

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)



ಅರಣ್ಯಭವನ, 18ನೇ ಅಡ್ಡರಸ್ತೆ

ಮಲ್ಲೇಶ್ವರಂ, ಬೆಂಗಳೂರು-560 003

AranyaBhavan, 18th Cross
Malleshwaram, Bengaluru-560 003

Telephone : 080 2334 6472

Email : apccffc@gmail.com

E-office File No. KFD/HoFF/A5-6(GFL)/19/2020-FC

E-383075

Date: 17-08-2022

To,

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

Sir,

Sub: Diversion of 32.6149 ha of forest land in Malai Mahadeshwara Reserved Forest and Sy.No. 124 Malai Mahadeshwara Betta Village, Ramapura Hobli, Hannur Taluk, Chamarajanagara District for Construction of 66 KV Transmission line at Male Mahadeshwara Hills, Hanur Taluk, Chamarajanagara District in favour of The Executive Engineer, Major Works Division (MWD), Chamarajanagar, Karnataka Power Transmission Corporation Limited (KPTCL) Mysore.

Proposal No. FP/KA/TRANS/122739/2021[FORM-A]

Ref: 1. Online proposal [FORM-A PART-I] dated 19-09-2021 (re submitted) of Executive Engineer, Major Works Division (MWD), Chamarajanagar, Karnataka Power Transmission Corporation Limited (KPTCL) Mysore District r/w acknowledgement uploaded online on 18-11-2021 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 26-11-2021 to Deputy Conservator of Forests, Malai Mahadeshwara Wildlife Division, Kollegala for further processing of proposal.

3. Online submission of PART-II on 08-03-2022 by the Deputy Conservator of Forests, Malai Mahadeshwara Wildlife Division, Kollegala

4. Online submission of PART-III on 16-07-2022 by the Chief Conservator of Forests, Chamarajanagara [letter No.C1/Land/FC Proposal No. 122739/2021/2021-22 dated 15.07.2022]

1. The Executive Engineer, Major Works Division (MWD), Chamarajanagar, Karnataka Power Transmission Corporation Limited (KPTCL) Mysore District [USER AGENCY] has resubmitted an online proposal [FORM-A PART-I] on 19-09-2021

seeking approval under the Forest (Conservation) Act, 1980 for diversion of 32.6149 ha of forest land in Malai Mahadeshwara Reserved Forest and Sy.No. 124 Malai Mahadeshwara Betta Village, Ramapura Hobli, Hannur Taluk, Chamarajanagara District for Construction of 66 KV Transmission line at Male Mahadeshwara Hills, Hanur Taluk, Chamarajanagara District (Malai Mahadeshwara Wildlife Division) for Construction of 66 KV Transmission line at Male Mahadeshwara Hills, Hanur Taluk, Chamarajanagara District. The same was accepted by Nodal Officer (FCA) on 02-11-2021 for further processing.

2. After receiving the acknowledgement online on 18-11-2021 for having delivered the hard copies of the proposal by the User Agency to the jurisdictional Deputy Conservator of Forests (DCF) & Deputy Commissioner, the online link was forwarded to the Deputy Conservator of Forests, Malai Mahadeshwara Wildlife Division for field verification and further processing under Section 2 of the Forest (Conservation) Act, 1980.
3. **Location details and Component wise break up:** Location details of the forest land proposed for diversion are given below:

District, Taluk, Hobli	Village	Sy No.	Component wise breakup	Forest extent proposed for diversion (ha)	Legal Status of land
Chamarajanagar District, Kollegala Taluk, Ramapura Hobli	Malai Mahadeswara Reserved Forest Area		66 KV Transmission Line Segment-1 (Not a regular Pol)	32.6149	Reserved Forest
	Malai Mahadeswara Reserved Forest Area	124			
Total				32.6149	

4. **DCF, Malai Mahadeshwara Wildlife Report:** The DCF, Malai Mahadeshwara Wildlife Division has inspected the project site on 12-01-2022, 24-01-2022 and 29-01-2022 submitted the site inspection report along with his recommendations in the form of PART-II of the proposal (online) to the Chief Conservator of Forests, Chamarajanagara Circle, Chamarajanagara. The salient features of the site inspection report of the DCF Malai Mahadeshwara Wildlife is as follows.
 - a. The forest land proposed for diversion from Cowdally to Thalbetta area is gently sloped with very minimal erosion effect. From Thalbetta to MM Hills erosion effect low to medium.

- b. The forest land proposed for diversion is in general landscape of Eco-class-IV (Consisting of Tropical Thorn Forests) with a Canopy Density of up to 70% (Very dense forest).
 - c. As per Item 4(ii) of PART-II, there are 3574 trees in different girth classes in the forest land proposed for diversion. Main species include *Ficus religiosa*, *Albizia lebbek*, *Dalbergia latifolia*, *Azadirachta Indica*, *Albezzia amara*, *Pterocarpus marsupium*, *Pongamia pinnata*, *Tamarindus indica*, *Baboo*, *Tectona grandis*, *Holoptelia integrifolia*, *Neem*, *Eucalyptus*, *Calophyllum inophyllum*, *Phyllanthus emblica*, *Feronia elephantum*, *Cassia fistula*, *Acacia catechu*, *Hardwickia binnata*, *Chukrasia tabularis*, *Madhuca indica*, *Syzgium cumini*, *Ficus benghalensis* and others.
 - d. Wild animals found in and around the project area include Elephant, Tiger, Indian Gaur, Sambar, Spotted Deer, Leopard, Wild Dogs, Honey Badger, Civet Cat, Monitor lizard, Porcupine, Hare, Grizzly giant squirrels etc.,
 - e. There are / endangered / unique species of flora and fauna reported in and around the forest land proposed for diversion.
 - f. The forest land proposed for diversion forms a part of MM Hills Wildlife Sanctuary which is also an Elephant corridor.
 - g. The forest land proposed for diversion is located within the Eco-Sensitive Zone (ESZ) of MM Hills Wildlife Sanctuary. Which is a Protected Area notified under the Wildlife (Protection) Act, 1972.
 - h. There are no Protected/ Archaeological/ Heritage Sites / Defence establishments located in the proposed area.
 - i. There is no violation reported under the Forest (Conservation) Act, 1980.
 - j. The requirement of forest land for the project is bare minimum and unavoidable.
5. **CCF, Chamarajanagara Circle Report:** The CCF, Chamarajanagara Circle has inspected the proposed area on 29-06-2022 and has submitted site inspection report in PART-III online. While agreeing with the recommendation made by DCF, MM Hills Wildlife Division, the Chief Conservator of Forests, Chamarajanagara Circle has also recommended the proposal for approval under FC Act 1980.
 6. **Net Present Value (NPV):** The User Agency is required to pay 5 times of the normal Net Present Value (NPV) of forest land proposed for diversion in Wildlife Sanctuary as per Para 3 of the FC Guidelines communicated by Government of India, Ministry of Environment, Forests and Climate Change, New Delhi vide letter F.No. 5-3/2011-FC(Vol-I) dated 06-01-2022. **The User Agency has submitted an Undertaking dated 19-08-2021 to pay the charges**

towards Net Present Value (NPV) of the forest land proposed for diversion.

7. **Compensatory Afforestation:** 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, Malai Mahadeshwara Wildlife Division has identified an extent of 65.2298 ha degraded forest land for raising compensatory afforestation is as follows:**

Sl. No.	District	Taluk	Hobli	Village	Sy.No.	Extent in Ha.
1.	Chamarajanagar	Kollegal	Kasaba	Kunagalli	359	65.2298
2.				Kunagalli	695	
3.				Mudigundam	601/A1	
4.				Mudigundam	640/3	
				Total		65.2298

The Compensatory Afforestation land details in form of KML files, Topo-maps, Geo-referenced maps, CA Schemes and CA Site Certificates have been uploaded at Item 13 of PART-II (Malai Mahadeshwara Wildlife Division). Further, the User Agency has furnished an Undertaking (dated 19-08-2021) to pay the applicable Compensatory Afforestation (CA) charges.

8. **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 informed to obtain the said certificate in prescribed format and submit a copy.**
9. **Status of Wildlife Clearance:** As the proposal involves diversion of forest land inside a Malai Mahadeshwara Wildlife Sanctuary. The User Agency will have to obtain the Wildlife Clearance for the proposal from the State Board for Wildlife. Accordingly, **the User Agency has uploaded Wildlife clearance proposal on 24-04-2021 which was accepted by Chief Wildlife Warden on 07-03-2022. Further, the proposal was communicated to Wildlife Warden Kollegala on 21-04-2022. Presently the proposal for Wildlife Clearance is pending with User Agency for submitting hard copy of the proposal to the Chief Wildlife Warden for approval from SBWL.**
10. **Additional Information:** The proposed area falls under major Elephant Corridor, the transmission lines which are passing through requires clearance of the corridor will have impact on elephant and other wild animals movement and the humming sound


which is created by transmission line will have behavioral changes in wildlife. But Current project proposes to use forest crossing towers which will be having minimum height of 44 mtr. This will enable no clearance of the corridor which will have no impact on wildlife movement. The forest crossing towers are more suitable to sensitive areas like MM hills Wildlife Sanctuary. This forest crossing towers will save about 3000 trees from corridor clearance. Hence, with Forest crossing towers the proposed project can be taken up.

11. As explained in preceding paragraphs, the undersigned agrees with recommendations of the field officers and **request to move the proposal to Government of India for according 'in-principle' (Stage-I) approval under Forest (Conservation) Act, 1980 to the** The Executive Engineer, Major Works Division (MWD), Chamarajanagar, Karnataka Power Transmission Corporation Limited (KPTCL) Mysore **for a period of Twenty (20) years for the purpose mentioned in para 1 above, subject to the following conditions**

- i. The user agency must submit 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
- ii. The user agency and all concerned will strictly adhere to all conditions specified in the Annexure 'A', enclosed with this letter.

The hard copy of the proposal along with the relevant documents in 3 sets are submitted herewith for further needful.

Yours faithfully


(Raj Kishore Singh IFS)

Principal Chief Conservator of Forests
(Head of Forest Force)

Copy to:

1. The Chief Conservator of Forests, Chamarajanagar Circle, Chamrajanagar for information.
2. The Deputy Conservator of Forests, Malai Mahadeshwara Wildlife Division, Kollegala for information.
3. The Executive Engineer, Major Works Division (MWD), Chamarajanagar, Karnataka Power Transmission Corporation Limited (KPTCL) Mysore 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 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 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 and hypothecate the forest area.
5. The Lessee shall provide signages in appropriate dimensions and kind near the proposed transmission line within forest limits for sensitization of general public towards the forest, wildlife and environmental issues in consultation with the jurisdictional Deputy Conservator of Forests.
6. 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.
7. No change in Land Use Plan on forest land shall be done except with prior approval of Government of India under FC Act 1980.
8. 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.
9. No residential or commercial buildings shall be permitted in the forest area proposed for diversion.
10. 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.
11. 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.
12. The Lessee shall ensure that no avoidable harm is caused to the fauna and flora in and around the proposed area.
13. 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.
14. The approval under the Forest (Conservation) Act, 1980 is subject to any other clearances necessary under the prevailing statutes.
15. 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.


18-8-22

(Raj Kishore Singh IFS)
Principal Chief Conservator of Forests
(Head of Forest Force)

