



Proceedings of the Government of Karnataka

HOA

Subject: Diversion of 5 acres(2.02 ha.) of forest land in Sy.No.47 of Chipgi Village in Sirsi-Taluk for construction of hospital by M/s Totagars Co-operative Sale Society Limited-reg.

Read:

- 1) Principal Chief Conservator of Forests(Head of Forest Force), Bengaluru letter No.A5(2)GFL.CR.13/98-99, dated: 30/11/1999.
- 2) Government letter No.FEE 338 FGL 99, dated: 8.11.2000 and 14.12.2001.
- 3) Government of India, M/o Environment and Forests Letter No.FCA/11.2/193/KAR/BC/2112, dt.16-01-2002.
- 4) Principal Chief Conservator of Forests (Head of Forest Force), Bangalore Letter No. A5(2).GFL.CR.13/1998-99, dt. 07-07-2015.
- 5) Government of Karnataka Letter No.FEE 85 FLL 2011, dt. 21-09-2015
- 6) Government of India, M/o Environment and Forests and Climate Change Letter No.F.No.FCA/11.2/ 193/KAR/ BC/ 49, dt.13-04-2016.

Preamble :

The Principal Chief Conservator of Forests (Head of Forest Force), Bangalore vide letter under read at (1) had submitted a proposal for diversion of 5 acres(2.02 ha.) of forest land in Sy.No.47 of Chipgi Village in Sirsi Taluk for construction of hospital by M/s Totagars Co-operative Sale Society Limited

After verification and examination, the proposal was recommended by Government of Karnataka and forwarded to Government of India to accord sanction u/s 2 of the Forest (Conservation) Act, 1980 vide letter under read at (2).

The Govt. of India, Ministry of Environment and Forests and Climate Change, Regional Office (Southern Zone), Bangalore vide its letter under read at (3) have accorded its in-principle (Stage-1) approval for the proposal subject to fulfillment of certain conditions and the same was communicated to the Principal Chief Conservator of Forests (Head of Forest Force), Bangalore with a direction to submit compliance report on fulfillment of conditions.

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The Principal Chief Conservator of Forests (Head of Forest Force), Bangalore vide letter under read at (4) had furnished the compliance report and the same was forwarded to Govt of India vide letter under read at (5) and requested to obtain final approval of Government of India u/s 2 of the Forest (Conservation) Act, 1980.

The Government of India, Ministry of Environment and Forests & Climate Change, Regional Office (Southern Zone), Bangalore vide letter under read at (6) have accorded and communicated its final approval (Stage-II) for the proposal u/s 2 of the Forest (Conservation) Act, 1980 subject to certain conditions.

The proposal has been examined in detail and hence the order.

Government Order No. FEE 85 FLL 2011, Bangalore,

Dated:04/06/2016.

In the circumstances as explained in the preamble above, Government is pleased to accord approval u/s 2 of Forest (Conservation) Act, 1980 for diversion of 5 acres(2.02 ha.) of forest land in Sy.No.47 of Chipgi Village in Sirsi Taluk for construction of hospital by M/s Totagars Co-operative Sale Society Limited subject to following conditions.

- 1) The legal status of forest land shall remain unchanged and it will continue to be as forest land.
- 2) Demarcation of the forest area shall be got done by erecting a boundary wall at the cost of user agency.
- 3) The cost of raising compensatory afforestation (revised as on date to incorporate existing wage structure) over 4.0 ha. of degraded forest land shall be recovered from the user agency.
- 4) The State Government shall charge the Net Present Value (NPV) of the forest area measuring 2.02 ha. proposed for diversion under this proposal from the user agency as per the orders of the Hon'ble Supreme Court dated 30-10-2002 and 01-08-2003 in IA No.566 in WP© No.202/95 and as per the guidelines issued by Ministry vide letter No.5-1/1998-FC (Pt-II), dated: 18-09-2003 and 22-09-2003 in this regard.
- 5) Additional amount of Net Present Value (NPV) of the diverted forest land, if any becoming due after finalization of the same by the Hon'ble Supreme Court of India on receipt of the report from the Expert Committee, shall be charged by the State Government from the user agency. The user agency shall furnish the undertaking to this effect.

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- 6) The funds received from the user agency towards CA & NPV under this project shall be transferred to Ad-hoc CAMPA in account number CA-1582 of Corporation Bank II, CGO Complex, Phase-I, Lodhi Road, New Delhi-110 003.
- 7) The Compensatory Afforestation (CA) shall be raised over 4.04 ha. of degraded forest land in F.S.No.27 of Akkunji Village, Siddapur Taluk at the cost of user agency. The State Government shall obtain prior permission of Central Government for any change of compensatory afforestation site.
- 8) 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.
- 9) The DGPS readings of the 4.04 ha. of degraded forest land identified for compensatory afforestation as well as the forest land diverted shall be communicated to Govt. of India, M/o Environment and Forests, Regional Office (Southern Zone), Kendriya Sadan, 4th Floor, E and F Wings, 17th Main Road, 2nd Block, Koramangala, Bangalore-560 034 within 30 days of transfer of the forest land.
- 10) 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.
- 11) The lessee shall pay lease rent as fixed by the Government from time to time.
- 12) The lease tenure is for a period of 20 (twenty) years and shall be used for the said purpose only. If this land is not used for the stipulated purpose or when it no longer needed for the stipulated purpose, the area should automatically revert back to the Forest Department.
- 13) The user agency shall abide by all the conditions imposed upon by Government of India/Government of Karnataka and Principal Chief Conservator of Forests.
- 14) The user agency shall pay for the extraction of trees.
- 15) The cost of raising compensatory plantation over 4.00 ha. in degraded forest land shall be paid by the user agency.

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

L Sharada 4.6.16
(L. SHARADA)

Under Secretary to Govt.,

Forest, Ecology and Environment Dept.

To

The Compiler, Karnataka Gazette, Bangalore for publication in the next issue of the Gazette and request to supply 50 copies to State Govt. and 50 copies to Principal Chief Conservator of Forests (HoFF), Bangalore

Copy to:

1. The Director General of Forests and Special Secretary to Govt. of India, M/o Environment, Forest and Climate Change, Agni Wing, Indira Paryavaran Bhavan, Jor Bagh, Ali Ganj Road, New Delhi-110003
2. The Accountant General (Audit I and II)/(Accounts), Karnataka, Bangalore
3. The Principal Chief Conservator of Forests (Head of Forest Force), Aranya Bhavan, Malleshwaram, Bangalore.
4. The Additional Principal Chief Conservator of Forests (Central), Govt. of India, M/o Environment and Forests and Climate Change, Regional Office (South Zone), Kendriya Sadana, 4th Floor, E and F Wing, 17th Main, Koramangala, Bangalore-34
5. The Additional Principal Chief Conservator of Forests / Nodal Officer, O/o the Principal Chief Conservator of Forests (HoFF), Aranya Bhavan, Malleshwaram, Bangalore
6. The Chief Conservator of Forests, Kanara Circle, Sirsi.
7. The Dy.Conservator of Forests, Sirsi Division, Sirsi.
8. M/s Totagars Co-operative Sale Society Limited, Sirsi.

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