

PART – IV

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

Detailed opinion & specific recommendation of the State Forest Department for acceptance or otherwise of the proposal with remarks.

(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).

Recommended for Diversion of 0.03945 ha. of forest land for electrification of un-electrified Muleyur Hadi Hamlet at Hunsur Division in Mysore District under DDG Scheme in favour of the Executive Engineer, Chamundeshwari Electricity Supply Corporation Limited (CESC), O&M, Bypass Road, Hunsur under the Forest (Conservation) Act, 1980 subject to the conditions appended in Annexure 'A'.

Signature:

Name:

P. ANUR REDDY, IFS.,

Designation:

Nodal Officer &

Additional Principal Chief Conservator of Forests
(Forest Conservation), Bengaluru.

Signature:

Name:

R. S. SURESH, IFS.,

Designation:

Principal Chief Conservator of Forests
(Head of Forest Force), Bengaluru.

(Official Seal):

N.D.O. No. 22/2016-17

Date: 07-12-2016.



No: A5(3).GFL.CR.30/2015-16

Encl: 3 Sets

Office of the
Principal Chief Conservator of Forests
(Head of Forest Force)
Aranya Bhawan, Malleshwaram, 18th Cross
Bangalore-560 003, dated: 7-12-2016.

To

The Additional Chief Secretary to Government
Department of Forest, Ecology and Environment,
M.S. Building,
Bangalore - 560001.

Sir,

Sub: Diversion of 0.03945 ha. of forest land for electrification of un-electrified Muleyur Hadi Hamlet at Hunsur Division in Mysore District under DDG Scheme in favour of the Executive Engineer, Chamundeshwari Electricity Supply Corporation Limited (CESC), O&M, Bypass Road, Hunsur.

- Ref: 1. Letter dated 04-06-2016 of the General Manager, Project Chamundeshwari Electricity Supply Corporation Limited (CESC), Mysore
2. Letter No. FCS/ELEC CONNEC/CR-7/2016-17 dated 24-10-2016 of Additional Principal Chief Conservator of Forests, (Project Tiger), Mysore.

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The Executive Engineer, Chamundeshwari Electricity Supply Corporation Limited (CESC), O&M, Bypass Road, Hunsur has submitted the proposal seeking approval under Forest (Conservation) Act, 1980 vide letter under reference (1) above. After examining, the Conservator of Forests & Director, Rajiv Gandhi National Park, Hunsur & the Additional Principal Chief Conservator of Forests, (Project Tiger), Mysore has submitted the proposal for diversion of diversion of 0.03945 ha. of forest land for electrification of un-electrified Muleyur Hadi Hamlet at Hunsur Division in Mysore District under DDG Scheme in favour of the Executive Engineer, Chamundeshwari Electricity Supply Corporation Limited (CESC), O&M, Bypass Road, Hunsur Taluk, Mysore District under the Forest (Conservation) Act, 1980.

The details of the forest land required are as under:

Sl. No.	Name of the			Sy. No.	Status of forest land	Extent (In ha.)
	District	Taluk	Village			
1	Mysore	Hunsur	Muleyur Hadi Hamlet	-	Kakanakote RF	0.03945
					Total	0.03945

The Conservator of Forests, Rajiv Gandhi National Park, Hunsur has inspected the site on 14-08-2016 and furnished the details in Form-A Part-II as under:

1. The requirement of forest land proposed by the User Agency is unavoidable and barest minimum for the project.
2. The proposed forest area falls under Eco-Class- I (Open forest).
3. Tiger, Elephants, Indian Gaur, Sambar, Spotted Deer, Leopard, Wild dog endangered species is found in the proposed area.
4. There is no rare / endangered / unique species of flora is found in the area proposed for diversion.
5. There are No trees on the proposed forest land for diversion.
6. There are no protected / archeological / heritage sites or defence establishments or important monuments in the area (However the proposed area is close to Kabini dam back waters).
7. The proposed forest area comes under Tiger Reserve.
8. The area is not vulnerable to soil erosion.
9. There is no violation reported under Forest Conservation Act 1980.

The Conservator of Forests, Rajiv Gandhi National Park, Hunsur mention that the proposed area is comes under Reserve Forest (Kakanakote RF), there is fauna in the area and there will not be any damage to the environment. The project is for providing Solar Power to Tribal Hadis, which is very small and minimum area, the above proposal recommended for diversion to non-forestry purpose.

Proposed forest land demanded for the said project is less than 1.00 ha., therefore the proposal is exempted from raising of Compensatory Afforestation, As per guidelines issued to Forest (Conservation) Act, 1980 by Ministry of Environment and Forest, Government of India vide para 3.2 (viii) (b) of the FC Rules – 2003.

Further, the user agency has furnished necessary undertakings to bear the cost of CA / Additional Net Present Value and the same are enclosed to the proposal.

Under the above circumstances, it is requested to kindly accord approval for Diversion of 0.03945 ha. of forest land for electrification of un-eletrified Muleyur Hadi Hamlet at Hunsur Division in Mysore District under DDG Scheme in favour of the Executive Engineer, Chamundeshwari Electricity Supply Corporation Limited (CESC), O&M, Bypass Road, Hunsur under Section 2 of the Forest (Conservation) Act, 1980 as per General Approval dated 13-02-2014 of Government of India, for a period of 20 Years, **subject to approval from the National Board for Wildlife and production of FRA certificate in Form-I issued by the Deputy Commissioner, Mysore District as per guidelines issued by Ministry of Environment and Forest, New Delhi vide letter No. 11-9/98-FC(Pt) dated 05-07-2013 by the User Agency** and also subject to the specific Conditions as appended in Annexure-'A'.

The proforma particulars along with relevant documents in 3 sets are submitted herewith for kind perusal and further action.

Yours faithfully,


Principal Chief Conservator of Forests
(Head of Forest Force), Bangalore.

ANNEXURE 'A'

1. The legal status of Forest land shall remain unchanged and it shall continue to be as forest land.
2. The lessee shall pay lease rent as fixed by the Govt. from time to time.
3. The lease tenure is for a period of 20 (twenty) years.
4. 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 one year or when it is no longer needed for the stipulated purpose, the area shall be resumed back. The concerned Conservator of Forests / Deputy Conservator of Forests is authorized to take necessary action in this regard.
5. In case any violations are committed by the user agency under any of the Forest Acts and rules, the proposed Forest Land shall be liable for forfeiture under Section 82 of Karnataka Forest Act 1963. The concerned Chief Conservator of Forests is authorized to take necessary action in this regard.
6. No residential buildings shall be permitted in the proposed forest area.
7. The Karnataka Forest Act, 1963 and Rules, 1969 and other relevant Acts & Rules will be applicable for any violation.
8. The User Agency has to pay the Net Present Value (NPV) of forest land diverted under this proposal as per conditions stipulated by Government of India, Ministry of Environment and Forests, New Delhi vide letter No. 11-9/98-FC dated 13-02-2014 and orders dated 28-3-2008 and 9-5-2008 of the Hon'ble Supreme Court of India.
9. The User Agency shall ensure that there should be no damage to the available fauna and other flora.
10. No labour camp shall be established on the forest land.
11. Any damage to forest area due to such works shall be compensated by the User Agency. The extent of damage shall be assessed by the concerned Deputy Conservator of Forests.
12. The lessee shall not sub-lease, mortgage or hypothecate the forest area.
13. The User Agency shall also abide by all the conditions imposed upon by Government of India, the Government of Karnataka and the Principal Chief Conservator of Forests (Head of Forest Force).


Principal Chief Conservator of Forests
(Head of Forest Force), Bangalore.