

No. A5(2).[A5(3)].GFL.CR-208/1988-89
Proposal No. FP/KA/SCH/20566/2016

Office of the
Principal Chief Conservator of Forests
(Head of Forest Force),
Aranya Bhavana, Malleswaram,
Bengaluru-560 003, dated 19-09-2016.

To

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

Sir,

Sub: Diversion of 72.177 ha. of forest land in Sy.No.1/1 of
Bhutaramanahatti village, Belgaum Taluk & District for
establishment of Rani Channamma University in favour of
the Registrar, Rani Channamma University Belgaum-reg.

- Ref: 1. Letter No. D1/Land/RCU/FC/2016-17 dated
15-07-2016 of the Deputy Conservator of Forests,
Belgaum Division, Belgaum.
2. Letter No. A7/LND/FCP/RCU/BGM/2016-17 dated
18-07-2016 of the Chief Conservator of Forests,
Belgaum Circle, Belgaum.
3. Letter No. FP/KA/SCH/20566/2016 dated 20-07-2016
of the Registrar, Rani Channamma University
Belgaum.
4. This office communication dated 20-08-2016.
5. Online submission of proposal / reply by the Chief
Conservator of Forests, Belgaum Circle, Belgaum
dated 12-09-2016.

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The Deputy Conservator of Forests, Belgaum Division & Chief Conservator
of Forests, Belgaum Circle have submitted proposal (offline mode) for the
aforesaid project vide their letters under ref (1) & (2) above. However, as per the
MoEF, guidelines since proposals for diversion of forest land for non-forestry
purpose shall have to be accepted / processed through online mode only, the
Registrar, Rani Channamma University Belgaum vide letter dated 20-07-2016
under reference (3) has submitted proposal (through web portal mode) for
diversion of 72.177 ha. of forest land in Sy.No.1/1 of Bhutaramanahatti village,

Belgaum Taluk & District for establishment of Rani Channamma University in favour of the Registrar, Rani Channamma University Belgaum for obtaining approval under Forest (Conservation) Act, 1980. Accordingly, communication through online was made to the concerned Deputy Conservator of Forests, Belgaum Division, Chief Conservator of Forests, Belgaum Circle & the Deputy Commissioner, Belgaum District to process the said proposal and to submit their specific opinion / recommendations. In response, the Chief Conservator of Forests, Belgaum Circle has submitted the proposal for diversion of 72.177 ha. forest land through online mode on 12-09-2016. The details of the proposal are as follows:

The details of the forest land required are as under:

Sl.No.	Purpose	Extent	
		Acres	Ha.
1.	Faculty-cum Department building	10.00	4.047
2.	Boys Hostel	2.00	0.809
3.	Ladies Hostel	2.00	0.809
4.	Guest House	2.00	0.809
5.	Quarters	20.00	8.094
6.	Approach road including land acquired for National Highway (NH-4)	50.00	20.235
7.	Play Ground	20.00	8.094
8.	Water Tank	1.00	0.405
9.	Indoor Stadium	10.00	4.047
10.	Garden	25.00	10.117
11.	Open area	26.14	10.579
	Total rounded to	178.14	72.177

The Deputy Conservator of Forests, Belgaum Division, Belgaum has inspected the project spot on 07-07-2016 and stated as follows:

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1. The requirement of forest land proposed by the User Agency is unavoidable and barest minimum for the project.
2. There are 4,476 Nilgiri trees and 97 acacia trees having girth from 31-60 cms. Further, it is also stated that felling of all the trees is not essential.
3. The proposed forest area falls under Eco-Class-III category having density of 30 to 40%.
4. There are no rare / endangered / unique species of flora and fauna in the proposed area.
5. There are no protected / archeological / heritage sites / defence no such protected sites located in the proposed area.
6. The proposed forest area does not form part of any Wildlife Sanctuary, National Park, Biosphere Reserve, Tiger Reserve or Elephant Corridor, etc.
7. The forest area is not much vulnerable.
8. User Agency has violated provisions of Forest Conservation Act, 1980, as they have already established the said University Campus during 1990s.

Further, Deputy Conservator of Forests, Belgaum Division has also submitted required maps, viz: depicting forest land proposed on village map, topo map as well as Google map along with GPS co-ordinates of corner points and the same are enclosed.

The Chief Conservator of Forests, Belgaum Circle, Belgaum has inspected the project spot on 16-07-2016 & on 12-09-2016 and recommended the proposal in Form-'A' Part III for acceptance duly agreeing with the recommendations of the Deputy Conservator of Forests, Belgaum Division, Belgaum.

With regard to the said proposal, the following are some other details and observations:

1. **Compensatory Afforestation:** The Deputy Commissioner, Belgaum District vide Order No. RB/LND/CR-618/2000-01 dated 24-04-2002 and No. RS/LND/CR-618/2000-01 dated 28-05-2016 has released equivalent non-forest land i.e., 178-14 acres for raising Compensatory Afforestation in Sy.No.114/A of Kalamani Village (18-20 acres), Sy.No.4/2 (80-00 acres), 9 (10-37 acres), 10 (20-27 acres) of Gavase Village , Sy.No.84 (9-20 acres) of Uchawade Village and Sy.No.123 (18-38 acres) & 30 (20-28 acres) of Amate Village in Khanapur Taluk of Belgaum District. Necessary copies of said Orders along with village maps are enclosed for kind reference. Further, User Agency has given an undertaking to pay the Compensatory Afforestation and penal Compensatory Afforestation charges towards 72.177 ha. of forest land proposed for diversion / post facto approval.
2. **Net Present Value (NPV):** The User Agency has to pay the Net Present Value (NPV) of forest land being diverted under this proposal as per 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. In this regard the User Agency has given an undertaking to pay the Net Present Value towards 72.177 ha. of forest land proposed for diversion / post facto approval.
3. **Compliance of Recognition of Forests Rights (ROFR) Act 2006:** User Agency has furnished copy of requisite Certificate issued by the Deputy Commissioner, Belgaum District Letter No. RB/LND/CR-86/2015-16 dated 19-11-2015 as per guidelines issued by Ministry of Environment and Forest, New Delhi vide letter No. 11-9/1198-FC(Pt) dated 03-08-2009/05-07-2013 both in Form-II.
4. **Violation of Forest (Conservation) Act, 1980:** Since the User Agency has violated provisions of Forest (Conservation) Act, 1980 by

establishing the said University Campus during 1995 itself, action for imposing necessary penalty may be dealt duly considering the purpose and facts of the case.

Under the above circumstances, while agreeing with recommendation of the field officers and with due consideration that the project is for providing higher education to the aspirant students of the border area of Karnataka (North), it is requested to kindly move this proposal with the Government of India for according 'in-principle' (Stage-I) approval for post facto approval for diversion of 72.177 ha. of forest land in Sy.No.1/1 of Bhutaramanahatti village, Belgaum Taluk & District for establishment of Rani Channamma University in favour of the Registrar, Rani Channamma University Belgaum under the Forest (Conservation) Act, 1980 subject to 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), Bengaluru.

Copy to the Chief Conservator of Forests, Belgaum Circle, Belgaum for information & necessary action.

Copy to the Deputy Conservator of Forests, Belgaum Division, Belgaum for information & necessary action.

Copy to the Registrar, Rani Channamma University Belgaum for information & necessary action.


19/1/16
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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 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 should be resumed to the Forest Department under Section 82 of Karnataka Forest Act, 1963. The concerned Chief Conservator of Forests / Deputy Conservator of Forests is authorized to take necessary action in this regard.
4. The Karnataka Forest Act, 1963 and Rules, 1969 and other relevant Acts & Rules will be applicable for any violation.
5. Compensatory afforestation shall be raised at the cost of User Agency over equivalent non-forest area being proposed for diversion at the rate prevailing at the time of approval (at present it is Rs.2,55,000/- per ha.) or any extent as approved by the Ministry of Environment and Forests.
6. Penal Compensatory Afforestation shall be raised at the cost of User Agency over an extent as deemed fit / decided by MoEF, at the rate prevailing at the time of approval (at present it is Rs. Rs.2,55,000/- per ha.)
7. The User Agency has to pay the Net Present Value (NPV) of forest land diverted under this proposal as per Orders dated 28-3-2008 and 9-5-2008 of the Hon'ble Supreme Court of India.
8. The User Agency shall provide free water supply to raise and develop some medicinal and fruit yielding plantations in the forest area abutting the project site in order to protect the environment of the region.
9. The User Agency shall ensure that there should be no damage to the available fauna and other flora.
10. All waste / debris generated shall be scientifically disposed off outside the forest area.
11. The lessee shall not sub-lease, mortgage & hypothecate the forest area.

12. The approval under the Forest (Conservation) Act, 1980 is subject to the clearance under the Environment (Protection) Act, 1986, if required.

13. The User Agency shall also abide by all the conditions imposed upon by Government of India, the Government of Karnataka and Principal Chief Conservator of Forests (Head of Forest Force).


Principal Chief Conservator of Forests
(Head of Forest Force), Bangalore.


9.9.12

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 72.177 ha. (post facto approval) of forest land in Sy.No.1/1 of Bhutaramanahatti village, Belgaum Taluk & District for establishment of Rani Channamma University in favour of the Registrar, Rani Channamma University Belgaum under the Forest (Conservation) Act, 1980 subject to the conditions appended in Annexure 'A' .
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Signature:

Name:

P. ANUR REDDY, IFS.,

Designation:

**Nodal Officer &
Additional Principal Chief Conservator of Forests
(Forest Conservation) Bangalore.**

(Official Seal):

Counter signed by :

Name:

R.S. SURESH, IFS.,

Designation:

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

(Official Seal):

N.D.O. No: 10 /2016-17.

Date: 19 -09-2016.

D:A5(2).Belgaum/ Bhutaramanahatti 72.177 ha.

