

GOVERNMENT OF KARNATAKA

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



ಅರಣ್ಯ ಭವನ, 18ನೇ ಅಡ್ಡರಸ್ತೆ,  
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E-office File No. KFD/HOFF/A5-4(GFL)/29/2018-FC

Date 05-04-2021

Encl: 3 sets Compliance Report

To,

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

Sir,

**Sub:** Diversion of 3.5062 hectare of forest land in Sy no. 204 & 41 of Thirumagondanahalli Sy no.113 of Hadonahalli & Sy no.6 of Kelaginanayakanahalli villages in Ghati Subramanya Forest, Doddaballapura Taluk, Bengaluru Rural Division & District for laying of double line (railway line) between Oddarahalli & Makalidurga Railway stations in favour of the Deputy Chief Engineer/HQ /Construction, South Western Railway, Bengaluru Cantonment -reg

**Proposal No. FP/KA/ RAIL/19574/2016** [Stage-I approved]

- Ref:**
1. Government of India, Ministry of Environment, Forests & Climate Change, Integrated Regional Office, Bengaluru letter F.No. F(C)A/16.1/KAR/87/HP/2034 dated 01-02-2017 [Stage-I approval], 21-05-2018 [seeking complete compliance of the conditions] and 05-02-2021 [reminder]
  2. This office letter of even number dated 09/10-2-2017 [seeking Compliance Report from User Agency and Field officers], 25-03-2017 [partial Compliance Report to GOK], 22-06-2018 [communication of GOI letter dated 21-05-2018], 01-02-2020 [reminder seeking complete compliance] and 23-02-2021 [letter to Joint Executive chief Officer (CAMP) regarding Payment issue marking copy to User Agency and field officers]
  3. Deputy Chief Engineer/HQ/Construction, South Western Railway, Bengaluru Cantonment letter No. W271/CN/BNC /YNK-PKD/LAQ/RF dated 01-12-2020 [addressed to your office] and 14-10-2020 [revised Compliance]
  4. Deputy Conservator of Forests, Bangalore Rural Division Devanahalli letter No. A4/Bhoomi/GL-3966/2017-18 dated 17-02-2020 [Compliance Report], 30-01-2021

*[revised Compliance]* and demand Notice to User Agency dated 23-07-2020

5. Chief Conservator of Forests, Bangalore Circle letter A11 /land/CR-1132016-17 dated 09-03-2017 *[incomplete compliance report]* and letter dated 06-02-2021 *[revised Compliance]*

In pursuance of the Stage-I approval accorded by the Government of India vide Ref (1) letter dated 01-02-2017, this office vide Ref (2) letter dated 09/10-2-2017 had requested the User Agency to upload /submit the Compliance Report for the conditions of Stage-I approval. Subsequently, the Compliance Report (which was incomplete in respect of some of conditions) submitted by User Agency was forwarded by this office vide Ref (2) letter dated 25-03-2017 to the Government of Karnataka and further to Government of India by Government of Karnataka vide letter dated 24-04-2018.

In response, the Government of India vide Ref (1) letter dated 21-05-2018 has sought compliance of Condition No. 2 (physical demarcation of the proposed forest area) and No. 7 (charges for suitable measures to prevent soil erosion). The revised Compliance Report with regard to above was sought from the User Agency vide Ref (2) letter dated 26-06-2018.

The User Agency vide Ref (3) dated 14-10-2020 has submitted the revised Compliance Report to the Deputy Conservator of Forests, Bengaluru Rural Division, who after verification has vide Ref (4) letter dated 30-01-2021 submitted the condition wise compliance to the Chief Conservator of Forests Bengaluru Circle, Bengaluru who has further submitted the same to this office vide Ref (5) dated 06-02-2021.

Based on the reports received as above, the status of compliance to the conditions of Stage-I approval is as under.

Stage-I approval condition		Status of Compliance
1	The legal status of Forest land shall remain unchanged.	It will be monitored by the Forest Department in future. Moreover, the User Agency has agreed to comply with the condition and has submitted a consolidated Undertaking in this regard. [ANNEXURE-1]
2	Demarcation of the proposed forest area shall be carried out by erecting cement concrete pillars duly numbered at an interval of 20 meters at the cost of User Agency, before the	The User Agency has demarcated the proposed forest area by erecting cement concrete pillars duly numbered at an interval of 20 meters. Photographs and its GPS readings of the same are enclosed. [ANNEXURE-2 and 2(a)]

	Stage-II approval.	
3	The cost of raising Compensatory Afforestation (C.A.) over double the degraded forest land (7.0 ha.) shall be realized from the User Agency.	<p>The User Agency has paid an amount of Rs. 30,88,400/- for 7.00 hectares @ Rs.4,41,200/- per hectare to Ad-hoc CAMPA (i.e Rs. 17,85,000/- + Rs. 4,20,000/- through e-payment portal) and (Rs. 8,83,400/- directly to Karnataka CAMPA account for the Account No. 150735934680482 instead of Account No. 150735919574939) as follows.</p> <ol style="list-style-type: none"> <li>1. vide e-office challan dated 15-02-2017 for 17,85,000/- [Included in total amount of Rs.39,79,882/-].</li> <li>2. vide e-office challan dated 19-03-2020 for 4,20,000/- . <b>Copy of Payment Page Print taken from FC Web portal is enclosed ANNEXURE-3</b></li> <li>3. Rs.8,83,400/- payment made directly through RTGS [IFSC code; CORP0000371 and UTR No. SBIN320223967264] on 10-08-2020 mentioning the wrong Account No. 150735934680482. The said amount is reflected in the particulars of CAMPA deposits into State CAMPA accounts for the period 01-02-2020 to 30-09-2020 which was provided from Ad-hoc CAMPA office (copy enclosed; <b>ANNEXURE-4</b>). Further, as verified the status of this payment (Rs.8,83,400/-) made by User Agency in the web-portal, the same is being reflected as 'challan generated' on 03-08-2020 but yet remains 'unpaid' (copy enclosed; <b>ANNEXURE-5</b>). <b>Therefore, this transaction amount needs to be updated in the e-payment portal.</b></li> </ol> <p>[This office has also written a letter vide Ref (2) dated 23-02-2021 to the Joint CEO (CAMPA), New Delhi for rectification of</p>

		<i>payments made through offline mode; Copy enclosed ANNEXURE-5 (a)]</i>
4	The State Government shall charge the Net Present Value of the diverted forest land of 3.5062 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.	The User Agency has paid an amount of Rs. 21,94,882/- towards NPV for 3.5062 ha of forest land @ Rs.6.26 lakh per ha to Ad-hoc CAMPA through e-payment portal Generated Challan vide transaction dated 15-02-2017 <i>[included in total amount of Rs. 39,79,882/-]</i> . <b>Copy of Payment Page Print taken from FC Web portal is enclosed. [ANNEXURE-3]</b>
5	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.	The User Agency has agreed to comply with the condition and has submitted a consolidated Undertaking in this regard. <b>[ANNEXURE-1]</b>
6	The User Agency shall make online payment of cost of CA at Net Present Value with Adhoc- CAMPA through e-payment module of Forest Clearance portal- <a href="http://forestclearance.nic.in">forestclearance.nic.in</a> .	<ul style="list-style-type: none"> <li>• The User Agency has made payment online through e-payment challan for Net Present Value.</li> <li>• But the User Agency has paid amount for CA charges to the CAMPA account partially through online e-payment challan and partially through direct payment as mentioned in the condition no. 3.</li> <li>• The User Agency has also made direct payments towards SMC charges as mentioned in the condition below.</li> </ul>
7	Suitable measures to prevent soil erosion shall be formulated by the State Forest Department in consultation with User	The User Agency has paid an amount of Rs. 23,33,348/- towards prevention of Soil Erosion measures to the CAMPA account number 15073RAIL195742016091 on 17-

	Agency. The funds for the same shall be deposited by the user agency.	01-2018 through NEFT vide UTR No. U000000336043826. This payment was made directly to the CAMPA account without acceptance of the demand by this office and without generation of challan from the FC web portal. The said payment is not reflected in the FC e-payment portal however reflected in the Karnataka CAMPA Compensatory Afforestation Fund Ledger Account for the period 01-04-2006 to 31-03-2019 (copy enclosed; <b>ANNEXURE-6</b> ). And also reflected in the particulars of CAMPA deposits into State CAMPA accounts for the month of January 2018 which was provided from CAMPA, New Delhi vide letter No.4-36/2015 dated 19-02-2018 (copy enclosed; <b>ANNEXURE-7</b> ). <b>Therefore, this transaction amount needs to be updated in the e-payment portal.</b> <i>[This office has also written a letter vide Ref (2) dated 23-02-2021 to the Joint CEO (CAMPA), New Delhi for rectification of payments made through offline mode; Copy enclosed ANNEXURE-5 (a)]</i>
8	The total forest area utilized for the project shall not exceed 3.5062 ha.	The User Agency has agreed to comply with the condition and has submitted a consolidated Undertaking in this regard. <b>[ANNEXURE-1]</b>
9	Any other condition that the Addl. P.C.C.F. (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.	The User Agency has agreed to comply with the condition and has submitted a consolidated Undertaking in this regard. <b>[ANNEXURE-1]</b>
10	Violation of any of the conditions shall invite penal	The User Agency has agreed to comply with the condition and has submitted a

action, as deemed fit by the Additional Principal Chief Conservator of Forests (Central), Regional Office, Bangalore.	consolidated Undertaking in this regard. [ANNEXURE-1]
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In view of the above mentioned compliance to conditions of Stage-I approval as reported by the field officers, it is requested to move the matter with the Government of India, Ministry of Environment, Forests & Climate Change to accord final (Stage-II) approval under Section 2(ii) of the Forest (Conservation) Act, 1980 for diversion of 3.5062 hectare of forest land in Sy no. 204 & 41 of Thirumagondanahalli Sy No. 113 of Hadonahalli & Sy No.6 of Kelaginanayakanahalli villages in Ghati Subramanya Forest, Doddaballapura Taluk, Bengaluru Rural Division & District for laying of double line (railway line) between Oddarahalli & Makalidurga Railway stations in favour of the Deputy Chief Engineer/HQ /Construction, South Western Railway, Bengaluru Cantonment, for a period of Twenty (20) years.

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




(Rajiv Ranjan, IFS)

Principal Chief Conservator of Forests  
(Forest Conservation) & Nodal Officer (FCA)

**Copy to the:**

1. Chief Conservator of Forests, Bengaluru Circle, Bengaluru for information.
2. Deputy Conservator of Forests, Bengaluru Rural Division, Devanahalli for information.
3. The Deputy Chief Engineer (Headquarters/ Construction), South Western Railway, 18 Millers Road, Bengaluru Cantonment - 46 for information and necessary action.

o/c

  
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