

I/457662/2023

ಕರ್ನಾಟಕ ಸರ್ಕಾರ

GOVERNMENT OF KARNATAKA

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



ಅರಣ್ಯ ಭವನ, 18 ನೇ ಅಡ್ಡರಸ್ತೆ
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E-office File No. KFD/HOFF/A5-2K(GFL)/15/2020-FC

E-295529

Encl.: 3 sets of proposal hard copies

Date 20-07-2023

To,

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

Sir,

Sub: Diversion of 8.8537 Ha of forest land in Haliyal Taluk of Uttar Kannada district (Haliyal Forest Division) for Multi village Drinking water supply to 91 villages (113 Habitations) in Haliyal Taluk in favour of the Assistant Executive Engineer, Rural Drinking Water and Sanitation Sub Division, Haliyal

Proposal No. FP/KA/WATER/46598/2020

- Ref:**
1. Online proposal [FORM-A PART-I] dated 05-01-2022 (resubmitted) of Assistant Executive Engineer, Rural Drinking Water and Sanitation Sub Division, Haliyalr/w uploading of acknowledgement on 19-04-2022 for having delivered hard copies of proposal to jurisdictional Deputy Conservators of Forests and Deputy Commissioner
 2. This office online communication dated 22-04-2022 to Deputy Conservator of Forests, Haliyal Division for further processing of proposal
 3. Online submission of PART-II on 05-07-2023 by Deputy Conservator of Forests, Haliyal Division [Letter No. D1/GFL/-113/Multi-Village-Drinking/2022-23 dated 05-07-2023]
 4. Online submission of PART-III on 18-07-2023 by Conservator of Forests, Kanara Circle, [Letter No. B2/GFL/Drinking Water/CR-03/2023-24 dated 17-07-2023]

1. The Assistant Executive Engineer, Rural Drinking Water and Sanitation Sub Division, Haliyal[**USER AGENCY**] vide Ref (1) has (re)submitted a proposal through FC web portal seeking approval under Section 2 of the Forest (Conservation) Act, 1980 for diversion of 8.8537 Ha of forest land in Haliyal Taluk of Uttar Kannada district (Haliyal Forest Division) for Multi village Drinking water supply to 91 villages (113 Habitations) in Haliyal Taluk. The same was accepted by Nodal Officer (FCA) on 21-02-2022 for further processing. After receiving the acknowledgement online on 19-04-2022 for having delivered the

I/457662/2023

hard copies of the proposal by the User Agency to the jurisdictional Deputy Conservators of Forests & Deputy Commissioners, the online link was forwarded by this office vide Ref (2) to the Deputy Conservator of Forests, Haliyal Division for field verification and further processing under Section 2 of the Forest (Conservation) Act, 1980.

2. Location details and Component wise break up: Location details of the forest land proposed for diversion are given below.

District, Taluk [Forest Division]	Village	Sy. No.	Forest Land (ha)	Legal status of land
Uttara Kannada District, Haliyal Taluk, [Haliyal Forest Division]	Alur	19 & 22	0.7219	Reserved Forest
	Balashettikoppa	19 & 32	0.113	
	Bhagavati	19, 11 & 14A	0.2387	
	Bhimanhalli	1	0.1836	
	Bommanahalli	10 & 11	0.4111	
	Addigera	2 & 7	0.0872	
	Agasalakatta	8	0.0445	
	Ajagaon	9 & 10	0.0466	
	Buzurkanchanalli	341	0.0011	
	Bukkanakoppa	37	0.0204	
	Chotakanashirda	8, 9, 10, 17 & 18	0.3435	
	Domgera	30	0.2075	
	Dongrikoppa	14, 22, 26 & 54	0.063	
	Gadiyal	18, 20, 21, 17/1, 17/3, 120, 179, 77 & 68	0.1704	
	Garadolli	8, 13, 66, 97	0.2775	
	Handali	40	0.0225	
	Hosur (Pandarval)	1, 22 & 26	0.1572	
	Jatage	14, 23 & 35	0.2184	
	Jatagehosur	7 & 11	0.0956	
	Javalli	25	0.0518	
	Kalaginakoppa	115	0.0264	
	Kawalwad	155, 172, 173 & 237	0.1545	
	Kerwad	14, 15 & 17/2	0.3697	
	Kesarolli	60, 61, 63, 65 & 66	0.1605	
	KhurdaKanchanalli	36 & 172	0.0396	
	Kumbarkoppa	1 & 4	0.0429	
	Kurigadda	10 & 11	0.322	
	Machyapur	1	0.1949	
	Magwad	60, 63, 69, 23, 45, 57/1, 57/2, 64/1, 64/2, 21 & 22	0.2658	
	Malawad	39	0.068	
	Malawadi	83	0.2358	
	Modalagera	36, 51 & 52	0.0608	
	Mugadakoppa	35	0.0156	
	Nandigadde	148	0.0058	
	Narnahalli	32	0.3829	
	Niralgi	33 & 34	0.1245	

I/457662/2023

Pala	123	0.154
Pura	12	0.0373
Rayapattan	7	0.1327
Siddapur	13 & 17	0.1488
Tippanageri	47	0.0299
Adakehosur	31, 32, 33, 15 & 29	0.0877
Chibbalageri	32 & 72	0.0423
Gadagera	5	0.0261
Karlakatte	30 & 62	0.1337
Murkawad	131	0.0451
Nilwani	29, 48 & 49	0.2955
Ramapur	6	0.0855
Sambrani	31	0.0277
Shivapur	6, 72, 104, 106 & 119	0.1749
Tatagera	6, 14 & 15	0.0512
Tattigeri	49 & 65	0.1824
Tatvani	99 & 100	0.0418
Teganahalli	26	0.027
Khamadalli	23 & 62/2	0.0374
Khamadalli	9 & 12	0.2021
Doddakoppa	11, 12 & 72	0.1908
Guttibail	3	0.0482
Gundolli	58/A & 81	0.1117
Guledakoppa	1, 2, 4, 5, 6, 8 & 9	0.0653
Belavatagi	50, 53, 69 & 8	0.23
Banasageri	10	0.1019
Mundwad	15	0.1975
Total		8.8537

Component wise breakup of the forest land proposed for diversion is given below.

Component		Forest Land (ha)
1	Raw Water Rising Main	1.2112
2	Pure Water Rising Main	1.2103
3	Pure Water Gravity Main	5.8148
4	Electric Connections	0.1905
5	Zonal Balancing Tanks - 5No's	0.16
6	Intermediate Storage Sumps - 3 No's	0.03
7	Proposed Over Head Tanks	0.2369
Total		8.8537

3. DCF, Haliyal Report: The Deputy Conservator of Forests, Haliyal Division has inspected the project site on 06-03-2023 and 09-03-2023 and vide Ref (3) has submitted the Site Inspection Report along with details of the site in PART-II of the proposal to Conservator of Forests, Kanara Circle. Main features of the forest land proposed for diversion as per the DCF, Haliyal Division report, r/w reports of CF, Kanara Circle and that of ICT Centre of Forest Department are as follows.

I/457662/2023

- a. The forest land proposed for diversion is in general landscape of Eco-class I (Tropical Wet Evergreen Forests/ Tropical Semi Evergreen Forests/ Topical Moist Deciduous Forests) with >90% Canopy Density (Very Dense Forest).
 - b. As per Item 4(ii) of PART-II, there are 136 trees on the forest land proposed for diversion. Major tree species include *Terminalia catappa*, *Saracaasoca*, *Azadirachta indica*, *Adina cordifolia* and various other jungle wood species.
 - c. Major wild animals found in and around the project area include Elephant, Deers, Bears, Leopards among others.
 - d. There are no rare / endangered / unique species of flora and fauna reported in the forest area proposed for diversion.
 - e. As per Item 8 (ii) of PART-II, 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.
 - f. As per Item 8 (iv) of PART-II, 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.
 - g. The forest land proposed for diversion is not located within the Eco-Sensitive Zone (ESZ) of any Protected Area notified under Wildlife (Protection) Act, 1972.
 - h. There are no Protected/ Archaeological/ Heritage Sites/ Defence establishments located in the proposed area.
 - i. The forest area proposed for diversion is the bare minimum and unavoidable.
 - j. There is no violation reported under the Forest (Conservation) Act, 1980.
4. **CF, Kanara Circle Report:** The Conservator of Forests, Kanara Circle, Sirsi has inspected the project site personally on 15-07-2023 and vide Ref (4) has submitted the Site Inspection Report in PART-III online. Agreeing with the recommendation made by the Deputy Conservator of Forests, Haliyal Division, the Conservator of Forests, Kanara Circle has also recommended the proposal.
5. **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 letter F.No. 5-2/2017-FC dated 28-03-2019. **The User Agency has submitted an Undertaking to pay the charges towards Net Present Value (NPV) of the forest land proposed for diversion.**

- I/457662/2023 6. **Compensatory Afforestation (CA):** In accordance with the provisions of para 2.5 (g) of the 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 being a State Government agency implementing a State Government project which directly benefit to the people of the area in hill district or in district having more than 50% forest cover is exempted from the requirement of providing the non-forest land for Compensatory Afforestation purpose and 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. Accordingly, the Deputy Conservator of Forests, Haliyal have identified the following degraded forest land.

Location details	Extent of Degraded Forest Land (ha)	Forest Division	Forest Range
Uttara Kannada District, Haliyal Taluk, MurkwadHobli, Tatwanagi Village, Sy. No. 98A	17.80	Haliyal	Haliyal
Total	17.80		

The Compensatory Afforestation land details in form of KML files, Topo-maps, Geo-referenced maps along with GPS readings, CA Schemes and CA Site Certificates have been uploaded at Item 13 of PART-II. Further, **the User Agency has furnished an Undertaking to pay the applicable Compensatory Afforestation (CA) charges.**

7. **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 obtained and furnished the requisite **Certificate in FORM-II (for Nonlinear / 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. Accordingly, **the User Agency is being informed to obtain the required RoFR certificate and submit a copy.**

Under the above circumstances and agreeing with the recommendations of the field officers, **it is requested to move the proposal with the Government of India, Ministry of Environment, Forests and Climate Change, Regional Office (Southern Zone), Bengaluru for according in-principle (Stage-I) approval under Forest (Conservation) Act, 1980 for diversion of 8.8537 Ha of forest land in Haliyal Taluk of Uttar Kannada district (Haliyal Forest Division) for Multi village Drinking water supply to 91 villages (113 Habitations) in Haliyal Taluk in favour of Assistant Executive Engineer, Rural Drinking Water and Sanitation Sub Division, Haliyal for a period of Twenty (20) years subject to production of**

I/457662/2023

RoFR Certificate in FORM-II(for Nonlinear / Hybrid 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.

Yours Faithfully

Signed by Rajiv Ranjan,
I/s

Date: 20-07-2023 18:34:15
(Rajiv Ranjan, IFS)

Principal Chief Conservator of Forests
(Head of Forest Force)

Copy to the:

1. Conservator of Forests, Kanara Circle Sirsi for information.
2. Deputy Conservator of Forests Haliyal Division for information.
3. The Assistant Executive Engineer, Rural Drinking Water & Sanitation Sub-division, Haliyal, Uttara Kannada District- 581 329 for information and with the request to obtain the **RoFR certificate in FORM-II (for Nonlinear / 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.**

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), Compensatory Afforestation (CA) charges, cost of extraction of trees (if required in future), 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 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.



(Rajiv Ranjan, IFS)
Principal Chief Conservator of Forests
(Head of Forest Force)

I/457662/2023

PART – IV

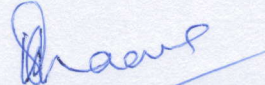
(To be filled in by the Nodal Officer or Principal Chief Conservator of Forests or Head of Forest Department)

<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 8.8537 Ha of forest land in Haliyal Taluk of Uttara Kannada district (Haliyal Forest Division) for Multi village Drinking water supply to 91 villages (113 Habitations) in Haliyal Taluk in favour of the Assistant Executive Engineer, Rural Drinking Water and Sanitation Sub Division, Haliyal for a period of Twenty (20) years subject to production of RoFR Certificate in FORM-II (for Nonlinear / Hybrid projects) and further subject to the conditions appended in Annexure 'A'.</p> <p>Proposal No. FP/KA/WATER/46598/2020</p>
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Signature:

Name:

Designation:

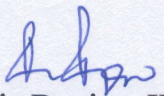

 (Vijay Sharma, IFS)

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

Signature:

Name:

Designation:


 (Rajiv Ranjan, IFS)

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

N.D.O. No. /2023-24

(Official Seal)

Dated: 20/07/2023