



GOVERNMENT OF KARNATAKA

R.P.A.D

No. FEE 05 FLL 2023 (e)

Karnataka Government Secretariat
Multistoried Buildings,
Bengaluru, Date:-07-03-2023

From:

The Additional Chief Secretary to Government,
Forest, Ecology and Environment Department,
Bengaluru-560001.

To:

The Principal Chief Conservator of Forests (HoFF),
Aranya Bhavan, Malleshwaram,
Bengaluru-560003.

Sir,

Sub: Diversion of 1.13136 Ha (revised from 1.53939 ha) of forest land in Karwar, Uttara Kannada District (Karwar Forest Division) for laying of OFC within the existing RoW in favour of JIO Digital Fiber Private Limited, Bengaluru.

Proposal No.FP/KA/OFC/142721/2021

Ref: Your office letter No. KFD/HOFF/A52K(GFL)/19/2021-FC,
Dated:31.12-2022.

With reference to the above subject I am directed to refer to your office letter vide referred at above seeking *in-principle approval (Stage-I)* of the State Government under Section 2 of the Forest (Conservation) Act, 1980 for the above cited project.

The State Government hereby conveys *in-principle approval (Stage-I)* under section 2 of the Forest (Conservation) Act, 1980 for the diversion of 1.13136 Ha (revised from 1.53939 ha) of forest land in Karwar, Uttara Kannada District (Karwar Forest Division) for laying of OFC within the existing RoW in favour of JIO Digital Fiber Private Limited, Bengaluru. subject to fulfilment of the following conditions:

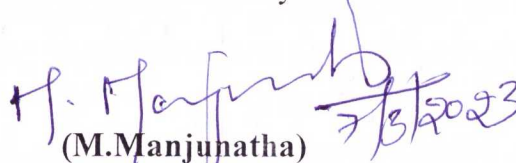
1. Legal status of forest land shall remain unchanged and it shall continue to be the forest land and the area of diverted forest land shall not exceed 1.13136 hectare.
2. The User Agency shall pay applicable Net Present Value (NPV), Compensatory Afforestation (CA) charges, cost of extraction of trees (if required in future), land lease rent and any other levies as per the conditions of approval.
3. The User Agency shall demarcate the lease area in the manner specified at the time of approval at its own cost.

4. The lessee shall provide signages in appropriate dimension and nature along the Optical Fibre Cable within forest limits for Sensitization of general public towards the forest, wildlife and environmental issues in consultation with the jurisdictional Deputy Conservator of Forests.
5. The lessee shall not sub-lease, mortgage & hypothecate the forest area.
6. The leased-out area should be used for the purpose for which it is granted. In case, the land is not used for the stipulated purpose within two years or when it is no longer needed for the stipulated purpose, the area would stand resumed to the Forest Department.
7. The application for renewal of the lease in the prescribed form and manner shall be submitted at least six months prior to the expiry of forest lease. In case, no renewal is sought, the Lessee shall hand over the lease.
8. No residential or commercial buildings shall be permitted in the forest area proposed for diversion.
9. No crushing / breaking of stones or labour camp shall be allowed inside forest area and all waste / debris generated shall be scientifically disposed off outside the forest area.
10. Any damage to forest area because of implementation of the project shall be compensated by the Lessee. The extent of damage shall be assessed by the jurisdictional Chief/Conservator/ Deputy Conservator of Forests.
11. The Lessee shall ensure that no avoidable harm is caused to the fauna and flora in and around the proposed area.
12. No change in Land Use Plan on forest land shall be done except with prior approval of Government of India under FC Act 1980.
13. In case, any violation of the provisions of the Karnataka Forest Act, 1963 & Rules, 1969 or other relevant Acts/Rules is reported during the lease period, the lease will be liable for forfeiture under Section 82 of Karnataka Forest Act, 1963. The Chief/Conservator/ Deputy Conservator of Forests concerned are authorized to take necessary action in this regard.
14. The approval under the Forest (Conservation) Act, 1980 is subject to any other clearances necessary under the prevailing statutes.
15. The User Agency shall also abide by other conditions those may be imposed by the Government of India, Government of Karnataka and Forest Department before or after the approval.
16. The project proposal passes through wildlife areas. Hence, wildlife mitigative measures should be undertaken.
17. The User Agency should agree to make good of any loss to the Forest/Environment.

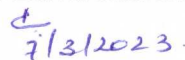
18. The User Agency should seek permission from the Jurisdictional Chief/Conservator of Forests or Deputy Conservator of Forests for carrying out any maintenance.
19. Additional amount of the NPV of the diverted forest land if any, becoming due after finalization of court case, shall be charged by the Forest Department from the User Agency. The User Agency shall furnish an undertaking same by the Hon'ble Supreme Court of India on receipt of the report of the expert committee to this effect.
20. All the funds received from the User Agency under the project shall be transferred/ deposited to CAMPA fund only through e-portal.
21. The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned Deputy Commissioner.
22. User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable.
23. The layout plan of the proposal shall not be changed without prior approval of Central Government.
24. No labour camp shall be established on the forest land.
25. Sufficient firewood, preferably the alternate fuel, shall be provided by the User Agency to the labourer after purchasing the same from the State Forest Department or the Forest Development Corporation or any other legal source of alternate fuel.
26. The boundary of the diverted forest land shall be suitably demarcated on ground at the project cost, as per the directions of the concerned Deputy Conservator of Forests.
27. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
28. **The period of diversion under this approval shall be 20 years or the project life whichever is less.**
29. The forest land shall not be used for any purpose other than that specified in the project proposal.
30. 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.
31. The User Agency shall pay land lease rent and any other levies as per the conditions of approval.
32. After completion of the project area under Row should be reclaimed suitably.
33. User agency shall agree to make good of any loss to Forest/Environment.

- 34 The User Agency will seek permission from the Forest Department for carrying out any maintenance.
- 35 Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as prescribed in para 1.21 of Chapter 1 of the Handbook of comprehensive guideline of Forest (Conservation) Act, 1980 as issued by this Ministry's letter No. 5-2/2017-FC. dated: 28-03-2019.
- 36 The Forest Department 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.
- 37 Any other conditions that the Ministry of Environment, Forest and Climate Change, State Government and State Forest Department may stipulate from time to time in the interest of conservation, protection and development of forests and wildlife.
- 38 The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>).

Yours faithfully


(M. Manjunatha)

Under Secretary to Government
Forest, Ecology and Environment Department (Forest-C)


7/3/2023.

Copy to: -

1. The Secretary to Government of India, Ministry of Environment, Forest and Climate Change, Government of India Paryavaran Bhavan, Jor Bagh Road, New Delhi-110003
2. The Deputy Director General of Forests (Central), Integrated Regional Office Kendriya Sadan, 4th Floor, E&F Wings, 17th Main, Koramangala.
3. The Principal Chief Conservator of Forests (Wildlife) and Chief Wildlife Warden, Aranya Bhavan, Malleshwaram, Bengaluru-560003.
4. DGM, Jio Digital Fibre Private Limited, Bengaluru.
5. SGF / Spare Copies.