

ಕರ್ನಾಟಕ ಸರ್ಕಾರ  
GOVERNMENT OF KARNATAKA

ಪ್ರಧಾನ ಮುಖ್ಯ ಅರಣ್ಯ ಸಂರಕ್ಷಣಾಧಿಕಾರಿ  
(ಅರಣ್ಯ ಪಡೆ ಮುಖ್ಯಸ್ಥರು) ರವರ ಕಚೇರಿ

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



ಅರಣ್ಯ ಭವನ, 18 ನೇ ಅಡ್ಡ ರಸ್ತೆ,  
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E-office File No. KFD/HOFF/A52K(GFL)/9/2022-FC

E-713404

Date 02-01-2023

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 0.19477 ha of forest land in Sy.No. 30 in Rayapura Village in Dharwad Taluk & District (Dharwad Forest Division) for laying the underground water pipeline for providing the water supply to Hubli & Dharwad cities in favour of Municipal Commissioner, Hubli-Dharwad Municipal Corporation, Hubballi

**Proposal No. FP/KA/WATER/141926/2021**

- Ref:**
1. Online proposal [FORM-A PART-I] dated 26-02-2022 of Municipal Commissioner, Hubli-Dharwad Municipal Corporation, Hubballi and uploading of acknowledgment on 21-04-2022 for having the delivered the hard copy of proposal to jurisdictional Deputy Conservator of Forests and Deputy Commissioner
  2. This office online communication dated 09-05-2022 to Deputy Conservator of Forests, Dharwad Division for further processing of the proposal
  3. Online submission of PART-II on 19-11-2022 by Deputy Conservator of Forests, Dharwad Division to CCF, Dharwad [letter No. C3/pipeline/Rayapur/CR-01/2022-23 dated 02-12-2022]
  4. Online submission of PART-III on 06-12-2022 by the Chief Conservator of Forests, Dharwad Circle to Nodal Officer [letter No.A1/LAMD/HUBLI-DHARWAD/24\*7/WATERPIPELINE/CR-29/2022-23/1565 dated 06-12-2022]

1. The Municipal Commissioner, Hubli-Dharwad Municipal Corporation, Hubballi as authorized Applicant [USER AGENCY] has submitted an online proposal [FORM-A PART-I] vide Ref (1) on 26-02-2022 seeking approval under the Forest (Conservation) Act, 1980 for diversion of 0.19477 ha of forest land in Sy.No. 30 in Rayapura Village in Dharwad Taluk & District (Dharwad Forest Division) for laying the underground water pipeline for providing the water supply to Hubli & Dharwad cities. The same was accepted by Nodal



Officer (FCA) on 18-03-2022 for further processing. After receiving the acknowledgement online on 21-04-2022 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, Dharwad Division for field verification and further processing under Section 2 of the Forest (Conservation) Act, 1980.

- 2. Location details and Component wise break up:** Location details and Component wise breakup of the forest land proposed for diversion are given below.

District & Taluk	Village	Sy No.	Name of Project Component	Forest Land proposed for diversion (ha)	Status of Land
Dharwad District, Dharwad Taluk	Rayapur	30	Pipeline	0.19477	Protected Forest
<b>Total</b>				0.19477	

- 3. DCF, Dharwad Division Report:** The Deputy Conservator of Forests Dharwad Division has inspected the spot on 17-05-2022 & 07-11-2022 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, Dharwad Circle. Main features of the proposal based on the DCF Dharwad Report r/w the report of the CCF, Dharwad 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 (Topical Dry Deciduous Forests) with Very Dense Forest (60% canopy density).
- b. As per Item 4 (ii) of PART-II, there are 17 trees to be felled on the forest land proposed for diversion. Major tree species include *Delonix regia*, *Casuarina equisetifolia*, *Acacia auriculiformis* & *Eucalyptus* spp
- c. Major wild animals found in and around the project area include peacocks & deers.
- d. There are no other rare / endangered / unique species of flora and fauna reported around the forest area proposed for diversion.
- e. The forest land proposed for diversion does not form part of any National Park/ Wildlife Sanctuary/ Biosphere Reserve/ Tiger Reserve/ Elephant Corridor/ Wildlife Migration Corridor, etc.
- f. There are no National Park/ Wildlife Sanctuary/ Biosphere Reserve/ Tiger Reserve/ Elephant Corridor/ Wildlife Migration Corridor within



one kilometer from the boundary of the forest land proposed for diversion.

- g. The forest land proposed for diversion is not located within Eco-Sensitive Zone (ESZ) of any Protected Area notified under Wildlife (Protection) Act, 1972.
  - h. There are no Protected/ Archeological/ Heritage Sites/ Defence establishments located in the proposed area.
  - i. The forest area proposed for diversion is the bare minimum and unavoidable.
  - j. There is no violation reported under Forest (Conservation) Act, 1980.
4. **CCF, Dharwad Circle Report:** The Chief Conservator of Forests, Dharwad Circle vide Ref (4) has submitted PART-III online. Agreeing with the recommendation made by the Deputy Conservator of Forests, Dharwad Division, the Chief Conservator of Forests, Dharwad 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 the FC Guidelines communicated by Government of India, Ministry of Environment, Forests and Climate Change, New Delhi vide F.No. 5-3/2011-FC dated 06-01-2022. **The User Agency has submitted an Undertaking (dated 03-02-2022) to pay the charges towards Net Present Value (NPV) of the forest land proposed for diversion.**
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, 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). **The User Agency has submitted an Undertaking (dated 03-02-2022) 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-I (for 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**

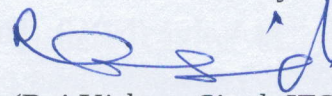


User Agency is being informed again to obtain the said certificate in prescribed format and submit a copy.

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 0.19477 ha of forest land in Sy.No. 30 in Rayapura Village in Dharwad Taluk & District (Dharwad Forest Division) for laying the underground water pipeline for providing the water supply to Hubli & Dharwad cities in favour of Municipal Commissioner, Hubli-Dharwad Municipal Corporation, Hubballi for a period of Twenty (20) years and subject to the production of RoFR certificate in FORM-I 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 is submitted herewith for further needful.

Yours Faithfully



(Raj Kishore Singh IES)

Principal Chief Conservator of Forests  
(Head of Forest Force)

7.1.23

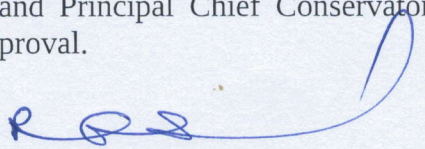
**Copy to the:**

1. Chief Conservator of Forests, Dharwad Circle Dharwad for information.
2. Deputy Conservator of Forests, Dharwad Division, Dharwad for information
3. Municipal Commissioner, Hubli-Dharwad Municipal Corporation, Hubballi - 580029 for information and further action to obtain and **produce the RoFR Certificate in FORM-I (for 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 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.

  
(Raj Kishore Singh IFS)  
Principal Chief Conservator of Forests  
(Head of Forest Force)

7/1/23



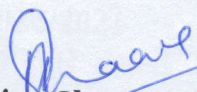
**PART – IV**

*(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 0.19477 ha of forest land in Sy.No. 30 in Rayapura Village in Dharwad Taluk &amp; District (Dharwad Forest Division) for laying the underground water pipeline for providing the water supply to Hubli &amp; Dharwad cities in favour of Municipal Commissioner, Hubli-Dharwad Municipal Corporation, Hubballi for a period of Twenty (20) years and subject to the production of RoFR certificate in FORM-I 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'.</p> <p>Proposal No. FP/KA/WATER/141926/2021</p>
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Signature:

Name:

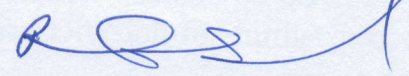
  
(Vijay Sharma, IFS)

Designation:

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

Signature:

Name:

  
(Raj Kishore Singh, IFS) 7.1.23

Designation:

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

N.D.O. No. 56/2022-23

(Official Seal)

Dated 09/01/2023