

No. A5(2)K/GFL.CR.05/2015-16

Office of the
Principal Chief Conservator of Forests
(Head of Forest Force)
Aranya Bhavan, Malleswaram
Bengaluru-560 003, dated: 30-03-2016

To

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

Sir,

Sub: Diversion of 0.5404 ha. of forest land in F. Sy. No.151, 154, 155 &181 of Irani village Ranibennur Taluk for construction of Aqueduct for Dy-2 under UTP Main Canal in favour of The Executive Engineer, KNNL, UTP Division Ranibennur.

- Ref: 1) Proposal No: FP/KA/IRRIG/17555/2016 date: 16-01-2016 of Executive Engineer KNNL, UTP Division Ranebennur.
- 2) Letter No.A5/GFL/ಕುಮೇಯೋ/ಐರಣಿ/15-16/1942 dated: of Deputy Conservator of Forests, Haveri Division, Haveri.
- 3) Letter No:A1/GFL/UTP/KALUVE/CR-12/A/2015-16 /3338 dated:26-03-2016 of the Chief Conservator of Forests, Dharwad Circle, Dharwad.

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The Executive Engineer, KNNL, UTP Division Ranibennur has submitted the proposal for seeking approval for diversion of 0.5404 ha. of forest land for the above project under Forest (Conservation) Act, 1980 vide Proposal cited under reference (1) above. After examining the Chief Conservator of Forests, Dharwad Circle, Dharwad has submitted proposal for diversion of 0.5404 ha. of forest land in F. Sy. No.151, 154, 155 & 181 of Irani village Ranibennur Taluk for construction of Aqueduct for Dy-2 under UTP Main Canal in favour of Executive Engineer, KNNL, UTP Division Ranibennur. under Forest (Conservation) Act,1980 vide letter cited under reference (3) above.

The details of the forest land required for the project is as under:

Sl. No.	Name of the			Sy. No	Extent (in ha.)	Status
	District	Taluk	Villa			
1)	Haveri	Ranebennur	Irani	151 154 155 181	0.0665 0.1239 0.1946 0.1554	Reserved Forest
Total					0.5404	

The purpose-wise break-up of forest land required for the project is as under:

Sl. No.	Purpose(Component)	Extent in ha.
1)	Aqueduct of Dy-2 of UTP Main Canal	0.5404

The project is formulated to provide water for irrigation to the 80,484.00 ha. area in Shivmogga, Honnali, Haveri, Hirekerur, Ranebennur & Hangal Talukas.

The Deputy Conservator of Forests, Haveri Division, Haveri has inspected the site on 11-03-2016 and recommended the above proposal furnished the details in Form-A Part - II as under The requirement of forest land proposed by the User Agency is barest minimum for the project.

- (1) There are 41 number of various tree species spread over the forest land proposed for diversion.
- (2) The density of the forest area proposed for diversion is Eco-class-I dense forest.
- (3) There are no rare/ endangered /unique species of flora and fauna in the proposed area.
- (4) There are no protected / archeological / heritage sites or defense establishments or important monuments in the area.
- (5) The forest land proposed for diversion is not much vulnerable to soil erosion.

The User Agency has to pay the Net Present Value (NPV) of forest land being diverted under this proposal as per Orders dated 28-3-2008 and 9-5-2008 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 given an undertaking to pay the Net Present Value towards 0.5404 ha. of forest land proposed for diversion.

In respect of the consent letter as required under the Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 and Rules, 2008, the User Agency has not submitted the certificate from the concerned Deputy Commissioner. The User Agency has given an under taking to that effect.

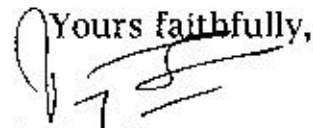
The Chief Conservator of Forests, Dharwad Circle, Dharwad has submitted Part-III and also inspected the site on 01.12.2015 & 23.03.2016. stating that new works in the entire project submitted by the User Agency Consists of three(3) districts linear patches- all of them lying within the Ranebennur Wildlife Sanctuary, even though a small part of the third length, though a part of Ranebennur Wildlife Sanctuary, is administered by the adjoining Haveri Territorial Forest Division.

The renovation work in old canal located in some such lands already done by the U.A under the UTP has to be still considered a RF land for the purpose of the FC Act. The User Agency has not

submitted any diversion proposal for such RF land whether renovation work in existing canal has been done in the RF is 3.651 ha. Hence, he has not recommended the above proposal for diversion.

Under the above circumstances, it is requested to kindly accord approval under Forest (Conservation) Act 1980. For the Diversion of 0.5404 ha. of forest land in F. Sy. No.151, 154, 155 &181 of Irani village Ranibennur Taluk for construction of Aqueduct for Dy-2 under UTP Main Canal in favour of Executive Engineer, KNNL, UTP Division Ranibennur. Under the Forest (Conservation) Act, 1980 subject to the conditions appended 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), Bengaluru.

Copy to:-

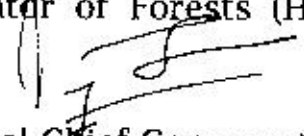
The Chief Conservator of Forests, Dharwad Circle, Dharwad for information and necessary action.

The Deputy Conservator of Forests, Haveri Division, Haveri for information and necessary action.

The Executive Engineer, Karnataka Neeravari Nigam Limited, UTP Division Ranibennur for information necessary action.

ANNEXURE - 'A'

1. The legal status of Forest land shall remain unchanged and it shall continue to be as forest land.
2. The lessee shall pay lease rent as fixed by the Government from time to time.
3. The lease tenure is for a period of 20 (twenty) years.
4. 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 should be resumed to the Forest Department the concerned Deputy Conservator of Forests is authorized to take necessary action in this regard.
5. In case of any violations of stipulations/agreed conditions reported during the lease period, the lease shall be liable for forfeiture under section 82 of Karnataka Forest Act, 1963.
6. No residential buildings shall be permitted in the proposed forest area for diversion.
7. The User Agency take care there shall not be any scope for soil erosion.
8. All preventive measure including SMC works will have to be taken up in order to control possible soil erosion due to laying of pipelines at the cost of user agency in consultation with the concerned Deputy Conservator of Forest.
9. The Karnataka Forest Act, 1963 and Rules, 1969 and other relevant Acts & Rules will be applicable for any violation.
10. The User Agency has to pay the Net Present Value (NPV) of forest land diverted under this proposal as per orders dated 28-3-2008 and 9-5-2008 of the Hon'ble Supreme Court of India.
11. The User Agency shall ensure that there shall be no damage to the available fauna and flora.
12. No labour camp shall be established on the forest lands.
13. Any damage to forest area due to such works shall be compensated by the User Agency. The extent of damage shall be assessed by the concerned Deputy Conservator of Forests.
14. The User Agency shall not sub-lease, mortgage and hypothecate the forest area.
15. The User Agency shall abide by all the conditions imposed upon by Government of India, the Government of Karnataka and Principal Chief Conservator of Forests (Head of Forest Force).


Principal Chief Conservator of Forests
(Head of Forest Force), Bengaluru.

PART - IV

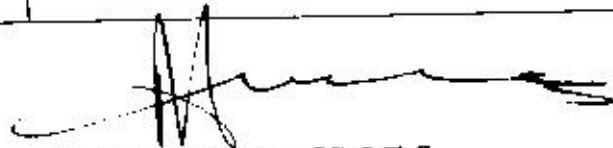
(To be filled in by the Nodal Officer or Principal Chief Conservator of Forests or Head of Forest Department)

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).	It is requested to kindly accord approval under Forest (Conservation) Act 1980 for diversion of 0.5404 ha. of forest land in F. Sy.No.151, 154, 155 & 181 of Irani village, Ranebennur Taluk for construction of Aqueduct for Dy-2 under UTP Main Canal in favour of Executive Engineer, KNNL, UTP Division Ranibennur. under the Forest (Conservation) Act, 1980.
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Signature:

Name:

Designation:



**(P. ANUR REDDY) I.F.S.,
Additional Chief Conservator of Forests
(Forest Conservation), Bengaluru.**

Signature:

Name:

Designation:

(Official Seal):



**(Vinay Luthra) I.F.S.,
Principal Chief Conservator of Forests
(Head of Forest Force), Bengaluru.**

N.D.O. No.44/2015-16.

Date: 30/03/2016.