

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-28/2016-17

Date: 13-12-2017

Proposal No. FP/KA/TRANS/23117/2016

To,

(ಶಾಲಿ 2400 ಗ್ರಾಂಪಾಲ)

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

Sir,

Sub: Diversion of 0.0647 ha of forest land in Sy. No. 64 of Sulkeri Mogru Village, Naravi RF, Belthangady Taluk, D.K. District for laying / establishment of 11KV H/T, AB bunch cable transmission line from Sulkeri Mogru to Panjala & Mallige enclosure (Karkala Wildlife) in favour of the Assistant Executive Engineer (Ele), Mangaluru Electricity Supply Company Limited (MESCOM), O & M Sub-Division, Ramanagar, Belthangady - reg.

- Ref: 1. Online proposal dated 03-03-2017 (resubmitted) of the Assistant Executive Engineer (Ele), Mangaluru Electricity Supply Company Limited (MESCOM), O & M Sub-Division, Ramanagar, Belthangady.
2. This office online communication dated 25-07-2017 to Deputy Conservator of Forests, Kudremukha Wildlife Division, Karkala.
3. On line submission of PART-II by Deputy Conservator of Forests, Kudremukha Wildlife Division, Karkala to Chief Conservator of Forests, Mangaluru Circle on 28-08-2017
4. Letter No. A3/Misc-46/11KV line/Panjala & Mallige Suthugattu/FC/2017-18 dated 30-08-2017 of the Chief Conservator of Forests, Mangaluru Circle, Mangaluru.

5. Online submission of PART-III by the Chief Conservator of Forests, Mangaluru Circle to Nodal Officer on 30-08-2017.
6. Letter No.EEE/BTL/AEE(O)/2017-18/3894 dated 08-11-2017 of the Assistant Executive Engineer, (Ele), Mangaluru Electricity Supply Company Limited (MESCOM), O & M sub-Division, Ramanagar, Belthangady.

* * * * *

The Assistant Executive Engineer (Ele), Mangaluru Electricity Supply Company Limited (MESCOM), O & M sub-Division, Ramanagar, Belthangady vide reference (1) has submitted a proposal through web portal mode for diversion of 0.0647 ha of forest land in Sy. No. 64 of Sulkeri Mogru Village, Naravi RF, Belthangady Taluk, D.K. District for laying / establishment of 11KV H/T, AB bunch cable transmission line from Sulkeri Mogru to Panjala & Mallige enclosure (Karkala Wildlife) 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, Kudremukha Wildlife Division, Karkala and Deputy Commissioner, D.K. District to process the said proposal and to submit their specific opinion / recommendations.

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

In turn, the Chief Conservator of Forests, Mangaluru Circle has submitted his report (Part-III) vide reference (4) and uploaded it online vide reference (5).

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

Purpose-wise breakup	Village	Sy.No.	Length x Width Mtrs)	Extent (in ha.)
For laying of transmission line / 11 KV / H / T AB Bunch Cable	Sulkeri Mogru	64	647x1.00	0.0647
Total				0.0647

The Deputy Conservator of Forests, Kudremukha Wildlife Division, Karkala has inspected the project site on 17-05-2017 and has reported the following:

1. Proposed area is bare minimum and unavoidable.
2. No trees are required to be felled.
3. Proposed forest area falls under as Eco-class-I, having density 1.0
4. There are no protected / archeological / heritage sites / defence / establishments located in the proposed area.
5. Proposed area is part of Kudremukh National Park.
6. The forest is not vulnerable to erosion.
7. There is no violation reported under Forest Conservation Act, 1980.

Further, the Deputy Conservator of Forests, Kudremukha Wildlife Division, Karkala has also stated that *"laying / establishment of 11 kV H/T AB bunch cable transmission line will help the people living in the panjala and Malige enclosure. Since these areas are Naxal prone, by providing basic facility like electricity will help the department to gain the confidence of villagers. Further, electric line is passing through Kudremukh National Park, AB cable is recommended as per the direction of Government of India. There is no necessity to cut or lop any tree and the line aligned along existing road. And area required for diversion is very meager, hence recommended to accord approval for diversion."*

The Chief Conservator of Forests, Mangaluru Circle, Mangaluru has not inspected the site and has recommended the proposal for acceptance, duly agreeing

with the recommendations of the Deputy Conservator of Forests, Kudremukha Wildlife Division, Karkala. In his report (reference 4), the Chief Conservator of Forests, Mangaluru Circle has inter-alia stated the following. *The proposed transmission line passes through the Sy. No. 64 Sulkeri Mogru Village, all along the road for a length 647 mtrs and having width of 1.00mtr. Further the said transmission line is passing through the road connecting the enclosures having right of path and there is no need to cut or lop any trees. Furthermore, he has also opined that the project is for providing electricity to Naxal Prone areas and to gain the confidence of residents in favour of the Karnataka Forest Department.*

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 28-3-2008 and 9-5-2008 of the Hon'ble Supreme Court of India in I.A.No. 826 in I.A. 566 in WP(C) No. 202/1995. Since the proposed area is in the limit of National Park the Net Present Value (NPV) payable shall be 10 times. The User Agency has agreed to pay the charges towards Net Present Value (NPV) and Compensatory Afforestation vide Undertaking dated 12-12-2016.

Further, as per FC guidelines, Right of Way (RoW) for 11KV HT line is 7.00 Mtrs but the User Agency has adopted RoW of 1.00 Mtr only, as bunch cable line and not naked conductors line is proposed, and the Executive Engineer, O&M Division, MESCOM, Bantwal has furnished the said Certificate vide dated 08-11-2017 which is enclosed with the proposal, otherwise the extent will be 0.453 ha (647x7m).

With regard to compliance of Recognition of Forest Rights (RoFR) Act 2006, the User Agency has not furnished requisite Certificate in Form-I to be issued by the Deputy Commissioner, D.K. District as per guidelines issued by

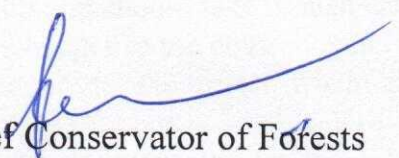
Ministry of Environment and Forest, New Delhi, vide F. No. 11-9/1198-FC(Pt) dated 03-08-2009/05-07-2013.

Furthermore, the Deputy Conservator of Forests, Kudremukha Wildlife Division, Karkala has vide e-mail dated 08-12-2017 reported that there is no movement of elephants in the project area.

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 for the purpose of laying / establishment of 11KV H/T, AB bunch cable transmission line from Sulkeri Mogru to Panjala & Mallige enclosure (Karkala Wildlife) for a period of twenty (30) years, subject to clearance under Wildlife Protection Act, 1972 and the conditions appended 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, Mangaluru Circle, Mangaluru for necessary action.

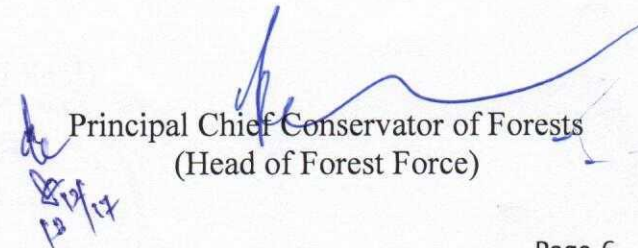
Copy to the Deputy Commissioner, D.K. District, Mangaluru for information and with a request to furnish RoFR Certificate under Forest Rights Act, 2006 in Form-I.

Copy to the Deputy Conservator of Forests, Kudremukha Wildlife Division, Karkala for necessary action.

Copy to the Assistant Executive Engineer, (Ele), Mangaluru Electricity Supply Company Limited (MESCOM), O & M Sub-Division, Ramanagar, Belthangady, D.K. District, for information.

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 Govt. from time to time.
3. The lease tenure shall be for a period of 30 (thirty) years.
4. 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 concerned Chief Conservator of Forests / Deputy Conservator of Forests is authorized to take necessary action in this regard.
5. In case any violations are committed by the user agency under any of the Forest Acts and rules, the proposed Forest Land shall be liable for forfeiture under Section 82 of Karnataka Forest Act 1963. The concerned Chief Conservator of Forests is authorized to take necessary action in this regard.
6. Felling / pollarding / Pruning of trees will be done with permission of the local forest officers, wherever necessary for preventing electrical hazards.
7. No constructions other than the transmission line shall be permitted in the proposed forest area.
8. The Karnataka Forest Act, 1963 and Rules, 1969 and other relevant Acts & Rules will be applicable for any violation.
9. The User Agency has to pay the Net Present Value (NPV) of forest land 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 28-3-2008 and 9-5-2008 of the Hon'ble Supreme Court of India. Since the proposed area is in the limit of National Park, the Net Present Value (NPV) payable shall be 10 times.
10. The User Agency shall ensure that there should be no damage to the available fauna and other flora.
11. No labour camp shall be established on the forest land.
12. All waste / debris generated shall be scientifically disposed off outside the forest area.
13. The User Agency can be advised to limit the usage width and should take utmost care not to blast the under laying rock strata to avoid major damages to the environment.
14. All precautions shall be taken to ensure fire protection to the forest when the transmission line is being laid.
15. 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.
16. The lessee shall not sub-lease, mortgage or hypothecate the forest area.
17. The approval under the Forest (Conservation) Act, 1980 is subject to the clearance under the Environment (Protection) Act, 1986, if required.
18. The User Agency shall also abide by all the conditions imposed upon by Government of India, the 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)

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 diversion of 0.0647 ha of forest land in Sy. No. 64 of Sulkeri Mogru Village, Naravi RF, Belthangady Taluk, D.K. District for laying / establishment of 11KV H/T, AB bunch cable transmission line from Sulkeri Mogru to Panjala & Mallige enclosure (Karkala Wildlife) in favour of the Assistant Executive Engineer (Ele), Mangaluru Electricity Supply Company Limited (MESCOM), O & M sub-Division, Ramanagar, Belthangady under the Forest (Conservation) Act, 1980 subject to clearance under Wildlife Protection Act 1972 and other specific conditions appended in **Annexure-'A'**.

Signature:

Name:

Designation:

JAGMOHAN SHARMA IFS

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

(Official Seal):

Counter signed by :

Name:

Designation:

K.S. SUGARA IFS

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

(Official Seal):

N.D.O. No: 24 /2017-18.

Date: 15-12-2017.

