

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 ಅಡ್ಡ ರಸ್ತೆ

ಮಲ್ಲೇಶ್ವರಂ, ಬೆಂಗಳೂರು-560 003.

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No: A5(4)[A5(5)].GFL.CR.12/2003-04

Date: 23-11-2018

KFD/HoFF/A5-4(GFL)/2/2018-FC

(3 Set separately Enclosed)

To,

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

**Sub:** Diversion of 140.917 hectare of forest land in Kamalapura and Ingalgi village survey numbers in Bilikallu West Reserved Forest, Hospet Taluk, Ballari District for establishment of Zoological Park in favour of the Executive Director and Deputy Conservator of Forests, Sri Atal Bihari Vajpayee Zoological Park, Kamalapura, Hospet Taluk, Ballari District -reg.[**Proposal No. FP/KA/OTHERS/29186/ 2017**]

**Ref:** 1. Online proposal dated 19-07-2018 (re-submitted) of the Executive Director and Deputy Conservator of Forests, Sri Atal Bihari Vajpayee Zoological Kamalapura, Hospet Taluk, Ballari District.

2. This office online communication dated 6-09-2018 to Deputy Conservator of Forests, Ballari Division, Ballari.

3. Online submission of PART-II by Deputy Conservator of Forests, Ballari on 30-09-2018 [DCF, Ballari letter No. A7/LND/ABV/Bly/CR-03/2013-14/340 dated 28-09-2018].

4. Online submission of PART-III by Chief Conservator of Forests, Ballari Circle on 29-10-2018 [Chief Conservator of Forests, Ballari Circle, Ballari letter No. Letter No.M1/MNG/EST/Zoo/Div/CR-2/2018-19 dated 26-10-2018]

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1. The Executive Director and Deputy Conservator of Forests, Sri Atal Bihari Vajpayee Zoological Park, Kamalapura, Hospet Taluk, Ballari District vide reference (1) has submitted an online proposal [PART-I] through FC web portal seeking prior approval for diversion of forest land in Kamalapura and



Ingali village survey numbers in Bilikallu West Reserved Forest, Hospet Taluk, Ballari District for ex-situ conservation of wild animals through Zoological Park, Kamalapura, Hospet Taluk, Ballari District under Section 2 of the Forest (Conservation) Act, 1980. After acceptance of the proposal by Nodal Officer, the User Agency has delivered the hard copies of the proposal to Deputy Conservator of Forests, Ballari & Deputy Commissioner, Ballari and uploaded the acknowledgment on the web portal on 31-08-2018. Accordingly, an online communication was made by Nodal Officer vide reference (2) to the Deputy Conservator of Forests, Ballari Division for field verification and further processing of the proposal under FC Act.

2. The location details of the forest land required for the project are as under:

| District & Taluk  | Village & Sy No.                 | Extent (ha)    | Legal status                                 |
|---|----------------------------------|----------------|--|
| Ballari District,<br>Hospet Taluk,<br>Kamalapura<br>Hobli | Ingali Sy No.14                  | 3.47           | Reserved<br>Forest<br>(Bilikallu<br>West RF) |
|   | Ingali Sy No.15                  | 3.65           |  |
|   | Ingali Sy No.18                  | 9.34           |  |
|   | Ingali Sy No.19                  | 3.62           |  |
|   | Kamalapura Sy No. 1080           | 76.022         |  |
|   | Kamalapura Sy No. 1083           | 2.82           |  |
|   | Kamalapura Sy No. 1084           | 1.1            |  |
|   | Kamalapura Sy No. 1085           | 2.22           |  |
|   | Kamalapura Sy No. 1086           | 3.2            |  |
|   | Ingali Sy No. 28 (RF<br>Khandum) | 35.475         |  |
| <b>Total</b>  |                                  | <b>140.917</b> |  |

3. The component-wise breakup of the forest land proposed for diversion is as under:

| Sl No.   | Component        |                       | Forest land required (ha) |
|--|------------------|-----------------------|---------------------------|
| A. Extent required primarily for animal management |                  |                       |                           |
| 1  | Open forest area | Core open Forest area | 113.540                   |
| 2  | Buildings        | Core Building area    | 5.498                     |
| 3  |                  | Rescue Centre         | 1.530                     |
| 4  | Roads            | Nursery Road          | 0.094                     |



|                                  |   |                                       |                |
|----------------------------------|---|---------------------------------------|----------------|
| 5                                |   | Office Road                           | 0.166          |
| 6                                |   | Safari Road                           | 1.605          |
| 7                                |   | Visitors Road                         | 0.903          |
| 8                                |   | Service Road                          | 2.779          |
| 9                                |   | Approach Road                         | 0.003          |
| 10                               |   | Connecting Road                       | 0.288          |
| 11                               |   | Zoo Internal Road                     | 0.395          |
| <b>Total (A)</b>                 |   |                                       | <b>126.801</b> |
| <b>B. Other land requirement</b> |   |                                       |                |
| 12                               | - | Open Forest Area (visitor Zone)       | 13.333         |
| 13                               | - | Parking area for vehicles             | 0.690          |
| 14                               | - | Non core building area (Paragola etc) | 0.086          |
| <b>Total (B)</b>                 |   |                                       | <b>14.109</b>  |
| <b>Grand Total (A + B)</b>       |   |                                       | <b>140.910</b> |

**4. DCF, Ballari Division Report:** The Deputy Conservator of Forests, Ballari Division has inspected the site on 29-08-2018 and has submitted his report along with recommendation in PART-II to Chief Conservator of Forests, Ballari Circle vide reference (3). The main features of the report are summarized below.

- The forest area is in Eco class-IV a density of 10 %. *[Note: erroneous entry of 0.01 in Item 4(i) of PART-II may be ignored].*
- The forest area proposed for diversion is not vulnerable to soil erosion.
- As per Item 4(ii) of PART-II, there are no trees to be felled in the area.
- Major wild animals present in and around the area include sloth bear, leopard, striped hyenas, porcupines, Indian wolf, Jackal, Monitor lizard, Pangolin, etc. There are no other rare / endangered / unique species of flora and fauna in the forest area proposed for diversion.
- There are no protected / archaeological / heritage sites or defence establishments or important monuments in the area.
- The proposed forest area does not form part of any Wildlife Sanctuary, National Park, Biosphere Reserve, Tiger Reserve, Elephant Corridor, etc.
- The requirement of forest land for the project is bare minimum and unavoidable.
- There is no violation reported under Forest (Conservation) Act, 1980. However, the DCF, Ballari Division has mentioned that "as per the Assistant Inspector General of Forests (FC Section), MoEF & CC, New Delhi opinion vide F.No.11-66/2004-FC dated 13-11-2007, forest



clearance is not required for establishment of Zoo in forest area. Further as per the State Government proceedings vide dated 27-09-2013, the Government of Karnataka has directed the Forest Department to hand over the forest land to Zoo Authority of Karnataka (ZAK). **Accordingly, the land was handed over to ZAK. Later on, the work was stopped for want of FC clearance as per the latest guidelines of MoEF & CC".**

5. **CCF, Ballari Circle Report:** The Chief Conservator of Forests, Ballari Circle has not inspected the site for the purpose of present proposal but has stated that he has visited the area on several occasions. Agreeing with the recommendations of the Deputy Conservator of Forests, Ballari Division, the Chief Conservator of Forests, Ballari Circle has also recommended the proposal. Specific comments of the Chief Conservator of Forests, Ballari are mentioned in PART-III of the proposal cited at reference (4) above.
6. **Compensatory Afforestation (CA):** The proposal involves total 140.91 hectare of forest land, of which 126.81 hectare is primarily for the wildlife management related activities while remaining 14.109 hectare is for amenities for tourists and ancillary purposes. As against this extent, the User Agency has identified 57.00 ha of non-forest land in Sy No. 871/8 of Venkatapura Village, Kamalapura Hobli, Hospet Taluk, Ballari District towards CA purpose. The User Agency has submitted the CA land details in the form of Toposheet, Geo-referenced Map, KML file, GPS readings of all of its corners. The Deputy Conservator of Forests, Ballari has submitted the Suitability Certificate and CA Scheme for the proposed CA land. **The exact extent of CA land required for the project may be decided by the Government of India, as there are at present no zoo-specific guidelines, and ex-situ conservation is a wildlife conservation purpose. Accordingly, the User Agency is required to pay the Compensatory Afforestation charges. The User Agency has submitted an Undertaking to pay the CA charges.**
7. **Net Present Value (NPV):** The User Agency is required to pay Net Present Value (NPV) for 140.92 hectare of forest land proposed for diversion 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 and the Government of India, FC Guidelines issued vide F.No. 5-3/2007-FC dated 05-02-2009. **The exact extent of forest land to be considered for calculation of NPV purpose may be decided by the Government of India, as there are at present no zoo-specific NPV guidelines. Accordingly, the User Agency would be required to pay the NPV charges. The User Agency has submitted an Undertaking to pay the applicable Net Present Value.**
8. **ROFR Certificate:** The User Agency is required to submit the Certificate of compliance of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 and Rules 2008 issued by the jurisdictional Deputy Commissioner in FORM-II (Non-Linear projects) as per guidelines issued by Ministry of Environment and Forest, New Delhi



vide letter No. 11-9/1198-FC (pt) dated 3-8-2009/05-7-2013. **The User Agency has not submitted the required certificate and therefore it is being informed to obtain and submit the same.**

9. **Status of approval of Management plan by Central Zoo Authority (CZA):** The recent FC Guidelines issued by the Government of India make it mandatory to obtain the CZA approval for the Management Plan of Zoo prior to consideration for forest clearance proposals of a zoo. In present case, **the Central Zoo Authority has approved the Management plan of Atal Bihari Vajpayee Zoological Park in Bilikal Reserved Forest, Kamalapur near Hospet (relocation of Ballari Zoo), Ballari Zoo vide F.No. 19-80/93-CZA (104)(Vol.III)(M)/6245 dated 13-11-2014.** A copy of the CZA approval is enclosed. The User Agency has uploaded the Master Plan of the Zoological Park for the period from 2012-2013 to 2021-2022 at Sl No. 3 of the Additional Information Details in PART-I.

Under the above circumstances and **agreeing with the recommendation of the field officers, it is requested to consider the proposal for Stage-I (in-principle) approval under Section 2 of the Forest (Conservation) Act, 1980** for diversion of 140.917 hectare of forest land in Kamalapura and Ingaldi village survey numbers in Bilikallu West Reserved Forest, Hospet Taluk, Ballari District for already established Zoological Park in favour of the Executive Director and Deputy Conservator of Forests, Sri Atal Bihari Vajpayee Zoological Park, Kamalapura, Hospet Taluk, Ballari District **for a period of 25 years, subject to the conditions appended in Annexure 'A'.**

The proforma particulars along with relevant documents in 3 sets are submitted herewith for further action.

Yours faithfully



Principal Chief Conservator of Forests  
(Head of Forest Force)

Copy to the Chief Conservator of Forests, Ballari Circle, Ballari for information and necessary action.

Copy to the Deputy Conservator of Forests, Ballari Division, Ballari for information and necessary action.

Copy to the Executive Director and Deputy Conservator of Forests, Sri Atal Bihari Vajpayee Zoological Park, Kamalapura, Opp. State Highway (SH)-131, Hospet Taluk, Ballari District for information. You are requested to submit the RoFR compliance certificate (in original) in FORM-II as mentioned above at early date.

ರವಾನಿಸಲಾಗಿದೆ  
23-11-18



## 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 Afforestation (CA) charges, cost of extraction of trees (if arises), 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.
7. No residential/commercial buildings (other than approved at the time of forest clearance) 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 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. No change in Land Use Plan shall be done unless prior approval of Government of India under FC Act is obtained.
12. In case 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.



Principal Chief Conservator of Forests  
(Head of Forest Force)



**PART – IV**

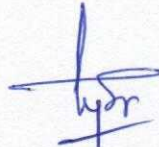
(To be filled in by the Nodal Officer or Principal Chief Conservator of Forests or Head of Forest Department)

|  |   |
|--|---|
| <p>Detailed opinion &amp; 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 Diversion of 140.917 hectare of forest land in Kamalapura and Ingaldi villages in Bilikallu West Reserved Forest, Hospet Taluk, Ballari District for already established Zoological Park in favour of the Executive Director and Deputy Conservator of Forests, Sri Atal Bihari Vajpayee Zoological Park, Kamalapura, Hospet Taluk, Ballari District [Proposal No. FP/KA/OTHERS/29186 /2017] subject to the conditions appended in Annexure-‘A’.</p> |
|--|---|

Signature:

Name:

Designation:



**JAGMOHAN SHARMA IFS**

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

(Official Seal):

Counter signed by :

Name:

Designation:



**PUNATI SRIDHAR IFS**

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

(Official Seal):

N.D.O. No: <sup>18-19</sup>20 /2017-18.

Date: 23 -11-2018.

