



सत्यमेव जयते

भारत सरकार
GOVERNMENT OF INDIA
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
MINISTRY OF ENVIRONMENT,
FOREST & CLIMATE CHANGE
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BY SPEED POST

F. No.4-KRB 1294/2021-BAN/ 700

Dated the 29th September, 2021

To

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

Subject: Re-diversion of 0.94 ha of forest land in Segegudda Kaval village new Sy.No. 74 (old Sy. No. 48) Salegame Hobli, Hassan Taluk & District (Out of 17.03 ha forest land already leased to M/s Suzlon Energy limited) for Improvement of Road from Seege Veerapur Road to Male Malleshwara Swamy Temple road in favour of the Executive Engineer, Public Works Ports & Inland Water Transport department, Hassan Division, Hassan.

Sir,

I am directed to refer to the State Government's letter No. FEE 39 FLL 2021 (e) dated 24/05/2021 and 18/09/2021 seeking prior approval of the Central Government under Section '2' of the Forest (Conservation) Act, 1980 for the above project.

After careful examination of the proposal of the State Government, in-principle approval /Stage-I clearance of the Central Government is hereby granted for re-diversion of **0.94** ha of forest land in Segegudda Kaval village new Sy.No. 74 (old Sy. No. 48) Salegame Hobli, Hassan Taluk & District (Out of 17.03 ha forest land already leased to M/s Suzlon Energy limited) for Improvement of Road from Seege Veerapur Road to Male Malleshwara Swamy Temple road in favour of the Executive Engineer, Public Works Ports & Inland Water Transport department, Hassan Division, Hassan, subject to the following conditions:-

A: Conditions which need to be complied prior to handing over of forest land by the State Forest Department.

1. The User Agency shall transfer online, the Net Present Value (NPV) of the forest land being diverted under this proposal, as per the orders of the Hon'ble Supreme

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Court of India, dated 28.03.2008, 24.04.2008 and 09.05.2008 in Writ Petition (Civil) No.202/1995 and the guidelines issued by this Ministry vide its letter No. 5-3/2007-FC dated 05.02. 2009. The requisite funds shall be transferred through online portal into CAMPA account of the State Concerned.

2. Plantation preferably two rows on both sides of the road shall be carried out by the Forest Department ~~at the cost of the User Agency.~~
3. All the funds received from the user agency under the project shall be transferred/deposited in CAMPA account only through e-portal (<https://parivesh.nic.in/>). Amount deposited through other mode will not be accepted as compliance of the Stage-I clearance.
4. The KML file of the area diverted and CA area shall be uploaded on the e-green watch portal with all requisite details and same shall be submitted along with compliance report.
5. The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>).
6. The 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 3rd August 2009 read with 05.07.2013 with necessary enclosures, in support thereof.
7. The boundary of the re-diverted forest land shall be suitably demarcated on ground at the project cost, as per the directions of concerned DCF.
8. 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 guidelines of Forest (Conservation) Act, 1980 as issued by this Ministry's letter No. 5-2/2017-FC dated 28.03.2019.

B: Conditions which need to be strictly complied on field after handing over of forest land to the user agency by the State Forest Department but the compliance in form of undertaking shall be submitted prior to Stage-II approval:

1. Legal status of the re-diverted forest land shall remain unchanged.
2. 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.
3. Traffic volume to the temple shall be controlled by the guidelines issued by State Forest Department ensuring the carrying capacity of the area.
4. The period of re-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.
5. No labour camp shall be established on the forest land.
6. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
7. The forest land shall not be used for any purpose other than that specified in the project proposal.
8. The forest land proposed to be re-diverted shall under no circumstances be transferred to any other agency, department or person without prior approval of the Central Government.
9. No damage to the flora and fauna of the adjoining area shall be caused.
10. The layout plan of the proposal shall not be changed without the prior approval of the Central Government.

11. The concerned Divisional Forest Officer, will monitor and take necessary mitigative measures to ensure that there is no adverse impact on the forests in the surrounding area.
12. The User Agency shall submit the annual self-compliance report in respect of the above stated conditions to the State Government and Integrated Regional Office, Bangalore by the end of March every year.
13. The user agency shall comply all the provisions of the 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.

After receipt of compliance report on fulfillment of the conditions mentioned above, the proposal shall be considered for final approval under Section-2 of the Forest (Conservation) Act, 1980. The User Agency shall take up the work as per the Guidelines in force and after ensuring that all necessary clearances for the entire stretch are in place. Working permission, if any issued, shall be intimated to IRO, Bengaluru.

Further, it may also be noted that this in-principle approval shall be valid for a period of 5 years from the date of issue of this letter. In the event of non-compliance of the above conditions, this in-principle approval shall be revoked after 5 years.

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, 18th Cross, Malleswaram, Bangalore – 560 003.
2. The Principal Chief Conservator of Forests (FC) /Nodal Officer (FCA), Office of the Principal Chief Conservator of Forests, Forests Department, Govt. of Karnataka, Aranya Bhavan, 18th Cross, Malleswaram, Bangalore – 560 003.
3. The Executive Engineer, Public Works, Ports and Inland water Transport Department, Hassan Division, PWD Office Complex, Hassan- 573201.
4. Guard file.



(M.K. Shambhu)

Deputy Inspector General of Forests (Central)

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