

ಕರ್ನಾಟಕ ಸರ್ಕಾರ

GOVERNMENT OF KARNATAKA

ಪ್ರಧಾನ ಮುಖ್ಯಾಚಾರ್ಯ ಸಂರಕ್ಷಣಾಧಿಕಾರಿ  
(ಅರಣ್ಯ ಪಡೆ ಮುಖ್ಯಸ್ಥರು) ರವರಕಚೇರಿ

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



ಅರಣ್ಯ ಭವನ, 18ನೇ ಅಡ್ಡರಸ್ತೆ, ಮಲ್ಲೇಶ್ವರಂ  
ಬೆಂಗಳೂರು-560 003.

AranyaBhavan, 18<sup>th</sup> Cross  
Malleshwaram, Bengaluru-560 003  
Telephone : 080 2334 6472  
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No: A5(4).GFL.CR.28/2017-18

Date: 12-10-2018

(3 Set Proposal Enclosed)  
To,

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

Sir,

Sub: Diversion of 0.986 hectare of forest land in Sy.No.178 of Khatak Chincholi Village, Bhalki Taluk, Bidar Division & District for construction of Water Treatment Plant, laying of water pipeline and Approach Road in favour of the Executive Engineer, Karnataka Urban Water Supply and Drainage Board, Bidar.

[Proposal No. FP/KA/WATER/28708/2017]

- Ref: 1) Online Proposal dated 23-04-2018 (resubmitted) of the Executive Engineer, Karnataka Urban Water Supply and Drainage Board, Bidar.
- 2) This office online communication dated 11-06-2018 [online link transfer to DCF].
- 3) Letter No. A5:LD:Khatakchincholi:Sy.No.178/CR-2018-19/433 dated 26-07-2018 of the Deputy Conservator of Forests, Bidar Division, Bidar [Online submission of PART-II on 12-07-2018 to Circle Office].
- 4) Letter No.A4/CCF/FL/B/Kha.Chincholi/CR-6/2018-19/1945 dated 31-07-2018 of the Chief Conservator of Forests, Kalburgi Circle, Kalburgi [Online submission of Part-III on 08-08-2018].

\* \* \* \* \*

The Executive Engineer, Karnataka Urban Water Supply and Drainage Board, Bidar vide reference (1) has submitted an online proposal through FC Web Portal seeking approval for diversion of 0.986 hectare of forest land in Sy.No.178 of Khatak Chincholi Village, Bhalki Taluk, Bidar Division & District for construction of Water Treatment Plant, laying of water raising main, laying of power line & Approach Road under Section 2 of the Forest (Conservation) Act, 1980. Accordingly, communication



through web portal was made by Nodal Officer vide reference (2) to the Deputy Conservator of Forests, Bidar Division for further processing of the proposal under FC Act. Also on 15-05-2018 User Agency was asked to deliver hard copies of the proposal to Deputy Conservator of Forests, Bidar and Deputy Commissioner, Bidar.

The details of the forest land required for the project are as under:

District	Taluk	Hobli	Village & Sy.No	Legal status of land	Extent (in ha.)
Bidar	Bhalki	Khatak Chincholi	Katak Chincholi Sy.No.178	Section 4 Notified Forest [Notification No. AMFF 55 FAF 91 Dated 28-06-1991	0.986

The component wise breakup of the forest land required is as under:

	Project components	Extent of forest land required (ha)
1	20 MLD WTP 90 m x 80 m	0.72
2	Inlet water pipeline 1 m x 380 m	0.038
3	11 KV Underground cable 1 m x380 m	0.038
4	Approach road to WTP 4 m x380 m	0.152
5	Outlet water pipeline 1 m x380 m	0.038
	<b>Grand Total</b>	<b>0.986</b>

*[Note: As per the detailed Component Map submitted by the User Agency, all linear components, viz., laying of 559 mm Inlet water pipeline, 11 KV Underground cable, Outlet water pipeline 1 m x380 m and Approach road to WTP 4 m x380 m will be undertaken within the proposed 7.00 meter width.]*

**1. DCF, Bidar Division Report:** The Deputy Conservator of Forests, Bidar Division has inspected the site on 10-07-2018 and has vide reference (3) furnished the following details in PART-II of the proposal.

- The requirement of forest land proposed by the User Agency is bare minimum and unavoidable for the project.
- Density of vegetation is 0.3 and the project lies in Eco –Class-III.
- There are no rare / endangered / unique species of flora and fauna in the proposed area.
- There are 88 trees (naturally grown *Azadirachta indica* - 3 no. and remaining planted 85 *Eucalyptus* sps) in 31-60 cm and above girth classes in the forest land proposed for diversion.
- There are no protected / archaeological / heritage sites or defence establishments or important monuments in the area.



- f. The proposed forest area does not form part of any Wildlife Sanctuary, National Park, Biosphere Reserve, Tiger Reserve or Elephant Corridor, etc.
  - g. There is no violation reported under Forest Conservation Act, 1980.
2. **CCF, Kalburagi Circle Report:** The Chief Conservator of Forests, Kalburgi Circle has inspected the site on 31-07-2018 and agreeing with the recommendations made by the Deputy Conservator of Forests, Bidar Division, has recommended the proposal along with PART-III vide Ref(4).
  3. **Compensatory Afforestation (CA):** User Agency has not identified non-forest land for raising Compensatory Afforestation. As per para 3.2 (viii) (b) of the Forest (Conservation) Act, 1980 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. However, the User Agency has to pay the cost for raising plantation of 10 times the trees likely to be felled in accordance with Principal Chief Conservator of Forests (HoFF), Karnataka letter No. A5(3).GFL.CR.28/2009-10 dated:24-05-2018. **The User Agency has submitted an Undertaking to pay Compensatory Afforestation charges.** *[Note: In view of aforesaid circumstances, the CA related information uploaded in Item 13 of PART-II may be ignored.]*
  4. **Net Present Value (NPV):**The User Agency is required to pay Net Present Value (NPV) for **0.986** hectare of forest land to be diverted under this proposal 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. **The User Agency has given an Undertaking to pay the Net Present Value.**
  5. **RoFR Certificate:** The User Agency is required to submit the Certificate of compliance under 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.**

Under the above circumstances and agreeing with the recommendation of the field officers, it is requested to move the proposal to Government of India for seeking Stage-I (*in-principle*) approval under Section 2 of the Forest (Conservation) Act, 1980 for diversion of 0.986 hectare of forest land in Sy No.178 of Khatak Chincholi Village, Bhalki Taluk, Bidar Division & District for construction of Water Treatment Plant, laying of water pipeline & Approach Road in favour of the Executive Engineer, Karnataka Urban Water Supply and



**Drainage Board Division, Bidar for a period of 25 years subject to submission of RoFR Compliance Certificate in addition 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)

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

Copy to the Deputy Conservator of Forests, Bidar Division, Bidar for information and you directed to **identify forest land for raising compensatory planting of 10 times the trees to be felled as per this office O.M. A5(3).GFL.CR.28/2009-10 dated:24-05-2018 and also submit Toposheet Map, Village Map, GPS reading, Suitability Certificate and Compensatory Planting Scheme.**

Copy to the Executive Engineer, Karnataka Urban Water Supply and Drainage Board Division, Maniyar Talim Water Tank Fort Road, Bidar for information and **with a request to submit the undertaking for payment of raising compensatory planting in lieu of the trees likely to be felled in accordance with Principal Chief Conservator of Forests (HoFF), Karnataka letter No. A5(3).GFL.CR.28/2009-10 dated:24-05-2018 and also obtain and submit the RoFR compliance certificate (in original) as mentioned above at early date.**

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12-10-18  
15-15 PM



## ANNEXURE 'A'

1. The legal status of Forest land shall remain unchanged and it shall continue to be forest land.
2. The lease tenure is for a period of 25 (twenty five) years.
3. The lessee shall pay lease rent as fixed by the Government from time to time.
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 is reported during the lease period, the lease shall be forfeited 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.
6. No residential buildings shall be permitted in the forest area proposed for diversion.
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. The Deputy Conservator of Forests, Bidar Division has to identify forest land and submit the details for raising compensatory planting of 10 times the trees to be felled.
10. User Agency has to pay the cost for raising compensatory planting of 10 times the trees to be felled at the rate prevailing at the time of approval, as per the guidelines prescribed in this regard.
11. The User Agency shall pay the cost of extraction of trees as estimated by the Department (Deputy Conservator of Forests).
12. Production of requisite Certificate issued by the Deputy Commissioner, Bidar District 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-II for compliance under Recognition of Forests Rights (RoFR) Act 2006
13. The User Agency shall ensure that no harm is caused to the fauna and flora in and around the proposed area.
14. Demarcation of the proposed area shall be carried out appropriately at the cost of user agency.
15. No crushing / breaking of stones shall be allowed inside forest area.
16. No labour camp shall be established on the forest land.
17. All waste / debris generated shall be scientifically disposed off outside the forest area.
18. Any damage to forest area due to implementation of the proposal shall be compensated by the User Agency. The extent of damage shall be assessed by the concerned Deputy Conservator of Forests.
19. The lessee shall not sub-lease, mortgage & hypothecate the forest area.
20. The approval under the Forest (Conservation) Act, 1980 is subject to any other clearances necessary under the prevailing statutes.
21. The User Agency shall also abide by all the conditions mentioned herein or fresh conditions imposed by Government of India, Government of Karnataka and Principal Chief Conservator of Forests (Head of Forest Force).

  
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 &amp; 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 0.986 hectare of forest land in Sy.No.178 of Khatak Chincholi Village, Bhalki Taluk, Bidar Division &amp; District for construction of Water Treatment Plant &amp; Approach Road, etc in favour of the Executive Engineer, Karnataka Urban Water Supply and Drainage Board Division, Bidar [Proposal No.FP/KA/WATER/28708/2017] subject to the conditions appended in Annexure-‘A’.</p>
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Signature:

Name:

Designation:

  
**JAGMOHAN SHARMA IFS**

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

(Official Seal)

Countersigned by :

Name:

Designation:

  
**PUNATI SRIDHAR IFS**

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

(Official Seal)

N.D.O. No: 13/2018-19

Date: 12 -10-2018

