

ಕರ್ನಾಟಕ ಸರ್ಕಾರ
GOVERNMENT OF KARNATAKA

ಪ್ರಧಾನ ಮುಖ್ಯ ಅರಣ್ಯ ಸಂರಕ್ಷಣಾಧಿಕಾರಿ
(ಅರಣ್ಯ ಪಡೆ ಮುಖ್ಯಸ್ಥರು) ರವರ ಕಛೇರಿ
Office of
Principal Chief Conservator of Forests
(Head of Forest Force)



ಅರಣ್ಯ ಭವನ, 18ನೇ ಅಡ್ಡರಸ್ತೆ,
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E-office File No. KFD/HOFF/A52K(GFL)/14/2020-FC
Encl: 2 sets of proposal hard copies

E-293321

Date 27-05-2022

01-06

To,

The Additional Chief Secretary to Government
Forest, Ecology and Environment Department
M.S. Building, Dr. Ambedkar Veedhi, Bengaluru – 560 001

Sir,

Sub: Diversion of 0.671 hectare (*revised from 0.727 hectare*) of forest land in Kadgarni, Ulavai and Amboli Villages, Joida Taluk, Uttara Kannada District (Dandeli Wildlife Division) for Laying of Water Pipeline (265 mm internal dia) and construction of Jackwell and ancillary components for filling of Vyanginakere, Veerbhadreshwarakere and Shivatirthakere Tanks in Kadgarni and Ullavi Villages with water sourced from Kaneri River near Amboli Village for the purpose of Irrigation, Drinking Water and Ground water recharge in favour of the Executive Engineer, Karnataka Neeravari Nigama Limited (KNNL), Kalasa Project Division, Belagavi

Proposal No. FP/KA/WATER/46172/2020

- Ref:**
1. Online proposal [FORM-A PART-I] dated 28-03-2021 (resubmitted) of the Executive Engineer, Karnataka Neeravari Nigama Limited (KNNL), Kalasa Project Division, Belagavi and uploading of acknowledgment on 01-06-2021 for having delivered the hard copy of proposal to jurisdictional Deputy Conservator of Forests and Deputy Commissioner
 2. This office online communication dated 14-06-2021 to Deputy Conservator of Forests, Dandeli Wildlife Division for further processing of the proposal and letter of even number dated 18-08-2021 [EDS query by Nodal Officer]
 3. Online submission of PART-II by Deputy Conservator of Forests, Dandeli Wildlife Division on 05-07-2021 [Letter No. B4(FC)/1/2021 dated 09-07-2021] and online reply to EDS query dated 17-03-2022 [letter No. KFD-KTR0B4(FC)/1/2021-Dandeli-KFD dated 17-03-2022]
 4. Online submission of PART-III by Chief Conservator of Forests, Kanara Circle on 19-07-2021 [Letter No. B2/GFL/CR-7/2021-22/942 dated 17-07-2021] and online reply to EDS query dated 12-05-2022 [letter No. B2/GFL/CR-07/2021-22 dated 12-05-2022]

1. The Executive Engineer, Karnataka Neeravari Nigama Limited (KNNL), Kanara Project Division, Belagavi[USER AGENCY] has (re)submitted an online proposal [FORM-A PART-I] vide Ref (1) on 28-03-2021 seeking approval under the Forest (Conservation) Act, 1980 for diversion of 0.671 ha of forest land in Kadgarni, Ulavai and Amboli Villages, Joida Taluk, Uttara Kannada District (Dandeli Wildlife Division) for Laying of Water Pipeline (265 mm internal dia) and construction of Jack well and ancillary components for filling of Vyanginakere, Veerbhadreshwarakere and Shivatirthakere Tanks in Kadagarni and Ullavi Villages with water sourced from Kaneri River near Amboli Village for the purpose of Irrigation, Drinking Water and Ground water recharge. The same was accepted by Nodal Officer (FCA) on 26-04-2021 for further processing. After receiving the Acknowledgement online on 01-06-2021 for having delivered the hard copies of the proposal by the User Agency to the jurisdictional Deputy Conservators of Forests & Deputy Commissioners, the online link was forwarded by this office vide Ref (2) to the Deputy Conservator of Forests, Dandeli Wildlife Division for field verification and further processing under Section 2 of the Forest (Conservation) Act, 1980.

2. **Location details and Component wise break up:** The forest land proposed for diversion is mentioned below.

District, Taluk & Hobli	Name of Project Component	Village and Sy No.		Forest Land proposed for diversion (ha)	Status of Land
Uttara Kannada District, Joida Taluk, Kumbarwada Hobli	Weir	Amboli	160	0.1260	Reserved Forest
	Jack well cum Pumphouse	Bidoli	13	0.0400	
	Foot Bridge	Bidoli	13	0.0045	
	Delivery Chamber	Amboli	137	0.0016	
	Rising Main	Bidoli	13 & 15	0.0200	
		Amboli	158, 119, 122 & 202	0.2555	
	Gravity Main 1	Amboli	137 & 138	0.0504	
		Vadkal	24, 26, 31, 30/A & 19	0.0905	
		Ulavai	62A	0.0334	
	Gravity Submain 1/1	Amboli	138	0.0346	
	Gravity Submain 1/2	Ulavai	62A	0.0145	
Total				0.671	

3. **DCF, Dandeli Wildlife Division Report:** The Deputy Conservator of Forests Dandeli Wildlife Division has inspected the spot and has submitted the Site Inspection Report, the details of the area along with the recommendation in the form of PART-II of the proposal vide Ref (3) to Chief Conservator of Forests, Kanara Circle. Main features of the proposal based on the DCF Dandeli Wildlife Report r/w the report of the CCF, Kanara Circle and that of the ICT Centre of Forest Department are as follows.

- The forest land proposed for diversion is in general landscape of Eco-Class-I (Moist Deciduous Forests) with canopy density of 0.3.
- As per Item 4 (ii) of PART-II, there are no trees to be felled on the forest land proposed for diversion.

- b. Major wild animals present in and around the project area include the *Tiger, Leopard, Wild Dog, Sloth Bear* and varied assemblage of fauna of western Ghats. [Note: The entry made in Item 8(i) may be read accordingly.]
 - c. The forest land proposed for diversion forms a part of Anshi- Dandeli National Park. There will be no major impact as there is no felling of trees. There will be disturbance during the construction phase of the diversion weir locally which will have to be mitigated.
 - d. There are no Protected/ Archaeological/ Heritage Sites/ Defence establishments located in the proposed area.
 - e. The forest area proposed for diversion is the bare minimum and unavoidable.
 - f. There is no violation reported under Forest (Conservation) Act, 1980.
4. **CCF, Kanara Circle Report:** The Chief Conservator of Forests, Kanara Circle has inspected the proposed area personally on 21-12-2020 and has vide Ref (4) submitted the Site Inspection Report in PART-III online. Agreeing with the recommendation made by the Deputy Conservator of Forests, Dandeli Wildlife Division, the Chief Conservator of Forests, Kanara Circle has also recommended the proposal.
5. **Net Present Value (NPV):** In accordance with the Para 3.1, 3.2 and 3.4 of the FC Guidelines communicated by the Government of India, Ministry of Environment, Forests and Climate Change, New Delhi vide F.No. 5-2/2007-FC dated 28-03-2019, the User Agency is required to pay the Net Present Value (NPV) of forest land proposed for diversion. The diversion of forest land being proposed in National Park, the User Agency is liable to pay the Ten (10) times the normal NPV. **Accordingly, the User Agency has agreed to pay the charges towards Net Present Value (NPV) and has submitted an Undertaking dated 25-02-2021 in this regard.**
6. **Compensatory Afforestation (CA):** The forest area proposed for diversion is less than one hectare and is governed by Para 3.2 (viii)(b) of the Government of India FC Guidelines (*old version, as the new version is silent in this regard*), which provides exemption from raising Compensatory Afforestation (CA). However, the Para 2.6(i) of the latest FC Guidelines mandates planting of ten times the number of trees likely to be felled (subject to a minimum of 100 plants). Even though there are no trees on forest land reported in Item 4(ii) of PART-II of the proposal, **the User Agency will have to make payment in accordance with the O.M. issued vide E-office File No. KFD/HOFF/A53(GFL)/34/2019-FC [E-88289] dated 24-05-2022 of the Principal Chief Conservator of Forests (Head of Forest Force) for any tree felling required for the purpose of execution of the project. The User Agency has submitted an Undertaking dated 25-02-2021 to pay the Compensatory Plantation charges.**
7. **Status of RoFR compliance:** With regard to compliance of the provisions of Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forests Rights) Act 2006 and Rules 2008, the User Agency has not furnished the requisite **Certificate in FORM-II (for Non-linear / Hybrid projects)** issued by the jurisdictional Deputy Commissioner as per Annexure II of the FC Guidelines communicated by Government of India, Ministry of Environment, Forests and Climate Change, New Delhi vide F.No. 5-2/2017-FC dated 28-03-2019. **The User**

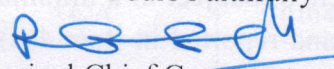
Agency is being informed again to obtain the said certificate in prescribed format and submit a copy.

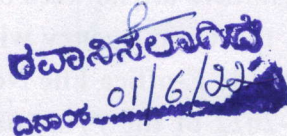
8. **Status of Wildlife Clearance:** User Agency applied for diversion of 0.671 ha of forest land in Kadgarni, Ulavai and Amboli Villages, Joida Taluk, Uttar Kannada District (Dandeli Wildlife Division) for Laying of Water Pipeline and construction of Jackwell and ancillary components for filling of Vyanginakere, Veerbhadreshwarakere and Shivatirthakere Tanks in Kadagarni and Ullavi Villages with water sourced from Kaneri River near Amboli Village for the purpose of Irrigation, Drinking Water and Ground water recharge vide proposal No.FP/KA/WATER/46172/2020. Principal Chief Conservator of Forests (Wildlife) & Chief Wildlife Warden, Karnataka has recommended the proposal and sent to Government of Karnataka for further action.

Under the above circumstances and agreeing with recommendation of the field officers, it is requested to consider moving to Government of India for according 'in-principle' (Stage-I) approval under the Forest (Conservation) Act, 1980 for diversion of 0.671 ha of forest land in Kadgarni, Ulavai and Amboli Villages, Joida Taluk, Uttar Kannada District (Dandeli Wildlife Division) for Laying of Water Pipeline (265 mm internal dia), construction of Jackwell and ancillary components for filling of Vyanginakere, Veerbhadreshwarakere and Shivatirthakere Tanks in Kadagarni and Ullavi Villages with water sourced from Kaneri River near Amboli Village for the purpose of Irrigation, Drinking Water and Ground water recharge in favour of the Executive Engineer, Karnataka Neeravari Nigama Limited (KNNL), Kalasa Project Division, Belagavi for a period of Twenty (20) years subject to the production of RoFR certificate in FORM-II as per Annexure II of the FC Guidelines communicated by Government of India, Ministry of Environment, Forests and Climate Change, New Delhi vide F.No. 5-2/2017-FC dated 28-03-2019 and also subject to conditions appended in Annexure 'A'.

The hard copy of the proposal along with the relevant documents in 3 sets are submitted herewith for further needful. The present status of the proposal obtained from the web-portal is also appended for necessary action.

Yours Faithfully

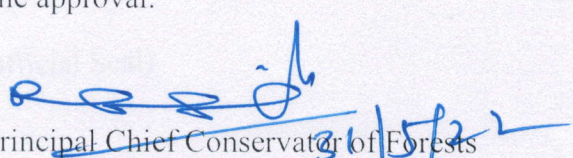

Principal Chief Conservator of Forests
(Head of Forest Force)


Copy to the:

1. Chief Conservator of Forests, Kanara Circle Sirsi for information.
2. Deputy Conservator of Forests, Dandeli Wildlife Division for information
3. The Executive Engineer, Karnataka Neeravari Nigama Limited (KNNL), Kalasa Project Division, Belagavi for information and further action to obtain and **produce the RoFR Certificate in FORM-II (for Non-linear / Hybrid projects) as per Annexure II of the FC Guidelines communicated by Government of India, Ministry of Environment, Forests and Climate Change, New Delhi vide F.No. 5-2/2017-FC dated 28-03-2019.**

ANNEXURE 'A'

1. The legal status of forest land shall remain unchanged and it shall continue to be the forest land.
2. The User Agency shall pay the applicable Net Present Value (NPV), land lease rent and any other levies as per the conditions of approval.
3. The User Agency shall demarcate the lease area in the manner specified at the time of approval at its own cost.
4. The lessee shall not sub-lease, mortgage & hypothecate the forest area.
5. 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.
6. 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.
7. No residential or commercial buildings shall be permitted in the forest area proposed for diversion.
8. No crushing / breaking of stones or labour camp shall be allowed inside forest area and all waste / debris generated shall be scientifically disposed off outside the forest area.
9. Any damage to forest area because of implementation of the project shall be compensated by the Lessee. The extent of damage shall be assessed by the jurisdictional Deputy Conservator of Forests/ Conservator of Forests/ Chief Conservator of Forests.
10. The Lessee shall ensure that no avoidable harm is caused to the fauna and flora in and around the proposed area.
11. No change in Land Use Plan shall be done unless prior approval of Government of India under FC Act is obtained.
12. In case, any violation of the provisions of the Karnataka Forest Act, 1963 & 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 of Forests and/or Deputy Conservator of Forests concerned are authorized to take necessary action in this regard.
13. The approval under the Forest (Conservation) Act, 1980 is subject to any other clearances necessary under the prevailing statutes.
14. 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.


Principal Chief Conservator of Forests
(Head of Forest Force)

PART - IV

(To be filled in by the Nodal Officer or Principal Chief Conservator of Forests or Head of Forest Department)

Detailed opinion & specific recommendation of the State Forest Department for acceptance or otherwise of the proposal with remarks.

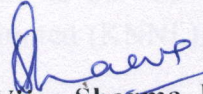
(While giving opinion, the adverse comments made by concerned Conservator of Forests or Deputy Conservator of Forests should be categorically reviewed and critically commented upon).

Recommended for diversion of 0.671 hectare of forest land in Kadgarni, Ulavai and Amboli Villages, Joida Taluk, Uttar Kannada District (Dandeli Wildlife Division) for Laying of Water Pipeline (265 mm internal dia) and construction of Jackwell and ancillary components for filling of Vyanginakere, Veerbhadreshwarakere and Shivatirthakere Tanks in Kadagarni and Ullavi Villages with water sourced from Kaneri River near Amboli Village for the purpose of Irrigation, Drinking Water and Ground water recharge in favour of the Executive Engineer, Karnataka Neeravari Nigama Limited (KNNL), Kalasa Project Division, Belagavi for a period of Twenty (20) years and subject to the production of RoFR certificate in FORM-II as per Annexure II of the FC Guidelines communicated by Government of India, Ministry of Environment, Forests and Climate Change, New Delhi vide F.No. 5-2/2017-FC dated 28-03-2019 and also subject to conditions appended in Annexure 'A'.
Proposal No. FP/KA/WATER/46172/2020

Signature:

Name:

Designation:

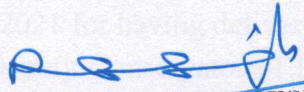

(Vijay Sharma, IFS)

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

Signature:

Name:

Designation:


(Raj Kishore Singh, IFS) 31/5/22

**Principal Chief Conservator of Forests
(Head of Forest Force)**

N.D.O. No. 12 /2022-23

(Official Seal)

Dated 1/6/2022