

ಕರ್ನಾಟಕ ಸರ್ಕಾರ
GOVERNMENT OF KARNATAKA

ಪ್ರಧಾನ ಮುಖ್ಯ ಅರಣ್ಯಸಂರಕ್ಷಣಾಧಿಕಾರಿ
(ಅರಣ್ಯಪಡೆಮುಖ್ಯಸ್ಥರು) ರವರ ಕಛೇರಿ
Office of the
Principal Chief Conservator of Forests
(Head of Forest Force)



ಅರಣ್ಯಭವನ, 18ನೇ ಅಡ್ಡರಸ್ತೆ,
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E-office File No. KFD/HOFF/A5-4(GFL)/40/2018-FC
Encl. 3 sets

E - 260363
Date 19-07-2021

To,

The Additional Chief Secretary to Government
Department of Forest, Ecology and Environment
M.S. Building, Bengaluru-560 001

Sir,

Sub: Re-diversion of 0.15 hectare of forest land in Bandahalli Village Sy No. 38 and Aruru Village Sy No. 262 (Haristhala State Forest), Mandikallu Hobli, Chikkaballapur Taluk & District for laying of 490 Dia MS Pipeline for lifting / pumping secondary treated sewage water from HN Valley impounded in Kandavara lake of Chikkaballapur District to Poornasagara kere and onwards to fill 28 tanks of Chikkaballapur, Sidlaghatta and Gudibande Taluks of Chikkaballapur District in favour of Executive Engineer, Minor Irrigation and Ground Water Resource Division, Chikkaballapur from the already diverted forest land of National Highway Authority of India [PRIMARY USER AGENCY]

Proposal No. FP/KA/IRRIG/45295/2020 [Stage-I approved]

- Ref:**
1. Government of India, Ministry of Environment, Forests and Climate Change, Regional Office (Southern Zone), Bengaluru letter F.No. 4 KRB 1253/2020-BAN/383 dated 12-08-2020 [Stage-I approval]
 2. Government of Karnataka letter No. FEE 51 FLL 2020 dated 01-09-2020 [communication of Stage-I approval]
 3. This office letter of even number dated 25-09-2020 [communication of Stage-I approval to User Agency and field officers], letter dated 04-12-2020 [communication of compliance Report uploaded by User Agency to field officers for Physical verification and submission of compliance Report] and letter dated 12-03-2021 [letter to User Agency reg seeking missing documents related to the compliance]
 4. Executive Engineer, Minor Irrigation and Ground Water Resource Division, Chikkaballapur letter No. MI/EE-CHIK/FOREST-COMPLIANCE/2020-21 dated 17-11-2020 [Compliance Report] and letter dated 22-04-2021 [submission of missing documents sought from the Nodal Office]
 5. Deputy Conservator of Forests, Chikkaballapur Division Chikkaballapur letter No. A3/FC/HN Valley dated 08-03-2021 [Forwarding Compliance Report of User Agency] and letter dated

29-04-2021 [forwarding of the missing documents sought from the Nodal Office]

6. Chief Conservator of Forests, Bengaluru Circle, Bengaluru letter No.A11/land/CR-07/2020-21 dated 06-01-2021 [Forwarding Compliance Report of User Agency with DCF Chikkaballapura letter] and letter dated 25-05-2021 [forwarding of the missing documents sought from the Nodal Office]

The Government of India vide Ref (1) have accorded 'in-principle' (Stage-I) approval for re-diversion of 0.15 hectare of forest land in Bandahalli Village Sy No. 38 and Aruru Village Sy No. 262 (Haristhala State Forest), Mandikallu Hobli, Chikkaballapur Taluk & District for laying of 490 Dia MS Pipeline for lifting / pumping secondary treated sewage water from HN Valley impounded in Kandavara lake of Chikkaballapur District to Poornasagara kere and onwards to fill 28 tanks of Chikkaballapur, Sidlaghatta and Gudibande Taluks of Chikkaballapur District in favour of Executive Engineer, Minor Irrigation and Ground Water Resource Division, Chikkaballapur from the already diverted forest land of National Highway Authority of India [PRIMARY USER AGENCY], subject to fulfillment of certain conditions stipulated therein.

Based on Stage-I approval for the project, the Government of Karnataka vide Ref (2) has directed to submit the Compliance Report in respect of conditions of Stage-I approval.

Accordingly, this office vide Ref (3) has informed the User Agency and Field officers to submit the compliance report of in respect of the conditions of Stage-I approval.

In response, the User Agency vide Ref (4) has submitted the compliance report to the Deputy Conservator of Forests, Chikkaballapur Division, who after verification has, vide Ref (5), submitted the condition-wise Compliance Report to the Chief Conservator of Forests Bengaluru Circle, who has further submitted the same vide Ref (6) to this office.

Based on the reports received as above, the status of compliance to the conditions of Stage-I approval is as under.

Stage-I approval condition		Status of Compliance
1	The legal status of Forest land shall remain unchanged.	It will be monitored by the Forest Department in future. Moreover, the User Agency has agreed to comply with the condition and has submitted a consolidated Undertaking in this regard. [ANNEXURE-1]
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	The User Agency has demarcated the proposed forest area by erecting cement concrete pillars duly numbered at an interval of 20 meters. Photographs of the

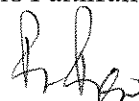
	Forest Officer.	same are enclosed. [ANNEXURE-2]
3	The State Government shall charge the Net Present Value of the re-diverted forest land of 0.15 ha. from the user agency as per the orders of the Hon'ble Supreme Court dated 28.03.2008 and 09.05.2008 in IA Nos.826 in 566 with related IA's in Writ Petition (Civil) No.202/1995.	The User Agency has paid an amount of Rs. 1,20,450/- towards NPV for 0.15 ha of forest land @ Rs.8.03 lakh per ha to Ad-hoc CAMPA through e-payment portal Generated Challan vide transaction dated 11-11-2020. Copy of Payment Page Print taken from FC Web portal is enclosed. [ANNEXURE-3]
4	Additional amount of the Net Present Value (NPV) of the re-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.	The User Agency has agreed to comply with the condition and has submitted a consolidated Undertaking in this regard. [ANNEXURE-1]
5	All the funds received from the user agency under the project shall be transferred/deposited to CAMPA fund only through (https://parivesh.nic.in/).	The User Agency has deposited all the funds to Ad-hoc CAMPA Account through FC web portal as already mentioned in Condition No. 4 above
6	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 3'd August 2009 read with 05.07.2003, in support thereof.	The User Agency has obtained FRA certificate in FORM-I (for Linear projects) from the Deputy Commissioner, Chikkaballapur vide letter No. DTWO/FRA/CR/01?2020-21 dated 26-08-2020. Attested copy of the same is enclosed. [ANNEXURE-4]
7	The layout plan of the proposal shall not be changed without prior approval of Central Government.	The User Agency has agreed to comply with the condition and has submitted a consolidated Undertaking in this regard. [ANNEXURE-1]
8	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 0.15 ha.	The User Agency has agreed to comply with the condition and has submitted a consolidated Undertaking in this regard. [ANNEXURE-1]
9	The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without prior	The User Agency has agreed to comply with the condition and has submitted a consolidated Undertaking in this regard. [ANNEXURE-1]

	approval of Government of India.	
10	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.	The User Agency has agreed to comply with the condition and has submitted a consolidated Undertaking in this regard. [ANNEXURE-1]
11	The compliance report shall be uploaded on e-portal (https://parivesh.nic.in/).	The User Agency has complied with the condition. The Compliance Report is also being uploaded by this office on FC web portal.
12	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.	The User Agency has agreed to comply with the condition and has submitted a consolidated Undertaking in this regard. [ANNEXURE-1]

In view of the above mentioned compliance to conditions of Stage-I approval as reported by the field officers, it is requested to move the matter with the Government of India, Ministry of Environment, Forests & Climate Change to accord final (Stage-II) approval under Section 2(ii) of the Forest (Conservation) Act, 1980 for re-diversion of 0.15 hectare of forest land in Bandahalli Village Sy No. 38 and Aruru Village Sy No. 262 (Haristhala State Forest), Mandikallu Hobli, Chikkaballapur Taluk & District for laying of 490 Dia MS Pipeline for lifting / pumping secondary treated sewage water from HN Valley impounded in Kandavara lake of Chikkaballapur District to Poornasagara kere and onwards to fill 28 tanks of Chikkaballapur, Sidlaghatta and Gudibande Taluks of Chikkaballapur District in favour of Executive Engineer, Minor Irrigation and Ground Water Resource Division, Chikkaballapur from the already diverted forest land of National Highway Authority of India [PRIMARY USER AGENCY], for a period of Twenty (20) years.

The relevant documents in 3 sets are submitted here with for kind perusal and further action. The present status of the proposal obtained from the web-portal is also appended for necessary action.

Yours Faithfully



(Rajiv Ranjan, IFS)

Principal Chief Conservator of Forests
(Forest Conservation) & Nodal Officer (FCA)

Copy to the:

1. The Chief Conservator of Forests, Bengaluru Circle for information.