



भारत सरकार
GOVERNMENT OF INDIA

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
MINISTRY OF ENVIRONMENT, FORESTS & CLIMATE CHANGE
Regional Office (Southern Zone),
Kendriya Sadan, IVth Floor, E& F Wings, 17th Main Road,
IIInd Block, Koramangala, Bangalore – 560 034,
Tel.No.080-25635908, E.Mail: rosz.bng-mef@nic.in



BY SPEED POST

F. No.4-KRB1200/2019-BAN/
Dated the 5th March, 2020

16/4

To

The Additional Chief Secretary to Government of Karnataka,
Forest, Ecology & Environment Department,
M.S. Building, Dr. Ambedkar Veedhi,
Bangalore – 560 001.

Subject: Diversion of 0.3542 ha. of forest land in Sy.No. 5, 106 and 165 of Shantigodu village, Kasaba Hobli, Puttur Taluk, Dakshina Kannada District for formation of Approach Road, Power Line, Intake to Jack well and Water Pipe Line in favour of the Executive Engineer, Minor Irrigation Department, Minor Irrigation Division, Mangalore -reg.

Sir,

I am directed to refer to the State Government's letter No. FEE 02 FLL 2019 dated 10/06/2019 and 14/01/2020 seeking prior approval of the Central Government under Section'2' of the Forest (Conservation) Act, 1980 for the above project.

After careful examination of the proposal of the State Government, the Central Government hereby conveys the in-principle approval (**Stage-I**) for diversion of 0.3542 ha. of forest land in Sy.No. 5, 106 and 165 of Shantigodu village, Kasaba Hobli, Puttur Taluk, Dakshina Kannada District for formation of Approach Road, Power Line, Intake to Jack well and Water Pipe Line in favour of the Executive Engineer, Minor Irrigation Department, Minor Irrigation Division, Mangalore, subject to fulfillment of the following conditions:-

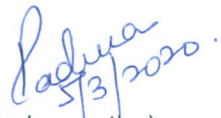
1. The legal status of forest land shall remain unchanged.
2. The boundary of the forest land to be diverted shall be suitably demarcated on ground at the project cost as per the directions of concerned Divisional Forest Officer.
3. The cost of raising plantation of ten times the number of trees to be felled shall be realised from the user agency. The location of the area identified for raising the plantation shall be furnished for considering Stage-II clearance.
4. The State Government shall charge the Net Present Value for 0.3542 ha. of forest area to be diverted under this proposal from the 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.
5. Additional amount of the Net Present Value (NPV) 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 the user agency. The user agency shall furnish an undertaking to this effect.

6. All the funds received from the user agency under the project shall be transferred /deposited to CAMPA fund only through (<https://parivesh.nic.in/>).
7. State Government shall complete settlement of rights, in term of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act 2006, if any, on the forest land to be diverted and submit the documentary evidence as prescribed by this Ministry in it's letter No. 11-9/1998-FC dated 3rd August 2009 read with 05.07.2003, in support thereof.
8. The layout plan of the proposal shall not be changed without prior approval of Central Government.
9. No labour camp shall be established on the forest land.
10. The forest area shall be used for the purpose for which it is granted. The total forest area utilized for the project shall not exceed 0.3542 ha.
11. The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without prior approval of Government of India.
12. The period of diversion under this approval shall be co-terminus with the period of lease to be granted in favour of the user agency or the project life, whichever is less.
13. The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>).
14. Any other condition that the Ministry of Environment, Forest and Climate Change may stipulate from time to time in the interest of conservation, protection and development of Forest and Wildlife.

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. The State Government and user agency shall comply the provisions of all the Acts, Rules, Regulations, Guidelines, NGT order & Hon'ble Court Order (s) pertaining to this project, if any, for the time being in force, as applicable to the project.

After receipt of the compliance report on the above conditions, the proposal will be considered for final approval. This in-principle approval shall be valid for a period of 5 years. The forest land shall not be transferred to the User Agency prior to the issue of final approval.

Yours sincerely,



(R.Padmawathe)

Assistant Inspector General of Forests (Central)

Copy to:-

1. The Principal Chief Conservator of Forests (HoFF), Forests Department, Govt. of Karnataka, Aranya Bhavan, 18th Cross, Malleswaram, Bangalore – 560 003.

2. The Additional Principal Chief Conservator of Forests/Nodal Officer (FCA), Office of the Principal Chief Conservator of Forests, Forests Department, Govt. of Karnataka, Aranya Bhavan, 18th Cross, Malleswaram, Bangalore – 560 003.
3. The Executive Engineer, Minor Irrigation Department, Minor Irrigation Division, PM Rao Road, Kelle Court Building, Mangalore, Dakshina Kannada -575 001.
4. Guard file.

Padma
5/3/2020

(R.Padmawathe)
Assistant Inspector General of Forests (Central)

g/c *5/3/2020*