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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)



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E-office File No. KFD/HOFF/A52K(GFL)/84/2019-FC

E-83253

Encl. 2 sets of proposal hard copies

Date 22-05-2024

To,

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

Sir,

Sub: Diversion of 1.62 hectare of forest land in F Sy No. 68 of Unakal village of Dharwad District (Dharwad Forest Division) for Housing purpose in favour of the President, Hubli journalist's cooperative society, Hubli
Proposal No: FP/KA/Others/40823/2019 [FORM-A]

- Ref:**
1. Government of Karnataka Order No. AFD 218 FGL 73 dated 10-12-1973 [original forest lease for 30 years]
 2. Online Proposal [FORM-A PART-I] dated 25-02-2022 (resubmitted) of the President, Hubli journalist's cooperative society, Hubli r/w uploading of Acknowledgement on 30-05-2022 for having delivered the hard copies of the proposal to jurisdictional Deputy Conservators of Forests and Deputy Commissioner
 3. This office online communication dated 03-06-2022 to Deputy Conservators of Forests, Dharwad Division for further processing of the proposal
 4. Online submission of PART-II by Deputy Conservator of Forests, Dharwad Division on 27-11-2023
 5. Online submission of PART-III by Chief Conservator of Forests, Dharwad Circle on 06-12-2023 [Letter No. A1/Hubli-journalist's/CR-/2023-24/1470 dated 07-12-2023]

1. **Original (Pre-FCA) lease:** The Government of Karnataka vide Ref (1) Order dated 10-12-1973 had accorded sanction the lease of 4-00 Acre of forest land in Unkal village F.Sy No. 68, Dharwad District in favour of Hubli Journalist's Cooperative Housing Society Ltd, Hubli for housing purpose for a period of 30 years. The lease period expired on 09-12-2003.
2. Accordingly, the President, Hubli journalist's cooperative society, Hubli [USER AGENCY] vide Ref (2) has submitted an online proposal [FORM-A PART-I] on 25-02-2022 (resubmitted) through FC Web Portal seeking approval under Section 2 of the Forest (Conservation) Act, 1980 for diversion of 1.62 hectare of forest land in F Sy No. 68 of Unakal village of Dharwad District (Dharwad Forest

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Division) for Housing purpose. After acceptance of the proposal by Nodal Officer (FCA) for further processing, the User Agency has delivered the hard copies of the proposal to Deputy Conservator of Forests, Dharwad Division and Deputy Commissioner, Dharwad District and has also uploaded the acknowledgment on the web portal on 30-05-2022. Accordingly, an online communication was made by Nodal Officer (FCA) vide Ref (3) to the Deputy Conservator of Forests, Dharwad Division for further processing of the proposal under FC Act.

- 3. Location-wise and Component-wise breakup:** The location details and breakup of the forest land required for the project are given below.

District, Taluk, Hobli	Village	Sy No.	Forest extent proposed for diversion (ha)	Legal Status of Land
Dharwad District, Hubballi Taluk, Kasaba Hobli	Unakal	68	1.62	Protected Forest
Total			1.62	

The Component-wise breakup of the forest land required for the project is given below.

Name of component		Forest extent required (ha)
1	Plots Area	0.983
2	Park	0.224
3	Road	0.413
Total		1.62

- 4. DCF, Dharwad Division Report:** The Deputy Conservator of Forests, Dharwad Division, Dharwad has inspected the site on 18-07-2022 & 04-11-2023 and vide Ref (4) has submitted his Site Inspection Report along with recommendation in PART-II to Chief Conservator of Forests, Dharwad Circle. Main features of the proposal based up on the report of Deputy Conservator of Forests, Dharwad r/w report of Chief Conservator of Forests, Dharwad Circle are summarized below.

- The User Agency had constructed 22 houses and have been using from prior to 1980 and also kept area reserved for Park & Road.
- The forest land proposed for diversion is in general landscape of Eco-Class III (Tropical Dry Deciduous Forests) with a Canopy Density of up to 0.3 (Open Forest).
- As per Item 4(ii) of PART-II, there are no trees in the forest land proposed for diversion.
- There are no other rare / endangered / unique species of flora and fauna reported in and around the forest land proposed for diversion.

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- e. The forest land proposed for diversion does not form part of any National Park/ Wildlife Sanctuary/ Biosphere Reserve/ Tiger Reserve/ Elephant Corridor/ Wildlife Migration Corridor, etc.
 - f. There is no National Park/ Wildlife Sanctuary/ Biosphere Reserve/ Tiger Reserve/ Elephant Corridor/ Wildlife Migration Corridor within one kilometre from the boundary of the forest land proposed for diversion.
 - g. The forest land proposed for diversion is not located within Eco-Sensitive Zone (ESZ) of any Protected Area notified under Wildlife (Protection) Act, 1972.
 - h. There are no Protected/ Archaeological/ Heritage Sites/ Defence establishments located in the proposed area.
 - i. The forest area proposed for diversion is the bare minimum and unavoidable.
 - j. There is no violation reported under the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980.
5. **CCF, Dharwad Circle Report:** Agreeing with the recommendation made by the Deputy Conservator of Forests, Dharwad Division, the Chief Conservator of Forests, Dharwad Circle has also recommended the proposal and vide Ref (5) has submitted his report.
6. **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 letter dated 29-12-2023.
7. **Compensatory Afforestation (CA):** As the instant proposal is a fresh proposal under FC Act, the User Agency is required to provide an equivalent extent of suitable non-forest land in accordance with FC guidelines. Accordingly, the User Agency had identified the following private non-forest land over an extent of 1.62 hectare for raising compensatory afforestation and handed over to the Forest Department.

District	Village	Sy No.	Extent (in Ha)
Gadag District, Shitahatti Taluk, Shirahatti Hobli	Majjur	59/4	1.62
Total			1.62

In addition, the User Agency is also required to pay the CA charges as per prevailing rates.

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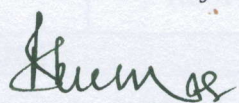
Further, the User Agency has enclosed the CA land information in the form of KML file, Topo Map, Geo- referenced map along with the GPS readings and RTCs for above land parcel in Item L and additional information details of PART-I of the proposal. Further, the Deputy Conservator of Forests, Gadag Division has inspected the site of above CA land and has enclosed the CA land suitability Certificate in the prescribed format. Similarly, the Deputy Conservator of Forests, Dharwad Division has also uploaded the CA land information in Item 13 of the PART-II of the proposal. He has also enclosed a CA scheme, even if the CA land is in Gadag Division). The hard copies of the CA land information are enclosed herewith.

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 is required to obtain the RoFR Compliance Certificate in **FORM-II (for Non-linear/Hybrid Projects)** from the jurisdictional Deputy Commissioner as per the FC Guidelines. the User Agency has not obtained and furnished the requisite Certificate in **FORM-II (for Non-linear/Hybrid Projects)** issued by the jurisdictional Deputy Commissioner. Accordingly, the User Agency is being informed obtain the required RoFR certificate and submit a copy.

In light of the facts stated above and agreeing with the recommendation of the field officers, **it is requested to move the proposal with the Government of India for according 'in-principle' (Stage-I) approval for diversion of 1.62 hectare of forest land in F Sy No. 68 of Unakal village of Dharwad District (Dharwad Forest Division) for Housing purpose in favour of the President, Hubli journalist's cooperative society, Hubli for a period of Twenty (20) years subject to production of RoFR Certificate in FORM-II (for Non-linear/Hybrid Projects) and further subject to the conditions appended in Annexure 'A'.**

As per Para 9 sub rule 15 of Van (Sanrakshan Evam Samvardhan) Rules, 2023 provides the proposal involving forest land of up to five hectares, shall after their examination at the level of Divisional Forest Officer be forwarded by him directly to the Nodal Officer and the Nodal Officer shall forward such proposals to the State Government or Union territory Administration along with his recommendations. Accordingly, this proposal has been recommended by the PCCF (FC) & Nodal Officer (FCA) for further action in the matter.

Yours Faithfully


(Brijesh Kumar, IFS) 22/5/2024

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

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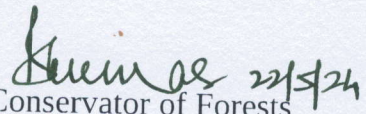
Copy to the:

1. Chief Conservator of Forests, Dharwad Circle, Dharwad for information.
2. Deputy Conservator of Forests, Dharwad Division, Dharwad for information.
3. The President, House No. 4, Hubli Journalists Cooperative Housing Society, Unakal, Hubli – 580 032 for information and with a request to submit the **RoFR Certificate in FORM-II (for Non-linear/Hybrid Projects) issued by the Deputy Commissioner, Dharwad District**

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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 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 or 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. No change in Land Use Plan on forest land shall be done except with prior approval of Government of India under FC Act 1980.
7. 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.
8. 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.
9. 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.
10. The Lessee shall ensure that no avoidable harm is caused to the fauna and flora in and around the proposed area.
11. In case, any violation of the provisions of the Karnataka Forest Act, 1963 and 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.
12. The approval under the Forest (Conservation) Act, 1980 is subject to any other clearances necessary under the prevailing statutes.
13. 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.


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

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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 & specific recommendation of the State Forest Department for acceptance or otherwise of the proposal with remarks.</p> <p>(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.)</p>	<p>Recommended for moving the proposal with the Government of India for according 'in-principle' (Stage-I) approval for diversion of 1.62 hectare of forest land in F Sy No. 68 of Unakal village of Dharwad District (Dharwad Forest Division) for Housing purpose in favour of the President, Hubli journalist's cooperative society, Hubli for a period of Twenty (20) years subject to production of RoFR Certificate in FORM-II (for Non-linear/Hybrid Projects) and further subject to the conditions appended in Annexure 'A'.</p> <p>Proposal No. FP/KA/Others/40823/2019</p>
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Signature:

Signed by

Brijesh Kumar

Name:

Date: 22-05-2024 11:12:52
(Brijesh Kumar IFS)

Designation:

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

N.D.O. No: /2024-25

Date: 22-05-2024