



Government of Karnataka

R.P.A.D

No. FEE 43 FLL 2020 (e)

Karnataka Government Secretariat

Multistoried Buildings,

Bengaluru, Date: 02-06-2020.

From:

The Additional Chief Secretary to Government,
Forest, Ecology and Environment Department,
Bengaluru-560001.

To:

The Principal Chief Conservator of Forest (Head of Forest Force),
Aranya Bhavan, Malleshwaram,
Bengaluru-560003.

Sir,

Sub: Diversion of 0.3202 hectare of forest land in Gundabala Village F.Sy.No.98, Balale Hobli, Ankola Taluk, Uttara Kannada District (Honnar Forest Division) for construction of Pump House and laying of pipe line for providing drinking water to Gokarna and seven (7) other Villages with water source from Gangavali river at Hillur Station in favour of the Executive Engineer, Rural Water Supply & Sanitation Department, Karwar.

Ref: Your Office Letter No. KFD/HOFF/A52k(GFL)/10/2019-FC
Dated:22/04/2020

I am directed to invite your attention towards your letter dated: 22/04/2020 referred above, wherein prior approval of the State Government is sought for the above project under the Forest (Conservation) Act,1980.

After careful consideration of the proposal, I am directed to convey the Inprinciple Stage-I approval under section-2 of Forest (Conservation) Act, 1980 for diversion of 0.3202 hectare of forest land in Gundabala Village F.Sy.No.98, Balale Hobli, Ankola Taluk, Uttara Kannada District (Honnar Forest Division) for construction of Pump House and laying of pipe line for providing drinking water to Gokarna and seven (7) other Villages with water source from Gangavali river at Hillur Station in favour of Executive Engineer, Rural Water Supply & Sanitation Department, Karwar as per the guidelines issued by the Ministry of Environment, Forests and Climate Change New Delhi; vide letter No. F.No.5-2/2017-FC dated:28/03/2019 subject to the compliance of following conditions by the User Agency.

01. The Legal Status of forest land shall remain unchanged and it shall continue to be forest land.

02. NPV:

(a) The Forest Department shall charge the Net Present Value(NPV) for the 0.3202 hectare forest area to be diverted under this proposal from the User Agency as per the orders of the Hon'ble Supreme Court of India dated 30/10/2002, 01/08/2003, 28/03/2008, 24/04/2008 and

09/05/2008 in IA No. 566 in WP (C) No. 202/1995 and as per the guidelines issued by the Ministry vide letter No.5-1/1998-FC (Pt.II) dated:18/09/2003, as well as letter No.5-2/2006-FC, dated: 03/10/2006 and 5-3/2007-FC, dated:05/02/2009 in this regard.

(b) Additional amount of the NPV of the diverted forest land, if any, becoming due after finalization of the same by the Hon'ble Supreme Court of India on receipt of the report from the Expert Committee, shall be charged by the State Government from the User Agency. The User Agency shall furnish an undertaking to this effect.

03. The User Agency shall demarcate the lease area in the manner specified at the time of approval at its own cost.
04. The lessee shall not sub-lease, mortgage & hypothecate the forest area.
05. The leased out area should be used for the purpose it is granted and should not be used for any other purpose. In case of the land is not used for stipulated purpose within two years or when it is no longer needed for the stipulated purpose, the area would stand resumed to the Forest Department.
06. The application for renewal of the lease in the prescribed form and manner shall be submitted at least six months prior to the expiry of forest lease. In case no renewal is sought, the Lessee shall hand over the leased forest land.
07. No residential or commercial building (other than approved at the time of forest clearance) shall be permitted in the forest area proposed for diversion.
08. No Crushing / breaking of stones or labour camp shall be allowed inside forest area and all waste/ debris generated shall be scientifically disposed off outside the forest area.
09. Any damages to forest area because of implementation of the proposal shall be compensated by the lessee. The extent of damages shall be assessed by the jurisdictional Deputy Conservator of Forest /Conservator of Forests/Chief Conservator of Forests.
10. The Lessee shall ensure that no avoidable harms is caused to the fauna and flora in and around the proposed area.
11. No change in land Use plan shall be done unless prior approval of Government of India under FC Act is obtained.
12. In case, any violation of the provisions of the Karnataka Forest Act, 1963 & Rules, 1969 or the other relevant Acts/Rules is reported during the lease period, the lease shall be liable for forfeiture under section 82 of Karnataka Forest Act, 1963. The Chief Conservator of Forest and/or Deputy Conservator of Forests concerned are authorized to take necessary action in this regard.
13. The approval under the Forest (Conservation) Act, 1980 is subject to any other clearances necessary under the prevailing Statutes.
14. The User Agency shall also abide by other conditions those may be imposed by the Government of India, Government of Karnataka and the Principal Chief Conservator of Forest (Head of Forest Force) before or after the approval.


15. User Agency shall restrict the felling of trees to minimum number in the diverted forest land and trees shall be felling under the strict supervision of the State Forest Department and cost of felling of tress shall be deposited by the User Agency with the State Forest Department.
16. All the funds received from the User Agency under the project shall be transferred/ deposited to CAMPA fund only through e-portal.
17. The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned Deputy Commissioner.
18. The pipeline shall be laid down 1.5 meter below the ground and after laying down of pipe line the ground will be leveled.
19. User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable.
20. The layout plan of the proposal shall not be changed without prior approval of Central Government.
21. No labour camp shall be established on the forest land.
22. Sufficient firewood, preferably the alternate fuel, shall be provided by the User Agency to the labourer after purchasing the same from the State Forest Department or the Forest Development Corporation or any other legal source of alternate fuel.
23. 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.
24. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
25. The period of diversion under this approval shall be 30 years or the Project life whichever less.
26. Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as per the MoEF&CC guideline F.No.11-42/2017-FC dated:29/01/2018.
27. The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>)

Yours faithfully


(S. SRINIVASA)

Under Secretary to Government

Forest, Ecology and Environment Department (Forest-C)


02/06/2020