



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-KRB 1115/2017-BAN/ 503
Dated the 11th August, 2017

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 0.153 ha. of forest land in F.Sy.No. 143 of Gotegalli village in Karwar Taluk & Division, Uttara Kannada District for construction of approach road and bridge in favour of the Executive Engineer, Public Works Ports & Inland Water Transport Department, Karwar Division.

Sir,

Please refer to the State Government's letter No.FEE 55 FLL 2017 dated 19.06.2017 seeking prior approval of the Central Government in accordance with Section'2' of Forest (Conservation) Act, 1980 for the above mentioned project.

As per the details given in the proposal, out of 0.153 ha. of forest land proposed for diversion, 0.036 ha. falls in Anshi National Park. The clearance of Standing Committee of National Board of Wildlife (NBWL) in respect of area falling in Anshi National Park is yet to be furnished by State Government/User Agency. The Ministry of Environment, Forests & Climate Change, New Delhi vide letter No.11-327/2015-FC dated 14/08/2015 had issued guidelines for processing of proposals seeking approval for use of forest land in protected areas and eco-sensitive zone of protected areas. As per the said guidelines ".... in case a proposal involves use of forest land both within and outside Protected Area(s), processing of such proposals and grant of approval under the FC Act by the Central Government for diversion of forest land falling outside the PAs will not be linked to recommendation of Standing Committee of NBWL and prior leave of the Hon'ble Supreme Court.....". Therefore, the proposal for diversion of 0.036 ha. of forest land falling in Anshi National Park, can be considered only after clearance from Standing Committee of NBWL.

After careful consideration of the proposal, I am directed to convey Central Government's approval in-principle (**Stage-I**) under Section'2' of Forest (Conservation) Act, 1980 for diversion of **0.117 ha.** of forest land falling outside the Anshi National Parks, for construction of approach road and bridge in favour of the Executive Engineer, Public Works Ports & Inland Water Transport Department, Karwar Division, Uttara Kannada District, for a period of 20 years, subject to the following conditions:-

1. The legal status of forest land shall remain unchanged.
2. The demarcation of the proposed forest area shall be carried out by erecting cement concrete pillars duly numbered at an interval of 20 meters at the cost of User Agency, before Stage-II approval.

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3. State Government shall charge the Net Present Value of the diverted forest land measuring 0.117 ha. from 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.
4. 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 User Agency. User Agency shall furnish an undertaking to this effect.
5. The User Agency shall make online payment of the Net Present Value with Adhoc-CAMPA through e-payment module of Forest Clearance portal-forestclearance.nic.in.
6. Certificates related to ensuring compliance of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 as per MoEF's letter No. 11-9/98- FC (Pt.) dated 5/07/2013 shall be submitted before Stage -II clearance.
7. The total forest area utilized for the project shall not exceed 0.117 ha. The forest land shall be used only for the purpose for which it is diverted.
8. Any other condition that the Additional Principal Chief Conservator of Forests (Central), Regional Office, Bangalore may impose from time to time for protection, improvement of flora and fauna in the forest area and public convenience, shall also be applicable.
9. Violation of any of the conditions shall invite penal action, as deemed fit by the Additional Principal Chief Conservator of Forests (Central), Regional Office, Bangalore.

After receipt of the compliance report on the above conditions, the proposal will be considered for final approval. Transfer of forest land to User Agency shall not be effected prior to the issue of final approval. This in-principle approval shall be valid for a period of 5 years.

Yours faithfully,



(Dr. Avinash M. Kanfode)
Conservator of Forests (Central)

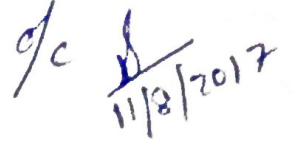
Copy to:-

1. The Director General of Forests & Special Secretary to Govt. of India, Ministry of Environment & Forests, Paryavaran Bhavan, CGO Complex, Lodhi Road, New Delhi – 110 003.
2. The Principal Chief Conservator of Forests, Forests Department, Govt. of Karnataka, Aranya Bhavan, 18th Cross, Malleswaram, Bangalore – 560 003.

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3. 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, 18th Cross, Malleswaram, Bangalore - 560 003.
4. The Executive Engineer, Public Works Ports & Inland Water Transport Department, Karwar Division, Uttara Kannada District, Karnataka.
5. Guard file.


(Dr. Avinash M. Kanfode)
Conservator of Forests (Central)


11/8/2017