

ಕರ್ನಾಟಕ ಸರ್ಕಾರ

GOVERNMENT OF KARNATAKA

ಪ್ರಧಾನ ಮುಖ್ಯ ಅರಣ್ಯ ಸಂರಕ್ಷಣಾಧಿಕಾರಿ

(ಅರಣ್ಯ ಪಡೆ ಮುಖ್ಯಸ್ಥರು) ರವರ ಕಛೇರಿ



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

ಅರಣ್ಯ ಭವನ, 18ನೇ ಅಡ್ಡರಸ್ತೆ,

ಮಲ್ಲೇಶ್ವರಂ, ಬೆಂಗಳೂರು-560003

Aranya Bhavan, 18th Cross,
Malleshwaram, Bengaluru- 03

Telephone : 080 2334 6472

Email : apccffc@gmail.com

E office file No. KFD/HoFF/A5-4(GFL)/08/2021-FC

Enclosures: 4 sets of proposals

E-487813

Date: ~~02~~03-2023

04

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 2.4346 hectare [Revised from 0.9943 ha] of forest land in Sy No.23 Gummalapalli Village, Mittemari Hobli and Sy No.51 Singappagarapalli Village, Sy No.26 Kamasanapalli Patapalya Hobli, Bagepalli Taluk, Chikkaballapur District for improvement of existing Road from Pathapalya to Polanayakanapalli via Singappagaripalli- Kamasanapalli- Gummallapalli Villages (CH:3.219 KM to 4.285 KM and Ch:7:2 KM to 8.929 Km) in favour of Executive Engineer, Project Division, Pradhan Mantri Gram Sadak Yojana (PMGSY), Karnataka Rural Road Development Agency (KRRDA), Chikkaballapur District, Chikkaballapur.

Proposal No. : FP/KA/ROAD/140781/2021

- Ref:**
1. Online proposal [FORM-A PART-I] dated 20-10-2022 (resubmitted) of the Executive Engineer, Project Division, Pradhan Mantri Gram Sadak Yojana (PMGSY), Karnataka Rural Road Development Agency (KRRDA), Chikkaballapur District, Chikkaballapur.
 2. This office online communication dated 05-12-2022 to Deputy Conservator of Forests, Chikkaballapur Division for further processing of the proposal
 3. Online submission of PART-II by Deputy Conservator of Forests, Chikkaballapur Division on 28-12-2022 [Letter No.

A3.Land.CR-75/2022-23 dated 06-12-2022& 03-02-2023(received in this office on 15-02-2023)

4. Online submission of PART-III by Chief Conservator of Forests, Bangalore Circle on 28-12-2022[Letter No. A11/Bhoomi/CR-45/2022-23 dated 23-12-2022]

1. The Executive Engineer, Project Division, Pradhan Mantri Gram Sadak Yojana (PMGSY), Karnataka Rural Road Development Agency (KRRDA), Chikkaballapur District, Chikkaballapur the authorized Applicant[USER AGENCY] has (re)submitted an online proposal [FORM-A PART-I] for approval under the Forest (Conservation) Act, 1980 for diversion of 2.4346 hectare [Revised from 0.9943 ha] of forest land in Sy No.23 Gummallapalli Village, Mittemari Hobli and Sy No. 51 Singappagarapalli Village, Sy No.26 Kamasanapalli Patapally Hobli, Bagepalli Taluk, Chikkaballapura District for improvement of existing Road from Pathapalya to Polanayakanapalli via Singappagaripalli- Kamasanapalli-Gummallapalli Villages (CH:3.219 KM to 4.285 KM and Ch:7:2 KM to 8.929 Km) vide Ref (1) on 20-10-2022. The same was accepted by Nodal Officer (FCA) on 21-11-2022 for further processing. After receiving the Acknowledgement online on 02-12-2022 for having delivered the hard copies of the proposal by the User Agency to the jurisdictional Deputy Conservators of Forests & Deputy Commissioners, the online link was forwarded by this office vide Ref (2) to the Deputy Conservator of Forests, Chikkaballapur Division for field verification and further processing under Section 2 of the Forest (Conservation) Act, 1980.
2. **Location details break up:** Location wise breakup of the forest land proposed for diversion is given below.

District, Taluk,	Hobli	Sy No & Village	Forest Land proposed for diversion (ha)	Status of Land
Chikkaballapur District & Bagepalli Taluk,	Patapalya	Sy No.51 of Singappagarapalli	1.6133	RF
		Sy No.26 of Kamasanapalli	0.0486	
	Mittemari	Sy No.23 of Gummallapalli	0.7727	
Total			2.4346	

3. **Component wise break up:** Component wise breakup of the forest land proposed for diversion are given below.

S.no	Component	Forest Land (ha.)
1	Drain Left Hand Side (LHS)	0.2567
2	Drain Right Hand Side(RHS)	0.2558
3	Shoulder Left Hand Side (LHS)	0.4811
4	Shoulder Right Hand Side (RHS)	0.48
5	Carriage Way	0.961
		2.4346

4. DCF, Chikkaballapur Division Report: The Deputy Conservator of Forests Chikkaballapur Division has inspected the spot on 30-07-2022 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 Chief Conservator of Forests, Bangalore Circle. Main features of the proposal based on the DCF Chikkaballapura Report r/w the report of the CCF, Bangalore Circle and that of the ICT Centre of Forest Department are as follows.

- a. The forest land proposed for diversion is in general landscape of Eco-Class-III with low Dense Forest.
- b. The proposed area falls within the Reserved Forest of Itakaladurga IVth Block.
- c. As per Item 4 (ii) of PART-II, there is no tree felling on the forest land proposed for diversion.
- d. The proposed site is slightly slopy, undulating and moderately prone to soil erosion.
- e. There is very sparse population of wild animals present in and around the forest land proposed for diversion that are Hare, Leopard, Sloth Bear, Wild Boar, Peacock, Monitor lizard, Owls etc.,
- f. The proposed forest land for diversion does not falls within the Eco-Sensitive Zone (ESZ) of any Wildlife Sanctuary.
- g. There is no National Park, Wildlife Sanctuary, Biosphere Reserve, Tiger Reserve, Elephant Corridor, Wildlife Mitigation Corridor, within one (1) Km distance from the boundary of the forest land proposed for diversion.
- h. There are no other rare / endangered / unique species of flora and fauna reported around the forest area proposed for diversion.
- i. There are no Protected/ Archaeological/ Heritage Sites/defence establishment located in the proposed area.

- j. The forest area proposed for diversion is the bare minimum and unavoidable.
- k. There is no violation reported under Forest (Conservation) Act, 1980.
5. **CCF, Bangalore Circle Report:** The Chief Conservator of Forests, Bangalore Circle has not inspected the proposed site but he has agreed with the recommendation made by the Deputy Conservator of Forests, Chikkaballapur Division and has recommended the proposal. The Chief Conservator of Forests, Bangalore Circle has submitted PART-III of the proposal vide Ref (4).
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. 5-2/2017-FC dated 28-03-2019. **The User Agency has submitted an Undertaking (dated 01-08-2022) to pay the charges towards Net Present Value (NPV) of the forest land proposed for diversion.**
7. **Compensatory Afforestation (CA):** The User Agency being a State Government Agency is required to provide an equivalent extent of non-forest land towards Compensatory Afforestation. Accordingly, the User Agency has identified the proposed non-forest land (Sarkari Gomala) to an extent 2.4346 ha i.e. 1.7524 ha in Sy No.53 of Singappagarapalli Village & 0.6822 ha in Sy No.62 of Devalavarapalli Village, Pathpalya Hobli, Bagepalli Taluk, Chikkaballapur District for Compensatory Afforestation purpose. The Assistant Commissioner, Chikkaballapur Sub-Division, Chikkaballapur vide letter No.LND.CR.111/2022-23 dated 12-09-2022 has requested the Deputy Commissioner, Chikkaballapur to reserve the non-forest land. The said non forest land will be transferred and mutated to Karnataka Forest Department after Stage-I approval by the User Agency.

The Deputy Conservator of Forests, Chikkaballapur Division has inspected the said non-forest land for raising CA on 30-07-2022 and the proposed non-forest land will support the prescribed planting density of 1000 plants per hectare as per the Suitability Certificate issued by the DCF on 01-08-2022. He has also submitted the CA Scheme.

Further, User Agency has provided the CA related information for the proposal. The CA details in the form of topo map, geo referenced map along with GPS readings of all corners, CA Suitability Certificate and CA scheme are enclosed herewith. Further, the User Agency has also submitted an undertaking dated 01-08-2022 to pay the Compensatory Afforestation charges.

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-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, Forests and Climate Change, New Delhi vide F.No. 5-2/2017-FC dated 28-03-2019. **The User Agency is being informed again to obtain the said certificate in prescribed format and submit a copy. The User Agency has submitted an Undertaking dated 01-08-2022 to submit the FRA certificate.**
9. Under the above circumstances and agreeing with recommendation of the field officers, **it is requested to consider according 'in-principle' (Stage-I) approval under Forest (Conservation) Act, 1980 for diversion of 2.4346 hectare [Revised from 0.9943 ha] of forest land in Sy No.23 Gummalapalli Village, Mittermari Hobli and Sy No. 51 Singappagarapalli Village, Sy No.26 Kamasanapalli Patapalya Hobli, Bagepalli Taluk, Chikkaballapur District for improvement of existing Road from Pathapalya to Polanayakanapalli via Singappagaripalli- Kamasanapalli-Gummallapalli Villages (CH:3.219 KM to 4.285 KM and Ch:7:2 KM to 8.929 Km) for a period of Twenty (20) years and subject to the production of RoFR certificate in FORM-I 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 **4** sets is submitted herewith for further needful.

Yours Faithfully


23/3
(R.K.Singh)

Principal Chief Conservator of Forests
(Head of Forest Force)

Copy to the:

1. Chief Conservator of Forests, Bangalore Circle, Bangalore for information.
2. Deputy Conservator of Forests, Chikkaballapur Division, for information.
3. The Executive Engineer, Pradhan Mantri Gram Sadak Yojana (PMGSY), Karnataka Rural Road Development Agency (KRRDA), Venugopalaswamy

Temple Road, Behind New Middle School, Chikkaballapur District-262101
[User Agency] for information.

4. The Executive Engineer, Pradhan Mantri Gram Sadak Yojana (PMGSY), No.441, 3rd Floor, IDSMT Layout, APMC Back Door, Chikkaballapur-562101 [Applicant] for information and further action to obtain and **produce the 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 vide F.No. 5-2/2017-FC dated 28-03-2019.**

Under the above circumstances and having with recommendation of the field officer, it is requested to consider according to the provisions of the Forest Conservation Act, 1980 for diversion of 2.5446 hectare (approx. 0.0011 sq. km) of forest land in 25 No. 13 Gunnapalli Village, Chikkaballapur District, Karnataka to the 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 verification and report in Annexure 'A'.

The field copy of the proposal along with the relevant documents is being submitted herewith for further action.


(R. K. Singh)
Principal Chief Conservator of Forests
(Head of Office)

- Copy to the:
1. Chief Conservator of Forests, Bangalore Circle, Bangalore for information.
 2. Deputy Conservator of Forests, Chikkaballapur Division for information.
 3. The Executive Engineer, Pradhan Mantri Gram Sadak Yojana (PMGSY), Chikkaballapur District, Karnataka for information.

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), Compensatory Afforestation (CA) charges, 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 User Agency shall provide for Display boards of specified dimensions and material at project cost for creating awareness on forest and wildlife issues and speed limits at regular intervals all along the Stretch within forest limits in consultation with the DCF.
5. No labour camp shall be established on the forest land.
6. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
7. The lessee shall not sub-lease, mortgage & hypothecate the forest area.
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. 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.
10. No residential or commercial buildings shall be permitted in the forest area proposed for diversion.
11. 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.
12. 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.
13. The Lessee shall ensure that no avoidable harm is caused to the fauna and flora in and around the proposed area.
14. No change in Land Use Plan shall be done unless prior approval of Government of India under FC Act is obtained.
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 and/or 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.



(R.K. Singh IFS)

02/3/23

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 diversion of 2.4346 hectare [Revised from 0.9943 ha] of forest land in Sy No.23 Gummalapalli Village, Mittermari Hobli and Sy No. 51 Singappagarapalli Village, Sy No.26 Kamasanapalli Patapalya Hobli, Bagepalli Taluk, Chikkaballapur District for improvement of existing Road from Pathapalya to Polanayakanapalli via Singappagaripalli-Kamasanapalli-Gummallapalli Villages (CH:3.219 KM to 4.285 KM and Ch:7:2 KM to 8.929 Km) in favour of Executive Engineer, Project Division, Pradhan Mantri Gram Sadak Yojana (PMGSY), Karnataka Rural Road Development Agency (KRRDA), Chikkaballapur District, Chikkaballapura for a period of Twenty (20) years and subject to the production of RoFR certificate in FORM-I 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/ROAD/140781/2021</p>
---	--

Signature:

Name:

Designation:



(VIJAYA SHARMA, IFS)

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

Signature:

Name:

Designation:


(R.K.SINGH, IFS) 3/3/23
Principal Chief Conservator of Forests
(Head of Forest Force)

N.D.O. No. /2022-23 (Official Seal)

Dated /02/2023