

ಕರ್ನಾಟಕ ಸರ್ಕಾರ

GOVERNMENT OF KARNATAKA

ಪ್ರಧಾನ ಮುಖ್ಯ ಅರಣ್ಯ ಸಂರಕ್ಷಣಾಧಿಕಾರಿ
(ಅರಣ್ಯಪಡೆ ಮುಖ್ಯಸ್ಥರು) ರವರ ಕಛೇರಿOffice of
Principal Chief Conservator of Forests
(Head of Forest Force)ಅರಣ್ಯಭವನ, 18 ನೇ ಅಡ್ಡರಸ್ತೆ
ಮಲ್ಲೇಶ್ವರಂ, ಬೆಂಗಳೂರು-560 003.
AranyaBhavan, 18th Cross,
Malleshwaram, Bengaluru-560 003
Telephone : 080 2334 6472
Email : apccffc@gmail.com

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E-office File No.KFD/HOFF/A5-2(GFL)/43/2020-FC

E-322819

Date 11-01-2024

To,

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

Sir,

Sub: Diversion of 575.0749 ha of forest land for construction of Dam across Markandeya River and ancillary infrastructure in forest lands of Gokak, Godachinamalki, Konnur and Mavanur Villages in Gokak and Hukkeri Taluks, Belagavi District for storing 6 TMC of water under GhattiBasavanna Drinking Water Supply Project in favour of the Executive Engineer, Karnataka Neeravari Nigam Limited (KNNL), GRBCC Division 3, Gokak, Belagavi District

Proposal No.FP/KA/WATER/65437/2020

- Ref:**
1. This office letter of even number dated 08-02-2023[*seeking Stage-I approval*], 28-03-2023[*communication of EDS query to Field Officers and UserAgency*]23-08-2023 [*EDS query*].
 2. Government of Karnataka letter No. FEE 23 FLL 2023 dated 21-02-2023 [*seeking Stage-I approval*], 21-03-2023[*Communication of GOI EDS query*].
 3. Government of India, Ministry of Environment, Forests & Climate Change, New Delhi letter F.No. 8-07/2023-FC dated 15-03-2023 [*EDS query*].
 4. Deputy Conservator of Forests, Belagavi Division, Belagaviletter No. D1/Land/FC-65437/CR-03/2022-23 dated 24-07-2023 and 19-09-2023 [*reply submitted to Chief Conservator of Forests, Belagavi Circle*].
 5. Deputy Conservator of Forests, Ghataprabha Division, Gokak letter No. B2/land/Gattibasavanna/KNNL/Gokak/2023-24/895(6) dated 12-07-2023 and 11-09-2023 [*reply submitted to Chief Conservator of Forests, Belagavi Circle*].
 6. Chief Conservator of Forests, Belagavi Circle letter No.A7/LND/Gattibasavanna/BGM/GKK/CR- 23-24 dated 27-07-2023 and 25-09-2023 [*reply submitted to this office*].

With reference to the above subject, this office vide Ref (1) letter had submitted the above-mentioned proposal to the Government of Karnataka seeking 'in-principle' (Stage-I) approval under Section 2 of the Forest (Conservation) Act, 1980. Accordingly, Government of Karnataka vide Ref (2) letter dated 21-02-2023 had forwarded the proposal to the Government of India.

In response, the Government of India vide Ref (3) has raised EDS query seeking clarification and information on 18 points. The Government of Karnataka vide Ref (2) letter dated 21-03-2023 has communicated the same to this office.

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Accordingly, this office vide Ref (1) letter dated 28-03-2023 has communicated the EDS query raised by Government of India to the User Agency and the Field officers.

In response, DCF, Ghataprabha Division, Gokak and DCF, Belagavi Division vide Ref (4) & (5) have submitted the information to the Chief Conservator of Forests, Belagavi Circle, who, after verification, vide Ref (6) has submitted it to this office. Based on the reports obtained from the User Agency and the Field officers, the information is given as follows:

	GOI EDS query dated 15-03-2023	Remarks
1	The PCCF letter dt 06.03.2023 mentions about per para 2.4 (i) of comprehensive guidelines of this Ministry which states that the revenue land and all such category of land not under the management and/or administrative control of Forest Dept, on which the provision of FC Act 1980 is not applicable shall be considered for the purpose of CA. Therefore, the State Govt. is requested clarify whether the CA land identified for the instant proposal i. e 689.1 ha is an Non-Forest land or its any land as per para 2.4 of this Ministry Comprehensive guidelines. If the land is as per para 2.4 of these Ministry Comprehensive guidelines, then the state Govt. requires to provide double the extent of such kind of land for CA i.e. 1150.148 ha instead of 689.1 ha.	The identified CA land is non-forest land hence Para 2.4(i) of comprehensive guidelines of Ministry is not applicable. Around 100.00 ha of land has been additionally identified as buffer for any survey mismatch, land disputes, illegal encroachments etc. during the implementation of the project. The CA land totaling 689.1 ha in Belagavi District comprising of 535.42 ha and 153.42 ha of non-forest land have been identified (details are provided in ANNEXURE-I). Since, in 153.42 ha patch, the CA land cannot support the prescribed planting density of 1000 plants per hectare, balance number of plants will be planted in degraded forest land (<40% canopy density) as per working plan prescription. The degraded forest land is also identified and details are in ANNEXURE-I .
2	Detailed Compensatory Afforestation scheme has not been provided by the State Govt. The same may be submitted.	DCF, Ghataprabha Division, Gokak has prepared the Compensatory Afforestation scheme which is Enclosed as ANNEXURE-II
3	The copy of CAT plan as submitted is not approved by the Principal CCF &HoFF or any other officer authorized by him for the purpose as prescribed under the Chapter-9 at para 9.2 (vi) of Comprehensive guideline Handbook, 2019. The same needs re-submission.	The Catchment Area Treatment Plan is prepared as per the stipulated guidelines prescribed under the Chapter-9 at para 9.2 (vi) of Comprehensive guideline Handbook, 2019 uploaded in Form-A. Additional Information details sought through www.parivesh.nic.in has been enclosed as ANNEXURE-III . Further, the DCF, Ghataprabha Division, Gokak has approved the CAT plan and enclosed herewith as Annexure-IV .
4	As per the land use plan an area of 12.95 ha is proposed for Dam office & guest house (4.50 ha) and Dam view point (8.45 ha)	Since the proposed dam is in the forest land and also the height of dam being very high, it is necessary to provide

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	which are non-site-specific activity. In this regard appropriate justification and the details of alternative lands identified for the said purpose may be submitted.	dam office and guest house near dam considering dam Safety Measures like continuous monitoring, operation and maintenance of the dam including construction of watch tower at higher elevation from where submergence and spillway portion can be watched continuously. From the study of topo sheet it is seen that, the highest land available is on the right flank from where the above activity can be controlled. There is no alternative non forest land available near the Dam with required elevation for above mentioned activities which is essential for the project. Dam View Point is an open area with a watch tower for controlling the operations including early response as a part of disaster management. The Dam view point will be used for assembling the people during Disaster (Safe Assembly Point) and also for safe evacuation. During major disaster, people can't be shifted towards downstream as it will be under heavy floods and the evacuation has to be done to a higher elevation and hence this location has been selected. Hence dam office, guest house and dam view point have to be treated as specific to the site for the above-mentioned technical mandates of the project.
5	As per the land use plan a component namely Utility is proposed for 1.054 ha. In this regard the State Govt. may clarify for what purpose the area is sought for.	Utility component comprises of approach road to Dam site, the vehicles approaching dam need to negotiate with the ridge level. Hence, a curve has been proposed for turnaround for the entry of vehicles.
6	Component wise area of the proposed forest land is submitted. However, Component-wise KML of 575.0749 Ha of proposed Forest land is not available on PARIVESH. The same requires submission.	Component wise KML is uploaded in Form-I under section 'C' of parivesh portal www.parivesh.nic.in and the same has been enclosed in CD as ANNEXURE-V.
7	It has been informed by PCCF (HoFF) that an area of 0.27 Ha of Nirvanappa Temple located in Sy No. 410 of Gokak village and Taluk will be submerged after the project is completed. In this regard the measures taken for shifting the temple to another location may be furnished and the comments in this regard may be furnished	Nirvanappa Temple is located in Sy No. 410 of Gokak village and Taluk and it will be submerged after the project is completed. Nirvanappa Temple is a historic Temple. Thousands of devotees visit the Temple frequently. During the site inspection and interaction, it was informed to the project authorities that

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	by State Govt.	people have got lots of sentiments about the temple and they want it be retained at the existing site. They have also requested for a special structure to prevent submergence of the temple as provided at Koodala Sangama in a similar situation in the adjoining District. Hence the project proponents have proposed a special structure at a cost of 17.50 Crores which will provide access to devotees for the worshipping at the temple even after completion of the project. NOC has been obtained from the Tahsildar, Gokak Taluk and the same is uploaded in Form-I under Additional Information in Parivesh Portal and enclosed as ANNEXURE-VI.
8	As per the details provided in part-II certain schedule-I species have been reported in the area. In this regard comments and recommendation of CWLW Govt. of Karnataka on the likely impact of the project on the movement of wildlife and the applicability of NBWL Clearance is required.	The occurrence of Schedule-I species is rare and there are no specific habitats in the proposed forest area where Schedule-I species have been reported. Hence, NBWL approval is not required. However, mitigation measures as suggested by the Government of India/KFD will be implemented.
9	It is observed from the DSS analysis that Ghataprabha Bird sanctuary is located at an approx. aerial distance of 5.10 km from the proposed forest land. In this regard comments and recommendation of CWLW Govt. of Karnataka on the applicability of NBWL Clearance is required. The State Govt. may also provide the details (notification and KML files) of ESZ wrt Ghataprabha Bird sanctuary.	As per the Government of India OM dated 17.05.2022, the project does not find a place in the Schedule of EIA Notification, 2006 and its amendments. PA boundary is 3.10 Kms and ESZ boundary of Ghataprabha Bird Sanctuary is 2.94 Kms away from the project site. Hence, NBWL recommendation is not required as per the aforementioned OM of the Government of India.
10	Based on the observation on Google Earth agriculture land, settlement and road are visible in the proposed area for diversion. In this regard the State Govt. is requested to offer its comments whether any violation of FC Act 1980 had taken place or there are any encroachments reported.	No construction activities have been carried out at the project site and hence there is no violation of FC Act, 1980.
11	The State govt. may also specify whether the dam to be constructed will be an earthen dam or otherwise.	The proposed dam is Concrete Gravity Dam.
12	The plan with details for further distributing the water and involvement of forest land in the same may also be submitted.	The Project envisages the construction of water storage reservoir only. Doesn't involve any distribution network. However, water for the drinking purpose will be released to the river

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		throughout the year from the river sluice gates proposed in the dam. The same will be tapped through the existing Jackwell points located along the downstream of the dam and will be supplied for drinking water after suitable water treatment through existing water supply distribution network of local bodies such as City Municipal Corporation, Karnataka Urban Water Supply and Drainage Board and Zilla Panchayath. No forest land is involved in distributing the water. Water Treatment Plant is proposed in private land (Non-Forest Land).								
1 3	Out of 575.074 ha of forest land involved 519.68 ha is going to get submerged however rest of the land is being taken for other activities. The State Govt. may clarify that whether these facilities may be constructed on non-forest land?	The entire project lies in the forest land and there is very less non-forest land available near the dam. Because of unavoidable mandatory activities and dam safety point of view, some of the activities which are very much essential for the project which are site specific need to be taken up in the forest land as proposed.								
1 4	Details of 3 identified alternatives sites with their KML files along with no. of trees proposed for felling against each alternate forest land may be submitted with appropriate justification for identifying the forest land for diversion.	Three alternative sites have been identified by the User Agency. The same has been uploaded in Form-I Section ‘D’ of Parivesh Web Portal. Further, the KML files of the alternative’s sites are enclosed in CD as ANNEXURE-VII. The number of trees required to be felled in each of the alternatives cases are as follows; <table><tr><th>Alternative s</th><th>No. of Trees to be felled</th></tr><tr><td>I</td><td>84006</td></tr><tr><td>II</td><td>78718</td></tr><tr><td>III</td><td>76510</td></tr></table> In view of the above, Alternative -III is proposed as it involves felling of least number of trees in comparison with Alternative-I and II.	Alternative s	No. of Trees to be felled	I	84006	II	78718	III	76510
Alternative s	No. of Trees to be felled									
I	84006									
II	78718									
III	76510									
1 5	As per the details in Part-I (form A) User Agency has requested for total period for which the forest land proposed to be diverted as 50 years but the PCCF(HoFF) & Nodal Officer has recommended for only 20 years. The State govt. may provide its comments in this regard.	The recommendation of forest lease is for 20 years to 50 years. However, the project is of the nature of perpetual existence.								
1 6	Ministry vide its guideline dated 06.01.2022 read with 28.03.2022 has revised the rates	Revised C:B Ratio considering the recent NPV rates is uploaded in Form-I								

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	to NPV. The new rates are applicable in the instant proposal. In this regard, State Government is requested to submit the revised C:B ratio as per the new NPV rates.	under Section 'G' in Parivesh Web Portal and enclosed as ANNEXURE-VIII .
1 7	The State govt. is requested to submit the approved DPR of the instant project.	Approved DPR is uploaded in Form-I in Additional Information details through Parivesh Web Portal and also enclosed as ANNEXURE-IX .
1 8	The Ministry on 28.06.2022 has notified the Forest (Conservation) Rules, 2022 and The FC Rules 2022 is applicable in the instant proposal. In this regard as per this Ministry's guideline Dt 14.11.2022 the State Govt. is requested to submit the minutes of the meeting of Project Steering Committee w.r.t the instant proposal.	The Project Screening Committee has been conducted by the PCCF (FC) on 17-10-2023 along with the Field Officers i.e CCF Belagavi, DCF Belagavi, DCF Ghataprabha Division, Gokak and User Agency. Copy of proceedings of the Project Screening Committee meeting is herewith enclosed as ANNEXURE-X .

In view of the above, it is requested to move the matter with the Government of India, Ministry of Environment, Forests & Climate Change, New Delhi for seeking the (Stage-I) approval under the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for the project.

The relevant documents in 3 sets are submitted here with for kind perusal and further action. The present status of the proposal obtained from the web-portal is also appended for necessary action.

Yours faithfully

(Brijesh Kumar Dikshit IFS)
Principal Chief Conservator of Forests
(Head of Forest Force)

1. Copy to the Chief Conservator of Forests Belagavi Circle for information
2. Copy to the Deputy Conservator of Forests, Ghataprabha Division, Gokak for information.
3. Copy to the Deputy Conservator of Forests, Belagavi Division, Belagavi for information.
4. Executive Engineer, Karnataka Neeravari Nigam Limited (KNNL), GRBCC Division 3, Gokak, Belagavi District - 591 307