

ಕರ್ನಾಟಕ ಸರ್ಕಾರ
GOVERNMENT OF KARNATAKA

ಪ್ರಧಾನ ಮುಖ್ಯ ಅರಣ್ಯ ಸಂರಕ್ಷಣಾಧಿಕಾರಿ
(ಅರಣ್ಯ ಪಡೆ ಮುಖ್ಯಸ್ಥರು) ರವರ ಕಚೇರಿ

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



ಅರಣ್ಯ ಭವನ, 18ನೇ ಅಡ್ಡರಸ್ತೆ
ಮಲ್ಲೇಶ್ವರಂ, ಬೆಂಗಳೂರು-560003

Aranya Bhavan, 18th Cross
Malleshwaram, Bengaluru- 03
Telephone: 080 2334 6472
Email: apccffc@gmail.com

Old File No. A5(2).GFL.CR-6/2018-19

E-office File No. KFD/HOFF/A5-2(GFL)/143/2019-FC

E - 100986

Date 27-03-2025

To,

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

Sir,

Sub: Renewal of FC approval over 221.80 ha of forest land in Jogimatti and Marikanive RF [Lakkihalli, Myakenahalli and nine (9) other villages], in Hosadurga, Hiriyuru, Holalakere and Chitradurga Taluks of Chitradurga District for already established Wind power project in favour of Karnataka Renewal Energy Development Limited (KREDL) for sub-lease to M/s. Enercon (India) Limited [presently M/s Wind world (India) Limited on BOT basis (online proposal No. FP/KA/WIND/43786/2020)-regarding Request for modification/ change of condition stage-II forest clearance granted to Wind Power project from existing lease grant of 15 years to 30 years.

Proposal No. FP/KA/WIND/43786/2020 [FORM-B].

- Ref:**
1. This office letter of even number dated 10-01-2023 *[seeking renewal of lease]* 23-01-2025 *[directed to submit report]*
 2. Government of India, Ministry of Environment, Forests (Forest Conservation Division), New Delhi letter No. 8-84-2002-FC dated 09-12-2024 *[EDS query]*.
 3. Deputy Conservator of Forests, Forest mobile squad, Vigilance, Ballari letter No. Uaasm/Asandha(Ja)B/CA land verification/2024-25/233A dated 30-01-2025 *[reply submitted to this office]*.

With reference to the above subject, this office vide Ref (1) letter dated 10-01-2023 had submitted the above-mentioned proposal to Government of Karnataka seeking renewal of proposal under Section 2 of Forest (Conservation) Act, 1980. The project was discussed in the Forest Advisory Committee in its meeting held on 28-11-2024. The FAC has made certain observations and communicated the same vide letter dated 09-12-2024 mentioned at Ref (2) above.

This office vide Ref (1) letter dated 23-01-2025 had constituted a joint team comprising of Deputy Conservator of Forests, Vigilance, Ballari and Deputy Conservator of Forests, Forest (Conservation) and directed to inspect the CA lands.

The replies to the observations are submitted hereunder:

Sl. No.	GOI EDS query dated 09-12-2024	Reply
1	The State Government shall provide the names of the erring official responsible for violation within 15 days in response to the letter dated 13-11-2024 to the regional office.	<ul style="list-style-type: none"> Submitted that in this wind mill project Stage-II approval was granted on 02-04-2003. Further, lease agreement was signed with effect from 03-09-2003. Lease was granted only for 15 years. It is also relevant to recall that usually lease of wind mill project for FC approval was granted for 30 years. The policy of 30-year lease for windmill project was also made by Government of India by their circular dated 14-05-2004. Consequent upon the expiry of this lease, the user agency solicited permission to maintain the machines through limited running operations so that these machines that have moving parts do not become unusable. It is also submitted that the forest land in question was already diverted, lost characteristics of forest and was already broken up, as per the valid permission granted during the currency of the lease. While permitting the maintenance works and limited operations, the existing ground status of the forest land was not altered. Limited operations without extension of lease can be best described as deviation, for which suitable financial penalties may be imposed and the same will be collected from the user agency. In

		view of this, it is submitted that since no violation has taken place names of officials may not be insisted upon in this regard.
2	An observed in the monitoring report that the CA over 47.57 ha out of 222 ha has not yet been done, the state Government shall submit a detailed report on CA done to the Regional Office.	<p>The Compensatory plantation had carried out in Sy. No 20 of Yelakurnahalli village instead of Survey No. 21 of Yelakurnahalli during the year 2006-07.</p> <p>In this matter, this office had constituted a committee of DCF level officers. It is thus clear that CA plantation was indeed carried out, albeit in a more suitable adjacent location.</p> <p>Report of the committee is enclosed as ANNEXURE-I.</p>

This is for your kind information and further needful in the matter.

Yours faithfully
Digitally signed by
MEENAKSHI NEGI
Date: 27-03-2025
14:04:25

Principal Chief Conservator of Forests
(Head of Forest Force)

Copy to the Chief Conservator of Forest, Ballari Circle, Ballari for information.

Copy to the Deputy Conservator of Forests, Chitradurga Division information.

Copy to the M/s Wind World (India) Ltd, Wind World Tower, Plot No, 49, Veera industrial area, Veera Desai Road, Andheri (West), Mumbai 400 053 information.

**Government of Karnataka
Karnataka Forest Department**

Deputy Conservator of Forests Office, Forest Mobile Squad (V), Bellary

E mail:-dcffmsbly@gmail.com

Ph No. -08394-200243

No: - Uaasm/Asandha(Ja) B / C.A Land Verification /2024-25/233A

Date:- 30-01-2025

To,

The Principal Chief Conservator of Forests (FC),
and Nodal Officer (F.C.A)

Subject: Renewal of FC approval over 221.80 ha of forest land in Jogimatti and Marikanive RF [Lakkiahalli, Myakenahalli and nine other villages] in Hosadurga, Hiriyuru and Chitradurga Taluks of Chitradurga District for already established wind power project in favour of Karnataka Renewal Energy Development Limited (KREDL) subleased to M/s Enercon (India) limited [presently M/s Wind world (India Limited) on BOT basis (online proposal No.FP/KA/WIND/43786/2020). Regarding request for modification/change of condition stage-II Forest Clearance granted to wind power Project from existing lease grant of 15 years to 30 years.

Reference:- 1. Letter of the Hon'ble Principal Chief Conservator of Forests (HOFF), Aranyabhavan, Bangalore No.: E-office File No. KFD/HOFF/A5-2(GFL)/143/2019-FC Dated: 30-12-2024.
2. Letter of the Hon'ble Principal Chief Conservator of Forests (FC) Office, Ananyabhavan, Bangalore letter - E Office file No. KFD/HOFF/A5-2(GFL)/143/2019-FC dated: 23-01-2025.

In reference to the above mentioned matter, myself- the Deputy Conservator of Forest, Forest Patrol Squad (Vigilance), Bellary, along with the Deputy Conservator of Forests (FC), Bangalore, and the Deputy Conservator of Forests, Chitradurga Forest Division, Chitradurga, have conducted a joint investigation of the Compensatory Afforestation (CA) land / area of Yalakuranahalli - Survey No. 21 of Hiriyur Tehsil and also Yalakuranahalli Survey No. 20 of the Jogimatti Protected Forest, of Chitradurga Forest Division, and submitting herewith the following documents along with the annexures, for your kind perusal and further action.

Annexures: 1) Joint Investigation Report

2). Site Mahajar Report

3) Copy of Village Map

4) Estimate List, FNB, Cash Book & Plantation Ledger


5) Working Plan Report (2012-13 to 2022-23)

6) Management Plan of Chitradurga Regional Division from 2000-2005

7) Google image of 2009 and 2010

With Regards,

Yours faithfully


Deputy Conservator of Forests
Forest Mobile Squad (Vigilance) Bellary.

JOINT INVESTIGATION REPORT

Subject: Renewal of FC approval over 221.80 ha of forest land in Jogimatti and Marikanive RF (Lakkihalli, Myakenahalli and nine other villages) in Hosadurga, Hiriya and Chitradurga Taluks Chitradurga District for already established wind power project in favor of Karnataka Renewable Energy Development Limited (KREDL) sub-leased to M/s Enercon (India) limited [presently M/s Wind World (India) Limited] on BOT basis (Online Proposal No. FP/KA/WIND/43786/2020). Regarding request for modification of condition Stage-II Forest Clearance granted to Wind Power Project from existing lease grant of 15 years to 30 years.

Reference: 1. Letter of the Hon'ble Principal Chief Conservator of Forests (PCCF-Head of Forest Force), Aranyabhavan, Bagalore No.: E-office File No. KFD/HOFF/A5-2(GFL)/143/2019-FC Dated: 30-12-2024.

2. Letter of the Hon'ble Principal Chief Conservator of Forests (PCCF- FC) Office, Ananyabhavan, Bangalore letter – E Office file No. KFD/HOFF/A5-2(GFL)/143/2019-FC dated: 23-01-2025.

This has reference to above subject matter of "Renewal of FC approval over 221.80 ha of Forest land in Jogimatti and Marikanive RF [Lakkihalli, Myakenahalli and nine other villages] in Hosadurga, Hiriya and Chitradurga Taluks of Chitradurga District for already established Wind Power Project in favor of Karnataka Renewable Energy Development Limited (KREDL) for sub-lease to M/s Enercon (India) Limited (presently M/s Wind world (India) Limited on BOT basis (online proposal No. FP/KA/WIND/43786/2020)" wherein the User Agency has requested for modification / change of condition of Stage-II Forest Clearance, granted to its wind power project, from the existing lease grant of 15 years extending to 30 years.

Now vide reference no. 2 above, the Hon'ble Principal Chief Conservator of Forest (FC) Bangalore has directed the Deputy Conservator of Forests (Vigilance) Bellary and the Deputy Conservator of Forests (FC) Bangalore to inspect the site and examine the relevant documents related to the raising of plantation on the 47.56 hectares of Compensatory Afforestation (CA) land provided by the user agency in the survey no. 21 of the Yelakuranhalli village in year 2005-2006 and submit a report.

Earlier, in connection with the above matter, the Hon'ble Principal Chief Conservator of Forests (HOFF) visited the Chitradurga Forest Division Office on 23-12-2024 and 24-12-2024 and examined FC renewal documents, and documents related to plantation activities carried out as a part of mandatory Compensatory Afforestation process on the 47.56 hectares of CA land located on the survey no. 21 of the Yelakuranhalli village, which includes records concerning the

plantation activities of year 2005-2006 such as advance work towards ripping, pitting, etc., plantation maintenance works (2006-2007), Field Note Books, Cash Book, DC Bills and FAC -76 copies and the Plantation Ledger book. During the inspection carried out by the Hon'ble Principal Chief Conservator of Forests (HOFF) Bangalore.

However, during the inspection carried out by the Hon'ble Principal Chief Conservator of Forests (HOFF) Bangalore, no evidence was found towards the compensatory afforestation & plantation carried out by the Range Forest Office of Chitradurga Range, in Survey No. 21 of Yelakurnahalli village in year 2006-07 in the said CA area. Also, when the documents related to the said plantation matter was examined in the office, it was noticed that the advance was drawn towards various plantation activities like ripping in year 2005-2006, which was also reflected in the Field Note Book (FNB) and Cash Book for the work in the CA area of the said Survey No. 21 of Yelakurnahalli in year 2005-06. After close scrutiny of the documents such as the approved estimates, Field notes, Cash book, DC bills and copies of F.A.C -76 related to the said work indicates, no evidence was found on the plantation activities undertaken in the survey no. 21 of Yelakurnahalli village. It was also found that the amount has been spent for raising the plantations in 2006-07 and for its first year of maintenance, in year - 2007-08. However, since the compensatory afforestation / plantation raised on 47.56 hectares was not found in the said Survey No. 21.

The Hon'ble Principal Chief Conservator of Forests (HOFF) Bangalore, then, vide reference no. 1 above, asked the Hon'ble Principal Chief Conservator of Forests (FC) Bangalore to examine plantation related matters in connection with 47.56 ha of Compensatory Afforestation land provided by the User Agency in Survey No. 21 of Yelakurnahalli village, of Hiriyur taluk, against the forest area utilised in Jogimatti and Marikanive Reserve forest by the User Agency towards the establishment of a Wind Power Project, in the limits of Lakkihalli, Makenahalli and other 09 villages of Hosadurga, Hiriyur, Holalkere and Chitradurga taluks of Chitradurga district, wherein, no evidence was found towards the compensatory afforestation & plantation carried out by the Range Forest Office of Chitradurga Range, in Survey No. 21 of Yelakurnahalli village in year 2006-07 in the said CA area

The Hon'ble Principal Chief Conservator of Forests (FC) Bangalore, vide reference (2) above, directed to constitute an investigating team for re-examining the CA area for finding if plantation has been raised / carried out elsewhere, and verifying the concerned documents and submission of the detailed investigation report.

Now, as per the above directives of the Principal Chief Conservator of Forests (FC) Bangalore, on 28-01-2025, myself J.G. Ravi - the Deputy Conservator of Forests, Vigilance Division, Bellary and Shri A.D. Prakash, Deputy Conservator of Forests (FC), Bangalore, along with Deputy Conservator of Forests, Chitradurga Forest Division – Shri Rajanna T, and M P Nagendra Nayak -ACF Chitradurga & other forest officers of Chitradurga had visited the said plantation area of 47.56 hectares in Survey No. 21 of Yelakurnahalli village in Hiriyur taluk of Chitradurga district - which was provided as a part of mandatory Compensatory Afforestation for the forest area diverted in Jogimatti and Marikanive forests towards the establishment of the Wind Power Project (in the limits of Lakkihalli, Makenahalli and 09 other villages of Hosadurga, Holalkere, Hiriyur and Chitradurga taluks).

During the visit of the investigating team to Survey No. 21 of Yelakurnahalli village in Hiriyur taluk wherein plantation was claimed to be carried out as a part of the mandatory compensatory afforestation, it was noticed that - no plantation was found to be raised on the Survey No. 21 of Yelakurnahalli village. Since no raised plantations were evidenced in the survey no. 21 of the Yelakurnahalli village, the investigating team decided to examine adjoining areas and that's when the team noticed Eucalyptus / Niligiri plantations on survey no. 20 of Yelakurnahalli village. The team surveyed the entire Niligiri plantation area of survey no. 20, using GPS instrument. When closely examined, the team was noticed trees like Honge (Pongamia) and other wild species that have been raised / come up in the area. The entire area was then marked, GPS locations were obtained and map of plantation was prepared (Annexure 3) and was overlapped on the Yelakurnahalli village map. It was then confirmed that the area Eucalyptus / Niligiri plantation falls on the Survey no. 20 of the Yelakurnahalli village. This means, the Range Forest Officer, Chitradurga Forest Range, Chitradurga, had carried out a compensatory plantation of 47.56 hectares in the year 2006-07 on survey no. 20 of Yelakurnahalli village instead of Survey No. 21 of Yelakurnahalli village. There was no clear boundary demarcation marks on the ground, which may had lead to this shift. When our team further inspected the said plantation area on survey no. 20 of Yelakurnahalli village, it was found that the said area was part of Jogimatti Reserve Forest. In the said area, in the middle of the ripping lines, pits were noticed and Honge (Pongamia) and other plant varieties were raised in the year 2006-07. Eucalyptus saplings that were raised in the year 2006-2007, are now grown into big trees. After inspecting the plantation area, it was found that cattle-proof trenches observed to be done in one part of the plantation, and soil and water conservation works also seen (pits, water holes and gully checks) & found here and there.

Then we re-examined the entire area, on the map and then on the actual site, and it was confirmed that no such plantation was found to be raised in the said survey number 21 of Yelakurnahalli village. After taking GPS-enabled photographs of the said area, we have discussed the matter at the office of the Deputy Conservator of Forests, Chitradurga Forest Division. It was

noted that M/s. Karnataka Renewable Energy Development Ltd (KREDL) agency had already handed over the 47.56 ha land from the Revenue Department to Forest Department, in survey no. 21 of Yelakurnhalli as a compensatory afforestation, vide the Government of Karnataka order (Go. No FEE-99-FGL-2001, Bangalore dated 20-06-2003). However, at that time, the then Range Forest Officers and staff did not raise a compensatory plantation in the said CA area of Yalakuranahalli Survey No. 21. Instead they have raised the plantation in the adjoining Yalakuranahalli Survey No. 20, i.e. in the Jogimatti reserved forest. This has reflected in the Working Plan Plantation list for the years 2012-13 to 2022-23, vide P.W.P.R.-11 List of plantations year wise abstract (2002-03 to 2011-12) in the year 2006-07 (Annexure 4 & 5). The 47.56 ha of raised plantation work in Yalakuranahalli was confirmed by close scrutiny of the records.

Further, it was noticed during the site inspection that, the apart form 47.56 ha of Eucalyptus / Nilgiri plantation located in the survey no. 20 of Yelakaurnahalli, in its adjoining areas within the same survey no. 20, additional plantation of Eucalyptus exists. When we examined the documents of Chitradurga Division Management Plan Report (Annexure 6), it was found that plantation raising activities were carried out in 10 ha of Yelakuranahalli village in year 1994 and for 12 ha of Yelakuranahalli in 1995. Apart from these two records, no other records related to the plantations carried out in the Survey no. 20 were found.

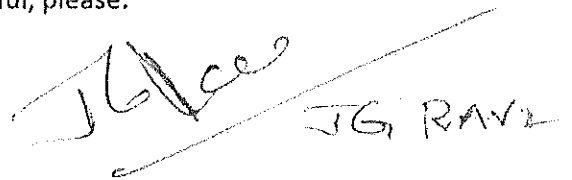
This indicates that 47.56 ha of plantations as a compensatory afforestation seems to have been raised in year 2005-2006 in the immediate adjacent survey no. 20, Instead of survey no. 21, may be because of no clear boundary demarcation existed at that time.

This is submitted for your kind perusal and further needful, please.

With Regards



Deputy Conservator of Forest
(F.C) Bangalore



Deputy Conservator of Forest
Forest Mobile Squad (Vigilance) Bellary