



Government of Karnataka

R.P.A.D

No. FEE 09 FLL 2021 (e)

Karnataka Government Secretariat
Multistoried Buildings,
Bengaluru, Date: 10 -02-2021.

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 0.96 hectare of forest land in Kabbaragi Village Sy.No.53, 62 and 129, Hanumasagara Hobli, Kushtagi Taluk, Koppala District for construction of road from Kabbaragi Village to Kapila Teertha, Kushtagi Taluk in favour of the Executive Engineer, Public Works Department (PWD), Koppala.

Ref: Your Office letter No. KFD/HoFF/A5-4(GFL)/29/2020-FC, Dated: 13-01-2021.

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-1) under section 2 of the Forest (Conservation) Act, 1980 for the diversion of 0.96 hectare of forest land in Kabbaragi Village Sy.No.53, 62 and 129, Hanumasagara Hobli, Kushtagi Taluk, Koppala District for construction of road from Kabbaragi Village to Kapila Teertha, Kushtagi Taluk in favour of the Executive Engineer, Public Works Department (PWD), Koppala. subject to fulfilment 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 (if any), land lease rent and any other levies as per the conditions of approval.
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 & hypothecate the forest area.

05. The Lessee shall provide signages in appropriate dimensions and nature on both sides of the road within forest limits for sensitisation of general public towards the forest, wildlife and environmental issues in consultation with the jurisdictional Deputy Conservator of Forests
06. 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.
07. No change in Land Use Plan on forest land shall be done except with prior approval of Government of India under FC Act 1980.
08. 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.
09. No residential or commercial buildings shall be permitted in the forest area proposed for diversion.
10. 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.
11. 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.
12. The Lessee shall ensure that no avoidable harm is caused to the fauna and flora in and around the proposed area.
13. In case, any violation of the provisions of the Karnataka Forest Act, 1963 & 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.
14. The approval under the Forest (Conservation) Act, 1980 is subject to any other clearances necessary under the prevailing statutes.
15. The period of diversion under this approval shall be 20 Years or the project life, whichever is less.
16. 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.
17. Any other condition that the Ministry of Environment, Forests & Climate Change may stipulate from time to time in the interest of conservation, protection and development of forests & wildlife.
18. The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>).

19. The present proposal may be considered subject to the condition that the entire civil works (including side drains, if any) of the proposed approach road will be restricted to proposed 6 meter width only.
20. Compensatory Afforestation shall be raised and maintained at the cost of the User Agency on degraded forest land twice in extent of the forest area diverted.
21. The User Agency shall restrict the felling of trees to minimum number in the diverted forest land and the trees shall be felled under the strict supervision of the State Forest Department and the cost of felling of trees shall be deposited by the User Agency with the State Forest Department.
22. 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/](https://parivesh.nic.in/))
23. The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.
24. **User Agency shall raise strip plantation on both sides and central verge of the road as per the IRC norms.**
25. **Speed regulating signage will be erected along the road at regular intervals in the Protected Area/ Forest Area.**
26. **The User Agency shall provide suitable under / over pass in Protected Area/ Forest Area as per the recommendations of CWLW if any.**
27. User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (protection) Act, 1986, if applicable.
28. Sufficient firewood, preferably the alternate fuel, shall be provided by the User Agency to the labourer after purchasing the same from the State Forest Department or the Forest Development Corporation or any other legal source of alternate fuel.
29. The boundary of the diverted forest land shall be suitably demarcated on ground at the project cost, as per the directions of the concerned Divisional Forest Officer.
30. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
31. The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without prior approval of Government of India .

32. The Principal Chief Conservator of Forests (Head of Forest Force) and User Agency shall comply the provisions of all the Acts, Rules, Regulations, Guidelines, NGT order & Hon'ble Court Order (s) pertaining to this project, if any for time being in force, as applicable to the project
33. Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as per the MoEF&CC Guideline F.No. 11-42/2017-FC dated: 29/01/2018.

Yours faithfully


(S. SRINIVASA) 10/02/2021

Under Secretary to Government

Forest, Ecology and Environment Department (Forest-C)



10/02/2021