



भारत सरकार
GOVERNMENT OF INDIA
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
**MINISTRY OF ENVIRONMENT, FOREST &
CLIMATE CHANGE**
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BY SPEED POST 785

F.No.4-KRC1373/2022-BAN/

Dated the 7th October, 2022

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 8.49 ha of forest land in Ballari District, Vijayanagara District, Chitradurga District and Tumkur District (totally 37 villages in 3 District) for laying of Water Pipe line and construction of ground service reservoirs under drinking water supply scheme to Rural Habitations and Towns of Pavagada Taluk of Tumkur District, Molakalmuru Taluk In Chitradurga District,Challakere Taluk, in Chitradurga Districtand Kudligi Taluk in Ballari District. in favour Superintending Engineer, Rural Drinking Water and Sanitation Department, Bangalore-reg.

Sir,

I am directed to refer to the State Government's letter No. FEE 97 F LL201(e) dated 01.09.2022 and 29.09.2022 seeking prior approval of the Central Government under Section'2' of the Forest (Conservation) Act, 1980 for the above project.

The proposal was examined by the Regional Empowered Committee constituted under sub-rule (1) of rule 4A of the Forest (Conservation) Rules, 2003 in its meeting held on 28/09/2022. During the REC meeting user agency requested the Committee to consider the proposal as a "linear" project instead of "Hybrid", as 97% of work involved is linear in nature and submitted that it was an input error which occurred inadvertently at the time of filling forms online. The Nodal Officer informed that the request submitted by the user agency in this regard is being recommended and forwarded to Integrated Regional Office through State Government. REC agreed to the submissions of Nodal officer (FCA), Karnataka Forest Department and user agency and decided to consider the proposal as a liner project and approved the same subject to certain conditions .

elc

After careful examination of the proposal of the State Government, in-principle approval /Stage-I clearance of the Central Government is hereby granted for diversion, 8.49 ha of forest land in Ballari District, Vijayanagara District, Chitradurga District and Tumkuru District for laying of Water Pipe line and construction of ground service reservoirs under drinking water supply scheme to Rural Habitations and Towns of Pavagada Taluk of Tumkur District, Molakalmuru Taluk in Chitradurga District, Challakere Taluk, in Chitradurga District and Kudligi Taluk in Ballari District. in favour Superintendent Engineer, Rural Drinking Water and Sanitation Department, Bangalore subject to the following conditions:-

A:Conditions which need to be complied prior to handing over of forest land by the State Forest Department.

1. The User Agency shall transfer online, the Net Present Value (NPV) of the forest land being diverted under this proposal, as per the guideline issued by Ministry vide letter No.5-3/2011-FC (Vol-I) dated 06/01/2022. The requisite funds shall be transferred through online portal into CAMPA account of the State Concerned.
2. The identified non-forest land for raising Compensatory Afforestation (CA) over an extent of 8.49 in Avinamadagu village in Sy. No. 217, Torangal Hobli Sandur Taluk, Ballari District and in Gudekote village Sy. 129 Gudekote Hobli, Kudalgi Taluk, Vijayanagar District for raising Compensatory Afforestation (CA) shall be transferred and mutated in the name of forest department and notified as RF/PF prior to Stage -II approval and copy of the RF/PF notification shall be furnished along with compliance report and also to be uploaded on PARIVESH web portal.
3. The User Agency shall transfer the cost of raising and maintaining the Compensatory Afforestation over equal extent (8.49 ha) of identified non forest land at the current wage rate in consultation with State Forest Department in the account of CAMPA of the concerned State through online portal. The scheme may include demarcation of non forest land using chain link fencing with provision for SMC works and appropriate provision for anticipated cost increase for works scheduled for subsequent years. The CA will be maintained for 10 years.
4. **Work in the Protected area i.e., Gudekote Sloth Bear Sanctuary shall be taken up only after receipt of Wildlife clearance from Standing Committee of National Board of Wildlife.**
5. **Compliance to the orders of Hon'ble Supreme Court of India dated 03.06.2022 in W.P No.202 of 1995 in I.A No.1000 of 2003 with other connected I.A Nos. and other provisions related ESZ to Protected areas shall be strictly adhered to, and approvals, if any, required, shall be obtained.**
6. All the funds received from the user agency under the project shall be transferred/deposited in CAMPA account only through e-portal (<https://parivesh.nic.in/>). Amount deposited through other mode will not be accepted as compliance of the Stage-I clearance.
7. The KML file of the area diverted and CA land (Non forest land as well as degraded forest land identified for planting) shall be uploaded on the e-green watch portal with all requisite details and same shall be submitted along with compliance report.

8. The 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 05.07.2013 with necessary enclosures, in support thereof.
9. The boundary of the diverted forest land shall be suitably demarcated on ground at the project cost as per the directions of concerned Divisional Forest Officer.
10. The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>).
11. Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as prescribed in para 1.21 of Chapter 1 of the Handbook of comprehensive guidelines of Forest (Conservation) Act, 1980 as issued by this Ministry's letter No. 5-2/2017-FC dated 28.03.2019.

B: Conditions which need to be strictly complied on field after handing over of forest land to the user agency by the State Forest Department but the compliance in form of undertaking shall be submitted prior to Stage-II approval:

1. Legal status of the diverted forest land shall remain unchanged.
2. Compensatory Afforestation shall be raised over an extent of 8.49 ha of identified non-forest forest land within three years from the date of issue of final/Stage-II approval of diversion of proposed forest land and maintained thereafter by the State Forest Department at the cost of the User Agency and at least 1000 plants per hectare shall be planted over identified non-forest forest land. If it is not possible to plant so many saplings in the area identified for CA, then balance saplings will be planted in identified degraded forest (Marutala North Eastern Extension Forest) in Sy. 274 and 250 of Avinmadgu village, Torangallu Hobli, Sandur Taluk Ballari District as per prescriptions of approved working plan with provision for maintenance of 10 years and accordingly CA scheme shall be prepared.
3. At the time of payment of the Net Present Value (NPV) at the then prevailing rate, the User Agency shall furnish an undertaking to pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India.
4. **Provision shall be made for water supply to forest management units en route.**
5. Tree felling shall be restricted to the barest minimum possible and under confirmation from the local forest officials.
6. 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.
7. No labour camp shall be established on the forest land.
8. No additional or new paths will be constructed inside the forest area for transportation of construction materials for execution of the project work.
9. 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.

10. The forest land shall not be used for any purpose other than that specified in the project proposal.
11. The total forest area utilized for the project shall not exceed 8.49 ha
12. The forest land proposed to be diverted shall under no circumstances be transferred to any other agency, department or person without prior approval of the Central Government.
13. No damage to the flora and fauna of the adjoining area shall be caused.
14. User Agency shall obtain the Environmental Clearance as per the provisions of the Environment (Protection) Act, 1986, if applicable.
15. The layout plan of the proposal shall not be changed without the prior approval of the Central Government.
16. The concerned Divisional Forest Officer, will monitor and take necessary mitigative measures to ensure that there is no adverse impact on the forest in the surrounding area.
17. The User Agency shall submit the annual self-compliance report in respect of the above stated conditions to the State Government and Integrated Regional Office, Bangalore by the end of March every year.
18. The user agency shall comply with all the provisions of the all Acts, Rules, Regulations, Guidelines, Hon'ble Court Order (s) and NGT Order (s) pertaining to this project, if any, for the time being in force, as applicable to the project.
19. 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.

After receipt of compliance report on fulfillment of the conditions mentioned above, the proposal shall be considered for final approval under Section-2 of the Forest (Conservation) Act, 1980. Transfer of forest land shall not be affected till final approval is granted by the Central Government in this regard.

Further, it may also be noted that this in-principle approval shall be valid for a period of 5 years from the date of issue of this letter. In the event of non-compliance of the above conditions, this in-principle approval shall be revoked after 5 years.

Yours faithfully,



(B.N. Anjan Kumar)

Assistant Inspector General of Forests (Central)

Copy to:-

1. The Inspector General of Forests (RO HQ Division), Ministry of Environment, Forests and Climate Change, Indira Paryavaran Bhavan, Aliganj, Jor Bagh Road, New Delhi – 110 003.
2. The Principal Chief Conservator of Forests (HoFF), Forests Department, Govt. of Karnataka, Aranya Bhavan, 18th Cross, Malleswaram, Bangalore – 560 003.
3. The Principal Chief Conservator of Forests (FC) /Nodal Officer (FCA), Office of the Principal Chief Conservator of Forests, Forests Department, Govt. of Karnataka, Aranya Bhavan, 18th Cross, Malleswaram, Bangalore – 560 003.
4. The Superintending Engineer, Rural Drinking water and Sanitation Department KSDB, Building, 1st floor, Rishaldar Road, Sheshadripuram,

Bangalore-560020
5. Guard file.



(B.N. Anjan Kumar)
Assistant Inspector General of Forests (Central)

