

ಕರ್ನಾಟಕ ಸರ್ಕಾರ
GOVERNMENT OF KARNATAKA

ಪ್ರಧಾನ ಮುಖ್ಯ ಅರ್ಜು ಸರಕ್ಕಾರಾಧಿಕಾರಿ
(ಅರ್ಜುಪಡ ಮುಖ್ಯಸ್ಥರು) ರವರ ಕಳೆಗೆ
Office of
Principal Chief Conservator of Forests
(Head of Forest Force)



ಅರ್ಜುಭವನ, 18ನೇ ಅಡ್ಡರಸ್ತ್ರೀ
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Old File No. A5(2).GFL.CR-35/2018-19
E-office File No. KFD/HOFF/A5-2(GFL)/44/2019-FC
Encl: 3 sets proposals

E-77246
Date 09-06-2021
15

To

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

Sir,

Sub: Diversion of 1.2411 hectare (*revised from 0.1176 ha*) of forest land in Hebri village Sy No. 190 & 214, Ajekaru Hobli, Karkala Taluk, Udupi District for laying of 11 KV HT Express line (AB covered conductor cable) from Hebri MUSS to Varanga passing through JarvattuKadu RF and along with PWD road in favour of the Executive Engineer (Electrical), O & M Division, Mangalore Electricity Supply Company Limited (MESCOM), Udupi

Proposal No. FP/KA/TRANS/43222/2019 /FORM-A/

Ref:

1. Online proposal [FORM-A PART-I] dated 22-10-2020 (re submitted) of Executive Engineer, O & M Division, MESCOM, Udupi District r/w Acknowledgement uploaded online on 21-12-2020 by User Agency for having delivered the hard copy proposal to jurisdictional Deputy Conservator of Forests and Deputy Commissioner.
2. This office online communication dated 22-12-2020 to Deputy Conservator of Forests, Kundapura Division for further processing of proposal.
3. Online submission of PART-II on 03-04-2021 by the Deputy Conservator of Forests, Kundapura Division[letter No. DMN/CR-57/FLD/2020-21 dated 05-04-2021]
4. Online submission of PART-III on 19-04-2021 by the Chief Conservator of Forests, Mangaluru Circle [letter No.A3/CR-02/Muss to Varanga/2021-22 dated 28-04-2021]

1. The Executive Engineer, O & M Division, MESCOM, Udupi District [**USER AGENCY**] vide Ref (1) has 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 1.2411 hectare (*revised from 0.1176 ha*) of forest land in Hebri village Sy No. 190 & 214, Ajekaru Hobli, Karkala Taluk, Udupi District for laying of 11 KV IIT Express line (AB covered conductor cable) from Hebri MUSS to Varanga passing through JarvattuKadu RF and along with PWD road. After uploading of Acknowledgement on 21-12-2020 by User Agency for having delivered the hard copies of the proposal to jurisdictional Deputy Conservator of Forests and Deputy Commissioner, an online communication was made by the Nodal Officer (FCA) vide Ref (2) to the Deputy Conservator of Forests, Kundapura Division to process the proposal under the Forest (Conservation) Act, 1980 and to submit specific opinion / recommendation.

2. Location details and Component-wise breakup of forest land requirement: The details of the location of forest land and component wise requirement are given below.

District, Taluk, Hobli, Village	Village	Sy No.	Project component	Forest extent proposed for diversion (ha)	Legal status of land
Udupi District, Karkala Taluk and Ajekaru Hobli	Hebri	198		0.7595	
		199		0.4522	
		214	Transmission line	0.0294	
Total				1.2411	

3. Report of DCF, Kundapura Division: The Deputy Conservator of Forests, Kundapura Division has inspected the site on 26-03-2021 and vide Ref (3) has submitted his report along with Site Inspection Report in PART-II to Chief Conservator of Forests, Mangaluru Circle. Main features of the proposal based on the reports of the Deputy Conservator of Forests, Kundapura Division r/w report of Chief Conservator of Forests, Mangaluru Circle and that of ICT Centre of Forest Department are summarized below.

- a. The forest land proposed for diversion is not vulnerable to soil erosion.
- b. The forest land proposed for diversion is in general landscape of Eco-class-I (Tropical Semi Evergreen forest) with a Canopy Density of up to 0.8 (Dense Forest).
- c. As per Item 4(ii) of PART-II, there are 147 trees in different girth classes. Main tree species include *Cinnamomum Zeylanicum*, *Vateriaindica*, *Artocarpus Hirusta*, *Xyliaxylocarpa*, *Hopea Parviflora*, *Terminaliatomentosa*, *Terminaliapaniculata*, *MangiferaIndica*, *Syzygiumcumini*, *Terminalia Bellarica*, *Xyla Xylocapra* and others
- d. Main wild animals reported in and around the project area include Sambar, Wild boar.

- e. There are no other rare / endangered / unique species of flora and fauna reported in and around the forest land 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, etc.
- g. There are no Protected/ Archaeological/ Heritage sites or Defence establishments or important monuments in the area.
- h. There is no violation reported under the Forest (Conservation) Act, 1980.
- i. The requirement of forest land for the project is bare minimum and unavoidable.

4. **CCF, Mangaluru Circle Report:** The Chief Conservator of Forests, Mangaluru Circle has inspected the site on 16-04-2021 and has agreed with the report of Deputy Conservator of Forests, Kundapura Division. The Chief Conservator of Forests, Mangaluru Circle vide Ref (4) has submitted his report in PART-III and 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 agreeing to pay the Net Present Value (NPV) of the forest land proposed for diversion.**

6. **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 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 in the cases of laying of transmission lines. Accordingly, the Deputy Conservator of Forests, Chikkaballapura Division has identified an extent of 2.5 ha degraded deemed forest land in Tekalahalli Village Sy No.22, Manchenahalli Hobli, Gouribidanuru Taluk, Chikkaballapura District for raising CA and the User Agency has uploaded the KML file, Topo Map, Geo-reference Map along with GPS readings of all corners in PART-I of the proposal and also uploaded the CA Suitability Certificate dated 25-03-2021 in the prescribed format and has once again uploaded the KML file, Topo Map, Geo-reference Map along with GPS readings of all corners in PART-II of the proposal. **The User Agency has also submitted an Undertaking agreeing to pay the Compensatory afforestation charges.**

7. **Status of RoFR compliance:** In order to meet the requirement of the provisions of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 and Rules 2008 and the FC Guidelines, the User Agency has not

obtained/ furnished the (copy of) requisite **RoFR 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. Accordingly, the User Agency is being informed once 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 move the proposal to Government of India for according 'in-principle' (Stage-I) approval under Section 2 of the Forest (Conservation) Act, 1980 for diversion of 1.2411 hectare (*revised from 0.1176 ha*) of forest land in Hebri village Sy No. 190 & 214, Ajekaru Hobli, Karkala Taluk, Udupi District for laying of 11 KV HT Express line (AB covered conductor cable) from Hebri MUSS to Varanga passing through JarvattuKadu RF and along with PWD road in favour of the Executive Engineer (Electrical), O & M Division, Mangalore Electricity Supply Company Limited (MESCOM), Udupi for a period of twenty (20) years subject to submission of RoFR Compliance Certificate in FORM-I (for Linear projects) and the conditions listed 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 (Timeline) of the proposal obtained from the web-portal is also appended for necessary action.

Yours Faithfully

(Sanjai Mohan IFS) 14/4/21
Principal Chief Conservator of Forests
(Head of Forest Force)

Copy to the:

1. Chief Conservator of Forests, Mangaluru Circle, Mangaluru for information.
2. Deputy Conservator of Forests, Kundapura Division for information.
3. Executive Engineer, MESCOM, O & M Division, MESCOM, Maruthi Veethika, Udupi 576 101 for information and with a request (i) to obtain **RoFR 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 (available on FC web portal) and submit the authenticated / attested copies at the earliest.

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, land lease rent and any other levies as per the conditions of approval.
3. The User Agency needs to obtain approval of the Monitoring Committee of the Eco-sensitive Zone of Mookambika Wildlife Sanctuary.
4. The User Agency shall demarcate the lease area in the manner specified at the time of approval at its own cost.
5. The lessee shall not sub-lease, mortgage and hypothecate the forest area.
6. The Lessee shall provide signages in appropriate dimensions and kindnear the proposed Bio Waste Digester Plant and Approach Road within forest limits for sensitization of general public towards the forest, wildlife and environmental issues in consultation with the jurisdictional Deputy Conservator of Forests.
7. The User Agency shall construct a 6 feet high compound wall around the project area to prevent the entry of wild animals into the project area and to avoid spreading of municipal waste inside the forest area.
8. The User Agency shall ensure that the Municipal Waste is not dumped inside any other the forest area other than the diverted land.
9. 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.
10. No change in Land Use Plan on forest land shall be done except with prior approval of Government of India under FC Act 1980.
11. 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.
12. No residential or commercial buildings shall be permitted in the forest area proposed for diversion.
13. 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.
14. 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.
15. The Lessee shall ensure that no avoidable harm is caused to the fauna and flora in and around the proposed area.
16. 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.
17. The approval under the Forest (Conservation) Act, 1980 is subject to any other clearances necessary under the prevailing statutes.
18. 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.


(Sanjay 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)

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 moving the proposal to Government of India for according 'in-principle' (Stage-I) approval under Section 2 of the Forest (Conservation) Act, 1980 for diversion of 1.2411 hectare (*revised from 0.1176 ha*) of forest land in Hebri village Sy No. 190 & 214, Ajekaruk Hobli, Karkala Taluk, Udupi District for laying of 11 KV HT Express line (AB covered conductor cable) from Hebri MUSS to Varanga passing through Javattukadu RF and along with PWD road in favour of the Executive Engineer (Electrical), O & M Division, Mangalore Electricity Supply Company Limited (MESCOM), Udupi for a period of twenty (20) years subject to submission of RoFR Compliance Certificate in FORM-I (for Linear projects) and the conditions listed in Annexure 'A'.

[Proposal No. FP/KA/TRANS/43222/2019]

Signature:

Name:

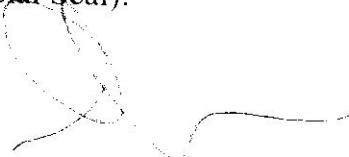
Designation:



RAJIV RANJAN IFS

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

(Official Seal):



SANJAI MOHAN IFS

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

(Official Seal):

N.D.O. No: 09 /2021-22

Date: 15 -06-2021