

GOVERNMENT OF KARNATAKA

ಪ್ರಧಾನ ಮುಖ್ಯ ಅರಣ್ಯ ಸಂರಕ್ಷಣಾಧಿಕಾರಿ

(ಅರಣ್ಯಪಡೆ ಮುಖ್ಯಸ್ಥರು) ರವರ ಕಛೇರಿ

Office of
Principal Chief Conservator of Forests
(Head of Forest Force)



ಅರಣ್ಯಭವನ, 18ನೇ ಅಡ್ಡರಸ್ತೆ

ಮಲ್ಲೇಶ್ವರಂ, ಬೆಂಗಳೂರು-560 003

AranyaBhavan, 18th Cross

Malleswaram, Bengaluru-560 003

Telephone : 080 2334 6472

Email : apccffc@gmail.com

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E-office File No.KFD/HOFF/A5-2(GFL)/53/2020-FC

E-357293

Date 30-05-2022

01-06

To,

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

Sir,

Sub: Diversion of 1.00 hectare of forest land in Gutaguddi village, Yamakanamardi Hobli, Hukkeri Taluk, Belagavi District for construction of High School Building and other amenities for high school students primarily from socially backward communities in favour of Deputy Director of Public Instructions (DDPI), Chikkodi, Belagavi District.

Proposal No. FP/KA/SCH/83641/2020/[FORM-A]

- Ref:**
1. Online proposal [FORM-A PART-I] dated 10-12-2021 (re submitted) of Deputy Director of Public Instructions (DDPI), Near RTO Office, Chikkodi Belagavi District r/w acknowledgement uploaded online on 28-01-2022 by user agency for having delivered the hard copy proposal to jurisdictional Deputy Conservator of Forests and Deputy Commissioner.
 2. This office online communication dated 31-01-2022 to Deputy Conservator of Forests, Belagavi for further processing of proposal.
 3. Online submission of PART-II on 06-04-2022 by the Deputy Conservator of Forests, Belagavi.
 4. Online submission of PART-III on 06-05-2022 by the Chief Conservator of Forests, Belagavi [letter No.A7/LND/FC-83641/BGM/CR-/2022-23 dated 06-05-2022]

1. Deputy Director of Public Instructions (DDPI), Near RTO Office, Chikkodi Belagavi District-591201 [USER AGENCY] vide ref (1) has (re)submitted an online proposal [FORM-A PART-I] under Section 2 of the Forest (Conservation) Act, 1980 through FC web portal seeking approval for diversion of 1.00 hectare of

forest land in Gutagugdi Village Sy No. 46, Yamakanamardi Hobli, Hukeri Taluk, Belagavi District for construction of School Building and other amenities for high school students primarily from socially backward communities. After uploading of acknowledgement on 28-01-2022 by user agency for having delivered the hard copies of the proposal to jurisdictional DCF & DC, an online communication was made by the Nodal Officer (FCA) vide ref (2) to the Deputy Conservator of Forests, Belagavi to process the said proposal and to submit specific opinion / recommendation.

- 2. Location details and Component wise break up:** Location details of the forest land proposed for diversion are given below.

District, Taluk, Hobli	Village	Sy No.	Component wise breakup	Forest extent proposed for diversion (ha)	Legal Status of land
Belagavi District, Hukkeri Taluk, Yamakanamardi Hobli	Gutaguddi	46	School building	0.3	Reserved Forest
			School Garden	0.05	
			Toilet and urinaries	0.01	
			Flag post	0.01	
			Water tank & Taps	0.02	
			Playground	0.61	
Total				1.00	

- 3. Report of DCF, Belagavi Division:** The Deputy Conservator of Forests, Belagavi Division has inspected the project site on 13-03-2022 and vide Ref (3) has submitted his report along with the Site Inspection Report in PART-II to Chief Conservator of Forests, Belagavi Circle, Belagavi. Main features of the proposal based on the reports of the Deputy Conservator of Forests, Belagavi Division r/w report of Chief Conservator of Forests, Belagavi Circle and that of ICT Centre of Forest Department are summarized below.

- The forest land proposed for diversion is vulnerable to soil erosion (*As per Item 4(ii) (6) The area is situated at elevated place. and due to the absence of vegetation the soil erosion is found in this area*)
- The forest land proposed for diversion is in general landscape of Eco-class-III (Tropical Thorn Forest) with a Canopy Density of Zero.
- As per Item 4(ii) of PART-II, there are no trees on the forest land proposed for diversion.
- There are no major wild animals found in and around the area.
- There are other rare / endangered species of fauna reported in and around the area.

- f. The forest land proposed for diversion does not form part of any national park/ wildlife sanctuary/ biosphere reserve/ tiger reserve/ elephant corridor/ wildlife migration corridor/ etc.
 - g. There are no national park/ wildlife sanctuary/ biosphere reserve/ tiger reserve/ elephant corridor/ wildlife migration corridor, etc., within one kilometer of the forest land proposed for diversion.
 - h. The forest land proposed for diversion is not located within the Eco-Sensitive Zone (ESZ) of any protected area notified under the Wildlife (Protection) Act, 1972.
 - i. There are no protected/ archaeological/ heritage sites or defense establishments or important monuments in the area.
 - j. There is no violation reported under the Forest (Conservation) Act, 1980.
 - k. The requirement of forest land for the project is bare minimum and unavoidable.
4. **Report of CCF, Belagavi Circle:** The Chief Conservator of Forests, Belagavi Circle agreed with the recommendation made by the Deputy Conservator of Forests, Belagavi Division, the Chief Conservator of Forests, Belagavi Circle has also recommended the project and has submitted his opinion in PART-III online vide ref (4).
 5. **Net Present Value (NPV):** The user agency is required to pay the Net Present Value (NPV) of forest land proposed for diversion as per Para 3.1 to 3.4 of the FC Guidelines communicated by Government of India, Ministry of Environment, Forests and Climate Change, New Delhi vide F.No. 5-3/2011-FC (Vol-I) dated 06-01-2022 and 19-01-2022. **The user agency has submitted an undertaking agreeing to pay the Net Present Value (NPV) of the forest land proposed for diversion.**
 6. **Compensatory Afforestation (CA):** Present proposal involves diversion of within one hectare of forest land. The latest FC guidelines are silent on the requirement of equivalent extent of non-forest land for the FC proposals involving diversion of forest land up to one hectare. However, para 3.2(viii) of the immediately previous FC Guidelines exempted such proposals from requirement of raising CA. Therefore, the present FC proposal may also be exempted from the requirement of raising CA. However, para 2.6 (i) of the latest FC guidelines mandates that the cost of plantation (including ten years maintenance) of ten times the number of trees likely to be felled or specified number of trees as may be specified in the order for diversion of forest land (subject to a minimum no of 100 plants) shall be levied from the user agency towards compensatory afforestation. Accordingly, the user agency will be required to pay the applicable charges in accordance with the PCCF (HOFF) O.M. KFD/HOFF/A5-3(GFL)/34/2019-FC [E-88289] dated 24-05-2022,

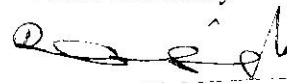
in case any trees are to be felled for the project. **The user agency has submitted an under taking in this regard.**

7. **Status of RoFR compliance:** In order to meet the requirement of the provisions of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 and Rules 2008 and the FC Guidelines, the User Agency has not obtained/ furnished the (copy of) requisite **RoFR Certificate in FORM-II (for linear projects)** issued by the jurisdictional Deputy Commissioner as per Annexure II of the FC Guidelines communicated by Government of India, Ministry of Environment, Forests and Climate Change, New Delhi vide F.No. 5-2/2017-FC dated 28-03-2019. Accordingly, **the User Agency is being informed once again to obtain and submit a copy of the said certificate in prescribed format.**

Under the above circumstances and agreeing with the recommendation of the field officers, it is requested to consider according 'in-principle' (Stage-I) approval under Forest (Conservation) Act, 1980 for diversion of 1.00 hectare of forest land in Gutaguddi village, Yamakanamardi Hobli, Hukkeri Taluk, Belagavi District for construction of High School Building and other amenities for high school students primarily from socially backward communities in favour of Deputy Director of Public Instructions (DDPI), Chikkodi, Belagavi District for a period of twenty (20) years and subject to the production of RoFR certificate in FORM-II as per Annexure II of the FC Guidelines communicated by Government of India, Ministry of Environment, Forests and Climate Change, New Delhi vide F.No. 5-2/2017-FC dated 28-03-2019 and also subject to conditions appended in Annexure 'A'.

The hard copy of the proposal along with the relevant documents in 3 sets are submitted herewith for further needful. The present status (time line) of the proposal obtained from the FC web portal is also appended for necessary action.

Yours faithfully



(Raj Kishore Singh/FS)

Principal Chief Conservator of Forests
(Head of Forest Force)

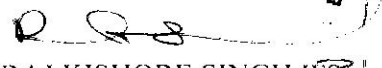
Copy to:

1. The Chief Conservator of Forests, Belagavi Circle, Belagavi for information.
2. The Deputy Conservator of Forests, Belagavi Division, Belagavi for information.
3. Deputy Director of Public Instructions (DDPI), Near RTO Office, Chikkodi Belagavi District -591 201 for information and with a request to obtain **RoFR Certificate in FORM-II (for Non-Linear projects)** issued by the jurisdictional Deputy Commissioner as per Annexure II of the FC Guidelines communicated by Government of India, Ministry of Environment, Forests and

Climate Change, New Delhi vide F.No. 5-2/2017-FC dated 28-03-2019
(available on FC web portal) **and submit the authenticated / attested copies
at the earliest.**

ANNEXURE - 'A'

1. Legal status of forest land shall remain unchanged and it shall continue to be forest land.
2. The user agency shall pay the applicable Net Present Value (NPV), Compensatory, Plantation cost of extraction of trees, land lease rent and any other levies as per the conditions of approval.
3. The user agency shall demarcate the lease area in the manner specified at the time of approval at its own cost.
4. The lessee shall not sub-lease, mortgage and hypothecate the forest area.
5. 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 two years or when it is no longer needed for the stipulated purpose, the area would stand resumed to the Forest Department.
6. No change in land use plan on forest land shall be done except with prior approval of Government of India under FC Act 1980.
7. The application for renewal of the lease in the prescribed form and manner shall be submitted at least six months prior to the expiry of forest lease. In case no renewal is sought, the Lessee shall hand over the lease.
8. No residential or commercial buildings shall be permitted in the forest area proposed for diversion.
9. No crushing / breaking of stones or labour camp shall be allowed on forest land and all waste / debris generated shall be scientifically disposed off outside the forest area.
10. Any damage to forest area because of implementation of the proposal shall be compensated by the lessee. The extent of damage shall be assessed by the jurisdictional Deputy Conservator of Forests/ Conservator of Forests/ Chief Conservator of Forests.
11. The lessee shall ensure that no avoidable harm is caused to the fauna and flora in and around the proposed area.
12. In case, any violation of the provisions of the Karnataka Forest Act, 1963 & Rules, 1969 or other relevant Acts/Rules is reported during the lease period, the lease will be liable for forfeiture under Section 82 of Karnataka Forest Act, 1963. The Chief Conservator of Forests / Deputy Conservator of Forests concerned are authorized to take necessary action in this regard.
13. The approval under the Forest (Conservation) Act, 1980 is subject to any other clearances necessary under the prevailing statutes.
14. The user agency shall also abide by other conditions those may be imposed by the Government of India, Government of Karnataka and Principal Chief Conservator of Forests (Head of Forest Force) before or after the approval.


(RAJ KISHORE SINGH IFS)
Principal Chief Conservator of Forests
(Head of Forest Force)

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.)

Recommended to consider according 'in-principle' (Stage-I) approval under Forest (Conservation) Act, 1980 for diversion of 1.00 hectare of forest land in Gutaguddi village, Yamakanamardi Hobli, Hukkeri Taluk, Belagavi District for construction of High School Building and other amenities for high school students primarily from socially backward communities in favour of Deputy Director of Public Instructions (DDPI), Chikkodi, Belagavi District for a period of twenty (20) years and subject to the production of RoFR certificate in FORM-II as per Annexure II of the FC Guidelines communicated by Government of India, Ministry of Environment, Forests and Climate Change, New Delhi vide F.No. 5-2/2017-FC dated 28-03-2019 and also subject to conditions appended in Annexure 'A'.

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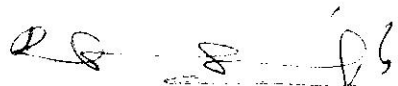
Signature:
Name:
Designation:


VIJAY SHARMA IFS

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

(Official Seal):

Counter signed by :
Name:
Designation:


RAJ KISHORE SINGH IFS
**Principal Chief Conservator of Forests
(Head of Forest Force)**

(Official Seal):

N.D.O. No: /2022-23

Date: 10-05-2022
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