

MINUTES OF THE FIRST MEETING OF REGIONAL EMPOWERED COMMITTEE OF RO, SZ, BANGALORE HELD ON 24.03.2015 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 first meeting of the Regional Empowered Committee of RO, SZ, Bangalore was held on 24.03.2015 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:-

- (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. ... Non-official Member
- (4) Dr. B. Shivaraju,
No.4, 5th Main, 9th Cross,
Radhakrishna Layout, Padmanabhanagar,
Bangalore- 560 070, Karnataka. ... Non-official Member
- (5) Shri A.N. Yellappa Reddy,
House No.9/c, 1st A Main, 14th B Cross,
5th Block, IAS Officers Colony,
6th Sector, HSR Layout,
Bangalore – 560 102, Karnataka ... Non-official Member
- (6) The Additional Principal Chief Conservator of Forests
/Nodal Officer (FCA),
Office of the Principal Chief Conservator of Forests,
Forests Department, Govt. of Karnataka,
Aranya Bhavan, 18th Cross, Malleswaram,
Bangalore – 560 003. ... Special Invitee



(7) 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 following four proposals and the recommendations of REC are recorded in respect of each proposal, as under:-

- 1) Diversion of 3.5 ha. of deemed forest land in Sy.No.227/P1 of Puthige village, Mangalore taluk, Kundapura forest division, Dakshina Kannada district for construction of Medical College, Hospital and Dental College in favour of the Chairman, Rajalaxmi Education Trust (Regd), Mangalore

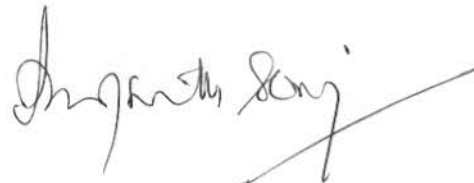
The Regional Empowered Committee noted the following facts of the proposal:-

- (i) The Government of Karnataka vide their letter dated 16.8.2012 had initially forwarded a proposal for diversion of 5.597 ha. of deemed forest land in Sy.No.227/P1, 227/P3 of Puthige village and Sy.No.130/1AP, 280/2 of Badagamijaru village of Mangalore taluk, Kundapura forest division, Dakshina Kannada district for construction of Medical College, Hospital and Dental College in favour of the Chairman, Rajalaxmi Education Trust (Regd), Mangalore for approval under Forest (Conservation) Act, 1980. The said proposal was considered in the SAG meeting held on 06/09/2013 and SAG did not recommend the proposal for approval under Forest (Conservation) Act, 1980. The recommendation of SAG was accepted by competent authority and accordingly, the proposal was rejected vide letter dated 13/02/2014.
- (ii) Subsequently, the State Govt. vide letter No.FEE 69 FLL 2012 dated 22/02/2014 had forwarded the application of User Agency for re-consideration of the proposal by restricting the diversion to 3.5 ha. of deemed forest land (in Sy.No.227/P3 of Puthige village) against the earlier proposal of 5.597 ha. The User Agency had stated that, to establish a Medical College, a minimum of 20 acres Campus is mandatory as per the guidelines of Medical Council of India and



the private land owned by them and the proposed deemed patch of 3.5 ha. put together will exceed 20 acres and thus, will meet the mandatory requirement of minimum of 20 acres campus. The said proposal was recommended to Ministry for favourable consideration. However, Ministry had returned the file with a direction to obtain the views of SAG on the revised proposal and also certificate for compliance of FRA 2006 and consent of Grama Sabha. Regional Office vide letter dated 19/05/2014 had requested the State Government to furnish the requisite ROFR certificate and Resolution of Grama Sabha. The ROFR certificate has been forwarded by User Agency.

- (iii) The State Advisory Committee considered the proposal in the meeting held on 12/09/2014. The SAG discussed the proposal in detail and noted that earlier User Agency had sought diversion of 5.597 ha of deemed forest land which was not recommended by the SAG held on 6.9.2013. As per the revised proposal, the requirement of deemed forest land has been restricted to 3.5 ha in Sy.No.227/P3 of Puthige village. Addl. PCCF (Central) & Chairman of the Committee informed that a part of extent of 1.24 acres (0.5 ha. in Sy.No.130/1 Ap of Badagamijar) has already been utilized as road by the User Agency and the same needs to be included in the proposal. The Committee recommended the proposal for approval of 4 ha. (3.5 ha + 0.5 ha- totaling 4.00 ha.) to the Govt. of India subject to the condition that the diverted deemed forest area will be maintained as Green Belt and the User Agency shall provide 4.5 ha. [(3.5 ha. + 1 ha. (0.5 ha double the area utilized)] of identified non- forest land adjacent to the reserve forests for CA along with cost of raising CA, in addition to other usual conditions.
- (iv) However, MoEF&CC, New Delhi noted that ROFR compliance certificate furnished by User Agency is not in order and comments on initial concerns of the SAG for recommending rejection of the proposal have not been provided.
- (v) The User Agency vide letter dated 04/12/2014 has furnished the RoFR compliance certificate issued by the Deputy Commissioner, Dakshina Kannada District.



REC observed that the proposed area is an isolated patch of deemed forest area of 4 ha. & having only 12 trees of girth above 30 cm. and as per the revised definition of forest land proposed by Karnataka Government for deemed forests vide G.O.No.FEE 185 FAF 2011 dated 15/05/2014, there has to be a minimum of 50 trees/Ha. Thus, when the review of the existing deemed forests are completed, there is likelihood of this patch of forests falling outside preview of the deemed forests and may not require approval under Forest (Conservation) Act, 1980 for this area. By getting alternate compensatory non-forest land adjoining to the reserve forests and keeping the transferred land also as green zone within the campus, the interest of conservation will be served. Considering the above, the REC decided to approve the proposal for diversion of 4 ha. (3.5 ha + 0.5 ha- totaling 4.00 ha.) with the usual conditions and the following additional conditions:-

1. The legal status of deemed forest land shall remain unchanged and the User Agency shall maintain the transferred area as green zone within the proposed Medical College complex.
2. No civil constructions will be undertaken by the User Agency within this area and the same shall be maintained as green belt within the campus.

Accordingly, the Regional Office, Bangalore will issue in-principle (Stage-I) approval for the above proposal.

- 2) Diversion of 10.30 ha. of forest land (10.00 ha. in F.sy. No. 415 of Belakavadi village, Madavalli taluk, Mandya District & 0.30 ha. in Sy. No. 196 of Achalu village, Kanakapura Taluk, Ramanagar District) for widening of existing 2- lane of Tamil Nadu/ Karnataka Border to Bangalore section from Km. 266.53 to 469.310 of Mandya and Ramanagara District for widening of NH – 209 in favour of the Project Director, NHAI, Bengaluru.

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



- (i) The Government of Karnataka vide letter No.FEE 151 FLL 2014 dated 12.01.2015 has submitted a proposal for diversion of 10.30 ha. of forest land (10.00 ha. in F.sy. No. 415 of Belakavadi village, Madavalli taluk, Mandya District & 0.30 ha. in Sy. No. 196 of Achalu village, Kanakapura Taluk, Ramanagar District) for widening of existing 2- lane of Tamil Nadu/ Karnataka Border to Bangalore section from Km. 266.53 to 469.310 of Mandya and Ramanagara District for widening of NH – 209 in favour of the Project Director, NHAI, Bengaluru.
- (ii) The proposed area in Mandya District is Open scrub forest (C&D class land) handed over to Forest Department (Deemed forest) and in Ramanagaram District it is Sec-4 notified area.
- (iii) As per the proposal, there are 114 trees existing in the proposed area in Mandya Division and 17 trees in Ramanagara Division.
- (iv) The forest area requested for does not form part of any Sanctuary /National park, Biosphere Reserve, Tiger Reserve, Elephant Corridor etc.
- (v) No rare/ endangered/ unique species of flora and fauna are reported in the proposed area.
- (vi) No archaeological/ heritage site/ defence establishment or any other important monuments is located in the area.
- (vii) No violation of the Act has taken place in the area proposed for diversion.
- (viii) Compensatory Afforestation (C.A) is proposed over 20.6 ha. of degraded forest land of Karighatta SF, Srirangapatna Range of Mandya Division. CA scheme furnished.

The Regional Empowered Committee considered the proposal submitted by State Government as well as the Site Inspection Report of CCF (Central). As per the



Site Inspection Report of CCF (Central), the forest area proposed for diversion in Mandya District is for construction of the road along a new alignment and that in Ramanagara District is for widening of the existing road. The proposed alignment runs almost parallel to the outer boundary of the forest land and at few pockets portion of the land is seen on either side of the road. Since the project is in larger public interest and site-specific, REC decided to approve the proposal with usual conditions and the following special conditions:-

1. Since the proposed alignment in Mandya Division runs almost parallel to the outer boundary of the forest land and at few pockets portion of the land is left unused on outer side of the road, these small patches of forest land shall be protected by erecting chain-link fence at the cost of User Agency. Also, the upper side of the road, adjoining the forest land shall be fenced similarly, with adequate soil conservation works.
2. Road side plantations shall be done wherever possible as per the tree plantation strategies of NHAI.
3. Necessary certificates/documents under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act 2006 as per the guidelines issued by Ministry of Environment & Forests vide letter No.11-9/1998-FC (Pt) dated 05.07.2013 in respect of the forest land proposed for diversion in Mandya District shall be furnished before Stage-II approval.
4. C.A. may be carried out in Belakavadi Forest itself.
5. Two water percolation ponds shall be constructed at the cost of the User Agency by using water from the shoulder drains.

Accordingly, the Regional Office, Bangalore will issue in-principle (Stage-I) approval for the above proposal.

