

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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E-office File No. KFD/HoFF/A5-6(GFL)/12/2021-FC
Encl: 3 sets of proposal hard copies

E-556477

Date 14-09-2022

15

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

Sir

Sub: Diversion of 12.1801 Ha of forest land in F. Sy. No. 17 (new Sy. No.20) of Ittigehalli Village, Holehonnur Hobli, Bhadravathi Taluk, Shimoga District (Bhadravathi Forest Division) for construction of new tank with check dam & connectivity road for recharge of ground water in surrounding villages of Ittigehalli in favour of Executive Engineer, KNNL No.3, Bhadra Canal Division, Malebennur.

Proposal No. FP/KA/WATER/146299/2021

- Ref:**
1. Online [FORM-A (PART-I)] proposal dated 22-10-2021 (resubmitted) of Executive Engineer, KNNL No.3, Bhadra Canal Division, Malebennur and uploading of acknowledgement online on 22-01-2022 for having delivered hard copies of proposal to jurisdictional Deputy Conservator of Forests and Deputy Commissioner
 2. This office online communication dated 24-01-2022 to Deputy Conservator of Forests, Bhadravathi Division [for processing of the proposal]
 3. Online submission of PART-II by Deputy Conservator of Forests, Bhadravathi Division on 16-07-2022 [Letter No. B2/Land/Bhadra/CR-21/2020-21 dated 16-07-2022]
 4. Online submission of PART-III by Conservator of Forests, Shimoga Circle on 19-08-2022 [Letter No. A11/FC/Ittigehalli-Tank/GL-2971/2022-23 dated 17-08-2022]

1. The Executive Engineer, KNNL No.3, Bhadra Canal Division, Malebennur [USER AGENCY], vide Ref (1) has submitted a proposal through FC web portal seeking approval under Section 2 (ii) of the Forest (Conservation) Act, 1980 for diversion of 12.1801 Ha of forest land in F. Sy. No. 17 (new Sy. No.20) of Ittigehalli Village, Holehonnur Hobli, Bhadravathi Taluk, Shimoga District

(Bhadravathi Forest Division) for construction of new tank with check dam & connectivity road for recharge of ground water in surrounding villages of Ittigehalli. After uploading of the acknowledgement online by User Agency on 22-01-2022 for having delivered the hard copies of proposal to the jurisdictional Deputy Conservators of Forests and Deputy Commissioner, an online communication was made on 24-01-2022 by Nodal Officer (FCA) vide Ref (2) to the Deputy Conservator of Forests, Bhadravathi Division to process the proposal under FC Act and to submit the specific opinion in PART-II of the proposal.

2. **Location details and component wise breakup of the project:** The location details and component wise breakup of requirement of forest land for the project are given below.

District, Taluk, Hobli	Village & Sy No.	Name of project component		Forest extent proposed for diversion (ha)	Legal status of land
Shimoga District, Bhadravat hi Taluk, Holehonnu rHobli	Ittigehalli Sy. No.17 (new Sy. No. 20)	1	New Tank	10.1171	Reserve d Forest
		2	Check Dam	0.023	
		3	Connectivity Road	2.04	
	Total				12.1801

3. **DCF, Bhadravathi Division Report:** The Deputy Conservator of Forests, Bhadravathi Division has inspected the site on 22-06-2022 and has vide Ref (3) submitted his report in PART-II to the Conservator of Forests, Shimoga Circle recommending the proposal. The details of the proposal as reported by the Deputy Conservator of Forests, Bhadravathi Division r/w the reports of Conservator of Forests, Shimoga Circle and also of ICT Centre of Forest Department are as follows.

- The forest land proposed for diversion is in general landscape of Eco class-III with Dense Forest (40% canopy density).
- As per Item 4(II) of PART-II of the proposal, there are 1575 trees in various girth classes in the forest land proposed for diversion. Major tree species include *Tectona grandis*, *Emblica officinalis*, *Eucalyptus Spp*, *Swietenia mahagoni*, etc.
- There are no other rare/endangered/unique species of flora and fauna reported in the area.
- 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.

- e. 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.
- f. The forest land proposed for diversion is not located within Eco-Sensitive Zone (ESZ) of any Protected Area notified under Wildlife (Protection) Act, 1972.
- g. There are no protected archaeological/ heritage site/defence establishment or any other important monument located in the area.
- h. The requirement of forest land as proposed by the User Agency is unavoidable and bare minimum for the project.
- i. There is no violation reported under Forest (Conservation) Act, 1980.

4. **CF Shimoga Circle Report:** Based on the report of DCF, Bhadravathi Division, the Conservator of Forests, Shimoga Circle vide Ref (4) has submitted his report in PART-III. The CF, Shimoga Circle agreeing with the information given in the PART-II and recommendation of the DCF, Bhadravathi Division, he 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. 5-3/2011-FC (Vol-I) dated 06-01-2022. **The User Agency has submitted an Undertaking dated 21-08-2021 to pay the charges towards Net Present Value (NPV) of the forest land proposed for diversion.**

6. **Compensatory Afforestation (CA):** The User Agency is required to provide an equivalent extent of suitable non-forest land in accordance with FC guidelines. the User Agency had identified the following non-forest land for raising compensatory afforestation.

District	Village	Sy No.	Extent
Shimoga District, Bhadravathi Taluk, Holehonnur Hobli	Gudmaghatta	43	12.1801 Ha
Total			12.1801 Ha

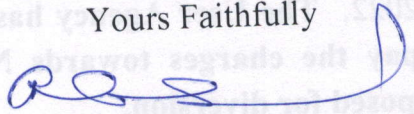
In addition, the User Agency is also required to pay the CA charges as per prevailing rates. Accordingly, the User Agency has furnished an Undertaking to pay the stipulated CA charges.

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/Hybrid 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 has not submitted the required RoFR certificate, but has uploaded is letter dated 12-02-2019 addressed to the Deputy Commissioner, Shimoga District requesting for the required Certificate. However, the User Agency is being informed to submit authenticated certificate of the same.

In light of the facts stated above and agreeing with the recommendation of the field officers, it is requested to move the proposal with the Government of India for according 'in-principle' (Stage-I) approval for diversion of 12.1801 Ha of forest land in F. Sy. No. 17 (new Sy. No.20) of Ittigehalli Village, Holehonnur Hobli, Bhadravathi Taluk, Shimoga District (Bhadravathi Forest Division) for construction of new tank with check dam & connectivity road for recharge of ground water in surrounding villages of Ittigehalli in favour of Executive Engineer, KNNL No.3, Bhadra Canal Division, Malebennur for a period of Thirty (30) years subject to production of the RoFR Certificate in FORM-II (for Non-linear/Hybrid 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 and further subject to the conditions specified in ANNEXURE 'A'.

Yours Faithfully

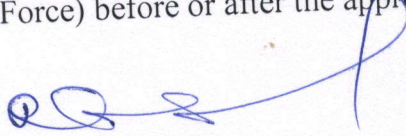

(Raj Kishore Singh, I.F.S.)
Principal Chief Conservator of Forests
(Head of Forest Force)

Copy to:

1. The Conservator of Forests, Shimoga Circle, Bhadravathi for information.
2. The Deputy Conservator of Forests, Bhadravathi Division, Bhadravathi for information.
3. The Executive Engineer, Karnataka Neeravari Nigam Ltd. No.3, Bhadra Canal Division, Malebennur, Davanagere District – 577530 for information.

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), Compensatory, Plantation cost of extraction of trees, 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. No change in Land Use Plan on forest land shall be done except with prior approval of Government of India under FC Act 1980.
7. 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.
8. No residential or commercial buildings shall be permitted in the forest area proposed for diversion.
9. All waste / debris generated shall be scientifically disposed off outside the forest area.
10. 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 Deputy Conservator of Forests/ Conservator of Forests/ Chief Conservator of Forests.
11. The Lessee shall ensure that no avoidable harm is caused to the fauna and flora in and around the proposed area.
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 / 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.

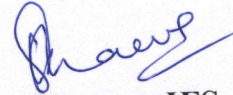

Principal Chief Conservator of Forests
(Head of Forest Force)

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><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 12.1801 Ha of forest land in F. Sy. No. 17 (new Sy. No.20) of Ittigehalli Village, HolehonnurHobli, Bhadravathi Taluk, Shimoga District (Bhadravathi Forest Division) for construction of new tank with check dam & connectivity road for recharge of ground water in surrounding villages of Ittigehalli in favour of Executive Engineer, KNNL No.3, Bhadra Canal Division, Malebennur for a period of Thirty (30) years subject to production of the RoFR Certificate in FORM-II (for Non-linear/Hybrid 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 and further subject to the conditions specified in ANNEXURE 'A'. Proposal No. FP/KA/WATER/146299/2021 [FORM-A]</p>
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Signature:

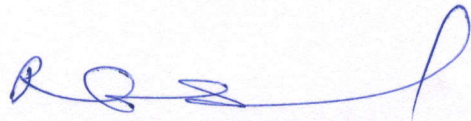


Vijay Sharma, IFS

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

Name:
Designation:

Countersigned by:



Raj Kishore Singh, IFS

Principal Chief Conservator of Forests
(Head of Forest Force)

Name:
Designation:

N.D.O. No: **36**/2022-23

(Official Seal)

Date: **15**-09-2022