



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-KRA 1035/2014-BAN/1208
Dated the 20th December, 2017

To

AS(4) 27

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

Subject:

Diversion of 111.57 ha. (Revised from 171.546 ha.) of forest land in Jankal R.F., and Lakkihalli R.F. of Hosadurga Range, Chitradurga F.D. for Construction of Chitradurga Branch Canal under Upper Bhadra Project in F/o Executive Engineer, Karnataka Neeravari Nigama Limited, UBP Project, Division -4, Hosadurga, Karnataka.

Sir,

Please refer to the State Government's letter No.FEE 168 FLL 2011 dated 15/10/2015 seeking prior approval of the Central Government in accordance with Section'2' of Forest (Conservation) Act, 1980 in respect of the above project. The in-principle (Stage-I) approval to the project was accorded by the Central Government vide letter of even number dated 4th March, 2016. The State Government vide letter No.FEE 168 FLL 2011 dated 07/01/2017 and 20/11/2017 have reported compliance to the conditions stipulated by the Central Government in the in-principle approval.

After careful consideration of the proposal of the State Government, I am directed to convey Central Government's approval (**Stage-II**) under Section'2' of Forest (Conservation) Act, 1980 for diversion of 111.57 ha. of forest land in Jankal R.F., and Lakkihalli R.F. of Hosadurga Range, Chitradurga F.D. for Construction of Chitradurga Branch Canal under Upper Bhadra Project in F/o Executive Engineer, Karnataka Neeravari Nigama Limited, UBP Project, Division -4, Hosadurga, Karnataka, subject to the following conditions:-

1. The legal status of forest land shall remain unchanged.
2. The demarcation of the proposed forest area shall be carried out by erecting 4 feet high cement concrete pillars duly numbered at an interval of 20 meters at the cost of user agency.
3. The Compensatory Afforestation shall be raised over 111.57 ha. of identified non-forest land in Sy.No.343 of Varavu Kaval village, Nayakanahatti Hobli, Challakere Taluk, Chitradurga District at the cost of user agency. The Compensatory Afforestation area shall be protected with chain link fencing. The State Government shall obtain prior permission of Central Government for change of location and schedule of compensatory afforestation, if any.

4. The Non-forest land for Compensatory afforestation shall be notified by the State Government as RF/PF under Indian Forest Act, 1927 or the State Forest Act within a period of 6 months and Nodal Officer (FCA) shall report the compliance within 6 months.
5. The 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 User Agency and the same shall be transferred to the designated Adhoc CAMPA Account.
6. In order to improve the vegetation in the forest area, to raise plants in the nursery and also to meet the water requirement of wild animals, water ponds are to be constructed wherever feasible along the canal in forest area and these ponds are to be filled with water by lifting water from the canal at the cost of user agency.
7. Approximately, 20m width on both sides is being utilized for dumping the muck all along the canal (137 kms) both in the forest and non-forest area. It is reported that the total area to be used for dumping the muck in the entire length of the canal will be approximately 216 ha and this shall be planted as shelter-belt by the Forest department at the cost of user agency.
8. At regular intervals ramps with rough surface shall be provided for animals to exit from the canals.
9. In order to facilitate the movement of wild animals across the canal, one cross over bridge of 10 metres width be constructed at the chainage of 38.550 km.
10. The total forest area utilized for the project shall not exceed 111.57 ha. The Forest land shall be used only for the purpose for which it is diverted.
11. The GPS readings and location maps of the forest land diverted as well as the non forest land selected for raising Compensatory Afforestation shall be communicated to this office within 30 days.
12. Any other condition that the Additional Principal Chief Conservator of Forests (Central), Regional Office, Bangalore may impose from time to time for protection, improvement of flora and fauna in the forest area and public convenience, shall also be applicable.
13. Violation of any of the conditions shall invite penal action, as deemed fit by the Additional Principal Chief Conservator of Forests (Central), Regional Office, Bangalore.

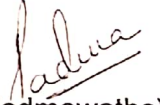
Yours sincerely,

(R. Padmawathe)
Deputy Conservator of Forests (Central)

Copy to:-

1. The Director General of Forests & Special Environment, Forests and Climate Change, Secretary to Govt. of India, Ministry of Aliganj, Jor Bagh Road, New Delhi – 110 003, Indira Paryavaran Bhavan, Agni Wing,

2. The Principal Chief Conservator of Forests, Forests Department, Govt. of Karnataka, Aranya Bhavan, 18th Cross, Malleswaram, Bangalore – 560 003.
3. 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.
4. The Special Officer, Vishweshwaraya Jal Nigam Ltd, Coffee Board, 4th Floor, Ambedkar Veedhi, Bangalore -560 001.
5. Guard file.


(R. Padmawathe)
Deputy Conservator of Forests (Central)



PROCEEDINGS OF THE GOVERNMENT OF KARNATAKA

Subject: Diversion of 111.57 ha. (Revised from 171.546 ha.) of forest land in Jankal RF, Devaragudda RF and Lakkihalli RF of Hosadurga Range, Chitradurga Forest Division for construction of Chitradurga Branch Canal under Upper Bhadra Project in favour of the Executive Engineer, Karnataka Neeravari Nigama Limited, UBP Project, Division-4, Hosadurga, Karnataka.

- Read: 1. Letter No.A5(4)GFL.CR.29/2010-11 dated: 07.05.2014 & 05.09.2015 of the Principal Chief Conservator of Forests (Head of Forest Force), Bengaluru.
2. Government of Karnataka letter No. FEE 168 FLL 2011 dated: 07.08.2014 & 16.10.2015
3. Government of India letter No.F.No.4KRA 1035/2014-BAN/8084, dated: 04.02.2016
4. Letter No.A5(4)GFL.CR.29/2010-11 dated: 09.11.2016, 20.04.2017 & 13.11.2017 of the Principal Chief Conservator of Forests (Head of Forest Force), Bengaluru.
5. Government of Karnataka letter No. FEE 168 FLL 2011 dated: 07.01.2017 & 20.11.2017
6. Government of India letter No.F.No.4KRB 1035/2014-BAN/1208, dated: 20.12.2017

PREAMBLE:

The Principal Chief Conservator of Forests (Head of Forest Force), Bangalore vide his letter dated: 07.05.2014 & 05.09.2015 read at (1) above has submitted the proposal to obtain the approval under Section (2) of the Forest (Conservation) Act, 1980 for Diversion of 111.57 ha. (Revised from 171.546 ha.) of forest land in Jankal RF, Devaragudda RF and Lakkihalli RF of Hosadurga Range, Chitradurga Forest Division for construction of Chitradurga Branch Canal under Upper Bhadra Project in favour of the Executive Engineer, Karnataka Neeravari Nigama Limited, UBP Project, Division-4, Hosadurga, Karnataka.

This proposal has been examined by the State Government & forwarded to Government of India, vide letter dated: 07.08.2014 & 16.10.2015 read at (2) above, due recommendation to accord sanction under section (2) of the Forest (Conservation) Act, 1980.

The Government of India vide letter dated: 04.02.2016 read at (3) above, has accorded in principal Stage-I approval for the proposal & compliance report

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was sought for the conditions stipulated. The PCCF (HoFF), Bengaluru has submitted compliance report of the user agency and additional information for the same vide letter dated: 09.11.2016, 20.04.2017 & 13.11.2017 read at (4) above. The State Government vide letter dated: 07.01.2017 & 20.11.2017 read at (5) above, has forwarded the compliance report & FRA certificate to Government of India seeking Stage-II approval.

The Government of India vide letter dated: 20.12.2017 read at (6) above, has accorded it's final Stage-II approval for the project proposal.

Hence the following order;

GOVERNMENT ORDER NO. FEE 168 FLL 2011, BENGALURU,

DATED: 24/01/2018

In the circumstances explained in the preamble above Government are pleased to accord approval under section (2) of the Forest (Conservation) Act, 1980 for Diversion of 111.57 ha. (Revised from 171.546 ha.) of forest land in Jankal RF, Devaragudda RF and Lakkihalli RF of Hosadurga Range, Chitradurga Forest Division for construction of Chitradurga Branch Canal under Upper Bhadra Project in favour of the Executive Engineer, Karnataka Neeravari Nigama Limited, UBP Project, Division-4, Hosadurga, Karnataka subject to the following conditions:

1. The legal status of forest land shall remain unchanged and it shall continue to be as forest land.
2. The lessee shall pay lease rent as fixed by the Government from time to time.
3. The demarcation of the proposed forest area shall be carried out by erecting 4 feet high cement concrete pillars duly numbered at an interval of 20 meters at the cost of user agency.
4. The lease tenure is for a period of 20 (Twenty) years.
5. The leased out area should be used for the purpose for which it is granted. In case the land is not used for the stipulated purpose within one year or when it is no longer needed for the stipulated purpose, the area shall be resumed back. The concerned Chief Conservator of Forests/Deputy Conservator of Forests is authorised to take necessary action in this regard.
6. The Karnataka Forest Act, 1963 & Rules, 1969 and other relevant Acts and Rules will be applicable for any violations.

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7. In case any violation reported during the lease period, the lease shall be forfeited u/s 82 of Karnataka Forest Act, 1963. The concerned Chief Conservator, Deputy Conservator of Forest are authorised to take necessary action to this regard.
8. The User Agency has to pay the Net Present Value(NPV) of forest land diverted under this proposal as per conditions stipulated by Government of India, Ministry of Environment and Forests, New Delhi vide letter No.11-9/98-FC, dated: 13-02-2014 and orders dated 28-03-2008 and 9-5-2008 of the Hon'ble Supreme Court of India.
9. The 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 User Agency and the same shall be transferred to the designated Adhoc CAMPA Account.
10. The Compensatory Afforestation shall be raised over 111.57 ha. of identified non-forest land in Sy.No.343 of Varavu Kaval village, Nayakanahatti Hobli, Challakere Taluk, Chitradurga District at the cost of user agency. The Compensatory Afforestation area shall be protected with chain link fencing. prior permission of Central Government for change of location and schedule of compensatory afforestation, if any shall be obtained.
11. The user agency shall make online payment of the cost of CA & NPV with Adhoc-CAMPA through e-payment module of Forest Clearance portal- forestclearance.nic.in
12. The user agency shall pay all the outstanding dues with regard to the earlier approved projects to the Karnataka Forest Department.
13. The Non-forest land for Compensatory afforestation shall be notified by the State Government as RF/PF under Indian Forest Act, 1927 or the State Forest Act within a period of 6 months and Nodal Officer (FCA) shall report the compliance within 6 months.
14. The user agency shall ensure that there should be no damage to the available fauna & other flora.
15. Only minimum number of trees shall be cut based on actual requirement of the project.
16. No work shall be allowed after sunset.
17. In order to improve the vegetation in the forest area, to raise plants in the nursery and also to meet the water requirement of wild animals, water ponds are to be constructed wherever feasible along the canal in forest area and

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these ponds are to be filled with water by lifting water from the canal at the cost of user agency.

18. Approximately, 20m width on both sides is being utilized for dumping the muck all along the canal (137 kms) both in the forest & non-forest area. It is reported that the total area to be used for dumping the muck in the entire length of the canal will be approximately 216 ha and this shall be planted as shelter-belt by the Forest department at the cost of user agency.
19. At regular intervals ramps with rough surface shall be provided for animals to exit from the canals.
20. In order to facilitate the movement of wild animals across the canal, one cross over bridge of 10 meters width be constructed at the chainage of 38.550 km.
21. The user agency should pay cost of charges towards felling/extraction and transportation of trees for execution of the project in accordance with the estimate prepared by the Deputy Conservator of Forests.
22. No labour camp shall be established on the forest land.
23. No residential buildings shall be permitted in the proposed forest area.
24. All waste/debris generated shall be scientifically disposed off outside the forest area.
25. All precautions shall be taken to ensure fire protection to the forest during the construction period.
26. Any damage to forest area due to such works shall be compensated by the User Agency. The extent of damage shall be assessed by the concerned Deputy Conservator of Forests.
27. The lessee shall not sub-lease, mortgage or hypothecate the forest area.
28. The approval under the Forest (Conservation) Act, 1980 is subject to the clearance under the Environment (Protection) Act, 1986, if required.
29. The total forest area utilized for the project shall not exceed 111.57 ha and it shall be used only for the purpose for which it is diverted.
30. The GPS readings and location maps of the forest land diverted as well as the non-forest land selected for raising compensatory Afforestation shall be communicated to Government of India within 30 days.
31. Any other condition that the additional Principal Chief Conservator of Forests (Central), Regional Office, Bengaluru may impose from time to time for protection, improvement of flora and fauna in the forest area and public convenience, shall also be applicable.

32. Violation of any of the conditions shall invite penal action, as deemed fit by the Additional Principal Chief Conservator of Forests (Central), Regional Office, Bengaluru.
33. The user agency shall comply with all other conditions stipulated by the Ministry of Environment and Forests, Government of India while according environmental clearance vide letter No.J-12011/7/2009-IA.I dated: 05-01-2010.
34. The User Agency shall also abide by all the conditions imposed upon by Government of India, the Government of Karnataka and the Principal Chief Conservator of Forests (Head of Forest Force).

By Order and in the name of the
Governor of Karnataka,

Narayana 24/1/18.
(NARAYANA)

Under Secretary to Government

24/1/18
Forest, Ecology and Environment Department.

To:

The Compiler, Karnataka Gazette, Bengaluru for publication in the next issue of the Gazette and request to supply 50 copies to State Government and 50 copies to Principal Chief Conservator of Forests, Bengaluru.

Copy to:

1. Secretary to Government of India, Ministry of Environment and Forest and Climate Change, Paryavaran Bhavan, CGO Complex, Lodhi Road, New Delhi 110 003.
2. The Addl. Principal Chief Conservator of Forests (Central), Government of India, Ministry of Environment and Forests and Climate Change, Regional Office, (South Zone), Kendriya Sadana, 4th Floor, E & F Wing, 17th Main, II nd Block, Koramangala, Bengaluru -34.
3. Accountant General (Audit I and II)/Accounts, Karnataka, Bengaluru.
4. The Principal Chief Conservator of Forests (Head of Forest Force), Aranya Bhavan, Bengaluru.
5. The Additional Principal Chief Conservator of Forests, (Forest Conservation) Office of the Principal Chief Conservator of Forests, Aranya Bhavan, Malleswaram, Bengaluru.
6. The Chief Conservator of Forests, Ballari circle, Ballari.

7. The Deputy Conservator of Forests, Chitradurga Division, Chitradurga.
8. The Executive Engineer, Karnataka Neeravari Nigama Limited, Upper Bhadra Project, Division-4, Hosadurga, Chitradurga -577 527.
9. The Special Officer, Vishweshwaraya Jal Nigam Ltd, Coffee Board, 4th Floor, Ambedkar Veedhi, Bengaluru-560 001.
- 10.SGF.