

ಕರ್ನಾಟಕ ಸರ್ಕಾರ
GOVERNMENT OF KARNATAKA

ಪ್ರಧಾನ ಮುಖ್ಯ ಅರಣ್ಯ
ಸಂರಕ್ಷಣಾಧಿಕಾರಿ
(ಅರಣ್ಯ ಪಡೆ ಮುಖ್ಯಸ್ಥರು) ರವರ
ಕಚೇರಿ
Office of
Principal Chief Conservator of
Forests
(Head of Forest Force)



ಅರಣ್ಯ ಭವನ, 18ನೇ ಅಡ್ಡರಸ್ತೆ
ಮಲ್ಲೇಶ್ವರಂ, ಬೆಂಗಳೂರು-560 003.
Aranya Bhavan, 18th Cross
Malleshwaram, Bengaluru-560 003
Telephone: 080 2334 6472
Email : apccffc@gmail.com

E-office File No. KFD/HoFF/A5-4(GFL)/59/2019-FC

E-107705

Enclosures 5-5 sets

Date 06-10-2020

07-10-2020

To,

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

Sir,

Sub: Diversion of 1.0938 hectare of forest land in Sy No. 209 of Amble village and Hobli, Chikkamagaluru Taluk and District (Chikkamagaluru Forest Division) for laying of New Broad Gauge Line from Chikkamagaluru to Belur in favour of Deputy Chief Engineer (Construction) West, South Western Railway, Bengaluru

Proposal No. FP/KA/RAIL/40302/2019 [FORM-A]

- Ref:**
1. Online Proposal [FORM-A PART-I] dated 17-01-2020 (re-submitted) of the Deputy Chief Engineer (Construction) West, South Western Railway, Bengaluru r/w uploading of Acknowledgement on 03-03-2020 for having delivered the hard copies of proposal to jurisdictional Deputy Conservators of Forests and Deputy Commissioner
 2. This office online communication dated 10-03-2020 to Deputy Conservator(s) of Forests, Chikkamagaluru and Hassan Division(s) for further processing of the proposal
 3. Online submission of PART-II by Deputy Conservator of Forests, Chikkamagaluru Division on 06-07-2020 r/w online reply dated 23-06-2020 by User Agency to the EDS query [Letter No. B4/Railway/CR-21/2018-19 dated 06-07-2020]
 4. Online submission of PART-II by Deputy Conservator of Forests, Hassan Division on 05-08-2020 [Letter No. B4/DMN/FC/CR-13 /2020-21 dated 05-08-2020]
 5. Online submission of PART-III by Chief Conservator of Forests, Chikkamagaluru Circle on 27-08-2020 [Letter No. A10/LND/Railway/CR-4/2020-21 dated 19-08-2020]

6. Online submission of PART-III by Chief Conservator of Forests, Hassan Circle on 27-08-2020 [Letter No. A8/LAND/CR-11/2020-21 dated 20-08-2020]

1. The Deputy Chief Engineer (Construction West-I), South Western Railway, Bengaluru [USER AGENCY] vide Ref (1) has (re)submitted an online proposal [FORM-A PART-I] through FC Web Portal seeking approval under Section 2 of the Forest (Conservation) Act, 1980 for diversion of 1.0938 hectare of forest land in Sy No. 209 of Ambale village and Hobli, Chikkamagaluru Taluk and District (Chikkamagaluru Forest Division) for laying of New Broad Gauge Line from Chikkamagaluru to Belur. After acceptance of the proposal by Nodal Officer (FCA) for further processing, the User Agency has delivered the hard copies of the proposal to Deputy Conservator of Forests, Chikkamagaluru Division and Deputy Commissioner, Chikkamagaluru District and also to Deputy Conservator of Forests, Hassan Division and Deputy Commissioner, Hassan District and has uploaded the Acknowledgment on the web portal on 03-03-2020. Accordingly, an online communication was made by Nodal Officer (FCA) vide Ref (2) to the Deputy Conservator of Forests, Chikkamagaluru Division and Deputy Conservator of Forests, Hassan Division for further processing of the proposal under FC Act.

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

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

District, Taluk, Hobli	Village	Sy No.	Name of Project Components	Forest extent proposed for diversion (ha)	Legal Status of land
Chikkamagaluru District, Chikkamagaluru Taluk, Ambale Hobli	Ambale	209	New Broad Gauge Line [Length - 155 m]	1.0938	Deemed Forest*
Total				1.0938	

3. **DCF, Hassan Division Report:** The Deputy Conservator of Forests, Hassan Division, Hassan has vide Ref (3) reported that the site has been inspected by the Range Forest Officer, Beluru and Deputy Range Forest Officer, Beluru Section and as per their report, no forest land comes in between Chikkamagaluru to Beluru proposed Railway line in Hassan Division.

4. **DCF, Chikkamagaluru Division Report:** The Deputy Conservator of Forests, Chikkamagaluru Division has inspected the site on 15-04-2020 and vide Ref (3) has submitted his report along with recommendation in PART-II to the Conservator of Forests, Chikkamagaluru Circle. Main features of the proposal based upon the Deputy Conservator of Forests, Chikkamagaluru report r/w report

of Conservator of Forests, Chikkamagaluru Circle and that of ICT Centre of Forest Department are summarized below.

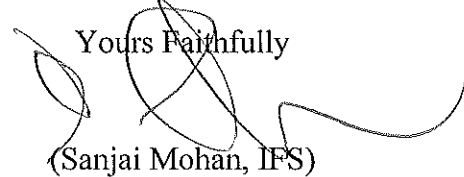
- a. The forest land proposed for diversion is a plain land not prone to soil erosion.
 - b. The forest land proposed for diversion is in general landscape of Eco-class III (Tropical Dry Deciduous Forests) with Open Forest (Canopy Density of <0.4).
 - c. As per Item 4(ii) of PART-II, there are 220 trees in different girth classes in the forest land proposed for diversion. Major species include *Acacia auriculiformis*, *Eucalyptus* spp. and *Cassia siamea*.
 - d. Major wild animal present in and around the project area is the Wild pig.
 - e. There are no rare / endangered / unique species of flora and fauna reported in and around the forest land proposed for diversion.
 - f. There are no rare / endangered / unique species of flora and fauna reported in and around the forest land proposed for diversion.
 - g. 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.
 - h. There are no National Park/ Wildlife Sanctuary/ Biosphere Reserve/ Tiger Reserve/ Elephant Corridor/ Wildlife Migration Corridor within one kilometre from the boundary of the forest land proposed for diversion.
 - i. The forest land proposed for diversion is not located within Eco-Sensitive Zone (ESZ) of any Protected Area notified under Wildlife (Protection) Act, 1972.
 - j. There are no Protected/ Archaeological/ Heritage Sites/ Defence establishments located in the proposed area.
 - k. The forest area proposed for diversion is the bare minimum and unavoidable.
 - l. There is no violation reported under Forest (Conservation) Act, 1980.
5. **CCF, Hassan Circle Report:** The Chief Conservator of Forests, Hassan Circle has not inspected the site personally. However, agreeing with the report of the Deputy Conservator of Forests, Hassan as per his report no forest land comes in between Chikkamagaluru to Beluru proposed Railway line and the same is forwarded to this office vide Ref (4).
6. **CF, Chikkamagaluru Circle Report:** The Conservator of Forests, Chikkamagaluru Circle has inspected the site on 19-08-2020. Agreeing with the recommendation of the Deputy Conservator of Forests, Chikkamagaluru Division,

the Conservator of Forests, Chikkamagaluru Circle has also recommended the proposal. Specific comments of the Conservator of Forests, Chikkamagaluru Circle are mentioned in PART-III of the proposal cited at Ref (4) above.

7. **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 uploaded/submitted an Undertaking dated 03-09-2019 agreeing to pay the Net Present Value (NPV) of the forest land proposed for diversion.**
8. **Compensatory Afforestation (CA):** In accordance with the provisions of Para 2.5(i)(a) 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 exempted from the requirement of providing the non-forest land for Compensatory Afforestation purpose and the Compensatory Afforestation can be raised and maintained at the cost of User Agency on degraded forest land twice in extent of the forest area proposed for diversion. Accordingly, **the Deputy Conservator of Forests, Chikkamagaluru Division has identified a gross area of 4.02 hectare of Degraded Forest Land (out of which net area suitable for planting is only 2.1876 hectare) in S.Bidare Village Sy No. 180, (Sindigere Reserve Forest), Sakarayapattana Hobli, Kadur Taluk, Chikkamagaluru District and Forest Division for raising CA. The Deputy Conservator of Forests, Chikkamagaluru Division has uploaded the CA related information (KML file and Maps) online in PART-II of the proposal. The CA related documents (Topo Map, Geo-referenced Map along with GPS readings of all corners, CA Suitability Certificate dated 30-06-2020 and CA Scheme are enclosed herewith. The User Agency has also uploaded /submitted an Undertaking dated 03-09-2020 to pay the Compensatory Afforestation charges.**
9. **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 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. However, the User Agency has submitted an Undertaking dated 06-05-2019 to obtain the required Certificate from the Deputy Commissioner and submit it. **The User Agency is being informed again to obtain the said certificate in prescribed format and submit the same.**

Chikkamagaluru Taluk and District (Chikkamagaluru Forest Division) for laying of New Broad Gauge Line from Chikkamagaluru to Belur in favour of Deputy Chief Engineer (Construction) West, South Western Railway, Bengaluru for a period of 20 years subject to submission of FRA Certificate in FORM-I (for Linear projects) and further subject to the 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. The present status of the proposal obtained from the FC web portal is also appended for information.

Yours Faithfully


(Sanjai Mohan, IFS)
Principal Chief Conservator of Forests
(Head of Forest Force)

ok
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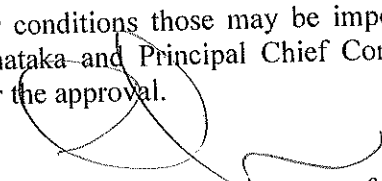
1. Conservator of Forests, Chikkamagaluru and Hassan Circles for information.
2. Deputy Conservator(s) of Forests, Chikkamagaluru / Hassan Divisions for information.
3. The Deputy Chief Engineer (Construction) West-I, South Western Railway, No.18 Millers Road, Benson Town Post, Bengaluru - 560 046 for information and with a request to obtain and submit the FRA Certificate in FORM-I (for Linear Projects) from the Deputy Commissioner, Chikkamagalur District as mentioned above at the earliest.

PS

7-10-2020

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 (if any), 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 Lessee shall provide signages in appropriate dimensions and nature on both sides of the transmission line within forest limits for sensitisation of general public towards the forest, wildlife and environmental issues in consultation with the jurisdictional Deputy Conservator of Forests
6. 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.
7. No change in Land Use Plan on forest land shall be done except with prior approval of Government of India under FC Act 1980.
8. 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.
9. No residential or commercial buildings shall be permitted in the forest area proposed for diversion.
10. 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.
11. 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.
12. The Lessee shall ensure that no avoidable harm is caused to the fauna and flora in and around the proposed area.
13. 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.
14. The approval under the Forest (Conservation) Act, 1980 is subject to any other clearances necessary under the prevailing statutes.
15. 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.


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 with the Government of India for according 'in-principle' (Stage-I) approval for diversion of 1.0938 hectare of forest land in Sy No. 209 of Amble village and Hobli, Chikkamagaluru Taluk and District (Chikkamagaluru Forest Division) for laying of New Broad Gauge Line from Chikkamagaluru to Belur in favour of Deputy Chief Engineer (Construction) West, South Western Railway, Bengaluru for a period of 20 years subject to submission of FRA Certificate in FORM-I (for Linear projects) and further subject to the conditions appended in Annexure 'A'.</p> <p>[Proposal No. FP/KA/RAIL/40305/2019]</p>
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Signature:



Name:

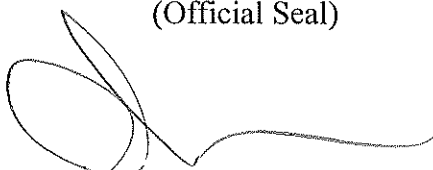
(RAJIV RANJAN, IFS)

Designation:

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

(Official Seal)

Countersigned by :



Name:

(SANJAI MOHAN, IFS)

Designation:

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

(Official Seal)

N.D.O. No: 67/2020-21

Date: 07-10-2020

