

ಕರ್ನಾಟಕ ಸರ್ಕಾರ
GOVERNMENT OF KARNATAKA

ಪ್ರಧಾನಮುಖ್ಯ 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.
Aranya Bhavan, 18th Cross,
Malleshwaram, Bengaluru-560 003
Telephone : 080 2334 6472
Email : apccffc@gmail.com

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Encl: sets of proposals

E-353706

Date 11-08-2022

17

To,

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

Sir,

Sub: Diversion of 0.7815 ha (*revised form 0.729 ha*) of forest land in Hongare, Shanthigrama, Ranganathapura, Upparahosahalli, Melagodu and Bommenahalli villages, Shanthigrama and Dudda Hoblis, Hassan Taluk and District for laying of Raising Main, Central Gravity Main, Gravity Main Pipelines and construction of Delivery Chamber under scheme to lift water from Hemavathy river near Mavinakere village of Holenarasipura Taluk to fill 160 Tanks and kattes of Dudda and Shanthigrama Hoblis of Hassan Taluk and District in favour of the Executive Engineer, HRBC Division, Holenarasipura, Hassan.

Proposal No. FP/KA/IRRIG/49031/2020 [FORM A]

- Ref:**
1. Online proposal [FORM-A PART-I] dated 30-06-2021 (re submitted) of the Executive Engineer, HRBC Division, Holenarasipura, Hassan and uploading of acknowledgement online on 02-08-2021 for having delivered the hard copy of proposal to jurisdictional Deputy Conservators of Forests & Deputy Commissioner.
 2. This office online communication dated 05-08-2021 to Deputy Conservator of Forests, Hassan Division, Hassan for further processing of proposal.
 3. Online submission of PART-II on 19-07-2022 by the Deputy Conservator of Forests, Hassan Division, Hassan.
 4. Online submission of PART-III on 20-07-2022 by the Chief Conservator of Forests, Hassan Circle [letter No. A8/Land/FC/49031/2021-22 dated 21-07-2022]

1. The Executive Engineer, HRBC Division, Holenarasipura, Hassan.[user agency] has resubmitted an online proposal [FORM-A PART-I] on 30-06-2021 seeking approval under Section 2 of the Forest (Conservation) Act, 1980 for diversion of 0.7815 ha (*revised form 0.729 ha*) of forest land in Hongare, Shanthigrama, Ranganathapura, Upparahosahalli, Melagodu and Bommenahalli villages, Shanthigrama and Dudda Hoblis, Hassan Taluk and District for laying of Raising Main, Central Gravity Main, Gravity Main Pipelines and construction of Delivery Chamber under scheme to lift water from Hemavathy river near Mavinakere village of Holenarasipura Taluk to fill 160 Tanks and kattes of Dudda and Shanthigrama Hoblis of Hassan Taluk and District. The same was accepted by Nodal Officer (FCA) on 17-07-2021 for further processing.
2. After receiving the acknowledgement online on 02-08-2021 for having delivered the hard copies of the proposal by the User Agency to the jurisdictional Deputy Conservator of Forests (DCF) & Deputy Commissioner, the online link was forwarded to the Deputy Conservator of Forests, Hassan Division on 05-08-2021 for field verification and further processing under Section 2 of the Forest (Conservation) Act, 1980.
3. **Location details and Component-wise breakup of forest land requirement:** The details of the location of forest land and component wise requirement are given below.

District, Taluk, Hobli	Village	Sy No.	Forest extent proposed for diversion (ha)	Legal status of land
Hassan District & Taluk, Shanthigrama & Dudda Hobli	Hongare	59	0.134	Reserved Forest
	Shanthigrama	425,426	0.333	
	Ranganathapura	49,50,63,	0.073	
	Upparahosahalli	62	0.010	
	Melagodu	442,438,439	0.165	
	Bommenahalli	24,26	0.067	
Total			0.782	

Component wise breakup: Details of requirement of the forest land for various components are given below.

S.no	Component	Forest Land (ha.)
1	Raising main	0.159
2	Delivery Chamber	0.0625
3	Center Gravity main	0.462
4	Gravity main	0.098
Total		0.7815

4. **DCF, Hassan Division Report:** The DCF, Hassan Division has inspected the site on 07-07-2022 and has submitted the site inspection report along with his recommendations in the form of PART-II of the proposal (online) to the Chief Conservator of Forests (CCF), Hassan Circle. The salient features of the site inspection report of the DCF Hassan are listed below.

- a. The forest area proposed for diversion is not vulnerable to soil erosion.
- b. The forest land proposed for diversion is in general landscape of Eco-class-III (Tropical Thorn Forests) with a Canopy Density of up to 0.4 % (Open Forest).
- c. As per Item 4(ii) of PART-II, there are 123 trees in different girth classes. Main tree species include, *Eucalyptus*, *Cassia Siamea*, *Acacia Auriculiformis*, *Ziziphus Xylopyrus*, *Casuarina Equisetifolia* and others.
- d. There are no wild animals reported in and around the project area.
- e. There are no rare / endangered / unique species of flora and fauna reported in and around the forest land proposed for diversion.
- f. 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.
- g. The forest land proposed for diversion is not located within the Eco-Sensitive Zone (ESZ) of any Protected Area notified under the Wildlife (Protection) Act, 1972.
- h. There are no National Park/ Wildlife Sanctuary/ Biosphere Reserve/ Tiger Reserve/ Elephant Corridor/ Wildlife Migration Corridor, etc., within one kilometre of the forest land proposed for diversion.
- i. There are no Protected/ Archaeological/ Heritage sites or Defence establishments or important monuments in the area.
- j. There is no violation reported under the Forest (Conservation) Act, 1980.
- k. The requirement of forest land for the project is the bare minimum and unavoidable.

5. **CCF, Hassan Circle Report:** The CCF, Hassan Circle has inspected the proposed area on 20-07-2022 and has submitted site inspection report in PART-III online. While agreeing with the recommendation made by the DCF, Hassan Division,

Hassanthe CCF, HassanCircle has also recommended the proposal for approval under FC Act 1980.

6. **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 and 23-03-2022. **The user agency has submitted an undertaking agreeing to pay the Net Present Value (NPV) of the forest land proposed for diversion.**
7. **Compensatory Afforestation (CA):** Present proposal involves diversion of within one hectare of forest land. The latest FC Guidelines are silent on the requirement of equivalent extent of non-forest land for the FC proposals involving diversion of forest land up to one hectare. However, Para 3.2(viii) of the immediately previous FC Guidelines exempted such proposals from requirement of raising CA. Therefore, the present FC proposal may also be exempted from the requirement of raising CA. However, Para 2.6(i) of the latest FC guidelines mentioned above mandates that the cost of plantation (including ten years maintenance) of ten times the number of trees likely to be felled or specified number of trees as may be specified in the order for diversion of forest land (subject to a minimum number of 100 plants) shall be levied from the User Agency towards Compensatory planting. **As there are 123 trees on forest land proposed for diversion the User Agency is required to pay the Compensatory Planting charges in accordance with the PCCF (HoFF) O.M. KFD/HOFF/A5-3(GFL)/34/2019-FC [E-88289] dated 24-05-2022. The User Agency has agreed to pay the Compensatory Planting charges and has submitted an Undertaking in this regard.**
8. **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 is informed to obtain the said certificate in prescribed format and submit a copy.**

As explained in preceding paragraphs, the undersigned agrees with recommendations of the field officers and **request to send the aforesaid proposal to the Government of India for according 'in-principle' (Stage-I) approval under Forest (Conservation) Act, 1980 to the Executive Engineer, HRBC Division, Holenarasipura, Hassan for a period of twenty (20) years for the purpose mentioned in para 1 above, subject to the following conditions.**

- i. The user agency must submit 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
- ii. The user agency and all concerned will strictly adhere to all conditions specified in the Annexure 'A', enclosed with this letter.

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 IFS)

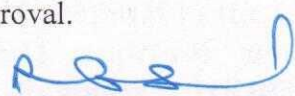
Principal Chief Conservator of Forests
(Head of Forest Force)

Copy to the:

1. Chief Conservator of Forests, Hassan Circle, Hassan for information.
2. Deputy Conservator of Forests, Hassan Division, Hassan for information.
3. Executive Engineer, HRBC Division, Holenarasipura, Hassan for information and further action to obtain and **produce the RoFR certificate in FORM-II (for Nonlinear/Hybrid 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 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 leased area in the manner specified at the time of approval at its own cost.
4. The lessee shall not sub-lease, mortgage and hypothecate the forest area.
5. The Lessee shall provide signages in appropriate dimensions and kind near the proposed raising main & other components within forest limits for sensitization of general public towards the forest, wildlife and environmental issues in consultation with the jurisdictional Deputy Conservator of Forests.
6. 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.
7. No change in Land Use Plan on forest land shall be done except with prior approval of Government of India under FC Act 1980.
8. 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.
9. No residential or commercial buildings shall be permitted in the forest area proposed for diversion.
10. No crushing / breaking of stones or labour camp shall be allowed on forest land and all waste / debris generated shall be scientifically disposed off outside the forest area.
11. 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.
12. The Lessee shall ensure that no avoidable harm is caused to the fauna and flora in and around the proposed area.
13. 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.
14. The approval under the Forest (Conservation) Act, 1980 is subject to any other clearances necessary under the prevailing statutes.
15. 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) HFS 17.8.22
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 0.7815 ha <i>(revised form 0.729 ha)</i> of forest land in Hongare, Shanthigrama, Ranganathapura, Upparahosahalli, Melagodu and Bommenahalli villages, Shanthigrama and Dudda Hoblis, Hassan Taluk and District for laying of Raising Main, Central Gravity Main, Gravity Main Pipelines and construction of Delivery Chamber under scheme to lift water from Hemavathy river near Mavinakere village of Holenarasipura Taluk to fill 160 Tanks and kattes of Dudda and Shantigrama Hoblis of Hassan Taluk and District in favour of the Executive Engineer, HRBC Division, Holenarasipura, Hassan for a period of twenty (20) years and subject to the submission 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'.</p> <p>[Proposal No. FP/KA/IRRIG/49031/2020]</p>
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Signature: 
Name: (Vijay Sharma, IFS)
Designation: Principal Chief Conservator of Forests
(Forest Conservation) and
Nodal Officer (FCA)

Signature: 
Name: (Raj Kishore Singh, IFS) 17.8.22
Designation: Principal Chief Conservator of Forests
(Head of Forest Force)

N.D.O. No: 3/ /2022-23

Date: 17-08-2022