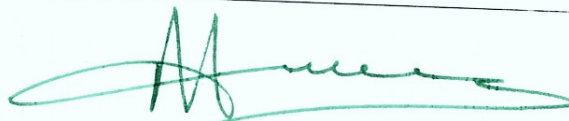


**PART - IV**

(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 0.918 ha. of forest land in Sy.No. 121 of Subramanya village, Sullia Taluk, D.K. District (Mangaluru) for establishing 1.5MVA,33/11KV substation in Subramanya in favour of the Executive Engineer (Ele), O &amp; M Division, MESCOM Puttur, D.K. District under the Forest (Conservation) Act, 1980 subject to the conditions appended in <b>Annexure 'A'</b>.</p>
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Signature:



Name:

**P. ANUR REDDY, IFS.,**

Designation:

**Nodal Officer &**

**Additional Principal Chief Conservator of Forests  
(Forest Conservation), Bengaluru.**

Signature:



Name:

**VINAY LUTHRA, IFS.,**

Designation:

**Principal Chief Conservator of Forests  
(Head of Forest Force), Bengaluru.**

(Official Seal):



N.D.O. No. 12/2015-16

Date: 13-07-2015.

No. A5(2).GFL.CR-26/2014-15

Proposal. No. FP/KA/TRANS/8118/2014

Office of the  
Principal Chief Conservator of Forests  
(Head of Forest Force),  
Aranya Bhavana, Malleswaram,  
Bangalore-560 003, dated 13-07-2015.

To

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

Sir,

Sub: Diversion of 0.918 ha. of forest land in Sy.No. 121 of Subramanya village, Sullia Taluk, D K District (Mangaluru) for establishing 1.5MVA,33/11KV substation in Subramanya in favour of the Executive Engineer (Ele), O & M Division MESCOM Puttur Division, D.K. District. Karnataka - regarding.

- Ref: 1. Letter No. FP/KA/TRANS/8118/2014 dated 10-04-2015 (received on 06-5-2015) of the Executive Engineer (Ele), O & M Division MESCOM Puttur, D.K. District.
2. This office communication dated 16-05-2015.
3. Letters No. A3/HT line/CR-19/2015-16 dated 30-05-2015 & 25-06-2015 of the Chief Conservator of Forests, Mangaluru Circle, Mangaluru.

\* \* \* \* \*

The Executive Engineer (Ele), O & M Division MESCOM Puttur, D.K. District vide letter under reference (1) above has submitted a proposal (through web portal mode) for diversion 0.918 ha. of forest land in Sy.No.121 of Subramanya village, Sullia Taluk, D K District (Mangaluru) for establishing 1.5MVA,33/11KV substation in Subramanya, D.K. District for obtaining approval under Forest (Conservation) Act, 1980. Communication through online was made to the concerned Deputy Conservator of Forest, Chief Conservator of Forests & the Deputy Commissioner, D.K. District to process the said proposal and to submit their specific opinion / recommendations. Accordingly, the DCF, Mangaluru Division & CCF, Mangaluru Circle have processed the proposal and submitted their reports vide letters cited under reference (3) above.



The details of the proposal are as follows:

Sl. No.	Purpose-wise breakup	Village	Sy. No.	Length x Width(mts)	Extent (in ha.)
1.	Transmission Line Kulkunda to Subramanya Kumaradhara	Subramanya	121	612.00x15.00	0.918
Total					0.918ha.

The Deputy Conservator of Forests, Mangaluru Division, Mangaluru has inspected the project spot on 03-05-2015 and stated as follows:

- The adjoining area of the site consists of common Western Ghat plant species like *Hopea parviflora*, *Lagerstroemia lanceolate* and some jungle wood species.
- As the proposed electric line runs along the SH-37 no trees are required to be felled for this project and no violation of Forest (Conservation) Act, 1980 has been noticed.
- The area does not contain any protected archeological / heritage site and it is not marked area for defence establishment. Further, the area does not form part of National Park, Wildlife Sanctuary, Biosphere Reserve and Tiger Reserve or elephant corridor.
- As per the estimation, the areal distance from the boundary of Pushpagiri wildlife sanctuary whose eco-sensitive zone is yet to be notified is 4 Kms. However, there is no perceived threat to wildlife due to the project.
- The proposed forest area falls under Eco-Class-I (Kidu Reserve Forest) category having canopy density of less than 0.2.

In the instant case the forest area proposed is less than 1 ha. and as per Para 3.2 (viii) (b) of Forest (Conservation) Rules 2003 there is exemption for raising Compensatory Afforestation (CA).

The Chief Conservator of Forests, Mangaluru Circle, Mangaluru has recommended the proposal in form-'A' Part III for acceptance duly agreeing with the recommendations of the Deputy Conservator of Forests, Mangaluru Division, Mangaluru.

The following are some other observations with regard to the said proposal:

- The User Agency has submitted application in Form-A.
- The User Agency has furnished necessary undertaking towards payment of Net Present Value, Compensatory Afforestation etc.
- There are no trees in proposed area for diversion.
- However, as far as compliance under Forest Rights Act, 2006 is concerned necessary Certificate in Form-I as per guidelines issued by



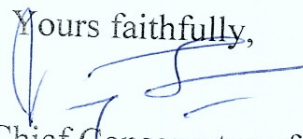
Ministry of Environment and Forest, New Delhi vide letter No. 11-9/1198-FC(Pt) dated 03-08-2009/05-07-2013 has not been provided either by the User Agency or the Deputy Commissioner, D.K. District.

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. The User Agency has given an undertaking to pay the Net Present Value towards 0.918 ha. of forest land proposed for diversion (copy enclosed).

Under the above circumstances, while agreeing with recommendation of the field officers, it is requested to issue approval under Section-2 of Forest (Conservation) Act, 1980 for diversion of 0.918 ha. of forest land in Sy.No. 121 of Subramanya village, Sullia Taluk, D K District (Mangaluru) for establishing 1.5MVA,33/11KV substation in Subramanya in favour of the Executive Engineer (Ele), O & M Division MESCOM Puttur, D.K. District, as per guide lines issued by Government of India, Ministry of Environment and Forest, New Delhi vide No. 11-9/98-FC dated 13-02-2014 (General Approval) for a period of 20 years, **subject to production of Certificate in Form-I issued by the Deputy Commissioner, D.K. District 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 by the User Agency and also subject to the 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), Bengaluru.

Copy to the Chief Conservator of Forests, Mangaluru Circle, Mangaluru for information & necessary action.

Copy to the Deputy Conservator of Forests, Mangaluru Division, Mangaluru for information & necessary action.

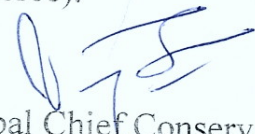
Copy to the Executive Engineer (Ele), O & M Division, MESCOM Puttur, D.K. District for information & necessary action.



### 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 Govt. 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 concerned Chief Conservator of Forests / Deputy Conservator of Forests is authorized to take necessary action in this regard.
5. In case any violations are committed by the user agency under any of the Forest Acts and rules, the proposed Forest Land shall be liable for forfeiture under Section 82 of Karnataka Forest Act 1963. The concerned Chief Conservator of Forests is authorized to take necessary action in this regard.
6. Below each conductor, width clearance of 3 mts. would be permitted for taking the tension stringing equipment. The trees on such strips would have to be felled but after stringing work is completed, the natural regeneration will be allowed to come up. Felling/pollarding/ pruning of trees will be done with the permission of the local forest office wherever necessary to maintain the electrical distance. One outer strip shall be left clear to permit maintenance of the transmission line.
7. Felling / pollarding / Pruning of trees will be done with permission of the local forest officers, wherever necessary for preventing electrical hazards.
8. The leased out area shall be demarcated on ground by fixing RCC pillars at an interval of 20.00 Mtrs at the cost of the User Agency.
9. Plantation of dwarf species (preferably medicinal plants) in right of way under the transmission lines shall be carried out at the User Agency's cost.
10. No residential buildings shall be permitted in the proposed forest area.
11. The Karnataka Forest Act, 1963 and Rules, 1969 and other relevant Acts & Rules will be applicable for any violation.
12. The User Agency has to pay the Net Present Value (NPV) of forest land 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.
13. The User Agency shall ensure that there should be no damage to the available fauna and other flora.

14. No labour camp shall be established on the forest land.
15. All waste / debris generated shall be scientifically disposed off outside the forest area.
16. 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 major damages to the environment.
17. All precautions shall be taken to ensure fire protection to the forest when the transmission line is being laid.
18. 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.
19. The lessee shall not sub-lease, mortgage or hypothecate the forest area.
20. The approval under the Forest (Conservation) Act, 1980 is subject to the clearance under the Environment (Protection) Act, 1986, if required.
21. The User Agency shall also abide by all the conditions imposed upon by Government of India, the Government of Karnataka and the Principal Chief Conservator of Forests, (Head of Forest Force).

  
Principal Chief Conservator of Forests  
(Head of Forest Force), Bengaluru.  
