

GOVERNMENT OF KARNATAKA

/677066/2021ಕ್ರ.ಧಾನ ಮುಖ್ಯ ಅರಣ್ಯ ಸಂರಕ್ಷಣಾಧಿಕಾರಿ

(ಅರಣ್ಯ ಪಡೆ ಮುಖ್ಯಸ್ಥರು) ರವರ ಕಛೇರಿ

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



ಕರ್ನಾಟಕ
ಅರಣ್ಯ
ಇಲಾಖೆ

ಅರಣ್ಯ ಭವನ, 18ನೇ ಅಡ್ಡರಸ್ತೆ,

ಮಲ್ಲೇಶ್ವರಂ, ಬೆಂಗಳೂರು- 560003

AranyaBhavan, 18th Cross
Malleshwaram, Bengaluru-560 003

Telephone : 080 2334 6472

Email : apccffc@gmail.com

E-office File No. KFD/HoFF/A5-4(GFL)/14/2021-FC

E-501256

Date 30-09-2024

To,

The Additional Chief Secretary to Government
Forest, Ecology and Environment Department
M.S. Building, Dr. Ambedkar Veedhi, Bengaluru – 560 0 01.

Sub: Diversion of 18.60 ha of forest land in Sy No. 36 Bommavara Village and Sy No.124 of Akkupete Village, Kasaba Hobli, Devanahalli Taluk, Bengaluru Rural District for construction of the Rail Depot under Bengaluru-Sub-Urban Rail Project (BSRP) in favour of the Manager, Rail Infrastructure Development Company (Karnataka) Ltd., Samparka Soudha, 1st Floor, Opp. Orion Mall, Dr. Rajkumar Road, Rajajinagara 1st Block, Bengaluru-560 010.

Proposal No. FP/KA/RAIL/142190/2021 [Form-A]

- Ref:**
1. Online proposal [FORM-A PART-I] dated 05-04-2022 (resubmitted) of the Manager, Rail Infrastructure Development Company (Karnataka) Ltd., Samparka Soudha, Dr. Rajkumar Road, Rajajinagara Bengaluru.
 2. This office online communication dated 28-04-2022 to the Deputy Conservator of Forests, Bengaluru Rural Division for further processing of the proposal and EDS raised on 08-12-2023.
 3. Online submission of PART-II by the Deputy Conservator of Forests, Bengaluru Rural Division on 26-10-2023 [Letter No. A7.Land.Lease.BWSSB.CR-41/2021-22] (Received in this office on 05-09-2023) and EDS reply submitted on 26-08-2024.
 4. Online submission of PART-III by the Chief Conservator of Forests, Bengaluru Circle on 08-11-2023 [Letter No. A11/Bhoomi/CR-42/2023-24 dated 02-09-2023] (Received in this office on 08-09-2023) and EDS reply submitted on 29-08-2024.

1. The Manager, Rail Infrastructure Development Company (Karnataka) Ltd., Samparka Soudha, 1st Floor, Opp. Orion Mall, Dr. Rajkumar Road, Rajajinagara 1st Block, Bengaluru-560 010 as authorized Applicant [USER AGENCY] has (re)submitted an online proposal [FORM-A PART-I] vide Ref (1) on 05-04-2022 approval under the Forest (Conservation) Act, 1980 for diversion of 18.60 ha of forest land in Sy No.124 of Akkupete Village, Kasaba Hobli, Devanahalli Taluk, Bengaluru Rural District for

C
30/09/24

11
30/09/24

/677066/2024

construction of the Rail Depot under Bengaluru-Sub-Urban Rail Project (BSRP) in favour of the Manager, Rail Infrastructure Development Company (Karnataka) Ltd., Samparka Soudha, Dr. Rajkumar Road, Rajajinagara Bengaluru. The same was accepted by Nodal Officer (FCA) on 16-04-2022 for further processing. After receiving the Acknowledgement online on 22-04-2022 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) dt:28-04-2022 to the Deputy Conservator of Forests, Bengaluru Rural Division for field verification and further processing under Section 2 of the Forest (Conservation) Act, 1980. Further regarding CA land details EDS raised by this office vide Ref (2) dt:08-12-2023. In turn reply submitted by the Deputy Conservator of Forests, Bengaluru Rural Division and the Conservator of Forests, Bengaluru Circle vide Ref (3) dt:26-08-2024 and 29-08-2024 respectively.

2. The **Location details:** Location details of the forest land proposed for diversion are given below.

District, Taluk, Hobli	Village	Sy No.	Forest Land proposed for diversion (ha)	Status of Land
Bengaluru Rural District, Devanahalli Taluk, Kasaba Hobli	Akkupete	124	18.60	Reserve Forest
Total			18.60	

3. **DCF, Bengaluru Rural Division Report:** The Deputy Conservator of Forests Bengaluru Rural Division has inspected the spot on 20-10-2023 & has submitted the Site Inspection Report. Further, ***DCF Bengaluru Rural Division has not recommended the proposal due to felling of huge number (17,615) trees*** (the major trees / Species are Aala, Basavanapada, Honge, Kamara, Nerale, Godambi, Sanna bidiru, Acacia & Nilgiri). The details are submitted in the form of PART-II of the proposal vide Ref (3) to the Chief Conservator of Forests, Bengaluru Circle. Main features of the proposal based on the DCF Bengaluru Rural Report r/w the report of the CCF, Bengaluru 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-III (Tropical dry deciduous Forests) with low Dense Forest (0.7 canopy density).
- The proposed area falls within Reserve Forest.
- 17615 trees to be felled on the forest land proposed for diversion, which affects the flora, fauna and micro climate of the forest.
- There are no other rare / endangered / unique species of flora and fauna. However, spotted deer, Wild Cat, Wild boar, Hare, different species of snakes, birds, insects and Peafowl are present in and around the forest land proposed for diversion.
- The proposed area is not located in national park, wildlife sanctuary, biosphere reserve, tiger reserve, elephant corridor, wildlife migration corridor etc., & it is

20/01/24

/677066/2024

not located within 1 Km. from boundary of the forest land proposed for diversion

- f. As per the forest land proposed for diversion, it does not fall within the Eco-Sensitive Zone (ESZ) of any Wildlife Sanctuary.
- g. There are no Protected/ Archaeological/ Heritage Sites/defence establishment located in the proposed area.
- h. The forest area proposed for diversion is the bare minimum and unavoidable.
- i. There is no violation reported under the Forest (Conservation) Act, 1980.

4. **CCF, Bengaluru Circle Report:** The Chief Conservator of Forests, Bengaluru Circle has vide Ref (4) has submitted PART-III in online and 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. 5-2/2017-FC dated 28-03-2019. **The User Agency has submitted an Undertaking dated 25-11-2021 to pay the charges towards Net Present Value (NPV) of the forest land proposed for diversion.**

6. **Compensatory Afforestation (CA):** The User Agency being a State Public Sector Unit (State PSU) Agency is required to provide an equivalent extent of non-forest land towards Compensatory Afforestation. Accordingly, the User Agency has identified the non-forest land to an extent **18.61 ha (46-00 Acres) in Sy No.65 of Sasulu Village, Sasulu Hobli, Doddaballapura Taluk, Bengaluru Rural District** for raising Compensatory Afforestation. Further, the Deputy Commissioner, Bengaluru Rural District has transferred the non-forest (i.e, Sarkari Hullu Banni Karaba) land to Karnataka Forest Department vide O.M No:FOR/CR-04/2021-22 dated 10-03-2022.

Further, DCF has reported that the above said area is slopy, wooded stony area and not suitable for raising CA. Hence, an alternative degraded forest land of area 37.20 ha is identified in Adagal State Forest, Sy.No. 70 of Diguamarampalli Village and Sy.No. 73 of Thimmalapalli Village, Nelavanki Hobli, Srinivaspura Taluk, Kolar Division for raising Compensatory Afforestation. The CA details in the form of topo map, geo referenced map along with GPS readings of all corners of both Non-Forest land and degraded forest land with CA Suitability Certificate and CA scheme issued by DCF, Kolar is uploaded in Part-I & Part-II. Further, User Agency has also submitted an undertaking dated: 25-06-2021 to pay the Compensatory Afforestation Charges.

7. **Status of RoFR compliance:** With regard to compliance of the provisions of Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forests

30/09/21

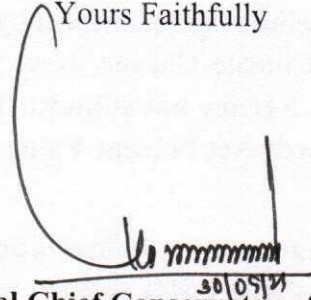
/677066/2024

Rights) Act 2006 and Rules 2008, the User Agency has furnished the requisite **Certificate in FORM-II (for Non-Linear projects)** issued by the jurisdictional Deputy Commissioner, Bengaluru Rural District vide certificate No:FOR/CR/04/2021-22 dated 19-03-2021 to an extent is **18.60 ha** (Copy enclosed) 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 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 18.60 ha of forest land in Sy No.124 of Akkupete Village, Kasaba Hobli, Devanahalli Taluk, Bengaluru Rural District for construction of the Rail Depot under Bengaluru-Sub-Urban Rail Project (BSRP) in favour of the Manager, Rail Infrastructure Development Company (Karnataka) Ltd., Samparka Soudha, Dr. Rajkumar Road, Rajajinagara Bengaluru for a **period of Twenty (20) years** and also subject to conditions appended in Annexure 'A'.

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

Yours Faithfully



Principal Chief Conservator of Forests
(Head of Forest Force)

Copy to the:

1. Conservator of Forests, Bengaluru Circle, Bengaluru for information.
2. Deputy Conservator of Forests, Bengaluru Rural Division, for information.
3. The Manager, Rail Infrastructure Development Company (Karnataka) Ltd., Samparka Soudha, 1st Floore, Opp. Orion mall, Dr. Rajkumar Road, Rajajinagara, 1st Block, Bengaluru-560 010 for information.

/677066/2024

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 of 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 in and 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) 30/01/24Principal Chief Conservator of Forests
(Head of Forest Force)

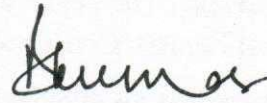
/677066/2024

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>(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).</p>	<p>The Nodal officer has not inspected the site personally. However, agreeing with the recommendation made by the Chief Conservator of Forests, Bengaluru Circle, Bengaluru has hereby recommended for diversion of 18.60 ha of forest land in Sy No.124 of Akkupete Village, Kasaba Hobli, Devanahalli Taluk, Bengaluru Rural District for construction of the Rail Depot under Bengaluru-Sub-Urban Rail Project (BSRP) in favour of the Manager, Rail Infrastructure Development Company (Karnataka) Ltd., Samparka Soudha, Dr. Rajkumar Road, Rajaji nagara Bengaluru for a period of Twenty (20) and also subject to conditions appended in Annexure 'A'.</p> <p>Proposal No. FP/KA/RAIL/142190/2021.</p>
--	--

Signature:



Name:

(Brijesh Kumar)

Designation:

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

Signed by

Brijesh Kumar Dikshit

Signature:

Date: 23-09-2024 11:06:14

Name:

(Brijesh Kumar Dikshit)

Designation:

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

N.D.O. No. 32/2024-25

Dated 30/09/2024