

C.No. 16331

No: A5(6).GFL.CR.53/2015-16

Office of the
Principal Chief Conservator of Forests
(Head of Forest Force)
Aranya Bhawan, Malleshwaram, 18th Cross
Bangalore-560 003, dated: 29-3-2017.

To

The Additional Chief Secretary to Government
Department of Forest, Ecology and Environment,
M.S. Building,
Bangalore - 560001.

Sir,

Sub: Diversion of 0.2483 ha. of forest land for electrification of unelectrified hamlet by installing solar power plant at Bedaguli, Ramaiahnapodu and Marigudipodu at Bedaguli village in Chamarajanagar District in favour of the Executive Engineer, Chamundeshwari Electricity Supply Corporation Limited (CESC), O & M Division, Chamarajanagar.

- Ref: 1. Online proposal No. FP/KA/VELEC/18163/2016 dated: 25-02-2016 of the Executive Engineer, Chamundeshwari Electricity Supply Corporation Limited (CESC), O & M Division, Chamarajanagar.
2. Letter No. C1/Electrification Project/2016-17 dated 25-01-2017 of the Chief Conservator of Forests, (Territorial), Chamarajanagar.

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The Executive Engineer, Chamundeshwari Electricity Supply Corporation Limited (CESC), O & M Division, Chamarajanagar has submitted the proposal for seeking approval under Forest (Conservation) Act, 1980 vide letter under reference (1) above. After examining, the Chief Conservator of Forests (Territorial), Chamarajanagar & the Conservator of Forests, BRT, Chamarajanagar have recommended the proposal for diversion of 0.2483 ha. of forest land for electrification of unelectrified hamlet by installing solar power plant at Bedaguli, Ramaiahnapodu and Marigudipodu at Bedaguli village in Chamarajanagar District under the Forest (Conservation) Act, 1980.

The details of the forest land required are as under:

| Sl. No. | Name of the | | | Sy. No. | Status of forest land | Extent (In ha.) |
|---------|----------------|----------------|----------|---------|-----------------------|-----------------|
| | District | Taluk | Village | | | |
| 1 | Chamarajanagar | Chamarajanagar | Bedaguli | - | Chamarajanagar SF | 0.2483 |
| | | | | | Total | 0.2483 |

The Conservator of Forests, BRT, Chamarajanagar has inspected the site on 08-09-2016 and furnished the details in Form-A Part-II as under:

1. The requirement of forest land proposed by the User Agency is unavoidable and barest minimum for the project.
2. The proposed forest area falls under Eco-Class- I (Tropical Semi Evergreen Forests).
3. There are no rare / endangered / unique species of flora is found in the area proposed for diversion.
4. There are No trees felling on the proposed forest land for diversion.
5. There are no protected / archeological / heritage sites or defence establishments or important monuments in the area
6. The proposed forest area comes under Chamarajanagar State Forest.
7. The area is not vulnerable to soil erosion.
8. There is no violation reported under Forest Conservation Act 1980.

Proposed forest land demanded for the said project is less than 1.00 ha. Therefore, the proposal is exempted from raising of Compensatory Afforestation as per the guidelines issued to Forest (Conservation) Act, 1980 by Ministry of Environment and Forest, Government of India vide para 3.2 (viii) (b) of the FC Rules – 2003.

The User Agency has to pay the Net Present Value (NPV) of forest land being diverted under this proposal as per Hon'ble Supreme Court of India's Orders dated 28-3-2008 and 9-5-2008 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 0.2483 ha. of forest land proposed for diversion.

The user agency has not submitted the compliance of Recognition of Forest Rights (RoFR) from the concerned Deputy Commissioner in Form-I/II regarding process & settlement of rights under ROFR as per the guidelines issued vide letter F.No.11-9/98-FC(pt.) dated 05-07-2013 of the Ministry of Environment and Forests, Government of India.

The Conservator of Forests, BRT, Chamarajanagar has inspected the site on 08-09-2016 and recommended the proposal as the project is for providing Solar Power to Tribal Hadis, which is very small and minimum area. SBWL has considered the proposal and the proposal includes small power house & underground cable and thus the above proposal is recommended for diversion to non- forestry purpose.


The Chief Conservator of Forests, Chamarajanagar Circle, Chamarajanagar has inspected the site on 26-12-2016 and in agreement with the recommendations of the Conservator of Forests, BRT, Chamarajanagar and has also recommended the above proposal for diversion forest land. Therefore, in this regard specific comments of the Chief Conservator of Forests, Chamarajanagar Circle, Chamarajanagar as mentioned in Part-III of the proposal may be perused.

Under the above circumstances, it is requested to kindly accord "in-principle" (Stage-I) approval for diversion of 0.2483 ha. of forest land for electrification of unelectrified hamlet by installing solar power plant at Bedaguli, Ramaiahnapodu and Marigudipodu at Bedaguli village in Chamarajanagar District under DDG Scheme in favour of the Executive Engineer, Chamundeshwari Electricity Supply Corporation Limited (CESC), O & M Division, Chamarajanagar under Section 2(ii) of the Forest (Conservation) Act, 1980 as per the General Approval dated 13-02-2014 of Government of India, for a period of 20 Years,

subject to approval from the National Board for Wildlife and production of FRA Certificate in Form-I/II by the Deputy Commissioner, Chamarajanagar District as per the guidelines issued by Ministry of Environment and Forest, New Delhi vide letter No. 11-9/98-FC (Pt) dated 05-07-2013 by the User Agency and also subject to the specific Conditions as appended in Annexure-'A'.


The proforma particulars along with 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), Bangalore.


Copy communicated to:

1. The Chief Wildlife Warden and Principal Chief Conservator of Forests (Wildlife), 2nd Floor, Aranya Bhavan, Malleshwaram, Bangalore for information.
2. The Chief Conservator of Forests, (Territorial), Chamarajanagar for information and necessary action.
3. The Conservator of Forests, BRT, Chamarajanagar for information and necessary action.
4. Copy to the Deputy Commissioner, Chamarajanagar District for information and you are requested to forward the proposal along with your findings in Form-II on settlement of rights under FRA and consent of the Grama Sabha/s to this office as per the Forest (Conservation) Rules stated as above.
5. The Executive Engineer, Chamundeshwari Electricity Supply Corporation Limited (CESC), O & M Division, Chamarajanagar for information and necessary action.


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20-7-2013

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 is 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 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. No residential buildings shall be permitted in the proposed forest area.
7. The Karnataka Forest Act, 1963 and Rules, 1969 and other relevant Acts & Rules will be applicable for any violation.
8. 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.
9. The User Agency shall ensure that there should be no damage to the available fauna and other flora.
10. No labour camp shall be established on the forest land.
11. 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.
12. The lessee shall not sub-lease, mortgage or hypothecate the forest area.
13. 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).

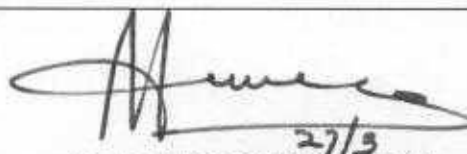

Principal Chief Conservator of Forests
(Head of Forest Force), Bangalore.

PART - IV

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

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| <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 0.2483 ha. of forest land for electrification of unelectrified hamlet by installing solar power plant at Bedaguli, Ramaiahnapodu and Marigudipodu at Bedaguli village in Chamarajanagar District under DDG Scheme in favour of the Executive Engineer, Chamundeshwari Electricity Supply Corporation Limited (CESC), O & M Division, Chamarajanagar under the Forest (Conservation) Act, 1980 subject to the conditions appended in Annexure 'A'.</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:

R. S. SURESH, IFS.,

Designation:

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

(Official Seal):

N.D.O. No. 45/2016-17

Date: 30-03-2017.

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