

GOVERNMENT OF KARNATAKA

ಪ್ರಧಾನ ಮುಖ್ಯ ಅರಣ್ಯ ಸಂರಕ್ಷಣಾಧಿಕಾರಿ
(ಅರಣ್ಯಪಡೆ ಮುಖ್ಯಸ್ಥರು) ರವರ ಕಛೇರಿ
Office of
Principal Chief Conservator of
Forests
(Head of Forest Force)



ಅರಣ್ಯ ಭವನ, 18 ನೇ ಅಡ್ಡರಸ್ತೆ,
ಮಲ್ಲೇಶ್ವರಂ, ಬೆಂಗಳೂರು-560 003
AranyaBhavan, 18th Cross
Malleshwaram, Kanara-560 003
Telephone: 080 2334 6472
Email: apccffc@gmail.com

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E-office File No. KFD/HOFF/A52K(GFL)/55/2018-FC
Encl: 3 sets of compliance report

E- 66917
Date 27-07-2023
24-08

To,

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

Sir,

Sub: Diversion of 1.33 hectare of forest land in near Adkoli Cross in F. Sy. No.54A of Kansur village of Siddapur Taluk, Uttara Kannada District for establishing 1x10 MVA, 110/1 KV Substation along with construction of 110 KV LILO line from Jog-Sirsi DC line using Lynx conductor for a distance of 0.3 km in favour of the Executive Engineer (Electrical), Major Works Division, KPTCL Uttara Kannada District at Vidyut Nagar, Hubballi.

Proposal No. FP/KA/Substation/36164/2018 [Stage-I approved]

Ref:

1. Government of India, Ministry of Environment, Forests and Climate Change, Regional Office (Southern Zone), Bengaluru letter F.No. 4 KRB 1271/2020-BAN/658 Dated 22-09-2021 [Stage-I approval]
2. Government of Karnataka letter No. FEE 09 FLL 2019 (e) dated 25-10-2021 [communication of Stage-I approval]
3. This office letter even No. dated 12-11-2021 [communication of Stage-I approval to User Agency and Field officers]
4. Executive Engineer (Ele), MWD, KPTCL, Hubballi letter No. 605/EEE/MWD/UKD/AEE(O)/HBL/22-23/198-203 dated 22-06-2022 [Compliance Report to DCF, Sirsi Division]
5. Deputy Conservator of Forests, Sirsi Division letter No. KFD-A3/GFL/FC/KPTCL/CR-10/2019-20/2022-23/1622 dated 27-09-2022 [Compliance Report to CF, Kanara Circle]
6. Conservator of Forests, Kanara Circle, Sirsi letter No. B2/GFL/CR-8/2019-20 dated 30-09-2022 [Compliance Report to Nodal Officer]

The Government of India vide ref (1) have accorded 'in-principle' (Stage-I) approval for diversion of 1.33 hectare of forest land in near Adkoli Cross in F. Sy. No.54A of Kansur village of Siddapur Taluk, Uttara Kannada District for establishing

1x10 MVA, 110/1 KV Substation along with construction of 110 KV LILO line from Jog-Sirsi DC line in favour of the Executive Engineer (Electrical), Major Works Division, KPTCL Uttara Kannada District at Vidyut Nagar, Hubballi subject to fulfillment of certain conditions.

The same was forwarded to this office by the Government of Karnataka vide ref (2) with a direction to submit the compliance report of conditions of Stage-I approval.

Accordingly, this office vide ref (3) informed the User Agency and field officers for further action to submit the compliance report in respect of the conditions of Stage-I approval.

In response, the User Agency vide ref (4) has submitted the condition-wise compliance report to the Deputy Conservator of Forests, Sirsi Division, who after verification have vide ref (5) submitted the condition wise compliance to the Conservator of Forests, Kanara Circle, Sirsi who has further submitted the same to this office vide ref (6).

Based on the reports received, the status of compliance to the conditions of Stage-I approval is as under.

Stage-I approval condition		Status of Compliance
Conditions which need to be complied prior to handing over of forest land by the State Forest Department.		
1	The User Agency shall transfer online, the Net Present Value (NPV) of the forest land being diverted under this proposal, as per the orders of the Hon'ble Supreme Court of India dated 28-03-2008, 24-04-2008 and 09-05-2008 in writ petition (Civil) No.202/1995 and the guidelines issued by this Ministry vide its letter No.5-3/2007-FC dated 05-02-2009. The requisite funds shall be transferred through online portal into CAMPA account of the State concerned.	The user agency has paid Net Present Value (NPV) of Rs. 12,48,870/- vide UTR No. SBINR52022020365220655 dated: 03-02-2022. <i>(Total amount transferred under this UTR is Rs. 57,92,150/- which includes NPV and CA)</i>
2	The User Agency Shall transfer the cost of raising and maintaining the Compensatory Afforestation over double the extent of degraded forest land (2.66 ha) in Sy.No.437, Sadashivalli village, Sirsi Taluk, Uttara Kannada District at the current wage rate, in consultation with State Forest Department in the	The user agency has paid compensatory afforestation amount of Rs. 45,43,280/- (2.66 ha @ Rs.17.08 lakhs/ha) vide UTR No. SBINR52022020365220655 dated: 03-02-2022. <i>(Total amount transferred under this UTR is Rs. 57,92,150/- which includes NPV and CA).</i> In the meantime, the CA rates have been

	account of CAMPA of the concerned state through online portal. The scheme shall include demarcation of CA area using appropriate fencing, provision for tall plants for better survival, provision for watering and SMC works and appropriate provision for anticipated cost escalation for the works scheduled for subsequent years.	<p>revised to Rs. 18.36 lakh per ha w.e.f. 24-05-2022. Therefore, DCF Sirsi has raised the supplementary Demand Notice to UA for payment of Differential CA, Watering Charges and Cost of raising Planation of dwarf species under the transmission line.</p> <p>Accordingly, User Agency has paid Rs. 29,52,668 vide UTR No. SBINR52023062356878162 dated 23-06-2023. Amount breakup is given below.</p> <table><tr><th>Details</th><th>Paid by User Agency</th></tr><tr><td>Differential CA</td><td>Rs.3,40,480/-</td></tr><tr><td>Watering Charges (@Rs. 8,95,080/ Ha for 2.66 Ha)</td><td>Rs.23,80,913/-</td></tr><tr><td>Cost of raising Planation under the transmission line. (@Rs. 7,25,000/ Ha for 0.319 Ha)</td><td>Rs.2,31,275/-</td></tr><tr><td>Total</td><td>Rs.29,52,668</td></tr></table>	Details	Paid by User Agency	Differential CA	Rs.3,40,480/-	Watering Charges (@Rs. 8,95,080/ Ha for 2.66 Ha)	Rs.23,80,913/-	Cost of raising Planation under the transmission line. (@Rs. 7,25,000/ Ha for 0.319 Ha)	Rs.2,31,275/-	Total	Rs.29,52,668
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Cost of raising Planation under the transmission line. (@Rs. 7,25,000/ Ha for 0.319 Ha)	Rs.2,31,275/-											
Total	Rs.29,52,668											
3	The user Agency shall restrict the felling of trees to minimum number in the diverted forest land the trees shall be felled under the strict supervision of the State Forest Department and the cost of felling of trees shall be deposited by the User Agency with the State Forest Department.	The User Agency has agreed to this and furnished a consolidated undertaking to that effect. [ANNEXURE-III]										
4	All the funds received from the user agency under the project shall be transferred/deposited in CAMPA account only through e-portal(https://parivesh.nic.in/). Amount deposited through other mode will not be accepted as compliance of the Stage-I clearance	The user agency has paid the total amount of Rs. 87,44,838/- to CAMPA account through Parivesh e-portal										
5	The KML file of the area diverted and CA area shall be uploaded in the e-green watch portal with all requisite details and same shall be submitted along with compliance report.	User Agency will upload the KML file of the area diverted and CA area in the e-green watch portal with all requisite details and after stage I approval.										

6	The Compliance report shall be uploaded on e-portal(https://parivesh.nic.in)	The user agency has uploaded the compliance report in e-portal.
7	The boundary of the diverted forest land shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, distance from pillar to pillar and GPS co-ordinates.	The boundary of the diverted forest land has been demarcated and RCC boundary pillars have been erected. The User Agency has agreed to this and furnished a consolidated undertaking to that effect. [ANNEXURE-VII]
8	The User Agency in consultation with the State Forest Department shall prepare a detailed scheme for creation and maintenance of plantation of dwarf species (preferably medical plants) in the right of way under the transmission line. Cost of raising plantation of dwarf species (preferably medical plants) shall be realized from the user agency and transferred/ deposited to the CAMPA fund through Parivesh portal and the plantation shall be raised by the State Forest Department.	The User Agency has agreed and furnished a consolidated undertaking to that effect. [ANNEXURE-VIII]
9	Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as prescribed in para 1.21 of Chapter 1 of the Handbook of comprehensive guidelines of Forest (Conservation) Act, 1980 as issued by this Ministry's letter No.5-2/2017-FC dated 28-03-2019.	The User Agency has agreed and furnished a consolidated undertaking to that effect. [ANNEXURE-IX]
Conditions which need to be strictly complied on field after handing over of forest land to the user agency by the State Forest Department but the compliance in form of undertaking shall be submitted prior to Stage-II approval:		
1	The legal status of the diverted forest land shall remain unchanged	The legal status of the forest land remains unchanged and the land continues to be forest land. It will be further monitored by the Forest Department in future.
2	Compensatory Afforestation shall	The Forest Department will take up the

	be raised over double the extent of degraded forest land within three years from the date of Stage-II Clearance and maintained there after by the concerned State Forest Department at the cost of the User Agency and at least 1000 plants per hectare shall be planted over identified degraded forest land within three years of grant of final approval. If it is not possible to plant so many saplings in the area identified for CA, the balance saplings will be planted in any other forests as per prescriptions of approved working plan with provision for ten years on subsequent maintenance.	compensatory afforestation in the degraded forest land. The CA charges are deposited by the User agency.
3	At the time of payment of the Net present Value (NPV) at the then prevailing rate the User Agency shall furnish an undertaking to pay the additional amount of NPV. If so determined, as per the final decision of the Hon'ble Supreme Court of India.	The User Agency has agreed and furnished a consolidated undertaking to that effect. [ANNEXURE-XII]
4	Tree felling shall be restricted to the barest minimum possible and under confirmation from the local forest officials.	The User Agency has agreed and furnished a consolidated undertaking to that effect. [ANNEXURE-XIII]
5	The period of diversion under this approval shall be co-terminus with the period of lease to be granted in favour of the user agency or the project life, whichever is less.	The User Agency has agreed and furnished a consolidated undertaking to that effect. [ANNEXURE-XIV]
6	No labour camp shall be established in the forest land.	The User Agency has agreed and furnished a consolidated undertaking to that effect. [ANNEXURE-XV]
7	No additional or new paths will be constructed inside the forest area for transportation of construction materials for execution of project work	The User Agency has agreed and furnished a consolidated undertaking to that effect. [ANNEXURE-XVI]
8	Sufficient firewood, preferably the	The User Agency has agreed and furnished a

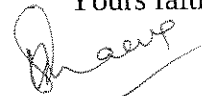
	alternate fuel, shall be provided by the user Agency to the labourer after purchasing the same from the State Forest Department or the Forest Development Corporation or any other legal source of alternate fuel.	consolidated undertaking to that effect. [ANNEXURE-XVII]
9	The User Agency at its cost shall provide bird reflectors, which are to be fixed on upper conductor of transmission line at suitable intervals to avoid bird hits.	The User Agency has agreed and furnished a consolidated undertaking to that effect. [ANNEXURE-XVIII]
10	The user Agency shall comply with the guidelines for laying transmission lines through forest areas issued by Ministry vide letter No.7-25/2012-FC dated 05-05-2014 & 19-11-2014	The User Agency has agreed and furnished a consolidated undertaking to that effect. [ANNEXURE-XIX]
11	The forest land shall not be used for any purpose other than that specified in the project proposal.	The User Agency has agreed and furnished a consolidated undertaking to that effect. [ANNEXURE-XX]
12	The forest land proposed to be diverted shall under no circumstances be transferred to any other agency department or person without prior approval of the Central Government;	The User Agency has agreed and furnished a consolidated undertaking to that effect. [ANNEXURE-XXI]
13	No damage to the flora and fauna of the adjoining area shall be caused.	The User Agency has agreed and furnished a consolidated undertaking to that effect. [ANNEXURE-XXII]
14	The Agency shall obtain the Environmental Clearance as per the provisions of the Environment (Protection) Act, 1986, if applicable.	The User Agency has agreed and furnished a consolidated undertaking to that effect. [ANNEXURE-XXIII]
15	The layout plan of the proposal shall not be changed without the prior approval of the Central Government.	The User Agency has agreed and furnished a consolidated undertaking to that effect. [ANNEXURE-XXIV]
16	The User Agency shall submit the annual self-compliance report in respect of the above stated conditions to the State Government	The User Agency has agreed and furnished a consolidated undertaking to that effect. [ANNEXURE-XXV]

	and integrated Regional Office, Bangalore by the end of March every year.	
17	The user agency shall comply with all the provisions of the all Acts, Rules, Regulations, Guidelines, Hon'ble Court order(s) and NGT order(s) pertaining to this project, if any, for the time being in force, as applicable to the project.	The User Agency has agreed and furnished a consolidated undertaking to that effect. [ANNEXURE-XXVI]

Under the above circumstances and agreeing with the recommendation of the field officers, **it is requested to move the matter with the Government of India, Ministry of Environment, Forests and Climate Change, Integrated Regional Office, Bengaluru to consider according the final (Stage-II) approval for diversion of 1.33 hectare of forest land in near Adkoli Cross in F. Sy. No.54A of Kansur village of Siddapur Taluk, Uttara Kannada District for establishing 1x10 MVA, 110/1 KV Substation along with construction of 110 KV LILO line from Jog-Sirsi DC line in favour of the Executive Engineer (Electrical), Major Works Division, KPTCL Uttara Kannada District at Vidyut Nagar, Hubballi.**

The relevant documents in 3 sets are submitted herewith for kind perusal and further action.

Yours faithfully,



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

Copy to the:

1. Conservator of Forests, Kanara Circle, Sirsi for information.
2. Deputy Conservator of Forests, Sirsi Division for information
3. Executive Engineer (Electrical), Major Works Division, KPTCL Uttara Kannada District, Vidyut Nagar, Karwar Road, Hubballi - 580024 for information

