

ಕರ್ನಾಟಕ ಸರ್ಕಾರ
GOVERNMENT OF KARNATAKA

ಪ್ರಧಾನಮುಖ್ಯ ಅರಣ್ಯ ಸಂರಕ್ಷಣಾಧಿಕಾರಿ
(ಅರಣ್ಯ ಪಡೆ ಮುಖ್ಯಸ್ಥರು) ರವರ ಕಛೇರಿ

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



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Old File No. A5(4).GFL.CR75/1986-87
E-office File No. KFD/HoFF/A5-4(GFL)/16/2018-FC

E-63391
Date 23-07-2021

Enclosure :- 3/24

To,

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

Sir,

Sub: Diversion of 89.92 hectare of forest land in Tavaraghatta Village Sy No. 14 and Singanamane Village Sy No. 16 both in Kasaba Hobli, Bhadravathi Taluk, Shivamogga District and Byrapura village Sy No. 37, Kasaba Hobli, Narsimharajapura (NR) Taluk, Chikkamagaluru District for establishment and development of Kuvempu University Campus for academic activities in favour of Registrar, Kuvempu University, Jnana Sahyadri, Shankaraghatta, Shivamogga District

Proposal No. FP/KA/SCH/35132/2018 [Form-A]

- Ref:**
1. Online Proposal [FORM-A PART-I] dated 25-06-2019 (last re-submitted) of the Registrar, Kuvempu University, Jnana Sahyadri, Shankaraghatta, Shivamogga district/w uploading of Acknowledgement on 01-07-2019 for having delivered the hard copies of the proposal to jurisdictional Deputy Conservators of Forests & Deputy Commissioner
 2. This office online communication dated 03-07-2019 to The Conservator of Forest and Field Director, Bhadra Tiger Reserve and 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 15-06-2021 [Letter No.B2/Land/FC-4997/2019-20 dated 15-06-2021]
 4. Online submission of PART-II by The Conservator of Forest and Field Director, Bhadra Tiger Reserve on 06-06-2020/21 [Letter No.A5/Land/CR-09/2008-09/352 dated 04-06-2021]

5. Online submission of PART-III by Chief Conservator of Forests, Shivamogga Circle on 21-06-2021 to Nodal Officer [Letter No. A11/FC/KU Shankarghatta/GL-6733/2019-20 dated 15-06-2021]
6. Online submission of PART-III by Chief Conservator of Forests, Chikkamagaluru Circle on 21-06-2021 to Nodal Officer [Letter No. A10/LND/KU/CR-02/2014-15 dated 21-06-2021]

Brief History of the proposal as per the report of the Conservator of Forest and Field Director, Bhadra Tiger Project: The Proposed Forest Lands are in Byrapura Village Sy.No 37, Tyavareghatta Village Sy.No. 14 and Singanamane Village Sy.No 16 lies fully in the Singanamane Minor Forest, which was Notified vide No- G.144.Ft. 109-27.01 dated 3-07-1929 and the said Singanamane Minor Forest was included in Bhadra Wildlife Sanctuary vide Government of Karnataka (GOK) preliminary Notification No-AFD.25.FWL.74 dated 6-09-1974 and Final Notification No-FEE.58.FWL.96 dated 9-03-1998. Later the Bhadra Wildlife Sanctuary has been declared as Bhadra Tiger Reserve vide GOK Notification No-FEE.299.FWL.2007 dated 20-12-2007. Therefore, the proposed diversion area for Kuvempu University is now entirely located in the Bhadra Tiger Reserve.

The Government of Karnataka vide its Order dated 21-02-1979 has sanctioned 230 acres of land on lease basis in Singanamane Minor Forest and 20 acres of land overhanging Bhadra Reservoir situated partly in Aldhara Reserve Forest in favour of Mysore University. The Lease period was fixed for a period of 20 years (i.e., 21-02-1979 to 20-02-1999) vide GOK order dated 17-12-1981 for construction of Buildings, Conference Hall, Guest House etc. Subsequently, the Government of Karnataka by its Order dated 11-05-1987 deleted the lease of 20 acres of Aldhara Reserve Forest area and restricted the lease area to 230 acres in Singanamane Minor Forest in favour of the University.

As per the above Government Orders granting a lease over forest areas, an agreement was signed on 13-07-1987 between Chief Conservator of Forests (General), Aranya Bhavan, Bangalore and the Vice Chancellor, Mysore University. Thus, the 230 acres land in Singanamane Minor forest area was leased to Kuvempu University from 1979 to 1999 for the period of 20 years (with lease rent of Rs. 50/- acre/annum). The Lease expired in the year 1999.

The Government of Karnataka vide its letter No- FEE.364.FGL.2002 dated 16-12-2002 directed the University to submit a proposal under Forest (Conservation) Act, 1980 for renewal of the lease. Accordingly, on the recommendation of DCF, Bhadra Wildlife and Conservator of Forests, Chikkamagaluru, the Principal Chief Conservator of Forests, Bangalore submitted the proposal for diversion of forest land for renewal of the old lease under Forest (Conservation) Act, 1980 vide his letter No- A5(4)

GFL.CR.75/86-87 dated 22-07-2006 to the Principal Secretary, Department of Forests, Ecology and Environment, Government of Karnataka. However, the offline renewal proposal could not be submitted to the Government of India due to the reluctance of the User Agency to submit an Undertaking to pay the applicable NPV and CA charges.

As Kuvempu University is located in the Wildlife Sanctuary, the proposal for diversion of the Wildlife area was sent for approval of Indian Board of Wildlife. The Standing Committee of Indian Board of wildlife vide its letter F.No.6-1/2002 WL-1, dated:16-08-2002 recommended for renewal of this lease, to an extent of 89.94 Ha, subject to the following conditions:

- 1) The University should start M.Sc., course in Wildlife Science
- 2) The University should organize capsule course on use of Information Technology for Wildlife Management
- 3) The University should refrain from using Chemical Fertilizers and Pesticides in its lawns, horticulture gardens and agriculture fields.
- 4) The state Govt. Will compensate for reduction of the area of the Sanctuary by adding 339 ha. Of contiguous forest land to the Sanctuary expeditiously in a period of 90 days.

The Standing Committee of Indian Board of wildlife vide its letter F.No.6-1/2002 WL-1, dated: 16-08-2002 has given approval for diversion of 89.94 Ha of forest land from Bhadra wildlife Sanctuary. The Government of Karnataka vide its letter dated 13-06-2011 directed to submit again a fresh proposal for diversion of forest land.

The Registrar, Kuvempu University filed an Interim Application before the Hon'ble Supreme Court (Case No. I.A.No.2707/2009) for renewal of lease and waiver of NPV and CA charges. The issue was referred to the CEC by the Hon'ble Supreme Court. The CEC in its report dated 12-09-2013 submitted to the Hon'ble Supreme Court recommending that the Lease may be renewed after compliance with the following conditions.

- I. The condition on which the proposal has been cleared by the Standing Committee of the Indian Board of Wildlife in its meeting held on 12-07-2002 will be strictly complied with; and
- II. The NPV for the forest land will be deposited at the normal rates (instead of five times of the normal rates of the NPV)

After considering the report of CEC, the Hon'ble Supreme Court along with other related pending IAs referred/ transferred the applications to the MOEF&CC for the further consideration and decision in accordance with law.

Accordingly, as per the deliberations in the meetings of the Forest Advisory Committee (FAC), it was recommended for renewal of the lease on 26-04-2018 with the following conditions-

- 1) The Condition on which the proposal has been cleared by the standing Committee of the India Boards of Wildlife in its meeting held on 12-07-2002, will be strictly complied with and
- 2) The NPV for the forest land will be deposited at the normal rates (instead of five times of the normal of the NPV)
- 3) The compensatory Afforestation is payable as per existing rates.

Compliance to the Conditions of Indian Board of Wildlife:

The Registrar, Kuvempu University vide his letter No- 1090/2019-20 dated 28-05-2019 has communicated the compliance to the conditions imposed by the Standing Committee of Indian Board of Wildlife vide its letter F.No.6-1/2002 WL-1, dated:16-08-2002 for renewal of the lease in Wildlife area is as listed follows-

IBWL Conditions	Action taken
1. The University should start M.Sc., course in Wildlife Science	The University has started M.Sc., course in Wildlife Science from the academic year 2002-03.
2. The University should organize capsule course on use of Information Technology for Wildlife Management	<ul style="list-style-type: none"> • The University along with M.Sc. course is also conducting research and granting PhDs in field of the Wildlife Management. • Research in Wildlife Management has been undertaken by many researchers and Forest officials in the University. So far 10 PhDs and one MPhil have been awarded by the University. • Under Wildlife Science Department UGC sponsored 2 projects have been completed. And more than 70 research papers in prominent Journals have been published on Wildlife. • Also, the Wildlife Management Department is providing consultation to Government departments in field of Wildlife Management.
3. The University should refrain from using Chemical Fertilizers and Pesticides in its lawns, horticulture gardens and agriculture fields.	The University is using Farmyard Manure and Vermicompost for its lawns and other requirements. The University is not using Chemical Fertilizers and Pesticides.
4. The State Govt. Will compensate for	<ul style="list-style-type: none"> • The un-encroached revenue land to

<p>reduction of the area of the Sanctuary by adding 339 ha. Of contiguous forest land to the Sanctuary expeditiously in a period of 90 days</p>	<p>an extent of 359.86 Ha (889-09 acres) in various survey numbers of Kesavinamane Village (Sy.No-38,39,40,45,46,49)</p> <ul style="list-style-type: none"> • and Tigada (Sy. No-13) has been transferred and mutated in favour of the Forest department and handed over to the Bhadra Tiger Reserve. The land handed over is more than the stipulated extent of 339 Ha. • The revenue land handed over to the forest department is contiguous to the Bhadra Tiger Reserve. • The Proposal for issuing Section-4 Notification under Karnataka Forest Act, 1963 and subsequently to add the above areas to the Bhadra Wildlife Sanctuary is submitted to Conservator of Forests, Chikkamagaluru vide this office letter No-A%/Land/CR-05/2021-22 dated 3-6-2021.
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The Standing Committee of Indian Board of wildlife vide its letter F.No.6-1/2002 WL-1, dated: 16-08-2002 has given approval for diversion of 89.94 Ha of forest land from Bhadra wildlife Sanctuary. However, the present proposal for diversion is 90.04 Ha, the difference is only 0.1 Ha of more forest area proposed.

As per the directions of Government of Karnataka vide its letter dated 13-06-2011, the University has submitted a fresh proposal for diversion of the forest land.

1. The Registrar, Kuvempu University, Jnana Sahyadri, Shankaraghatta, Shivamogga district[**USER AGENCY**] vide Ref (1) has (re)submitted an online proposal [FORM-A PART-I] on 25-06-2019 through FC Web Portal seeking approval under Section 2 of the Forest (Conservation) Act, 1980 for diversion of 90.04 hectare of forest land in Tavaraghatta village Sy No. 14 and Singanamane village Sy No. 16 both in Kasaba Hobli, Bhadravathi Taluk, Shivamogga District and Byrapura village Sy No. 37, Kasaba Hobli, Narsimharajapura (NR) Taluk, Chikkamagaluru District for establishment and development of Kuvempu University Campus for academic activities. After acceptance of the proposal by Nodal Officer (FCA) for further processing, the User Agency has delivered the hard copies of the proposal to The Conservator of Forest and Field Director, Bhadra Tiger Project and Deputy Conservator of Forests, Bhadravathi Division & Deputy Commissioner, Chikkamagaluru District and has uploaded the Acknowledgment on the web portal on 01-07-2019. Accordingly, an online communication was made by Nodal Officer

(FCA) vide Ref (2) to The Conservator of Forest and Field Director, Bhadra Tiger Project and Deputy Conservator of Forests, Bhadravathi Division for further processing of the proposal under FC Act.

2. **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
Shivamogga District Bhadravathi Taluk Kasaba AIAI Hobli	Tavaraghatta	14	26.43	*Singanamane Minor Forest **Bhadra Wildlife Sanctuary (Protected Forest) ***Bhadra Tiger Reserve (Protected Forest)
	Singanamane	16	35.47	
Chikkamagaluru District, N.R Pura Taluk, Kasaba Hobli	Byrapuraa	37	28.02	
Total			89.92	

* Mysore Government Notification No. G.144.ft.109-27.01 dated 03-07-1929 published in the Mysore Gazette No. D. 275-Uni.352-28 dated 08-07-1929

**The Karnataka Government preliminary Notification No. No-AFD.25.FWL.74 dated 06-09-1974 and Final Notification No. FEE.58.FWL.96 dated 09-03-1998

***The Karnataka Government Notification No. No-FEE.299.FWL.2007 dated 20-12-2007.

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

SI No.	Name of component	Forest extent required (ha)
1	Road Network	7.51
2	Garden	0.99
3	Office Buildings	0.71
4	Park	4.58
5	PG Departments	2.2
6	Play Ground	5.87
7	Residential Buildings	0.65
8	Student Hostels	0.95
9	Tanks	0.48
10	Reserved Green Park	6.87
11	Vacant Land	58.51
12	Other Buildings	0.72
Total		90.04

3. **DCF, Bhadravathi Division Report:** The Deputy Conservator of Forests, Bhadravathi Division, Bhadravathi has vide Ref (3) reported that the site has been inspected by the Range Forest Officer, Umblebailu and Assistant Conservator of Forests, Channagiri sub-division, Channagiri and as per their report, no forest land comes in Bhadravathi Division.
4. **The Conservator of Forest and Field Director, Bhadra Tiger Reserve Report:** The Conservator of Forest and Field Director, Bhadra Tiger Project Division, Chikkamagaluru as inspected the site on 21-05-2021 and vide Ref (4) has submitted his Site Inspection Report along with recommendation in PART-II to Chief Conservator of Forests, Chikkamagaluru Circle. Main features of the proposal based up on the report of Deputy Conservator of Forests, Chikkamagaluru r/w report of Chief Conservator of Forests, Chikkamagaluru Circle and that of ICT Centre of Forest Department are summarized below
- a. The forest land proposed for diversion is less prone to soil erosion.
 - b. The forest land proposed for diversion is in general landscape of Eco-Class I (Tropical Dry Deciduous Forest with Eucalyptus Plantation) with Very Dense Forest (Canopy Density more than 0.6). [Note: The entry made in Item 4(i) of PART-II may be read accordingly.]
 - c. As per Item 4(ii) of PART-II, there are 17,874 trees in 31-60 cm and above girth classes in the forest land proposed for diversion. Main species include *Terminalia paniculata*, *Tectona grandis*, *Xylia xylocarpa*, *Santalum album*, *Eucalyptus spp*, *Alstonia scholaris*, *Acacia ariciliformis*, *Dalbergia latifolia*, *Lagistromia lanceolata*, *Syzigium cumini*, *Pongamia pinnata*, *Delonix regia*, *Cassia fistula*, *Polyalthia pendula*, *Pterocarpus marsupium*, *Cassia siamea*, *Butea monosperma*, *Hardwickia binnata*, *Samanea saman*, *Azadirachta indica*, *Melia azadirachta*, *Tamarindus indica*, *Mangifera indica*, *Artocarpus heterophyllus*, *Bombax ceiba*, *Terminalia bellarica*, *Michelia champaka*, *Terminalia arjuna*, *Psidium guajava*, *Gmelina arborea*, *Albizia Spp*, *Aegle marmelos*, *Phyllanthus emblica*, *Terminalia catappa*, *Annona squamosa*, *Sweetinia mahagony*, *Mammea longifolia*, *Adina cordifolia*, *Gliricidia maculata*, *Mimusops elengi*, *Anacardium occidentale*, *Jacaranda mimosifolia*, *Annona reticulata*, *Prosopis cineraria*, *Bamboo*, *Cinnamomum zeylanicum*, *Prosopis juliflora*, *Syzigium jambous*, *Ficus benghalensis*, *Vateria indica*, *Albizia labbeck*, *Anthocephalus cadamba*, *Grewia tiliaefolia*, *Casuarina equisetifolia* and *Lagistromia lanceolata* etc.,
 - d. Major wild animals present in and around the project area include the Wild Tiger, Leopard, Spotted deer, Sambar deer, Wild boar, Osprey, Malabar pied, Hornbill, Yellow footed pigeon, white rumped shama, etc.,

- e. There are rare / endangered / unique species of flora and fauna in and around the forest land proposed for diversion such as Tiger, Leopard, sprey, Malabar pied, Hornbill, Yellow footed pigeon, white rumped shama, etc
 - f. The forest land proposed for diversion is entirely located in the Bhadra Tiger Reserve.
 - g. There are no Protected/ Archaeological/ Heritage Sites/ Defence establishments located in the proposed area.
 - h. The forest area proposed for diversion is having bigger area and is avoidable.
 - i. **Violation reported under Forest (Conservation) Act, 1980:** The User Agency has constructed buildings and felled trees without prior approval of the Forest (Conservation) Act 1980 for about 20 year in 84.98 hectares of Forest land for which some of the official were held responsible namely R. Shantaraju (Registra, KU, Shankaragatta), M. Manjunath Naika (Registra, KU, Shankaragatta), Prof. Abdul Rahiman (Registra, KU, Shankaragatta), Praveen Chandra IFS (Registra, KU, Shankaragatta), Prof B.S.Sherigar (Registra, KU, Shankaragatta), Prof S.A. Bari (Registra, KU, Shankaragatta), Shivanna IFS (Registra, KU, Shankaragatta), Prof P.Vasudeva Naik (Registra, KU, Shankaragatta), Uday Kumar IFS (Registra, KU, Shankaragatta), A.M Kunjappa (Registra, KU, Shankaragatta), Prof J.S Sadananda (Registra, KU, Shankaragatta), Prof M.Basavaraj (Registra, KU, Shankaragatta), Prof Krishnappa (Registra, KU, Shankaragatta), Prof T.R Manjunath (Registra, KU, Shankaragatta), Prof A. Ramegowda (Registra, KU, Shankaragatta), Prof Mallika S. Ghanti (Registra, KU, Shankaragatta), Prof H. S. Bojya Naik (Registra, KU, Shankaragatta) and Prof J. Somashekar (Registra, KU, Shankaragatta) but action taken against the persons responsible for violation has not been reported. The new works in proposed area has been stopped and there is no further progress.
5. **CCF, Shivamogga Circle Report:** The Chief Conservator of Forests, Shivmogga Circle has not inspected the site personally. However, agreeing with the report of the Deputy Conservator of Forests, Bhadravathi as per his report no forest land comes in Bhadravathi Division and the same is forwarded to this office vide Ref (5).
6. **CF, Chikkamagaluru Circle Report:** The Conservator of Forests, Chikkamagaluru Circle has inspected the site on 21-05-2021. Agreeing with the recommendation made by the Conservator of Forest and Field Director, Bhadra Tiger Reserve Division, the Conservator of Forests, Chikkamagaluru Circle has also recommended the proposal but has reduced the total extent from 90.04 hectares to 89.92 hectares i.e 0.12 hectares is reduced from the Sy No. 37 of Byrapura Village (out of 28.02 hectares) as the said Survey number has some portion of Undisturbed forest area on the fringe of it and adjoin to the Bhadra

Tiger Reserve. Other Specific comments of the Conservator of Forests, Chikkamagaluru Circle are mentioned in PART-III of the proposal cited Ref (6) above.

7. **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 31-07-2018 to pay the charges towards Net Present Value (NPV) of the forest land proposed for diversion.
8. **Compensatory Afforestation (CA):** The User Agency being a State Government Agency is required to provide an equivalent extent of non-forest land towards Compensatory Afforestation. Further, as per Para 2.4(i) of the latest FC Guidelines of Government of India communicated vide letter F.No. 5-2/2017-FC dated 28-03-2019, the revenue lands and all such categories of forest lands not under management and/or administrative control of the Forest Department, on which the provisions of FC Act 1980 are applicable, shall be considered for the purpose. However, such lands are to be provided double in extent to the area proposed for diversion. Accordingly, the User Agency has provided the 359.86 Ha (*i.e* 889 Acre 09 Guntas) of Revenue Land out of 818 Acre 17 Guntas is in Sy No. 38, 39, 40, 45, 46 and 49 Kesavinamane Village, Jagara Hobli, Chikkamagaluru Taluk and Chikkamagaluru District which is Deemed Forest and 70 Acre 32 Guntas in Sy No. 13 Tigada Village, Lingadahalli Hobli, Tarikere Taluk, Chikkamagaluru District in Non-forest Land for complying to the conditions imposed by the Standing Committee of Indian Board of Wildlife vide its letter F.No.6-1/2002 WL-1, dated:16-08-2002 for renewal of the lease in Wildlife Area for Compensatory Afforestation purpose. The Deputy Commissioner, Chikkamagaluru District vide Order No. M4/LND/CR-195/2007-08 dated 26-05-2009 and Order No. M4/LND/CR-195/2007-08 dated 29-03-2019 has ordered for transfer of the said land to Forest Department. The process of mutation and formal transfer of the said land is underway. As per the Conservator of Forest and Field Director, Bhadra Tiger Reserve Division report the areas handed over to Forest Department i.e 359.86 Ha (889-09 Acres) are pristine forest areas. These areas are Shola forests and Grasslands adjoining the Wildlife areas, frequented and habituated by the Wildlife. These areas do not Warrant planting. However, if compensatory plantations have to be raised, the decision needs to be taken, to raise plantations in double the degraded forest areas of the adjoining forest divisions or to direct the user agency to identify alternate. However, the Deputy Conservator of Forests, Chikkamagaluru has identified an extent of 191.00 hectare of Degraded Forest Land in Sindegere State Forest (Block-I and II) and Boochenahalli

Kaval State Forest in Chikkamagaluru Forest Division i.e 126 hectares in Sy No. 35 and 36 of Sindigere Village and Sy No. 2 and 3 of Boochenahaali Kavalu Village, Lakya Hobli, Chikkamagaluru Taluk, Chikkamagaluru District (Sindigere State Forest, Block-I and Boochenahalli Kaval State Forest) and 65 hectares in Sy No. 42 and 43 of Shirabadige Village, Lakya Hobli, Chikkamagaluru Taluk and Chikkamagaluru District (Sindhigere State Forest, Bloack-II) for raising CA. The Deputy Conservator of Forests, Chikkamagaluru has provided the CA related information for the proposal. The CA details in the form the Topo Map, Geo-referenced Map along with GPS readings of all corners, CA Suitability Certificate dated 20-07-2021 and CA Scheme are enclosed herewith. **Further, the User Agency has also submitted an Undertaking to pay the Compensatory Afforestation charges.**

9. **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 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 obtain the said RoFR certificated in prescribed format from the both Deputy Commissioner, Shivamoga and Deputy Commissioner, Chikkamagaluru of dated 28-02-2019 and 22-04-2019 respectively and submitted the same.**

Additional and other issues need to be considered here are:

1. **Compliance to the land requirements**

- The Standing Committee of Indian Board of Wildlife vide its letter F.No.6-1/2002 WL-1, dated: 16-08-2002 mandates that- the State Govt. will compensate for reduction of the area of the Sanctuary by adding 339 Ha (837-27 Acres) of contiguous forest land to the Sanctuary.
- The Compensatory Afforestation land required under FC Act, 1980, in this case is double the extent of proposed diversion area i.e 180.08 Ha (445 acres), as the land transferred for CA is deemed forests.

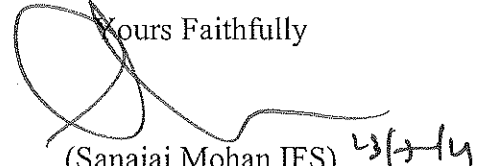
Whether, the land requirement mentioned in above two conditions can overlap with each other or these area requirements have to be mutually exclusive of each other. The land transferred to an extent of 359.86 Ha (889-09 Acres) meets both the requirements or not need to be decided. The question of non-forest CA land to an extent of 90.04 ha is additionally required or not, in this case need to be decided.

2. **Raising Compensatory Afforestation Plantations-** The areas handed over to forest department as mentioned in an extent of 359.86 Ha (889-09 Acres) in various survey numbers of Kesavinamane village and Tigada village are pristine forest areas. These areas are Shola forests and Grasslands adjoining the wildlife

areas, frequented and habituated by the wildlife. These areas do not warrant planting. However, if compensatory plantations have to be raised, the decision needs to be taken, to raise plantations in double the degraded forest areas of the adjoining forest divisions or to direct the user agency to identify alternate non-forest land.

In light of the facts stated above, it is requested to move the proposal with the Government of India for according 'in-principle' (Stage-I) approval for diversion of 89.92 hectare of forest land in Tavaraghatta village Sy No. 14 and Singanamane village Sy No. 16 both in Kasaba Hobli, Bhadravathi Taluk, Shivamogga District and Byrapura village Sy No. 37, Kasaba Hobli, Narsimharajapura (NR) Taluk, Chikkamagaluru District for establishment and development of Kuvempu University Campus for academic activities in favour of Registrar, Kuvempu University, Jnana Sahyadri, Shankaraghatta, Shivamogga district for a period of 20 years subject to the conditions appended in Annexure 'A'.



The hard copy of the proposal along with the relevant documents in 3 sets is submitted herewith for further needful. The present status of the proposal obtained from the FC web-portal is also appended for information.


(Sanajai Mohan IFS) 43/5/14
Principal Chief Conservator of Forests
(Head of Forest Force)

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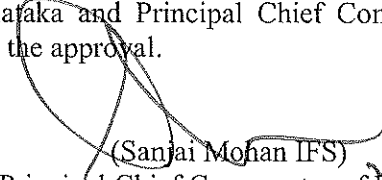
1. Chief Conservator of Forests, Chikkamagaluru Circle, Chikkamagaluru for information.
2. The Conservator of Forest and Field Director, Bhadra Tiger Project, Chikkamagaluru for information.
3. The Registrar, Kuvempu University, Jnana Sahyadri, Shankaraghatta, Shimoga District for information.

b/c



27-7-2021

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 & 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 residential or commercial buildings shall be permitted in the forest area proposed for diversion.
9. 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.
10. 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.
11. The Lessee shall ensure that no avoidable harm is caused to the fauna and flora in and around the proposed area.
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 / 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><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>Recommended for diversion of 89.92 hectare of forest land in Tavaraghatta Village Sy No. 14 and Singanamane Village Sy No. 16 both in Kasaba Hobli, Bhadravathi Taluk, Shivamogga District and Byrapura village Sy No. 37, Kasaba Hobli, Narsimharajapura (NR) Taluk, Chikkamagaluru District for establishment and development of Kuvempu University Campus for academic activities in favour of Registrar, Kuvempu University, Jnana Sahyadri, Shankaraghatta, Shivamogga District (through Special Officer as authorised by Director, Department of Medical Education, Karnataka) for a period of 20 years subject to submission of RoFR Compliance 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/SCH/35132/2018]</p>
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Signature:



Name:

(RAJIV RANJAN IFS)

Designation:

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

(Official Seal)

Countersigned by:



Name:

(SANJAI MOHAN IFS)

Designation:

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

(Official Seal)

N.D.O. No: 14/2019-20

Date: 27-07-2021

