



भारत सरकार

GOVERNMENT OF INDIA

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय

MINISTRY OF ENVIRONMENT, FORESTS & CLIMATE CHANGE

Regional Office (Southern Zone),

Kendriya Sadan, IVth Floor, E& F Wings, 17th Main Road,

IIInd Block, Koramangala, Bangalore – 560 034,

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BY SPEED POST

F.No.4-KRB1253/2020-BAN

Dated the 12th August, 2020

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To

The Additional Chief Secretary to Government of Karnataka,
Forest, Ecology & Environment Department,
M.S. Building, Dr. Ambedkar Veedhi,
Bangalore – 560 001.

Subject: Re-diversion of 0.15 ha of forest land in Sy.No. 38, Bandahalli villag and Sy.No. 262 (Haristhala State Forest), Aruru village, Mandikallu Hobli, Chikkaballapura Taluk & District for laying of 490 Dia MS Pipe Line for Lifting / pumping the secondary treated sewage water from HN Valley impounded in Kandavara lake of Chikkaballapura to Poornasagara Kere and onwards to fill 28 tanks of Chikkaballapura, Sidlaghatta and Gudibande Taluks of Chikkaballapura District in favour of the Executive Engineer, Minor Irrigation and Ground Water Resources Division, Chikkaballapura from the already diverted forest land of 14.2 ha. vide letter No. 4-KRC159/2006-BAN/464 dated 24/07/2007 -reg.

Sir,

I am directed to refer to the State Government's letter FEE 51 FLL 2020 (e) dated 29/07/2020 seeking prior approval of the Central Government under Section'2' of the Forest (Conservation) Act, 1980 for the above project.

After careful examination of the proposal of the State Government, the Central Government hereby conveys the in-principle approval (**Stage-I**) for the re-diversion of 0.15 ha of forest land in Sy.No. 38, Bandahalli villag and Sy.No. 262 (Haristhala State Forest), Aruru village, Mandikallu Hobli, Chikkaballapura Taluk & District for laying of 490 Dia MS Pipe Line for Lifting / pumping the secondary treated sewage water from HN Valley impounded in Kandavara lake of Chikkaballapura to Poornasagara Kere and onwards to fill 28 tanks of Chikkaballapura, Sidlaghatta and Gudibande Taluks of Chikkaballapura District in favour of the Executive Engineer, Minor Irrigation and Ground Water Resources Division, Chikkaballapura from the already diverted forest land of 14.2 ha. vide letter No. 4-KRC159/2006-BAN/464 dated 24/07/2007, subject to fulfillment of the following conditions:-

1. The legal status of the forest land shall remain unchanged.
2. The boundary of the forest land to be diverted shall be suitably demarcated on ground at the project cost as per the directions of concerned Divisional Forest Officer.
3. The State Government shall charge the Net Present Value of the re-diverted forest land of 0.15 ha. from the user agency as per the orders of the Hon'ble Supreme Court dated 28.03.2008 and 09.05.2008 in IA Nos.826 in 566 with related IA's in Writ Petition (Civil) No.202/1995.

4. Additional amount of the Net Present Value (NPV) of the re-diverted forest land if any, becoming due after revision of the same by the Hon'ble Supreme Court of India in future, shall be charged by the State Government from the user agency. The user agency shall furnish an undertaking to this effect.
5. All the funds received from the user agency under the project shall be transferred /deposited to CAMPA fund only through (<https://parivesh.nic.in/>).
6. State Government shall complete settlement of rights, in term of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act 2006, if any, on the forest land to be diverted and submit the documentary evidence as prescribed by this Ministry in it's letter No. 11-9/1998-FC dated 3rd August 2009 read with 05.07.2003, in support thereof.
7. The layout plan of the proposal shall not be changed without prior approval of Central Government.
8. The forest area shall be used for the purpose for which it is granted. The total forest area utilized for the project shall not exceed 0.15 ha.
9. 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.
10. The period of diversion under this approval shall be co-terminus with the period of lease to be granted in favour of the user agency or the project life, whichever is less.
11. The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>).
12. Any other condition that the Ministry of Environment, Forest and Climate Change may stipulate from time to time in the interest of conservation, protection and development of Forest and Wildlife.

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. The State Government 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 the time being in force, as applicable to the project.

After receipt of the compliance report on the above conditions, the proposal will be considered for final approval. This in-principle approval shall be valid for a period of 5 years and the forest land shall not be transferred to the User Agency prior to the issue of final approval.

Yours sincerely,



(R. Padmawathe)

Deputy Inspector General of Forests (Central)

Copy to:-

1. The Principal Chief Conservator of Forests (HoFF), Forests Department, Govt. of Karnataka, Aranya Bhavan, 18th Cross, Malleswaram, Bangalore – 560 003.
2. The Principal Chief Conservator of Forests (FC) /Nodal Officer (FCA), Office of the Principal Chief Conservator of Forests, Forests Department, Govt. of Karnataka, Aranya Bhavan, 18th Cross, Malleswaram, Bangalore – 560 003.
3. The Executive Engineer, Minor Irrigation and Ground Water Resources Division, near APMC Market, Chikkaballapura -562 101.
4. The General Manager (Tech) & Project Director, National Highway Authority of India, Palakhad, Kolar, Karnataka.
5. Guard file.


(R. Padmawathe)

Deputy Inspector General of Forests (Central)

 