

ಕರ್ನಾಟಕ ಸರ್ಕಾರ

GOVERNMENT OF KARNATAKA

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



ಅರಣ್ಯ ಭವನ, 18ನೇ ಅಡ್ಡ ರಸ್ತೆ  
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No. A5(2).GFL.CR-23/2017-18  
**Proposal No. FP/KA/WATER/31233/2018**

Date: 27-11-2018

To,

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

Sir,

Sub: Diversion of 0.9894 ha of forest land in Sy. No. 126, 129, 142, 143, 145 & 2 of Kattaya village, Hassan Taluk & District for providing water supply to Hassan city in favour of the Executive Engineer, Karnataka Urban Water Supply and Drainage Board (KUWSDB) Division, M.G. Road, Hassan-reg.

- Ref: 1 Online proposal dated 26-06-2018 (resubmitted) of the Executive Engineer, Karnataka Urban Water Supply and Drainage Board (KUWSDB) Division, M.G. Road, Hassan.
- 2 This office online communication dated 17-07-2018 to User Agency (for uploading Acknowledgement) and 31-07-2018 (for processing) to Deputy Conservator of Forests, Hassan Division.
- 3 Online submission of PART-II on 25-10-2018 by Deputy Conservator of Forests, Hassan Division to Chief Conservator of Forests, Hassan Circle [Letter No. B4/DMN/FCA/Water supply/HSN/Kattaya/2018-19 dated 30-10-2018].
- 4 Online submission of PART-III on 02-11-2018 by the Chief Conservator of Forests, Hassan Circle to Nodal Officer [Letter No. A8/Land/Forest (Conservation) /CR-54/2018-19 dated 02-11-2018].

1. The Executive Engineer, Karnataka Urban Water Supply and Drainage Board (KUWSDB) Division, M.G. Road, Hassan [USER AGENCY] vide reference (1) has submitted a proposal through FC Web Portal for seeking prior approval under Section 2 of the Forest (Conservation) Act, 1980 for diversion of 0.9894 ha of forest land in Sy. No. 126, 129, 142, 143, 145 & 2 of Kattaya village, Hassan Taluk & District for



providing water supply to Hassan city. On receipt of the acknowledgement online on 28-07-2018 from the User Agency for having delivered the hard copies of the proposal to jurisdictional Deputy Conservator of Forests and Deputy Commissioner, the online link was transmitted vide Ref (2) dated 31-07-2018 to the Deputy Conservator of Forests, Hassan Division for field verification and further processing. After processing by the filed officers, the proposal (PART-I, II & III) has been received by the Nodal Officer from Chief Conservator of Forests, Hassan Circle on 02-11-2018.

**2. Location and component wise details of the forest land requirement:** The details of the proposal are as under:

District, Taluk & Hobli	Village	Sy No.	Name of Project component	Forest extent required (hectare)	Legal status of land
Hassan District, Hassan Taluk, Katta Hobli	Kattaya village	126	Water pipeline	0.036	Reserved Forest
		129		0.0092	
		142		0.1664	
		143		0.0684	
		145		0.1916	
		2		0.5178	
Total				0.9894	

**3. Report of DCF, Hassan Division:** The Deputy Conservator of Forests, Hassan Division vide reference (3) has inspected the site on 06-08-2018 and has submitted his report (PART-II) along with his Site Inspection Report to Chief Conservator of Forests, Hassan Circle, Hassan. The Deputy Conservator of Forests, Hassan Division, has recommended the proposal, as the project is for drinking water supply to Hassan city. Based on the report and information available on file, the main features of the forest land proposed for diversion are given below.

- A. The forest area proposed for diversion is in Eco-class-III (Tropical Dry Deciduous Forests) with <0.4 density category. [Note: NIL data entry in Item 4 of PART-II may be ignored.]
- B. The forest land proposed for diversion has 262 trees in 31-60 cm and above girth classes. Major tree species include *Syzigium cumini*, *Mangifera indica*, *Ficus bengalensis*, *Terminalia bellerica*, *Terminalia paniculata*, *Tectona grandis*, *Calamus sps*, *Magnolia grandifolia*, *Acacia auriculiformis*, *Eucalyptus sps*, etc. [Note: In addition, as per the CCF, Hassan Circle report, there are 60 Bamboo clumps which have around 1000 culms.]



- C. The forest land proposed for diversion is vulnerable to soil erosion. Hence the User Agency may be asked to undertake soil erosion control measures within a width of 100 meter all along the alignment in forest land.
- D. Major wild animals reported in the area include Wild boar, hare, Peafowl, etc. *[Note: 'No' entry made in Item 8(i) of PART-II may be ignored.]*
- E. No rare/endangered/unique species of flora and fauna are reported in Item 8(v).
- F. The proposed area does not form part of any declared National Park, Wildlife Sanctuary, Biosphere Reserve, and Tiger reserve or Elephant corridor.
- G. There are no protected/ archeological/ 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. Report of CCF, Hassan Circle:** The Chief Conservator of Forests, Hassan Circle has inspected the site on 10-10-2018 and 02-11-2018. Agreeing with the recommendation made by the DCF, Hassan Division, the Chief Conservator of Forests, Hassan Circle has also recommended the proposal.

**5. Compensatory Afforestation (CA):** The forest area proposed for diversion is less than one ha and hence the proposal is governed by Para 3.2(viii)(b) of Government of India FC Guidelines, which provides exemption from raising Compensatory Afforestation (CA), however mandates planting of ten times the number of trees likely to be felled. Therefore, the CA related information entered in Item 13 of PART-II may be ignored. However, **the User Agency is liable to make payment towards such compensatory planting in accordance with the letter No. A5(3).GFL.CR-28/2009-10 dated 24-05-2018 of the PCCF (HOFF). The User Agency has submitted an Undertaking to pay Compensatory Afforestation charges.**

**6. Net Present Value (NPV):** The User Agency is required to pay the Net Present Value (NPV) of forest land being diverted under this proposal as per conditions stipulated by Government of India, Ministry of Environment, Forest and Climate Change New Delhi vide letter No. 5-3/2007-FC dated 05-02-2009 and Orders dated 28-03-2008 and 09-05-2008 of the Hon'ble Supreme Court of India in I.A. No. 826 in I.A. 566 in WP(C) No. 202/1995. **The User Agency has agreed to pay the charges towards Net Present Value (NPV) and has submitted an Undertaking.**

**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 copy of



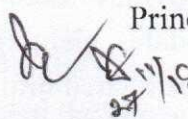
requisite Certificate in FORM-I (for Linear projects) issued by the Deputy Commissioner, Hassan District as per guidelines issued by Ministry of Environment, Forests and Climate Change, New Delhi vide letter No. 11-9/1198-FC(Pt) dated 03-08-2009/05-07-2013. **The User Agency is being requested to submit the required RoFR Compliance Certificate in original.**

Under the above circumstances and agreeing with recommendation of the field officers, it is requested to move the proposal with the Government of India, Ministry of Environment, Forests and Climate Change, for according 'in-principle' (Stage-I) approval under Section 2 of the Forest (Conservation) Act, 1980, for diversion of 0.9894 ha of forest land in Sy. No. 126, 129, 142, 143, 145 & 2 of Kattaya village, Hassan Taluk & District for providing water supply to Hassan city in favour of the Executive Engineer, Karnataka Urban Water Supply and Drainage Board (KUWSDB) Division, M.G. Road, Hassan for a period of twenty five (25) years, subject to submission of original Certificate of RoFR compliance in FORM-I (for Linear projects) and conditions listed in Annexure 'A'.

The proforma particulars along with the relevant documents in 3 sets are submitted herewith for kind perusal and further action.

Yours faithfully




 Principal Chief Conservator of Forests  
(Head of Forest Force)

Copy to the Chief Conservator of Forests, Hassan Circle, Hassan for information.

Copy to the Deputy Commissioner, Hassan District for information and necessary action with regard to issuing RoFR Compliance Certificate as mentioned above.

Copy to the Deputy Conservator of Forests, Hassan Division, Hassan for information and necessary action.


Copy to the Executive Engineer, Karnataka Urban Water Supply and Drainage Board (KUWSDB) Division, M.G. Road, Hassan for information and submission of **RoFR compliance certificate (original and three attested copies) as mentioned above at the earliest.**

  
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29-11-18



### 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 Afforestation (CA) 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 & 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 one year 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 leased forest land.
7. No residential (other than approved at the time of forest clearance) 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 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.
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.

  
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)

Detailed opinion & specific recommendation of the State Forest Department for acceptance or otherwise of the proposal with remarks.  (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).	Recommended for approval for diversion of 0.9894 ha of forest land in Sy. No. 126, 129, 142, 143, 145 & 2 of Kattaya village, Hassan Taluk & District for providing water supply to Hassan city in favour of the Executive Engineer, Karnataka Urban Water Supply and Drainage Board (KUWSDB) Division, M.G. Road, Hassan for a period of twenty five (25) years, subject to submission of original Certificate of RoFR compliance in FORM-I (for Linear projects) and conditions listed in Annexure 'A'.
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Signature:

Name:

Designation:

**JAGMOHAN SHARMA IFS**

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

(Official Seal):

Counter signed by :

Name:

Designation:

**PUNATI SRIDHAR IFS**

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

(Official Seal):

N.D.O. No: 25 /2018-19.

Date: 29 -11-2018.

