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F. No. 6-1/2002 WL-I
GOVERNMENT OF INDIA
MINISTRY OF ENVIRONMENT & FORESTS

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DATED : 18 AUGUST 2002.

To
The Chief Wild Life Warden,
Government of Karnataka,
Bangalore.

Sub: Diversion of forest land for non forestry purposes.
Ref: Letter of Chief Wild Life Warden No.DMN/WL/Rationalisation/2001-02
dated 19.1.2002 for:

- (i) Diversion of 89.94 ha forest land from Bhadra sanctuary for lease to the Kuvempu University.
(ii) Diversion of 49.26 ha of forest land from Shettihalli sanctuary.
(iii) Diversion of 188.40 ha from Bandipur national Park.
(iv) Diversion of 31.25 from Bhadra Wild Life Sanctuary for mining lease.
(v) Diversion of 16.07 ha from Bhadra sanctuary for irrigation project.

Seen - it is a good name
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Sir,

This has a reference to the above mentioned diversion proposals. The proposals were placed before the Standing Committee of IBWL held on 12.7.2002 under the Chairmanship of the Union Minister of Environment & Forests.

Regarding the diversion of 89.94 ha of forest land from Bhadra Sanctuary for lease to the Kuvempu University, the Committee took the following decision " The proposal for diversion of leased sanctuary land to the Kuvempu University was recommended as the university had already set up infrastructure facilities during the last 20 years i.e. the period of lease from 17.12.1978 to 20.2.1999. The Committee recommended the renewal of lease. The state Government may take further action to exclude the area from the sanctuary. While granting lease to the University, the following conditions shall, inter alia, be imposed :

- (i) The university should start MSc. Course in Wild Life Sciences
(ii) University should organise capsule courses on the use of information technology for wild life management.

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- (iii) The University should refrain from using chemical fertilizers, pesticides in its lawns, horticulture gardens and agriculture field.
- (iv) The State Government will compensate for reduction of the area of the sanctuary by adding 339 ha. of contiguous forest land to the sanctuary expeditiously in a period of 90 days.*

(2) Regarding diversion of 49.26 ha from Shettihalli sanctuary, the Committee took the following decision:

* The proposal involves submergence of 27 ha of sanctuary land due to construction of the dam and another 22.26 ha for the construction of the canal. The inspection committee noted that the State Government has already started the construction of the dam without waiting for the clearance from the Central Government. The action of the project authorities is in violation of the guidelines under the Forest (Conservation) Act, 1980. However, in view of the fact that the Upper Thunga project would provide irrigation to 86,000 ha in the drought prone area of Dharward District, the Committee recommended for the diversion of 49.26 ha. of sanctuary land from the Shettihalli Wild Life Sanctuary subject to the following conditions:

- (i) The Project Authorities will deposit at least 15 crores, within a period of one month of the sanction, for a revolving fund to be set up for the management of Bhadra sanctuary & Shettihalli sanctuary. A fool proof mechanism to receive and utilize the money shall be finalized by the State Government in consultation with MoEF.
- (ii) The State Government will add an area of 3 sq kms (300 ha) to the Shettihalli Sanctuary. In case it is not possible to add the area to this sanctuary, then an equivalent area would be added to Bhadra Sanctuary within 90 days of the Sanction.
- (iii) Compensatory Afforestation as may be stipulated by the Forest Advisory Committee in an area not less than 550 ha. to be taken up.
- (iv) Responsibility for initiating the work in non forest area in violation of the guidelines issued under Forest Conservation Act, 1980 be fixed.
- (v) The reservoir will be part of the Shettihalli sanctuary and no fishing or any other commercial activity will be allowed.*

3. Regarding diversion of 188.40 ha forest land from Bandipur National Park, the Committee took the following decision:

* The decision on diversion of 188.40 ha sanctuary land from the Bandipur National Park was postponed. It was decided to obtain legal opinion on the status of the land proposed for rehabilitation of the forest in the National Park.

4. Regarding diversion of 31.25 ha forest land from Bhadra Sanctuary the Committee took the following decision:

The proposal for diversion of 31.25 ha from Bhadra sanctuary for mining was reversed by the Committee as mining was being carried out within a few meters

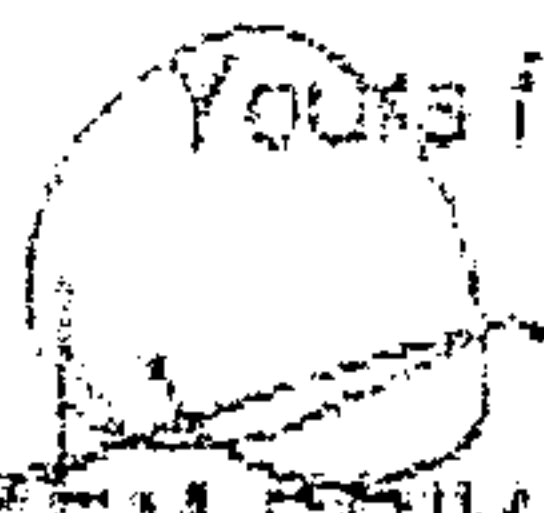
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from the boundary of the sanctuary. The project proponent has been violating Ministry's conditions since 1995 and all work must be immediately stopped."

5 Regarding the proposal for diversion of 16.07 ha area from Bhadra sanctuary, the Committee took the following decision:

"The proposal was for diversion of 16.07 ha area from Bhadra sanctuary for construction of Hodirayanahalla canal by the Neeravadi Nigam (Karnataka Irrigation Corporation) for irrigation purposes. The proposal was rejected as implementation of the project would cause significant damage to the ecology and integrity of the sanctuary."

Yours faithfully,



(ASEEM SRIVASTAV)
DEPUTY INSPECTOR GENERAL(WL)