

ಕರ್ನಾಟಕ ಸರ್ಕಾರ

GOVERNMENT OF KARNATAKA

ಪ್ರಧಾನ ಮುಖ್ಯ ಅರಣ್ಯ ಸಂರಕ್ಷಣಾಧಿಕಾರಿ

(ಅರಣ್ಯಪಡೆ ಮುಖ್ಯಸ್ಥರು) ರವರ ಕಛೇರಿ

Office of

Principal Chief Conservator of Forests
(Head of Forest Force)



ಅರಣ್ಯಭವನ, 18 ನೇ ಅಡ್ಡರಸ್ತೆ

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Encl.

E-335513

Date 22-10-2020

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, Tumakuru District for laying 66 KV underground cable (transmission line) for 20 MW Solar plant at Thalekoppa Village, Gubbi Taluk, Tumakuru District in favour of M/s Adani Green Energy (UP) Ltd, Bengaluru

Proposal No. FP/KA/TRANS/28661/2017 [Stage-I approved]

- Ref:**
1. Government of India, Ministry of Environment, Forests & Climate Change, Regional Office (Southern Zone), Bengaluru letter F.No. 4-KRB 1139/2018-BAN/1368 dated 01-02-2018 [Stage-I approval]
 2. This office letter of even number dated 03-02-2018 [communication of Stage-I approval to User Agency and the Field officers]
 3. M/s Adani Green Energy (UP) Ltd., Bengaluru letter No. NIL dated 19-04-2018 [Compliance Report in respect of conditions of Stage-I approval]
 4. Deputy Conservator of Forests, Tumakuru Division letter No. A5/ land/66KV/CR-110/2017-18 dated 10-08-2020 [Compliance Report in respect of conditions of Stage-I approval]
 5. Chief Conservator of Forests, Hassan Circle, Letter No. A8/Land/FC/CR-79/2017-18 dated 20-08-2020 [Compliance Report in respect of conditions of Stage-I approval]

With reference to the above subject, the Government of India vide Ref (1) has accorded 'in-principle' (Stage-I approval) under Section 2 of Forest (Conservation) Act, 1980 subject to certain conditions stipulated therein. The same has been

communicated by this office vide Ref (2) to the field officers and User Agency to submit Compliance Report in respect of conditions of Stage-I approval.

In response, the User Agency vide Ref (3) has submitted the condition-wise Compliance Report to Deputy Conservator of Forests, Tumakuru Division who, after verification, vide Ref (4) has submitted the same to the Chief Conservator of Forests, Hassan Circle and who has, in turn vide Ref (5) has submitted it to this office. Based on the reports obtained from the Field officers, the present status of compliance in respect of conditions of Stage-I approval is as follows.

	Condition of Stage-I dated 01-02-2018	Status of compliance
1	The legal status of the forest land shall remain unchanged.	The legal status of forest land remains unchanged and it will be monitored by the Forest Department in future.
2	The demarcation of the common boundary of the forest area being diverted shall be carried out by erecting cement concrete pillars duly numbered at an interval of 20 meters at the cost of User Agency, before Stage-II Approval.	User Agency has demarcated the diverted forest land by erecting 90 cement concrete pillars duly numbered all along the periphery. Photographs and GPS readings of the common boundary are enclosed as ANNEXURE -I & II.
3	The cost of raising plantation of ten times the number of trees to be felled shall be realized from the User Agency. The Karnataka Forest Department will raise the plantation preferably near the project site by planting tall seedlings and maintain the same at least for five years.	User Agency has deposited an amount Rs. 25,60,000/- @ towards raising Compensatory Plantation of 10 times the number of trees (237 trees) to be felled to CAMPA account through FC web portal in following installments. 1. Rs. 24,00,000/- on 27-07-2018 (included in total transaction amount of Rs. 29,60,583/-) 2. Rs. 1,60,000/- (Challan generated on 31-07-2018 but shown as unpaid on FC web portal because, the User Agency, instead of making payment against the designated Challan, has erroneously made the payment to the CAMPA account mentioned in the first transaction Challan above) Total : Rs. 25,60,000/- However, both of the above transactions have been included in the Karnataka CAMPA Afforestation Fund Ledger Account from 01-04-2006 to 31-03-2019 vide Voucher No. 63 on 16-02-2018 and Voucher

		<p>No. 49 on 27-07-2018 respectively.</p> <p>Necessary correspondence with Government of India to set right the technical issue on payment page of FC web portal caused by erroneous way of making payment of Rs. 1,60,000/- as mentioned above is being made separately.</p> <p>Copies of the Payment Page print taken from the FC web portal [ANNEXURE-1] and also the Karnataka CAMPA Afforestation Fund Ledger Account from 01-04-2006 to 31-03-2019 [ANNEXURE-2] are enclosed.</p> <p>In the meantime, the Compensatory Plantation rates for 10 times the number of trees to be felled <u>have since been revised to Rs. 2.44 lakh for every 16 trees or less to be felled w.e.f. 01-05-2020. Therefore the User Agency will be required to pay the Compensatory Planting difference amount and is being intimated to do the same.</u></p>
4	<p>The state Government shall charge the Net Present value of the diverted forest land of 0.8955 ha from the User Agency as per the orders of the Hon'ble Supreme Court dated 28.03.2008 and 09.05.2008 in IA Nos. 826 in 566 with related IA's in Writ Petition (Civil) No. 202/1995.</p>	<p>User Agency has paid an amount of Rs. 5,60,583/- @ Rs. 6.26 lakh per ha towards NPV to CAMPA Account through FC web portal on 27-07-2018.</p> <p>Copies of the Payment Page print taken from the FC web portal [ANNEXURE-1] and also the Karnataka CAMPA Afforestation Fund Ledger Account from 01-04-2006 to 31-03-2019 [ANNEXURE-2] are already enclosed.</p>
5	<p>Additional amount of the Net Present Value (NPV) of the diverted forest land if any, becoming due after revision of the same by the Hon'ble Supreme Court of India in future, shall be charged by the State Government from the User Agency. The User</p>	<p>User Agency has agreed and submitted an Undertaking in this regard. ANNEXURE-III</p>

	Agency shall furnish and undertaking to this effect.	
6	User Agency should ensure that the compensatory levies are deposited through challan generated online on web portal and deposited in appropriate bank online only, Amount deposited through other mode will not be accepted as compliance of Stage-I clearance.	The User Agency has already complied with the condition as mentioned against the Condition No. 3 and 4 above.
7	Necessary certificates/documents under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act 2006 as per the guidelines issued by Ministry of Environment and Forests vide letter No.11-9/1998-FC (Pt) dated 05-07-2013 shall be furnished before Stage-II clearance.	The User Agency has already obtained the FRA Certificate in FORM-I (for Linear Projects) issued by the Deputy Commissioner, Tumakuru District vide No. NIL dated 03-04-2018. The same is enclosed herewith. [ANNEXURE-IV]
8	The total forest area utilized for the project shall not exceed 0.8955 ha.	The User Agency has agreed and submitted an Undertaking in this regard. [ANNEXURE-V]
9	Any other condition that the Additional Principal Chief Conservator of Forests (Central), Regional Office, Bengaluru may impose from time to time for protection, improvement of flora and fauna in the forest area and public convenience, shall also be applicable.	The User Agency has agreed and submitted an Undertaking in this regard. [ANNEXURE -VI]
10	Violation of any of the conditions shall invite penal action, as deemed fit by the Additional Principal Chief Conservator of Forests (Central), Regional Office, Bengaluru.	The User Agency has agreed and submitted an Undertaking in this regard. [ANNEXURE -VII]

In view of the above mentioned compliance to conditions of Stage-I approval as reported by the field officers, **it is requested to move the matter with the Government of India, Ministry of Environment, Forests & Climate Change, Regional Office (Southern Zone) Bengaluru to accord final approval (Stage-II)**

under the Forest (Conservation) Act, 1980 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, Tumakuru District for laying 66 KV underground cable (transmission line) for 20 MW Solar plant at Thalekoppa Village, Gubbi Taluk, Tumakuru District in favour of M/s Adani Green Energy (UP) Ltd, Bengaluru for a period of twenty (20) years subject to payment the differential charges from User Agency applicable on the date of Stage-II approval.

The relevant documents in 3 sets are submitted here with for kind perusal and further action. The present status of the proposal obtained from the web-portal is also appended for necessary action.

Yours Faithfully



(Rajiv Ranjan IFS)

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

Copy to the:

1. Chief Conservator of Forests, Hassan Circle, Hassan for information.
2. Deputy Conservator of Forests, Tumakuru Division, Tumakuru for information.
You are required to issue a Supplementary Demand Notice for recovery of differential Compensatory Planting charges to User Agency informing to upload on FC web portal for acceptance by this office. You are also required to verify whether a similar action is required in respect of the Condition No. 3 of Stage-I approval.
3. M/s Adani Green Energy (UP) Ltd, No.160, Om chambers, 2nd floor, Near Total Gaz pump, 1st Main Road, Sheshadripuram, Bengaluru - 560 020 for information and with a request to obtain **Supplementary Demand Notice from the Deputy Conservator of Forests, Tumakuru and upload on FC web portal for acceptance by this office, generating challan and subsequent payment to the designated CAMPA account.**

dlc *Ans*

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28-10-2020
Recvd (3)
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