



GOVERNMENT OF KERALA

Abstract

Forest & Wildlife Department - Forest (Conservation) Act, 1980 - Diversion of 0.012 ha of forest land for Installation of BSNL Mobile tower at Gavi, Pathanamthitta - Stage II approval - Orders Issued - reg

FOREST & WILDLIFE (C) DEPARTMENT

G.O.(Rt)No.26/2023/F&WLD Dated, Thiruvananthapuram, 19-01-2023

Letter no. FC2-25/2022 dated 28.04.2022 from the Additional Read 1. Principal Chief Conservator of Forests, Nodal Officer, Thiruvananthapuram.

2. G.O.(Rt)No.229/2022/F&WLD dated 21.05.2022.

3. G.O.(Rt)No.279/2022/F&WLD dated 01.07.2022.

4. Letter no. FC2-25/2022 dated 10.01.2023 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 1st paper above recommended and forwarded the proposal for diversion of 0.012 ha of forest land under Section 2 of Forest (Conservation) Act, 1980 for installation of BSNL Mobile tower at Gavi, for providing mobile connectivity and internet connection to the officials, local people and tourists in Goodrical Range of Ranni Division in Pathanamthitta District. The Divisional Engineer (BSNL & TXMN) BSNL, Pathanamthitta is the User Agency. The proposal is uploaded in Union Ministry's website vide No.FP/KL/Others/151779/2022 and all due procedures have been completed.

2. Government as per the order read 2nd and 3rd paper above, have accorded Stage I Approval for the proposal 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 0.012 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 forestland, 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 0.012 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 Government of India.
13. The User Agency has to sign an agreement with Divisional

Forest Officer incorporating all the conditions imposed by Government of India/ Government of Kerala in this regard and lease rent as decided by the Government of Kerala may be remitted.

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

15. The User Agency shall apply for renewal after 30 years.

16. 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.

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

4. As per the letter read 4th paper above, the Additional Principal Chief Conservator of Forests, Nodal Officer has submitted compliance report informing that all the conditions stipulated while according Stage I clearance has been complied/ agreed to comply by the User Agency.

5. In the circumstances, Government are pleased to accord Stage II/ Final approval for diversion of 0.012 ha of forest land under Section 2 of Forest (Conservation) Act, 1980 for installation of BSNL Mobile tower at Gavi in favour of the Divisional Engineer (BSNL & TXMN) BSNL, Pathanamthitta.

(By order of the Governor)

K R JYOTHILAL

ADDITIONAL CHIEF 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 (Southern Circle), Kollam.

The Divisional Forest Officer, Ranni.

The Divisional Engineer (BSNL & TXMN) BSNL, Pathanamthitta.

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

I&PR (Web & New Media) Department.

Stock File.

Forwarded /By order

Section Officer