

ಕರ್ನಾಟಕ ಸರ್ಕಾರ

GOVERNMENT OF KARNATAKA

ಪ್ರಧಾನ ಮುಖ್ಯ ಅರಣ್ಯ ಸಂರಕ್ಷಣಾಧಿಕಾರಿ

(ಅರಣ್ಯಪಡೆ ಮುಖ್ಯಸ್ಥರು) ರವರ ಕಛೇರಿ

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



ಅರಣ್ಯಭವನ, 18ನೇ ಅಡ್ಡರಸ್ತೆ

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E-office File No.KFD/HOFF/A5-2(GFL)/31/2019-FC

Enc: 3 sets of proposals

E-74531

Date 17-03-2022

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To

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

Sir,

**Sub:** Diversion of 0.054 ha of forest land in Sy. No. 49 and 55 of Markal and Sy. No. 146 of Yadehalli villages, Singeri Taluk, Chikkamagaluru District for gravity drinking water supply pipeline from Kithlemane Kodige, Hulugarbailu to Kigga in favour of the Executive Engineer, Karnataka Rural Infrastructure Development Ltd., Chikkamagaluru.

**Proposal No. FP/KA/WATER/35135/2018 [FORM A]**

**Ref:**

1. Online proposal [FORM-A PART-I] dated 27-12-2019 (re submitted) of Executive Engineer, Karnataka Rural Infrastructure Development Limited, jyothinagara post, near zilla panchayath office, K.M. Road, Chikkamagaluru District r/w acknowledgement uploaded online on 12-02-2020 by User Agency for having delivered the hard copy proposal to jurisdictional Deputy Conservator of Forests and Deputy Commissioner.
2. This office online communication dated 29-02-2020 to Deputy Conservator of Forests, Kudremukh Division for further processing of proposal.
3. Online submission of PART-II on 10-01-2022 by the Deputy Conservator of Forests, Kudremukh Division.
4. Online submission of PART-III on 14-01-2022 by the Chief Conservator of Forests, Mangaluru Circle [letter No.A3/Gravity drinking water Kigga/CR-17 /2021-22 dated 24-01-2022]



1. The Executive Engineer, Karnataka Rural Infrastructure Development Limited, Chikkamagaluru District [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 0.054ha of forest land in Sy. No. 49 and 55 of Markal and Sy. No. 139 and 146 of Yadehalli villages, Sringeri Taluk, Chikkamagluru District for gravity drinking water supply pipeline from Kithleman Kodige, Hulugarbailu to Kigga. After uploading of acknowledgement on 12-02-2020 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, Kudremukh Division to process the proposal under the Forest (Conservation) Act, 1980 and to submit specific opinion / recommendation.

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, Taluk, Hobli, Village	Village	Sy No.	Forest extent proposed for diversion (ha)	Project component	Legal status of land
Chikmagaluru District Sringeri Taluk, & Kigga Hobli	Markal	49	0.0115	Pipeline	Reserved Forests
		55	0.0261		
	Yadehalli	146	0.0164		
<b>Total</b>			<b>0.054</b>		

3. **Report of DCF, Kudremukh Wildlife Division:** The Deputy Conservator of Forests, Kudremukh Wildlife Division has inspected the site on 24-11-2020 and vide ref (3) has submitted his report along with site inspection report in PART-II to Chief Conservator of Forests, Mangalore. Main features of the proposal based on the reports of the Deputy Conservator of Forests, Kudremukh Wildlife Division r/w report of Chief Conservator of Forests, Mangalore and that of ICT Centre of Forest Department are summarized below.

- The forest land proposed for diversion is not vulnerable to soil erosion.
- The forest land proposed for diversion is in general landscape of eco-class-I (consisting of sub-tropical hill forest and tropical evergreen forest) with a Canopy Density of up to 1 (Open Forest).
- As per Item 4(ii) of PART-II of the proposal, there are no trees on the forest land proposed for diversion.
- Main wild animals reported in and around the project area include lion tailed macaque, Malabar giant squirrel, common langur, gaur, porcupine,



sambar, spotted deer, barking deer, jackal, giant flying squirrel, mongoose etc.

- e. There are rare / endangered / unique species of flora and fauna reported in and around the forest land proposed for diversion.
- f. There are no protected/ archaeological/ heritage sites or defence establishments or important monuments in the area.
- g. There is no violation reported under the Forest (Conservation) Act, 1980.
- h. The requirement of forest land for the project is bare minimum and unavoidable.

4. **CCF, Mangaluru Circle Report:** The Chief Conservator of Forests, Mangaluru has inspected the site on 12-01-2022 and has agreed with the report of Deputy Conservator of Forests, Kudremukh Wildlife Division. The Chief Conservator of Forests, Mangalore Circle vide ref (4) has submitted his report in PART-III and 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 F.No. 5-3/2011-FC (Vol-I) dated 06-01-2022 and 19-01-2022. **The User Agency has submitted an undertaking agreeing to pay the Net Present Value (NPV) of the forest land proposed for diversion.**

6. **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 to the User Agency towards compensatory planting. Even if there are no trees on the forest land proposed for diversion in 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 19-04-2021 **in case any tree felling is required in forest land at the time of execution of the project.**

7. **Status of RoFR compliance:** In order to meet the requirement of the provisions of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 and Rules 2008 and the FC Guidelines, the User Agency has not



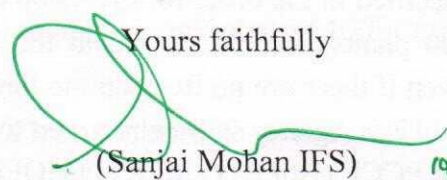
obtained/ furnished the (copy of) requisite **RoFR Certificate in FORM-I (for Linear projects)** issued by the jurisdictional Deputy Commissioner as per Annexure II of the FC Guidelines communicated by Government of India, Ministry of Environment, Forests and Climate Change, New Delhi vide F.No. 5-2/2017-FC dated 28-03-2019. **The User Agency is being informed once again to obtain and submit the said certificate in prescribed format.**

8. **Wildlife Clearance:** As the proposal involves diversion of forest land inside a protected area of Kudremukh National Park and ESZ of Kudremukh Wildlife Sanctuary, the User Agency will have to obtain the wildlife clearance for the proposal from the National Board for Wildlife. Accordingly, User Agency had submitted the wildlife proposal through Parivesh web-portal on 17/02/2020 for further processing for Wildlife Clearance. **The User Agency is being informed once again to obtain wildlife clearance for the project.**

Under the above circumstances and agreeing with recommendation of the field officers, it is requested to consider according 'in-principle' (Stage-I) approval under Section 2 of the Forest (Conservation) Act, 1980 for diversion of 0.054 ha of forest land in Sy. No. 49 and 55 of Markal and Sy. No. 146 of Yadehalli villages, Singeri Taluk, Chikkamagaluru District for gravity drinking water supply pipeline from Kithlemane Kodige, Hulugarbailu to Kigga in favour of the Executive Engineer, Karnataka Rural Infrastructure Development Ltd., Chikkamagaluru for a period of (20) years, subject to production of FRA 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 and also wildlife clearance for the project subject to the conditions listed 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) 95  
Principal Chief Conservator of Forests  
(Head of Forest Force)

**Copy to the:**

1. Chief Conservator of Forests, Mangaluru Circle, Mangaluru for information.
2. Deputy Conservator of Forests, Kudremukh Wildlife Division for information.
3. Executive Engineer, Karnataka Rural Infrastructure Development Limited, Jyothinagara post, near zillapanchayath office, K.M. road, Chikkamagaluru, District -577102 for information and **with a request to obtain 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 (available on FC web portal) and submit authenticated / attested copies at the earliest.**



### 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 needs to obtain approval of the Monitoring Committee of the Eco-sensitive Zone of Mookambika Wildlife Sanctuary.
4. The User Agency shall demarcate the lease area in the manner specified at the time of approval at its own cost.
5. The lessee shall not sub-lease, mortgage and hypothecate the forest area.
6. The Lessee shall provide signages in appropriate dimensions and kind near 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.
7. The User Agency shall ensure that the Municipal Waste is not dumped inside any other the forest area other than the diverted land.
8. 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.
9. No change in Land Use Plan on forest land shall be done except with prior approval of Government of India under FC Act 1980.
10. 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.
11. No residential or commercial buildings shall be permitted in the forest area proposed for diversion.
12. 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.
13. 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.
14. The Lessee shall ensure that no avoidable harm is caused to the fauna and flora in and around the proposed area.
15. 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.
16. The approval under the Forest (Conservation) Act, 1980 is subject to any other clearances necessary under the prevailing statutes.
17. 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>Recommended for moving the proposal to Government of India for seeking Stage-I (in-principle) approval under Section 2 of the Forest (Conservation) Act, 1980 for diversion of 0.054 ha of forest land in Sy. No. 49 and 55 of Markal and Sy. No. 146 of Yadehalli villages, Sringeri Taluk, Chikkamagluru District for gravity drinking water supply pipeline from kithleman Kodige, Hulugarbailu to Kigga in favour of the Executive Engineer, Karnataka Rural Infrastructure Development Ltd., Chikkamagaluru for a period of (20) years subject to submission of RoFR compliance certificate in FORM-I (for linear projects) and the conditions appended in Annexure 'A'.</p> <p>[Proposal No. FP/KA/WATER/35135/2018]</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: 58/2021-22

Date: 21 -03-2022