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8/10/18



GOVERNMENT OF KERALA

Abstract

Forest & Wild Life Department – Forest (Conservation) Act, 1980 - Diversion of 0.172 ha of forest land to Smt. Annamma Kurian , W/o Late Joseph Kurian to erect a pump house and construction of Irrigation canal in Ernakulam District - Sanction accorded- Orders issued.

FOREST & WILD LIFE (C) DEPARTMENT

GO(Rt) No. 419 /2018/F&WLD

Dated, Thiruvananthapuram, 17/09/2018

- Read:-
- 1) Letter No.F.No.F(C)A/11.2/116/KER/IP/16908 dated 15.04.2015 from the Ministry of Environment Forests & Climate Change, Government of India.
 - 2) Letter No. FC2-11357/2015 dated 11.11.2015 from the Additional Principal Chief Conservator of Forests (Special Afforestation) & Nodal Officer ,Thiruvananthapuram.
 - 3) Government letter No.2775/C3/2015/F&WLD dated 18.08.2017 addressed to the Central Ministry of Environment Forests & Climate Change, Government of India, Bangalore.
 - 4) Letter No.F.No.F(C) A/11.2/116/KER/IP/1261 dated 01.01.2018 from the Ministry of Environment Forests & Climate Change, Government of India, Regional Office , Bangalore-560,034.

ORDER

The Ministry of Environment Forests & Climate Change, as per the letter read as 1st above, has conveyed the in Principle (stage I) approval under section 2 of Forest (Conservation) Act, 1980 for diversion of 0.172 ha of forest land to erect a pump house and construction of Irrigation Canal in Ernakulam District in favour of Smt. Annamma Kurian, W/o Late Joseph Kurian, Kannampuzha House, Malayattoor, Ernakulam District for a period of 20 years subject to the following conditions:-

1. The legal status of the forest land shall remain unchanged.
2. Demarcation of the proposed forest area shall be carried out by erecting four feet high permanent RCC boundary pillars duly numbered at an interval of 20 mts. at the cost of User Agency.
3. The State Government shall charge the Net Present Value of the diverted forest land measuring 0.172 ha. from User Agency as per the orders of the Hon'ble Supreme Court dated 28.03.2008 and 09.05.2008 in IA Nos.826 in 566 with related IA's in Writ Petition (Civil) No.202/1995.

4. Additional amount of the 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 the State Government from User Agency. User Agency shall furnish an undertaking to this effect.
5. The funds received from User Agency towards Net Present Value under this project shall be deposited either in SB A/c No. SB01025214-CAF Kerala, Corporation Bank, CGO Complex, Lodhi Road, New Delhi-110003(RTGS/IFSC No.CORP0000371) or in SB A/c No.344902010105 422-KERALA CAMPA, Union Bank of India, Sundar Nagar, New Delhi-110003 (RTGS/IFSC No.UBIN0534498). The details of deposition of funds including, inter-alia the DD Numbers & date, amount, the Bank on which drawn and the date of deposition in the designated Bank shall also be furnished.
6. All the required permission/approval for drawing water from the river shall be obtained by User Agency from the concerned Authorities under applicable Acts/Rules.
7. The total forest area utilized for the project shall not exceed 0.172ha.
8. Any other condition that the Additional Principal Chief Conservator of Forests (Central), Regional Office, Bangalore may impose from time to time for protection, improvement of flora and fauna in the forest area and public convenience.

2. As per the letter 2nd read above, the Additional Principal Chief Conservator of Forests (Special Afforestation) & Nodal Officer has submitted the compliance report on the conditions stipulated above.

3. Government of India, as per the letter 4th read above, has conveyed Central Government's approval (Stage II) under section 2 of Forest (Conservation) Act, 1980, for diversion of 0.172 ha of forest land to Smt. Annamma Kurian, W/o late Joseph Kurian, to erect a pump house and construction of Irrigation canal in Ernakulam District for a period of 20 years, subject to the following conditions, in view of the compliance report submitted vide letter read as 3rd above.

1. The legal status of the forest land shall remain unchanged.
2. Demarcation of the proposed forest area shall be carried out by erecting four feet high permanent RCC boundary pillars duly numbered at an interval of 20mts. at the cost of User Agency.
3. Additional amount of the 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 the State Government from User Agency.
4. All the required permission/approval for drawing water from the river shall be obtained by User Agency from the concerned Authorities under applicable Acts/Rules.
5. The total forest area utilized for the project shall not exceed 0.172ha.

6. Any other condition that the Additional Principal Chief Conservator of Forests (Central), Regional Office, Bangalore may impose from time to time for protection, improvement of flora and fauna in the forest area and public convenience.
7. Violation of any of the conditions shall invite penal action, as deemed fit by the Additional Principal Chief Conservator of Forests(Central), Regional Office, Bangalore.

4. In the above circumstances, Government are pleased to accord sanction under section 2 of Forest (Conservation) Act, 1980 for diversion of 0.172 ha of forest land to Smt. Annamma Kurian, W/o late Joseph Kurian to erect a pump house, and construction of Irrigation Canal in Ernakulam District for a period of 20 years, subject to the above conditions, as stipulated by the Ministry of Environment Forests & Climate Change, Government of India.

5. The Principal Chief Conservator of Forests (Forest, Land & Resources) & Nodal Officer, will ensure the strict compliance of the above mentioned conditions by the User agency.

By Order of the Governor
Dr.Venu.V
Principal Secretary to Government

To

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

The Principal Chief Conservator of Forests (F,L&R) & NO,
Thiruvananthapuram.


Smt. Annamma Kurian, W/o Late Joseph Kurian, Kannampuzha House,
Malayattoor, PIN-683587, Ernakulam District.

Prineipal Accountant General (Audit/A&E)

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Section Officer