

ಕರ್ನಾಟಕ ಸರ್ಕಾರ

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 ಅಡ್ಡರಸ್ತೆ,

ಮಲ್ಲೇಶ್ವರಂ, ಬೆಂಗಳೂರು-560003

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E-office File No. KFD/HoFF/A5-4(GFL)/18/2021-FC

Enclosure: 1 Set of proposal

E-507639

Date: 29-12-2022

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 0.99 Ha of Forest land in Sy No. 52 & 53 of Panathur Village, Varturu2 Hobli, Sy No. 109 GunjurPalaya Village, Varturu1 Hobli, Bengaluru East Taluk, Bengaluru Urban District for Widening and Formation of 30.00 Mtr wide road from Kundalahalli (Old Airport Road) to GunjurPalaya Via BWSSB Treatment plant (Road up to GunjurPalya Main Road) as per RMP-2015, in favor of Executive Engineer, Road Infrastructure - Mahadevapura Division, Room No 105, 1st floor, Annexure-03, N R Square, Bruhat Bengaluru Mahanagara Palike (BBMP), Bangalore Urban District 560006 **Proposal No. : FP/KA/ROAD/143079/2021**

- Ref:**
1. Online proposal [FORM-A PART-I] dated 07-08-2021 (resubmitted) of The Executive Engineer, Road Infrastructure- Mahadevapura Division Room No. 105, 1st floor, Annexure-03, N.R.Square, BBMP, Bangalore Urban District 560006.
 2. This office online communication dated 11-08-2021 to Deputy Conservator of Forests, Bangalore Urban Division for further processing of the proposal
 3. Online submission of PART-II by Deputy Conservator of Forests, Bangalore Urban Division on 08-11-2022 [Letter No. A7.Land.Lease.Road.CR-17/2021-22 dated 08-11-2022]
 4. Online submission of PART-III by Chief Conservator of Forests, Bangalore Circle on 28-11-2022 [Letter No. A11/Bhoomi/CR-43/2022-23 dated 25-11-2022]

ಶಿವಾನಿ ಸಲಾಕಿದ
ದಿನಾಂಕ 2-12-2022

1. The Executive Engineer, Road Infrastructure - Mahadevapura Division, Room No 105, 1st floor, Annexure-03, N R Square, Bruhat Bengaluru Mahanagara Palike (BBMP), Bangalore Urban District as authorized Applicant[USER AGENCY] has (re)submitted an online proposal [FORM-A PART-I] vide Ref (1) on 07-08-2021 approval under the Forest (Conservation) Act, 1980 for diversion of 0.99 Ha of Forest land in Sy No. 52 & 53 of Panathur Village, Varturu2 Hobli, Sy No. 109 GunjurPalaya Village, Varturu1 Hobli, Bengaluru East Taluk, Bengaluru Urban District for Widening and Formation of 30.00 Mtr wide road from Kundalahalli (Old Airport Road) to GunjurPalaya Via BWSSB Treatment plant (Road up to GunjurPalya Main Road) as per RMP-2015. The same was accepted by Nodal Officer (FCA) on 22-07-2021 for further processing. After receiving the Acknowledgement online on 07-08-2021 for having delivered the hard copies of the proposal by the User Agency to the jurisdictional Deputy Conservators of Forests & Deputy Commissioners, the online link was forwarded by this office vide Ref (2) to the Deputy Conservator of Forests, Bangalore Urban Division for field verification and further processing under Section 2 of the Forest (Conservation) Act, 1980.
2. **Location details break up:** Location details and Component wise breakup of the forest land proposed for diversion are given below.

District, Taluk, Hobli	Village	Sy No.	Forest Land proposed for diversion (ha)	Status of Land
Bangalore Urban District, Bengaluru East Taluk, Varturu1 Hobli	Gunjuru	109	0.28	Deemed Forest
	Panathur	52	0.68	
	Panathur	53	0.03	
Total			0.99	

3. **DCF, Bangalore Urban Division Report:** The Deputy Conservator of Forests Bangalore Urban Division has inspected the spot on 02-11-2022 and has submitted the Site Inspection Report; the details of the area along with the recommendation in the form of PART-II of the proposal vide Ref (3) to Chief Conservator of Forests, Bangalore Circle. Main features of the proposal based on the DCF Bangalore Urban Report r/w the report of the CCF, Bangalore Circle and that of the ICT Centre of Forest Department are as follows.
 - a. The forest land proposed for diversion is in general landscape of Eco-Class-III (Tropical dry deciduous Forests) with low Dense Forest (0.25 canopy density).

- b. The proposed area falls within the Deemed forest.
- c. As per Item 4 (ii) of PART-II, 261 trees to be felled on the forest land proposed for diversion.
- d. No wild animals present in and around the project area. *[Note: The entry made in Item 8(i) and (v) may be read accordingly.]*
- e. There are no other rare / endangered / unique species of flora and fauna reported around the forest area proposed for diversion.
- f. As per the DCF, Bangalore Urban report, the forest land proposed for diversion does not falls within the Eco-Sensitive Zone (ESZ), Wildlife Sanctuary.
- g. There are no Protected/ Archeological/ Heritage Sites/defence establishment located in the proposed area.
- h. The forest area proposed for diversion is the bare minimum and unavoidable.
- i. There is no violation reported under Forest (Conservation) Act, 1980.

4. **CCF, Bangalore Circle Report:** The Chief Conservator of Forests, Bangalore Circle has vide Ref (4) has submitted Site Inspection Report in PART-III online. Agreeing with the recommendation made by the Deputy Conservator of Forests, Bangalore Urban Division, the Chief Conservator of Forests, Bangalore 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 02-06-2021) to pay the charges towards 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). Even though there are no trees on forest land reported in Item 4(ii) of PART-II of the proposal, **the User Agency will have to make payment in accordance with the O.M. issued vide E-office File No. KFD/HOFF/A53(GFL)/34/2019-FC [E-88289] dated 24-05-2022 of the**

Principal Chief Conservator of Forests (Head of Forest Force) for any tree felling required for the purpose of execution of the project. The User Agency has submitted an Undertaking dated 27-08-2021 to pay the Compensatory Plantation 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-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. The User Agency has submitted an Undertaking dated 27-08-2021 to submit the FRA certificate.**
8. Under the above circumstances and agreeing with recommendation of the field officers, it is requested to consider according 'in-principle' (Stage-I) approval under Forest (Conservation) Act, 1980 for diversion of 0.99 Ha of Forest land in Sy No. 52 & 53 of Panathur Village, Varturu2 Hobli, Sy No. 109 GunjurPalaya Village, Varturu1 Hobli, Bengaluru East Taluk, Bengaluru Urban District for Widening and Formation of 30.00 Mtr wide road from Kundalahalli (Old Airport Road) to GunjurPalaya Via BWSSB Treatment plant (Road up to GunjurPalaya Main Road) as per RMP-2015 for a period of Thirty (30) years and subject to the production of RoFR certificate in FORM-I 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



(R.K.Singh)

Principal Chief Conservator of Forests
(Head of Forest Force)

Copy to the:

1. Chief Conservator of Forests, Bangalore Circle, Bangalore for information.

2. Deputy Conservator of Forests, Bangalore Urban Division, for information
3. The Executive Engineer, Road Infrastructure-Mahadevapura Division Room No. 105, 1st floor, Annesure-03, N.R.Square, BBMP, Bangalore Urban District 560006 for information and further action to obtain and **produce the RoFR Certificate in FORM-I (for Linear 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.**

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 & 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.


(R.K. Singh 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. <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>	Recommended for diversion of 0.99 Ha of Forest land in Sy No. 52 & 53 of Panathur Village, Varturu2 Hobli, Sy No. 109 GunjurPalaya Village, Varturu1 Hobli, Bengaluru East Taluk, Bengaluru Urban District for Widening and Formation of 30.00 Mtr wide road from Kundalahalli (Old Airport Road) to GunjurPalaya Via BWSSB Treatment plant (Road up to GunjurPalya Main Road) as per RMP-2015, in favor of Executive Engineer, Road Infrastructure - Mahadevapura Division, Room No 105, 1st floor, Annexure-03, N R Square, Bruhat Bengaluru Mahanagara Palike (BBMP), Bangalore Urban District 560006 for a period of Thirty (30) years and subject to the production of RoFR certificate in FORM-I 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'. Proposal No. FP/KA/ROAD/143079/2021
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Signature:

Name:

(VIJAYA SHARMA, IFS)

Designation:

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

Signature:

Name:

(R.K.SINGH, IFS)

Designation:

Principal Chief Conservator of Forests
(Head of Forest Force)

N.D.O. No. 55 /2021-22

(Official Seal)

Dated 02/11/2022