

I/535932/2024

ಕರ್ನಾಟಕ ಸರ್ಕಾರ

GOVERNMENT OF KARNATAKA

ಪ್ರಧಾನ ಮುಖ್ಯ ಅರಣ್ಯ ಸಂರಕ್ಷಣಾಧಿಕಾರಿ
(ಅರಣ್ಯ ಪಡೆ ಮುಖ್ಯಸ್ಥರು) ರವರ ಕಛೇರಿ

Office of
Principal Chief Conservator of Forests
(Head of Forest Force)



ಅರಣ್ಯ ಭವನ, 18 ನೇ ಅಡ್ಡರಸ್ತೆ
ಮಲ್ಲೇಶ್ವರಂ, ಬೆಂಗಳೂರು-560 003.
Aranya Bhavan, 18th Cross,
Malleshwaram, Bengaluru-560 003
Telephone : 080 2334 6472
Email : apccffc@gmail.com

Old File No. A5(2).GFL.CR-16/2015-16
E-office File No. KFD/HOFF/A5-2(GFL)/104/2019-FC

E-81379
Date 05-01-2024

To

The Additional Chief Secretary to Government
Forests, Ecology & Environment Department
M.S. Building, Bengaluru-560 001

Sir

Sub: Diversion of 0.1054 ha. (Submitted by user agency for 0.03 ha) of forest land in Bantwal Taluk, DakshinaKannada District to provide safe drinking water to 80 habitations which caters to around 3800 SC & ST population among others in favour of the Executive Engineer, Rural Drinking water Supply and Sanitation Department, Mangaluru-reg.

Proposal No.FP/KA/Water/15630/2015 [Stage-I approved]

- Ref:**
1. Government of Karnataka, letter No.FEE 87 FLL 2016 dated 04-11-2016[Stage-I approval]
 2. This office letter of even number dated 19-11-2016[communication of Stage-I approval to User Agency and the Field officers] and 10-03-2022, 09-08-2023 [seeking complete compliance report]
 3. Deputy Conservator of Forests, Mangaluru Division letter No LANDCR/186/FC/Drinking water/2015-16 dated 01-09-2023 [Compliance Report in respect of conditions of Stage-I approval]
 4. Chief Conservator of Forests Mangaluru Circle letter No A3/Drinking Water/CR-96/2015-16 dated 07-09-2023[Compliance Report in respect of conditions of Stage-I approval]

With reference to the above subject, the Government of Karnataka vide Ref (1) has accorded 'in-principle' (Stage-I approval) under Section 2 of Forest (Conservation) Act, 1980 subject to certain conditions stipulated therein.

Accordingly, this office vide Ref (2) has communicated the stage-I approval to Field Officers and User Agency and directed them to submit the Compliance Report in respect of the conditions of Stage-I approval.

In response, the Deputy Conservator of Forests, Mangaluru Division vide Ref (3) has submitted the condition-wise Compliance Report to the Chief Conservator of Forests, Mangaluru Circle and who has, in turn vide Ref (4) has submitted it to this office.

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Based on the reports received as above, the status of compliance to the conditions of Stage-I approval is as under.

Condition of Stage-I dated 04-11-2016	Status of compliance
1. The Legal status of forest land shall remain unchanged i.e. shall remain Reserved / Protected / Village / Unclassed / Other types of Forests / forest as the case may be.	The legal status of forest land remains unchanged and it will be monitored by the Forest Department in future.
2. The lessee shall pay lease rent as fixed by the Government from time to time.	The User Agency has agreed and submitted an Undertaking in this regard ANNEXURE-I
3. The lease tenure is for a period of 20 (Twenty) Years.	The User Agency has agreed and submitted an Undertaking in this regard ANNEXURE-I
4. The leased out area shall be used for the purpose for which it is granted. In case the land is not used for the stipulated purpose within one year or used for the purpose not stipulated or when it is no longer needed for the stipulated purpose, the area shall be forfeited to the Forest Department under section 82 of Karnataka Forest Act, 1963. The concerned Chief Conservator of Forests / Deputy Conservator of Forests is authorised to take necessary action in this regard.	The User Agency has agreed and submitted an Undertaking in this regard ANNEXURE-I
5. In case of any violations of stipulations / agreed conditions reported during the lease period, the lease shall be liable for forfeiture under Section 82 of Karnataka Forest Act, 1963.	The User Agency has agreed and submitted an Undertaking in this regard ANNEXURE-I
6. No residential building shall be permitted in the proposed forest area.	The User Agency has agreed and submitted an Undertaking in this regard ANNEXURE-I
7. The Karnataka Forest Act, 1963 and Rules, 1969 and other relevant Acts & Rules will be applicable for any violation.	The User Agency has agreed and submitted an Undertaking in this regard ANNEXURE-I
8. The leased-out area shall be demarcated on ground by fixing RCC pillars at an interval of 20.00 Mtrs and the Boundary shall be fenced with chain link mesh at the cost of the User Agency.	The User Agency has demarcated the diverted forest land by erecting cement concrete pillars duly numbered all along the periphery. Photographs of the Pillars erected at the common boundary are enclosed

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		as [ANNEXURE -II]
9	The User Agency has to pay the Net Present Value (NPV) of forest land diverted under this proposal as per orders dated 28-3-2008 and 09-5-2008 of the Hon'ble Supreme Court of India.	<p>The User Agency has deposited Net Present Value of Rs. 1,09,932/-lakhs per ha through NEFT 344902010105421 on 04-03-2017 to Karnataka Campa Union Bank of India, Sundar Nagar New Delhi.</p> <p>The User Agency has deposited Net Present Value of Rs. 58,264/- towards NPV to CAMPA Account through FC web portal on 27-02-2023.</p> <p>Copy of the Payment Page taken by Parivesh web portal and Bank challan enclosed as [ANNEXURE-III and III A].</p>
10	The User Agency shall be responsible for any loss to the flora / fauna in the surrounding and therefore, shall take all possible measures to conserve the same.	The User Agency has agreed and submitted an Undertaking in this regard ANNEXURE-I
11	No labour camp shall be established on the forest land.	The User Agency has agreed and submitted an Undertaking in this regard ANNEXURE-I
12	Any damage to forest area due to such works shall be compensated by the user agency. The extent of damage shall be assessed by the concerned Deputy Conservator of Forests.	The User Agency has agreed and submitted an Undertaking in this regard ANNEXURE-I
13	The lessee shall not sub lease, mortgage and hypothecate the Forest area.	The User Agency has agreed and submitted an Undertaking in this regard ANNEXURE-I
14	The User Agency shall abide by all the conditions imposed upon by the Government of India, the Government of Karnataka and the Principal Chief Conservator of Forests (Head of Forest Force).	The User Agency has agreed and submitted an Undertaking in this regard ANNEXURE-I
15	The user agency shall submit certificate in Form -1 issued by the Deputy Commissioner D.K District as per guidelines issued by Ministry of Environment and Forest, New Delhi vide letter No. 11-9/1198-FC)Pt) dated 03-8-2009/5-7-2013.	The User Agency has submitted the requisite Certificate in FORM-I (linear projects) issued by the Deputy Commissioner Mangaluru, vide No LND(2)CR/64/2019(E-84528) dated 17-04-2021 enclosed as ANNEXURE-IV

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<u>Additional Compliance Report</u>		
1.	The forest land to be diverted for above mentioned specified activities should be less than one hectare in each case.	The User Agency has agreed and submitted an Undertaking in this regard ANNEXURE-I
2	The clearance of such development projects shall be subject to the condition that the same is need based.	The User Agency has agreed and submitted an Undertaking in this regard ANNEXURE-I
3	The User Agency shall submit the project proposal to the State / UT Government in the prescribed i.e., Form-A as provided in Rules-6 of the Forest (Conservation) Rules, 2003.	The user agency has Complied the condition.
4	The project should not – involve felling of more than fifty trees per hectare. Corresponding permissible limit of maximum number of trees to be felled for the forest area diverted, shall be in proportion to the extent of the diverted area.	There are no trees to be felled for this project.
5	The project site should be outside National Parks or Wildlife Sanctuaries or Protected areas.	Water Supply project is more than 50.00 km away from the National Park.
6	The concerned Divisional Forest Officers shall assess the bare minimum requirement of the forest land for the project, which shall not exceed one hectare in each case and will also certify to this effect.	The DCF, Mangaluru Division will monitor & take necessary action in this regard.
7	The user agency will seek permission for diversion of forest land duly recommended by Principal Chief Conservator of Forests, from the State / UT Government.	The user agency has Complied with the condition.
8	The Nodal Officer (Forest Conservation) shall submit Monthly report to the concerned office by 5 th every month regularly regarding approval of such cases. In the event of failure, the exercise of power by the State / UT Government to grant such permission may be suspended by the Central Government for a specified period of time or till the information is submitted.	Agreed to comply.

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9	The User Agency shall plant and maintain two times the number of trees felled.	There are no trees to be felled for this project.
10	In case of roads, this general approval shall be applicable only if the requirement of forest land for construction / widening of the entire stretch of the road is not more than one hectare. Additional diversion of forest land for extension / strengthening of such roads shall not be permitted within next five years.	Not applicable
11	The permission granted by the State Government shall be subject to the monitoring by the concerned Regional Office of the Ministry of Environment and Forest.	The User Agency has agreed and submitted an Undertaking in this regard ANNEXURE-I
12	The forest land shall not be used for any purpose other than that specified in the proposal. Any change in the land use without prior permission of the Central Government shall amount to the violation of Forest (Conservation) Act, 1980 Request of such changes shall be made to the Regional Office by the Nodal Officer (Forest Conservation) of the State / UT	The User Agency has agreed and submitted an Undertaking in this regard ANNEXURE-I
13	Entire process for settlement of rights in accordance with the provisions of the Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 shall be completed before grant of approval for diversion of such forest land.	The User Agency has submitted the requisite Certificate in FORM-I (linear projects) issued by the Deputy Commissioner Mangaluru, vide No LND(2)CR/64/2019(E-84528) dated 17-04-2021 enclosed as ANNEXURE-IV
14	Except for linear project, consent of gram sabha shall be obtained for diversion of the forest land.	The User Agency has agreed and submitted an Undertaking in this regard ANNEXURE-I
15	Project shall not affect recognized rights of the primitive tribal communities and pre-agricultural communities and	The User Agency has agreed and submitted an Undertaking in this regard ANNEXURE-I
16	The State Forest Department / State Government or the concerned Regional Office may impose from time to time condition in the interest of conservation, protection and / or	The User Agency has agreed and submitted an Undertaking in this regard ANNEXURE-I

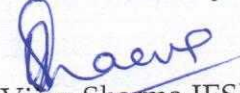
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development of forests.

In view of the above-mentioned compliance to conditions of Stage-I approval as reported by the field officers, **it is requested to accord final approval (Stage-II) under the Forest (Conservation) Act, 1980 for diversion of 0.1054 ha. (Submitted by user agency for 0.03 ha) of forest land in Bantwal Taluk, Dakshina Kannada District to provide safe drinking water to 80 habitations which caters to around 3800 SC & ST population among others in favour of the Executive Engineer, Rural Drinking water Supply and Sanitation Department, Mangaluru for a period of twenty(20) years.**

The relevant documents in 3 sets are submitted here with for kind perusal and further action. The present status of the proposal obtained from the web-portal is also appended for necessary action.

Yours Faithfully



(Vijay Sharma IFS)

Principal Chief Conservator of Forests
(Forest Conservation) and Nodal Officer (FCA)

Copy to the:

1. Chief Conservator of Forests, Mangaluru Circle, Mangaluru for information.
2. Deputy Conservator of Forests, Mangaluru Division, Mangaluru for information.
3. Assistant Executive Engineer, Rural Drinking Water Supply and Sanitation Department, Zilla Panchayat Building, Bantwal Taluk, Mangaluru, Dakshina Kannada District 575 006 for information and necessary action.



S.T.D: 0824

Office : 2456088

e-Mail : ccfmng@yahoo.com

Karnataka Forest Department

Office of the Conservator of Forests, Mangaluru Circle, "Aranya Bhavana" Alape
Padil, Mangaluru-7

No: A3/Drinking Water/CR-96/2015-16

07.09.2023

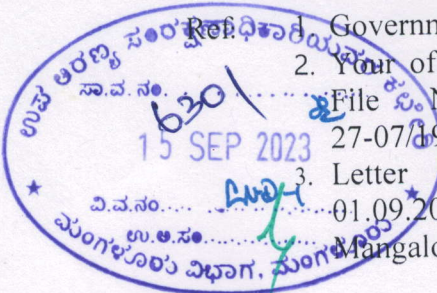
Proposal No: FP/KA/WATER/15630/2015

To,

The Principal Chief Conservator of Forests
(Forest Conservation),
Aranya Bhavan,
18th Cross, Malleswaram,
Bangalore - 560 003.

Sir,

Sub: Diversion of 0.1054 ha. (Submitted by User Agency for 0.03 ha) of forest land
in Bantwal Taluk to provide safe drinking water to 79 habitations which caters
to around 3800 SC & ST population among others in favour of the Executive
Engineer, Rural Drinking Water Supply and Sanitation Department Mangaluru-
reg. - **Compliance Report.**



- Ref: 1. Government of Karnataka order No : FEE 87 FLL 2016, dated 04-11-2016.
2. Your office Letter No. Old File No. A5(2)/GFL/CR-16/2015-16 E-office
File No. KFD/HOFF/A5-2(GFL)/104/2019-FC E-81379 Dated:
27-07/19.08.2023
3. Letter No: LAND CR-186/FC/Drinking Water/2015-16/2837 Date:
01.09.2023 of the Deputy Conservator of Forest, Mangalore Division,
Mangalore.

With reference to the above subject, it was directed to submit the Additional Information
of Compliance report Vide reference (2). Accordingly, the Deputy Conservator of Forests,
Mangalore Division, Mangalore has submitted the compliance report in 4 sets vide reference (3)
to this office.

Hence, the compliance report received from the Deputy Conservator of Forests,
Mangalore Division, Mangalore is herewith submitted along with connected records with a
request to move the matter with the Government for further needful action.

Yours faithfully,

[Signature]
Conservator of Forests,
Mangaluru Circle, Mangaluru.

Copy to the Deputy Conservator of Forests, Mangalore Davison, Mangalore for
information.



TELEPHONE NO:0824 - 2423913
0824 - 2411242
Email:dcf_mngt@yahoo.co.in
dcfmng@aranya.gov.in

Office of Deputy Conservator of Forests Mangaluru Division Mangaluru, P.W.D Building, Near Nehru Maidan , Mangaluru -575001.

No. LAND CR: 186/FC/ Drinking water /2015-16

Date: 01-09-2023

Proposal No. FP/KA/WATER/15630/2015

To,

The Conservator of Forests,
Mangaluru Circle,
Mangaluru.

Sir,

Sub : Diversion of 0.1054 ha. (Submitted by User Agency for 0.03 ha.) of forest land in Bantwal Taluk to provide safe drinking water to 79 habitations which caters to around 3800 SC & ST population among others in favour of the Executive Engineer, Rural Drinking water Supply and Sanitation Department, Mangaluru - reg. - **Compliance Report.**

- Ref 1. Government of Karnataka order No : FEE 87 FLL 2016, dated: 04-11-2016.
2. Letter No: A5(2): GFL: CR: 16 :2015-16, Dated: 03/04-05-2018, E-office File No. KFD/ HoFF/A5-2(GFL)/104/2019/FC, E-81379, dated: 16-3-2022, & **27-07/19-08-2023** of the Principal Chief Conservator of Forests (Forest Conservation), Nodal Officer & Bangalore.
3. Your office Letter No. A3/ drinking water/CR-96/2015-16, Dated:23-09-2021, 09-03-2022, 19-04-2023.
4. This Office even letter No. dated:19-01/07-02-2017, 29-05-2018, 12-03-2019, 14-03-2019, 19-09-2019, 29-06-2020, 06-10-2020, 02-09-2021, 24-02-2022, 30-04-2022, 24-06-2022, 22-09-2022, 05-04-2023 & 14-07-2023
5. letter No. Sa.Ka. E/Gra.ku.ni & Nai/U.V/Bam/Karopady.Aranya/ 2022-23/726 Dated:23-05-2018, 13-06-2018, 30-10-2018, 27-10-2018, 20-12-2018, 03-08-2019, 14-08-2019, 18-07-2021, 27-12-2021, 30-05-2022, 20-04-2023 & **01-09-2023** of Assistant Executive Engineer, Panchayath Raj Engineering Sub-Division, Bantwal.

With reference to the above subject, it is to submit that the Government of Karnataka in accordance with the general approval given by Government of India under

the Forest (Conservation) Act 1980 has accorded approval for diversion of 0.03 ha. of forest land with certain conditions mentioned in the letter cited under reference (1) & (2). Hence, I submit the compliance report here under for taking further action in the matter.

Sl.No.	Conditions	Compliance
1.	The Legal status of forest land shall remain unchanged i.e. shall remain Reserved / Protected / Village / Unclassed / Other types of Forests / forest as the case may be.	The legal status of the land will remain as "Forest land".
2	The lessee shall pay lease rent as fixed by the Government from time to time.	The User Agency has agreed to comply. Undertaking is Enclosed.
3	The lease tenure is for a period of 20 (Twenty) Years.	The User Agency has agreed to comply. Undertaking is Enclosed.
4	The leased out area shall be used for the purpose for which it is granted. In case the land is not used for the stipulated purpose within one year or used for the purpose not stipulated or when it is no longer needed for the stipulated purpose, the area shall be forfeited to the Forest Department under section 82 of Karnataka Forest Act, 1963. The concerned Chief Conservator of Forests / Deputy Conservator of Forests is authorised to take necessary action in this regard.	The User Agency has agreed to comply. Undertaking is Enclosed.
5	In case of any violations of stipulations / agreed conditions reported during the lease period, the lease shall be liable for forfeiture under Section 82 of Karnataka Forest Act, 1963.	The User Agency has agreed to comply. Undertaking is Enclosed.
6	No residential building shall be permitted in the proposed forest area.	The User Agency has agreed to comply. Undertaking is Enclosed.
7	The Karnataka Forest Act, 1963 and Rules, 1969 and other relevant Acts & Rules will be applicable for any violation.	The User Agency has agreed to comply. The User Agency has agreed to comply.
8	The leased out area shall be demarcated on ground by fixing RCC pillars at an interval of 20.00 Mtrs and the Boundary shall be fenced with chain link mesh at the cost of the User Agency.	Complied. Photo copies enclosed.

9	The User Agency has to pay the Net Present Value (NPV) of forest land diverted under this proposal as per orders dated 28-3-2008 and 09-5-2008 of the Hon'ble Supreme Court of India.	The User Agency has paid Rs.1,09,932/- through NEFT P17030422872480 Dated:04-03-2017 towards NPV value to Karnataka Campa Union Bank of India Sundar Nagar New Delhi. And Addl. Difference Amount Rs.58,264/- by through NEFT 5315630489 Dated: 17-02-2023 towards NPV value to Karnataka Campa Union Bank of India. Copy Enclosed.
10	The User Agency shall be responsible for any loss to the flora / fauna in the surrounding and therefore, shall take all possible measures to conserve the same.	The User Agency has agreed to comply. Undertaking is Enclosed
11	No labour camp shall be established on the forest land.	The User Agency has agreed to comply. Undertaking is Enclosed
12	Any damage to forest area due to such works shall be compensated by the user agency. The extent of damage shall be assessed by the concerned Deputy Conservator of Forests.	The User Agency has agreed to comply. Undertaking is Enclosed
13	The lessee shall not sub lease, mortgage and hypothecate the Forest area.	The User Agency has agreed to comply. Undertaking is Enclosed
14	The User Agency shall abide by all the conditions imposed upon by the Government of India, the Government of Karnataka and the Principal Chief Conservator of Forests (Head of Forest Force).	The User Agency has agreed to comply. Undertaking is Enclosed
15	The user agency shall submit certificate in Form -1 issued by the Deputy Commissioner D.K District as per guidelines issued by Ministry of Environment and Forest, New Delhi vide letter No. 11-9/1198-FC(Pt) dated 03-8-2009/5-7-2013.	The User Agency produced certificate in Form-1 issued by the Deputy Commissioner D.K District dated: 17-4-2021.

	<u>Additional Compliance Report</u>	
1.	The forest land to be diverted for above mentioned specified activities should be less than one hectare in each case.	The User Agency has agreed to comply. Undertaking is Enclosed
2	The clearance of such development projects shall be subject to the condition that the same is need based.	The User Agency has agreed to comply. Undertaking is Enclosed

3	The User Agency shall submit the project proposal to the State / UT Government in the prescribed i.e., Form-A as provided in Rules-6 of the Forest (Conservation) Rules, 2003.	Complied
4	The project should not – involve felling of more than fifty trees per hectare. Corresponding permissible limit of maximum number of trees to be felled for the forest area diverted, shall be in proportion to the extent of the diverted area.	No trees felled for this project
5	The project site should be outside National Parks or Wildlife Sanctuaries or Protected areas.	Water Supply project is more than 50.00 km away from National Park.
6	The concerned Divisional Forest Officers shall assess the bare minimum requirement of the forest land for the project, which shall not exceed one hectare in each case and will also certify to this effect.	Agreed
7	The user agency will seek permission for diversion of forest land duly recommended by Principal Chief Conservator of Forests, from the State / UT Government.	Complied
8	The Nodal Officer (Forest Conservation) shall submit Monthly report to the concerned office by 5 th every month regularly regarding approval of such cases. In the event of failure, the exercise of power by the State / UT Government to grant such permission may be suspended by the Central Government for a specified period of time or till the information is submitted.	Agreed
9	The User Agency shall plant and maintain two times the number of trees felled.	Not applicable
10	In case of roads, this general approval shall be applicable only if the requirement of forest land for construction / widening of the entire stretch of the road is not more than one hectare. Additional diversion of forest land for extension / strengthening of such roads shall not be permitted within next five years.	Not applicable
11	The permission granted by the State Government shall be subject to the monitoring by the concerned Regional Office of the Ministry of Environment and Forest.	Agreed

12	The forest land shall be not be used for any purpose other than that specified in the proposal. Any change in the land use without prior permission of the Central Government shall amount to the violation of Forest (Conservation) Act, 1980 Request of such changes shall be made to the Regional Office by the Nodal Officer (Forest Conservation) of the State / UT	The User Agency has agreed to comply. Undertaking is Enclosed
13	Entire process for settlement of rights in accordance with the provisions of the Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 shall be completed before grant pf approval for diversion of such forest land.	The User Agency produced certificate in Form-1 issued by the Deputy Commissioner D.K District dated:17-4-2021.
14	Except for linear project, consent of gram sabha shall be obtained for diversion of the forest land.	The User Agency has agreed to comply. Undertaking is Enclosed
15	Project shall not affect recognized rights of the primitive tribal communities and pre-agricultural communities and	The User Agency has agreed to comply. Undertaking is Enclosed
16	The State Forest Department / State Government or the conserved Regional Office may impose from time to time condition in the interest of conservation, protection and / or development of forests.	The User Agency has agreed to comply. Undertaking is Enclosed

Yours Faithfully,

Deputy Conservator of Forests
Mangaluru Division, Mangaluru

1. Copy to the Assistant Conservator of Forests & Technical Assistant to Deputy Conservator of Forests, Mangaluru division, Mangaluru for information.
2. Copy to the Range Forest Officer, Bantwal Range for information.
3. Copy to the Executive Engineer, Rural Drinking water Supply and Sanitation Department, 2nd Floor, Zilla Panchayath Building, Kottara, Mangaluru - 575 006 for information.
4. Copy to the Assistant Excecutive Engineer, Panchayath Raj Engineering Sub-Division, Bantwal, D.K. District for information.

