



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,

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BY SPEED POST

F.No.4-KRB1148/2018-BAN

Dated the 13th July, 2018

1560

To

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

Subject: Diversion of 0.994 ha. of Paisari land (forest land) in Sy.No. 1/9P2 of Kumaralli village, Madikeri Division for implementation of Beedalli Mini Hydel Project of 3 MW Capacity in Somwarpet Taluk, Kodagu District in favour of M/s. Kodagu Hydel Projects Pvt Ltd - reg.

Sir,

I am directed to refer to the State Government's letter FEE 106 FLL 2017 dated 15/02/2018 seeking prior approval of the Central Government under Section'2' of the Forest (Conservation) Act, 1980 for the above project.

The proposal was examined by the Regional Empowered Committee constituted under sub-rule (1) of rule 4A of the Forest (Conservation) Rules, 2003 in its meeting held on 13/04/2018.

After careful examination of the proposal of the State Government and on the basis of the recommendation of the Regional Empowered Committee, the Central Government hereby conveys the in-principle approval (**Stage-I**) for the diversion of 0.994 ha. of Paisari land (forest land) in Sy.No. 1/9P2 of Kumaralli village, Madikeri Division for implementation of Beedalli Mini Hydel Project of 3 MW Capacity in Somwarpet Taluk, Kodagu District in favour of M/s. Kodagu Hydel Projects Pvt Ltd, for a period of 20 years, subject to fulfillment of the following conditions:-

1. The legal status of the forest land shall remain unchanged.
2. Demarcation of the proposed forest area shall be carried out by erecting cement concrete pillars duly numbered at an interval of 20 mts. at the cost of user agency, before Stage-II approval.
3. The State Government shall charge the Net Present Value of the diverted forest land of 0.994 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 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.

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5. User Agency should ensure that Compensatory levies are deposited through challan generated online on the web portal and deposited in appropriate bank online only. Amount deposited through other mode will not be accepted as compliance of the Stage-I clearance.
6. Necessary certificates/documents under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act 2006 as per the guidelines issued by Ministry of Environment & Forests vide letter No.11-9/1998-FC (Pt) dated 05.07.2013 shall be furnished before Stage-II clearance.
7. The State Government shall furnish a report to the Regional Office under what circumstances the proposed land was allotted to the User agency by Deputy Commissioner, Kodagu District.
8. The State Government shall issue suitable directions to Revenue Authorities not to sanction the Government lands for non-forestry purposes without obtaining No Objection Certificate from the Forest Department.
9. The total forest area utilized for the project shall not exceed 0.994 ha.
10. Any other condition that the Addl. P.C.C.F. (Central), Regional Office, Bangalore may impose from time to time for protection, improvement of flora and fauna in the forest area and public convenience, shall also be applicable.
11. Violation of any of the conditions shall invite penal action, as deemed fit by the Additional Principal Chief Conservator of Forests (Central), Regional Office, Bangalore.

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 faithfully,


(M.K. Shambhu) 13/07/18

Conservator of Forests (Central)

Copy to:-

1. The Director General of Forests & Special Secretary to Govt. of India, Ministry of Environment, Forests and Climate Change, Indira Paryavaran Bhavan, Agni Wing, Aliganj, Jor Bagh Road, New Delhi - 110 003.
2. The Principal Chief Conservator of Forests (HoFF), Forests Department, Govt. of Karnataka, Aranya Bhavan, 18th Cross, Malleswaram, Bangalore - 560 003.
3. The Additional Principal Chief Conservator of Forests/Nodal Officer (FCA), Office of the Principal Chief Conservator of Forests, Forests Department, Govt. of Karnataka, Aranya Bhavan, 18th Cross, Malleswaram, Bangalore - 560 003.
4. M/s. Kodagu Hydel Projects Pvt Ltd, No. S-5, 2nd Floor, Red Cross Bhavan, No. 26, Race Course Road, Bangalore -560 001. (Karnataka).
5. Guard file.



(M.K. Shambhu)
Conservator of Forests (Central)

g/c 8/13/7/2018