



GOVERNMENT OF KERALA

Abstract

Forest & Wildlife Department - Forest (Conservation) Act, 1980 - Diversion of 0.64148 ha of forest land in Kasaragode Forest Division for the construction of Hill Highway Cherupuzha to Kolichal road in favour of Executive Engineer, PWD Roads Division, Kasaragode-Stage II approval - Sanction Accorded - Orders issued.

FOREST & WILDLIFE (C) DEPARTMENT

G.O.(Rt)No.57/2022/F&WLD Dated,Thiruvananthapuram, 19-02-2022

Read 1 Letter No.FC1-698/2021 dated 11.02.2021 from the Principal Chief Conservator of Forest(FM) & Nodal Officer, Thiruvananthapuram.

2 G.O.(Rt) no.56/2021/F&WLD dated 20.02.2021.

3 Letter no.FC1-698/2021 dated 12.11.2021 from the Additional Principal Chief Conservator of Forests & Nodal Officer, Thiruvananthapuram.

ORDER

The Principal Chief Conservator of Forests (Forest Management) & Nodal Officer, F(C) Act as per the letter read 1st above has recommended and forwarded the proposal for diversion of 0.64148 ha of forest land in Kasaragode Forest Division for the construction of Hill Highway Cherupuzha to Kolichal road in favour of Executive Engineer, PWD Roads Division, Kasaragode. The proposal is for construction of Cherupuzha-Kolichal reach of hill highway providing traffic infrastructure with better level of riding quality along the Hilly area thus to make easy connectivity between hill districts in Kerala. Project consist new formation of roadway, reconstruction of carriage way, providing sufficient drainage facilities.

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 cost of raising plantation of ten times the number of trees to be felled shall be realized from User Agency. The location of the area identified for raising the plantation shall be furnished for considering Stage-II clearance.
4. Retaining walls or adequate engineering measures will be taken in the slope area with rocky outcrops to prevent landslides.
5. The cost of felling, conservation and transport of trees will be borne by the User Agency.
6. Adequate protection measures will be taken by the User Agency to avoid any danger to the Maruthom tribal colony in the downhill side.
7. The User Agency shall construct the boundary pillars/cairns that will be damaged during the road widening works and place them at points fixed by the Forest Department at their cost.
8. The User Agency shall make online payment of cost of Compensatory Afforestation and Net Present Value with ad-hoc CAMPA through epayment module of forest clearance portal. (forestclearance.nic.in).
9. The State Government shall charge the Net Present Value of the diverted forest land of 0.64148 ha from the User Agency as per the orders of the Honble 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.
10. Additional amount of Net Present Value of the diverted forest land if any becoming due after revision of the same by the Honble 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.

11.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/>).

12.The layout plan of the proposal shall not be changed without prior approval of Central Government.

13.No labour camp shall be established on the forest land.

14.No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.

15.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 0.64148 ha.

16.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.

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

18.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.

19.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.

3)The Additional Principal Chief Conservator of Forests & Nodal Officer as per the letter read 3rd above, has forwarded the compliance report informing that the user agency has complied with

stipulated conditions including the payment of compensatory levies.

4) In the above circumstances, Government are pleased to accord sanction for final approval (Stage II) for the diversion of 0.64148 ha of forest land in Kasaragode Forest Division for the construction of Hill Highway Cherupuzha to Kolichal road in favour of Executive Engineer, PWD Roads Division, Kasaragode subject to the above conditions.

(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 Forests & Nodal, Officer, Thiruvananthapuram.

The Chief Conservator of Forests (Northern Circle), Kannur.

The Divisional Forest Officer, Kasaragode.

The Executive Engineer, PWD Roads Division, Kasaragode.

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

The Information and Public Relations (Web & New Media)

Stock File.

Forwarded /By order

Section Officer

Copy to:

PS to Hon'ble Chief Minister

PS to Hon'ble Minister (Forest)