



GOVERNMENT OF KARNATAKA

R.P.A.D

No. FEE 71 FLL 2020 (e)

Karnataka Government Secretariat
Multistoried Buildings,
Bengaluru, Date: 15-01-2021 .

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 0.436 hectare (revised from 0.633 hectare) of forest land in Bhaktharahalli Village Sy.No. 75, Ambajidurga Hobli Chintamani Taluk, Chikkaballapur District for construction of Jackwell-cum-pump House, Foot-bridge, Transformer Yard, laying of 11 KV Express Feeder line and water pipeline under for providing drinking water to Chintamani Town with Bhaktharahalli Arasikere Lake as water source in favour of Commissioner, Chintamani City Municipal Council, Chikkaballapur District.

Ref: Your Officer letters No. KFD/HOFF/A5-4(GFL)/16/2020-FC
Dated: 25-09-2020 and Dated:11-11-2020.

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.

State Government hereby conveys in-principle approval (Stage-I) under section (2) of the Forest Conservation act for the diversion of 0.436 hectare (revised from 0.633 hectare) of forest land in Bhaktharahalli Village Sy.No. 75, Ambajidurga Hobli Chintamani Taluk, Chikkaballapur District for construction of Jackwell-cum-pump House, Foot-bridge, Transformer Yard, laying of 11 KV Express Feeder line and water pipeline under for providing drinking water to chintamani Town with Bhaktharahalli Arasikere Lake as water source in favour of Commissioner, Chintamani City Municipal Council, Chikkaballapur Districtsubject 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 pipeline 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 and no labour camp shall be established on the forest land.
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. 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

18. User agency shall restrict the felling of tress 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.
19. All the funds received from the user agency under the project shall be transferred/deposited to CAMPA fund only through e-portal.
20. The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.
21. The pipeline shall be laid down 1.5 meter below the ground and after lying down of pipe line the ground will be leveled.
22. User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable.
23. The layout plan of the proposal shall not be changed without prior approval of Central Government.
24. 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.
25. 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.
26. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
27. 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.
28. 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.
30. The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>).

Yours faithfully

(S. SRINIVASA)

Under Secretary to Government

Forest, Ecology and Environment Department (Forest-C)

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 Forest (Central), Integrated, Regional Office Kendriya Sadan, 4th Floor, E&F Wings, 17th Main, Koramangala, Bengaluru.

Issue:

Dated: