



सत्यमेव जयते

भारत सरकार

GOVERNMENT OF INDIA

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय

MINISTRY OF ENVIRONMENT, FORESTS & CLIMATE CHANGE

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**BY SPEED POST**

F.No.4-KRB1221/2020-BAN

Dated the 29<sup>th</sup> January, 2020

1554

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 0.54 ha. of forest land in Sy.No. 263, Alagilavada village, Sy.No. 381, Kadathi village and Sy.No. 202, Teligi village, Harapanahalli Taluk, Davangere District for laying of irrigation pipeline to fill 60 tanks with water drawn from Tungabhadra river in favour of the Executive Engineer, Karnataka Neeravari Nigam Limited (KNNL), Bhadra Canal Division, Davangere.

Sir,

I am directed to refer to the State Government's letter No.FEE 27 FLL 2019 dated 02/01/2020 seeking prior approval of the Central Government under Section'2' of the Forest (Conservation) Act, 1980 for the above project.

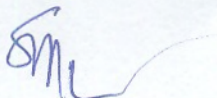
The proposal was examined by the Regional Empowered Committee constituted under sub-rule (1) of rule 4A of the Forest (Conservation) Rules, 2003 in its meeting held on 24/01/2020.

After careful examination of the proposal of the State Government and on the basis of the approval of the Regional Empowered Committee, the Central Government hereby conveys the in-principle approval (**Stage-I**) for the diversion of 0.54 ha. of forest land in Sy.No. 263, Alagilavada village, Sy.No. 381, Kadathi village and Sy.No. 202, Teligi village, Harapanahalli Taluk, Davangere District for laying of irrigation pipeline to fill 60 tanks with water drawn from Tungabhadra river in favour of the Executive Engineer, Karnataka Neeravari Nigam Limited (KNNL), Bhadra Canal Division, Davangere, subject to fulfillment of the following conditions:-

1. The legal status of 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 cost of raising plantation of ten times the number of trees to be felled shall be realised from the user agency. The location of the area identified for raising the plantation shall be furnished for considering Stage-II clearance.

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4. The State Government shall charge the Net Present Value for 0.54 ha. of forest area to be diverted under this proposal 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.
5. 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.
6. All the funds received from the user agency under the project shall be transferred /deposited to CAMPA fund only through (<https://parivesh.nic.in/>).
7. 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 3<sup>rd</sup> August 2009 read with 05.07.2003, in support thereof.
8. Suitable Soil Moisture Conservation Measures shall be taken up on 100 meters on either side of the reserve forest where the pipeline is passing through at the project cost in consultation with State Forest Department.
9. Tank foreshore plantation shall be taken up in all the designated tanks proposed for irrigation at the project cost by the User Agency and water should be provided free of cost for the State Forest Department usage for watering plantations and nurseries etc. if any, in the adjoining area.
10. The layout plan of the proposal shall not be changed without prior approval of Central Government.
11. No labour camp shall be established on the forest land.
12. 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 0.54 ha.
13. 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.
14. 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.
15. The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>).
16. 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.

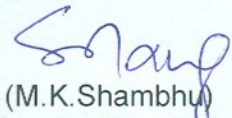


17. Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as per the MoEF&CC Guideline F.No.11-42/2017-FC dated 29/01/2018.

18. The State Government and user agency shall comply the provisions of the all 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. The forest land shall not be transferred to the User Agency prior to the issue of final approval.

Yours faithfully,

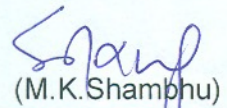


(M.K. Shambhu)

Deputy Inspector General of Forests (Central)

Copy to:-

1. The Principal Chief Conservator of Forests (HoFF), Forests Department, Govt. of Karnataka, Aranya Bhavan, 18<sup>th</sup> Cross, Malleswaram, Bangalore – 560 003.
2. 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, 18<sup>th</sup> Cross, Malleswaram, Bangalore – 560 003.
3. The Executive Engineer, Karnataka Neeravari Nigam Limited (KNNL), Bhadra Canal Division, No. 5, Bhadra Canal Office, Hadadi Road, Davangere -577 005.
4. Guard file.



(M.K. Shambhu)

Deputy Inspector General of Forests (Central)

le 29/1/2020