

I/506128/2023

ಕರ್ನಾಟಕ ಸರ್ಕಾರ

GOVERNMENT OF KARNATAKA

ಪ್ರಧಾನಮುಖ್ಯ ಅರಣ್ಯ ಸಂರಕ್ಷಣಾಧಿಕಾರಿ
(ಅರಣ್ಯ ಪಡೆ ಮುಖ್ಯಸ್ಥರು) ರವರ ಕಛೇರಿ
Office of the
Principal Chief Conservator of Forests
(Head of Forest Force)



ಅರಣ್ಯ ಭವನ, 18 ನೇ ಅಡ್ಡರಸ್ತೆ
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E-office File No. KFD/HOFF/A52K(GFL)/38/2021-FC

E-655736

Encl: 3 sets of the proposal hard copies

Date 02-11-2023

03

To,

The Additional Chief Secretary to Government
Forest, Ecology and Environment Department
M.S. Building, Dr. Ambedkar Veedhi, Bengaluru – 560 001

Sir,

Sub: Diversion of 0.0246 hectare of forest land in Sy. No. 81 of Bachaganv Village, Bachagaon Deemed Forest, SirsiHobli, & Taluk, Uttara Kannada District (Sirsi Forest Division) for approach road to patta land in favour of Venkataraman Govind Bhat, Tuduguni Village, Sirsi Taluk, U.K District.
Proposal No. FP/KA/ROAD/154088/2021

- Ref:**
1. Online proposal [FORM-A PART-I] dated 05-04-2022 of Shri. Venkataraman Govind Bhat, Tuduguni Village, Sirsi and uploading of acknowledgment on 04-05-2022 for having delivered the hard copies of the proposal to jurisdictional Deputy Conservator of Forests and Deputy Commissioner
 2. This office online communication dated 09-05-2022 to Deputy Conservator of Forests, Sirsi Division for further processing of the proposal
 3. Online submission of PART-II on 17-08-2022 by Deputy Conservator of Forests, Sirsi Division [letter No. A3/GFL/FC/CR-25/2022-23/1193 dated 17-08-2022] and letter dated 01-07-2023 [Reply to the Nodal Officer's EDS query]
 4. Online submission of PART-III on 21-09-2022 by Conservator of Forests, Kanara Circle, Sirsi [letter No. B2/GFL/Approach Road/CR-23/2022-23/2340 dated 21-09-2022] and letter dated 11-07-2023 [Reply to the Nodal Officer's EDS query]
1. Shri. Venkataraman Govind Bhat, Tuduguni Village, Sirsi [USER AGENCY] has submitted an online proposal [FORM-A PART-I] vide Ref (1) on 05-04-2022 seeking approval under the Forest (Conservation) Act, 1980 for diversion 0.0246 hectare of forest land in Sy. No. 81 of Bachagaon Village, Bachaganv

I/506128/2023

Deemed Forest, SirsiHobli, & Taluk, U.K District (Sirsi Forest Division) for approach road to patta land. The same was accepted by Nodal Officer (FCA) on 22-04-2022 for further processing. After receiving the acknowledgement online on 04-05-2022 from User Agency for having delivered hard copies of the proposal to the jurisdictional Deputy Conservator of Forests and Deputy Commissioner, the online link was forwarded by this office vide Ref (2) to the Deputy Conservator of Forests, Sirsi Division for field verification and further processing under Section 2 of the Forest (Conservation) Act, 1980.

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

District, Taluk, Hobli	Village & Sy No.	Name of Project Component	Forest Land proposed for diversion (ha)	Legal status of Land
Uthara Kannada District, Sirsi Taluk&Hobli	Bachagaon Village, Sy No. 81	Approach road	0.0245	Reserved Forest
Total			0.0246	

3. DCF, Sirsi Division Report: The Deputy Conservator of Forests Sirsi Division has inspected the spot on 15-07-2022 and has submitted the Site Inspection Report, the details of the area along with the recommendation in PART-II of the proposal vide Ref (3) to the Conservator of Forests, Kanara Circle. Main features of the proposal based on the DCF, Sirsi Report r/w the report of the CF, Kanara Circle and that of the ICT Centre of Forest Department are as follows.

- The forest land proposed for diversion is in general landscape of Eco-Class-I with canopy density up to 0.1 (Open Forest).
- The proposed road is the shortest possible distance from the existing road to the Malki land and there's no alternative road for the said land.
- As per Item 4(ii) of PART-II, there are no trees in the forest land proposed for diversion.
- There are no rare / endangered / unique species of flora and fauna reported around the forest area proposed for diversion.
- 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.
- There are no National Park/ Wildlife Sanctuary/ Biosphere Reserve/ Tiger Reserve/ Elephant Corridor/ Wildlife Migration Corridor within

one kilometer from the boundary of the forest land proposed for diversion.

- 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 Protected/ Archaeological/ Heritage Sites/ Defence establishments located in the proposed area.
 - i. The forest area proposed for diversion is the bare minimum and unavoidable.
 - j. There is no violation reported under the Forest (Conservation) Act, 1980.
4. **CF, Kanara Circle Report:** The Conservator of Forests, Kanara Circle has inspected the proposed area personally on 21-09-2022 and vide Ref (4) has submitted the Site Inspection Report in PART-III online. Agreeing with the recommendation made by the Deputy Conservator of Forests, Sirsi Division, the Conservator of Forests, Kanara Circle has also recommended the proposal.
 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 dated 06-01-2022. **The User Agency has submitted an Undertaking to pay the Net Present Value (NPV) of the forest land proposed for diversion.**
 6. **Compensatory Afforestation (CA):** The forest area proposed for diversion is less than one hectare and is governed by Para 3.2 (viii)(b) of the Government of India FC Guidelines (*old version, as the new version is silent in this regard*), which provides exemption from raising Compensatory Afforestation (CA). However, the Para 2.6(i) of the latest FC Guidelines mandates planting of ten times the number of trees likely to be felled (subject to a minimum of 100 plants). Even though there are no trees on forest land reported in Item 4(ii) of PART-II of the proposal, **the User Agency will have to make payment in accordance with the O.M. issued vide E-office File No. KFD/HOFF/A53(GFL)/34/2019-FC [E-88289] dated 22-08-2023 of the Principal Chief Conservator of Forests (Head of Forest Force) for any tree felling required for the purpose of execution of the project.**
 7. **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 obtained/ furnished the requisite **Certificate in FORM-I (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,

I/506128/2023

Forests and Climate Change, New Delhi vide F.No. 5-2/2017-FC dated 28-03-2019. **The User Agency is being informed to obtain the said certificate in prescribed format and submit a copy.**

Under the above circumstances and agreeing with recommendation of the field officers, it is requested to consider the proposal for 'in-principle' (Stage-I) approval under section 4.7 of Forest (Conservation) Act, 1980 for diversion of 0.0246 hectare of forest land in Sy. No. 81 of Bachaganv Village, Bachagaon Deemed Forest, SirsiHobli, & Taluk, U.K District (Sirsi Forest Division) for approach road to patta land in favour of Venkataraman Govind Bhat, Tuduguni Village, Sirsi Taluk, Uttara Kannada District for a period of 10 years subject to production of RoFR certificate in FORM-I (for Linear projects) as per Annexure II of the FC Guidelines communicated by Government of India, Ministry of Environment, Forests and Climate Change, New Delhi and also further subject to conditions appended in Annexure 'A'.

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

Signed by
Yours Faithfully
Brijesh Kumar Dikshit

Date: 02-11-2023 18:15:13

(Brijesh Kumar Dikshit, IFS)

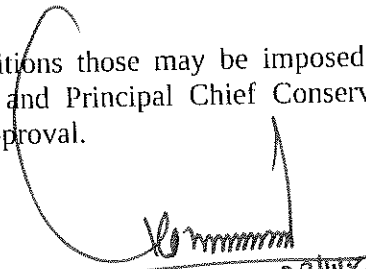
Principal Chief Conservator of Forests
(Head of Forest Force)

Copy to the:

1. Conservator of Forests, Kanara Circle Sirsi for information.
2. Deputy Conservator of Forests, Sirsi Division, Sirsi for information.
3. Shri. Venkataraman Govind Bhat, Tuduguni Village, Kumta Road, Sirsi, Uttara Kannada District – 581401 for information and **with a request to obtain and produce the RoFR Certificate in FORM-I (for Linear projects) issued by Deputy Commissioner**

ANNEXURE 'A'

1. The legal status of forest land shall remain unchanged and it shall continue to be the forest land.
2. The User Agency shall pay the applicable Net Present Value (NPV), 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 & 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. 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.
7. No residential or commercial buildings shall be permitted in the forest area proposed for diversion.
8. No crushing / breaking of stones or labour camp shall be allowed inside forest area and all waste / debris generated shall be scientifically disposed off outside the forest area.
9. Any damage to forest area because of implementation of the project 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.
10. The Lessee shall ensure that no avoidable harm is caused to the fauna and flora around the proposed area.
11. No change in Land Use Plan shall be done unless prior approval of Government of India under FC Act is obtained.
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 and/or 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.


(Brijesh Kumar Dikshit, IFS)
Principal Chief Conservator of Forests
(Head of Forest Force)

I/506128/2023

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 diversion of 0.0246 hectare of forest land in Sy. No. 81 of Bachaganv Village, Bachagaon Deemed Forest, SirsiHobli, & Taluk, Uttara Kannada District (Sirsi Forest Division) for approach road to patta land in favour of Venkataraman Govind Bhat, Tuduguni Village, Sirsi Taluk, U.K District for a period of 10 years subject to production of RoFR certificate in FORM-I (for Linear projects) as per Annexure II of the FC Guidelines communicated by Government of India, Ministry of Environment, Forests and Climate Change, New Delhi and also further subject to conditions appended in Annexure 'A'.</p> <p>Proposal No.: FP/KA/ROAD/154088/2022</p>
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Signature:


Name:

Designation:

Signature:

Name:

Designation:


(Vijay Sharma, IFS)

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


(Brijesh Kumar Dikshit, IFS) 03/11/23

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

N.D.O. No. /2023-24 (Official Seal)

Dated /10/2023

