

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, 18ನೇ ಅಡ್ಡ ರಸ್ತೆ, ಮಲ್ಲೇಶ್ವರಂ,
ಬೆಂಗಳೂರು-560 003.

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No. A5(2).GFL.CR-12/2017-18
Proposal No. FP/KA/TRANS/28661/2017

Date: 26-12-2017

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To,

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

Sir,

Sub: Diversion of 0.8955 ha of forest land in Ankasandra State Forest (Sy. No. 16 & 17 of Kurubarahalli Village and Sy. No. 19 of Thalekoppa Village) in Gubbi Taluk, Tumkuru District for laying 66 KV underground cable (transmission line) for 20 MW solar plant at Telekoppa Village, Gubbi Taluk, Tumkuru District in favour of M/s. Adani Green Energy (UP) Ltd., Bengaluru-reg.

- Ref: 1. Online proposal dated 25-09-2017 (resubmitted) of M/s. Adani Green Energy (UP) Ltd., Bengaluru.
2. This office online communication dated 03-10-2017 to Deputy Conservator of Forests, Tumakuru Division, Tumakuru.
3. Online submission of PART-II by Deputy Conservator of Forests, Tumkuru Division, Tumkuru to Chief Conservator of Forests, Hassan Circle on 28-11-2017 and reply dated 20-12-2017 to Nodal Officer's query.
4. Letter No. A8:LAND:FC/CR-78/2017-18 dated 30-11-2017 (Part-III) of the Chief Conservator of Forests, Hassan Circle, Hassan (Uploaded online 13-12-2017) and reply dated 20-12-2017 to Nodal Officer's query.
5. Letter No.A5:LND:Diversion:CR-110/2017-18 dated 19-12-2017 of the Deputy Conservator of Forests, Tumakuru Division (submitting CA scheme).

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M/s. Adani Green Energy (UP) Ltd., Bengaluru vide reference (1) has submitted a proposal through web portal mode for diversion of 0.8955 ha (revised from 0.28 ha) of forest land in Ankasandra State Forest (Sy. No. 16 & 17 of Kurubarahalli Village and Sy.No.19 of Thalekoppa Village) in Gubbi Taluk, Tumkuru District for laying 66 KV Underground cable (transmission line) for 20 MW solar plant at Telekoppa Village, Gubbi Taluk, Tumkuru District for obtaining approval under Forest (Conservation) Act, 1980. Accordingly, an online communication was made by Nodal Officer vide reference (2) to the Deputy Conservator of Forests, Tumkuru Division, Tumakuru and Deputy Commissioner, Tumakuru District to process the said proposal and to submit their specific opinion / recommendations.

The Deputy Conservator of Forests, Tumkuru Division, Tumakuru vide reference (3) has submitted his online report (PART-II) along with his Site Inspection Report to Chief Conservator of Forests, Hassan Circle, Hassan. Further he has also submitted the Compensatory Afforestation scheme vide letter at ref (5).

In turn, the Chief Conservator of Forests, Hassan Circle has submitted his report (Part-III) vide reference (4). Fantastic

The proposal and the reports of field officers have been examined. The details of the proposal are given below:

Component-wise breakup	Village	Sy.No.	Length x Width (m)	Extent (in ha.)	Status of forest land
Laying 66 KV underground cable	Kurubarahalli	16 & 17	758.00x9.00	0.6822	Ankasandra State Forest
	Thalekoppa	19	237.00x9.00	0.2133	(Reserved Forest)
Total				0.8955	

Note: Chief Conservator of Forests, Hassan Circle has revised the extent from 0.28 ha to 0.8955 ha in view of safety measures as per the site conditions duly inspected on 14-11-2017.

The Deputy Conservator of Forests, Tumakuru Division has inspected the project site on 30-10-2017 & 21-11-2017 and has reported the following:

1. Proposed area is bare minimum and unavoidable.
2. Total 237 trees (all of 31-60 cm girth) of various species like *Pongamia pinnata*, *Azadirachta indica*, *Zizyphus jujuba*, *Ficus etc.*, are required to be felled.
3. Proposed forest area falls under as Eco-class-III Open forest.
4. The proposed area does not form a part of any National Park, Wildlife Sanctuary, Biosphere Reserve, and Tiger reserve or elephant corridor.
5. There are no rare / endangered / unique species of flora and fauna in the proposed area.
6. There are no protected / archaeological / heritage sites / defence / establishments located in the proposed area.
7. The forest it not vulnerable to soil erosion.
8. There is no violation reported under the Forest (Conservation) Act, 1980.

The Chief Conservator of Forests, Hassan Circle has inspected the site on 14-11-2017 and *inter alia* reported that 3.00 mtr additional corridor on each side, for the proposed underground cable has been considered owing to the safety measures. The total width of the corridor is thus 9.00 mtr including 3.00 mtr for laying cable and 3.00 mtr on each side as safety zone. Further, he has also stated that the forest land required by the User Agency is barest minimum and unavoidable for the project.

The forest area proposed is less than 1.00 ha and as per Para 3.2 (viii) (b) of FC Rules 2003 there is exemption for raising Compensatory Afforestation (CA). However, as the proposed area has 237 trees of different species which are marked for felling, User Agency is required to pay an amount of Rs.24.00 lakhs towards compensatory planting of 10 times the trees likely to be felled, as per letter No.A5(3).GFL.CR-28/2009-10 dated 04-11-2017 of the PCCF (HOFF). As 237

trees are enumerated in this project proposal and the User Agency in present case is a private entity, the proposal is required to be submitted to the Government of India for considering approval under the Forest (Conservation) Act, 1980.

The FC Guidelines F.No.7-25/2012-FC dated 24-10-2016 regarding laying of transmission lines through forest areas prescribe the norms / standard (trench width and trench) for laying underground insulated cables of 33 KV and 11 KV line voltage only. As present proposal involves laying of 66 KV underground cable, norms regarding depth of cable and corridor width in forest area have not been specified by the Government of India in MoEF & CC.

The Right of Way (RoW) for 66 KV over head transmission line is prescribed at 18.00 mtr in forest areas as per Government of India guidelines dated 05-05-2014. The forest land diversion in the present proposal is for overall 9.00 mtr corridor including 3.00 mtr wide safety zone on each side. The total number of trees enumerated in 9.00 mtr corridor is 237 (all between 31-60 cm girth). Felling of trees would not be taken up in the safety zone of 3.00 mtr width on each side, however the total corridor of 9.00 mtr width will be marked with boundary pillars for clear indication for safety purpose.

Further, the User Agency has to pay the Net Present Value (NPV) of forest land being diverted under this proposal as per conditions stipulated by Government of India, Ministry of Environment and Forests, New Delhi vide letter No. 11-9/98-FC dated 13-02-2014 and 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. User Agency has agreed to pay the charges towards Net Present Value (NPV) and Compensatory Afforestation and has submitted Undertaking in this regard.

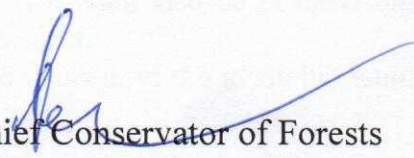
With regard to compliance of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forests Rights) Act 2006 (No.2 of 2007) and Rules 2008 the User Agency has not furnished copy of requisite Certificate as per

guidelines issued by Ministry of Environment and Forest, New Delhi vide letter No. 11-9/1198-FC(Pt) dated 03-08-2009/05-07-2013 in Form-II. However, the User Agency is being informed to submit the same, at the earliest.

Under the above circumstances and agreeing with recommendation of the field officers, it is requested to move this proposal with the Government of India, Ministry of Environment, Forests and Climate Change, Regional Office (Southern Zone), Bengaluru, for according 'in-principle' (Stage-I) approval under Forest (Conservation) Act, 1980, for a period of twenty (20) years, subject to production of requisite Certificate under RoFR Act, 2006 in Form-I issued by the Deputy Commissioner, Tumakuru District and conditions appended in Annexure 'A'.

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

Yours faithfully


Principal Chief Conservator of Forests
(Head of Forest Force)

✓ Copy to the Chief Conservator of Forests, Hassan Circle, Hassan for necessary action.

Copy to the Deputy Conservator of Forests, Tumkuru Division, Tumkuru for necessary action.

Copy to M/s Adani Green Energy (UP) Ltd., 1st main road, Sheshadripuram, Bengaluru-560 0020 for information and necessary action regarding furnishing of requisite Certificate under Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forests Rights) Act 2006 (No.2 of 2007) and Rules 2008, issued by the Deputy Commissioner, Tumakuru District at the earliest.

ANNEXURE 'A'

1. The legal status of forest land shall remain unchanged and it shall continue to be as forest land.
2. The lessee shall pay lease rent as fixed by the Government from time to time.
3. The lease tenure shall be for a period of 20 (twenty) years.
4. 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 one year or when it is no longer needed for the stipulated purpose, the area shall be resumed back. The Chief Conservator of Forests / Deputy Conservator of Forests concerned is authorized to take necessary action in this regard.
5. In case any violations are committed by the user agency under the Forest Act and or Rules, the proposed Forest Land shall be liable for forfeiture under Section 82 of Karnataka Forest Act 1963.
6. Felling / pollarding / Pruning of trees will be done with permission of the local forest officers, wherever necessary for preventing electrical hazards.
7. No constructions other than laying of underground cable transmission line shall be permitted in the proposed forest area.
8. The Karnataka Forest Act, 1963 and Rules, 1969 and other relevant Acts & Rules will be applicable for any violation.
9. The User Agency has to pay the Net Present Value (NPV) for forest land diverted.
10. Compensatory planting for the trees likely to be felled as per para 3.2 (viii) (b) read with letter No.A5(3).GFL.CR-28/2009-10 dated 04-11-2017 of the PCCF (HOFF) shall be raised at cost of User Agency.
11. The User Agency should pay the cost of felling / extraction and transportation of trees for execution of the project in accordance with the estimate prepared by the Deputy Conservator of Forests, Tumakuru Division. However, it shall also be ensured that minimum number of trees shall be cut / felled for the project.
12. The User Agency shall ensure that there should be no damage to the available fauna and other flora.
13. No labour camp shall be established on the forest land.
14. All waste / debris generated shall be scientifically disposed off outside the forest area.
15. The User Agency can be advised to limit the usage width and should take utmost care not to blast the under laying rock strata to avoid damage to the environment.
16. All precautions shall be taken to ensure fire protection to the forest while executing the work inside forest.
17. Any damage to forest area due to such works shall be compensated by the User Agency. The extent of damage shall be assessed by the concerned Deputy Conservator of Forests.
18. The lessee shall not sub-lease, mortgage or hypothecate the forest area.
19. The approval under the Forest (Conservation) Act, 1980 is subject to the clearance under the Environment (Protection) Act, 1986, if required.
20. The User Agency shall also abide by all the conditions imposed upon by Government of India, Government of Karnataka and the Principal Chief Conservator of Forests, (Head of Forest Force).


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>Submitted for approval for diversion of 0.8955 ha of forest land in Ankasandra State Forest (Sy. No. 16 & 17 of Kurubarahalli Village and Sy. No. 19 of Thalekoppa Village) in Gubbi Taluk, Tumkuru District for laying 66 KV underground cable (transmission line) for 20 MW solar plant at Telekoppa Village, Gubbi Taluk, Tumkuru District in favour of M/s. Adani Green Energy (UP) Ltd., Bengaluru under the Forest (Conservation) Act, 1980 subject to compliance under RoFR Act, 2006 and conditions listed in Annexure 'A'</p>
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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:


K.S. SUGARA IFS

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

(Official Seal):



N.D.O. No: 31 /2017-18.

Date: 29 -12-2017.