

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, 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)/12/2022-FC
Encl.: Three (3) sets of Stage-I proposal

E-744229
Date 23-11-2022

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To,

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

Sir,

Sub: Renewal of diversion of 3.846 Ha of forest land in Block No. 10 of Navagadda F.Sy.No. 16A1A of Binaga Sy. No. 1376 of Baad village, Ankola Taluk, UK District (Karwar Forest Division) for construction of GLSR Filter and Tunnels under combined water supply scheme in favour of KUWSD&B, Kajubag, Karwar
Proposal No. FP/KA/WATER/150851/2022 [FORM-B]

- Ref:**
1. Government of India, Ministry of Environment, Forests & Climate Change, Regional Office (Southern Zone), Bengaluru letter No. 4-KRB037/2004-BAN dated 18-11-2005[*Stage-II approval*]
 2. Government of Karnataka Order No. FEE 89 FLL 2004 dated 17-02-2006 [*formal sanction of forest diversion*]
 3. Online FC application [FORM-B PART-I] dated 19-03-2022 of KUWSD&B, Kajubag, Karwar, Uttara Kannada District and uploading of Acknowledgment on 24-05-2022 for having delivered the hard copy of proposal to jurisdictional Deputy Conservator of Forests and Deputy Commissioner
 4. This office online communication dated 02-06-2022 to Deputy Conservator of Forests, Karwar Division for further processing
 5. Online submission of PART-II on 29-08-2022 by the Deputy Conservator of Forests, Karwar Division [*Letter No. B4/GFL/CR-61/2001-02 dated 25-08-2022*]
 6. Online submission of PART-III on 21-09-2022 by the Conservator of Forests, Kanara Circle [*Letter No. B2/GFL/CR-51/95-96/2339 dated 08-09-2022*]

1. **Background:** The Government of India vide Ref (1) had accorded the final (Stage-II) approval for diversion of 3.846 Ha of forest land in Block No. 10 of Navagadda

F.Sy.No. 16A1A of Binaga Sy. No. 1376 of Baad village, Ankola Taluk, UK District (Karwar Forest Division) for construction of GLSR Filter and Tunnels under combined water supply scheme in favour of KUWSD&B, Kajubag, Karwar. Accordingly, the Government of Karnataka vide Ref (2) had accorded sanction for the forest lease for the above project for a period of 15 years. **The lease period has expired on 17-02-2021.**

2. Further, KUWSD&B, Kajubag, Karwar, Uttar Kannada District [USER AGENCY] vide Ref (3) has submitted a proposal (FORM-B PART-I) through FC web portal on 19-03-2022 seeking renewal of FC lease involving diversion of 3.846 Ha of forest land in Block No. 10 of Navagadda F.Sy.No. 16A1A of Binaga Sy. No. 1376 of Baad village, Ankola Taluk, UK District (Karwar Forest Division) for construction of GLSR Filter and Tunnels under combined water supply scheme under Section 2 of the Forest (Conservation) Act, 1980. The same was accepted by Nodal Officer (FCA) on 16-05-2022 for further processing under the Act. After receiving the online acknowledgement from the User Agency on 24-05-2022 for having delivered the hard copies of proposal to the Deputy Conservator of Forests, Karwar Division and Deputy Commissioner, Uttara Kannada District, the online link was forwarded to the Deputy Conservator of Forests, Karwar Division on 02-06-2022 for field verification and further processing under the Forest (Conservation) Act, 1980.
3. **Location and Component-wise break up:** Location details of the forest land proposed for renewal of FC lease is given below.

District, Taluk,	Village	Sy No.	Forest land proposed for diversion (ha)	Legal status of land
Uttar Kannada District, Ankola Taluk,	Baad	1376	2	Reserved Forest
	Binaga	16A1A	0.146	
	Navagadda	Block 10	1.7	
Total			3.846	

Component-wise breakup of the forest land proposed for renewal of FC lease is given below.

Sl. No.	Project Components	Forest land proposed for diversion (ha)
1	Water Storage Tank Area	1.9363
2	Pipeline Area	0.1834
3	Approach Road	0.0263
4	Proposed Area Navagagadda	1.7
Total		3.846

4. **DCF, Karwar Division Report:** The Deputy Conservator of Forests, Karwar Division has inspected the spot on 25-08-2022 and has submitted the Site Inspection Report, the

details of the area along with the recommendation in PART-II of the proposal vide Ref (5) to Conservator of Forests, Kanara Circle. Main features of the proposal based on the DCF, Karwar Report r/w the report of the CF, Kanara Circle and that of the ICT Centre of Forest Department are as follows.

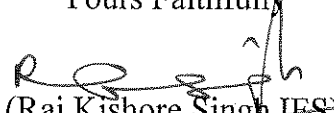
- a. The forest land proposed for FC renewal is in general landscape of Eco-class-I (Topical Semi-evergreen Forests) with a Canopy Density of 0.25 (Dense Forest) in the area.
 - b. As per Item 4 (ii) of PART-II, there are no trees to be felled on the forest land proposed for diversion.
 - c. Major wild animals found in and around the area include the melanistic leopard, leopard cat, mousedeer, fishing cat, Sloth bear, guar, pangolin, sambar, spotted deer, jungle cat, cobra, Russel viper, saw scaled viper, etc.
 - d. There are no other rare / endangered / unique species of flora and fauna reported around the forest land proposed for FC renewal.
 - e. The forest land proposed for FC renewal does not form part of any National Park/ Wildlife Sanctuary/ Biosphere Reserve/ Tiger Reserve/ Elephant Corridor/ Wildlife Migration Corridor, etc.
 - f. 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 Eco-Sensitive Zone (ESZ) of any Protected Area notified under Wildlife (Protection) Act, 1972.
 - h. There are no Protected/ Archeological/ 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 Forest (Conservation) Act, 1980.
5. **CF, Kanara Circle Report:** The Conservator of Forests, Kanara Circle has inspected the proposed area personally and vide Ref (6) has submitted the Site Inspection Report in PART-III online. Agreeing with the recommendation made by the Deputy Conservator of Forests, Karwar Division, the Conservator of Forests, Kanara Circle has also recommended the proposal.
 6. **Net Present Value (NPV):** The original lessee has paid an amount of Rs. 34,05,180/- towards Net Present Value for the forest land diverted earlier. It is included in the total amount of Rs. 39,50,000/- paid by the lessee through Demand Draft No. 322376789 dated 20-08-2005 at the rates prescribed by Government of Karnataka Order No. FEE 247 FGL 2002 Dated 17-01-2004.
 7. **Compensatory Afforestation (CA):** As per Condition No.2 of the previous FC approval of the Central Government, Compensatory Afforestation shall be raised over double the degraded forest land at the cost of User Agency. Accordingly, the original lessee has paid an amount of Rs. 4,17,340/- towards CA charges (@Rs. 54,200/- per Ha)

for 7.7 ha of degraded forest land. It is included in the total amount of Rs. 39,50,000/- paid by the lessee through Demand Draft No. 322376789 dated 20-08-2005. Further, the Deputy Conservator of Forests, Karwar Division has reported that the CA has been raised in the Reserved Forest of Nagekove Village F. Sy No. 10 in Karwar Range, Karwar Division, Uttara Kannada District.

- 8. 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-II (for Non-linear/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. **The User Agency is being informed again to obtain the said certificate in prescribed format and submit a copy.**

Under the above circumstances and agreeing with the recommendation of the field officers, it is requested to move the proposal to 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 renewal of FC lease involving diversion of 3.846 Ha of forest land in Block No. 10 of Navagadda F.Sy.No. 16A1A of Binaga Sy. No. 1376 of Baad village, Ankola Taluk, UK District (Karwar Forest Division) for construction of GLSR Filter and Tunnels under combined water supply scheme in favour of KUWSD&B, Kajubag, Karwar for a period of 20 years subject to FRA Certificate in FORM-II (for Non-linear/Hybrid projects) issued by the jurisdictional Deputy Commissioner as per Annexure II of the FC Guidelines and further subject to conditions appended in Annexure 'A'.

The hard copy of the proposal along with the relevant documents in 3 sets are submitted herewith for further needful.


Yours Faithfully

(Raj Kishore Singh 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, Karwar Division, Karwar for information.
3. Assistant Executive Engineer, KUWSD&B, Kajubag, Karwar, Uttara Kannada District- 581 301 for information and with a request to obtain the requisite FRA Certificate in FORM-II (for Non-linear/Hybrid projects) issued by the jurisdictional Deputy Commissioner as per Annexure II of the FC Guidelines.

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 (CP) charges, 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 lease 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. No change in Land Use Plan on forest land shall be done except with prior approval of Government of India under FC Act 1980.
7. 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.
8. No residential or commercial buildings shall be permitted in the forest area proposed for diversion.
9. No crushing / breaking of stones or labour camp shall be allowed on forest land and all waste / debris generated shall be scientifically disposed of outside the forest area.
10. 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.
11. The Lessee shall ensure that no avoidable harm is caused to the fauna and flora in and around the proposed area.
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 / 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) 371

PART – IV

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

Detailed opinion & specific recommendation of the State Forest Department for acceptance or otherwise of the proposal with remarks <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>	Recommended for moving to 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 renewal of FC lease involving diversion of 3.846 Ha of forest land in Block No. 10 of Navagadda F.Sy.No. 16A1A of Binaga Sy. No. 1376 of Baad village, Ankola Taluk, UK District (Karwar Forest Division) for construction of GLSR Filter and Tunnels under combined water supply scheme in favour of KUWSD&B, Kajubag, Karwar for a period of 20 years subject to FRA Certificate in FORM-II (for Non-linear/Hybrid projects) issued by the jurisdictional Deputy Commissioner as per Annexure II of the FC Guidelines and further subject to conditions appended in Annexure 'A'. FP/KA/Water/150851/2022 [FORM-B]
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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

Designation:

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

N.D.O. No. 47/2022-23

(Official Seal)

Dated 25/11/2023

