



GOVERNMENT OF KERALA

Abstract

Forest & Wildlife Department - Forest (Conservation) Act,1980 - Diversion of 0.2804 ha of forest land for maintenance of road to Indian Medical Association - Biomedical Waste Treatment Plant, Palakkad - Final Approval- Sanction Accorded - Orders Issued.

FOREST & WILDLIFE (C) DEPARTMENT

G.O.(Rt)No.228/2023/F&WLD Dated,Thiruvananthapuram, 12-06-2023

Read 1 Letter no. FC1-29214/2018 dated 07.03.2020 from the Principal Chief Conservator of Forests (FM) & Nodal Officer, Thiruvananthapuram.

2 GO (Rt) No.79/2020/F&WLD dated 10.04.2020.

3 Letter no. FC1-29214/2018 dated 15.05.2023 from the Additional Principal Chief Conservator of Forests, Nodal Officer, Thiruvananthapuram.

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 0.2804 ha of forest land under section 2 of Forest (Conservation) Act, 1980 for maintenance of the road to the Indian Medical Association - Biomedical Waste Treatment Plant, Palakkad. The agency IMAGE (Indian Medical Association Goes Eco-friendly) is the user agency.

2) As per the Government Order read 2nd paper above, Government has conveyed its approval (Stage I) under Section 2 of the Forest (Conservation) Act, 1980 subject to the fulfillment of 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 and Net Present Value with ad-hoc CAMPA through e-payment module of forest clearance portal. (parivesh.nic.in).
4. The State Government shall charge the Net Present Value of the diverted forest land of 0.2804 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 by 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 and 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 for the purpose for which it is granted. The total forest area utilized for this project shall not exceed 0.2804 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 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.
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 shall be complied by User Agency.

16. 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 guidelines in F.No. 11-42/2017-FC dated 29/01/2018.

3) The Additional Principal Chief Conservator of Forests & Nodal Officer as per the letter read 3rd paper above, has forwarded the compliance report informing that the user agency has complied with/ agreed to comply by the conditions stipulated by the Government.

4) In the above circumstances, Government are pleased to accord final approval (Stage II) for diversion of 0.2804 ha of forest land of Palakkad Division in favour of Indian Medical Association for establishment of IMAGE Plant approach road, subject to the above conditions.

(By order of the Governor)
SHAJAN.A
ADDITIONAL SECRETARY

To:

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

The Principal Chief Conservator of Forest (Forest Management) &
Nodal Officer, Forest Head Quarters, Thiruvananthapuram

The Chief Conservator of Forest (Eastern Circle) Palakkad,

The Divisional Forest Officer, Mannarkkad.

The Indian Medical Association Goes Eco Friendly, IMAGE CBWTF,
Manthuruthy, Kanjikode West, Palakkad

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

I & PR (Web & New Media) Department

Stock File

Forwarded /By order

Section Officer