



भारत सरकार  
पर्यावरण एवं वन मंत्रालय  
GOVERNMENT OF INDIA  
MINISTRY OF ENVIRONMENT & FORESTS  
क्षेत्रीय कार्यालय (दक्षिण प्रभाग)  
Regional Office (Southern Zone)  
Kendriya Sadan, 4th Floor, E&F Wings, 17th Main Road,  
2nd Block, Koramangala, Bangalore - 560 034

By Speed Post

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F.No.4-KRB936/2013-BAN/3505  
Dated the 31st May, 2013

To

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

Subject: Diversion of 4.00 ha. of forest land in F.Sy.No.93 of Yamunapur Village (Basavankoll Hillock), Belgaum Forest Division, Belgaum District for construction of Water Treatment Plant and allied works in favour of the Commissioner, City Corporation, Belgaum- Reg.

Sir,

Please refer to the State Government's letter No.FEE 06 FLL 2013 dated 26/02/2013 seeking prior approval of the Central Government in accordance with Section 2 of Forest (Conservation) Act, 1980 for the above mentioned project.

After careful consideration of the proposal, I am directed to convey Central Government's approval in-principle (Stage-I) under Section 2 of Forest (Conservation) Act, 1980 for diversion of 3.35 ha. (excluding area proposed for staff quarters and area proposed for future expansion) of forest land in F.Sy.No.93 of Yamunapur Village (Basavankoll Hillock), Belgaum Forest Division, Belgaum District for construction of Water Treatment Plant and allied works in favour of the Commissioner, City Corporation, Belgaum, for a period of 20 years, subject to the following conditions:-

1. The legal status of forest land shall remain unchanged.
2. Demarcation of the proposed forest area shall be carried out by erecting cement concrete pillars duly numbered at an interval of 20 mts. at the cost of User Agency.
3. The equivalent identified non-forest land in Sy.No.124 of Ashte Village in Belgaum Taluk proposed for Compensatory Afforestation shall be transferred and mutated in favour of State Forest Department.
4. The cost of raising Compensatory Afforestation over the identified non-forest land shall be deposited by User Agency.
5. Cost of raising plantation over 25 ha. around the proposed area shall be realised from User Agency to prevent soil erosion.

F-80 Land

6. State Government shall charge the Net Present Value of the diverted forest land measuring 3.35 ha. from 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.
7. 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 State Government from User Agency. User Agency shall furnish an undertaking to this effect.
8. The funds received from User Agency towards Compensatory Afforestation and Net Present Value under this project shall be deposited either in SB A/c No.SB01025213 - CAF Karnataka, Corporation Bank, CGO Complex, Lodhi Road, New Delhi-110003 (RTGS/IFSC No.CORP0000371) or in SB A/c No.344902010105 421 - KARNATAKA CAMPA, Union Bank of India, Sundar Nagar, New Delhi-110003 (RTGS/IFSC No.UBIN0534498). The details of deposition of funds including, *inter-alia* the DD Numbers & date, Amount, the Bank on which drawn and the date of deposition in the designated Bank shall also be furnished.
9. Construction of residential quarters/staff quarters shall not be taken up in the proposed area. User Agency shall furnish an undertaking to this effect.
10. User Agency shall pay cost for construction of retaining wall all around the project site as well as construction of Check Dams and other SMC works wherever required to control sliding of soil and erosion into the Markandeya River which is flowing nearby at a distance of about 2 Kms, as per the plan prepared by the Deputy Conservator of Forests.
11. The total forest area utilized for the project shall not exceed 3.35 ha.
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.

After receipt of the compliance report on conditions No.(2) to (10), the proposal will be considered for final approval. Transfer of forest land to User Agency shall not be effected prior to the issue of final approval. This in-principle approval shall be valid for a period of 5 years. In the event of non-compliance of the stipulated conditions, this in-principle approval shall automatically stand revoked after 5 years.

Yours faithfully,

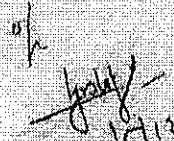
(S.M. Somashekar)  
Chief Conservator of Forests (Central)



Copy to:-

1. The Director General of Forests & Special Secretary to Govt. of India, Ministry of Environment & Forests, Paryavaran Bhavan, CGO Complex, Lodhi Road, New Delhi - 3.
2. The Principal Chief Conservator of Forests, Forests Department, Govt. of Karnataka, Aranya Bhavan, 18<sup>th</sup> 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, 18<sup>th</sup> Cross, Malleswaram, Bangalore - 560 003.
4. The Commissioner, City Corporation, Belgaum (Karnataka).
5. Guard file.

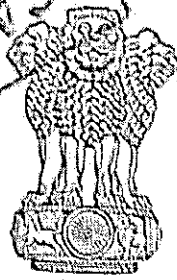
  
(S.M. Somashekar)  
Chief Conservator of Forests (Central)

  
2.1.57/13

Doc no: 114/2015-16

1st Sheet of Document No 114  
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SCANNED



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INDIA NON JUDICIAL

Government of Karnataka

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Certificate No. : IN-KA70876215470764M  
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Account Reference : NONACC (FI)/ kaksfo08/ BELGAUM13/ KA-BL  
Unique Doc. Reference : SUBIN-KAKAKSFCL0893803029463260M  
Purchased by : CITY COMMISSIONER BELAGAVI  
Description of Document : Article 12 Bond  
Description : AGREEMENT  
Consideration Price (Rs.) : 0  
(Zero)  
First Party : CITY COMMISSIONER BELAGAVI  
Second Party : FOREST OFFICER BELAGAVI  
Stamp Duty Paid By : CITY COMMISSIONER BELAGAVI  
Stamp Duty Amount (Rs.) : 100  
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Issued By  
Shri Basaveshwar Multi-Purpose  
Souhard Sahakari Nyl., Belagavi  
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Authorised Signatory

Please write or type below this line

This AGREEMENT is Made on this 29<sup>th</sup> day of January 2015 BETWEEN The Governor of Karnataka herein after called "Lessor" on the one part and the Commissioner, City Corporation, Belagavi hereafter called the "Lessee" on the other part.

Whereas the Lessee has applied to the Lessor for lease of Forest land in Forest Survey No. 93 of Yamanapur village of Belgaum Taluk to an extent of 4.00 Hectare described in Schedule and delineated in plan annexed to proposal for the purpose of construction of Water

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3. In case of any discrepancy please inform the Officer in Charge, Belgaum Division, Belgaum.

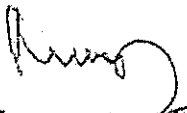
Deputy Conservator of Forests  
Belgaum Division, Belgaum


Commissioner

Corporation of the City of Belgaum

Treatment Plant and allied works. And whereas the Lessor by G.O.No. FEE 06 FLL 2013 Bangalore dated: 13-10-2014 has agreed to let out to the Lessee an area of 3.35 ha. of Forest land in Forest Survey No. 93 of Yamanapur village of Belgaum Taluk for the purpose of construction of Water Treatment Plant and allied works and the Lessee has agreed to take on Lease the scheduled Land on the terms and conditions hereinafter contained namely:-

- 1 The legal status of Forest land shall remain unchanged and it shall continue to be forest land
- 2 The lessee shall pay lease rent as fixed by the Government from time to time
- 3 The lease tenure is for period of 20 (twenty) years
- 4 The leased out area should be used for the purpose for which it is granted. In case the land or any portion thereof is not used for the stipulated purpose within two years, the area should be resumed to the Forest Department under Section 82 of Karnataka Forest Act, 1963. The concerned Deputy Conservator of Forests is authorized to take necessary action in this regard.
- 5 No structures/residential buildings shall be permitted in the proposed forest area
- 6 The Karnataka Forest Act 1963 and Rules 1969 and other relevant Acts & Rules will be applicable for any violation.
- 7 The site proposed for diversion is situated on the hillock and the area surrounding the project site is having steep slopes, giving scope for soil erosion. To contain this at least 25.00 ha. plantation around the proposed area to be carried by Karnataka Forest Department at the cost of the User Agency at the rate of prevailing compensatory Afforestation rates at the time of sanction.
- 8 The User Agency shall pay the cost of raising compensatory Afforestation at the rate prevailing at the time of sanction. ( At present it is Rs. 1,52,000/- per ha. )
- 9 The User Agency has to pay the Net Present value (NPV) of forest land diverted under this proposal as per Orders dated: 28-03-2008 and 09-05-2008 of the Hon'ble Supreme Court of India and undertaking for additional amount of the Net Present Value if any.
- 10 The User Agency shall ensure that there shall be no damage to the available fauna and flora
- 11 No labour camp shall be established on the forest land
- 12 No work shall be allowed after sunset.
- 13 The User Agency should pay cost for construction of retaining wall all around the project site as well as construction of Check Dams and other SMC works wherever required to control sliding of soil and erosion in to the Markandeya River which is flowing nearby at a distance of about 2 Kms as per the plan prepared by the Deputy Conservator of Forests.
- 14 No alteration shall be made to the project plan including adding any structures/buildings without prior approval of the Forest Department.
- 15 Any damage to the adjoining forest area due to the project works shall be compensated by the User Agency. The extent of damage shall be assessed by the concerned Deputy Conservator of Forests.

  
Deputy Conservator of Forests,  
Belgaum Division, Belgaum.

  
Commissioner  
Municipal Corporation of the City of Belgaum

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- 16 The User agency shall not sub lease mortgage and hypothecate the forest area.
  - 17 The approval under the forest (Conservation ) Act 1980 is subject to the clearance under the environment (protection ) Act, 1986, if required
  - 18 The User Agency shall abide by the conditions imposed upon by Government of India, the Government of Karnataka and Principal Chief Conservator of Forests ( Head of Forests Force)
  - 19 The Compensatory Afforestation (CA) shall be raised over 4.00 ha. of non -forest land in Sy. No. 124 of Ashte-Village in Belgaum Taluk at the cost of User agency. The State Government shall obtain prior permission of Central Government for change of location and Schedule of compensatory afforestation, if any
  - 20 Non forest land for compensatory afforestation shall be notified by the State Government as P.F/R.F. and Nodal Officer (FCA) shall report the compliance within 6 months. Afforestation over an additional extent of 25 ha. shall be raised around the proposed area to prevent soil crosion at the cost of User Agency. The total forest area utilized for the project shall not exceed 3.35 ha. Handing and taking over of land and commencement of work in the land shall be done within a period of two years from the date of Stage-II approval. The DGPS readings of area diverted 4 Ha. of non-forest CA area & afforestation of 25 ha. around the project area shall be communicated to this office within 30 days of transfer of the forest land.
- For any disputes Belgaum city is the Jurisdiction.

And it is hereby further agreed between the parties that in this agreement:-

- 1 The term " The Deputy Conservator of Forests" shall be deemed to mean the Deputy Conservator of Forests, Belagavi Division, Belagavi or any forest officer authorized by him in writing to act in the matter.
- 2 The term "Principal Chief Conservator of Forests, (Head of Forest Force) shall be deemed to mean the Principal Chief Conservator of Forests, Bangalore , Karnataka.
- 3 The Term "Governor" shall be deemed to mean the Governor of Karnataka his successors and assigns
- 4 The term " the Lessee" shall mean The Commissioner, City Corporation, Belagavi and officer authorized in writing by its management

Deputy Conservator of Forests, Corporation of the City of Belgaum,  
 Belgaum Division, Belgaum.

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# SCHEDULE

Description of the land for construction of approach road situate, lying and being at and bearing forest survey numbers, village, measurements and bounded as under in the registers of district of Belgaum.

IN WITNESS WHERE OF the Deputy Conservator of Forests, Belagavi Division, Belagavi on behalf of the Governor of Karnataka and the user agency have herein affixed the seal and his signature agreeing to abide by the above conditions on this day, month, year above written in presence of witnesses.

Witness

1)

**EXECUTIVE ENGINEER**  
K.D.W.S.&D.B. Division,  
BELAGAVI

2) *[Signature]*  
G.M.

For and on behalf of  
Governor of Karnataka

*[Signature]*  
Deputy Conservator of Forests,  
Belgaum Division, Belgaum.

For City Corporation, Belagavi

*[Signature]*  
Commissioner.  
20/01/2015  
Commissioner  
Corporation of the City of Belgaum

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3rd Sheet of 114  
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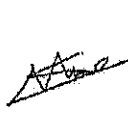
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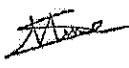
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1	ಸ್ವಾಮಿನ್ಯಾ ಪೀ	315.00
2	ನರಸೀಂದ್ರನಾ ಶುಲ್ಕ	35.00
	ಒಟ್ಟು :	350.00

ಶ್ರೀ Commissioner, City Corporation, Belagavi, represented by Manmathayya M. Swamy, Deputy Commissioner (Development), City Corporation, Belagavi ಇವರಿಂದ ಹಾಜರ ಮಾಡಲ್ಪಟ್ಟಿದೆ

ಹೆಸರು	ಫೋಟೊ	ಹೆಚ್ಚಿಟ್ಟ ಗುರುತು	ಸಹಿ
ಶ್ರೀ Commissioner, City Corporation, Belagavi, represented by Manmathayya M. Swamy, Deputy Commissioner (Development), City Corporation, Belagavi			

(VISHNUTEERTH)  
SUB REGISTRAR  
BELAGAVI

ಕ್ರಮ ಸಂಖ್ಯೆ	ಹೆಸರು	ಫೋಟೊ	ಹೆಚ್ಚಿಟ್ಟ ಗುರುತು	ಸಹಿ
1	Commissioner, City Corporation, Belagavi, represented by Manmathayya M. Swamy, Deputy Commissioner (Development), City Corporation, Belagavi . (ಬರೆಸಿಕೊಂಡವರು)			

(VISHNUTEERTH)  
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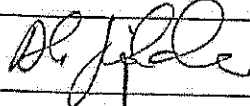
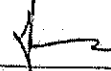
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(VISHNUTEERTH)  
SUB REGISTRAR  
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ಗುರುತಿಸುವವರು

4<sup>th</sup> Sheet of Document No 114  
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ಕ್ರಮ ಸಂಖ್ಯೆ	ಹೆಸರು ಮತ್ತು ವಿಳಾಸ	ಸಹಿ
1	A.G. Siddanna KUWS & D Board, Sub Division Hidakal Dyam	
2	Prasanna Murthy Executive Eng. KUWS & DB Division, Belagavi	

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Stamp Duty & Registration Fees Exemption

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1 ನೇ ಪುಸ್ತಕದ ದಸ್ತಾವೇಜು  
ಸಂಖ್ಯೆ BEL-1-00114-2015-16 ಆಗಿ  
ಸಿ.ಡಿ. ಸಂಖ್ಯೆ BELD462 ನೇ ಪುಸ್ತಕದಲ್ಲಿ  
ದಿನಾಂಕ 06-04-2015 ರಂದು ನೋಂದಾಯಿಸಲಾಗಿದೆ

(VISHNUTEERTH)  
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