

ಕರ್ನಾಟಕ ಸರ್ಕಾರ

GOVERNMENT OF KARNATAKA

ಪ್ರಧಾನ ಮುಖ್ಯ ಅರಣ್ಯ ಸಂರಕ್ಷಣಾಧಿಕಾರಿ

(ಅರಣ್ಯಪಡೆ ಮುಖ್ಯಸ್ಥರು) ರವರ ಕಛೇರಿ

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



ಅರಣ್ಯಭವನ, 18 ನೇ ಅಡ್ಡರಸ್ತೆ

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Encl.

E-199762

Date 06-11-2020

18

To,

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

Sir,

Sub: Diversion of 3.92 ha of forest land in Khangaon village Sy No. 580/A, 711, 717 and 718/A, Gokak Taluk, Belagavi District (Ghataprabha Forest Division) for Construction of Canal and Laying of Underground Pipeline under Chachdi Lift Irrigation Project in favour of Executive Engineer, Karnataka Neeravari Nigama Limited (KNNL), Ghataprabha Right Bank Canal Construction (GRBCC) Division No. 3, Gokak, Belagavi District

Proposal No. FP/KA/IRRIG/43456/2019

Ref: 1. Government of India, Ministry of Environment, Forests & Climate Change, Regional Office (Southern Zone), Bengaluru letter F.No. 4-KRC 1137/2018-BAN/153 dated 12-03-2018 [seeking the revised area requirement for proposal No. FP/KA/IRRIG/21035/2016 (6.75 ha)]

2. Online proposal [FORM-A PART-I] dated 13-04-2020 (resubmitted) of Executive Engineer, Karnataka Neeravari Nigama Limited (KNNL), Ghataprabha Right Bank Canal Construction (GRBCC) Division No. 3, Gokak, Belagavi District r/w Acknowledgement uploaded online on 24-06-2020 by User Agency for having delivered the hard copy proposal to jurisdictional Deputy Conservator of Forests and Deputy Commissioner

3. This office online communication dated 26-06-2020 to Deputy Conservator of Forests, Ghataprabha Division for further processing of proposal

4. Online submission of PART-II on 22-07-2020 by the Deputy Conservator of Forests, Ghataprabha Division r/w online reply

dated 10-08-2020 of User Agency to the latest EDS Query

5. Online submission of PART-III by the Chief Conservator of Forests, Belagavi Circle, Belagavi on 26-08-2020 r/w online reply dated 10-08-2020 of DCF to the EDS Query [letter No. A7/LND/FCP/CHACHADI/GKK/CR- /2020-21 dated 12-08-2020]

1. **Background:** A proposal No. FP/KA/IRRIG/21035/2016 seeking approval under Section 2 of the Forest (Conservation) Act, 1980 for diversion of 6.75 ha of forest land in Sy. No. 580, 711, 717 & 718/A of Khanagaon Village, Gokak Taluk, Belgaum District for construction of Chachadi Lift Irrigation Scheme on Markandeya Right Bank Canal in favour of the Executive Engineer, KNNL, GRBCC Division No.3, Gokak was earlier submitted to the Government of Karnataka and further to Government of India. In response, the Government of India vide Ref (1) had advised the State Government to lay a pipeline for carrying water through forest land instead of excavation of main canal and sought the revised forest land requirement for implementation of the project.
2. After re-examining the previous proposal (redundant now) as directed by the Government of India vide Ref (1) , the Executive Engineer, Karnataka Neeravari Nigama Limited (KNNL), Ghataprabha Right Bank Canal Construction (GRBCC) Division No. 3, Gokak, Belagavi District [USER AGENCY] vide Ref (2) has (re)submitted a fresh online proposal [FORM-A PART-I] through FC web portal seeking approval under Section 2 of the Forest (Conservation) Act, 1980 for diversion of 3.92 ha of forest land in Khangaon village Sy.No. 580/A, 711, 717 and 718/A, Gokak Taluk, Belagavi District (Ghataprabha Forest Division) for Construction of Canal and Laying of Underground Pipeline under Chachdi Lift Irrigation Project. After uploading of Acknowledgement on 24-06-2020 by User Agency for having delivered the hard copies of the proposal to jurisdictional Deputy Conservator of Forests and Deputy Commissioner, an online communication was made by the Nodal Officer (FCA) vide Ref (2) to the Deputy Conservator of Forests, Ghataprabha Division to process the proposal and to submit specific opinion / recommendation.
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.	Project component	Main canal chainage		Segment dimension		Forest extent proposed for diversion (ha)	Legal status of land
				From	To	Length (m)	Width (m)		

Belagavi District, Gokak Taluk, Kasaba Hobli	Khangaon	580	Rising Main	0.003	0.287	257	11.1	0.285	Reserved Forest
		580	Gravity Main	0	0.728	728	11.25	0.819	
		711		0.728	0.791	63	11.25	0.071	
		717		0.791	1.91	1119	11.25	1.259	
		718/A		1.91	2.847	937	11.25	1.054	
				Sub total					
		717	Distributary Canal	0	0.508	508	8.5	0.432	
Total						3612		3.920	

The User Agency has uploaded the typical cross-section of the proposed pipeline with in forest limits in Addition Information Details of PART-I.

4. Report of DCF, Ghataprabha Division: The Deputy Conservator of Forests, Ghataprabha Division has inspected the site on 07-07-2020 and vide Ref (4) has submitted his report along with Site Inspection Report in PART-II to Chief Conservator of Forests, Belagavi Circle, Main features of the proposal based on the reports of the Deputy Conservator of Forests, Ghataprabha Division r/w report of Chief Conservator of Forests, Belagavi Circle and that of ICT Centre of Forest Department are summarized below.

- The hilly side portion of the project site is vulnerable to soil erosion as there will be excavation of the work to be taken up.
- The forest land proposed for diversion is in general landscape of Eco-class-III (Tropical Dry Deciduous) with a Canopy Density of up to 0.25 (Open Forest).
- As per Item 4(ii) of PART-II, there are 4257 trees in different girth classes. Main tree species include *Chloroxylon swietenia*, *Anogeissus latifolia*, *Albizia amara*, *Wrightia tinctoria*, *Azadirachta indica*, *Cassia fistula*, *Holoptelia integrifolia*, *Pongamia pinnata* among others.
- Main wild animals reported in and around the project area include Indian wolf, Hyaena, Jungle cat, Common mongoose, Indian hare, Pangolin, Porcupine, Monitor lizard, etc.
- There are no other rare endangered / unique species of flora and fauna reported in and around the forest land proposed for diversion. [Note: The entry made in Item 8 (v) of PART-II of the proposal may be read accordingly].
- 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.
- There are no National Park/ Wildlife Sanctuary/ Biosphere Reserve/ Tiger Reserve/ Elephant Corridor/ Wildlife Migration Corridor within one kilometre 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, Belagavi Circle Report:** The Chief Conservator of Forests, Belagavi Circle has inspected the site on 05-12-2018 personally in connection with previous proposal, but has not inspected the site for the revised proposal again. Agreeing with the recommendation made by the Deputy Conservator of Forests, Ghataprabha Division, the Chief Conservator of Forests, Belagavi Circle has also recommended the proposal while submitting the report in PART-III vide Ref (5).
6. **Compensatory Afforestation (CA):** The User Agency being a State Government Agency is required to provide an equivalent extent of non-forest land towards Compensatory Afforestation. As per Para 2.3(i) of the Government of India FC Guidelines vide F.No. 5-2/2017-FC dated 28-03-2019, the Compensatory Afforestation is required to be raised on suitable non-forest land equivalent to the area proposed for diversion. Accordingly, the User Agency has identified an extent of 6.76 hectare (16 Acre 28 Gunta) non-forest land in Khanagaon Village Sy No.700, Gokak Hobli and Taluk, Belagavi District for raising CA and has uploaded the KML file, Topo Map, Geo-reference Map along with GPS readings of all corners in PART-I of the proposal. This land is parcel is same as the one identified by the User Agency in connection with the previous proposal. The said land has already been mutated in favour of Forest Department vide Mutation Register (MR) No. H36/2017-18 dated 20-09-2017. The Deputy Conservator of Forests, Ghataprabha Division has submitted the CA Suitability Certificate dated 07-08-2020 in the prescribed format and has once again uploaded the KML file, Topo Map, Geo-reference Map along with GPS readings of all corners in PART-II of the proposal. **The User Agency has also submitted an Undertaking agreeing to pay the Compensatory afforestation charges. The Deputy Conservator of Forests is being parallely informed to submit the CA Scheme.**
7. **Net Present Value (NPV):** The User Agency is required to pay the Net Present Value (NPV) of forest land proposed for re-diversion as per Para 3.1 to 3.4 of the latest 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 submitted an Undertaking agreeing to pay the Net Present Value (NPV) of the forest land proposed for diversion.**

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 obtained and uploaded / furnished the required Certificate in FORM-I (for Linear projects)** issued by the Deputy Commissioner, Belagavi District vide letter No. RB/LND/SR-287/2014-15 dated 07-02-2015 in connection with the previous proposal.

Under the above circumstances and agreeing with recommendation of the field officers, **it is requested to move the proposal with the Government of India, Ministry of Environment, Forests and Climate Change for according 'in-principle' (Stage-I) approval under Section 2 of the Forest (Conservation) Act, 1980 for Diversion of 3.92 ha of forest land in Khangaon village Sy No. 580/A, 711, 717 and 718/A, Gokak Taluk, Belagavi District (Ghataprabha Forest Division) for Construction of Canal and Laying of Underground Pipeline under Chachdi Lift Irrigation Project in favour of Executive Engineer, Karnataka Neeravari Nigama Limited (KNNL), Ghataprabha Right Bank Canal Construction (GRBCC) Division No. 3, Gokak, Belagavi District for a period of twenty (20) years or the project life whichever is shorter 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 (Timeline) of the proposal obtained from the web-portal is also appended for necessary action.

Yours Faithfully

(Sanjai Mohan IFS)
Principal Chief Conservator of Forests
(Head of Forest Force)

Copy to the:

1. Chief Conservator of Forests, Belagavi Circle, Belagavi for information.
2. Deputy Conservator of Forests, Ghataprabha Division, Gokak for information and **with instruction to submit the CA scheme prepared in accordance with Para 2.8 (ii) of the FC guidelines in minimum 3 ink signed sets for this office.**
3. Executive Engineer, Karnataka Neeravari Nigama Limited (KNNL), Ghataprabha Right Bank Canal Construction (GRBCC) Division No.3 Gokak, Belagavi District for information.

ANNEXURE - A

1. The legal status of 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 and hypothecate the forest area.
5. The Lessee shall provide signages in appropriate dimensions and nature along the proposed pipeline 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.

(Sanjai Mohan IFS)


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)

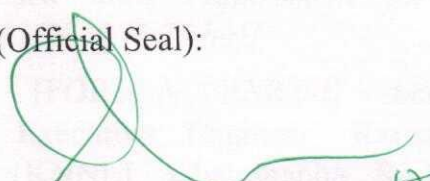
<p>Detailed opinion & specific recommendation of the State Forest Department for acceptance or otherwise of the proposal with remarks.</p> <p>(While giving opinion, the adverse comments made by concerned Conservator of Forests or Deputy Conservator of Forests should be categorically reviewed and critically commented upon.)</p>	<p>Recommended for moving move the proposal with the Government of India, Ministry of Environment, Forests and Climate Change for according 'in-principle' (Stage-I) approval under Section 2 of the Forest (Conservation) Act, 1980 for Diversion of 3.92 ha of forest land in Khangaon village Sy No. 580/A, 711, 717 and 718/A, Gokak Taluk, Belagavi District (Ghataprabha Forest Division) for Construction of Canal and Laying of Underground Pipeline under Chachdi Lift Irrigation Project in favour of Executive Engineer, Karnataka Neeravari Nigama Limited (KNNL), Ghataprabha Right Bank Canal Construction (GRBCC) Division No. 3, Gokak, Belagavi District for a period of twenty (20) years or the project life whichever is shorter and further subject to the conditions appended in Annexure 'A'.</p> <p>[Proposal No. FP/KA/IRRIG/43456/2019]</p>
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Signature:
Name:
Designation:


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

(Official Seal):

Counter signed by :
Name:
Designation:


SANJAI MOHAN IFS
Principal Chief Conservator of Forests
(Head of Forest Force)

(Official Seal):

N.D.O. No: 75/2020-21

Date: 18-11-2020