



Government of Karnataka

No. FEE 55 FLL 2022 (e)

Karnataka Government Secretariat
Multistoried Buildings,
Bengaluru, Dated: 07-02-2023.

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 0.054 ha. of forest land in Sy.No.49 and 55 of Markal and Sy.No. 146 of Yadehalli Villages, Sringeri Taluk, Chikkamagaluru District for gravity drinking water supply pipeline from Kithleman Kodige, Hulugarbailu to Kigga in favour of the Executive Engineer, Karnataka Rural Infrastructure Development Ltd., Chikkamagaluru.
Proposal No. FP/KA/WATER/35135/2018.

ISSUE:
Dated: 08/2/23

Ref: 1. Your office letter No. KFD/HOFF/A5-2 (GFL)/31 / 2019-FC, Dated:21-03-2022.
2. Letter No:F.No.6-206/2022 WL, Dated:04.11.2022 of the Ministry of Environment, Forest and Climate Change (Wildlife Division).

With reference to the above subject I am directed to draw your attention towards the letters vide referred at (1) and (2) above. For the above cited project, a request has been made to convey In-Principle (Stage -I) approval vide letter referred at (1) above and it is observed that, the National Board for Wildlife has recommended the proposal in its 70th Meeting by imposing certain conditions which was communicated by the letter vide referred at (2) above.

Hence, the State Government hereby conveys In-principle approval (Stage-I) under section 2 of the Forest (Conservation) Act, 1980 for diversion of 0.054 ha of forest land in Sy.No.49 and 55 of Markal and Sy.No. 146 of Yadehalli Villages, Sringeri Taluk, Chikkamagaluru District for gravity drinking water supply pipeline from Kithleman Kodige, Hulugarbailu to Kigga in favour of the Executive Engineer, Karnataka Rural Infrastructure Development Ltd., Chikkamagaluru subject to fulfillment of the following conditions:-

Part-A

WILDLIFE MITIGATIVE MEASURES:

- 01 During the summer period, sufficient water level should be maintained in stream so as not to affect the aquatic animals and the water should not be polluted due to project activities.

02. All the staff and workers involved in the project implementation should be informed, made aware about wild life, so that they would not harm/kill/hunt/poach or abet in any crime which may invite legal action under the provisions of Wild Life (Protection) Act, 1972.
03. Care should be taken not to disturb wildlife species and their habitat during construction activities.
04. No work shall be done before sunrise and after sunset in the project area.
05. The user agency and other project personnel will comply with the provisions of the Wild Life (Protection) Act, 1972, Forest (Conservation) Act, 1980 and Environment (Protection) Act, 1986.
06. The muck generated during the project implementation shall be taken out of the protected area without endangering the flora and fauna.
07. The work shall be taken up only under close supervision of the jurisdictional forest department officers & staff, to avoid any damage to the flora and fauna.
08. No tents or any other stay arrangement shall be permitted inside the protected area.
09. An annual compliance certificate on the stipulated conditions shall be submitted by the project proponent to the State Chief Wild Life Warden and an annual compliance certificate shall be submitted by the State Chief Wild Life Warden to Government of India.

Part-B

OTHER CONDITIONS:

01. The legal status of forest land shall remain unchanged and it shall continue to be forest land.
02. The User Agency shall pay the applicable Net Present Value (NPV), Compensatory, Plantation cost of extraction of trees, land lease rent and any other levies as per the conditions of approval.
03. The User Agency shall demarcate the lease area in the manner specified at the time of approval at its own cost.
04. The lessee shall not sub-lease, mortgage and hypothecate the forest area.
05. The Lessee shall provide signages in appropriate dimensions and kind near the proposed pipeline & other components within forest limits for sensitization of general public towards the forest, wildlife and environmental issues in consultation with the jurisdictional Deputy Conservator of Forests.
06. The User Agency shall ensure that the Waste is not dumped inside or around the diverted forest land.
06. 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.
07. No change in Land Use Plan on forest land shall be done except with prior approval of Government of India.

08. 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.
09. No residential or commercial buildings shall be permitted in the forest area proposed for diversion.
10. No crushing / breaking of stones or labour camp shall be allowed on forest land and all waste/debris generated shall be scientifically disposed off outside the forest area.
11. Any damage to forest area because of implementation of the proposal shall be compensated by the Lessee. The extent of damage shall be assessed by the jurisdictional Chief Conservator/Conservator/Deputy Conservator of Forests.
12. The lessee shall ensure that no avoidable harm is caused to the fauna and flora in and around the proposed area.
13. In case, any violation of the provisions of the Karnataka Forest Act, 1963 and 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/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 Principal Chief Conservator of Forests (Head of Forest Force) before or after the approval.
16. 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.
17. 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/>)
18. The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned Deputy Commissioner.
19. The Pipeline shall be laid down 1.5 meter below the ground and after lying down of pipeline, the ground will be leveled.
20. User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable.
21. 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.
22. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
23. **The period of diversion under this approval shall be for 20 years or the project life, whichever is less.**
25. The forest land shall not be used for any purpose other than that specified in the project proposal.

26. 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.
27. 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 Dated:29-01-2018.
28. Any other condition that the Ministry of Environment, Forest & Climate Change may stipulate from time to time in the interest of Conservation, protection and development of forests & wildlife.

Yours faithfully,

M. Manjunatha
(M. Manjunatha) 7/2/2023

Under Secretary to Government

Forest, Ecology and Environment Department (Forest-C).

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, Bengaluru.
3. The Executive Engineer, KRIDI, Chikkamagaluru.
4. SGF/Spare Copies.