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Office of the
Deputy Conservator of Forests,
Chitradurga Division, Chitradurga.
Date: 03-12-2022.

To,

The Chief Conservator of Forests,
Ballari Circle Ballari.

Sir,

Sub: Submission of Renewal of Lease proposal for 221.80 Ha of Forest Land for Wind Power Project in Jogimatti and Marikanive Reserve forest diverted in favour of M/s KREDL for sub lease to M/s Enercon (India) Limited presently Wind World (India) limited on BOT basis for the total area of 221.80 Ha in Chitradurga district of Karnataka. **Proposal No.FP/KA/WIND/ 43786/2020.**

- Ref: 1. Principal Chief Conservator of Forests (Forest Conservation) and Nodal Officer (FCA), Aranya Bhavan, Bengaluru online communication to this office Dated: 22-05-2020.
2. This office even letter Dated: 25-06-2021.
3. Your office Letter No.M1/EST/Windmill/CR-6/2002-03 Dated: 07-09-2021.
4. This office even letter Dated: 16-09-2021, 08-03-2022 and 16-11-2022.
5. Letter No.WWIL/RI/32/B5/2022 Dated:22-08-2022 and 10-11-2022 of M/s Wind World India Limited, Mumbai.

With reference to the above cited subject, M/s KREDL sub leased to Enercon (India) Limited presently Wind World (India) Ltd was accorded lease over an extent of 221.80 ha of forest land which is falling in the jurisdiction of Chitradurga, Holalkere, Hosadurga and Hiriyr ranges of Chitradurga Division, under section of 2 of FC Act 1980 by the Government of India and Government of Karnataka respectively.

The Government of India, vide Stage-2 approval dated: 27-05-2003 and Government order dated: 20-06-2003 of Government of Karnataka, sanctioned an extent of 221.80 ha over a period of 15 years of lease. **(Copies enclosed as annexure 1 & 2)** as per the Government order dated: 20-06-2003 of Government of Karnataka, the lease period of the above user agency was came to an end on 19-06-2018.

Out of 221.80 ha of lease, M/s Wind world India Limited, Mumbai had submitted the renewal proposal for 106.769 ha of forest land through online process on 09-01-2020 and forwarded from Nodal Officer to this office on 22-05-2020 **(Proposal No.FP/KA/WIND/43786/2020)**, vide ref (1) cited above.

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The report on this renewal proposal has been submitted from this office vide reference (2). Your kind office has instructed to submit a report to the shortcomings/discrepancies vide reference (3).

In this regard, the under signed had directed the User Agency to submit information/documents vide this office letter dated: 16-09-2021, 08-03-2022 and 16-11-2022 vide reference (3). The same has been received vide ref (4).

Accordingly, the concerned Range Forest Officers Chitradurga, Holalkere, Hosadurga & Hiriyr have been directed to conduct spot inspection of the said forest land in question and to submit the report through the concerned Assistant Conservator of Forests for taking further necessary action vide this office letter dated:02-09-2022 and 11-10-2022.

Accordingly, the Range Forest Officers, Chitradurga, Holalkere, Hosadurga and Hiriyr had visited the spot personally and reported the factual. Similarly, the Assistant Conservator of Forests Chitradurga and Hiriyr had also conducted spot inspection and reported the facts as under:

The Assistant Conservator of Forests, Hiriyr Sub-Divsiion, Hiriyr had submitted the following facts pertaining to forest land which is falling in the jurisdiction of Hiriyr and Hosadurga:

Hosadurga Range:

- User agency erected 58 Wind Energy Coverters (W.E.C) in Hosadurga range.
- It has utilised 97.762 ha of area of the Hosadurga range against the sanctioned 72.27 ha area. This is 25.492 ha in addition to the sanctioned area.
- The user agency has utilised 28.461 ha in excess within the allocated survey area while, 24.150 ha is in the fresh/unallocated survey numbers.
- User Aganecy has also 27.119 ha balance/un-utilised area from the sanctioned / allocated survey numbers.
- The details are provided in the area statement which is self explaiantory.

HiriyrRange:

- User agency erected 34 W.E.C's in Hiriyr range.
- It has utilised 47.889 ha of area of the Hiriyr range against the sanctioned 78.07 ha area. This is 30.181 ha less in comparison to the sanctioned area.
- The user agency has utilised 4.131 ha in excess within the allocated survey area while, no (NIL) area was utilised as fresh/unallocated survey numbers.
- User Agency has 34.312 ha balance/un-utilised area from the sanctioned/ allocated survey numbers.
- The details are provided in the area statement which is self explaiantory.

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The Assistant Conservator of Forests, Chitradurga Sub-Division, Chitradurga had omitted the following facts pertaining to forest land which is falling in the jurisdiction of Chitradurga and Holalkere:

Chitradurga Range:

- User agency erected 35 W.E.C's in Chitradurga range.
- It has utilised 72.254 ha of area of the Chitradurga range against the sanctioned 62.76 ha area. This is 9.494 ha in excess in comparison to the sanctioned area.
- The user agency has utilised 2.490 ha in excess within the allocated survey area while, 21.122 ha. was utilised as fresh /unallocated survey numbers.
- User Agency has 14.118 ha balance/un-utilised area from the sanctioned / allocated survey numbers.
- The details are provided in the area statement which is self explanatory.

Holalkere Range:

- User agency erected 0 (Nil) W.E.C's in Holalkere range.
- It has utilised 3.895 ha of area of the Holalkere range against the sanctioned 8.70 ha area. This is 4.805 ha less in comparison to the sanctioned area.
- The user agency has utilised 0(Nil) ha in excess within the allocated survey area while, no (NIL) area was utilised as fresh/unallocated survey numbers.
- User Agency has 4.805 ha balance/un-utilised area from the sanctioned / allocated survey numbers.
- The details are provided in the area statement which is self explanatory.

Summary:

- The User agency has undertaken fresh DGPS survey, mapping and reports are submitted after the same.
- There is a deviation in terms of area utilised within the sanctioned survey number and outside the survey numbers. Also, some area from the sanctioned / allocated area was found un-utilised.
- Overall 35.082 ha of deviation was within the same allocated survey numbers, while 45.272 ha was utilised outside the allocated survey numbers which is immediate adjacent to the allocated survey number.
- Also, around 80.352 ha of the allocated area within the allocated survey number un-utilised.
- Overall the User was allocated 221.80 ha of forest land and the User agency has utilised 221.80 ha.
- In two of forest ranges viz. Hosadurga and Chitradurga, area utilised were more than the sanctioned area, while, for Hiriyr and Holalkere, utilised area was less than the sanctioned area.
- The change / shift / deviations/violations within the allocated / sanctioned survey number is likely to be because of DGPS survey gives very high accuracy while earlier offline proposal submitted was using old survey tools. Also, the

- latest development of technologies has resulted in high accuracy & digitised survey and village maps, which was not available around 20 years ago (Year 2002-2003). Also, it can be noted that High potential wind areas remains on the top of ridge / hills, and mapping with very high accuracy was difficult in those days. The recent DGPS survey took 2 months just for mapping the project components and another 1 month for fixing the deviations / violations by undertaking rigorous site inspections.
- The area utilised remains the same and no year-on-year increase observed. The project once installed and commenced, there is no further violations / deviations.
- In total area of 221-80 ha user agency has installed 127 Wind Energy Converters (WEC's)/Turbines .
- **Forest Rights Act Compliance:** The agency has also addressing **Foerst Rights Act** (FRA-2006) compliance in parallel and proposal has been moved to 4 Sub Division Level Committes (SDLCs) viz. Hosadurga, Hiriyr, Chitradurga and Holalkere Thasildars (copy attached as **Annexure I**).
- **Jogimatti Wildlife Sanctuary:**The area was first constituted as Jogimatti State forest by the Government, his Highness the Maharaja of Mysore vide Notification A.F 144-Ft-142-38-8 dated 8th July 1940 u/s 17 of Mysore Forest Act (XI of 1900) to an extent of 38.8 square mile or 10048.97 hectares or 100.48 square kilometres.
- The forest has now been declared as Jogimatti Wildlife Sanctuary (WLS) vide notification no. FEE 77FWH 2015 Bangalore, dated 23rd December 2015 by the Forest Ecology and Environment Department, Government of Karnataka;in and its Eco-Sensitive Zone (ESZ) was declared vide MOEF&CC notification dated 17.12.2021.
- At the time of grant of the Stage II Forest Clerance (F. no. 8-84/2002 FC dt. 02.04.2003), the above mentioned Proetcted area status and ESZ declaration was't there. Also, the lease deed was signed between the Deputy Conservator of the Forests, Chitradurga Division and the lessee (Agreement no. 2/2003-04 dated dated 03.09.2003), for a period of 15 years and this was prior to declaration of reserve forest as a Jogimatti Wildlife Sanctuary.
- The GIM 1 project site area-76.149 ha (Coming under Chitradurga and Holalkere Ranges) forests is completely within the Jogimatti Wildlife Sanctuary (Core and ESZ) while VVS project site area is far away from Jogimatti Wildlife Sanctuary (Core and ESZ).

Since the user agency has asked for the renewal of the lease, we have asked the user agency to seek SC-NBWL approval. Accordingly, the User Agency had engaged Zoological Survey of India (ZSI-MOEF&CC) for undertaking the details survey (with prior permission from the PCCF-Wildlife and Chief Wildlife Warden; letter attached) wherein likely impact of the Wind Energy Project on the Wildlife. It is informed that the study is in progress and data for filing the wildlife clearance is being secured.

- **Area Statement:** The Government of India and Government of Karnataka had accorded approval under Forest (Conservation) Act, 1980 to the above user agency for the establishment of the wind power project over an extent of 221.80 ha in the Reserve forest and Section-4 notified area falling in the jurisdiction of Chitradurga, Holalkere, Hosadurga and Hiriya ranges. The following are the Sy.Nos. Extent where FC approval was accorded and also details revealed as per site inspection are provided as table 1: Copy enclosed.
- As per the condition No.11 of Government Order dated: 20-06-2003 of Government of Karnataka, presently the operation of wind mills in Sy.No. 16 and 17 of Lakkihalli village have been stopped by the user agency due to non approval.

ABSTRACT:

1. The forest land proposed for renewal comes in Chitradurga, Holalkere, Hosadurga and Hiriya Ranges in Chitradurga District for an extent of 221.80 Ha of Forest Land for Wind Power Project in Jogimatti and Marikanive Reserve forest diverted in favour of M/s KREDL for sub lease to M/s Enercon (India) Limited presently Wind World (India) limited on BOT basis for the total area of 221.80 Ha in Chitradurga district.
2. There are no rare/endangered/unique species of flora and fauna reported from the project site.
3. Proposed area is the bare minimum, unavoidable and hence the same is recommended for renewal.
4. Proposed forest area falls under Eco-class-III. Southern Tropical Scrub Jungle and project area being on the barren hill with predominantly scrub vegetation.
5. The proposed area of Holalkere and Chitradurga Range coming under the Jogimatti Wildlife Sanctuary and its Eco-Sensitive Zone.
6. The canopy density less than 10%, height less than 2mts, while the height of Wind Turbines is around 44 meters.
7. Major wild animals reported in the area are Sloth bear, Leopard, Wild Boar, Spotted deer, Indian Hare etc.
8. Apart from the Jogimatti Wildlife Sanctuary, there are no protected/archaeological/heritage sites/defence/ establishment located in the proposed area.
9. The forest area is open forest and prone for erosion and forest Fires.
10. No tree is required to be felled.

In view of the facts as explained above, the above user agency has used an additional forest area overall 35.082 ha additional area within the same allocated survey numbers and 45.272 ha area outside the allocated survey numbers in the adjacent area while a total of 80.354 ha of allocated area was found unutilised.

This revelation has surfaced because of high accuracy DGPS survey, which was not there at the time of FC approval in year 2003. The renewal proposal and diversion of 221.80 ha may be recommended subject to imposing suitable penalty/PCA for the violation of Forest (Conservation) Act, 1980.

This is for your kind perusal and further needful action.

Yours faithfully,



Deputy Conservator of Forests,
Chitradurga Division, Chitradurga.

