

ಕರ್ನಾಟಕ ಸರ್ಕಾರ
GOVERNMENT OF KARNATAKA

ಪ್ರಧಾನಮುಖ್ಯ ಅರಣ್ಯ ಸಂರಕ್ಷಣಾಧಿಕಾರಿ
(ಅರಣ್ಯಪಡೆಮುಖ್ಯಸ್ಥರು) ರವರ ಕಛೇರಿ
Office of
Principal Chief Conservator of Forests
(Head of Forest Force)



ಅರಣ್ಯಭವನ, 18ನೇ ಅಡ್ಡರಸ್ತೆ,
ಮಲ್ಲೇಶ್ವರಂ, ಬೆಂಗಳೂರು-560003
Aranya Bhavan, 18th Cross,
Malleshwaram, Bengaluru- 03
Telephone: 080 2334 6472
Email: apccffc@gmail.com

E-office File No. KFD/HOFF/A52k(GFL)/19/2022-FC

E-769300

Date 20-10-2022

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To,

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

Sir,

Sub: Diversion of 0.063 hectare of forest land in Sy. No. 34/A of Papanashi Village, Gadag taluk and Sy. No. 80/1A of Singatarayanakere, Mundaragi Taluk, Gadag District (Gadag Forest Division) for laying of pipeline for new lift irrigation scheme to Singtrayankere tank in favour of Minor Irrigation and GWD Division, Gadag

Proposal No. FP/KA/Pipeline/154978/2022

- Ref:** 1. Online proposal [FORM-A PART-I] dated 30-04-2022 of Assistant Executive Engineer, Minor Irrigation and GWD Division, Gadag and uploading of acknowledgment on 18-08-2022 for having the delivered the hard copy of proposal to jurisdictional Deputy Conservator of Forests and Deputy Commissioner
2. This office online communication dated 19-08-2022 to Deputy Conservator of Forests, Gadag Division for further processing of the proposal
3. Online submission of PART-II on 09-09-2022 by Deputy Conservator of Forests, Gadag Division [letter No. A4/GFL/MI/Pipeline/0.063 Ha/CR-24/2022-23/967 dated 09-09-2022]
4. Online submission of PART-III on 15-09-2022 by the Chief Conservator of Forests, Dharwad Circle [letter No. A1/LAND/FC/MI/Pipeline/0.063 dated 14-09-2022]

1. The Assistant Executive Engineer, Minor Irrigation and GWD Division, Gadag [USER AGENCY] has submitted an online proposal [FORM-A PART-I] vide Ref (1) on 30-04-2022 seeking approval under the Forest (Conservation) Act, 1980 for diversion of 0.063 hectare of forest land in Sy. No. 34/A of Papanashi Village, Gadag taluk and Sy. No. 80/1A of Singatarayanakere, Mundaragi

Taluk, Gadag District (Gadag Forest Division) for laying of pipeline for new lift irrigation scheme to Singtrayankere tank. The same was accepted by Nodal Officer (FCA) on 27-05-2022 for further processing. After receiving the Acknowledgement online on 18-08-2022 for having delivered the hard copies of the proposal by the User Agency to the jurisdictional Deputy Conservator of Forests & Deputy Commissioner, the online link was forwarded by this office vide Ref (2) to the Deputy Conservator of Forests, Gadag 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 and Component wise breakup of the forest land proposed for diversion are given below.

District&Taluk	Village	Sy No.	Name of Project Component	Forest Land proposed for diversion (ha)	Status of Land
Gadag District, Gadag Taluk	Papanashi	34/A	Pipeline (870 m x 0.6 m)	0.0522	Reserved Forest
Gadag District, Mundaragi Taluk	Singatarayanakere	80/1A	Pipeline (180 m x 0.6 m)	0.0108	
Total				0.063	

- 3. DCF, Gadag Division Report:** The Deputy Conservator of Forests Gadag Division has inspected the spot on 17-08-2022 and has submitted the Site Inspection Report, the details of the area along with the recommendation in the form of PART-II of the proposal vide Ref (3) to Chief Conservator of Forests, Dharwad Circle. Main features of the proposal based on the DCF Gadag Report r/w the report of the CCF, Dharwad Circle and that of the ICT Centre of Forest Department are as follows.

- The forest land proposed for diversion is in general landscape of Eco-Class-IV with dense Forest (0.2 canopy density).
- As per Item 4 (ii) of PART-II, there is only one eucalyptus tree to be felled on the forest land proposed for diversion.
- Major wild animals found in and around the project area include Blackbuck, Spotted Deer, Hyena, Jackal, Fox, Wolf, Porcupine, Leopard, Ant eater, Four Horned Antelope among others
- There are no other rare / endangered / unique species of flora and fauna reported around the forest area proposed for diversion.


- e. 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.
 - f. The forest land proposed for diversion is falling within the proposed Eco Sensitive Zone of Kappathagudda Wildlife Sanctuary, the project will not have any major impact on the PA because the pipeline will be laid all along the existing road. After laying the pipeline in the forest land, the land can be restored back to its original state.
 - g. There are no Protected/ Archaeological/ Heritage Sites/ Defence establishments located in the proposed area.
 - h. The forest area proposed for diversion is the bare minimum and unavoidable.
 - i. There is no violation reported under Forest (Conservation) Act, 1980.
4. **CCF, Dharwad Circle Report:** Agreeing with the recommendation made by the Deputy Conservator of Forests, Gadag Division, the Chief Conservator of Forests, Dharwad 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 F.No. 5-3/2011-FC dated 06-01-2022. **The User Agency has submitted an Undertaking (dated 25-04-2022) to pay the charges towards Net Present Value (NPV) of the forest land proposed for diversion.**
 6. **Compensatory Afforestation (CA):** The forest area proposed for diversion is less than one hectare and is governed by Para 3.2 (viii)(b) of the Government of India FC Guidelines (*old version, as the new version is silent in this regard*), which provides exemption from raising Compensatory Afforestation (CA). However, the Para 2.6(i) of the latest FC Guidelines mandates planting of ten times the number of trees likely to be felled (subject to a minimum of 100 plants), **the User Agency will have to make payment in accordance with the O.M. issued vide E-office File No. KFD/HOFF/A53(GFL)/34/2019-FC [E-88289] dated 24-05-2022 of the Principal Chief Conservator of Forests (Head of Forest Force) for any tree felling required for the purpose of execution of the project. The User Agency has submitted an Undertaking dated 25-04-2022 to pay the Compensatory Plantation 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 furnished

the requisite **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 to obtain the said certificate in prescribed format and submit a copy.**

Under the above circumstances and agreeing with recommendation of the field officers, it is requested to consider according 'in-principle' (Stage-I) approval under Forest (Conservation) Act, 1980 for diversion of 0.063 hectare of forest land in Sy. No. 34/A of Papanashi Village, Gadag taluk and Sy. No. 80/1A of Singatarayanakere, Mundaragi Taluk, Gadag District (Gadag Forest Division) for laying of pipeline for new lift irrigation scheme to Singtrayankere tank in favour of Minor Irrigation and GWD Division, Gadag for a period of Twenty (20) years and subject to the production of RoFR certificate in FORM-I 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 subject to 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



(Raj Kishore Singh, IES)

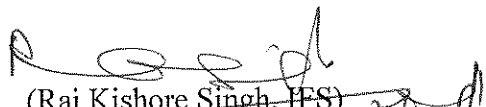
Principal Chief Conservator of Forests
(Head of Forest Force)

Copy to the:

1. Chief Conservator of Forests, Dharwad Circle, Dharwad for information.
2. Deputy Conservator of Forests, Gadag Division, Gadag for information
3. The Assistant Executive Engineer, Minor irrigation and GWD sub-division, 2nd floor, New DC office, Hubli road, Gadag – 582103 for information and further action to obtain and **produce the RoFR Certificate in FORM-I (for Linear projects)** 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), 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.


(Raj Kishore Singh, IFS)
Principal Chief Conservator of Forests
(Head of Forest Force)

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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 0.063 hectare of forest land in Sy. No. 34/A of Papanashi Village, Gadagtaluk and Sy. No. 80/1A of Singatarayanakere, Mundaragi Taluk, Gadag District (Gadag Forest Division) for laying of pipeline for new lift irrigation scheme to Singtrayankere tank in favour of Minor Irrigation and GWD Division, Gadag for a period of Twenty (20) years and subject to the production of RoFR certificate in FORM-I 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 subject to conditions appended in Annexure 'A'.</p> <p>Proposal No. FP/KA/Pipeline/154978/2022</p>
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Signature:



Name:

(Vijay Sharma, IFS)

Designation:

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

Signature:



Name:

(Raj Kishore Singh, IFS)

20/10/22

Designation:

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

N.D.O. No. 42/2022-23

(Official Seal)

Dated 21/10/2022

