



भारत सरकार
GOVERNMENT OF INDIA
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE
समन्वित क्षेत्रीय कार्यालय
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By Speed Post/E-mail
F. No. 4-KRB1386/2022-BAN
Dated the 5th November, 2024

To

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

Sub: Diversion of 0.9896 ha. of forest land in Kagal village, F.Sy.No.130A, Kumta Taluk, Uttara Kannada District (Honnavar Forest Division) for construction of Asphalted approach road to the proposed Resort (in Patta land) in favour of M/s. Biogen Wellness Pvt Ltd, Beerkodi, Kagal Village, Kumta Taluk, Uttara Kannada District.(**FP/KA/Approach/ 36720/2018**).

I am directed to refer to State Government's letter No.FEE/42/FLL /2023(e) dated 20/09/2024 seeking prior approval of the Central Government under Section'2'(1) of Van (Sanrakshan Evam Samvardhan) Adhiniyam 1980 for above mentioned project.

After careful examination of the proposal of the State Government, in-principle approval /Stage-I clearance of the Central Government is hereby granted under **Section '2' (I) of Van (Sanrakshan Evam Samvardhan) Adhiniyam,1980** for diversion of 0.9896 ha. of forest land in Kagal village, F.Sy.No.130A, Kumta Taluk, Uttara Kannada District (Honnavar Forest Division) for construction of Asphalted approach road to the proposed Resort (in Patta land) in favour of M/s. Biogen Wellness Pvt Ltd, Beerkodi, Kagal Village, Kumta Taluk, Uttara Kannada District subject to the following conditions:

1. The legal status of the diverted forest land shall remain unchanged.
2. The legal rights of any other users of the proposed road shall not be obstructed by the User Agency and the Forest Department shall be the final authority in determining and regulation of usage of the said road. The User Agency shall furnish an undertaking to this effect.
3. The User Agency shall transfer online, the Net Present Value (NPV) of the forest land being diverted under this proposal as per the guideline issued by Ministry vide letter No.5-3/2011-FC (Vol-I) dated 06/01/2022 and **as per the**

provision of Chapter 3 of the consolidated Guidelines and Clarification issued vide MoEF&CC order dated 29.12.2023;

4. At the time of payment of the Net Present Value (NPV) at the then prevailing rate, the User Agency shall furnish an undertaking to pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India
5. The User Agency shall transfer the cost of raising and maintaining the Compensatory Afforestation at the current wage rate in consultation with State Forest Department in the designated CAMPA account of the concerned State through online portal as per approved CA scheme. A copy of the CA scheme shall be submitted along with Compliance report.
6. The equal extent of non forest land identified Sy.133 of Kagal Village, Kumata Taluk, Uttara Kannada District for the purpose of raising Compensatory Afforestation shall be transferred and mutated in favour of forest department before Stage II approval. The State Government shall notify such mutated area as RF/PF under relevant Act / Rules.
7. Compensatory Afforestation shall be raised over an equal extent of non forest land identified in Sy. No. 133, of Kagal Village, Kumata Taluk Uttara Kannada District **within two years from the date of Stage –II Clearance** and maintained thereafter by the State Forest Department at the cost of the User Agency. The CA will be maintained for 10 years.
8. All the funds received from the user agency under the project shall be transferred/ deposited to CAMPA fund only through **e-portal** (<https://parivesh.nic.in/>);
9. The KML file of the forest area to be diverted and CA area shall be uploaded on the e-green watch portal with all requisite details and same shall be submitted along with GPS id.
10. The boundary of the diverted forest land shall be suitably demarcated on ground at the project cost as per the directions of concerned Divisional Forest Officer.
11. 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.
12. No labour camp shall be established on the forest land by the State Government.
13. No additional or new paths will be constructed inside the forest area for transportation of construction materials for execution of the project work.
14. The total forest area utilized for the project shall not exceed **0.9896ha** and the forest area to be diverted shall not be used for any purpose other than those shown in the diversion proposal. **The User Agency shall furnish an undertaking to this effect.**
15. The forest land proposed to be diverted shall under no circumstances be transferred to any other agency, department, or person without prior approval of the Central Government.
16. No damage to the flora and fauna of the adjoining area shall be caused.
17. The layout plan of the proposal shall not be changed without the prior approval of the Central Government.
18. The concerned Divisional Forest Officer, will monitor and take necessary

mitigative measures to ensure that there is no adverse impact on the forest in the surrounding area.

19. The User Agency shall submit the annual self-compliance report in respect of the above stated conditions to the State Government and Regional Office, Bangalore by the end of March every year.
20. The user agency shall comply with all the provisions of all Acts, Rules, Regulations, Guidelines, Hon'ble Court Order (s) and NGT Order (s) pertaining to this project, if any, for the time being in force, as applicable to the project.
21. The State Govt. shall ensure that the complete compliance of FRA 2006 as per the rule 11 (7) of Van (Sanrakshan Evam Samvardhan) Rules 2023
22. Any other condition that the Regional Office, Bengaluru may stipulate from time to time in the interest of conservation, protection and development of Forest and Wildlife.
23. Violation of any of these conditions will amount s to violation of Van (Sanrakshan Evam Samvardhan) Adhinyam, 1980 and action would be taken as prescribed under the Act, Rules and Guidelines relevant.

After receipt of compliance report on fulfilment of the conditions mentioned above, the proposal shall be considered for final approval under Section-2 (1) of the Van (Sanrakshan Evam Samvardhan) Adhinyam 1980. Transfer of forest land shall not be effected till final approval is granted by the Central Government in this regard.

Further, it may also be noted that this in-principle approval shall be valid for a period of 2 years from the date of issue of this letter. In the event of non-compliance of the above conditions within 2 years, the in-principle approval shall be deemed to be null and void.

Yours faithfully,

Signed by Mahesh Kumar
(M.K. Shambhu)

Dy. Inspector General of Forests (G-2024) 12:57:52

Copy to:

1. The Chief Executive Officer, National Authority (CAMPA), 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 Inspector General of Forests (ROHQ), Govt. of India, Ministry of Environment, Forests and Climate Change, Indira Paryavaran Bhavan, Agni Wing, Aliganj, Jor Bagh Road, New Delhi – 110 003
3. The Principal Chief Conservator of Forests & HoFF, Forests Department, Govt. of Karnataka, Aranya Bhavan, 18 th Cross, Malleswaram, Bangalore – 560 003.
4. The Principal Chief Conservator of Forests/Nodal Officer (VSESA), Office of the Principal Chief Conservator of Forests, Forests Department, Govt. of Karnataka, Aranya Bhavan, 18 th Cross, Malleswaram, Bangalore – 560 003.
5. M/s Biogen Wellness Private Ltd, #435 Beer Kodi, Kagal, Uttara Kannada District.