

GOVERNMENT OF KARNATAKA

ಪ್ರಧಾನಮುಖ್ಯಅರಣ್ಯಸಂರಕ್ಷಣಾಧಿಕಾರಿ

(ಅರಣ್ಯಪಡೆಮುಖ್ಯಸ್ಥರು) ರವರಕಛೇರಿ

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



ಅರಣ್ಯಭವನ, 18ನೇ ಅಡ್ಡರಸ್ತೆ

ಮಲ್ಲೇಶ್ವರಂ, ಬೆಂಗಳೂರು-560 003.

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E-86936

Date 20-10-2020

22

To,

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

Sir,

Sub: Diversion of 9.437 ha of forest land in SyNo. 92, 156, 157 & 159 of Marashettihalli Village, Gubbi Taluk, Tumakuru District for construction of 220/220 KV MC Narrow Based Towers for shifting of existing 220KV B1, B2 and B3, B4 lines at proposed HAL factory in favour of the Executive Engineer, Major Works Division, KPTCL, Tumakuru

Proposal No. FP/KA/TRANS/21198/2016 [Stage-I approved]

- Ref:**
1. Government of India, Ministry of Environment, Forests and Climate Change, Regional Office (Southern Zone), Bengaluru letter F.No.4-KRC1144/2018-BAN/1559 dated 15-03-2018 [Stage-I approval]
 2. This office letter of even No. dated 24-03-2018 [communication of Stage-I approval]
 3. Executive Engineer, Major Works Division, KPTCL, Tumakuru letter No. EEE/AEE-5/MWD/TKR/2018-19 dated 26-04-2018, 25-06-2019 and 05-11-2019 [submission of Compliance Report]
 4. Deputy Conservator of Forests, Tumakuru Division letter No.A5/LND/Diversion/CR-20/2017-18 dated 15-06-2020 [submission of Compliance Report]
 5. Chief Conservator of Forests, Hassan Circle letter No. A8/LAND/FC/CR-76/2017-18 dated 29-06-2020 [submission of Compliance Report]

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 was communicated

by this office vide Ref (2) to the User Agency and field officers seeking 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 along with relevant document in respect of conditions of Stage-I approval to the Deputy Conservator of Forests, Tumakuru Division, who vide Ref (4) has, after verification, submitted it to Chief Conservator of Forests, Hassan Circle and who in turn has vide Ref (5) submitted the same to this office.

Based on the report received from the field officers, the status of the condition-wise compliance in respect of conditions of Stage-I approval is as follows.

Condition of Stage-I approval dated 15-03-2018	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 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 240 cement concrete pillars duly numbered all along the periphery.
3. The cost of raising Compensatory Afforestation over double the degraded forest land over an extent of 18.874 ha. in SyNo.110 of Hoovinakatte Village, Chellur Hobli, Gubbi Taluk, Tumakuru District shall be realized from the User Agency.	<p>The User Agency has paid an amount of Rs. 56,62,200/- towards CA charges for 18.874 ha @ Rs. 3.00 lakh per hectare to CAMPA Account through FC web portal in the following installments.</p> <p>i. Rs. 51,33,728/- on 17-04-2018 (included in total Rs. 11041290/- paid on the day)</p> <p>ii. Rs. 5,28,472/- on 20-09-2018</p> <p>Total Rs. 56,62,200/-</p> <p>The copy of payment page print taken from FC Web portal is enclosed herewith as ANNEXURE-I.</p> <p><u>However, the CA rates have since been revised to Rs. 4.412 lakh per ha w.e.f. 01-05-2020. Therefore the User Agency will be required to pay the CA difference amount and is being intimated to do the same.</u></p>
4. The State Government shall charge the Net Present value of the diverted forest land of 9.437ha	The User Agency has paid an amount of Rs. 59,07,562/- towards Net Present Value for 9.437 ha @ Rs. 6.26/- lakh per

	form the User Agency as per the orders of the Hon'ble Supreme Court of India 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.	hectare to CAMPA Account through FC web portal on 17-04-2020. The copy of payment page print taken from FC Web portal is already enclosed above as ANNEXURE-I .
5.	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 Agency shall furnish and undertaking to this effect.	The User Agency has submitted an Undertaking dated 05-11-2019 in this regard. ANNEXURE -III .
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, 4 and 8.
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. dtwoturn/fra/tum-shi/NH-206/CR-02/2019-20 dated 26-07-2019. The same is enclosed herewith. [ANNEXURE-IV]
8.	Existing plantation in the right of way under the transmission line shall be maintained at the cost of the User Agency and dwarf species needs to be planted wherever possible.	The User Agency has remitted an amount of Rs.27,25,000/- @ calculated by Deputy Conservator of Forests as per site conditions towards planting of dwarf species in the Right of way under the transmission line to CAMPA account through FC Web Portal on 20-06-2019. The copy of payment page print taken from FC Web portal is already enclosed above as ANNEXURE-I .

		However, the Deputy Conservator of Forests, Tumkur is being instructed to work out the amount based on the latest rates and recover the differential charges, if any.
9.	Guidelines issued by the Ministry vide letter No.7-25/2012-FC dated 5/5/2014 for laying of transmission lines through forest areas shall be strictly followed.	The User Agency has submitted an Undertaking dated 05-11-2019 in this regard.ANNEXURE -VI.
10.	The total forest area utilized for the project shall not exceed 9.437 ha.	The User Agency has submitted an Undertaking dated 05-11-2019 in this regard.ANNEXURE -VII
11.	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 submitted an Undertaking dated 05-11-2019 in this regard.ANNEXURE -VIII
12.	Violation of any of the conditions shall invite penal action, as deemed fit by the Addl. PCCF(Central), Regional Office, Bengaluru	The User Agency has submitted an Undertaking dated 05-11-2019 in this regard.ANNEXURE -IX

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 9.437 ha of forest land in Sy No. 92, 156, 157 & 159 of Marashettihalli Village, Gubbi Taluk, Tumakuru District for construction of 220/220 KV MC Narrow Based Towers for shifting of existing 220 KV B1, B2 and B3, B4 lines at proposed HAL factory in favour of the Executive Engineer, Major Works Division, KPTCL, Tumakuru for a period of twenty (20) years.

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 CA charges to User Agency informing to upload on FC web portal for acceptance by this office. You are also required to verify whether asimilar action is required in respect of the Condition No. 8 of Stage-I approval.**
3. Executive Engineer, Major Works Division, Karnataka power Transmission Corporation Limited (KPTCL), Kothithop Road, Tumakuru 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.**

o/c

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ದಿನಾಂಕ 29-10-2020