

GOVERNMENT OF KARNATAKA

No. FEE 79 FLL 2022 (e)

Karnataka Government Secretariat
Multistoried Buildings,
Bengaluru, Dated:03-09-2022.

From:

The Additional Chief Secretary to Government,
Forest, Ecology and Environment Department,
Bengaluru-560001.

To:

The Principal Chief Conservator of Forests (HoFF),
Aranya Bhavan, Malleshwaram,
Bengaluru-560003.

Sir,

Sub: Diversion of 1.00 hectare of forest land in Gutaguddi village, Yamakanamardi Hobli, Hukkeri Taluk, Belagavi District for construction of High School Building and other amenities for high school students primarily from socially backward communities in favour of Deputy Director of Public Instructions (DDPI), Chikkodi, Belagavi District.

Proposal No. FP/KA/SCH/83641/2020.

Ref: Your Office letter No. No.KFD/HOFF/A5-2(GFL)/53/2020-FC, Dated: 01-06-2022.

With reference to the above subject I am directed to refer to your office letter vide referred at above seeking prior approval of the State Government under Section 2 of the Forest (Conservation) Act, 1980 for the above cited project.

The State Government hereby conveys in-principle approval (Stage-I) under section 2 of the Forest (Conservation) Act, 1980 for the Diversion of 1.00 hectare of forest land in Gutaguddi village, Yamakanamardi Hobli, Hukkeri Taluk, Belagavi District for construction of High School Building and other amenities for high school students primarily from socially backward communities in favour of Deputy Director of Public Instructions (DDPI), Chikkodi, Belagavi District subject to fulfillment of the following conditions:-

01. The legal status of forest land shall remain unchanged and it shall continue to be forest land.
02. The User Agency shall pay the applicable Net Present Value (NPV), Compensatory, Plantation cost of extraction of trees, land lease rent and any other levies as per the conditions of approval.

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03. The User Agency shall demarcate the lease area in the manner specified at the time of approval at its own cost.
04. The lessee shall not sub-lease, mortgage and hypothecate the forest area.
05. 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 two years or when it is no longer needed for the stipulated purpose, the area would stand resumed to the Forest Department.
06. No change in Land Use Plan on forest land shall be done except with prior approval of Government of India Under FC Act 1980.
07. The application for renewal of the lease in the prescribed form and manner shall be submitted at least six months prior to the expiry of forest lease. In case no renewal is sought, the Lessee shall hand over the lease.
08. No residential or commercial buildings shall be permitted in the forest area proposed for diversion.
09. No crushing / breaking of stones or labour camp shall be allowed on forest land and all waste/debris generated shall be scientifically disposed off outside the forest area.
10. Any damage to forest area because of implementation of the proposal shall be compensated by the Lessee. The extent of damage shall be assessed by the jurisdictional Deputy Conservator of Forests/ Conservator of Forests/ Chief Conservator of Forests.
11. The lessee shall ensure that no avoidable harm is caused to the fauna and flora in and around the proposed area.
12. In case, any violation of the provisions of the Karnataka Forest Act, 1963 and Rules, 1969 or other relevant Acts/Rules is reported during the lease period, the lease will be liable for forfeiture under section 82 of Karnataka Forest Act 1963. The Chief Conservator of Forests/Deputy Conservator of Forests concerned are authorized to take necessary action in this regard.
13. The approval under the Forest (Conservation) Act, 1980 is subject to any other clearances necessary under the prevailing statutes.
14. The User Agency shall also abide by other conditions those may be imposed by the Government of India, Government of Karnataka and Principal Chief Conservator of Forests(Head of Forest Force) before or after the approval.
15. Any other condition that the Ministry of Environment, Forest & Climate Change may stipulate from time to time in the interest of conservation, protection and development of forests & wildlife.

16. Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as prescribed in para 1.21 of Chapter 1 of the Handbook of comprehensive guideline of Forest(Conservation) Act, 1980 as issued by this Ministry's letter No. 5-2/2017-FC. dated: 28-03-2019.
17. The Forest Department and user agency shall comply the provisions of the all Acts, Rules, Regulations, Guidelines, NGT order & Hon'ble Court Order (s) pertaining to this project, if any, for the time being in force, as applicable to the project.
18. The period of diversion under this approval shall be for 20 Years or the project life, whichever is less.
19. The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector,
20. All the funds received from the User Agency under the project shall be transferred/deposited to CAMPA fund only through e-portal (<https://parivesh.nic.in/>)
21. The Compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>)

Yours faithfully ,


(S.PRAKASH)

Under Secretary to Government(I/c)
Forest, Ecology and Environment
Department (Forest-C).

23/9/2022

Copy to: -

1. The Secretary to Government of India, Ministry of Environment, Forest and Climate Change, Government of India Paryavaran Bhavan, Jor Bagh Road, New Delhi-110003.
2. The Deputy Director General of Forests (Central), Integrated Regional Office Kendriya Sadan, 4th Floor, E&F Wings, 17th Main, Koramangala.

