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**GOVERNMENT OF KERALA**

**Abstract**

Forest & Wildlife Department – WP(C)No.5084/2017(I)  
filed by Sri. Chandy Joseph – Interim Order of Hon'ble High  
Court – Complied with – Orders issued

**FOREST & WILD LIFE (B) DEPARTMENT**

**G.O.(Rt)No.**

**237/2017/F&WLD** Dated,Thiruvananthapuram,24/06/2017

- Read: 1.G.O (P) No.21/2012/F&WLD dated 19.04.2012  
2. G.O.(MS)66/2015/F&WLD dated 09/09/2015  
3.. Proceedings No. C2-40/2016 dated 10.8.2016 of Kottayam  
Divisional Forest Officer.  
4) The Revision Petition filed by Sri.Chandy Joseph dated  
22.09.2016.  
5) Interim Order of Hon'ble High Court in WP(C) No. 5084/2017(I)  
dated 15.2.2017.

**ORDER**

Sri. Chandy Joseph,St.Joseph's Furniture Works,  
Mariyapuram P.O, Idukki has filed Revision Petition before  
Government read as 4th paper above, against the Order of  
Chief Conservator of Forests, High Range Circle, Kottayam read  
as 3rd paper above.

2)Sri. Chandy Joseph has submitted an  
application for granting No objection Certificate for his wood  
based Industrial Unit St. Joseph Furniture works before the  
State Level Committee on 02.06.2009. The State Level  
Committee rejected his application on the ground that he has  
not produced any valid document to prove that his Industrial  
Unit was running before 30.10.2002. He has then filed appeal  
petition against the Order of the State Level Committee  
before the Chief Conservator of Forest, High Range Circle,  
Kottayam. His Appeal Petition also rejected on the same  
ground. Then he has preferred Revision Petition before the  
Government with a prayer to set aside the orders passed by  
the Appellate Authority and the Authorised Officer after

affording an opportunity of being heard.

3) Meanwhile, he has filed WP(C)No.5084/2017(I) before the Hon'ble High Court with a prayer to stay all proceedings to close down his wood based Industrial Unit. The Hon'ble High Court passed an interim order with a direction to the 3rd respondent, the Government, to pass final orders on Ext. P6 Revision Petition preferred by the petitioner after hearing the petitioner and to file the order passed by him before the court through an affidavit as per the Order read as 5th paper above.

4) As per the direction of Hon'ble High Court, the petitioner has been heard on 20.03.2017. At the time of hearing also Sri.Chandy Joseph has not produced any Valid document like D&O license issued from Panchayat or license issued from Department of Factories & Boilers so as to prove that his Industrial Unit was running before 30.10.2002.

5) Government have examined the matter in detail. As per rule 3 sub-rule (4) of Kerala Forest (Regulation of Sawmills and other Wood-based Industrial Units) Rules 2012 issued by Notification under the Government Orders read as 1st and 2nd paper above the Authorised Officer may grant a license to a Sawmill or other Wood-based industrial unit which was functioning on or before the 30th October 2002, on the strength of license issued by a Local Self Government Institution or a license issued by the Department of Factories and Boilers, Government of Kerala, with the installed capacity permitted as per the license valid on or before the 30th October, 2002. Here Sri.Chandy Joseph neither have the license issued from the Local Self Government Institution nor from the Department of Factories and Boilers, to prove that his sawmill named St. Joseph Furniture Works was run before 30.10.2002. Hence his request for granting No Objection Certificate for St.Joseph's Furniture Works, cannot be considered and hence it is rejected.

6) The interim order of Hon'ble High Court read as 5th paper above is complied with accordingly.

By Order of the Governor

**GIRIJA KUMARI G  
DEPUTY SECRETARY**

To:-

The Advocate General, Kerala, Ernakulam.

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

The Additional Principal Chief Conservator of Forests (Special Afforestation & Nodal Officer), Thiruvananthapuram.

Sri. Chandy Joseph, Proprietor, St. Joseph Furniture works, Mariyapuram P.O,Idukki

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Forwarded/By order



Section officer

പട്ടിക 1 :- ട്രെയിൻ & ന്യൂ മീറ്റർ (ട്രെയിൻ) മീറ്റർ  
ട്രെയിൻ മീറ്റർ/ട്രെയിൻ മീറ്റർ.