

ಕರ್ನಾಟಕ ಸರ್ಕಾರ
GOVERNMENT OF KARNATAKA

ಪ್ರಧಾನ ಮುಖ್ಯ ಅರಣ್ಯ ಸಂರಕ್ಷಣಾಧಿಕಾರಿ
(ಅರಣ್ಯ ಪಡೆ ಮುಖ್ಯಸ್ಥರು) ರವರ ಕಚೇರಿ

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



ಅರಣ್ಯ ಭವನ, 18 ನೇ ಅಡ್ಡ ರಸ್ತೆ,
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E-file No. KFD/HOFF/A5-3(GFL)/4/2021-FC-KFD

Encl 3 sets proposals.

E-498639

Date 30-12-2021

24-01-2022

To,

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

Sir,

Sub: Diversion of 4.5769 ha of forest land in Sy No. 12 Siriyuru village, Shivamogga District (Bhadravathi Forest Division) for construction of Instrument Landing System in Shivamogga Airport for Social/ Commercial purpose in favour of the Executive Engineer, Special Division, Public Works Department Shivamogga.

Proposal No. FP/KA/Others/141683/2021

- Ref:**
1. Online proposal [FORM-A PART-I] dated 15-06-2021 (resubmitted) of Executive Engineer, Special Division, Public Works Department Shivamogga
 2. This office online communication dated 14-07-2021 to Deputy Conservator of Forests, Bhadravathi Division for further processing of the proposal
 3. Online submission of PART-II by Deputy Conservator of Forests, Bhadravathi Division on 01-12-2021 [Letter No. B1/Land /GL-1979/2021-22 dated 24-11-2021]
 4. Online submission of PART-III by Chief Conservator of Forests, Shivamogga Circle on 21-12-2021 [Letter No. A11/FC/Airport Sogane/ GL-10470/01-21 dated 21-12-2021]

1. Executive Engineer, Special Division, Public Works Department Shivamogga. [USER AGENCY] has (re)submitted an online proposal [FORM-A PART-I] vide Ref (1) on 15-06-2021 seeking approval under the Forest (Conservation) Act, 1980 for diversion of 4.5769 ha of forest land in Sy No. 12 Siriyuru village, Shivamogga District (Bhadravathi Forest Division) for construction of Instrument Landing System in Shivamogga Airport for Social Commercial purpose. The same was accepted by Nodal Officer (FCA) on 17-06-2021 for further processing. After receiving the Acknowledgement online on 12-07-

2021 for submission of hard copies of the proposal by the User Agency to the jurisdictional Deputy Conservators of Forests & Deputy Commissioners, the online link was forwarded by this office vide Ref (2) to the Deputy Conservator of Forests, Bhadravathi Division for field verification and further processing under Section 2 of the Forest (Conservation) Act, 1980.

- 2. Location details:** Location details and Component wise breakup of the forest land proposed for diversion are given below.

District, Taluk, Hobli	Village	Sy No.	Forest Land proposed for diversion (ha)	Status of Land
Shivamogga District, Bhadravathi Taluk, Kasaba Hobli	Siriyuru	12	4.5769	Reserved Forest
Total			4.5769	

- 3. DCF, Bhadravathi Division Report:** The Deputy Conservator of Forests Bhadravathi Division has inspected the spot on 16-07-2021 and has submitted the Site Inspection Report, the details of the area along with the recommendation in the form of PART-II of the proposal vide Ref (3) to Chief Conservator of Forests, Shivamogga Circle. Main features of the proposal based on the DCF Bhadravathi Report r/w the report of the CCF, Shivamogga Circle and that of the ICT Centre of Forest Department are as follows.

- The forest land proposed for diversion is in general landscape of Eco-Class-III (Dry deciduous scrub forests) with Canopy Density from 0.1 up to 0.4
- The proposed land is plane with Eucalyptus plantation, wherein soil erosion is negligible.
- As per Item 4(ii) of PART-II, there are 3984 number of eucalyptus trees in forest land proposed for diversion.
- There are no major wild animals present in the forest land proposed for diversion.
- There are no other rare / endangered / unique species of flora and fauna reported around the forest area proposed for diversion.
- 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.
- 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.

- h. The forest land proposed for diversion is not located within Eco-Sensitive Zone (ESZ) of any Protected Area notified under Wildlife (Protection) Act, 1972.
 - i. There are no Protected/ Archeological/ Heritage Sites/ Defence establishments located in the proposed area.
 - j. There is no violation reported under Forest (Conservation) Act, 1980.
4. **CCF, Shivamogga Circle Report:** The Chief Conservator of Forests, Shivamogga Circle has inspected the proposed area personally on 21-12-2021 and has vide Ref (4) has submitted Site Inspection Report in PART-III online. Agreeing with the recommendation made by the Deputy Conservator of Forests, Bhadravathi Division, the Chief Conservator of Forests, Shivamogga Circle has also recommended the proposal.
5. **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 F.No. 5-2/2017-FC dated 28-03-2019. **The User Agency has submitted an Undertaking (dated 14-06-2021) to pay the charges towards Net Present Value (NPV) of the forest land proposed for diversion.**
6. **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. the User Agency had identified the following non-forest land of 4.613 Ha over an equivalent extent of forest land for raising compensatory afforestation.

District	Village	Sy No.	Extent
Shivamogga District, Bhadravathi Taluk, Holehonnur Hobli	Hosuru	23	3.796
		15	0.817
Total			4.613 Ha

In addition, the User Agency is also required to pay the CA charges as per prevailing rates. Accordingly, the User Agency has furnished an Undertaking **(dated 14-06-2021)** to pay the stipulated CA charges.

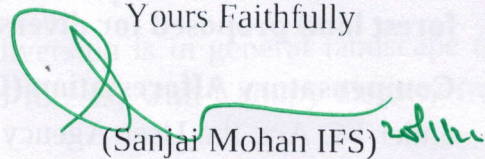
7. **Status of RoFR compliance:** With regard to compliance of the provisions of Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forests Rights) Act 2006 and Rules 2008, the User Agency has not furnished the requisite **Certificate in FORM-II (for Non-linear/Hybrid projects)**

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 Delhi vide F.No. 5-2/2017-FC dated 28-03-2019 but has uploaded the undertaking to submit the said document. **The User Agency is being informed again to obtain the said certificate in prescribed format 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 4.5769 ha of forest land in Sy No. 12 Siriyuru village, Shivamogga District (Bhadravathi Forest Division) for construction of Instrument Landing System in Shivamogga Airport for Social/ Commercial purpose in favour of the Executive Engineer, Special Division, Public Works Department Shivamogga. for a period of Twenty (20) years subject to production of the RoFR 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 Delhi vide F.No. 5-2/2017-FC dated 28-03-2019 and further subject to the conditions specified in ANNEXURE 'A'.**

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

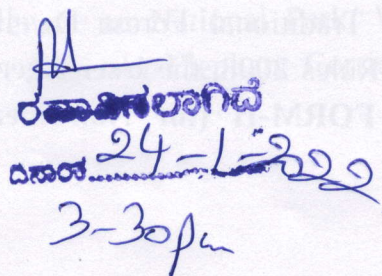
Yours Faithfully


(Sanjay Mohan IFS)

Principal Chief Conservator of Forests
(Head of Forest Force)

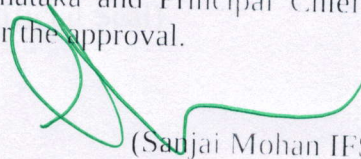
Copy to the:

1. Chief Conservator of Forests, Shivamogga Circle for information.
2. Deputy Conservator of Forests, Bhadravathi Division, Bhadravathi for information
3. The Executive Engineer, Special Division, Public Works Department Shivamogga for information and **further action to obtain and produce the RoFR Certificate in FORM-II (for Non-Linear/ Hybrid 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.**


24-1-2022
3-30pm

ANNEXURE 'A'

1. The legal status of forest land shall remain unchanged and it shall continue to be the forest land.
2. The User Agency shall pay the applicable Net Present Value (NPV), 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. In case, no renewal is sought, the Lessee shall hand over the lease.
7. No residential or commercial buildings 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 project 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, 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 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.

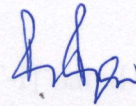

 (Sanjai Mohan IFS)
 Principal Chief Conservator of Forests
 (Head of Forest Force)

PART – IV

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

<p>Detailed opinion & 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 4.5769 ha of forest land in Sy No. 12 Siriyuru village, Shivamogga District (Bhadravathi Forest Division) for construction of Instrument Landing System in Shivamogga Airport for Social Commercial purpose in favour of the Executive Engineer, Special Division, Public Works Department Shivamogga. for a period of Twenty (20) years subject to production of the RoFR 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 and further subject to the conditions specified in ANNEXURE 'A'. Proposal No. FP/KA/ Others/141683/2021</p>
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Signature:



Name:

(RAJIV RANJAN, IFS)

Designation:

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

Signature:



Name:

(SANJAY MOHAN, IFS)

Designation:

Principal Chief Conservator of Forests
(Head of Forest Force)

N.D.O. No.

42/2021-22

(Official Seal)

Dated

/12/2021

24-01-2022