



सत्यमेव जयते

भारत सरकार  
GOVERNMENT OF INDIA

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय  
MINISTRY OF ENVIRONMENT, FORESTS & CLIMATE CHANGE  
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**BY SPEED POST**

F.No.4-KRC 1064/2015-BAN/791  
Dated the 15<sup>th</sup> September, 2016

To

The Additional Chief Secretary to Government of Karnataka,  
Forest, Ecology & Environment Department,  
M.S.Building, Dr.Ambedkar Veedhi,  
Bangalore – 560 001.

Subject: Diversion of 13.93 ha. of forest land in various forest areas of Sakelespura taluk in Hassan District for implementation of Yettinahole project in favour of Executive Engineer, Karnataka Neeravari Nigam Limited (KNNL).

Sir,

I am directed to refer to the State Government's letter No.FEE 136 FLL 2014 dated 19/08/2015 seeking prior approval of the Central Government under Forest (Conservation) Act, 1980 for the above project. The in-principle (Stage-I) approval to the project was accorded by the Central Government vide letter No.4-KRC 1064/2015-BAN/7829 dated 6<sup>th</sup> January, 2016 for diversion of 13.93 ha. of forest land in various forest areas of Sakelespura taluk in Hassan District as given in the following table for implementation of Yettinahole project in favour of Executive Engineer, Karnataka Neeravari Nigam Limited (KNNL):-

Sl.No.	Name of the Village & Survey No.	Legal status	Area (Ha)	Purpose
(1)	Doddanagara, Sy.No.45	Reserve Forest	0.96	Raising Main
(2)	Kadagarahalli Coffee Estate, Sy.No.1	Reserve Forest	0.89	Weir-6 & submergence
(3)	Aluvalli, Sy.No.47	Deemed Forest	0.75	Weir-6 & submergence
(4)	Aluvalli, Sy.No.24	Deemed Forest	1.15	Weir-6 & submergence
(5)	Nadahalli, Sy.No.197	Sec-4 notified area	0.56	Raising Main from DC-2 to DC-3
(6)	Kadumane, Sy.No.88	Deemed Forest	3.11	DC-2, Raising Main from DC-2 to DC-3, Raising Main from Weir-3 to DC-24, BPT to DC-2.
(7)	Kadumane, Sy.No.68	Sec-4 notified area	2.72	Construction of Weir-3 & submergence, Electrical Substation & Pump House & Raising Main

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(8)	Kadumane, Sy.No.76	Sec-4 notified area	0.80	Raising Main
(9)	Heggadde, Sy.No.385	Sec-4 notified area	2.17	Electrical Substation & Pump House.
(10)	Nadahalli, Sy.No.196	Deemed Forest	0.82	Raising Main from DC-2 to 3.
	TOTAL:		13.93	

The above in-principle approval (Stage-I) was subject to fulfillment of the following conditions:-

- (1) The legal status of forest land shall remain unchanged.
- (2) Demarcation of the proposed forest area shall be carried out by erecting cement concrete pillars duly numbered at an interval of 20 mts. at the cost of user agency, before Stage-II clearance.
- (3) The identified non-forest land over an area of 13.93 ha. in Sy.No.343 of Varavu Kaval village, Nayakanahatti Hobli, Challakere taluk, Chitradurga district for Compensatory Afforestation shall be transferred and mutated in favour of Forest Department. The sketch of the non-forest area selected for CA shall also be furnished, before Stage-II clearance.
- (4) The cost of raising Compensatory Afforestation over 13.93 ha. of non - forest land shall be deposited by the user agency.
- (5) Forest Department will realise the cost of raising Penal Compensatory Afforestation on 40 ha. of dumping area on either side of the raising main, both in the forest as well as non-forest area, which will be available on implementation of the project.
- (6) The State Government shall charge the Net Present Value of the forest land proposed for diversion of 13.93 ha. from the User Agency as per the orders of the Hon'ble Supreme Court dated 28.03.2008 and 09.05.2008 in IA Nos.826 in 566 with related IA's in Writ Petition (Civil) No.202/1995.
- (7) Additional amount of the Net Present Value (NPV) of the diverted forest land if any, becoming due after revision of the same by the Hon'ble Supreme Court of India in future, shall be charged by the State Government from the User Agency. The User Agency shall furnish an undertaking to this effect.
- (8) The User Agency shall make online payment of the cost of CA, Penal CA and NPV with Adhoc- CAMPA through e-payment module of Forest Clearance portal- [forestclearance.nic.in](http://forestclearance.nic.in).
- (9) User Agency shall provide an undertaking on commencing the pumping operation from 15<sup>th</sup> June for facilitating ecological flow in the streams for free movement of aquatic fauna during the beginning of the monsoon and closing the pumping operation by October 31st.
- (10) An undertaking from User Agency for maintaining minimum continuous daily average flow of 15 cusecs from all the weirs be ensured during non-flooding days by adjusting the pumping capacity.

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- (11) Flow of water through the weirs and quantity of water pumped out from each weir be continuously measured for a period of 2 years from the date of commissioning of the project. Conditions on maintaining the flow and drawal of water in the streams may be revisited after analyzing the data.
- (12) A study on ecological impact of the project on the down stream ecosystem may be initiated through a reputed scientific institution simultaneously, so as to make any course correction on the conditions to be imposed, in future.
- (13) No trees standing on the forest land earmarked for dumping shall be cut.
- (14) The User Agency shall give an undertaking to plant up the land below the power line and along the rising main pipe with soil binding grass with necessary civil structures for the entire length of 78 kms. to protect from soil erosion, at the project cost.
- (15) An undertaking be given by the User agency for planting a minimum of 10,000 plants of tree species which are helpful to bird & bee population as per the advice of the Forest Department all along the pipeline and service road.
- (16) All pending dues under Forest (Conservation) Act, 1980 from the User Agency in respect of all earlier approved projects, if any, shall be realised before issue of Stage-II clearance.
- (17) While executing the project in forest area, the movement of men, vehicles and machinery should be limited to day-time and night camping in forest based worksites should not be permitted. Care should be taken against igniting and spread of fire to the forest vegetation in the project area.
- (18) The project construction works in forest area should be carried out between sunrise and sunset only.
- (19) Blasting works inside forests should be limited to the barest minimum and carried out only during daytime.
- (20) No collection of sand from streambeds inside the forests for construction work shall be permitted.
- (21) Care should be taken to suitably dispose off the free excavated soil/ debris generated at work-sites, outside the river and its banks so as to avoid siltation of the river or its streams.
- (22) Water flow should be ensured downstream of all the weir locations during the period of water harvesting from June to October. Beyond this period the natural flows remain undisturbed as no water is to be pumped out.
- (23) During execution of project elements, for practical reasons, if such project elements become obstructive to the movement of animals, appropriate passage structure should be provided.
- (24) The power lines in the entire project area should be drawn as per the guidelines for drawing power lines in elephant habitats issued by the Ministry of Environment, Forests and Climate Change and other statutory authorities. Minimum height at the null point must be maintained according to these statutory provisions and court orders.

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- (25) Automatic weather stations linked to the ICT Center of the Karnataka Forest Department at Bangalore may be established by the user agency at their cost at different locations preferably near existing facilities such as Protection Camps.
- (26) In order to benchmark the present status of ecology in the project area and particularly at the project work-sites survey and videography based study may be instituted at the cost of user agency. This will facilitate monitoring of project sites and decision-making in future.
- (27) Study proposed at condition No.(12) shall also include periodic assessment of cumulative impact of multiple projects in a forested landscape by the regulatory authority. It allows an adaptive management in the landscape and an opportunity to evaluate and re-align the mitigation strategies.
- (28) In view of the mitigation measures suggested, a mitigation plan for minimizing the impact of project on Eco-system, wildlife and its habitat should be prepared by the user agency with the help of scientific institutions having expertise in the matter. Such mitigation plan should be got approved by competent authority in the Forest Department within one year from the date of Stage-II approval to be implemented and enforced through the Forest Department.
- (29) The project authorities are also required to obtain all necessary approvals required under the law governing the project.
- (30) The total forest area utilized for the project shall not exceed 13.93 ha.
- (31) Any other condition that the Additional Principal Chief Conservator of Forests (Central), Regional Office, Bangalore may impose from time to time for protection, improvement of flora and fauna in the forest area and public convenience, shall also be applicable.
- (32) The State Government will constitute a Committee headed by an officer, not below the rank of Chief Secretary to Government, for monitoring the compliance of conditions imposed in this clearance. This Committee shall also ensure that drinking and irrigation water requirement of the downstream population is not affected due to this diversion of water from the Netravati river basin.
- (33) Violation of any of the conditions shall invite penal action, as deemed fit by the Additional Principal Chief Conservator of Forests (Central), Regional Office, Bangalore.

The State Government vide letters No.FEE 136 FLL 2014 dated 01/08/2016 & 19/08/2016 and PCCF, Karnataka vide letter No.A5(2).GFL.CR.15/2013-14 dated 14/09/2016 have reported compliance/ acceptance to the conditions stipulated by the Central Government in the in-principle approval.

After careful consideration of the proposal of the State Government, I am directed to convey Central Government's approval (**Stage-II**) under Section'2' of Forest (Conservation) Act, 1980 for diversion of 13.93 ha. of forest land in various forest areas as specified above, of Sakelespura taluk in Hassan District for implementation of Yettinahole project in favour of Executive Engineer, Karnataka Neeravari Nigam Limited (KNNL), subject to the following additional conditions:-

- (i) The Compensatory Afforestation (CA) shall be raised over 13.93 ha. in Sy.No.343 of Varavu Kaval village, Nayakanahatti Hobli, Challakere taluk, Chitradurga district at the

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cost of User Agency. The State Government shall obtain prior permission of Central Government for any change of Compensatory Afforestation site.

- (ii) The Non-forest land for Compensatory afforestation shall be notified by the State Government as RF/PF under Indian Forest Act, 1927 or the State Forest Act within a period of 6 months and Nodal Officer (FCA) shall report the compliance within 6 months.
- (iii) The Penal Compensatory Afforestation (PCA) shall be raised over 40 ha. of dumping area on either side of the raising main, both in forest as well as in the non-forest area, after the implementation of the project.
- (iv) Handing and taking over of land and commencement of work in the land shall be done within a period of two year from the date of issue of Stage-II approval. The forest land shall be used only for the purpose for which it is diverted.
- (v) The GPS readings and location maps of the forest land diverted shall be communicated to this office within 30 days of transfer of the forest land.
- (vi) Any other condition that the Additional Principal Chief Conservator of Forests (Central), Regional Office, Bangalore may impose from time to time for protection, improvement of flora and fauna in the forest area and public convenience, shall also be applicable.
- (vii) Violation of any of the conditions shall invite penal action, as deemed fit by the Additional Principal Chief Conservator of Forests (Central), Regional Office, Bangalore.

Yours faithfully,




(R. Padmawathe)

Deputy Conservator of Forests (Central)

Copy to:-

- (1) The Director General of Forests & Special Secretary to Govt. of India, Ministry of Environment, Forests and Climate Change, Indira Paryavaran Bhavan, Agni Wing, Aliganj, Jor Bagh Road, New Delhi – 110 003.
- (2) The Principal Chief Conservator of Forests (HoFF), Forests Department, Govt. of Karnataka, Aranya Bhavan, 18<sup>th</sup> Cross, Malleswaram, Bangalore – 560 003.
- (3) The Additional Principal Chief Conservator of Forests/Nodal Officer (FCA), Office of the Principal Chief Conservator of Forests, Forests Department, Govt. of Karnataka, Aranya Bhavan, 18<sup>th</sup> Cross, Malleswaram, Bangalore – 560 003.
- (4) The Executive Engineer, Karnataka Neeravari Nigam Ltd., Yettinahole Project Division No.1, Sakaleshpur, Hassan District (Karnataka)
- (5) Guard file.



(R. Padmawathe)

Deputy Conservator of Forests (Central)

