

Government of India
Ministry of Environment, Forests and Climate Change
(Forest Conservation Division)

Indira Paryavaran Bhawan,
Aliganj, Jorbagh Road,
New Delhi – 110003

Dated: 15th October, 2019

To,

The Principal Secretary (Forests),
Government of Karnataka,
Bangalore.

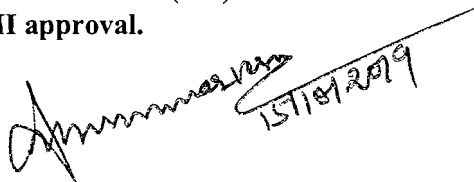
Sub: Proposal for diversion of 19.206 ha. of forest land in Swamimalai Forest Block in Sandur Taluk in Bellari District for establishing downhill pipe conveyor system from Haddinapade Iron Mine (ML No. 2516) to the proposed railway siding at Dharmapura in favour of Sri.B. Rudra Gouda, Sandur, Bellari District as legal representative of Late Sri.B. Kumaragouda in the State of Karnataka.

Sir,

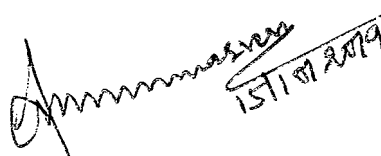
I am directed to refer to the State Government's letter letter No. FEE 53 FFM 2018 dated 01.01.2019 and E-office File No. KFD/HOFF/A5-1(MISC)/10/2018-FC dated 11.07.2019 on the subject mentioned above seeking prior approval of the Central Government under Section-2 of the Forest (Conservation) Act, 1980 and to say that the proposal has been examined by the Forest Advisory Committee constituted by the Central Government under Section-3 of the aforesaid Act.

After careful examination of the proposal of the State Government and on the basis of the recommendations of the Forest Advisory Committee, ***In-principle /Stage-I approval*** of the Central Government is hereby accorded for diversion of 19.206 ha. of forest land in Swamimalai Forest Block in Sandur Taluk in Bellari District for establishing downhill pipe conveyor system from Haddinapade Iron Mine (ML No. 2516) to the proposed railway siding at Dharmapura in favour of Sri.B. Rudra Gouda, Sandur, Bellari District as legal representative of Late Sri.B. Kumaragouda in the State of Karnataka subject to the following conditions:

- i. Legal status of the diverted forest land shall remain unchanged;
- ii. Forest land will be handed over only after required non-forest land for the project is handed over to the user agency;
- iii. Compensatory afforestation over the non-forest land equal in extent to the forest land being diverted shall be raised within a period of three years with effect from the date of issue of Stage-II clearance and maintained thereafter as per approved plan by the State Forest Department at the cost of the user agency;
- iv. **State Government shall furnish the essential information sought by Government of India prior to Stage-II approval.**
- v. **State Govt shall submit the CA Scheme duly approved by the competent authority in the State Govt. and commensurate funds shall be deposited in CAMPA account.**
- vi. **The State Government shall resolve the issue of 2 Gunta (200 M²) area overlap which is common in proposal F. No. 8-114/1992-FC (Vol.) of Karnataka State Mineral Corporation Ltd. and F. No. 8-113/2003-FC (Vol) of Sri B. Rudra Gouda and modify the area accordingly before Stage-II approval.**

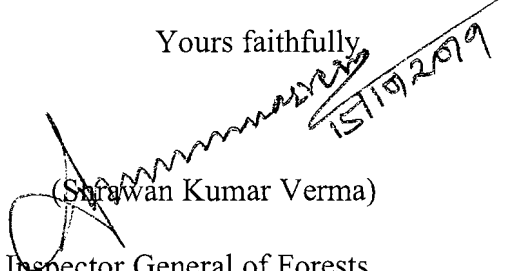

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- vii. The land identified for the purpose of CA shall be clearly depicted on a Survey of India top-sheet of 1:50,000 scale;
- viii. The non-forest land identified for raising compensatory afforestation shall be transferred and mutated in the name of forest department and notified as RF/PF prior to Stage II approval;
- ix. The cost of compensatory afforestation at the prevailing wage rates as per compensatory afforestation scheme and the cost of survey, demarcation and erection of permanent pillars if required on the CA land shall be deposited in advance with the Forest Department by the project authority. The CA shall be maintained for 10 years. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years;
- x. The State Government shall charge the Net Present Value (NPV) for the forest area to be diverted under this proposal from the User Agency as per the orders of the Hon'ble Supreme Court of India dated 30/10/2002, 01/08/2003, 28/03/2008, 24/04/2008 and 09/05/2008 in IA No. 566 in WP (C) No. 202/1995 and as per the guidelines issued by the Ministry vide letters No. 5-1/1998-FC (Pt.II) dated 18/09/2003, as well as letter No. 5-2/2006-FC dated 03/10/2006 and 5-3/2007-FC dated 05/02/2009 in this regard;
- xi. Additional amount of the NPV of the diverted forest land, if any, becoming due after finalization of the same by the Hon'ble Supreme Court of India on receipt of the report from the Expert Committee, shall be charged by the State Government from the User Agency. The User Agency shall furnish an undertaking to this effect;
- xii. User agency shall restrict the felling of trees to minimum number in the diverted forest land and the trees shall be felled under the strict supervision of the State Forest Department and the cost of felling of trees shall be deposited by the User Agency with the State Forest Department;
- xiii. No damage to the flora and fauna of the adjoining area shall be caused;
- xiv. 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/>);
- xv. The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector;
- xvi. User agency shall raise strip plantation on both sides of conveyor belt;
- xvii. User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable;
- xviii. The layout plan of the proposal shall not be changed without prior approval of Central Government;
- xix. No labour camp shall be established on the forest land;
- xx. 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;
- xxi. The boundary of the diverted forest land shall be suitably demarcated on ground at the project cost, as per the directions of the concerned Divisional Forest Officer;
- xxii. 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;
- xxiii. The forest land shall not be used for any purpose other than that specified in the project proposal;
- xxiv. The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without prior approval of Govt. of India;
- xxv. 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 dt 29/01/2018;
- xxvi. Any other condition that the Ministry of Environment, Forests & Climate Change may stipulate from time to time in the interest of conservation, protection and development of forests & wildlife;
- xxvii. The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>).


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After receipt of compliance report on fulfilment of the conditions mentioned above, the proposal shall be considered for final approval under Section-2 of the Forest (Conservation) Act, 1980. Transfer of forest land shall not be affected till final approval is granted by the Central Government in this regard.

Yours faithfully


(Shrawan Kumar Verma)
15/10/2019

Dy. Inspector General of Forests

Copy to:

1. The Principal Chief Conservator of Forests, Government of Karnataka, Bangalore.
2. The Dy. Director General (Central), Regional Office, Bangalore.
3. The Nodal Officer (FCA), O/o PCCF, Forest Department, Government of Karnataka, Bangalore.
4. User Agency
5. Monitoring Cell of FC Division, MoEF & CC, New Delhi.
6. Guard File.