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FEE/COH/CS  
F.No. 8-30/97-FC  
Government of India  
Ministry of Environment & Forests  
F.C. Division

Paryavaran Bhawan,  
CGO Complex, Lodhi Road,  
New Delhi - 110 003.  
Dated: 25.09.2003

To

The Principal Secretary (Forests),  
Government of Karnataka  
Bangalore

1-10-2003

Sub: Diversion of 449.55 hectare forest land for Upper Tunga Project, Distt. Shimoga.

Sir,

I am directed to refer to your letter No.FEE 89 FGL 94 dated 16-12-1996 on the above mentioned subject, seeking prior approval of the Central Govt. in accordance with Section-2 of Forest (Conservation) Act, 1980 and to say that the proposal has been examined by the Advisory Committee constituted by the Central Government under Section 3 of the aforesaid Act.

After careful consideration of the proposal of the State Government and on the basis of the recommendation of the above mentioned Advisory Committee, Indian Board of Wildlife, Central Empowered Committee and the orders of the Hon'ble Supreme Court, the Central Government hereby agrees in-principle for diversion of 449.55 hectare forest land for Upper Tunga Project, Distt. Shimoga, Karnataka, subject to fulfilment of following conditions:-

1. Immediate transfer and mutation of equivalent Non-forest land (450 ha.) in favour of State Forest Department. This land shall be notified as RF by the State Forest Department under Indian Forest Act, 1927.
2. User agency shall deposit the cost to the State Forest Department for raising and maintaining the Compensatory Afforestation over equivalent non-forest land.
3. The User Agency shall construct 4 (four) feet high RCC pillars with forward and back bearings to demarcate the area.
4. The entire reservoir created due to submergence shall be declared Reserved Forests under Indian Forest Act, 1927. However, regulated fishing rights shall be allowed.

18.9.2003

5. Islands of the Mandegadde Bird Sanctuary shall be raised sufficiently to avoid its submergence at the project cost under supervision of Wildlife wing of State Forest Department.
6. All the safeguards and conditions stipulated by the Indian Board of Wildlife (IBWL) shall be strictly followed.
7. User agency shall deposit the cost to the State Forest Department for raising and maintaining the plantations along the banks of the reservoir.
8. Trees below 2 meter of FRL shall not be cut.
9. The State Forest Department shall charge the Net Present Value (NPV) of the forest land as per the orders of the Hon'ble Supreme Court dated 30-10-2002 & 1-8-2003 and the guidelines issued by this Ministry vide letter No.5-1/98-FC(Pt-II) dated 18-9-2003 and 22-9-2003.

After receipt of compliance report on fulfilment of the conditions No.1, 2, 3, 5, 6, 7 & 9 from the State Govt., formal approval will be issued by Central Govt. under Section-2 of Forest (Conservation) Act, 1980. Transfer of forest land to user agency should not be effected by the State Govt. till the formal orders are issued by the Central Government.

Yours faithfully,

sd/—

(ANURAG BAJPAI)

Assistant Inspector General of Forests

Copy to:-

1. The Principal Chief Conservator of Forests, Government of Karnataka, Bangalore.
2. Member Secretary, Central Empowered Committee for information.
3. The Chief Conservator of Forest (Central), Regional Office, Bangalore.
4. The Nodal Officer, Office of the PCCF, Government of Karnataka, Bangalore.
5. DIG (Wildlife), Ministry of Environment & Forests for information.
6. RO (Hq.), New Delhi.
7. Shri A.D.N. Rao, Advocate, Supreme Court for information.
8. User Agency.
9. PS to IGF.
10. Guard file.

"ATTESTED"

  
Executive Engineer,

V.J.N.L., No.2, U.B.P. Division,

B.R. Project-577 115

  
(ANURAG BAJPAI)

Assistant Inspector General of Forests