



GOVERNMENT OF KERALA

Abstract

Forest and Wildlife Department-Permission granted by the Principal Chief Conservator of Forests (Wildlife) and Chief Wildlife Warden for felling 15 number of trees downstream of Mullaperiyar Baby Dam- cancelled – Orders issued.

FOREST AND WILDLIFE (C) DEPARTMENT

G.O.(Ms)No.23/2021/F&WLD Dated,Thiruvananthapuram, 11/11/2021

Read 1. Proceedings Order No.KFDHQ/3859/2021-CWW-WL-4 dated 05.11.2021 issued by the Principal Chief Conservator of Forests (Wildlife) and Chief Wildlife Warden,Kerala.

2. G.O(Ms) No 22/2021/F&WLD,Dated 07/11/2021

ORDER

As per the Proceedings read 1st paper above, the Principal Chief Conservator of Forests (Wildlife) & Chief Wildlife Warden issued orders permitting the Executive Engineer, Water Resources Department, Cumbam, Tamil Nadu for felling 15 numbers of trees and the under woods and saplings within an approximate area of 40 cents of the leased area immediately on the downstream of Mullai Periyar Baby Dam, on the condition that the Timber and the fire wood shall not be used or taken outside the sanctuary area.

2. The aforesaid permission has been issued by the Officer concerned without taking into consideration the requirements under central laws governing the matter. It is pertinent to note that the Government of Kerala in its counter affidavit filed before the Hon'ble Supreme Court in Writ Petition Civil No. 880 of 2020 dated 22.01.2021, has clearly stated that clearances from Ministry of Environment, Forest and Climate Change and the Standing Committee of National Wild Life Board are required to be furnished by the authority requesting permission to fell trees in the above mentioned area. It is taken note of the fact that the permission vide proceedings read 1st paper above has been issued without these statutory clearances.

3. Based on the facts and circumstances narrated above, it is clear that the permission granted is without compliance with the relevant statutory requirements and hence cannot subsist. Besides, the Rules of Business of the Government of Kerala requires under item 33 of the Second Schedule that cases which affect the relations of the State Government with any other State Governments are to be brought before the Council of Ministers. In the instant case this has not been done. For reasons stated above, the order of the Principal Chief Conservator of Forests (Wildlife) & Chief Wildlife Warden vide proceedings read 1st paper above, which was kept in abeyance vide Government Order read 2nd paper above, stands cancelled.

(By order of the Governor)
Rajesh Kumar Sinha
Principal Secretary

To:

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

The Principal Chief Conservator of Forests (Wildlife) and Chief Wildlife
Warden, Kerala, Thiruvananthapuram.

The Advocate General, Kerala, Ernakulam

The Executive Engineer, Water Resources Department, Cumbam, Tamil
Nadu.

The Field Director, Periyar Tiger Reserve, Kottayam.

The Deputy Director, Periyar Tiger Reserve, East Division.

The Water Resources Department

The General Administration (SC) Department [vide item No: OA.375 Dated
10.11.2021]

Web and New Media (to publish in the official website).

Stock File

Forwarded /By order

Signed by Chithra G S

Date: 11-11-2021 13:43:04

Reason: Approved
Section Officer