

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-560003  
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E-office File No. KFD/HOFF/A5-6(GFL)/17/2019-FC

*encl: 3 sets of proposal hard copies*

**E-157587**

Date 19-02-2022

*14-3*

To,

The Additional Chief Secretary to Government  
Forest, Ecology and Environment Department  
M.S. Building, Dr. Ambedkar Veedhi, Bengaluru – 560 001

Sir,

**Sub:** Diversion of 0.84 hectare of forest land in Yavakapadi village Sy No. 43, Napoklu Hobli, Madikeri Taluk, Kodagu District for Approach Road in favour of Sri Bachamanda Uthaiah Poovanna, Kunjila Village, Kakkabbe Post, Madikeri Taluk, Kodagu District

**Proposal No. FP/KA/Others/43887/2020**

- Ref:**
1. Online proposal [FORM-A PART-I] dated 04-07-2020 (resubmitted) of Sri Bachamanda Uthaiah Poovanna, Kunjila Village, Kakkabbe Post, Madikeri Taluk, Kodagu District
  2. This office online communication dated 05-11-2020 to Deputy Conservator of Forests, Virajpet Division for further processing of the proposal
  3. Online submission of PART-II on 07-09-2021 by Deputy Conservator of Forests, Virajpet Division [letter No. DCF.Vpet/LND/CR-12/2021-22/2171 dated 12-11-2021]
  4. Online submission of PART-III on 30-12-2021 by the Chief Conservator of Forests, Kodagu Circle [letter No. Land/Road/GL-988/2019-2020 dated 20-12-2021]

1. Sri Bachamanda Uthaiah Poovanna, Kunjila Village, Kakkabbe Post, Madikeri Taluk, Kodagu District [USER AGENCY] has (re)submitted an online proposal [FORM-A PART-I] vide ref (1) on 04-07-2020 seeking approval under the Forest (Conservation) Act, 1980 for diversion of 0.84 hectare of forest land in Yavakapadi village Sy No. 43, Napoklu Hobli, Madikeri Taluk, Kodagu District (Virajpet Forest Division) for approach road to private land. The same was accepted by Nodal Officer (FCA) on 27-10-2020



for further processing. After receiving the acknowledgement online on 04-11-2020 from User Agency for having delivered the 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, Virajpet 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
Kodagu District, Madikeri Taluk, Napoklu Hobli	Yavakapadi	43	Carriage way	0.7	Reserved Forest
			Drain	0.14	
			<b>Total</b>	<b>0.84</b>	

3. **DCF, Virajpet Division Report:** The Deputy Conservator of Forests, Virajpet has inspected the spot on 13-01-2021 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, Kodagu. Main features of the proposal based on the DCF, Virajpet Report r/w the report of the CCF, Kodagu and that of the ICT Centre of Forest Department are as follows.

- As per Item 5 of PART-II, the proposed area has no special provision for diversion as prescribed in protection working circle.
- The forest land proposed for diversion is in general landscape of eco-class-I (topical evergreen forest) with very dense forest (0.9 canopy density).
- As per Item 4(ii) of PART-II, there are 740 trees in different girth classes in the forest land proposed for diversion. Main species include *Vateria indica*, *Mesua ferea*, *Hopea parviflora*, *Calamus rotang*
- As per the Item 8(ii) of Part-II, the major wild animals present in and around the forest land proposed for diversion are elephant, sambar deer, mouse deer, porcupine, pangolin, malabar joint squirrel, grey hornbill, wild boar, fish owl, fish otter.
- As per Item 8(iv) of PART-II, the area falls under the Padinalknadu Ghat Reserve Forest which is the eco sensitive zone of the Talacauvery



Wildlife Sanctuary which is the home to endangered species of Nilgiri Martin

- f. There are no protected/ archeological/ heritage sites/ defence establishments located in the proposed area.
  - g. As per the Item 6 of Part-II, the soil erosion of the forest area proposed for diversion will be more if any vehicular access is proposed.
  - h. There is no violation reported under Forest (Conservation) Act, 1980.
4. **CF, Kodagu Circle Report:** The Conservator of Forests, Kodagu agreeing with the rejection proposed by the Deputy Conservator of Forests, Virajpet, has also recommended for rejection of 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 08-01-2020 to pay the Net Present Value (NPV) of the forest land proposed for diversion.**
6. **Compensatory Afforestation (CA):** The forest area proposed for diversion is less than one hectare and is governed by para 3.2 (viii)(b) of the Government of India FC Guidelines (*old version, as the new version is silent in this regard*), which provides exemption from raising compensatory afforestation (CA). However, the Para 2.6(i) of the latest FC Guidelines mandates planting of ten times the number of trees likely to be felled (subject to a minimum of 100 plants). In present case, there are 740 trees on forest land as reported in Item 4(ii) of PART-II of the proposal. **The User Agency has submitted an undertaking dated 08-01-2020 to pay the charges in this regard.**
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 obtained/ furnished the requisite **Certificate in FORM-I (for linear 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. **The User Agency is being informed again to obtain the said certificate in prescribed format and submit a copy.**

Presently, all the older coffee plants have been cut at stump level, for coppicing, and the trees existing in the whole schedule property has been profusely pruned. User Agency has no objection to use the right of way as mentioned in the Coorg District Gazette Notification No. 35 dated 23rd April 1906 for Padinalkunadu Reserve forest, which is 3 feet wide. If ever private vehicle is



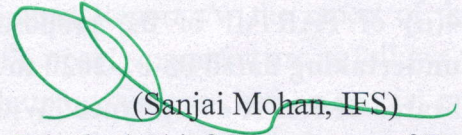
permitted within the reserve forest, there are 70 more enclosures situated in the whole of Padinalkunadu reserve forest, who will also be claiming for vehicle movement, which in future not only disturbs the habitat and movement of wild animals, there will be massive destruction of micro flora and fauna, which are endemic to this region, and the forest will be widely fragmented creating more of man-animal conflicts.

The forests of the western ghats constitute one of the most unique examples of the evergreen forest type of the world. In their wealth of endemic species these forests form a genetic reserve of fundamental importance. As there are 23 enclosures in the Makutta Range, if the department permit User Agency to have a vehicular access to their private land, question may arise as to consider other enclosure for the vehicular access wherein it will be difficult to protect forest.

Under the above circumstances and agreeing with the stand of the field officers, **it is requested not to consider the proposal for diversion of 0.84 hectare of forest land in Yavakapadi village Sy No. 43, Napoklu Hobli, Madikeri Taluk, Kodagu District for approach road in favour of Sri Bachamanda Uthaiah Poovanna, Kunjila Village, Kakkabbe Post, Madikeri Taluk, Kodagu District.**

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 web-portal is also appended for necessary action.

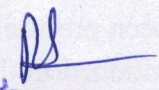

Yours faithfully



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

**Copy to the:**

1. Chief Conservator of Forests, Kodagu Circle Sirsi for information.
2. Deputy Conservator of Forests, Virajpet Division, Virajpet for information.
3. Sri Poovanna Bachamanda Uthappa, Kunjila Village, Kakkabbe Post, Madikeri Taluk, Kodagu District – 571 212 for information

  
  
14-3-222



**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.  <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>	<b>Rejected the proposal for diversion of 0.84 hectare of forest land in Yavakapadi village Sy No. 43, Napoklu Hobli, Madikeri Taluk, Kodagu District for approach road in favour of Sri Bachamanda Uthaiah Poovanna, Kunjila Village, Kakkabbe Post, Madikeri Taluk, Kodagu District</b>  <b>Proposal No. FP/KA/Others/43887/2020</b>
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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. **56** /2021-22

(Official Seal)

Dated **14** /02/2022  
**03**