for this project shall not exceed 0.0254 ha.

12. The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without prior approval of Govt. of India.

13. The User Agency shall sign an agreement with Forest Department before transfer of the land to the User Agency.

14. The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>).

15. Any other condition that the Ministry of Environment, Forests & Climate change may stipulate from time to time in the interest of conservation, protection and development of forests & wildlife.

16. The User Agency shall apply for renewal after 25 years.

17. Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as per the Ministry of Environment, Forest & Climate Change Guideline F.No-11-42/2017-FC dated 29/01/2018.

(By order of the Governor)
RAJESH KUMAR SINHA
PRINCIPAL SECRETARY

To:

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

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

The Chief Conservator of Forests (Central Circle) Thrissur.

The Divisional Forest Officer, Thrissur.

The Assistant Engineer, PWD Road Section, Chelakkara.

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

I&PR (Web & New Media) Department.

Stock File.

Forwarded /By order

Section Officer

Copy to : P.S. to Hon'able Chief Minister
P.S to Hon'able Minister (Forest & Wildlife)