

No.B1/Bhoomi/FC/GL1443/
2021-22

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Office of Deputy Conservator of
Forests, Sagara Territorial
Division, Sagara, Sagara Taluk,
Shivamogga District

☎ Landline No: 08183-226071

Date: 10.02.2025

To

Chief Conservator of Forest
Shimoga Circle, Shimoga

Respected Sir,

Proposal No.FP/KA/IRRIG/142337/2021

Subject: Diversion of 4.966 Ha of Forest land for Construction of Rising Main, Gravity Feeder and Delivery Chamber in Kotipura and other villages of Shikaripura Taluk of Shivamogga District comes under Sagar Forest Division to fill 41 MI/ZP tanks and providing irrigation for 3430 Ha of command area of Shikaripura and Soraba Taluks by lifting 0.429 TMC of water from Kumudvathi River under Kasaba LIS Project-Reg.

- Reference:**
1. The Ministry of Environment, Forest & Climate Change, Integrated Regional Office, Bangalore letter F. No. 4-KRB1324/2021-BAN/159 Dt: 16.12.2021.
 2. The Principal Chief Conservator of Forests (Forest Conservation) and Nodal Officer (FCA) Letter No. KFD/HOFF/A52K(GFL)/17/2021-FC Dt: 14.01.2022.
 3. Your Office Letter No. A11/FC/Neeravari-Kotipura/GL 1702/2020-21 Dt: 25.01.2022.
 4. This Office Letters Dated: 25.01.2022, 02.02.2022 & 29.12.2023.
 5. Executive Engineer, KNNL, Dandavathi Reservoir Project Division, Shikaripura Dt: 09.10.2024.

With the reference to the above subject, the user agency i.e. Executive Engineer, KNNL, Dandavathi Reservoir Project Division, Shikaripura has submitted a proposal No.FP/KA/IRRIG/142337/2021 for the release of 4.996 Ha of forest land for the "Construction of Rising Main, Gravity Feeder and Delivery Chamber in Kotipura and other villages of Shikaripura Taluk of Shivamogga District comes under Sagar Forest Division to fill 41 MI/ZP tanks and providing irrigation for 3430 Ha of command area of Shikaripura and Soraba Taluks by lifting 0.429 TMC of water from Kumudvathi River under Kasaba LIS Project". After the site inspection by unit

officers the proposal was submitted for approval and uploaded all the necessary information in Parivesh portal.

With respect to the said project, in Ref(1) The Ministry of Environment, Forest & Climate Change, Integrated Regional Office, Bangalore raised EDS seeking additional information regarding proposed Compensatory Afforestation land in non forest area and claims under Forest Rights Act 2006.

With respect to the Ref(1), The Principal Chief Conservator of Forests (Forest Conservation) and Nodal Officer (FCA) vide Ref(2) gave directions to take necessary action regarding this subject. Hence this office raised EDS to the User Agency in Ref(4) Dated: 25.01.2022 & 02.02.2022 seeking necessary information. The user agency uploaded necessary documents in the Part-I of Parivesh Portal and submitted the detailed report to this office in Ref(5). According to the report submitted by the user agency, information/clarifications sought with respect to the proposal for diversion of 4.966 Ha of forest land in various villages of Sagar Division for "Construction of Rising Main, Gravity Feeder and Delivery Chamber in Kotipura and other villages of Shikaripura Taluk of Shivamogga District comes under Sagar Forest Division to fill 41 MI/ZP tanks and providing irrigation for 3430 Ha of command area of Shikaripura and Soraba Taluks by lifting 0.429 TMC of water from Kumudvathi River under Kasaba LIS Project", are furnished as below.

Sl. No.	Clarifications sought by MoEF	Reply Furnished															
1	An extent of 6.53 Ha of non forest land for raising Compensatory Afforestation (CA) has been identified in Hariharapura village, Shivamogga District and it is reported that said land is dry deciduous forest. It may be clarified whether the proposed CA land attracts the provisions of Forest (Conservation) Act, 1980. If so, the same is required to be proposed in double the extent of area proposed for diversion as per para no. 2.4 (i) of chapter 2 of Hand book of guidelines issued under Forest (Conservation) Act, 1980.	As per the directions of MoEF the user agency has provided additional 3.64 Ha of non forest CA land in Sy No 4 of Kudigere Village, Sagara Taluk additional to 6.53 of non forest CA land which is provided earlier. The details of non forest land CA land proposed for this project is given as below. <table> <tr> <th>Sl. No.</th><th>District, Taluk, Hobli, Village & Survey. No.</th><th>Proposed non forest CA land Extent (Ha)</th></tr> <tr> <td>1</td><td>Shivamogga (D) Shikaripura (T) Kasaba (H) Hariharapura Sy. No. 63</td><td>5.10 (Patch-1)</td></tr> <tr> <td>2</td><td>Shivamogga (D) Shikaripura (T) Kasaba (H) Hariharapura Sy. No. 65</td><td>1.43 (Patch-2)</td></tr> <tr> <td>3</td><td>Shivamogga (D) Sagara (T) Anandapura (H) Kudigere Sy. No. 65</td><td>3.64 (Patch-3)</td></tr> <tr> <td colspan="2">Total</td><td>10.17 Ha</td></tr> </table>	Sl. No.	District, Taluk, Hobli, Village & Survey. No.	Proposed non forest CA land Extent (Ha)	1	Shivamogga (D) Shikaripura (T) Kasaba (H) Hariharapura Sy. No. 63	5.10 (Patch-1)	2	Shivamogga (D) Shikaripura (T) Kasaba (H) Hariharapura Sy. No. 65	1.43 (Patch-2)	3	Shivamogga (D) Sagara (T) Anandapura (H) Kudigere Sy. No. 65	3.64 (Patch-3)	Total		10.17 Ha
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Total		10.17 Ha															

		A revised CA Suitability Certificate in Format-A has been issued by DCF Sagar to the user agency vide letter dated: 29.12.2023.
2	As per site inspection report of DCF concerned, it is reported that forest area proposed for diversion has been encroached. However, it is not reported that whether the encroachers have any claim on forest land as per Forest Rights Act, 2006. If there are no claims under FRA, whether any action has been taken for eviction of such encroachments.	Regarding the claims on forest land as per Forest Rights Act, 2006 The Deputy Commissioner, Shivamogga District, Shivamogga has issued FRA Certificate to the user agency vide letter no. SMGDC-LND(2)MISC/14/2024 Dated: 18.09.2024 (copy enclosed). Regarding the eviction of encroachers from the proposed diversion land currently the process has been initiated under Section 64A of Karnataka Forest Act 1963.

Along with this letter all the necessary documents and maps are prepared and uploaded in Part-II of the Parivesh Portal and the proposal is resubmitted for further action.

Yours sincerely,

Deputy Conservator of Forest
Sagar Division, Sagar.

FORMAT-A

CA LAND SUITABILITY CERTIFICATE UNDER FCA 1980

In compliance of the procedure established for diversion of forestland for non forest purpose through the Forest Conservation Rule 2003 and guidelines framed under the Forest (Conservation) Act (FCA) 1980, the following is certified.

Subject:- Regarding the issue of "Land Suitability Certificate" for CA land given by the user agency as compensatory area for the Diversion of 4.966 Ha of Forest land in Sy No 78 of Kotipur village, Sy No. 72 and 58 of Hotanakatte village, Sy No. 22,13,9 of Mallapura village, Sy No.67 of Korlikoppa village, Sy No.272 of Induvalli village, Sy No.57 of Malalikoppa village, Sy No.75, 54 of Chikkalavatti village, and Sy No.29 of Mudaba siddapura villages in Shikaripura Tq, Shivmogga dist. For the implementation of Kasaba LIS project to irrigate 3450Ha of land and fill 41 tanks by lifting 0.429 TMC of water from Kumudvathi River. (FP/KA/IRRIG/142337/2021)

The site inspection is done by me on 12.2023 along with Assistant Conservator of Forest, Shikaripura Sub-division, Shikaripura and Range forest officer, Ambligola range, Ambligola

1. The non forest land parcel(s) show in the table below proposed by **Executive Engineer, Karnataka Neeravari Nigam Limited, Dandavathi Reservoir Project Division Shikaripura, Shivamogga District.** (User agency) for raising compensatory afforestation (CA) for forest land diversion proposal number **FP/KA/IRRIG/142337/2021** for diversion of **4.966 Ha** of forest land in Sagar forest Division.
2. The said non-forest CA land parcel(s) is suitable for raising compensatory afforestation in accordance with the Government of India FC Guidelines F.No 11-423/2011-FC dated 08-11-2017 read with general FC Guidelines and case of private party User Agency, further as per Government of Karnataka Order No.FEE 82 FLL 2016 dated 31-08-2016

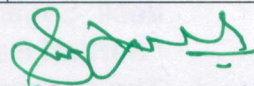
Additional Remarks:-

1. The proposed CA Patch-I area is in Sy No 63 of Hariharapura village, Kasaba hobli, Shikaripura Tq, Shivamogga Dist. It is a Revenue land and it is mentioned as "**Sarkari Muppattu**" in RTC Colum No.9
2. The proposed CA Patch-II area is in Sy No 65 of Hariharapura village, Kasaba hobli, Shikaripura Tq, Shivamogga Dis. it is a Revenue land and it is mentioned as "**PWD & Aranya**" in RTC Colum No.9
3. The proposed CA Patch-III area is in Sy No 4 of Kudigere village, Anandapura hobli, Sagara Tq, Shivamogga Dist. It is a Revenue land and it is mentioned as "**Sarkari Banjaru**" in RTC Colum No.9
4. The proposed Patch-I and Patch-II and Patch-III CA area consists of dry deciduous forest and the major species found here are *Tectona grandis*, *Terminalia paniculata*, *Xylia xylocarpa*, *Anogueisis latifolia*, *Pterocarpus marsupium*, *Acacia auriculiformis* and *Dendrocalamus strictus*
5. The proposed area have wild animals like wild boar, spotted deer, sambar, monkeys and peacock etc
6. The proposed CA area consists of natural forest and has a plain terrain

7. Annual rainfall here is 1500mm to 2400mm and this area do not have any channels/tanks.
8. Proposed CA land Patch-I & II is 200 meter away from Hariharapura MF, Karadibetta S.F and Patch-III CA land is found adjacent to Bellanuduru State Forest.
9. The proposed all 3 patches of CA land is not included in any notified forest, section-4 proposed area or in Deemed forest proposal list and it is purely revenue land.
10. The proposed all 3 patches of CA land are free from encroachments, roads and private buildings.
11. Forest Department buildings were built in 1.43 Ha area of Patch-2 in Hariharapura village Sy. No. 65 and Patch-III consists of Kudigere Forest Inspection Bungalow and Kudigere Protection Camp
12. The canopy density of proposed Patch-I, II & III CA land is 0.4
13. In proposed CA area 1000 seedlings per Ha can be raised.
14. The proposed CA land **Patch- I** GPS Co-Ordinates are:- 1)N14.187300 E75.274200, 2)N14.187683 E75.275500, 3)N14.186317 E75.276000, 4) N14.185250 E75.273800 and 5)N14.186000 E75.272700.
15. The proposed CA land **Patch- II** GPS Co-Ordinates are:- 1)N14.188933 E75.274833, 2)N14.188617 E75.274400, 3)N14.188483 E75.275117, 4)N14.188650 E75.275533, 5)N14.188200 E75.275700, 6)N14.188200 E75.274800, 7)N14.187700 E75.274000, 8)N14.187500 E75.273600, 9)N14.187900 E75.273400 and 10)N14.188283 E75.273867.
16. The proposed CA land **Patch- III** GPS Co-Ordinates are:- 1)N14.192733 E75.193617, 2)N14.192817 E75.195383, 3)N14.191783 E75.19670, 4)N14.191367 E75.195217, 5)N14.191833 E75.195083, 6)N14.191773 E75.194468, 7)N14.191133 E75.194217 and 8)N14.191167 E75.193733

District, Taluk & Hobli	Village	Sy. No.	Proposed CA Extent (Ha)	Remarks
Shivamogga (Dist.) Shikaripura (Tq) Kasaba (Hobli)	Hariharapura	63	(Patch-01) 5.10 Ha	1000 seedlings per Ha can be raised in the proposed CA land
		65	(Patch-02) 1.43 Ha	
Shivamogga (Dist.) Sagara (Tq) Anandapura (Hobli)	Kudigere	4	(Patch-03) 3.64 Ha	
Total CA Area			10.17 Ha	

Place:- Sagar
Date:-29.12.2023


Deputy Conservator of Forests
Sagar Division, Sagar
o/c
29/12

FORM-1
(for liner projects)
Government of Karnataka
Office of The Deputy Commissioner, Shivamogga District.

No. SMGDC-LND(2)MISC/14/2024(E-273906)

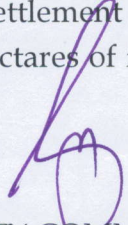
Dated: 18.09.2024

TO WHOM SO EVER IT MAY CONCERN

In compliance of the Ministry of Environment and Forest (MoEF), Government of India's letter No. 11-9/98-FC (pt.) dated 3rd August 2009 where in the MoEF issued guidelines on submission of evidences for having initiated and completed the process of settlement of rights under the scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (FRA, for short) on the forest land proposed to be diverted for non-forest purposes read with MoEF's letter dated 5th February 2013 wherein MoEF issued certain relaxation in respect of linear projects, it is certified that 3430 hectares of forest land proposed to be diverted in favour of Executive Engineer, Karnataka Irrigation Corporation Limited, Dandavathi Reservoir Planning Division Shikaripura (name of user agency) for Diversion of 4.996 hectares of Forest land for Construction of rising main, Gravity Feeder and Delivery Chamber in Kotipura Hotanakatte, Mallapura, Chikkalavatti, Mudubasiddapura, Hirekalavatti villages of Shikaripura Taluk, Koralikoppa village of Sagara Taluk and Indihalli, Malalikoppa villages of Soraba Taluk of Shivamogga District comes under Sagar Forest Division to fill 41 MI/ZP tanks and providing irrigation for 3430 hectares of command area of Shikaripura, Sagara and Soraba FEBalaks by lifting 0.429 TMC of water from Kumaudvathi River under Kasaba LIS Project Kalenahalli village in Shikaripura taluk, (purpose for diversion of forest land) in Shivamogga district falls within jurisdiction of Shikaripura, Sagara and Soraba tehsils. It is further clarified that the officials of Department of District Scheduled Castes Welfare who visited the spot along with his team have stated that the pipelines have been adopted at a depth of about 4 feet inside the earth and hence there are no hurdles under the Scheduled Tribes and Other Traditional Forest Dwellers And Rules 2006.

It is further certified that

- a) The complete process for identification and settlement of rights under the FRA has been carried out for the entire 3430 hectares of forest area proposed for diversion.


DEPUTY COMMISSIONER,
SHIVAMOGGA DIST.,
KARNATAKA STATE