

ಕರ್ನಾಟಕ ಸರ್ಕಾರ  
GOVERNMENT OF KARNATAKA

ಪ್ರಧಾನ ಮುಖ್ಯ ಅರಣ್ಯ ಸಂರಕ್ಷಣಾಧಿಕಾರಿ

(ಅರಣ್ಯಪಡೆ ಮುಖ್ಯಸ್ಥರು) ರವರ ಕಛೇರಿ

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



ಅರಣ್ಯ ಭವನ, 18 ನೇ ಅಡ್ಡರಸ್ತೆ

ಮಲ್ಲೇಶ್ವರಂ ಬೆಂಗಳೂರು-560 003

Aranya Bhavan, 18<sup>th</sup> Cross  
Malleshwaram, Bengaluru-560 003

Telephone: 080 2334 6472

Email: apccffc@gmail.com

E-office File No. KFD/HOFF/A54(GFL)/89/2019-FC

E-157079

Encl.: 8 sets of proposal (4+4) eight sets

Date 06-04-2021

19

To,

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

Sir,

**Sub:** Re-diversion and change of land use in 7.53 hectare of forest land in Kanagalakoppa Village Sy No. 20, 55, 56, 58, 59, 60 & 69, Mandagadde Hobli, Thirthalli Taluk, Shivamogga District (Shivamogga Forest Division) and K.Kanaburu Village Sy No. 82, 83, 97, 98, 99 and Muttinakoppa Village Sy No. 73, Kasaba Hobli, Narsimharajapura Taluk, Chikkamagaluru District (Koppa Forest Division) for laying of 220 KV Transmission Line under Upper Bhadra Project Package-1 (*Upper Bhadra Project Lift Irrigation Scheme for lifting of 17.4 TMC of water Tunga River to Bhadra Reservoir and then further lifting of 29.7 TMC of Water from Bhadra Reservoir to Chitradurga, Tumkuru, part of Chikkamagaluru and Davanagere Districts to fill 367 Tanks and to irrigate 2.25 lakh hectare through micro-irrigation*) from Karnataka Neeravari Nigama Limited [PRIMARY USER AGENCY] to Executive Engineer, Visvesvaraya Jala Nigama Limited (VJNL), Upper Bhadra Project Division No.2, Shivamogga [SECONDARY USER AGENCY]

**Proposal No. FP/KA/TRANS/42309/2019 [FORM-A]**

**Ref:** 1. Online Proposal [FORM-A PART-I] dated 27-11-2019 (resubmitted) of the Executive Engineer, Vishweshwarayya Jala Nigama Limited, upper Bhadra Project Division No.2 B.R. Project, Shivamogga r/w uploading of Acknowledgement on 14-01-2020 for having delivered the hard copies of the proposal to jurisdictional Deputy Conservator of Forests and Deputy Commissioner

2. This office online communication dated 20-01-2020 to



Deputy Conservator of Forests, Shivamogga and Koppa Divisions for further processing of the proposal

3. Online submission of PART-II on 17-11-2020 by Deputy Conservator of Forests, Koppa Division r/w online reply dated 09-09-2020 and of User Agency to the latest EDS query [Letter No: DFT/FCA/220kv/CR-36/2019-20 dated 12-11-2020 and 19-02-2021] and on 21-11-2020 by Deputy Conservator of Forests, Shivamogga Division r/w online reply dated 22-05-2020 of User Agency to the latest EDS query [Letter No: B4/Land/FC/GL-14451/2019-20(227) dated 30-11-2020 and 01-03-2021]

4. Online submission of PART-III on 08-12-2020 by Conservator of Forests, Chikkamagaluru and Shivamogga Circle r/w online reply dated 17-03-2021 of DCF Koppa to the latest EDS query [Letter No: A10/LND/UBP/CR-04/2011-12 dated 18-03-2021] and r/w online reply dated 02-03-2021 of DCF Shivamogga to the latest EDS query [Letter No. A11/FC/220kv/Kanagalakoppa/GL-83/2020-21 dated 04-03-2021]

1. The Executive Engineer, Vishweshwarayya Jala Nigama Limited, Upper Bhadra Project Division No.2 B.R. Project Shivamogga, [USER AGENCY] vide Ref (1) has 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 7.53 hectare of forest land in Kanagalakoppa Village Sy. No. 20, 59, 60, 58, 69 (Diversion), and 55 and 56 (Re-diversion), Thirthahalli Taluk, Shivamogga District (Shivamogga Forest Division) and K.Kanaburu village Sy. No.97, 98, 99 & River course and (Diversion) and K. Kanaburu Village Sy. No. 82, 83 & Mutthinakoppa village Sy. No. 73 (Re-diversion) for construction of 220 KV transmission line. 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, Koppa and Shivamogga Divisions and Deputy Commissioner, Chikkamagaluru and Shivamogga Districts and has uploaded the Acknowledgment on the web portal on 14-01-2020. Accordingly, an online communication was made by Nodal Officer (FCA) vide Ref (2) to the Deputy Conservator of Forests, Koppa and Shivamogga Divisions for further processing of the proposal under FC Act.

2. **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,<br>Taluk, Hobli | Village | Sy No. | Extent<br>in Ha | Project<br>component<br>[Length x<br>Width] | Remarks |
|---------------------------|---------|--------|-----------------|---|---------|
|---------------------------|---------|--------|-----------------|---|---------|



|   |  |               |               |                                   |   |   |
|---|--|---------------|---------------|-----------------------------------|---|---|
| Chikkamagaluru District,<br>N.R.pura Taluk,<br>Kasaba Hobli | Muttinakoppa   | 73            | 1.0786        | Transmission line in muttinakoppa | <b>Re- Diversion area 1.9561 ha</b><br>Already Diverted Forest area   |   |
|   | K.Kanaburu   | 82            | 0.2712        | Transmission line in K.Kanaburu   |   |   |
|   |  | 83            | 0.6063        |                                   |   |   |
|   |  | <b>Total</b>  | <b>1.9561</b> |                                   |   |   |
|   | K.Kanaburu   | 97            | 0.4741        | Transmission line in K.Kanaburu   | <b>Fresh Diversion 2.0834 ha</b><br>Forest/ Protected Forest(RTC copies enclosed)<br>All these Sy. No's legal status of the forest land mentioned as "Forest/ Protected forest". It is submitted that as per the Stage-II approval given vide letter F.No. 8-30/97-FC dt: 14-12-2004 of Government of India for diversion of 449.55 ha of forest land for Upper Thunga Project, Shivamogga District (Forest proposal no: FP/KA/IRRIG/332/1997), in the condition No. 11, the reservoir so created shall be declared as "Reserve Forest" under Indian Forest Act. 1927. (copy enclosed) hence, the action will be taken to submit the proposal for notifying the survey No.s, 97, 98 and 99 of K.Kanaburu village (including river course) as "Reserve Forest" |   |
|   |  | 98            | 0.1033        |                                   |   |   |
|   |  | 99            | 0.5920        |                                   |   |   |
|   |  | River Course  | 0.9140        |                                   |   |   |
|   |  | <b>Total</b>  | <b>2.0834</b> |                                   |   |   |
|   | Shivamogga District,<br>Thirthahalli Taluk,<br>Mandagadde Hobli, | Kanagalakoppa | 20            | 0.3657                            | Transmission line in Kanagalakoppa  | <b>Fresh Diversion 1.3173 ha</b><br>All the survey numbers comes under the submergence area of the Upper Tunga Project Reservoir. As per the stage-II approval for forest proposal No: FP/KA/IRRIG /332/1997, the reservoir area should be considered as 'Reserve Forest' under Indian Forest Act 1927. The proposal for notifying these survey Numbers as 'Reserve Forest' will be initiated. Now these survey numbers are considered for fresh diversion by considering these survey numbers as forest land |
|   |  |               | 58            | 0.2597                            |   |   |
| 59  |  |               | 0.4018        |                                   |   |   |
| 60  |  |               | 0.2387        |                                   |   |   |
| 69  |  |               | 0.0514        |                                   |   |   |
|   |  | <b>Total</b>  | <b>1.3173</b> |                                   |   |   |
|   |  | 55            | 0.5068        |                                   | <b>Re- Diversion area 2.1733 ha</b><br>Already Diverted Kanagalakoppa Minor forest  |   |
|   |  | 56            | 1.6665        |                                   |   |   |
|   |  | <b>Total</b>  | <b>2.1733</b> |                                   |   |   |



|  |             |                      |  |  |
|--|-------------|----------------------|--|--|
|  | Grand Total | 7.5299<br>or<br>7.53 |  |  |
|--|-------------|----------------------|--|--|

As per above statement total Forest area re-diversion is 4.1294 ha and fresh forest area diversion is 3.4007 ha. Total forest area is 7.53 ha.

3. **DCF, Koppa Division Report:** The Deputy Conservator of Forests, Koppa Division has inspected the proposed area on 21-10-2020 & 13-02-2021 and vide Ref (3) has submitted his Site Inspection Report along with recommendation in PART-II to Chief Conservator of Forests, Chikkamagaluru Circle.

4. **DCF, Shivamogga Division Report:** The Deputy Conservator of Forests, Shivamogga has inspected the proposed area on 14-09-2020 & 13-02-2021 and vide Ref (3) has submitted site inspection report along with recommendation in PART-II to Chief Conservator of Forests, Shivamogga Circle.

Main features of the proposal based up on the Deputy Conservator of Forests, Koppa and Shivamogga Divisions reports r/w reports of Conservator of Forests, Chikmagaluru and Shivamogga Circles and that of ICT Centre of Forest Department are summarized below.

- a. The forest land proposed for diversion is not vulnerable to soil erosion, as it is plain land.
- b. The forest land proposed for diversion is in general landscape of Eco-class-III (Tropical Dry Deciduous Forests) with Open Forest (Canopy Density 0.3).
- c. As per Item 4(ii) of PART-II, there are no trees in the forest land proposed for diversion.
- d. As per the Item 8(i) of Part-II, major wild animals present in and around the forest land proposed for diversion are Elephant, Tiger, Fox, Deer, Sambar, Peacock, Cobra, etc.
- 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. **CF, Chikkamagaluru Circle Report:** The Conservator of Forests, Chikkamagaluru Circle has inspected the project site on 21-11-2020 and vide Ref (4) has submitted the Site Inspection Report dated 08-12-2020 in PART-III online. Agreeing with the recommendation made by the Deputy Conservator of Forests, Koppa Division, the Conservator of Forests, Chikkamagaluru Circle has also recommended the proposal.

6. **CF, Shivamogga Circle Report:** The Conservator of Forests, Shivamogga Circle has inspected the project site on 02-12-2020 and vide Ref (4) has submitted the Site Inspection Report dated 04-12-2020 in PART-III online. Agreeing with the recommendation made by the Deputy Conservator of Forests, Shivamogga Division, the Conservator of Forests, Shivamogga Circle has also recommended the proposal.

7. **Net Present Value (NPV):** The User Agency is required to pay the Net Present Value (NPV) of forest land proposed for fresh 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 submitted an Undertaking agreeing to pay the charges towards Net Present Value (NPV) of the forest land proposed for diversion.**

8. **Compensatory Afforestation (CA):** In accordance with the provisions of para 2.5 (i)(a) 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 Compensatory Afforestation can be raised and maintained at the cost of User Agency on degraded forest land twice in extent of the forest area proposed for diversion in the cases of laying of transmission lines. In the instant case, the fresh forest area to be diverted is 3.4007 ha. Accordingly, the Deputy Conservator of Forests, Shivamogga Division has identified an extent of 6.81 hectare (7.00 ha) degraded forest land in Konaganavalli Village Sy No.56, Haranahalli Hobli, Shivamogga Taluk and District for raising CA and has uploaded the CA scheme, suitability Certificate, 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.**

9. **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 **RoFR Certificate in FORM-I (for Linear projects)** issued by the jurisdictional



Deputy Commissioners 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 being informed again to obtain the said certificates in prescribed format and submit the same.**

In light of the facts stated above and agreeing with the recommendation made by the field officers, **it is requested to move the proposal to Government of India for according 'in-principle' (Stage-I) approval for fresh diversion of 3.4007 hectare and re-diversion of 4.1294 hectare of forest land in K.Kanaburu, Muttinakoppa Villages of Kasaba Hobli, N.R.pura Taluk, Chikkamagaluru District and Kanagalkoppa Village, Mandagadde Hobli, Thirthahalli Taluk, Shivamogga District for carry out the 220KV Transmission line work of 35m width corridor under Upper Bhadra Project Package-1 in favour of Executive Engineer, Visvesvaraya Jala Nigama Limited (VJNL) Upper Bhadra Project Division No.2, Shivamogga for a period of 20 years (or the project life, whichever is shorter) 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 FC web portal is also appended for information.

Yours Faithfully

(Sanjai Mohan IFS)

Principal Chief Conservator of Forests  
(Head of Forest Force)

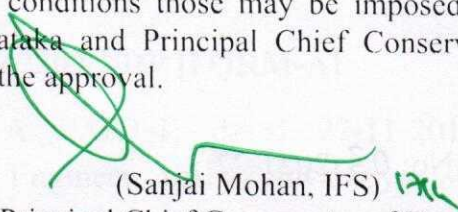
**Copy to the:**

1. Conservator of Forests, Shivamogga and Chikkamagaluru Circles for information.
2. Deputy Conservator of Forests, Koppa and Shivamogga Divisions for information.
3. Executive Engineer, Visvesvaraya Jala Nigama Limited (VJNL) Upper Bhadra Project Division No.2, Shivamogga for information and **with a request to obtain the RoFR Certificate in FORM-I (for linear 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 (may be downloaded from FC web portal) and submit authenticated/ attested copies before seeking the final approval under the Forest (Conservation) Act, 1980.**



ANNEXURE 'A'

1. The legal status of forest land shall remain unchanged and it shall continue to be the forest land.
2. The User Agency shall pay the applicable Net Present Value (NPV), 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 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. 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.
7. No residential or commercial buildings shall be permitted in the forest area proposed for diversion.
8. No crushing / breaking of stones or labour camp shall be allowed inside forest area and all waste / debris generated shall be scientifically disposed off outside the forest area.
9. Any damage to forest area because of implementation of the project 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.
10. The Lessee shall ensure that no avoidable harm is caused to the fauna and flora in and around the proposed area.
11. No change in Land Use Plan shall be done unless prior approval of Government of India under FC Act is obtained.
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 and/or 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.

  
(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 &amp; 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><b>Recommended for to moving the proposal to Government of India for according 'in-principle' (Stage-I) approval for fresh diversion of 3.4007 hectare and re-diversion of 4.1294 hectare of forest land in K.Kanaburu, Muttinakoppa Villages of Kasaba Hobli, N.R.pura Taluk, Chikkamagaluru District and Kanagalkoppa Village, Mandagadde Hobli, Thirthahalli Taluk, Shivamogga District for carry out the 220KV Transmission line work of 35m width corridor under Upper Bhadra Project Package-1 in favour of Executive Engineer, Visvesvaraya Jala Nigama Limited (VJNL) Upper Bhadra Project Division No.2, Shivamogga for a period of 20 years (or the project life, whichever is shorter) subject to the conditions appended in Annexure 'A'.</b></p> <p><b>[Proposal No. FP/KA/TRANS/42309/2019]</b></p> |
|---|--|

Signature:

Name:

Designation:



(Rajiv Ranjan IFS)

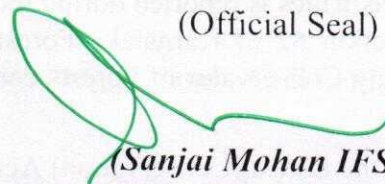
**Principal Chief Conservator of Forests  
(Forest Conservation) and Nodal Office (FCA)**

(Official Seal)

Countersigned by:

Name:

Designation:



(Sanjai Mohan IFS)

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

(Official Seal)

N.D.O. No: 03/2021-22

Date: 16-04-2021