

ಕರ್ನಾಟಕ ಸರ್ಕಾರ

GOVERNMENT OF KARNATAKA

ಪ್ರಧಾನ ಮುಖ್ಯ ಅರಣ್ಯ ಸಂರಕ್ಷಣಾಧಿಕಾರಿ
(ಅರಣ್ಯ ಪಡೆ ಮುಖ್ಯಸ್ಥರು) ರವರ ಕಚೇರಿOffice of
Principal Chief Conservator of Forests
(Head of Forest Force)ಅರಣ್ಯ ಭವನ, 18ನೇ ಅಡ್ಡ ರಸ್ತೆ, ಮಲ್ಲೇಶ್ವರಂ
ಬೆಂಗಳೂರು-560 003.Aranya Bhavan, 18th Cross,
Malleshwaram, Bengaluru-560 003
Telephone : 080 2334 6472
Email : apccffc@gmail.comNo: A5(4).GFL.CR.30/2016-17
(2 Set proposal enclosed)

Date: 02-07-2017.

08

To,

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

Sir,

Sub: Diversion of 0.174 hectare of forest land in Sy No 13 of Ramapura, Sy No 1 of Konammanahalli and Sy No 46 of Palakanahalli Villages in Davanagere Forest Division Davanagere & Chitradurga Districts for laying of drinking water supply pipeline from Ramapura Village to Halagavadi Village in favour of the Panchayath Development Officer, Halagavadi Village (Proposal No. FP/KA/WATER/25499/2017).

- Ref: 1) Online Proposal No. FP/KA/WATER/25499/2017 dated 04-04-2017 of the Panchayath Development Officer, Halagavadi Village, Chitradurga Taluk & District.
- 2) Letter No. M1/CCF/Bly/WS/CR:20/2013-14 dated 26-05-2017 & 17-06-2017 of the Chief Conservator of Forests, Ballari Circle, Ballari.
- 3) Letter No. B4/Land/CR-03/2017-18 dated 23-05-2017 & 08-6-2017 of the Deputy Conservator of Forests, Davanagere Division, Davanagere.

The Panchayath Development Officer, Halagavadi Village has submitted a proposal through web portal seeking approval for diversion of 0.174 hectare of forest land in Sy No 13 of Ramapura, Sy No 1 of Konammanahalli and Sy No 46 of Palakanahalli Villages in Davanagere Forest Division Davanagere &

Chitradurga Districts for laying of drinking water supply pipeline from Ramapura Village to Halagavadi Village (Proposal No. FP/KA/WATER/25499/2017) under the Forest (Conservation) Act, 1980 vide reference (1) above.

The details of the forest land required are as under:

	Name of the Village & Survey number	Status of Land	Extent (in ha)
1	Konammanahalli Sy No 1	Nirthadi SF	0.110
2	Palakanahalli Sy No 46	Nirthadi SF	0.029
3	Rampura Sy No 13	Nirthadi SF	0.035
Total			0.174

The purpose wise breakup of the forest land required for the project is as under:

	Components' Breakup details	Extent (in ha.)
1	For laying of pipeline to supply of drinking water from Ramapura Village to Halagavadi Village [Length 2908.81 Mtrs x Width 0.60 Mtr]	0.174
Grand Total		0.174

The Deputy Conservator of Forests, Davanagere Division, Davanagere vide letters dated 23-5-2017 & 08-6-2017 cited at reference (3) has furnished the following details in Form-A Part-II.

- 1) The requirement of forest land proposed by the User Agency is barest minimum and unavoidable for the project.
- 2) The proposed forest area falls under Eco-Class-III, Open Forest category.
- 3) The proposed forest land is open and blank.
- 4) There are no rare / endangered / unique species of flora and fauna in the proposed area.
- 5) There are no protected / archeological / heritage sites or defence establishments or important monuments in the area.

- 6) The proposed forest area does not form part of any Wildlife Sanctuary, National Park, Biosphere Reserve, Tiger Reserve or Elephant Corridor, etc.
- 7) There is no violation reported under Forest Conservation Act, 1980.

Further, the Deputy Conservator of Forests, Davanagere Division, Davanagere has inspected the site on 24-04-2017 & 08-06-2017 and recommended the proposal for acceptance as the proposed area unavoidable and barest minimum and this area is open and blank.

The Chief Conservator of Forests, Ballari Circle, Ballari has not inspected and in agreement with the recommendations of the Deputy Conservator of Forests, Davanagere Division has also recommended the above proposal for diversion forest land. In this regard specific comments of the Chief Conservator of Forests, Ballari Circle, Ballari as mentioned in Part-III of the proposal are as under.

“Since the diversion of forest land over an extent of 0.17 ha as sought for by the User Agency is quite genuine. Moreover, the said forest land is urgently required for the laying of water pipeline to supply drinking water to the Ramapura, Konamanhalli and Palakanahalli Villages which are facing serious drought condition which will further quench the thirst of the poor villagers and as well as the animals. Hence, the diversion of proposal may be considered as per the Section-2 of Forest (Conservation) Act, 1980”.

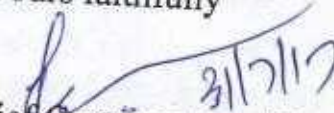
Further, as per guidelines issued by Ministry of Environment, Forests & Climate Change, Government of India vide para 3.2 (viii) (b), no compensatory afforestation land is insisted upon if the forest land proposed for diversion is less than 1.00 hectare.

Further, the User Agency has given an undertaking to pay the Net Present Value towards 0.174 hectare of forest land proposed for diversion and to submit the RoFR certificate after obtaining it from the Deputy Commissioners, Chitradurga & Davanagere Districts.

Under the above circumstances, and while agreeing with the recommendation of the field officers, it is requested to consider the proposal for

approval under Section -2 of Forest (Conservation) Act, 1980 for diversion of 0.174 hectare of forest land in Sy No 13 of Ramapura, Sy No 1 of Konammanahalli and Sy No 46 of Palakanahalli Villages in Davanagere Forest Division, Davanagere & Chitradurga Districts for laying of drinking water supply pipeline from Ramapura Village to Halagavadi Village in favour of the Panchayath Development Officer, Halagavadi as per guidelines issued by Government of India, Ministry of Environment, Forest and Climate Change, New Delhi vide No. 11-9/98-FC dated 13-02-2014 (General Approval) for a period of 20 years, subject to the conditions appended in Annexure 'A'. The proforma particulars along with relevant documents in 3 sets are submitted herewith for kind perusal and further action.

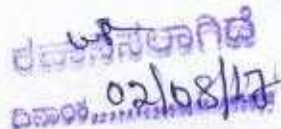
Yours faithfully


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

Copy to the Chief Conservator of Forests, Ballari Circle, Ballari and the Deputy Conservator of Forests, Davanagere Division, Davanagere for information and necessary action

Copy to the Deputy Commissioners, Davanagere & Chitradurga Districts for information and with a requested to provide Form-I on settlement of rights under FRA and consent of the Grama Sabha/s to the Chief Conservator of Forests, Ballari Circle, Ballari under intimation to this office as per the Forest (Conservation) Rules.

Copy to the Panchayath Development Officer, Halagavadi Grama Panchayath, Chitradurga Taluk & District for information and necessary action.


02/08/17

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 0.174 hectare of forest land in Sy No 13 of Ramapura, Sy No 1 of Konammanahalli and Sy No 46 of Palakanahalli Villages in Davanagere Forest Division, Davanagere & Chitradurga Districts for laying of drinking water supply pipeline from Ramapura Village to Halagavadi Village in favour of the Panchayath Development Officer, Halagavadi Village, Chitradurga District (Proposal No. FP/KA/WATER/25499/2017).

Signature:

Name:
Designation:



JAGMOHAN SHARMA IFS

**Nodal Officer &
Additional Principal Chief Conservator of Forests
(Forest Conservation), Bangalore**

(Official Seal)

Countersigned by :

Name:
Designation:


K.S. SUGARA IFS
**Principal Chief Conservator of Forests
(Head of Forest Force), Bangalore**

(Official Seal)

N.D.O. No: 10 /2017-18.

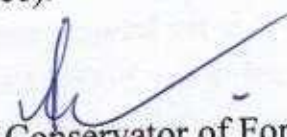
Date: 02-07-2017.
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ANNEXURE 'A'

1. The legal status of Forest land shall remain unchanged and it shall continue to be as forest land.
2. The lessee shall pay lease rent as fixed by the Government from time to time.
3. The lease tenure is for a period of 20 (twenty) years.
4. 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 one year or when it is no longer needed for the stipulated purpose, the area should be resumed to the Forest Department.
5. In case any violation reported during the lease period, the lease shall be forfeited under Section 82 of Karnataka Forest Act, 1963. The concerned Chief Conservator of Forests / Deputy Conservator of Forests are authorized to take necessary action in this regard.
6. No residential buildings shall be permitted in the proposed forest area.
7. The Karnataka Forest Act, 1963 and Rules, 1969 and other relevant Acts & Rules will be applicable for any violation.
8. The User Agency has to pay the Net Present Value (NPV) of forest land diverted under this proposal as per Orders dated 28-3-2008 and 9-5-2008 of the Hon'ble Supreme Court of India.
9. Production of requisite Certificate issued by the Deputy Commissioners, Chitradurga & Davanagere Districts as per the guidelines issued by Ministry of Environment and Forest, New Delhi vide letter No. 11-9/1198-FC(Pt) dated 03-08-2009 & 05-07-2013 in Form-I for compliance under Recognition of Forests Rights (RoFR) Act 2006
10. The User Agency shall ensure that there should be no damage to the available fauna and other flora.
11. Demarcation of the proposed forest area shall be carried out by erecting cement concrete pillars duly numbered at an interval of 20 mts. at the cost of user agency.
12. No crushing / breaking of stones shall be allowed inside forest area.
13. No labour camp shall be established on the forest land.
14. All waste / debris generated shall be scientifically disposed off outside the forest area.

15. Any damage to forest area due to such improvement of drinking water supply shall be compensated by the User Agency. The extent of damage shall be assessed by the concerned Deputy Conservator of Forests.
16. The lessee shall not sub-lease, mortgage & hypothecate the forest area.
17. The approval under the Forest (Conservation) Act, 1980 is subject to the clearance under the Environment (Protection) Act, 1986, if required.
18. The User Agency shall also abide by all the conditions imposed upon by Government of India, the Government of Karnataka and Principal Chief Conservator of Forests (Head of Forest Force).


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