

ಕರ್ನಾಟಕ ಸರ್ಕಾರ

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

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E-office File No. KFD/HOFF/A5-2(GFL)/16/2020-FC

E-225579

Encl: 3 sets

Date 31-03-2021

To,

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

Sir,

Sub: Re-diversion of 0.94 hectare of forest land in Seege Guddada Kaval Village new Sy.No.74(old Sy No. 48), Salegame Hobli, Hassan Taluk & District (out of 17.03 ha for land already leased to M/s Suzlon Energy Ltd) for Improvement to road from Seege Veerapura road to Male malleshwara Swamy Temple road in favour of the Executive Engineer, Public Works, Ports & Inland Water Transport Department, Hassan Division, Hassan

Proposal No. FP/KA/ROAD/45454/2020[Form -A]

Ref: 1. Online proposal [FORM-A PART-I] dated 09-06-2020 of Executive Engineer, Public Works, Ports & Inland water Transport department, Hassan Division, Hassan District r/w Acknowledgement uploaded online on 04-07-2020 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 06-07-2020 to Deputy Conservator of Forests, Hassan Division for further processing of proposal and 23-02-2021 [seeking clarification from CCF]

3. Online submission of PART-II on 08-10-2020 by the Deputy Conservator of Forests, Hassan Division [letter No. B4/Land/FC /CR-05/2020-21 dated 06-10-2020 and 12-02-2021]

4. Online submission of PART-III on 16-02-2021 by the Chief Conservator of Forests, Hassan Circle [letter No.A8/LAND/F C/CR-13/2020-21 dated 17-02-2021] and 10-03-2021 [reply to EDS query] and online reply 17-03-2021]

1. The Executive Engineer, Public Works, Ports & Inland water Transport department, Hassan Division, Hassan [USER AGENCY] vide Ref (1) has submitted an online proposal [FORM-A PART-I] through FC web portal seeking

approval under Section 2 of the Forest (Conservation) Act, 1980 for re-diversion of 0.94 hectare of forest land in Seege Guddada Kaval Village new Sy.No.74 (old Sy No. 48), Salegame Hobli, Hassan Taluk & District (out of 17.03 ha for land already leased to M/s Suzlon Energy Ltd) for Improvement to road from Seege Veerapura road to Male malleshwara Swamy Temple road in favour of the Executive Engineer, Public Works, Ports & Inland Water Transport Department, Hassan Division, Hassan. After uploading of Acknowledgement on 04-07-2020 by User Agency for having delivered the hard copies of the proposal to jurisdictional Deputy Conservator of Forests and Deputy Commissioner, an online communication was made by the Nodal Officer (FCA) vide Ref (2) to the Deputy Conservator of Forests, Hassan Division to process the proposal under the Forest (Conservation) Act, 1980 and to submit specific opinion / recommendation.

2. Location details and Component-wise breakup of forest land requirement:

The details of the location of forest land and component wise requirement are given below.

District, Taluk, Hobli	Village	Sy No.	Project component	Forest extent proposed for diversion (ha)	Legal status of land
Hassan District and Taluk Salegame Hobli	Seege Guddada Kaval	New Sy.No.74 (old Sy No. 48)	Carriage way	0.705	Reserved Forest
			Shoulders	0.1504	
			Side Drain	0.08272	
Total				0.93812	

3. Report of DCF, Hassan Division: The Deputy Conservator of Forests, Hassan Division has inspected the site on 22-06-2020 and vide Ref (3) has submitted his report along with Site Inspection Report in PART-II to Chief Conservator of Forests, Hassan Circle. Main features of the proposal based on the reports of the Deputy Conservator of Forests, Hassan Division r/w report of Chief Conservator of Forests, Hassan Circle and that of ICT Centre of Forest Department are summarized below.

- The forest land proposed for diversion is not vulnerable to soil erosion.
- The forest land proposed for diversion is in general landscape of Eco-class-III (Tropical Dry Deciduous) with a Canopy Density of up to 0.4.
- As per Item 4(ii) of PART-II of the proposal, there are no trees on the forest land proposed for diversion.
- Main wild animals reported in and around the project area include Unique bird species like peacock and Rabbit.
- There are no other 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. The forest land proposed for diversion is not located within Eco-Sensitive Zone (ESZ) of any Protected Area notified under Wildlife (Protection) Act, 1972.
 - h. There are no National Park/ Wildlife Sanctuary/ Biosphere Reserve/ Tiger Reserve/ Elephant Corridor/ Wildlife Migration Corridor, etc., within one kilometre of the forest land proposed for diversion.
 - i. There are no Protected/ Archaeological/ Heritage sites or Defence 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. **CCF, Hassan Circle Report:** The Chief Conservator of Forests, Hassan Circle has inspected the site on 15-02-2021 and has agreed with the report of Deputy Conservator of Forests, Hassan Division. The Chief Conservator of Forests, Hassan Circle vide Ref (4) has submitted his report in PART-III and has recommended the proposal. *[Note. PART-II Sl No.16 Not recommended by Chief Conservator of Forests Hassan Circle is wrongly entered. Hence, this office vide Ref (3) letter dated 23-02-2021 has sought clarification. In response Chief Conservator of Forests Hassan Circle vide Ref (4) letter dated 10-03-2021 has recommended the proposal]*
5. **Consent for re-diversion from the primary User Agency:** The proposed project is only improvement of the existing road to Male Malleshwara Temple on 0.94 ha area of forest land, out of 17.03 ha forest land already leased to M/s Suzlon Energy Limited in Sy No.74 of Seege gudda Kaval Forest area vide Lease Deed Agreement No.03/2006-07 dated 28-04-2015 as per the Stage-II approval accorded by Government of India vide letter No.4-KRC-185/2006-BAN/1566 dated 17-11-2006 and Government of Karnataka Order No. FEE 28 FLL 2006 dated 20-11-2006. The required area for improvement of road is super imposed in the map already approved to M/s Suzlon Energy Limited. The proposed road dimension in Sy No.74 of Seege gudda Kaval Forest area is 1,518 mtrs long and 6.20 mtr wide.
- The primary User Agency M/s Suzlon Energy Limited, Bengaluru has given written consent for re-diversion in favour Executive Engineer, Public Works Department, Hassan without taking any payment for the same and the proposed use is compatible with primary use without hindering it.
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 r/w para

5.6 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 has submitted an Undertaking agreeing to pay the Net Present Value (NPV) of the forest land proposed for diversion.**

7. **Compensatory Afforestation (CA):** The primary User Agency has already provided non-forest CA land and the cost of Compensatory Afforestation. Therefore, the present FC proposal for re-diversion does not require CA land and cost of raising CA as per para 5.6 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.

Under the above circumstances and agreeing with recommendation of the field officers, it is requested to move the proposal to Government of India for according 'in-principle' (Stage-I) approval under Section 2 of the Forest (Conservation) Act, 1980 for re-diversion of 0.94 hectare of forest land in Seege Guddada Kaval Village new Sy.No.74 (old Sy No. 48), Salegame Hobli, Hassan Taluk & District (out of 17.03 ha for land already leased to M/s Suzlon Energy Ltd) for Improvement to road from Seege Veerapura road to Male malleshwara Swamy Temple road in favour of the Executive Engineer, Public Works, Ports & Inland Water Transport Department, Hassan Division, Hassan for a period of twenty (20) years subject to the conditions listed in Annexure 'A'.

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

Yours Faithfully

(Sanjai Mohan IFS)

Principal Chief Conservator of Forests
(Head of Forest Force)

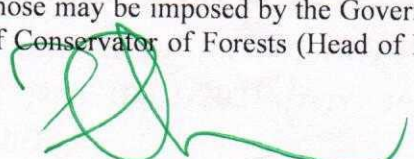
Copy to the:

1. Chief Conservator of Forests, Hassan Circle, Hassan for information.
2. Deputy Conservator of Forests, Hassan Division, Hassan for information.
3. Executive Engineer, Public Works, Ports & Inland Water Transport Department, Hassan Division, Hassan District 573 201 for information.

O/C

ANNEXURE - A

1. The 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 Lessee shall provide signages in appropriate dimensions and kind near the proposed Bio Waste Digester Plant and Approach Road within forest limits for sensitization of general public towards the forest, wildlife and environmental issues in consultation with the jurisdictional Deputy Conservator of Forests.
6. The User Agency shall construct a 6 feet high compound wall around the project area to prevent the entry of wild animals into the project area and to avoid spreading of municipal waste inside the forest area.
7. The User Agency shall ensure that the Municipal Waste is not dumped inside any other the forest area other than the diverted land.
8. 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.
9. No change in Land Use Plan on forest land shall be done except with prior approval of Government of India under FC Act 1980.
10. 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.
11. No residential or commercial buildings shall be permitted in the forest area proposed for diversion.
12. 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.
13. 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.
14. The Lessee shall ensure that no avoidable harm is caused to the fauna and flora in and around the proposed area.
15. 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.
16. The approval under the Forest (Conservation) Act, 1980 is subject to any other clearances necessary under the prevailing statutes.
17. 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.


(Sanjai Mohan 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 & 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 for moving the proposal to Government of India for according 'in-principle' (Stage-I) approval under Section 2 of the Forest (Conservation) Act, 1980 for re-diversion of 0.94 hectare of forest land in Seege Guddada Kaval Village new Sy.No.74 (old Sy No. 48), Salegame Hobli, Hassan Taluk & District (out of 17.03 ha for land already leased to M/s Suzlon Energy Ltd) for Improvement to road from Seege Veerapura road to Malemalleshwara Swamy Temple road in favour of the Executive Engineer, Public Works, Ports & Inland Water Transport Department, Hassan Division, Hassan for a period of twenty (20) years subject to the conditions listed in Annexure 'A'.</p> <p>[Proposal No. FP/KA/ROAD/45454/2020]</p>
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Signature:

Name:

Designation:



RAJIV RANJAN IFS

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

(Official Seal):

Counter signed by :

Name:

Designation:



SANJAI MOHAN IFS

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

(Official Seal):

N.D.O. No: 01 /2020-21

Date: 03-04-2021