

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 ಅಡ್ಡ ರಸ್ತೆ,

ಮಲ್ಲೇಶ್ವರಂ, ಬೆಂಗಳೂರು-560003

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E-office File No. KFD/HOFF/A52K(GFL)/6/2021-FC-KFD

Encl. 3 sets proposals

E- 449913

Date 04-11-2021

69

To,

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

Sir,

**Sub:** Diversion of 0.90 Hectare of Forest Land in Survey no 517 A1 of Honnavar town, Uttara Kannada District (Honnavar Forest Division) for Construction of RTO Office and Building in favour of Commissioner for Transport, Shanthi Nagar, Bangalore  
**Proposal No. FP/KA/Others/124291/2021**

- Ref:**
1. Online proposal [FORM-A PART-I] dated 24-07-2021 (resubmitted) of the Commissioner for Transport, Shanthi Nagar, Bangalore and uploading of Acknowledgment on 17-08-2021 for submission of hard copies of proposal to jurisdictional Deputy Conservator of Forests and Deputy Commissioner
  2. This office's online communication dated 19-08-2021 to Deputy Conservator of Forests, Honnavar Division for further processing of the proposal
  3. Online submission of PART-II on 20-09-2021 by Deputy Conservator of Forests, Honnavar Division [letter No. B2/GFL/CR-05/2021-22/ dated 18-09-2021]
  4. Online submission of PART-III on 07-10-2021 by the Chief Conservator of Forests, Kanara Circle [letter No. B2/GFL/RTO/CR-15/2021-22 dated 05-10-2021]

1. The Commissioner for Transport, Shanthi Nagar, Bangalore [USER AGENCY] has (re)submitted an online proposal [FORM-A PART-I] vide Ref (1) on 24-07-2021 seeking approval under the Forest (Conservation) Act, 1980 for Diversion of 0.90 Hectare of Forest Land in Survey no 517 A1 of Honnavar town, Uttara Kannada District (Honnavar Forest Division) for Construction of RTO Office and Building. The same was accepted by Nodal Officer (FCA) on 06-08-2021 for further processing. After receiving the Acknowledgement online on 17-08-2021 from User Agency for



submission of 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, Honnavar 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
Uttara Kannada District, Honnavar Taluk, Honnavar Hobli	Honnavar	517 /A1	1	Office Building and Open Space	0.249	Reserved Forest
			2	Automated Driving Track for 4-Wheeler	0.257	
			3	Automated Driving Track for 2-Wheeler	0.221	
			4	Approach Road	0.07	
			5	Fitness and registration vehicle parking	0.07	
			6	Borewell pump	0.007	
			7	Staff vehicle parking	0.023	
			8	Septic tank and soak pit	0.002	
Total					0.90	

3. **DCF, Honnavar Division Report:** The Deputy Conservator of Forests Honnavar Division has inspected the spot on 18-09-2021 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 Chief Conservator of Forests, Kanara Circle. Main features of the proposal based on the DCF, Honnavar Report r/w the report of the CCF, 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 Dense Forest (canopy density upto 0.01)
- As per Item 4(ii) of PART-II, there are 19 trees in different girth classes in the forest land proposed for diversion. Main species include *Acacia auriciloformis*, *Ficus benghalensis*, *Ficus religiosa*, *Peltosform pterocarpum*, *Samania saman*, *Tectona grandis*, and species.
- Heavy downpour during the month of monsoon with heavy inflow of rain water through network of streams is an evident phenomenon. The flooding water washes away the top soil.
- There are no major wild animals found in and around the project area.



- e. There are no other rare / endangered / unique species of flora and fauna reported around the forest area proposed for diversion.
  - f. 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.
  - g. 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.
  - h. The forest land proposed for diversion is not located within Eco-Sensitive Zone (ESZ) of any Protected Area notified under Wildlife (Protection) Act, 1972.
  - i. There are no Protected/ Archaeological/ Heritage Sites/ Defence establishments 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.
4. **CCF, Kanara Circle Report:** The Chief Conservator of Forests, Kanara Circle has inspected the proposed area personally on 04-10-2021 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, Honnavar Division, the Chief 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. 5-2/2017-FC dated 28-03-2019. **The User Agency has submitted an Undertaking dated 25-01-2021 agreeing to pay the Net Present Value (NPV) of the forest land proposed for diversion.**
6. **Compensatory Afforestation (CA):** Present proposal involves diversion of within one hectare of forest land. The latest FC Guidelines are silent on the requirement of equivalent extent of non-forest land for the FC proposals involving diversion of forest land up to one hectare. However, Para 3.2(viii) of the immediately previous FC Guidelines exempted such proposals from requirement of raising CA. Therefore, the present FC proposal may also be exempted from the requirement of raising CA. However, Para 2.6 (i) of the latest FC guidelines mentioned above mandates that the cost of plantation (including ten years maintenance) of ten times the number of trees likely to be felled or specified number of trees as may be specified in the order for diversion of forest land (subject to a minimum number of 100 plants) shall be levied from the User Agency towards Compensatory planting. Accordingly, **the User Agency will be required to pay the applicable charges in accordance with the PCCF (HoFF) O.M. KFD/HOFF/A5-3(GFL)/34/2019-FC [E-88289] dated 19-04-2021.**



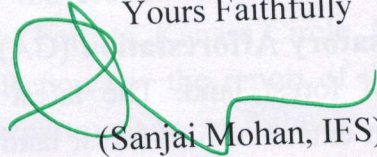
The User Agency has submitted an Undertaking dated 25-01-2021 agreeing to pay the required charges.

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 furnished the requisite **Certificate in FORM-II (for Non-linear/Hybrid 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 but has uploaded the undertaking to submit the said document. **The User Agency is being informed again 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 moving to Government of India seeking 'in-principle' (Stage-I) approval under Forest (Conservation) Act, 1980 for diversion of 0.90 Hectare of Forest Land in Survey no. 517 A1 of Honnavar town, Uttara Kannada District (Honnavar Forest Division) for Construction of RTO Office and Building in favour of Commissioner for Transport, Shanthi Nagar, Bangalore for a period of 20 years (or earlier as per actual use) subject to the production of RoFR certificate in FORM-II (for Non-linear/Hybrid 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 and also 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.

Yours Faithfully

  
(Sanjai Mohan, IFS) 8/11/21  
Principal Chief Conservator of Forests  
(Head of Forest Force)

**Copy to the:**

1. Chief Conservator of Forests, Kanara Circle Sirsi for information.
2. Deputy Conservator of Forests, Honnavar Division, Honnavar for information.
3. Commissioner for Transport, Shanthi Nagar, Bangalore for information

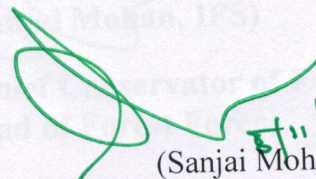
  
ದಾಖಲಾಗಿದೆ  
ಮುಖ್ಯ 9-11-2021  
3-50 PM

o/c



## 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 and 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 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.

  
(Sanjai Mohan, IFS)  
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 &amp; 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><b>Recommended for moving to Government of India seeking 'in-principle' (Stage-I) approval under Forest (Conservation) Act, 1980 for diversion of 0.90 Hectare of Forest Land in Survey no 517 A1 of Honnavar town, Uttara Kannada District (Honnavar Forest Division) for Construction of RTO Office and Building in favour of Commissioner for Transport, Shanthi Nagar, Bangalore for a period of 20 years (or earlier as per actual use) subject to the production of RoFR certificate in FORM-II (for Non-linear/Hybrid 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 and also subject to conditions appended in Annexure 'A'.</b></p> <p><b>Proposal No.: FP/KA/OTHERS/124291/2021</b></p>
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Signature:

Name:

**(Rajiv Ranjan, IFS)**

Designation:

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

Signature:

Name:

**(Sanjai Mohan, IFS)**

Designation:

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

N.D.O. No.: **28**/2021-22

(Official Seal)

Dated: **9** /11/2021