

MINUTES OF THE TENTH MEETING OF REGIONAL EMPOWERED COMMITTEE OF REGIONAL OFFICE (SZ), BANGALORE HELD ON 29/02/2016 IN THE OFFICE OF THE ADDL. P.C.C.F. (CENTRAL) MINISTRY OF ENVIRONMENT, FORESTS AND CLIMATE CHANGE, REGIONAL OFFICE (SOUTHERN ZONE), KENDRIYA SADAN, KORAMANGALA, BANGALORE.

The Tenth meeting of the Regional Empowered Committee (REC) of RO, SZ, Bangalore was held on 29/02/2016 in the office of the Addl. P.C.C.F. (Central) Ministry of Environment, Forests and Climate Change, Regional Office (Southern Zone), Kendriya Sadan, Koramangala, Bangalore and the following members attended the meeting:-

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| (1) | Shri Amarnatha Shetty, I.F.S., Addl. P.C.C.F. (Central) Ministry of Environment, Forests and Climate Change, Regional Office (Southern Zone), Bangalore | ... | Chairman |
| (2) | Shri S.M. Somashekar, I.F.S Chief Conservator of Forests (Central) Ministry of Environment, Forests and Climate Change, Regional Office (Southern Zone), Bangalore | ... | Member |
| (3) | Shri Suhas Jagannath Godse, House No.525 A, Vodlem Bhat, Near Pandurang Temple, Vodle Bhat, Taleigao, P.O. Caranzalem, Tiswadi, Goa. | ... | Member |
| (4) | Shri Anur Reddy, I.F.S Additional Principal Chief Conservator of Forests /Nodal Officer (FCA), Office of the Principal Chief Conservator of Forests, Forests Department, Govt. of Karnataka, Aranya Bhavan, 18 th Cross, Malleswaram, Bangalore – 560 003. | ... | Special Invitee |
| (5) | Smt. R. Padmawathe, I.F.S Deputy Conservator of Forests (Central) Ministry of Environment, Forests and Climate Change, Regional Office (Southern Zone), Bangalore | ... | Member Secretary |

Initiating the discussion, the Chairperson extended warm welcome to the Members of the Regional Empowered Committee (REC). The REC examined the



following two proposals and the recommendations of REC are recorded in respect of each proposal as under:-

- (1) Diversion of 9.82 ha. (Revised from 11.84 ha) of forest land in Sy.No.170 of Jambunathanahalli of Hospet Range, Bellary Division for establishment of 6.4 MW Wind Power Project in favour of M/s Ramgad Minerals & Mining Limited, Hospet.

The Regional Empowered Committee noted the following facts of the proposal:-

(1) DCF, Bellary in his site inspection report has reported that the proposed area is hilly terrain located in Gunda RF. Forest type is southern dry mixed deciduous forest as per Champion and Sleths classification. Terrain is hilly having good vegetation comprising of *Anogeissus latifolia*, *Terminalia tomentosa*, *Choloroxylon swietenia*, *Sterospermum*, *Soymeda*, *Cassia fistula*, *Acacias*, *Eucalyptus*, *Prosopis juliflora*, etc. and also interspersed with grass land eco system. For this climate, vegetation of this locality is luxuriant. This eco system frequently used by Sloth Bear and Leopard besides jungle cat and associated fauna of this ecosystem. Bellary district has few hill ranges representing eastern plain hill ecosystem. Gunda RF is the one among the Hill ecosystem of the eastern plains. Already major areas in Bellary District exposed for mining and wind mill projects thus resulted in environmental degradation and associated health issues people living in and around of this area. Gunda RF has mining leases which is very close to the present wind mill proposed area; if the area is sanctioned for wind mill which may result in further degradation of the ecosystem leads to accelerated erosion, thus affecting water regime in the area. The area is having grass land ecosystem vulnerable for fire exposing this area for non forestry activity may lead to fire hazard in this area. If the area is sanctioned for wind mill which may result in further degradation of the ecosystem. Hence, it is recommended not to process in interest of environment and its flora fauna and the people living in and around this locality.

(2) CCF, Bellary has forwarded the proposal without any specific recommendation.

(3) The Addl. PCCF (FC) & Nodal Officer (FCA), Karnataka in his site inspection report stated that "the area proposed has got 10-15 year old natural vegetation on the ridge area. Since the forest areas in this region by and large are barren devoid of natural tree growth, the proposed forest area with tree growth is a rare one and hence it is not proper to destroy the invaluable biodiversity of the region for the purpose of a wind mill project. Now a days technology has been developed to even install wind mills on plain lands, which may be exploited by the companies and spare such type of forests with wooded growth in the interest of environment & ecology of the area and the people and their future generation at large. Hence this proposal cannot be recommended for approval as such areas should not be diverted for non-forestry purposes".



(4) The State Government has recommended the proposal for approval with the following justifications:

Field report indicates that there is vegetation on the ridge and also prevalence wildlife; however, it is noteworthy that the said forest, comes under the category ECO-Class-III Open forest & proposed Wind Mill Project is on slopes where mining work was going for decades. The Wind Mill definitely prevents further degradation & will facilitate growth of vegetation in coming period. It is also observed that there is consent from local stakeholders in the said area. The points submitted by M/s Ramgad Minerals & Mining (P) Limited, Hospet, dated: 17/02/2014 categorically, mentioned many positive points and also clearly clarify on observations of field staff/officers. Wind Energy is the cleanest energy & also cost effective. In view of facilitating energy security in our State, it is necessary to encourage such a project that will add to power availability in the State that will further lead to development activity. Keeping in view of all these issues in holistic manner, Government of Karnataka recommends the proposal for diversion of 11.84 (Revised 9.82 ha.) of forest land in Sy.No.170 of Jambunathanahalli of Hospet Range, Bellary Division for establishment of 6.4 MW Wind Power Project in favour of M/s Ramgad Minerals & Mining (P) Limited, Hospet.

(5) After initial scrutiny of the proposal, Regional Office vide letter dated 05/12/2014 had requested the State Government to furnish the ROFR compliance certificates, CA scheme and confirmation regarding uploading of the proposal in Ministry's web-portal.

(6) The State Government vide letter dated 02/01/2016 has furnished the CA Scheme as prepared by the Principal Chief Conservator of Forests and also sent confirmation regarding uploading the proposal. But, the ROFR compliance certificates furnished is not in the prescribed format.

(7) During the site visit of the project area by Addl. PCCF (Central) and CCF (Central), the User Agency was advised to use the existing road in forest area which reaches the top of the hillock through mine operating in the adjoining revenue land, instead of constructing a new road through the wooded forest land for the project.

(8) The User Agency vide letter dated 15/02/2016 has submitted that they will utilize the existing road in forest and revenue lands during execution and operation of Wind Power Project. The User Agency has furnished a revised land use plan. As per the revised land use plan, the requirement of area for various components are as under:-



| Sl.No. | Particulars | Area (in Ha) |
|--------|--|--------------|
| 1 | Area for WEG Location | 02.00 |
| 2 | Area for Corridor (33 KV Internal Line included) | 01.60 |
| 3 | Area for Sub Station | 01.00 |
| 4 | Area for Internal Road | 00.75 |
| 5 | Area for Control Room cum Office | 00.03 |
| 6 | Area for Electrical Line & Yards | 00.04 |
| 7 | 33 KV Transmission Line | 01.40 |
| 8 | Area for External Road | 03.00 |
| | TOTAL AREA REQUIRED: | 09.82 |

(9) The external road proposed earlier was passing through the slope of the hillock, where the vegetation was relatively dense. By way of use of the existing road, through the adjoining mine, impact on the natural vegetation is minimal. The hill tops where the WEGs are to be installed are mostly supporting growth of grass and stunted vegetation. The new road to be formed runs mostly on the ridge of the hills and hence requirement of cutting for formation of road has been kept to the minimum.

REC examined the proposal and noted that PCCF, Karnataka vide letter dated 20/02/2016 has informed that the Energy Department of Government of Karnataka vide their order dated 02/02/2016 cancelled the allotment of 2.50 MW out of 6.4 MW Wind Power Project in favour of the User Agency. In view of this development, the proposal now submitted by the State Government has become incomplete. The representatives of the User Agency informed the Committee that they have taken up the matter of extension of the allotment letter and requested for approval for at least the existing order of allotment. The Committee is of the view that the User Agency either furnish the order for allotment of the 6.4 MW included in this proposal or furnish a revised proposal for the existing allotment of 3.9 MW Wind Power Project. Accordingly, the Committee decided to request the State Government to take necessary action in this regard and defer consideration of the proposal.

(2) Diversion of 111.57 ha. (Revised from 171.546 ha.) of forest land in Jankal R.F., and Lakkihalli R.F. of Hosadurga Range, Chitradurga F.D. for Construction of Chitradurga Branch Canal under Upper Bhadra Project in F/o Executive Engineer, Karnataka Neeravari Nigama Limited, UBP Project, Division -4, Hosadurga, Karnataka.

The Regional Empowered Committee noted the following facts of the proposal:-

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- (i) The Government of Karnataka during September, 2014 had submitted three proposals for diversion of forest land viz., construction of Upper Bhadra Project, Package-II (186.42 ha), construction of Upper Bhadra Lift Irrigation Project package-I (131.67 ha) and construction of Chitradurga Branch Canal under Upper Bhadra Project (171.546 ha) in favour of Karnataka Neeravari Nigam Limited to MoEF&CC, New Delhi. Subsequently, Ministry had directed Regional Office to carry out site inspection of the area and submit the report to Ministry.
- (ii) Site inspection of the above project areas were carried out by CCF (Central) along with Addl. PCCF (Central) on 3rd/4th December, 2014. During the inspection, it was noticed that the User Agency has sought diversion of more forest area than the actual requirement. Therefore, User Agency was advised to revise the proposal.
- (iii) Meanwhile, Forest (Conservation) Second Amendment Rules 2014 was notified by Ministry and as per the said Rules, proposals for linear projects are to be processed at Regional Office with the approval of Regional Empowered Committee (REC).
- (iv) Accordingly, the Govt. of Karnataka vide letter No.FEE 168 FLL 2011 dated 15/10/2015 had submitted a revised proposal for diversion of 111.57 ha. of forest land in Chitradurga Division for execution/construction of Upper Bhadra Project, Package-III. PCCF, Karnataka has recommended the proposal with the following specific conditions:-
- The User Agency shall obtain all necessary environmental clearances whenever required.
 - The User Agency shall pay all the outstanding dues with regard to the earlier approved projects to the Karnataka Forest Department.
 - Details of Non-forest land identified for raising compensatory afforestation. A digital GPS map of compensatory afforestation area has to be submitted by the User Agency.
 - User Agency to give an undertaking to provide alternate land for CA depending on the decision of Government of Karnataka/ Government of India regarding Deemed Forest.
- (v) As per Government of India guideline letter no. 5-1/2007-FC dated 28/12/2007 it is stated that "As a matter of Pragmatism, the revenue land, Zudpi Jungle, Chhote/ Bade Jhar Ka Jungle/Jungle Jhari land, civil soyam lands and all other such categories of lands, on which the provision of Forest (Conservation) Act,

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1980 are applicable, could be considered for the purpose compensatory afforestation provided such lands on which compensatory afforestation is proposed shall be notified as RF under Indian Forest Act, 1927. However, as far as possible efforts should be made to carry out compensatory afforestation only on non-forest land."

(vi) ROFR compliance certificate furnished along with the proposal is incomplete.

(vii) Ministry of Environment, Forests & Climate Change, New Delhi vide letter dated 01/02/2016 had returned the proposal pertaining to diversion of 171.546 ha. of forest land in Chitradurga Division for execution/construction of Upper Bhadra Project, Package-III to Regional Office, Bangalore for further processing.

(viii) CCF (Central) in his inspection report has mentioned that the project is meant for utilization of surplus water available in Tunga river and Bhadra reservoirs to an extent of 21.50 TMC for irrigating 1,07,265 ha area in the drought prone Chikmagalur and Chitradurga districts, as well as augmenting the drinking water facilities in Tumkur and Kolar districts where the ground water is not good for drinking. Since this proposal is for a public cause of providing irrigation facilities in the drought-prone areas of Chitradurga District and also for meeting the drinking water requirements of the ground water depleted Districts of Tumkur and Kolar, CCF (Central) has recommended that the proposal may be considered favourably subject to following conditions:-

1. In order to improve the vegetation in the forest area, to raise plants in the nursery and also to meet the water requirement of wild animals, water ponds are to be constructed wherever feasible along the canal and these ponds are to be filled with water by lifting water from the canal at the cost of user agency. Details of such structures proposed to be taken up along with cost involved should be furnished to the Regional Office before issue of Stage-II clearance.
- 2.. At regular interval ramps with rough surface shall be provided for animals to exit from the canals. The number of such structures and the cost involved are worked out jointly and the same be intimated to the Regional Office.
- 3.. Approximately, 20m width on both sides is being utilized for dumping the muck all along the canal (137 kms) both in the forest and non-forest area. It is reported that the total area to be used for dumping the muck in the entire length of the canal will be approximately 216 ha and this shall be planted as shelter-belt by the Forest department at the cost of user agency.



4. As recommended by the PCCF, the user agency shall clear all the outstanding dues with regard to the earlier approved project to the Karnataka Forest Department, before transfer of this forest land to the user agency/ before issue of Stage-II clearance.

The Committee examined the proposal and noted that the Upper Bhadra Project envisages utilization of surplus water available in Tunga river and Bhadra reservoirs to an extent of 21.50 TMC for irrigating 1,07,265 ha area in the drought prone Chikmagalur and Chitradurga districts, as well as augment the drinking water facilities in Tumkur and Kolar districts where the deep ground water is not good for drinking purposes. Construction of Chitradurga branch canal is for irrigating 1,07,265 acres and filling up of tanks enroute command area in Chikmagalur (37 tanks) and Chitradurga districts. Water supply scheme is to fill up tanks in Tumkur and Kolar districts (119 tanks) by utilizing 5.60 TMC and de-silting of all the tanks proposed for filling. As per the Govt. of India's guidelines referred in para-(v) above, deemed forest areas can be used for undertaking Compensatory Afforestation.

Since this proposal is for a public cause of providing irrigation facilities in the drought-prone areas of Chitradurga District and also for meeting the drinking water requirements of the ground water depleted Districts of Tumkur and Kolar, the REC decided to approve the proposal, subject to usual conditions and the following specific conditions:-

1. In order to improve the vegetation in the forest area, to raise plants in the nursery and also to meet the water requirement of wild animals, water ponds are to be constructed wherever feasible along the canal and these ponds are to be filled with water by lifting water from the canal at the cost of user agency. Details of such structures proposed to be taken up along with cost involved should be furnished to the Regional Office before issue of Stage-II clearance.
- 2.. At regular interval ramps with rough surface shall be provided for animals to exit from the canals. The number of such structures and the cost involved are worked out jointly and the same be intimated to the Regional Office before Stage-II clearance.
3. Approximately, 20m width on both sides is being utilized for dumping the muck all along the canal (137 kms) both in the forest and non-forest area. It is reported that the total area to be used for dumping the muck in the entire length of the canal will





be approximately 216 ha and this shall be planted as shelter-belt by the Forest department at the cost of user agency.

4. An undertaking shall be obtained from the User Agency in respect of compliance of above 3 items of activities to be undertaken at the cost of User Agency.
5. As recommended by the PCCF, the user agency shall clear all the outstanding dues with regard to the earlier approved project to the Karnataka Forest Department, before transfer of this forest land to the user agency/ before issue of Stage-II clearance.
6. State Government will furnish the list of trees to be felled along with the compliance report as per the reduced area requirement, now approved.
7. Submission of ROFR compliance certificate as per Ministry's guidelines No.11-9/1998-FC (Pt) dated 05.07.2013 within 60 days from the date of issue of Stage-I clearance.


The meeting concluded with a vote of thanks to the Chair and Members.


29/02/2016
Suhas Jagannath Godse
(Member)


Amarnatha Shetty, I.F.S.
Addl. P.C.C.E. (Central)
(Chairperson)


29/2/16
Anur Reddy, I.F.S
Addl. P.C.C.F &
Nodal Officer (FCA)
Forests Department, Govt. of
Karnataka, (Special Invitee)


29/2
S.M. Somashekar, I.F.S
C.C.F. (Central)
(Member)


29/2/16
Smt. R. Padmawathe, I.F.S
D.C.F. (Central)
(Member-Secretary)