

GOVERNMENT OF KARNATAKA

ಪ್ರಧಾನ ಮುಖ್ಯ ಅರಣ್ಯ ಸಂರಕ್ಷಣಾಧಿಕಾರಿ

(ಅರಣ್ಯ ಪಡೆ ಮುಖ್ಯಸ್ಥರು) ರವರ ಕಛೇರಿ

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



ಅರಣ್ಯಭವನ, 18ನೇ ಅಡ್ಡರಸ್ತೆ

ಮಲ್ಲೇಶ್ವರಂ, ಬೆಂಗಳೂರು-560 003

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E-office File No. KFD/HoFF/A5-3(GFL)/2/2021-FC

E-496409

Date: 01-08-2022

To,

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

Sir,

**Sub:** Diversion of 0.8554 ha of forest land in Sy.No.1 Talakadu Village in Talakadu Hobli, T.Narasipura Taluk, Mysore District for Construction of Approach Road and Construction of bridge (Composite Structure Bridge) across Cauvery River between Talakadu, Kaliyur and Malangi village in T.Narasipura Taluk, Mysore District in favour of Executive Engineer, Karnataka Road Development Corporation Limited (KRDCL), Metagally, Mysore.

**Proposal No:** FP/KA/Others/141483/2021 [FORM-A]

**Ref:** 1. Online proposal [FORM-A PART-I] dated 04-12-2021 (re submitted) of Executive Engineer, Karnataka Road Development Corporation Limited (KRDCL), Metagally, Mysore District r/w acknowledgement uploaded online on 01-01-2022 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 04-01-2022 to Deputy Conservator of Forests, Mysore for further processing of proposal.

3. Online submission of PART-II on 01-06-2022 by the Deputy Conservator of Forests, Mysore.

4. Online submission of PART-III on 06-07-2022 by the Conservator of Forests, Mysore [letter No.C1/Land/SP/CR-05/2022-23 dated 02-07-2022]

1. Executive Engineer, Karnataka Road Development Corporation Limited (KRDCL), Metagally, Mysore District [USER AGENCY] has resubmitted an online proposal [FORM-A PART-I] on 04-12-2021 seeking approval under the Forest (Conservation) Act, 1980 for diversion of 0.8554 ha of forest land in Sy.No.1 Talakadu Village in Talakadu Hobli, T.Narasipura Taluk, Mysore District (Mysore Forest Division) for Construction of Approach Road and Construction of bridge (Composite Structure Bridge)

across Cauvery River between Talakadu, Kaliyur and Malangi village in T.Narasipura Taluk, Mysore District. The same was accepted by Nodal Officer (FCA) on 20-12-2021 for further processing.

2. After receiving the acknowledgement online on 01-01-2022 for having delivered the hard copies of the proposal by the User Agency to the jurisdictional Deputy Conservator of Forests (DCF) & Deputy Commissioner, the online link was forwarded to the Deputy Conservator of Forests, Mysore Division for field verification and further processing under Section 2 of the Forest (Conservation) Act, 1980.
3. **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
Mysore District, T.Narasipura Taluk, Talakadu Hobli	Talakadu,	1	Proposed Bridge	0.0749	Reserved Forest
	Talakadu (River)		Proposed Approach road Shoulder	0.1651	
			Proposed Approach road Drain	0.1203	
			Proposed Approach road Carriage Way	0.4138	
			Proposed Approach road Abutment Slope	0.0813	
Total				0.8554	

4. **DCF, Mysore Division Report:** The DCF, Mysore Division has inspected the project site on 04-04-2022 and submitted the site inspection report along with his recommendations in the form of PART-II of the proposal (online) to the Conservator of Forests, Mysore Circle, Mysore. The salient features of the site inspection report of the DCF Mysore are listed below:
  - a. The forest land proposed for diversion is not vulnerable to soil erosion.
  - b. The forest land proposed for diversion is in general landscape of Eco-class-I (Consisting of Tropical Moist Deciduous forest) with a Canopy Density of up to 0.2% (Open Forest).
  - c. As per Item 4(ii) of PART-II, there are 26 trees in different girth classes in the forest land proposed for diversion. Main species include *Pongamia pinnata*,



*Tamarindus indica, Samania saman, Ficus benghalensis, Bombax ceiba, Holoptelea integrifolia, Tectona grandis, Eucalyptus spp etc*

- d. Wild animals found in and around the project area include Leopard, Wild boar, Porcupine.
  - e. There are no rare / endangered / unique species of flora and fauna reported in and around the forest land proposed for diversion.
  - 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 Eco-Sensitive Zone (ESZ) of any protected area notified under Wildlife (Protection) Act, 1972.
  - i. There are no Protected/ Archaeological/ Heritage Sites / Defence establishments located in the proposed 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.
5. **CF, Mysore Circle Report:** The CF, Mysore Circle has inspected the proposed area on 29-04-2022 and has submitted site inspection report in PART-III online. While agreeing with the recommendation made by DCF, Mysore Division, the Conservator of Forests, Mysore Circle has also recommended the proposal for approval under FC Act 1980.
6. **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. **The User Agency has submitted an Undertaking (15-04-2021) to pay the charges towards Net Present Value (NPV) of the forest land proposed for diversion.**
7. **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 undertaking (dated 15-04-2021) to pay the charges towards CA charges for the land proposed for diversion.**

8. **Status of RoFR compliance:** With regard to compliance of the provisions of Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forests Rights) Act 2006 and Rules 2008, the User Agency has not furnished the requisite **Certificate in FORM-II (for Non-linear/Hybrid 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. **The User Agency is informed to obtain the said certificate in prescribed format and submit a copy.**

As explained in preceding paragraphs, the undersigned agrees with recommendations of the field officers and request to consider according 'in-principle' (Stage-I) approval under Forest (Conservation) Act, 1980 to the Executive Engineer, Karnataka Road Development Corporation Limited (KRDCL), Metagally, Mysore for a period of Twenty (20) years for the purpose mentioned in para 1 above, subject to the following conditions

- i. The user agency must submit 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
- ii. The user agency and all concerned will strictly adhere to all conditions specified in the Annexure 'A', enclosed with this letter.

The hard copy of the proposal along with the relevant documents in 3 sets are submitted herewith for further needful.

Yours faithfully

(Raj Kishore Singh IPS)

Principal Chief Conservator of Forests  
(Head of Forest Force)

Copy to:

1. The Conservator of Forests, Mysore Circle, Mysore for information.
2. The Deputy Conservator of Forests, Mysore Division, Mysore for information.


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ದಿನಾಂಕ 2-8-22  
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3. The Executive Engineer, Karnataka Road Development Corporation Limited (KRDCL), Metagally, Mysore for information and further action to obtain and produce the **RoFR Certificate in FORM-II (for Non-Linear projects)** 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.

### 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.

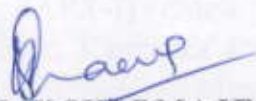
  
(RAJ KISHORE SINGH IFS)  
Principal Chief Conservator of Forests  
(Head of Forest Force)

**PART - IV**

*(To be filled in by the Nodal Officer or Principal Chief Conservator of Forests or Head of Forest Department)*

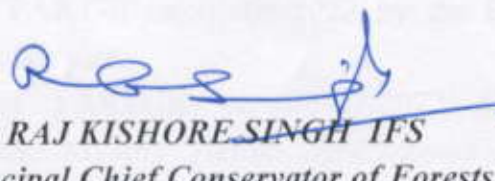
<p>Detailed opinion &amp; specific recommendation of the State Forest Department for acceptance or otherwise of the proposal with remarks.</p> <p><i>(While giving opinion, the adverse comments made by concerned Conservator of Forests or Deputy Conservator of Forests should be categorically reviewed and critically commented upon.)</i></p>	<p>Recommended to consider according 'in-principle' (Stage-I) approval under Forest (Conservation) Act, 1980 for diversion of 0.8554 ha of forest land in Sy.No.1 Talakadu Village in Talakadu Hobli, T.Narasipura Taluk, Mysore District for Construction of Approach Road and Construction of bridge (Composite Structure Bridge) across Cauvery River between Talakadu, Kaliyur and Malangi village in T.Narasipura Taluk, Mysore District in favour of Executive Engineer, Karnataka Road Development Corporation Limited (KRDCL), Metagally, Mysore 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'.</p> <p>[Proposal No. FP/KA/Others/141483/2021</p>
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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: 28/2022-23

Date: 02-08-2022