



Government of Karnataka

No. FEE 08 FLL 2023 (e)

Karnataka Government Secretariat

M.S. Building

Bengaluru, Dated:14-02-2023.

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 0.19477 ha of Forest land in Sy.No.30 in Rayapura Village in Dharwad Taluk & District (Dharwad Forest Division) for laying the underground water pipeline for providing the water supply to Hubli & Dharwad cities in favour of Municipal Commissioner, Hubli-Dharwad Municipal Corporation, Hubli.

Proposal No. FP/KA/WATER/141926/2021

Ref: Your office letter No.KFD/HOFF/A52K(GFL)/9/2022-FC,
Dated:09-01-2023.

With reference to the above subject I am directed to refer to your office letter vide referred at above seeking *In-Principle (Stage-I)* 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 diversion of 0.19477 ha of Forest land in Sy.No.30 in Rayapura Village in Dharwad Taluk & District (Dharwad Forest Division) for laying the underground water pipeline for providing the water supply to Hubli & Dharwad cities in favour of Municipal Commissioner, Hubli-Dharwad Municipal Corporation, Hubli subject to fulfilment of the following conditions: -

- 1 The legal status of forest land shall remain unchanged and it shall continue to be forest land.
- 2 The extent of diverted forest land shall not exceed 0.19477 hectare.

- 3 The number of trees to be felled shall be restricted, as per the provision of para 4.3.1(b) of chapter 4 of the guidelines issued by the Ministry of Environment, Forest and Climate Change dated:28.03.2019.
- 4 The User Agency shall pay the applicable Net Present Value (NPV), Compensatory, land lease rent and any other levies as per the conditions of approval.
- 5 The User Agency shall demarcate the lease area in the manner specified at the time of approval at its own cost.
- 6 The lessee shall not sub-lease, mortgage and hypothecate the forest area.
- 7 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.
- 8 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.
- 9 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 No change in Land Use Plan on forest land shall be done except with prior approval of Government of India under FC Act 1980.
- 14 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/Deputy Conservator of Forests concerned are authorized to take necessary action in this regard.
- 15 The approval under the Forest (Conservation) Act, 1980 is subject to any other clearances necessary under the prevailing statutes.

- 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 The Lessee shall provide signages in appropriate dimensions and kind near the proposed pipeline & other components within forest limits for sensitization of general public towards the forest, wildlife and environmental issues in consultation with the jurisdictional Deputy Conservator of Forests.
- 18 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/>)
- 19 The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned Deputy Commissioner.
- 20 The Pipeline shall be laid down 1.5 meter below the ground and after lying down of pipeline the ground will be levelled.
- 21 User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable.
- 22 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.
- 23 No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
- 24 **The period of diversion under this approval shall be for 20 years or the project life, whichever is less.**
- 25 The forest land shall not be used for any purpose other than that specified in the project proposal.
- 26 The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without prior approval of Govt. of India.
- 27 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.

- 28 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.

Yours faithfully,


(M. Manjunatha)

Under Secretary to Government
Forest, Ecology and Environment Department (Forest-C)

Copy to: -


12/12/2023

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.
3. The Municipal Commissioner, Hubli-Dharwad Municipal Corporation, Hubli.
4. SGF/Spare Copies.