

/611380/2024

ಕರ್ನಾಟಕ ಸರ್ಕಾರ

GOVERNMENT OF KARNATAKA

ಪ್ರಧಾನ ಮುಖ್ಯ ಅರಣ್ಯ ಸಂರಕ್ಷಣಾಧಿಕಾರಿ.

(ಅರಣ್ಯ ಪಡೆ ಮುಖ್ಯಸ್ಥರು) ರವರ ಕಛೇರಿ

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

ಅರಣ್ಯ ಭವನ, 18 ನೇ ಅಡ್ಡರಸ್ತೆ

ಮಲ್ಲೇಶ್ವರಂ, ಬೆಂಗಳೂರು-560 003

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E-office File No. KFD/HOFF/A52K(GFL)/39/2021-FC

E-655778

Date 25-05-2024

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 0.1920 ha of forest land in Sy No.29 of Huthagara Village, Hulikal Hobli, Sirsi Taluk, Uttara Kannada District (Sirsi Forest Division) for connectivity Road to patta land at Sy No. 9/8, 9/9 & 9/10 of Huthagara Village, Hulikal Hobli, Sirsi Taluk, Uttara Kannada District in favour of Gajanan Uttam Raykar, Sirsi, U.K District.

Proposal No. FP/KA/ROAD/149950/2021

- Ref:**
1. Online proposal [FORM-A PART-I] dated 05-04-2022 (resubmitted) of Sri. Gajanan Uttam Raykar, Sirsi, U.K District and uploading of acknowledgment on 10-05-2022 for having delivered the hard copies of the proposal to jurisdictional Deputy Conservator of Forests and Deputy Commissioner
 2. This office online communication dated 16-05-2022 to Deputy Conservator of Forests, Sirsi Division for further processing of the proposal and 01-12-2022 [Nodal Officer EDS Query]
 3. Online submission of PART-II on 26-08-2022 by Deputy Conservator of Forests, Sirsi Division and 01-09-2023 [EDS reply to CF, Kanara]
 4. Online submission of PART-III on 21-09-2022 by the Conservator of Forests, Kanara Circle and 30-09-2023 [EDS reply to Nodal Officer]
1. Sri. Gajanan Uttam Raykar, Sirsi, U.K District [USER AGENCY] has submitted an online proposal [FORM-A PART-I] vide Ref (1) on 05-04-2022 (resubmitted) seeking approval under the Forest (Conservation) Act, 1980 for Diversion 0.1920 ha of forest land in Sy No.29 of Huthagara Village, Hulikal Hobli, Sirsi Taluk, Uttara Kannada District (Sirsi Forest Division) for connectivity Road to patta land at Sy No. 9/8, 9/9 & 9/10 of Huthagara Village, Hulikal Hobli, Sirsi Taluk, Uttara Kannada District. The same was accepted by Nodal Officer (FCA) on 20-06-2022 for further processing. After receiving the Acknowledgement online on 21-06-2022 from User Agency for having delivered the hard copies of the proposal to the jurisdictional Deputy

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Conservator of Forests and Deputy Commissioner, the online link was forwarded by this office vide Ref (2) to the Deputy Conservator of Forests, Sirsi Division for field verification and further processing under Section 2 of the Forest (Conservation) Act, 1980.

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

District, Taluk, Hobli	Village & Sy No.	Name of Project Component	Forest Land proposed for diversion (ha)	Legal status of Land
Utthara Kannada District, Sirsi Taluk, Hulekal Hobli	Huthagara Village, Sy No. 29	Approach road	0.1920	Reserved Forest
Total			0.1920	

3. **DCF, Sirsi Division Report:** The Deputy Conservator of Forests Sirsi Division has inspected the spot on 02-08-2022 and has submitted the Site Inspection Report, the details of the area along with the recommendation in PART-II of the proposal vide Ref (3) to the Conservator of Forests, Kanara Circle. Main features of the proposal based on the DCF, Sirsi Report r/w the report of the CF, Kanara 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-I with canopy density up to 0.1
- The proposed road is the shortest possible distance from the existing road to the Patta land and there's no alternative road for the said land.
- As per Item 4(ii) of PART-II, there are 42 trees in different girth classes in the forest land proposed for diversion.
- There are no 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.
- The forest land proposed for diversion is not located within Eco-Sensitive Zone (ESZ) of any Protected Area notified under Wildlife (Protection) Act, 1972.

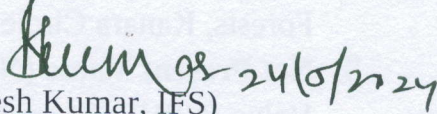
- h. There are no Protected/ Archaeological/ Heritage Sites/ Defence establishments located in the proposed area.
 - i. The forest area proposed for diversion is the bare minimum and unavoidable.
 - j. There is no violation reported in the forest land proposed for diversion.
4. **CF, Kanara Circle Report:** The Conservator of Forests, Kanara Circle has inspected the proposed area personally and vide Ref (4) has submitted the Site Inspection Report in PART-III online. Agreeing with the recommendation made by the Deputy Conservator of Forests, Sirsi Division, the Conservator of Forests, Kanara 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 letter dated 29-12-2023. **The User Agency has submitted an Undertaking dated 02-12-2021 to pay the charges towards Net Present Value (NPV) of the forest land proposed for diversion.**
6. **Compensatory Afforestation (CA):** Para 13(5) of the Van (Sanrakshan Evam Samvardhan) Rules, 2023 mandates planting of ten times the number of trees likely to be felled (subject to a minimum of 100 plants). As there are 42 trees on forest land for diversion, the User Agency will have to make payment in accordance with the O.M. issued vide E-office File. No. KFD/HOFF/A5-3(GFL)/34/2019-FC [E-88289] dated 22-08-2023. **The User Agency has submitted an Undertaking dated 02-12-2021 to pay the charges towards CA.**
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 obtained/ furnished the requisite **Certificate in FORM-I (for Linear projects)** issued by the jurisdictional Deputy Commissioner. **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 recommendation of the field officers, **it is requested to consider the proposal for 'in-principle' (Stage-I) approval for diversion of 0.1920 ha of forest land in Sy No.29 of Huthagara Village, Hulikal Hobli, Sirsi Taluk, Uttara Kannada District (Sirsi Forest Division) for connectivity Road to patta land at Sy No. 9/8, 9/9 & 9/10 of Huthagara Village, Hulikal Hobli, Sirsi Taluk, Uttara Kannada District in favour of Gajanan Uttam Raykar, Sirsi, U.K District for a period of 20 years subject to production of RoFR certificate in FORM-I (for Linear projects) and also further subject to conditions appended in Annexure 'A'.**

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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)

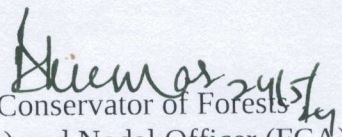
Principal Chief Conservator of Forests
(Forest Conservation) and Nodal Officer (FCA)

Copy to the:

1. Conservator of Forests, Kanara Circle Sirsi for information.
2. Deputy Conservator of Forests, Sirsi Division, Sirsi for information.
3. Shri. Gajanan Uttam Raykar, Yallapura Road, Vinayak Colony, Sirsi, Uttara Kannada District – 581402 for information and **with a request to obtain and produce the RoFR Certificate in FORM-I (for Linear projects) issued by Deputy Commissioner.**

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 should allow other patta holders in the vicinity of malki land through the proposed road.
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 & hypothecate the forest area.
6. 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.
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 inside forest area 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 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.
11. The Lessee shall ensure that no avoidable harm is caused to the fauna and flora around the proposed area.
12. No change in Land Use Plan shall be done unless prior approval of Government of India under FC Act is obtained.
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 and/or 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.


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><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 diversion of 0.1920 ha of forest land in Sy No.29 of Huthagara Village, Hulikal Hobli, Sirsi Taluk, Uttara Kannada District (Sirsi Forest Division) for connectivity Road to patta land at Sy No. 9/8, 9/9 & 9/10 of Huthagara Village, Hulikal Hobli, Sirsi Taluk, Uttara Kannada District in favour of Gajanan Uttam Raykar, Sirsi, U.K District for a period of 20 years subject to production of RoFR certificate in FORM-I (for Linear projects) and also further subject to conditions appended in Annexure 'A'.</p> <p>Proposal No.: FP/KA/ROAD/149950/2021</p>
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Signature:

Signed by
Brijesh Kumar

Name:

Date: 24-05-2024 18:57:17
(Brijesh Kumar, IFS)

Designation:

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

N.D.O. No. 3 /2024-25

Dated 24 /05/2024