

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 ಅಡ್ಡ ರಸ್ತೆ, ಮಲ್ಲೇಶ್ವರಂ,
ಬೆಂಗಳೂರು-560 003.

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No. A5(2).GFL.CR-30/2016-17

Date: 11-01-2018

Proposal No. FP/KA/TRANS/21198/2016

To,

Em- 3 sets proposal.

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

Madam,

Sub: Diversion of **9.437 ha** of forest land in Sy. No. 92, 156, 157 & 159 of Marashettihalli Village, Gubbi Taluk, Tumakuru District for construction of 220/220 KV MC Narrow Based Towers for shifting 220KV B1, B2 & B3, B4 lines at proposed HAL factory land premises near Bidare Hallada Kavalu Village in favour of the Executive Engineer, Major Works Division, KPTCL, Tumakuru-reg.

- Ref: 1. Online proposal dated 28-02-2017 (resubmitted) of the Executive Engineer, Major Works Division, KPTCL, Tumakuru.
2. This office online communication dated 17-03-2017 to Deputy Conservator of Forests, Tumakuru Division, Tumakuru.
3. Letter No.A5/Land/Diversion/CR-20/2017-18 dated 24-10-2017 and online submission of PART-II by Deputy Conservator of Forests, Tumakuru Division, Tumakuru to Chief Conservator of Forests, Hassan Circle on 20-11-2017 and letter No.A5/Land/Diversion/CR-20/2017-18 dated 24-10-2017.
4. Letter No. A8:LAND:GFL/CR-76/2017-18 dated 30-11-2017 (Part-III) of the Chief Conservator of Forests, Hassan Circle, Hassan (Uploaded online 30-11-2017).

* * * * *

The Executive Engineer, Major Works Division, KPTCL, Tumakuru vide reference (1) has submitted a proposal through web portal mode for diversion of **9.437 ha** of forest land in Sy. No. 92, 156, 157 & 159 of Marashettihalli Village, Gubbi Taluk, Tumakuru District for construction of 220/220 KV MC narrow based towers for shifting 220KV B1, B2 & B3, B4 lines at proposed HAL factory land premises near Bidare Hallada Kavalu Village for obtaining approval under Forest (Conservation) Act, 1980. Accordingly, a communication through online was made by Nodal Officer vide reference (2) to the Deputy Conservator of Forests, Tumakuru Division, Tumakuru and Deputy Commissioner, Tumakuru District to process the said proposal and to submit their specific opinion / recommendations.

The Deputy Conservator of Forests, Tumakuru Division, Tumakuru vide reference (3) has submitted his online report (PART-II) along with his Site Inspection Report to Chief Conservator of Forests, Hassan Circle, Hassan.

In turn, the Chief Conservator of Forests, Hassan Circle has submitted his report (Part-III) and uploaded it online vide reference (4).

The proposal and the reports of field officers have been examined. The details of the proposal are given below:

Component-wise breakup	Village	Sy.No.	Length x Width (m)	Extent (in ha)	Status of forest land
Construction of 220 KV M/C Narrow Based Towers	Marashettaihalli	159	357x35	1.249	Reserved Forest
		157	416.65x35	1.458	
		156	815.53x35	2.855	
		92	1107.15x35	3.875	
Total				9.437	

The Deputy Conservator of Forests, Tumakuru Division has inspected the project site on 23-10-2017 and has reported the following:

1. Proposed area is the barest minimum and unavoidable.
2. Proposed forest area falls under as Eco-class-III Open forest.

3. 232 trees of various species like *Cassia siamea*, *Albizzia amara* (wrongly written as *Acacia catechu*), *Eucalyptus* etc., are required to be felled (abstract of enumeration enclosed).
4. The proposed area does not form a part of any declared National Park, Wildlife Sanctuary, Biosphere Reserve, and Tiger reserve or Elephant corridor.
5. There are no rare / endangered / unique species of flora and fauna in the proposed area.
6. There are no protected / archaeological / heritage sites / defence / establishments located in the proposed area.
7. The forest is not vulnerable to erosion.
8. There is no violation reported under Forest Conservation Act, 1980.

The Chief Conservator of Forests, Hassan Circle has inspected the site on 14-11-2017 and agreeing with the recommendations of the Deputy Conservator of Forests, Tumakuru Division has recommended the proposal for acceptance as it is in the interest of public.

As per para 3.2 (vi) (c) of FC guidelines the DCF, Tumakuru Division has identified degraded forest land twice in extent of the forest area being diverted at Sy. No. 110 of Hoovinakate Village, Chelur Hobli, Gubbi Taluk, Tumakuru District measuring 18.874 ha for Compensatory Afforestation. Further he has also submitted Compensatory Afforestation scheme for Rs. 55.617 lakhs alongwith location map of the proposed area. User Agency has agreed to pay the charges towards Compensatory Afforestation and has submitted an Undertaking in this regard.

Further, the User Agency has to pay the Net Present Value (NPV) of forest land being 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 28-03-2008 and 09-05-2008 of the Hon'ble Supreme Court of India in I.A.No. 826 in I.A. 566 in WP(C) No. 202/1995. User Agency has agreed to pay the charges towards Net Present Value (NPV) and has submitted an Undertaking in this regard.

With regard to compliance of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forests Rights) Act 2006 (No.2 of 2007) and Rules 2008 the User Agency has not furnished the requisite Certificate as per guidelines issued by the Ministry of Environment, Forest & CC, New Delhi vide letter No. 11-9/1198-FC(Pt) dated 03-08-2009/05-07-2013 Form-I. The User Agency is being informed to submit the same, at the earliest.

Under the above circumstances and agreeing with recommendation of the field officers, it is requested to move this proposal with the Government of India, Ministry of Environment, Forests and Climate Change, Regional Office (Southern Zone), Bengaluru, for according 'in-principle' (Stage-I) approval under Forest (Conservation) Act, 1980, for a period of thirty (30) years, subject to production of requisite Certificate under FRA, 2006 in Form-I issued by the Deputy Commissioner, Tumakuru District and other conditions listed in Annexure 'A'.

The proforma particulars along with the 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)

Copy to the Chief Conservator of Forests, Hassan Circle, Hassan for necessary action.

Copy to the Deputy Conservator of Forests, Tumakuru Division, Tumakuru for necessary action.

Copy to Executive Engineer, Major Works Division, Karnataka Power Transmission Corporation Limited (KPTCL), Kothithop Road, Tumkur for information and necessary action regarding furnishing of requisite Certificate under Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forests Rights) Act 2006 (No.2 of 2007) and Rules 2008 issued by the Deputy Commissioner, Tumakuru District at the earliest.

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 Government from time to time.
3. Below each conductor, width clearance of 3 mts. would be permitted for taking the tension stringing equipment. The tree on such strips would have to be felled but after stringing work is completed, natural regeneration will be allowed to come up. Felling/pollarding/ pruning of trees will be done with the permission of the local forest office wherever necessary to maintain the electrical distance. One outer strip shall be left clear to permit maintenance of the transmission line.
4. The lease tenure shall be 30 (thirty) years.
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 one year or when it is no longer needed for the stipulated purpose, the area shall be resumed back. The Chief Conservator of Forests / Deputy Conservator of Forests concerned is authorized to take necessary action in this regard.
6. In case any violations are committed by the user agency under the forest laws, the forest lease shall be liable for forfeiture under Section 82 of Karnataka Forest Act 1963.
7. Felling / pollarding / pruning of trees will be done with permission of the local forest officers, wherever necessary for preventing electrical hazards.
8. No constructions other than construction of transmission line shall be permitted in the proposed forest area.
9. The User Agency has to pay the Net Present Value (NPV) for forest land diverted.
10. Compensatory Afforestation as envisaged in the proposal shall be undertaken at the cost of User Agency.
11. The User Agency should pay the cost of felling, extraction and transportation of trees for execution of the project in accordance with the estimate prepared by the Deputy Conservator of Forests, Tumakuru Division. However, it shall also be ensured that minimum number of trees are felled for the project.
12. The User Agency shall ensure that there is no damage to the available fauna and other flora in and around the leased area. Any violation will be liable for action under relevant forest and any other laws.
13. No labour camp shall be established in the forest area.
14. All waste / debris generated shall be scientifically disposed off outside the forest area.
15. The User Agency is advised to limit the usage width and should take utmost care not to blast the underlaying rock strata to avoid damage to the environment.
16. All precautions shall be taken to ensure fire- protection of the forest while executing the works.
17. 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.
18. The lessee shall not sub-lease, mortgage or hypothecate the forest area.
19. The approval under the Forest (Conservation) Act, 1980 is subject to the clearance under the Environment (Protection) Act, 1986, if required.
20. The User Agency shall also abide by all the conditions imposed upon by Government of India, Government of Karnataka and the Principal Chief Conservator of Forests, (Head of Forest Force).


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>(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>Submitted for approval for diversion ^{9.437} ha of forest land in Sy. No. 92, 156, 157 & 159 of Marashettihalli Village, Gubbi Taluk, Tumakuru District for construction of 220/220 KV MC Narrow Based Towers for shifting 220KV B1, B2 & B3, B4 lines at proposed HAL factory land premises near Bidare Hallada Kavalu Village in favour of the Executive Engineer, Major Works Division, KPTCL, Tumakuru under the Forest (Conservation) Act, 1980 subject to compliance under FRA, 2006 and other conditions listed in Annexure 'A'</p>
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Signature: _____
Name: **JAGMOHAN SHARMA IFS**
Designation: **Additional Principal Chief Conservator of Forests
(Forest Conservation) and
Nodal Officer (FCA)**

(Official Seal):

Counter signed by : _____
Name: **ASHOK KUMAR GARG IFS**
Designation: **Principal Chief Conservator of Forests
(Head of Forest Force)**

(Official Seal):

N.D.O. No: 35 /2017-18.

Date: 12 -01-2018.

