

I/327010/2022

ಕರ್ನಾಟಕ ಸರ್ಕಾರ

## GOVERNMENT OF KARNATAKA

ಪ್ರಧಾನಮುಖ್ಯ ಅರಣ್ಯ ಸಂರಕ್ಷಣಾಧಿಕಾರಿ  
(ಅರಣ್ಯ ಪಡೆ ಮುಖ್ಯಸ್ಥರು) ರವರ ಕಛೇರಿOffice of the  
Principal Chief Conservator of Forests  
(Head of Forest Force)ಅರಣ್ಯ ಭವನ, 18 ನೇ ಅಡ್ಡರಸ್ತೆ  
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E-office File No. KFD/HOFF/A52K(GFL)/27/2021-FC

E-557177

Encl.: Three (3) sets of Stage-I proposal

Date 15-10-2022

21

To,

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

Sir,

**Sub:** Renewal for diversion of 0.8 Ha of forest land in F. Sy. No. 108A in Kodibag Village, Karwar (Karwar Forest Division) for construction of office building and laboratory in favour of Central Marine Fisheries Research Institute, Karwar.**Proposal No. FP/KA/Others/124500/2021 [FORM-B]**

- Ref:**
1. Government of India, Ministry of Environment, Forests & Climate Change, Regional Office (Southern Zone), Bengaluru letter No. F(C)A/11.2/KAR/46/(143)BC/233 dated 18-05-2001 [Stage-II approval for diversion]
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2. Government of Karnataka Order No. FEE 194 FGL 94 dated 04-07-2001 [formal sanction of forest diversion]
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3. Online FC application [FORM-B PART-I] dated 23-12-2021 (resubmitted) of M/S Central Marine Fisheries Research Institute, Karwar and uploading of Acknowledgment on 05-02-2022 for having delivered the hard copy of proposal to jurisdictional Deputy Conservator of Forests and Deputy Commissioner
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4. This office online communication dated 10-02-2022 to Deputy Conservator of Forests, Karwar Division for further processing
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5. Online submission of PART-II by Deputy Conservator of Forests, Karwar Division on 07-06-2022 [Letter No. B4/GFL/CMRF/CR-1/85-86/2020-21 dated 07-06-2022]
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6. Online submission of PART-III by the Conservator of Forests, Kanara Circle on 02-07-2022 [Letter No. B2/GFL/CR-81/85-86/2022-23/1316 dated 02-07-2022]

- 1. Background:**
- The Government of India vide Ref (1) had accorded the final (Stage-II) approval for diversion of 0.8 Ha of forest land in F. Sy. No. 108A in Kodibag Village, Karwar (Karwar Forest Division) for construction of office building and laboratory in favour of Central Marine Fisheries Research Institute, Karwar subject to certain conditions. Accordingly, the Government of Karnataka vide Ref (2) had

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accorded sanction for the forest lease for the above project for a period of 20 years. **The lease period has expired on 03-07-2021.**

2. In the meantime, M/S Central Marine Fisheries Research Institute, Karwar, Uttar Kannada District [USER AGENCY] vide Ref (3) has (re)submitted the proposal (FORM-B PART-I) through FC web portal on 23-12-2021 seeking renewal of FC lease involving diversion of 0.8 Ha of forest land in F. Sy. No. 108A in Kodibag Village, Karwar, Uttara Kannada District (Karwar Forest Division) for construction of office building and laboratory for approval under Section 2 of the Forest (Conservation) Act, 1980. The same was accepted by Nodal Officer (FCA) on 04-01-2022 for further processing under the Act. After receiving the online acknowledgement from the User Agency on 05-02-2022 for having delivered the hard copies of proposal to the Deputy Conservator of Forests, Karwar Division and Deputy Commissioner, Uttara Kannada District, the online link was forwarded to the Deputy Conservator of Forests, Karwar Division on 10-02-2022 for field verification and further processing under the Forest (Conservation) Act, 1980.
3. **Location and Component-wise break up:** Location details of the forest land proposed for renewal of FC lease is given below.

District, Taluk, Hobli	Village and Sy No.	Component	Forest land proposed for diversion (ha)	Legal status of land
Uttar Kannada District, Karwar Taluk, Baada Hobli	108 A of Kodibag	Office and laboratory building	0.8	Reserved Forest
<b>Total</b>			<b>0.8</b>	

4. **DCF, Karwar Division Report:** The Deputy Conservator of Forests, Karwar Division has inspected the spot on 26-05-2022 and has submitted the Site Inspection Report, the details of the area along with the recommendation in PART-II of the proposal vide Ref (5) to Conservator of Forests, Kanara Circle. Main features of the proposal based on the DCF, Karwar Report r/w the report of the CF, Kanara Circle and that of the ICT Centre of Forest Department are as follows.
  - a. The forest land proposed for FC renewal is in general landscape of Eco-class-I (open Forest).
  - b. As per Item 4 (ii) of PART-II, there are no trees to be felled on the forest land proposed for diversion.
  - c. There are no other rare / endangered / unique species of flora and fauna reported around the forest land proposed for FC renewal.
  - d. The forest land proposed for FC renewal does not form part of any National Park/ Wildlife Sanctuary/ Biosphere Reserve/ Tiger Reserve/ Elephant Corridor/ Wildlife Migration Corridor, etc.

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- e. There are no National Park/ Wildlife Sanctuary/ Biosphere Reserve/ Tiger Reserve/ Elephant Corridor/ Wildlife Migration Corridor within one kilometer from the boundary of the forest land proposed for diversion.
  - f. The forest land proposed for diversion is not located within Eco-Sensitive Zone (ESZ) of any Protected Area notified under Wildlife (Protection) Act, 1972.
  - g. There are no Protected/ Archaeological/ Heritage Sites/ Defence establishments 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.
5. **CF, Kanara Circle Report:** The Conservator of Forests, Kanara Circle has inspected the proposed area personally and vide Ref (6) has submitted the Site Inspection Report in PART-III online. Agreeing with the recommendation made by the Deputy Conservator of Forests, Karwar Division, the Conservator of Forests, Kanara Circle has also recommended the proposal.
6. **Net Present Value (NPV):** The Government of India has not stipulated the condition to pay the NPV in Stage-I / Stage-II approval. Hence, the User Agency has not paid any NPV amount for this project. **The User Agency has submitted an Undertaking dated 26-07-2021 to pay the Net Present Value (NPV) of the forest land proposed for diversion.**
7. **Compensatory Afforestation (CA):** As per Condition No.2 of the previous FC approval (Stage-I approval dated 26-11-1999) of the Central Government, Compensatory Afforestation shall be raised over double the degraded forest land (1.6 ha) at the cost of User Agency. Accordingly, the original lessee has paid an amount of Rs. 78,800/- @ Rs.49,250/Ha towards CA charges for 1.6 ha of degraded forest land (vide DD No. 154978 dated 28-12-2000). Further As per Condition No. 3, the User Agency has paid an amount of Rs. 1,23,125/- @ Rs.49,250/Ha towards Penal CA charges for 2.5 ha of degraded forest land (vide DD No. 154978 dated 28-12-2000). **The User Agency has submitted an Undertaking dated 26-07-2021 to pay the compensatory Afforestation Charges.**
8. **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-II (for Non-linear/Hybrid 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


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Delhi vide F.No. 5-2/2017-FC dated 28-03-2019. **The User Agency is being informed to obtain the said certificate in prescribed format and submit a copy.**

Under the above circumstances and agreeing with the recommendation of the field officers, it is requested to move the proposal to the Government of India, Ministry of Environment, Forests and Climate Change, Regional Office (Southern Zone), Bengaluru for according 'in-principle' (Stage-I) approval under Forest (Conservation) Act, 1980 for renewal of FC lease involving diversion of 0.8 Ha of forest land in F. Sy. No. 108A in Kodibag Village, Karwar (Karwar Forest Division) for construction of office building and laboratory in favour of Central Marine Fisheries Research Institute, Karwar for a period of 20 years (or the project life whichever is earlier), subject to production of RoFR Certificate in FORM-II (for Non-linear/Hybrid projects) issued by the jurisdictional Deputy Commissioner as per Annexure II of the FC Guidelines and further subject to conditions appended in Annexure 'A'.

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 the:**

1. Conservator of Forests, Kanara Circle, Sirsi for information.
2. Deputy Conservator of Forests, Karwar Division, Karwar for information.
3. Scientist-in-Charge, Central Marine Fisheries Research Institute, PB No 05, Aligadda Karwar- 581302 for information and **with a request to obtain the requisite FRA Certificate in FORM-II (for Non-linear/Hybrid projects) issued by the jurisdictional Deputy Commissioner as per Annexure II of the FC Guidelines**

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**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 (CP) charges, cost of extraction of trees, land lease rent and any other levies as per the conditions of approval.
3. User Agency shall provide chain link fence/boundary wall at its own cost all along the boundary of the forest area in consultation with the jurisdictional Deputy Conservator of Forests.
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 lease 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 of 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.

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



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**PART – IV**

(To be filled in by the Nodal Officer or Principal Chief Conservator of Forests or Head of Forest Department)

<p>Detailed opinion &amp; specific recommendation of the State Forest Department for acceptance or otherwise of the proposal with remarks</p> <p><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></p>	<p><b>Recommended for renewal of FC lease involving diversion of 0.8 Ha of forest land in F. Sy. No. 108A in Kodibag Village, Karwar (Karwar Forest Division) for construction of office building and laboratory in favour of Central Marine Fisheries Research Institute, Karwar for a period of 20 years (or the project life whichever is earlier) subject to production of RoFR Certificate in FORM-II (for Non-linear/Hybrid projects) issued by the jurisdictional Deputy Commissioner as per Annexure II of the FC Guidelines and further subject to conditions appended in Annexure 'A'.</b></p> <p><b>Proposal No. FP/KA/Others/124500/2021 [FORM-B]</b></p>
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Signature:



Name:

(Vijay Sharma, IFS)

Designation:

**Principal Chief Conservator of Forests  
(Forest Conservation) and Nodal Officer (FCA)  
Signed by Raj Kishore**

Signature:

**Singh, IFS**

Name:

**Date: 18-10-2022 11:38:55  
(Raj Kishore Singh, IFS)**

Designation:

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

N.D.O. No. 40/2022-23

(Official Seal)

Dated 24/10/2022

