

COMPNO: 19/37

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 ಅಡ್ಡ ರಸ್ತೆ, ಮಲ್ಲೇಶ್ವರಂ,
ಬೆಂಗಳೂರು-560 003.

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Malleshwaram, Bengaluru-560 003
Telephone : 080 2334 6472
Email : apccffc@gmail.com

No.A5(2).GFL.CR-43/2016-17

Date: 16-08-2017

Proposal No. FP/KA/WATER/24468/2017

(ಶಾಲೆಗೆ ಕುಡಿಯುವ ನೀರಿನ ಪೂರೈಕೆಗಾಗಿ)

To,

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

Sir,

Sub: Diversion of 0.01255 ha of forest land in Veerakamba Village, Bantwala Taluk, D.K. District for laying drinking water supply pipeline (extension) at Kalmale in Bantwal Taluk in favour of the Assistant Executive Engineer, Rural Drinking Water Supply Sub-Division, Bantwal-reg.

- Ref: 1. Letter No. FP/KA/WATER/24468/2017 dated 20-02-2017 of the Assistant Executive Engineer, Rural Drinking Water Supply Sub-Division, Bantwal.
2. This office online communication dated 23-06-2017.
3. Letter No. Land Section/Mis-321/FC/Kalmale-pipe line/2016-17 dated 10-07-2017 of the Deputy Conservator of Forests, Mangaluru Division, Mangaluru.
4. Letter No. A3/MIS-24/D.W.(Kalmale)/FC/2017-18 dated 11-07-2017 of the Chief Conservator of Forests, Mangaluru Circle, Mangaluru
5. Online submission of proposal / reply by the Chief Conservator of Forests, Mangaluru Circle dated 11-07-2017.

* * * * *

The Assistant Executive Engineer, Rural Drinking Water Supply Sub-Division, Bantwal vide letter under reference (1) above has submitted a proposal (through web portal mode) for diversion of 0.01255 hectare of forest land in Veerakamba Village, Bantwala Taluk, D.K. District for laying drinking water supply pipeline (extension) at Kalmale in Bantwal Taluk for obtaining approval under Forest (Conservation) Act, 1980. Accordingly, communication through online was made to Deputy Conservator of Forests, Mangaluru Division & Deputy Commissioner, Udupi District to process the said proposal and to submit their specific opinion / recommendations. In response, the Deputy Conservator of Forests, Mangaluru Division & Chief Conservator of Forests, Mangaluru Circle have submitted report vide letters cited under ref. (3,4 & 5) above.

The details of the proposal are as follows:

Purpose-wise breakup	Village	Sy.No.	Length x Width= Area (sqm)	Extent (in ha.)
For drinking water underground pipeline	Veerakamba Village	Veerakamba RF	251x 0.5= 0.01255	0.01255
Total				0.01255

The Deputy Conservator of Forests, Mangaluru Division, Mangaluru has inspected the project spot on 25-03-2017 and stated as follows:

1. The proposed area is barest minimum & unavoidable.
2. No tree is required to be felled.
3. The proposed forest area falls under as Eco-class-I Moist Deciduous Forest having density of 0.40.
4. There are no rare / endangered / unique species of flora and fauna in the proposed area.
5. There are no protected / archeological / heritage sites / defence / establishments located in the proposed 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. The forest is not vulnerable to erosion.
8. There is no violation reported under Forest Conservation Act, 1980.

The Chief Conservator of Forests, Mangaluru Circle, Mangaluru has recommended the proposal in form 'A', Part III for acceptance duly agreeing with the recommendations of the Deputy Conservator of Forests, Mangaluru Division, Mangaluru.

The forest area proposed is less than 1.00 ha and as per Para 3.2 (viii) (b) of FC Rules 2003 there is exemption for raising Compensatory Afforestation (CA).

Further, the User Agency has to pay the Net Present Value (NPV) of forest land being diverted under this proposal as per conditions stipulated by Government of India, Ministry of Environment and Forests, New Delhi vide letter No. 11-9/98-FC dated 13-02-2014 and 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.


With regard to compliance of Recognition of Forests Rights (RoFR) Act 2006, the User Agency has not furnished copy of requisite Certificate as per 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 / II.

Under the above circumstances, while agreeing with recommendation of the field officers it is requested to issue approval under Section-2 of Forest (Conservation) Act, 1980 for diversion of 0.01255 ha of forest land in Veerakamba Village, Bantwala Taluk, D.K. District for laying drinking water supply pipeline (extension) at Kalmale in Bantwal Taluk in favour of the Assistant Executive Engineer, Rural Drinking Water Supply Sub-Division, Bantwal as per guide lines

issued by Government of India, Ministry of Environment and Forest, New Delhi vide No. 11-9/98-FC dated 13-02-2014 (General Approval) subject to production of requisite RoFR Certificate as per 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 by the User Agency and other conditions appended in Annexure 'A'.

The proforma particulars along with the 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), Bengaluru.

Copy to the Chief Conservator of Forests, Mangaluru Circle, Mangaluru for necessary action.

Copy to the Deputy Conservator of Forests, Mangaluru Division, Mangaluru for necessary action.


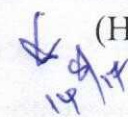
Copy to the Assistant Executive Engineer, Rural Drinking Water Supply Sub-Division, Bantwal, D.K. District for information and necessary action. Immediate action may be taken to obtain RoFR certificate in Form-I from Deputy Commissioner, Udupi and submit to this office.

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16/08/17
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ANNEXURE 'A'

1. The legal status of forest land shall remain unchanged and it shall continue to be as Reserved Forest land.
2. The lessee shall pay lease rent as fixed by the Government from time to time.
3. The lease tenure shall be 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 shall be resumed back. The concerned Chief Conservator of Forests / Deputy Conservator of Forests are authorized to take necessary action in this regard.
5. In case any violations are committed by the user agency the lease shall be liable for cancellation under Section 82 of Karnataka Forest Act 1963. The concerned Chief Conservator of Forests is authorized to take necessary action in this regard.
6. No residential buildings shall be permitted in the proposed forest area.
7. The leased area shall be demarcated on ground appropriately at the cost of the User Agency.
8. The Karnataka Forest Act, 1963 and Rules, 1969 and other relevant Acts & Rules will be applicable for any violation.
9. The User Agency has to pay the Net Present Value (NPV) of forest land diverted under this proposal as per conditions stipulated by Government of India, Ministry of Environment and Forests, New Delhi vide letter No. 11-9/98-FC dated 13-02-2014 and orders dated 28-3-2008 and 9-5-2008 of the Hon'ble Supreme Court of India.

10. The User Agency to ensure that there shall be no damage to the available fauna and other flora.
11. No labour camp shall be established on the forest land.
12. Any damage to forest area due to such works shall be compensated by the User Agency. The extent of damage shall be assessed by the concerned Deputy Conservator of Forests.
13. The lessee shall not sub-lease, mortgage or hypothecate the forest area.
14. The User Agency shall also abide by all the conditions imposed upon by Government of India, the Government of Karnataka and the Principal Chief Conservator of Forests (Head of Forest Force).


Principal Chief Conservator of Forests
(Head of Forest Force), Bengaluru.


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>(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 0.01255 ha of forest land in Veerakamba Village, Bantwala Taluk, D.K. District for laying drinking water supply pipeline (extension) at Kalmale in Bantwal Taluk in favour of the Assistant Executive Engineer, Rural Drinking Water Supply Sub-Division, Bantwal under the Forest (Conservation) Act, 1980 subject to specific condition & the conditions appended in Annexure 'A'.</p>
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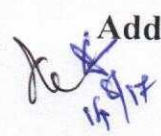
Signature:

Name:

Designation:


JAGMOHAN SHARMA IFS

Nodal Officer &


**Additional Principal Chief Conservator of Forests
(Forest Conservation) Bengaluru**

(Official Seal):

Counter signed by :

Name:

Designation:


K.S. SUGARA IFS

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

(Official Seal):

N.D.O. No: **12**/2017-18.

Date: **16** -08-2017.

