


ಕರ್ನಾಟಕ ಸರ್ಕಾರ		
GOVERNMENT OF KARNATAKA		
<p>ಪ್ರಧಾನ ಮುಖ್ಯ ಅರಣ್ಯ ಸಂರಕ್ಷಣಾಧಿಕಾರಿ (ಅರಣ್ಯಪಡೆಮುಖ್ಯಸ್ಥರು) ರವರಕಚೇರಿ</p> <p>Office of Principal Chief Conservator of Forests (Head of Forest Force)</p>		<p>ಅರಣ್ಯ ಭವನ, 18ನೇಅಡ್ಡರಸ್ತೆ ಮಲ್ಲೇಶ್ವರಂ, ಬೆಂಗಳೂರು-560 003</p> <p>Aranya Bhavan, 18<sup>th</sup> Cross Malleshwaram, Bengaluru-560 003</p> <p>Telephone: 080 2334 6472 Email: apceffc@gmail.com</p>
E-office File No. KFD/HoFF/A5-4(GFL)/31/2020-FC		E-311209
Enclosures: 4 sets of proposals		Date 26-09-2023

To,

03/10/2023

The Additional Chief Secretary to Government  
Forest, Ecology and Environment Department  
M.S. Building, Dr. Ambedkar Veedhi, Bengaluru – 560 0 01.

**Sub:** Diversion of 2.4281 hectares (*revised from 2.428 hectare*) of forest land in Kadugodi Plantation Village Sy No 1, Bidarahalli-1 Hobli, Bengaluru East Taluk, Bengaluru Urban District (and Urban Forest Division) for construction of Ground Level Reservoir (GLR) under Cauvery Water Supply Scheme (CWSS) Stage-V, along Eastern Route CP-12, in favour of the Executive Engineer, Bangalore Water Supply and Sewerage Board (BWSSB), Kapila Bhavan, 4th Block, Jayanagara, Bengaluru

**Proposal No. FP/KA/WATER/48609/2020 [Form-A]**

**Ref:**

1. Online proposal [FORM-A PART-I] dated 04-10-2021 (resubmitted) of The Executive Engineer, Bangalore Water Supply and Sewerage Board (BWSSB), Kapila Bhavan, 4th Block, Jayanagara, Bengaluru- 560 041.
2. This office online communication dated 02-11-2021 to the Deputy Conservator of Forests, Bangalore Urban Division for further processing of the proposal.
3. Online submission of PART-II by the Deputy Conservator of Forests, Bangalore Urban Division on 30-08-2023 [Letter No. A7.Land.Lease.BWSSB.CR-41/2021-22] (Received in this office on 05-09-2023)
4. Online submission of PART-III by the Chief Conservator of Forests, Bangalore Circle on 05-09-2023 [Letter No. A11/Bhoomi/CR-42/2023-24 dated 02-09-2023] (Received in this office on 08-09-2023)

1. Executive Engineer, Bangalore Water Supply and Sewerage Board (BWSSB), Kapila Bhavan, 4th Block, Jayanagara, Bengaluru- 560 041 as authorized Applicant [USER AGENCY] has (re)submitted an online proposal [FORM-A PART-I] vide Ref (1) on 04-10-2021 approval under the Forest (Conservation) Act, 1980 for diversion of 2.4281 hectares (*revised from 2.428 hectare*) of forest land in Kadugodi Plantation Village Sy No 1, Bidarahalli-1 Hobli, Bengaluru East Taluk, Bengaluru Urban District (and Urban Forest Division) for construction of Ground Level Reservoir (GLR) under Cauvery Water Supply Scheme (CWSS) Stage-V, along Eastern Route CP-12, in favour



of the Executive Engineer, Bangalore Water Supply and Sewerage Board (BWSSB), Kapila Bhavan, 4th Block, Jayanagara, Bengaluru. The same was accepted by Nodal Officer (FCA) on 07-10-2021 for further processing. After receiving the Acknowledgement online on 30-10-2021 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, Bangalore Urban Division for field verification and further processing under Section 2 of the Forest (Conservation) Act, 1980.

2. **Location details:** Location details of the forest land proposed for diversion are given below.

District, Taluk, Hobli	Village	Sy No.	Forest Land proposed for diversion (ha)	Status of Land
Bangalore Urban District, Bangalore East Taluk, Bidarahalli-1 Hobli.	Kadugodi Plantation	1	2.4281	Reserve Forest
<b>Total</b>			<b>2.4281</b>	

3. **DCF, Bangalore Urban Division Report:** The Deputy Conservator of Forests Bangalore Urban Division has inspected the spot on 24-07-2023 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 the Chief Conservator of Forests, Bangalore Circle. Main features of the proposal based on the DCF Bangalore Urban Report r/w the report of the CCF, Bangalore Circle and that of the ICT Centre of Forest Department are as follows.

- a. The forest land proposed for diversion is in general landscape of Eco-Class-III (Tropical dry deciduous Forests) with low Dense Forest (0.25 canopy density).
- b. The proposed area falls within Reserve Forest.
- c. 19 trees to be felled on the forest land proposed for diversion.
- d. Butterflies are present in and around the project area
- e. There are no other rare / endangered / unique species of flora and fauna reported around the forest area proposed for diversion.
- f. As per the forest land proposed for diversion does not fall within the Eco-Sensitive Zone (ESZ), Wildlife Sanctuary.
- g. There are no Protected/ Archaeological/ Heritage Sites/defence establishment located in the proposed area.
- h. The forest area proposed for diversion is the bare minimum and unavoidable.
- i. There is no violation reported under Forest (Conservation) Act, 1980.

**Additional Issue:** - The Deputy Conservator of Forests, Bangalore Urban Division has also stated that the land proposed for diversion is been encroached and Forest Offence Cases were also booked/filed against encroachers. Further, the action will be initiated to



evict the encroachers as per the Karnataka Forest Act, 1963 & Karnataka Forest Rules, 1969. The details are as below:

Sl. No.	FOC No. & Date	Name of the Encroacher	Total Encroached Exent (In Acre-gunta)	Encroached Extent in area Proposed for diversion (In Acre-gunta)
1	22/2011-12, 16-11-2021	Rathnamma D/o Byadara Muniyappa, Dinnur, Kadugodi Plantation, Bangalore-67	4.00	2.43
2	03/2022-23 26-04-2022	Laksmamma D/o Byadara Muniyappa, Madhu, Venkatesh, Dinnur, Kadugodi Plantation, Bangalore-67	1.12	
3	04/2022-23 26-04-2022	Jayamma W/o Munikrishna, Dinnur, Kadugodi Plantation, Bangalore-67	0.05	
4	105/2011-12 05-01-2012	Y.Krishnappa S/o Mankri Yellappa, Dinnur, Kadugodi Plantation, Bangalore-67	4.00	3.57
		Total	9.17	6.00

4. **CCF, Bangalore Circle Report:** The Chief Conservator of Forests, Bangalore Circle has vide Ref (4) has submitted PART-III in online. Agreeing with the recommendation made by the Deputy Conservator of Forests, Bangalore Urban Division, the Chief Conservator of Forests, Bangalore Circle has also recommended the proposal.
5. **Net Present Value (NPV):** The User Agency is required to pay the Net Present Value (NPV) of forest land proposed for diversion as per Para 3.1 to 3.4 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 has submitted an Undertaking dated 25-06-2021 to pay the charges towards Net Present Value (NPV) of the forest land proposed for diversion.**
6. **Compensatory Afforestation (CA):** The User Agency being a State Government Agency is required to provide an equivalent extent of non-forest land towards Compensatory Afforestation. Accordingly, the User Agency has identified the non-forest land to an extent **3.6422 ha (9.00 Acres) in Sy No.57 of Chikkarayappanaalli Village, Tubagere Hobli, Chikkaballapura Taluk, Bangalore Rural District** for raising Compensatory Afforestation.

The Assistant Conservator of Forests, Doddaballapura Sub division, Doddaballapura has inspected the said non-forest land and reported that the identified non-forest land is not suitable for raising CA. Hence, an alternative degraded forest land of Gross area 4.04 ha (Net area 2.4281 ha) is identified in Hulikunte SF village, Sasalu



Hobli, Doddaballapura Taluk, Bangalore Rural Division for raising Compensatory Afforestation.

The CA details in the form of topo map, geo referenced map along with GPS readings of all corners of both Non-Forest land and degraded forest land with CA Suitability Certificate and CA scheme issued by DCF, Bangalore Rural is uploaded in Part-I & Part-II. Further, User Agency has also submitted an undertaking dated: 25-06-2021 to pay the Compensatory Afforestation 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 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 once again to obtain the said certificate in prescribed format and submit a copy. The User Agency has submitted an Undertaking dated 11-08-2021 to submit the FRA certificate.**

Under the above circumstances and agreeing with recommendation of the field officers, it is requested to consider according 'in-principle' (Stage-I) approval under Forest (Conservation) Act, 1980 for diversion of 2.4281 hectares (revised from 2.428 hectare) of forest land in Kadugodi Plantation Village Sy No 1, Bidarahalli-1 Hobli, Bengaluru East Taluk, Bengaluru Urban District (and Urban Forest Division) for construction of Ground Level Reservoir e the Drinking Water Supply to Bangalore Urban Areas (City Trunk Main Along Western Route of CP10). As the proposed area for diversion is been encroached and Forest Offence Cases were also booked/filed against encroachers. Further, the action will be initiated to evict the encroachers as per the Karnataka Forest Act, 1963 & Karnataka Forest Rules, 1969. Hence, the above Forest Land is to be diverted in favour of the Executive Engineer, Bangalore Water Supply and Sewerage Board (BWSSB), Kapila Bhavan, 4th Block, Jayanagara, Bengaluru 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'.

The hard copy of the proposal along with the relevant documents in 4 sets is submitted herewith for further needful action.

Yours Faithfully

  
(Rajiv Ranjan)

Principal Chief Conservator of Forests  
(Head of Forest Force)



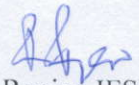
**Copy to the:**

1. Chief Conservator of Forests, Bangalore Circle, Bangalore for information.
2. Deputy Conservator of Forests, Bangalore Urban Division, for information.
3. Executive Engineer, Bangalore Water Supply and Sewerage Board (BWSSB), Kapila Bhavan, 4th Block, Jayanagara, Bengaluru- 560 041 for information and further action to obtain and **produce the RoFR Certificate in FORM-II (for Non-Linear 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 of 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.

  
(Rajiv Ranjan IFS)

Principal Chief Conservator of Forests  
(Head of Forest Force)



**PART – III**

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

<p>Detailed opinion &amp; specific recommendation of the State Forest Department for acceptance or otherwise of the proposal with remarks.</p> <p><i>(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).</i></p>	<p>Recommended for diversion of 2.4281 hectares (revised from 2.428 hectare) of forest land in Kadugodi Plantation Village Sy No 1, Bidarahalli-1 Hobli, Bengaluru East Taluk, Bengaluru Urban District (and Urban Forest Division) for construction of Ground Level Reservoir e the Drinking Water Supply to Bangalore Urban Areas (City Trunk Main Along Western Route of CP10). As the <b>proposed area for diversion is been encroached and Forest Offence Cases were also booked/filed against encroachers. Further, the action will be initiated to evict the encroachers as per the Karnataka Forest Act, 1963 &amp; Karnataka Forest Rules, 1969. Hence, the above Forest Land is to be diverted in favour of the Executive Engineer, Bangalore Water Supply and Sewerage Board (BWSSB), Kapila Bhavan, 4th Block, Jayanagara, Bengaluru 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'.</b></p> <p>Proposal No. FP/KA/WATER/48609/2020.</p>
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Signature:



Name:

(VIJAY SHARMA, IFS)

Designation:

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

Signature:



Name:

(RAJIV RANJAN, IFS)

Designation:

Principal Chief Conservator of Forests  
(Head of Forest Force)

N.D.O. No. 177/2023-24

Dated 26/09/2023