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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, ಮಲ್ಲೇಶ್ವರಂ

ಬೆಂಗಳೂರು-560 003.

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No: A5(4).GFL.CR.30/2017-18

KFD/HoFF/A5-4(GFL)/35/2018-FC

(3 Set proposals enclosed)

Date: 30-11-2018

03-12-2018

To,

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

Sir,

Sub: Diversion of 0.1981 hectare of forest land in Survey number 33 of Chitradurga village (city), Kasaba Hobli, Chitradurga Taluk and District for construction of Break Pressure Tank (BPT) and Raising Main & Gravity Main Pipe Line for supply of drinking water from Vani Vilasa Sagara to Chitradurga under AMRUT Scheme in favour of the Municipal Commissioner, City Municipal Council, Chitradurga- reg. [Proposal No. FP/KA/WATER/30539/2017]

- 1) Online Proposal dated 30-08-2018 (re-submitted) of the Municipal Commissioner, City Municipal Council, Chitradurga.
- 2) This office online communication dated 01-10-2018 to Deputy Conservator of Forests, Chitradurga Division, Chitradurga.
- 3) Online submission of PART-II by Deputy Conservator of Forests, Chitradurga Division on 11-10-2018 [DCF, Chitradurga letter No. A6/FC/MU/TP/KA/ WATER/30539/ 2017-CR/2506 dated 10-10-2018].
- 4) Online submission of PART-III by Chief Conservator of Forests, Ballari Circle on 23-10-2018 [Chief Conservator of Forests, Ballari Circle, Ballari letter No.M1/MNG/BPT/CR- 5/2018-19/130 dated 22-10-2018]

1. The Municipal Commissioner, City Municipal Council, Chitradurga [User Agency] vide reference (1) has submitted an online proposal [PART-I] through FC Web Portal seeking prior approval under Section 2 of the Forest (Conservation) Act, 1980 for diversion of 0.1981 hectare of forest land in Survey number 33 of Chitradurga village (city), Kasaba Hobli, Chitradurga Taluk and District for construction of Break Pressure Tank (BPT) and Raising Main & Gravity Main Pipe Line for supply of drinking water from Vani Vilasa Sagara to Chitradurga under AMRUT Scheme. After acceptance of the proposal by Nodal Officer, the User Agency has delivered the hard copies of the proposal to Deputy Conservator of Forests, Chitradurga & Deputy Commissioner, Chitradurga and uploaded the acknowledgment on the web portal. Accordingly, an online communication was made by Nodal Officer vide reference (2) to the Deputy Conservator of Forests, Chitradurga Division for further processing of the proposal under FC Act.

2. **Location and Component wise breakup:** The location details and a component wise breakup of the forest land required are given below.

District, Taluk, Hobli	Village	Sy No.	Name of Project Components	Extent of forest proposed for diversion (ha)	Legal status of Land
Chitradurga District, Chitradurga Taluk, Kasaba Hobli	Chitradurga	33	Break Pressure Tank (BPT) with 5 lakh litre capacity [24.175 m x 24.175 m]	0.0584	Section-4 notified forest area
			Raising Main & Gravity Main Pipeline [232.9 m x 6 m]	0.1397	
		Total			

3. **DCF, Chitradurga Division Report:** The Deputy Conservator of Forests, Chitradurga Division, Chitradurga has inspected the site on 05-10-2018 and vide reference (3) has submitted his report along with recommendation in PART-II to Chief Conservator of Forests, Ballari Circle. The main features of the proposal are summarized below.

- The forest landscape is in Eco class-IV and has 0.1 density.
- The extent of forest land proposed for diversion being small, the possibility of soil erosion is minimum.
- As per Item 4(ii) of PART-II, there are no trees on the forest land proposed for diversion.

- d. Major wild animals present in and around the area include the leopard, hare, peafowl, etc. There are no other rare / endangered / unique species of flora and fauna in the proposed area.
- e. There are no protected / archaeological / heritage sites or defence establishments or important monuments in the area.
- f. The forest area does not form part of any Wildlife Sanctuary, National Park, Biosphere Reserve, Tiger Reserve, Elephant Corridor, etc.
- g. The proposed project is within the default Eco Sensitive Zone of Jogimatti Wildlife Sanctuary. The impact is bare minimum, as the site is adjacent to National Highway.
- h. There is no violation reported under Forest Conservation Act, 1980.
- i. The requirement of forest land for the project is bare minimum and unavoidable.

4. **CCF, Ballari Circle Report:** The Chief Conservator of Forests, Ballari Circle has not inspected the site. However, he has agreed with the recommendations of the Deputy Conservator of Forests, Chitradurga Division, and has also recommended the proposal. Specific comments of the Chief Conservator of Forests, Ballari Circle are mentioned in PART-III of the proposal cited at reference (4) above.
5. **Compensatory Afforestation (CA):** As per para 3.2(viii)(b) of the FC Guidelines issued by Ministry of Environment, Forests & Climate Change, Government of India, no compensatory afforestation land is to be insisted upon if the forest land proposed for diversion is up to one hectare. **Therefore, no CA land is required in the present case. Further as per Part-II, no trees are identified by the Deputy Conservator of Forests, Chitradurga Division for felling.**
6. **Net Present Value (NPV):** The User Agency is required to pay the Net Present Value (NPV) for 0.1981 hectare of forest land proposed for diversion as per Orders dated 28-3-2008 and 9-5-2008 of the Hon'ble Supreme Court of India in I.A.No.826 in I.A.566 in WP(C) No. 202/1995 and the Government of India, FC Guidelines issued vide F.No. 5-3/2007-FC dated 05-02-2009. **The User Agency has submitted an Undertaking to pay the Net Present Value.**
7. **RoFR Certificate:** The User Agency is required to submit the Certificate of compliance of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 and Rules 2008 issued by the jurisdictional Deputy Commissioner in FORM-II (Non-Linear projects) as per guidelines issued by Ministry of Environment and Forest, New Delhi vide letter No. 11-9/1198-FC (pt) dated 3-8-2009/05-7-2013. **The User Agency has not**

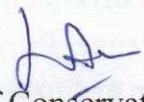
submitted the required certificate and therefore it is being informed to obtain and submit the same.

8. **Eco Sensitive Zone:** As per the Deputy Conservator of Forests, Chitradurga Division Report, the proposed water pipeline alignment passes through the default Eco-sensitive Zone of Jogimatti Wildlife Sanctuary. The ESZ is not yet notified. Accordingly, **the User Agency needs to obtain the consent of the Regional ESZ Monitoring Committee depending on categorization of the project activity in the ESZ Notification when finally notified.**

Under the above circumstances and **agreeing with the recommendation of the field officers, it is requested to consider the proposal for Stage-I (in-principle) approval under Section 2 of the Forest (Conservation) Act, 1980 for diversion of 0.1981 hectare of forest land in Survey number 33 of Chitradurga village (city), Kasaba Hobli, Chitradurga Taluk and District for construction of Break Pressure Tank (BPT) and Raising Main & Gravity Main Pipe Line for supply of drinking water from Vani Vilasa Sagara to Chitradurga under AMRUT Scheme in favour of the Municipal Commissioner, City Municipal Council, Chitradurga for a period of 30 years, subject to the conditions appended in Annexure 'A'.**

The proforma particulars along with relevant documents in 3 sets are submitted herewith for further action.

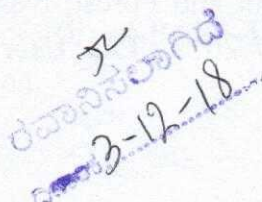
Yours faithfully,


Principal Chief Conservator of Forests
(Head of Forest Force), Bengaluru

Copy to the Chief Conservator of Forests, Ballari Circle, Ballari for information and necessary action.

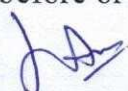
Copy to the Deputy Conservator of Forests, Chitradurga Division, Chitradurga for information and necessary action.

Copy to the Municipal Commissioner, City Municipal Council, Chitradurga for information with a request to obtain and submit the RoFR compliance certificate (in original) as mentioned above at an early date.


3-12-18

ANNEXURE 'A'


1. The legal status of forest land shall remain unchanged and it shall continue to be 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 as per norms.
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 one year prior to the expiry of forest lease. In case no renewal is sought, the forest land will stand reverted to the Forest Department.
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 of outside the forest area.
9. 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 DCF/CF/CCF.
10. The Lessee shall ensure that no avoidable harm is caused to the fauna and flora in and around the proposed area.
11. 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 / Deputy Conservator of Forests concerned are authorized to take necessary action in this regard.
12. The approval under the Forest (Conservation) Act, 1980 is subject to any other clearances necessary under the prevailing statutes.
13. 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)

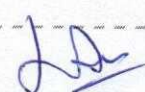
PART - IV

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

<p>Detailed opinion & specific recommendation of the State Forest Department for acceptance or otherwise of the proposal with remarks.</p> <p>(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).</p>	<p>Recommended for Diversion of 0.1981 hectare of forest land in Survey number 33 of Chitradurga village (city), Kasaba Hobli, Chitradurga Taluk and District for construction of Break Pressure Tank (BPT) and Raising Main & Gravity Main Pipe Line for supply of drinking water from Vani Vilasa Sagara to Chitradurga under AMRUT Scheme in favour of the Municipal Commissioner, City Municipal Council, Chitradurga [Proposal No. FP/KA/WATER/30539/2017]</p>
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Signature:	
Name:	(JAGMOHAN SHARMA IFS)
Designation:	Additional Principal Chief Conservator of Forests (Forest Conservation) and Nodal Office (FCA)

(Official Seal)

Countersigned by :	
Name:	(PUNATI SRIDHAR IFS)
Designation:	Principal Chief Conservator of Forests (Head of Forest Force), Bengaluru

(Official Seal)

N.D.O. No: 27 /2018-19.

Date: 03 -11-2018.
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