

ಕರ್ನಾಟಕ ಸರ್ಕಾರ  
GOVERNMENT OF KARNATAKA

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



ಅರಣ್ಯ ಭವನ, 18ನೇ ಅಡ್ಡರಸ್ತೆ,  
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Old File No. A5(4). GFL/CR75/1986-87  
E-office File No. KFD/HoFF/A5-4(GFL)/16/2018-FC

E-63391  
Date 14-07-2023

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

Sir,

**Sub:** Diversion of 89.92 hectare of forest land in Tavaraghatta Village Sy No. 14 and Singanamane Village Sy No. 16 both in Kasaba Hobli, Bhadravathi Taluk, Shivamogga District and Byrapura village Sy No. 37, Kasaba Hobli, Narsimharajapura (NR) Taluk, Chikkamagaluru District for establishment and development of Kuvempu University Campus for academic activities in favour of Registrar, Kuvempu University, Jnana Sahyadri, Shankaraghatta, Shivamogga District

**Proposal No. FP/KA/SCH/35132/2018 [Form-A]**

**Ref:**

1. This office even no. letter dated 27-07-2021 and 10-01-2022.
2. Government of Karnataka letter no. FEE 51 FLL 2021(e) dated 17-10-2021 and 05-01-2022.
3. Government of India, Ministry of Environment, Forests & Climate Change, Regional Office (Southern Zone), Bengaluru letter No. F.No. 8-27/2021-FC dated: Nil-12-2022.
4. Deputy Conservator of Forests & Director, Bhadra Tiger Reserve, Chikkamagaluru letter No. A5/Land/CR-09/2008-09/253 dated 18-05-2023.
5. Chief Conservator of Forests, Chikkamagaluru Circle, Chikkamagaluru letter no. 10/LND/KU/CR-02/2014-15 dated: 05-06-2023 (Received in this office on 17-06-2023)

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With regard to the proposal submitted by this office vide Ref (1) letter dated: 27-07-2021 seeking Stage-I approval under the Forest (Conservation) Act, 1980 to the Government of Karnataka and by the State Government vide Ref (2) dated: 17-10-2021 to the Central Government, the Government of India vide Ref (3) has raised the EDS Query.

The same is communicated by Government of Karnataka vide Ref (2) letter dated:05-01-2022 and this office vide Ref (1) letter dated: 10-01-2022 to the field.

In response, the reply to the EDS query raised by the Government of India is furnished by the Deputy Conservator of Forests & Director, Bhadra Tiger Reserve, Chikkamagaluru vide Ref (5) through the Chief Conservator of Forests, Chikkamagaluru Circle Vide Ref (6) to this office. The details are as follows:

Sl. No.	Government of India EDS query	Reply
i.	The proposal is non-site specific, in this regard the state govt. is requested to submit the justification and other alternate of the land explored.	<p>The Govt. of Karnataka in its order No. FFD:108: FGL:76 Bangalore, dated:21:02:1979 has accorded for lease of 230 acres of minor forest land in Singanamane village for PG Center of Mysore University. Later the same land with all assets was transferred for establishment of Kuvempu University vide Karnataka state University act 1987 (Copy enclosed) The land leased is used for academic activities.</p> <p>During that time alternative land was searched for the establishment of Kuvempu university but suitable land could not be found. Since the University of Mysore's Post Graduate Center was already functioning in the present land, it was considered ideal to start the University here and hence the Kuvempu University was established in the present land.</p> <p>For the past 30 years, large number of facilities and Faculty Buildings, Guest Houses, Hostels, Laboratories, Class rooms etc. have been built which cannot be shifted.</p>



ii.	As per the PARIVESH portal the applied area of forest land is 90.04 ha of forest land. But the State Govt. has recommended an of area is 89.92 ha. in this regard the State Govt. is requested to clarify the same.	Originally the applied forest area for diversion was 90.04 ha. However, the Director. Bhadra Tiger Project, Chikkamagaluru has fixed the land to 89.92 ha on the recommendation of the Standing Committee of Indian Board of Wild Life (F. No:6-1-2002: WL-2 Dated:16-08-2002). And this was also accepted by the User Agency.  Accordingly, the State Government has recommended diversion for an extent of 89.92 ha.
iii.	Complete KML file including the build-up area of the proposed forest area has not been uploaded by the State Government on the PARIVESH portal the same may be uploaded in PARIVESH portal.	KML file has been Uploaded in PARIVESH portal.
iv.	The user agency has not submitted any under taking to bear the cost of CA & NPV. In this regard the State Government is requested to submit the same.	The User agency has submitted an undertaking in this regard. (Copy enclosed)
v.	The state Govt. forwarding letter and par-V uploaded in the PARIVESH portal is not relevant to this proposal. The revised correct letter may be uploaded in PARIVESH portal.	----
vi.	Many relevant documents uploaded in PARIVESH portal are in vernacular language (i.e. Kannada). The English version is required for analysing the same in this Ministry. Therefore, the translated copies may be submitted to this Ministry.	Translated copies are enclosed with this letter.
vii.	The State Govt. is requested to provide the information regarding whether any court cases are pending with respect to the instant proposal.	No Court Case is pending with respect to the instant Proposal.

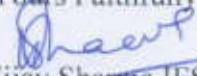
viii.	<p>The state government has provided the names of the officials responsible for violation but the action taken report with respect to the officials has not been submitted. In this regard, the state government is requested to forward the Action taken report to this Ministry.</p>	<p>The Kuvempu University (User Agency) came into existence in 1983. 230 acres land of Singanamane MF was leased to Kuvempu University from 1979 to 1999 for a period of 20 years. After lease period Government got over, the Government of Karnataka vide letter No. FEE-364-FGL-2002 dated 16-12-2002 directed the user agency to submit the proposal under the FC Act for renewal of lease.</p> <p>Subsequently The Registrar, Kuvempu University filed an Interim Application before the Hon'ble Supreme Court (Case No. 1A No. 2707/2009) for renewal of lease and waiver of NPV and CA charges. This issue was referred to the CEC by the Hon'ble Supreme Court. The CEC in its report dated 12-09-2013 submitted to the Hon'ble Supreme Court with recommendation to be complied.</p> <p>After considering CEC report the Hon'ble Supreme Court along with other related pending IAs referred/transferred the applications to the MOEF &amp; CC for the further consideration and decision in accordance with law.</p> <p>The issue was placed before the Forest Advisory Committee (FAC), in the meetings on 15-06-2017 and 26-04-2018. The Forest Advisory Committee on 26-04-2018 recommended for renewal of the lease with conditions. In this process of correspondence, the entire proposal was delayed for lease renewal/FC clearance for almost 15 years at various levels.</p> <p>Meanwhile, University Authorities have developed various infrastructure facilities for the students like hostels, laboratory, quarters, etc., under the directions and</p>
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		<p>approvals of State/Central Government and statutory bodies of the University.</p> <p>In 2018 another fresh online application was applied by the User agency for the approval under the FC act.</p> <p><b>In view of the above facts, no action has been initiated against any officials.</b></p>
ix.	The FRA certificate submitted by the State Govt. is not as per prescribed format mentioned comprehensive guideline issued by this Ministry.	The FRA certificate is submitted as per the prescribed format issued by the Ministry (Copy enclosed)
x	The State Government has not submitted the CB analysis report. The same may be forwarded to this Ministry.	CB analysis report is enclosed.

The EDS reply submitted by the Deputy Conservator of Forests & Director, Bhadra Tiger Reserve, Chikkamagaluru, Chief Conservator of Forests, Chikkamagaluru Circle are appended to this letter for your reference. **Under the above circumstances, it is requested to move the above proposal to the Government of India for seeking Stage-I clearance under Forest (Conservation) Act, 1980.**

Yours Faithfully

  
(Vijay Sharma IFS)

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

Copy to the:

1. Chief Conservator of Forests, Chikkamagaluru Circle, Chikkamagaluru for information.
2. Deputy Conservator of Forests & Director, Bhadra Tiger Reserve, Chikkamagaluru for information.
3. The Registrar, Kuvempu University, Jnana Sahyadri, Shankaraghatta, Shimoga District **for information.**