

ಕರ್ನಾಟಕ ಸರ್ಕಾರ  
GOVERNMENT OF KARNATAKA

ಪ್ರಧಾನ ಮುಖ್ಯ ಅರಣ್ಯ  
ಸಂರಕ್ಷಣಾಧಿಕಾರಿ  
(ಅರಣ್ಯ ಪಡೆ ಮುಖ್ಯಸ್ಥರು) ರವರ  
ಕಛೇರಿ  
Office of  
Principal Chief Conservator of  
Forests



ಅರಣ್ಯ ಭವನ, 18ನೇ ಅಡ್ಡರಸ್ತೆ  
ಮಲ್ಲೇಶ್ವರಂ, ಬೆಂಗಳೂರು-560 003.  
Aranya Bhavan, 18<sup>th</sup> Cross  
Malleshwaram, Bengaluru-560 003  
Telephone: 080 2334 6472  
Email : apccffc@gmail.com

(Head of Forest Force)

E-office File No. KFD/HoFF/A5-4(GFL)/6/2020-FC

E-216557

Encl. .... Pages 5 sets proposals

Date 17-12-2020

18-12-2020

To,

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

Sir,

**Sub:** Diversion of 0.789 hectare of forest land in Angodu village Sy No. 130, 131 & 132, Angodu Hobli, Davangere Taluk and District for laying of Underground MS Water Pipeline (Raising Main) from CH:36.225 to CH: 37.550 parallel to NH-48 under Bharamasagara Lift Irrigation Scheme for filling 42 tanks in Bharamasagara Hobli of Chitradurga Taluk and District in favour of the Executive Engineer, Karnataka Neeravari Nigama Limited (KNNL), No. 5, Bhadra Canal Division, Davanagere

**Proposal No. FP/KA/Pipeline/44313/2020 [FORM-A]**

- Ref:**
1. Online Proposal [FORM-A PART-I] dated 29/06/2020 (re-submitted) of the Executive Engineer, Karnataka Neeravari Nigama Limited (KNNL), No. 5, Bhadra Canal Division, Davanagere r/w uploading of Acknowledgement on 20/07/2020 for having delivered the hard copies of proposal to jurisdictional Deputy Conservators of Forests and Deputy Commissioner
  2. This office's online communication dated 29/07/2020 to Deputy Conservator(s) of Forests, Davanagere and Chitradurga Division(s) for further processing of the proposal
  3. Online submission of PART-II by Deputy Conservator of Forests, Chitradurga Division on 11-11-2020 [Letter No. A6/FC/Pipeline/44313/20/CR-10/2020-21/3022 dated 10-11-2020]
  4. Online submission of PART-II on 25-09-2020 by Deputy Conservator of Forests, Davanagere Division [Letter No.

5. Online submission of PART-III by Chief Conservator of Forests, Ballari Circle on 17-11-2020 [Letter No. MI/MNG/Pipeline/CR-12/2020-21 dated 25-09-2020 (Davanagere) and MI/MNG/Pipeline/CR-5/2020-21 dated 18-11-2020 (Chitradurga)]

1. The Executive Engineer, Karnataka Neeravari Nigama Limited (KNNL), No. 5, Bhadra Canal Division, Davanagere [USER AGENCY] vide Ref (1) has (re)submitted an online proposal [FORM-A PART-I] through FC Web Portal seeking approval under Section 2 of the Forest (Conservation) Act, 1980 for diversion of 0.789 hectare of forest land in Angodu village Sy No. 130, 131 & 132, Angodu Hobli, Davanagere Taluk and District for laying of Underground MS Water Pipeline (Raising Main) from CH:36.225 to CH: 37.550 parallel to NH-48 under Bharamasagara Lift Irrigation Scheme for filling 42 tanks in Bharamasagara Hobli of Chitradurga Taluk and District. After acceptance of the proposal by Nodal Officer (FCA) for further processing, the User Agency has delivered the hard copies of the proposal to Deputy Conservator of Forests, Davanagere Division and Deputy Commissioner, Davanagere District and also to Deputy Conservator of Forests, Chitradurga Division and Deputy Commissioner, Chitradurga District and has uploaded the Acknowledgment on the web portal on 20-07-2020. Accordingly, an online communication was made by Nodal Officer (FCA) vide Ref (2) to the Deputy Conservator of Forests, Davanagere Division and Deputy Conservator of Forests, Chitradurga Division for further processing of the proposal under FC Act.
2. **Location details and Component-wise breakup of forest land requirement:**  
The details of location and component-wise requirement of the forest land are given below.

District, Taluk, Hobli	Village	Sy No.	Details of Project Components			Forest extent proposed for diversion (ha)	Legal Status of land
			Name of component	Length (m)	Width (m)		
Davanagere District, Davanagere Taluk, Angodu Hobli	Angodu	130	Raising Main	593.34	6	0.3560	Section-4 Notified area
		131		464.3	6	0.2786	
		132		257.36	6	0.1544	
Total				1315		0.789	

\*Government of Karnataka Notification No. FEE/208/FAF/2014 dated 04-10-2017 published in the Karnataka Gazette on 23-11-2017 (Part-4A)

3. **DCF, Chitradurga Division Report:** The Deputy Conservator of Forests, Chitradurga Division, Chitradurga has vide Ref (3) reported that the site has been inspected by the Range Forest Officer, Chitradurga and Holalkere and Assistant Conservator of Forests, Chitradurga Sub-division, Chitradurga on 10-11-2020 and as per their report, no forest land is involved in the proposed Project in Chitradurga Division.
4. **DCF, Davanagere Division Report:** The Deputy Conservator of Forests, Davanagere Division has inspected the site on 12-08-2020 and vide Ref (4) has submitted his Site Inspection Report dated 12-08-2020 along with recommendation in PART-II to the Conservator of Forests, Ballari Circle. Main features of the proposal based upon the Deputy Conservator of Forests, Davanagere report r/w report of Chief Conservator of Forests, Ballari Circle and that of ICT Centre of Forest Department are summarized below.
- a. The forest land proposed for diversion is vulnerable to soil erosion at certain places and will have to be countered through Soil and Moisture Conservation works.
  - b. The forest land proposed for diversion is in general landscape of Eco-class III (Tropical Thorn Forests) with Open Forest (Canopy Density of <0.4).
  - c. As per Item 4(ii) of PART-II, there are 249 trees in different girth classes in the forest land proposed for diversion. Major species include *Eucalyptus* spp., *Leucosceptrum canum*, *Hardwickia binata*, *Santalum album*, *Delonix regia*, *Bambusa bambos*, *Azadirachta indica*, *Butea monosperma*, among others.
  - d. The Deputy Conservator of Forests has not reported any major wild animal species 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.
  - g. 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.
  - h. The forest land proposed for diversion is not located within Eco-Sensitive Zone (ESZ) of any Protected Area notified under Wildlife (Protection) Act, 1972.
  - i. There are no Protected/ Archaeological/ Heritage Sites/ Defence establishments located in the proposed area.

- j. The forest area proposed for diversion is the bare minimum and unavoidable.
- k. There is no violation reported under Forest (Conservation) Act, 1980.
5. **CCF, Ballari Circle Report:** The Chief Conservator of Forests, Ballari Circle has not inspected the site personally. However, agreeing with the recommendations of the Deputy Conservator of Forests, Davangere Division, he has also recommended the proposal. The Chief Conservator of Forests, Ballari Circle vide Ref (5) has submitted his specific comments in Item 16 of PART-II/III of the proposal.
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. 5-2/2017-FC dated 28-03-2019. **The User Agency has uploaded/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 249 trees on forest land reported in Item 4(ii) of PART-II of the proposal, the User Agency will be required to pay the applicable charges in accordance with the PCCF (HoFF) O.M. KFD/HOFF/A5-3(GFL)/34/2019-FC [E-88289] dated 30-04-2020. **The User Agency has already uploaded/submitted an Undertaking agreeing to pay the Compensatory Afforestation charges. Further, in view of the exemption from requirement of the CA land for the project, the information uploaded by the Deputy Conservator of Forests, Davanagere Division in Item 13 of PART-II of the proposal may be ignored.**
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-I (for Linear projects)** issued by the jurisdictional Deputy Commissioner as per the FC Guidelines communicated by Government of India, Ministry of Environment, Forests and Climate Change, New Delhi vide F.No. 5-

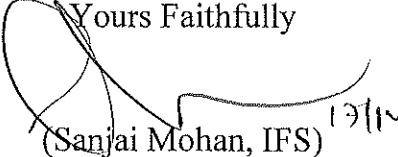
2/2017-FC dated 28-03-2019. The User Agency is being informed once again to obtain the said Certificate in prescribed format and submit the same.

**9. Additional Information:**

- a. The User Agency in Justification Note 20-03-2020 uploaded in Item D(i) of PART-I of the proposal has stated that the project is aimed at supplying drinking water to the drought hit areas of Chitradurga region and recharge of groundwater table by filling the tanks. Accordingly, it is opined that the instant project may be treated as Drinking water project. However, the project involves felling of 249 trees of different girth classes over an extent of 0.789 hectare and thus is not covered under Para 4.3 of FC Guidelines.
- b. The Deputy Conservator of Forests, Davanagere Division vide Ref (4) has reported that the proposed pipeline runs all along the NH-48 (Old NH-4) and inside the existing Indira Priyadarshini Zoological Park, Anagodu. In view of the instant project, certain buildings / structures will have to be dismantled and the User Agency will have to bear the cost of construction of the buildings/ structures. He has further reported that the User Agency has submitted an Undertaking vide letter dated 04-09-2020 to bear the entire construction cost estimated to be Rs. 35.65 lakh.

In light of the facts stated above, it is requested to move the proposal to the Government of India for according 'in-principle' (Stage-I) approval for Diversion of 0.789 hectare of forest land in Angodu village Sy No. 130, 131 & 132, Angodu Hobli, Davangere Taluk and District for laying of Underground MS Water Pipeline (Raising Main) from CH:36.225 to CH: 37.550 parallel to NH-48 under Bharamasagara Lift Irrigation Scheme for filling 42 tanks in Bharamasagara Hobli of Chitradurga Taluk and District in favour of the Executive Engineer, Karnataka Neeravari Nigama Limited (KNNL), No. 5, Bhadra Canal Division, Davanagere for a period of 20 years subject to submission of FRA Certificate in FORM-I (for Linear projects) and further subject to the 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. The present status (Time Line) of the proposal obtained from the FC web portal is also appended for information.

Yours Faithfully  
  
(Sanjai Mohan, IFS)

Principal Chief Conservator of Forests  
(Head of Forest Force)

**Copy to the:**

1. Chief Conservator of Forests, Ballari Circle for information.
2. Deputy Conservator(s) of Forests, Davanagere / Chitradurga Division(s) for information.
3. Executive Engineer, Karnataka Neeravari Nigama Limited (KNNL), No. 5, Bhadra Canal Division, Hadadi Road Davanagere – 577 005 for information and with a request to submit the Attested / authenticated copies of the FRA Certificate in FORM-I (for Linear Projects) obtained from the Deputy Commissioner, Davanagere District as mentioned above at the earliest.

*cl/c*

*[Signature]*  
*[Stamp]*  
*18-12-2020*

## 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 (if any), 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 Lessee shall provide signages in appropriate dimensions and nature on both sides of the Water pipeline within forest limits for sensitisation 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.

  
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)*

Detailed opinion & specific recommendation of the State Forest Department for acceptance or otherwise of the proposal with remarks.  <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>	<b>Recommended for moving the proposal to the Government of India for according 'in-principle' (Stage-I) approval for Diversion of 0.789 hectare of forest land in Angodu village Sy No. 130, 131 &amp; 132, Angodu Hobli, Davangere Taluk and District for laying of Underground MS Water Pipeline (Raising Main) from CH:36.225 to CH: 37.550 parallel to NH-48 under Bharamasagara Lift Irrigation Scheme for filling 42 tanks in Bharamasagara Hobli of Chitradurga Taluk and District in favour of the Executive Engineer, Karnataka Neeravari Nigama Limited (KNNL), No. 5, Bhadra Canal Division, Davanagere for a period of 20 years subject to submission of FRA Certificate in FORM-I (for Linear projects) and further subject to the conditions appended in Annexure 'A'.</b>  <b>[Proposal No. FP/KA/Pipeline/44313/2020]</b>
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Signature:



Name:

**(RAJIV RANJAN, IFS)**

Designation:

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

(Official Seal)

Countersigned by :



Name:

**(SANJAI MOHAN, IFS)**

Designation:

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

(Official Seal)

N.D.O. No: 78/2020-21

Date: 18-12-2020

