

ಪ್ರಧಾನ ಮುಖ್ಯ ಅರಣ್ಯ ಸಂರಕ್ಷಣಾಧಿಕಾರಿ
(ಅರಣ್ಯಪಡೆ ಮುಖ್ಯಸ್ಥರು) ರವರ ಕಛೇರಿ

Office of

Principal Chief Conservator of Forests
(Head of Forest Force)



ಅರಣ್ಯ ಭವನ, 18 ನೇ ಅಡ್ಡರಸ್ತೆ,
ಮಲ್ಲೇಶ್ವರಂ, ಬೆಂಗಳೂರು-560 003
AranyaBhavan, 18th Cross
Malleshwaram, Kanara-560 003
Telephone : 080 2334 6472
Email : apccffc@gmail.com

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E-office File No. KFD/HOFF/A52K(GFL)/42/2018-FC

Date 26-02-2021

Encl: 2 sets of compliance report

To,

The Additional Chief Secretary to Government
Department of Forest, Ecology and Environment
M.S. Building, Bengaluru-560 001

Sir,

Sub: Diversion of 34.98 hectare of forest land in Agasur, Heggarmakkigadde & Kavalahalli villages, Kasaba Hobli, Ankola Taluk and in Gundabala & Hillur Villages, Balale Hobli, Honnavar Taluk, all in Uttara Kannada District (Karwar and Honnavar Forest Divisions) for construction of Vented Barrage across the river Gangavali at Honnalli to supply additional drinking water to towns of Karwar and Ankola, en-route villages and Project Sea Bird in favour of Executive Engineer, Karnataka Urban Water Supply & Drainage Board (KUWS&DB), Karwar

Proposal No. FP/KA/WATER/27276/2017 [Stage-I approved]

Ref:

1. Government of India, Ministry of Environment, Forests & Climate Change, Integrated Regional Office, Bengaluru letter F.No. 4-KRC 1234/2020-BAN/847 dated 12-11-2020 [Stage-I approval]
2. Government of Karnataka letter No. FEE 10 FLL 2020 dated 27-11-2020 [communication of Stage-I approval]
3. This office letter even No. dated 02-12-2020 [communication of Stage-I approval to User Agency and Field officers]
4. Assistant Executive Engineer, KUWS&DB letter No. AEE/KWB/KWR/AE-2/2020-21/1343 dated 17-12-2020 [Compliance Report to DCF, Karwar]
5. Deputy Conservator of Forests, Karwar Division letter No. B4/GFL/FCA/CR-13/2018-19 dated 12-02-2021 [Compliance Report to CCF, Kanara Circle]
6. Chief Conservator of Forests, Kanara Circle, Sirsi letter No. B2/GFL/CR-13/2019-20 dated 18-02-2021 [Compliance Report to Nodal Officer]

The Government of India vide Ref (1) have accorded 'in-principle' (Stage-I) approval for diversion of 34.98 hectare of forest land in Agasur, Heggarmakkigadde & Kavalahalli villages, Kasaba Hobli, Ankola Taluk and in Gundabala & Hillur

Villages, Balale Hobli, Honnavar Taluk, all in Uttara Kannada District (Karwar and Honnavar Forest Divisions) for construction of Vented Barrage across the river Gangavali at Honnalli to supply additional drinking water to towns of Karwar and Ankola, en-route villages and Project Sea Bird in favour of Executive Engineer, Karnataka Urban Water Supply & Drainage Board (KUWS&DB), Karwar subject to fulfillment of certain conditions.

The same has been forwarded to this office by the Government of Karnataka vide Ref (2) with a direction to submit the Compliance Report of conditions of Stage-I approval.

Accordingly, this office vide Ref (3) informed the User Agency and Field officers for further action to submit the Compliance Report in respect of the conditions of Stage-I approval.

In response, the User Agency vide Ref (4) has submitted the condition-wise Compliance Report to the Deputy Conservator of Forests, Karwar Division, who after verification has vide Ref (5) submitted the condition wise compliance to the Chief Conservator of Forests Kanara Circle, Sirsi who has further submitted the same to this office vide Ref (6).

Based on the reports received as above, the status of compliance to the conditions of Stage-I approval dated 12-11-2020 is as under.

Stage-I approval condition		Status of Compliance
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 Court dated 28-03-2008, 24-04-2008 and 09-05-2008 in Writ Petition (Civil) No. 202/1995 and the guidelines issued by the 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.	The user agency has paid Net Present Value (NPV) of Rs. 3,64,84,140/- (34.98 ha @ Rs.10,43,000 per ha) to the Karnataka CAMPA Account through IDBI Bank Ltd., Karwar Branch vide UTR No. IBKLR92020121700040569 dated 17-12-2020. (Total amount transferred under this UTR is Rs. 9,22,39,140/- which includes NPV and CA charges) Copy of Payment Page Print taken from FC Web portal is enclosed [Annexure-I]
2	The identified non-forest land 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.	All the non-forest lands for an extent of 35.00 ha have been transferred & mutated in the name of Forest Department. Copy of RTC and Mutation entries are enclosed [Annexure-II & III]
3	The land identified for the purpose of	The land identified for the purpose of

	CA shall be clearly depicted on a survey of India topo sheet of 1:50,000 scale.	CA clearly depicted on a survey of India toposheet of 1:50,000 scale are enclosed. [Annexure-IV]
4	The User Agency shall transfer the cost of raising and maintaining the compensatory afforestation at the current wage rate in consultation with Sate Forest Department in the account CAMPA of the concerned State through online portal. The scheme may include demarcation of non-forest land using chain link fencing with provision of watering and SMC works and appropriate provision for anticipated cost increase for works scheduled for subsequent years.	The user agency has paid Compensatory afforestation charges of Rs. 5,57,55,000/- (35 ha @ Rs.15,93,000/- per ha) to the Karnataka CAMPA Account through IDBI Bank Ltd., Karwar Branch vide UTR No. IBKLR92020121700040569 dated: 17-12-2020. (Total amount transferred under this UTR is Rs. 9,22,39,140/- which includes NPV and CA charges) Copy of Payment Page Print taken from FC Web portal is already enclosed [Annexure-I]
5	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.	The user agency has paid Net Present Value (NPV) and compensatory afforestation charges of Rs.9,22,39,140/- to the Karnataka CAMPA Account through IDBI Bank Ltd., Karwar Branch UTR No. IBKLR92020121700040569 dated 17-12-2020. Copy of Payment Page Print taken from FC Web portal is already enclosed [Annexure-I]
6	The compliance report shall be uploaded on e-portal (https://parivesh.nic.in)	The user agency uploaded compliance report in e-portal.
7	The complete compliance of the FRA, 2008 shall be ensured by way of prescribed certificate from the concerned District Collector.	The User Agency has furnished the RoFR Certificate in FORM-II (for Non-linear projects) issued by the Deputy Commissioner, Uttara Kannada District vide No. RB/For/CR-E26809/2019-20 dated 11-12-2020 [copy enclosed; ANNEXURE-V]
8	The boundary of the diverted forest land shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete	The boundary of the diverted forest land has been demarcated and RCC boundary pillars of 2.5 feet height have been erected. Photos of the

	pillars, each inscribed with its serial number, distance from pillar to pillar and GPS co-ordinates.	boundary stones erected are enclosed [Annexure-VII] However, an undertaking regarding raising 2.5 feet height to 4.0 feet height RCC pillar within 3 months is enclosed [Annexure-VII-A]
9	Violations 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 the Ministry's letter No.5-2/2017-FC dated 28-03-2019.	The User Agency has agreed and submitted an Undertaking 15-12-2020 in this regard. [Annexure-VIII]
Conditions which need to be strictly complied on field after handing over of forest land to the user agency by the State Forest Department by the compliance in form of undertaking shall be submitted prior to Stage-II approval:		
1	The legal status of the diverted forest land shall remain unchanged	The legal status of the forest land remains unchanged and the land continues to be forest land. It will be further monitored by the Forest Department in future.
2	Compensatory Afforestation shall be raised over equal identified non-forest land (NFL) land within three years from the date of Stage-II clearance and maintained thereafter by the State Forest Department at the cost of the User Agency and at least 1000 plants per hectare shall be planted over identified non-forest land within three years of grant of the approval. If it is not possible to plant so many saplings in the area identified for CA, the balance saplings will be planted in any other forests as per prescriptions of approved working plan with provision for ten years on subsequent maintenance. Plantation of the tree species, which are affected due to submersion, shall be raised in the non-forest land identified for CA. The area identified for CA shall be planted with	The Forest Department will take up the compensatory afforestation in the CA land which is mutated in the name of Forest Department. The CA charges are deposited by the User agency.

	tall seedlings with provision for watering and SMC works to ensure faster growth.	
3	At least 10% of the available water in the dam should be allowed to flow downstream for sustenance of aquatic life. The User Agency shall furnish and undertaking to this effect.	The User Agency has agreed and submitted an Undertaking dated 15-12-2020 in this regard. [Annexure-IX]
4	No tree shall be cut in the submerged area. The User Agency shall furnish an undertaking to this effect.	The User Agency has agreed and submitted an Undertaking dated 15-12-2020 in this regard. [ANNEXURE-X]
5	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 to NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India;	The User Agency has agreed and submitted an Undertaking dated 15-12-2020 in this regard. [ANNEXURE-XI]
6	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.	The User agency accepts the decision of the MOEF & CC.
7	The user agency shall obtain the Environment clearance as per the provision of the Environmental (Protection) act, 1986, if required.	The Environmental Clearance as per the provision of the Environment (Protection) Act, 1986 and EIA notification, 1994 is not required for drinking water projects. An attachment is enclosed [Annexure-XII].
8	No labour camp shall be established on the forest land and the User Agency shall provide fuels preferably alternate fuel to the labourers and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas.	The User Agency has agreed and submitted an Undertaking dated 15-12-2020 in this regard. [ANNEXURE-XIII]

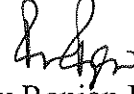
9	The forest land proposed to be diverted shall under no circumstances be transferred to any other Agency, department or person without prior approval of the Central Government	The User Agency has agreed and submitted an Undertaking dated 15-12-2020 in this regard. [ANNEXURE-XIV]
10	No damage to the flora and fauna of the adjoining area shall be caused.	The User Agency has agreed and submitted an Undertaking dated 15-12-2020 in this regard. [ANNEXURE-XV]
11	The layout plan of the proposal shall not be changed without the prior approval of the Central Government	The User Agency has agreed and submitted an Undertaking dated 15-12-2020 in this regard. [ANNEXURE-XVI]
12	The concerned Division Forest Officer, will monitor and take necessary mitigative measures to ensure that there is no adverse impact on the Forest in the surrounding area.	DCF, Karwar division and DCF, Honnavar division will monitor & take necessary mitigative measures.
13	The user agency shall explore the possibility of successful translocation of maximum number of trees identified to be felled and shall ensure that any tree felling shall be done only when it is unavoidable and that too under strict supervision of the state Forest Department.	The User Agency has agreed and submitted an Undertaking dated 15-12-2020 in this regard. [ANNEXURE-XVII]
14	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 end	The User Agency has agreed and submitted an Undertaking dated 15-12-2020 in this regard. [ANNEXURE-XVIII]
15	The user agency shall comply all the provision 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.	The User Agency has agreed and submitted an Undertaking dated 15-12-2020 in this regard. [ANNEXURE-XIX]

Under the above circumstances and agreeing with the recommendation of the Field officers, it is requested to move the matter with the Government of India, Ministry of Environment, Forests and Climate Change, Integrated Regional

Office, Bengaluru to consider according the final (Stage-II) approval for diversion of 34.98 hectare of forest land in Agasur, Heggarmakkigadde & Kavalahalli villages, Kasaba Hobli, Ankola Taluk and in Gundabala & Hillur Villages, Balale Hobli, Honnavar Taluk, all in Uttara Kannada District (Karwar and Honnavar Forest Divisions) for construction of Vented Barrage across the river Gangavali at Honnalli to supply additional drinking water to towns of Karwar and Ankola, en-route villages and Project Sea Bird in favour of Executive Engineer, Karnataka Urban Water Supply & Drainage Board (KUWS&DB), Karwar.

The relevant documents in 3 sets are submitted here with for kind perusal and further action. The present status (Timeline) of the proposal obtained from the FC web portal is also appended for necessary action.

Yours Faithfully



(Rajiv Ranjan IFS)

Principal Chief Conservator of Forests
(Forest Conservation) & Nodal Officer (FCA)

Copy to the:

1. Chief Conservator of Forests, Kanara Circle, Sirsi for information.
2. Deputy Conservator of Forests, Karwar and Honnavar Divisions for information
3. Executive Engineer, Karnataka Urban Water Supply & Drainage Board (KUWS&DB), Karwar, Uttar Kannada District for information.
4. Assistant Executive Engineer, KUWSD&B, Kajubag, Karwar, Uttar Kannada District for information.

