

No. A5(2)GFL.CR-2/1997-98.

Office of the
Principal Chief Conservator of Forests
(Head of Forest Force)
AranyaBhavan, Malleswaram
Bangalore - 560 003, dated: 1 .07.2016.

To,

The Additional Chief Secretary to Government,
Department of Forests, Ecology
and Environment, M.S. Building,
Bangalore.

Sir,

Sub: Diversion of 595.64 ha. forest land in Karwar, Yellapura & Dharwad Division for construction of new Broad Gauge Railway Line of Hubballi Ankola in favour of the Deputy Chief Engineer, Construction - I, South Western Railway, Club road, Keshwapur, Hubballi.

- Ref: 1. Proposal No. FP/KA/Rail/19023/2016 of Deputy Chief Engineer, Construction - I, South Western Railway, Hubballi.
2. Letter No. H/CN/UBL-AKL/forestland dated: 13.06.2016 of Deputy Engineer, Construction - I, South Western Railway, Hubballi.
3. Letter No. B4/GFL/FCA/CR-14/2016-17 dated: 08.07.2016 of the Deputy Conservator of Forests, Karwar Division.
4. Letter No. B2/GFL/CR-15/2016-17 dated: 21.07.2016 of Chief Conservator of Forests, Kanara Circle, Sirsi (Karwar Division).
5. Letter No. A5/Land/RL/CR-01/2016-17 dated: 29.06.2016 of the Deputy Conservator of Forests, Yellapura Division.
6. Letter No. B2/GFL/CR-15/2016-17 dated: 21.07.2016 of Chief Conservator of Forests, Kanara Circle, Sirsi (Yellapura Division).
- 7.
- 8.

The Chief Conservators of Forests, Kanara and Dharwad Circles vide their letters under reference cited (4, 6 & 8) above, have submitted the proposals received from Deputy Conservator of Forests, Karwar, Yellapur & Dharwad for diversion of total 595.64 ha. of forest land (249.58 ha. in Karwar Division, 304.06 ha. in Yellapur Division and 42.00 ha. in Dharwad Division) for construction of new Broad Gauge Railway Line of Hubballi Ankola in favour of the Deputy Chief Engineer, Construction - I, South Western Railway, Hubballi under Forest (Conservation) Act, 1980. The details are placed herewith.


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21.8.16

Karwar Division:

The details of the forest land required for the project in Karwar Forest Division is as under:

Name of the Taluk	Village	Sy.No.	Extent (in Ha.)
Ankola	Kodlagadde	35, 36A/A, 37, 49, 106, 113	77.90
	Sunksal	3,27A, 64, 65, 66, 79A, 86A, 157B, 182B,	75.78
	Katnahakal	61	0.64
	Hebbul	25(B.38)	10.05
	Kavalalli	B-13, B-15	23.86
	Heggara - Makkigadde	B-33, B-18	8.34
	Agsoor	240/A1	15.62
	Adlur	77	8.75
	Navagadde	B-37, B-38	10.86
	Borgebail	78, 79A1	10.79
	Algeri	483A1	5.03
	Sirakuli	229	1.96
	Sub Total		249.58

Yellapur Division:

The details of the forest land required for the project in Yellapur Forest Division is as under:

Name of the Taluk	Village	Sy.No.	Extent (in Ha.)
Yellapur	Hossahalli	17A	11.75
	Kiravathi	18A1A1A, 19, 21	46.13
	Kolikere	15A, 19A1A	6.43
	Kannadagalli	122A1A1A1A	21.01
	Sahasrahalli	1A1A1, 103A	19.32
	Kondemane	3	4.62
	Yellapur	68A1A1A1A1A1A1A1, 58A1A	3.47
	Sabgeri	26A1A1A, 4A	7.12
	Chandguli	194A1	0.38
	Hitalakaragadde	21, 39A, 39B, 53A1, 108A	12.45
	Jogadamane	13	7.57
	Komudhi	25, 36, 37	6.92
	Idagundhi	31A1	0.44
	Gopadamane	28	0.7
	Arabali	118,82A, 93, 94A	28.45
	Telegeri	11A	21.2
	Vazralli	8A1A	2.25
	Honagadde	7,23A	2.17
	Ambagaon	24A, 25A1, 26	41.52
	Gullapura	1, 2	10.52
	Kodlagadde	19A, 29, 30, 31	18.32
	Kalache	7	0.84
	Mavinamane	132	1.06
	Mavinamane (Ankola)	447, 562	29.42
	Sub Total		304.06

Dharwad Division:

The details of the forest land required for the project in Dharwad Forest Division is as under:

Name of the Taluk	Village	Sy.No.	Extent (in Ha.)
Hubballi & Kalghatagi	Katnur	103, 114	1.21
	Channapura	86/1, 86/2	4.21
	Machapura	154,159	1.40
	Devikoppa	108, 242, 243, 244, 263	8.24
	Junjanbail	1, 34, 71, 72, 73, 74, 81, 82, 118, 122, 123, 124	12.73
	Sangatikoppa	6/2, 23	14.21
		Sub Total	42.00
	Grand Total: 249.58 + 304.06 + 42.00		595.64

The report of Deputy Conservator of Forests, Karwar Division, Karwar includes the following:

The Deputy Conservator of Forests, Karwar Division, Karwar has inspected the proposed site on 18.06.2016 and furnished the details in Form - A Part - II. The Chief Conservator of Forests, Kanara Circle, Sirsi has also inspected the proposed site on 19.06.2016 & 19.07.2016 and furnished the details in Part - III and recommended the proposal for acceptance with certain observations. The observations include the following:

1. The User Agency has submitted the application in 'Form - A' of Forest (Conservation) Act 1980.
2. The User Agency requires 249.58 ha. of forest land in Karwar Division for above purpose.
3. The User Agency has not furnished undertaking for payment of the Net Present Value and Compensatory Afforestation charges.
4. The Deputy Commissioner, Uttar Kannada District, Karwar has not given certificate for non-availability of non-forest land for above purpose.
5. Due to rainy season species wise & diameter class wise enumeration of trees has not been completed, so DCF has not submitted the enumeration list of trees.
6. The Deputy Commissioner, Uttara Kannada District, Karwar has not submitted the ROFR certificate.
7. The density of the forest vegetation is 0.6 to 1.0 canopy cover.
8. In the proposed forest area rare endangered and unique species of flora and fauna are found. (list enclosed)

9. There are no protected archaeological, heritage sites/defence establishments or any other important monument located in the area.

The Chief Conservator of Forests, North Kanara has also inspected the site on 19.07.2016 and enclosed site inspection report in Proforma – III. During inspection it is found that some of the boundary stones are not erected / missing to show the exact width of the proposed Railway line and also some of the stones showing directions are also not fixed. So I request your kind self to direct the Railway Authority to fix the boundary and direction pillars, so that the trees will be enumerated properly in the required width area. The proposed railway line passes through the natural forest, dense evergreen & semi evergreen forest and plantations raised during previous years. The proposed area serves as part of catchment of Bedthi (Gangavali river).

Chief Conservator of Forests, North Kanara has agreed with the recommendations made by the Deputy Conservator of Forests, Karwar Division for diversion of 249.58 ha. of forest land in Karwar Division under Forest (Conservation) Act 1980.

The report of Deputy Conservator of Forests, Yellapur Division, Yellapur includes the following:

The Deputy Conservator of Forests, Yellapur Division, Yellapur has inspected the proposed site on 21.06.2016 and furnished the details in Form - A Part - II. The Chief Conservator of Forests, Kanara Circle, Sirsi has also inspected the proposed site on 06.07.2016 and furnished the details in Part – III and recommended the proposal for acceptance with certain observations. The observations include the following:

1. The User Agency has submitted the application in 'Form – A' of Forest (Conservation) Act 1980.
2. The User Agency requires 304.06 ha. of forest land in Yellapur Division for above purpose.
3. The User Agency has not furnished undertaking for payment of the Net Present Value and Compensatory Afforestation charges.
4. The Deputy Commissioner, Uttar Kannada District, Karwar has not given certificate for non-availability of non-forest land for above purpose.
5. Map clearly showing the forest boundary is enclosed.
6. Due to rainy season species wise & diameter class wise enumeration of trees has not been completed, so DCF has not submitted the enumeration list of the trees.
7. The Deputy Commissioner, Uttara Kannada District has not submitted the RoFR certificate.
8. The density of the forest vegetation is 0.25 to 0.80

9. In the proposed forest area rare endangered and unique species of flora and fauna are found. (list enclosed)
10. There are no protected archaeological, heritage sites/defence establishments or any other important monument located in the area.

The Chief Conservator of Forests, North Kanara has also inspected the site on 06.07.2016 and enclosed site inspection report in Proforma – III. During inspection it is found that some of the boundary stones are not erected / missing to show the exact width of the proposed Railway line and also some of the stones showing directions are also not fixed. So I request your kind self to direct the Railway Authority to fix the boundary and direction pillars, so that the trees will be enumerated properly in the required width area. The proposed railway line passes through the natural forest, dense evergreen, semi evergreen, betta land & plantations raised during previous years.

The proposed area serves as part of catchment of Bedthi (Gangavali river) and elephant movement (elephant corridor) is there in Yellapur Range and Kirwatti Range of Yellapur Division. So the works are to be carried out as per EMP (Environment Management Plan)-mitigation aspects.

Chief Conservator of Forests, North Kanara has agreed with the recommendations made by the Deputy Conservator of Forests, Yellapur Division for diversion of 304.06 ha. of forest land in Yellapur Division under Forest (Conservation) Act 1980.

The report of Deputy Conservator of Forests, Dharwad Division, Dharwad includes the following:

The Deputy Conservator of Forests, Dharwad Division, Dharwad has inspected the proposed site during the 3rd week of July. The Chief Conservator of Forests, Dharwad Circle, Dharwad has also inspected the proposed site. The general observations are;

1. The Reserve Forest area proposed for diversion is steep & gradually sloppy and vulnerable.
2. Since many of the thick Forest and animal path destroyed due to the proposed construction of new Broad Gauge Railway Line of Hubballi-Ankola, the User Agency shall pay the cost of soil conservation and mitigation works as assessed by the Forest Department and as per the rates prevailing at the time of approval.
3. Also the area proposed for the diversion comprises of forest of Eco-class-I with varying densities, however since it is a single linear project passing through similar forest areas, it is felt that the category of Eco-Class-I with very dense forest may be considered for calculating NPV

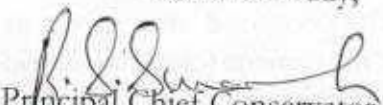
These specific conditions are in addition to the general conditions which the UA has to comply in all the forest diversion cases, few of which have been specified in Annexure -1. Since there is no suitable degraded forest land available in these divisions action is being

taken to identify the same in neighbouring divisions. The details in this regard will be submitted later, while processing the proposal for Stage-II.

In agreeing with the observations and suggestions of the Chief Conservators of Forests, it is requested to move the matter with the Government of India for according in-principle (Stage-I) approval for Diversion of 595.64 ha. forest land in Karwar, Yellapura & Dharwad Division for construction of new Broad Gauge Railway Line of Hubballi-Ankola in favour of the Deputy Chief Engineer, Construction - I, South Western Railway, Club road, Keshwapur, Hubballi subject to the following specific conditions:

The proposal in 4 sets is submitted herewith for further needful action.

Yours faithfully,


Principal Chief Conservator of Forests
(Head of Forest Force), Bengaluru.

Copy to the Chief Conservators of Forests, Canara Circle, Sirsi and Dharwad Circles for information and necessary action.

Copy to the Deputy Chief Engineer, Construction - I, South Western Railway, Club road, Keshwapur, Hubballi for information and necessary action.

Copy to the Deputy Conservator of Forests, Shimoga, Kundapur, and Belgaum Division to identify degraded forest area to the extent double the area being proposed for diversion for taking up compensatory afforestation and submit detailed report with survey sketches and GPS readings.

No. A5(2)GFL.CR-2/1997-98.

Office of the
Principal Chief Conservator of Forests
(Head of Forest Force)
Aranya Bhavan, Malleswaram
Bangalore - 560 003, dated: 25.07.2016.

To,

The Additional Chief Secretary to Government,
Department of Forests, Ecology
and Environment, M.S. Building,
Bangalore.

Sir,

Sub: Diversion of 595.64 ha. forest land in Karwar, Yellapura & Dharwad Division for construction of new Broad Gauge Railway Line of Hubballi Ankola in favour of the Deputy Chief Engineer, Construction - I, South Western Railway, Club road, Keshwapur, Hubballi.

- Ref: 1. Proposal No. FP/KA/Rail/19023/2016 of the Deputy Chief Engineer, Construction - I, South Western Railway, Hubballi.
2. Letter No. H/CN/UBL-AKL/forestland dated: 13.06.2016 of the Deputy Engineer, Construction - I, South Western Railway, Hubballi.
3. Letter No. B4/GFL/FCA/CR-14/2016-17 dated: 08.07.2016 of the Deputy Conservator of Forests, Karwar Division.
4. Letter No. B2/GFL/CR-15/2016-17 dated: 21.07.2016 of the Chief Conservator of Forests, Kanara Circle, Sirsi (Karwar Division).
5. Letter No. A5/Land/RL/CR-01/2016-17 dated: 29.06.2016 of the Deputy Conservator of Forests, Yellapura Division.
6. Letter No. B2/GFL/CR-15/2016-17 dated: 21.07.2016 of the Chief Conservator of Forests, Kanara Circle, Sirsi (Yellapura Division).
7. Letter No. B3/BLG/Hubli-Ankola/Cr- /2013-14 dated: 08.08.2016 of the Deputy Conservator of Forests, Dharwad Division.
8. Letter No. A1/GFL/HBL-ANK/RL/Compliance Report-42/2016-17 dated: 13.08.2016 of the Chief Conservator of Forests, Dharwad Circle, Sirsi (Dharwad Division).

With reference to the above subject a proposal for diversion of total 595.64 ha. of forest land in out of 3 Divisions, 2 Divisions proposal along with this office recommendation has submitted vide this office letter dated: 01.08.2016.

Now the Chief Conservator of Forests, Kanara Circle vide his letter dated: 16.08.2016 and 19.08.2016 has submitted tree enumeration list of Yellapur Division and Karwar Division it is also submitted for further action.

The Chief Conservators of Forests, Dharwad Circle vide his letter under reference cited (8) above, have submitted the proposals received from Deputy Conservator of Forests, Dharwad Division for diversion of 42.00 ha. of forest land out of total 595.64 ha. of forest land (249.58 ha. in Karwar Division, 304.06 ha. in Yellapur Division and 42.00 ha. in Dharwad Division) for construction of new Broad Gauge Railway Line of Hubballi Ankola in favour of the Deputy Chief Engineer, Construction – I, South Western Railway, Hubballi under Forest (Conservation) Act, 1980. The details are placed herewith.

The report of the Deputy Conservator of Forests, Dharwad Division, Dharwad includes the following:

The Deputy Conservator of Forests, Dharwad Division, Dharwad has inspected the proposed site on 18.06.2016 and furnished the details in Form - A Part - II. The Chief Conservator of Forests, Dharwad Circle, Dharwad has also inspected the proposed site on 12.08.2016 and furnished the details in Part – III and recommended the proposal for acceptance with certain observations. The observations include the following:

1. The User Agency has submitted the application in 'Form – A' of Forest (Conservation) Act 1980.
2. The User Agency requires 42.00 ha. of forest land in Dharwad Division for above purpose.
3. The User Agency has not furnished undertaking for payment of the Net Present Value and transportation charges of trees to be felled.
4. The Deputy Commissioner, Dharwad District, Dharwad has not given certificate for non-availability of non-forest land for above purpose.
5. Map clearly showing the forest boundary is enclosed.
6. Total No. of trees 9767 has to be felled.
7. The Deputy Commissioner, Dharwad District has not submitted the RoFR certificate.
8. The density of the forest vegetation is 0.50
9. In the proposed forest area rare endangered and unique species of flora and fauna are found.
10. There are no protected archaeological, heritage sites / defence establishments or any other important monument located in the area.

In agreeing with the observations and suggestions of the Chief Conservators of Forests, it is requested to move the matter with the Government of India for according

in-principle (Stage-I) approval for diversion of 595.64 ha. forest land in Karwar, Yellapura & Dharwad Division for construction of new Broad Gauge Railway Line of Hubballi-Ankola in favour of the Deputy Chief Engineer, Construction – I, South Western Railway, Club road, Keshwapur, Hubballi subject to the conditions appended in proposal which is submitted earlier.

The proposal in 4 sets of Dharwad Division is submitted herewith for further needful action.

Yours faithfully,


Principal Chief Conservator of Forests
(Head of Forest Force), Bengaluru.

Copy to the Chief Conservators of Forests, Canara Circle, Sirsi and Dharwad Circles for information and necessary action.


Copy to the Deputy Chief Engineer, Construction – I, South Western Railway, Club road, Keshwapur, Hubballi for information and necessary action.

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ANNEXURE - 'A'

1. The legal status of Forest land shall remain unchanged and it shall continue to be as forest land.
2. The lessee shall pay lease rent as fixed by the Govt. from time to time.
3. The lease tenure is for a period of 30 (thirty) years.
4. The leased out area should be used for the purpose for which it is granted. In case the land is not used for the stipulated purpose within one year or when it is no longer needed for the stipulated purpose, the area should be resumed to the Forest Department under Section 82 of Karnataka Forest Act, 1963. In such an eventuality the amount paid by the User Agency towards NPV/CA, etc. is not refundable. The concerned Deputy Conservator of Forests is authorized to take necessary action in this regard.
5. No residential buildings shall be permitted in the proposed forest area.
6. The Karnataka Forest Act, 1963 and Rules, 1969 and other relevant Acts & Rules will be applicable for any violation.
7. The User Agency shall pay the cost of construction of any structure as assessed by the Forest Department as per the rates prevailing at the time of approval.
8. The User Agency shall pay the amount of compensation as computed and demanded by the Karnataka Cashew Development Corporation Ltd., Mangalore if any.
9. Compensatory afforestation shall be raised at the cost of User Agency over degraded forest area twice the extent of forest area being diverted at the rate prevailing at the time of approval (at present it is Rs.2,55,000/- per ha.) Or any extent as approved by the Ministry of Environment and Forests.
10. Additional Compensatory Afforestation shall be raised at the cost of User Agency if approved by the Ministry of Environment and Ecology & Forests.
11. Avenue Plantation shall be taken up by User Agency along the railway line on either side (200 plants per km.), wherever required, at the project cost. The plantation shall be maintained at the project cost for 10 years.
12. The User Agency has to pay the Net Present Value (NPV) of forest land diverted under this proposal as per Orders dated 28-3-2008 and 9-5-2008 of the Hon'ble Supreme Court of India as per approval. Eco- class-I and very dense.
13. The User Agency has to pay the cost of extraction and transportation for trees to be felled for the project assessed by the Forest Department.
14. Since the project passes through wildlife habitat areas, suitable remedial mitigation measures like speed breakers, animal underpass etc. shall be provided at the specific locations and as per the plan prepared in consultation with the Deputy Conservator of Forests.
15. The User Agency should pay cost of soil erosion controlling measures, in accordance with the estimate prepared by the concerned DCFs, to be carried out at the adjacent forest areas all along the road.
16. The shoulder drains should be suitably covered with stone pitching in order to control soil erosion.
17. No crushing/breaking of stones shall be allowed inside forest area. Readymade material shall be used for improvement of such road.
18. Both sides of the improved road shall be reinforced wherever required with brick / stone works and vegetative measures and other measures to check soil erosion, at the project cost in consultation with the Deputy Conservator of Forests.
19. No labour camp shall be established on the forest land.

20. No work shall be allowed after sunset.
21. Any damage to forest area due to such improvement and widening works shall be compensated by the User Agency. The extent of damage shall be assessed by the concerned Deputy Conservator of Forests.
22. The lessee shall not sub-lease, mortgage or hypothecate the forest area.
23. The project authorities shall provide modern Checking gate equipment's and other facilities as requested by the Forest Department.
24. The User Agency shall put up sign boards and educational boards displays on wild animals presence in the area in consultation with concerned Deputy Conservator of Forests.
25. The approval under the Forest (Conservation) Act, 1980 is subject to the clearance under the Environment (Protection) Act, 1986 and CRZ Clearance if required.
26. The User Agency shall also abide by all the conditions imposed upon by Government of India, the Government of Karnataka and Principal Chief Conservator of Forests (Head of Forest Force).


Principal Chief Conservator of Forests
(Head of Forest Force)

PART - IV

(To be filled in by the Nodal Officer or Principal Chief Conservator of Forests or Head of Forest Department)

<p>Detailed opinion & specific recommendation of the State Forest Department for acceptance or otherwise of the proposal with remarks.</p> <p>(While giving opinion, the adverse comments made by concerned Conservator of Forests or Deputy Conservator of Forests should be categorically reviewed and critically commented upon).</p>	<p>Recommended for diversion of 595.64 ha. forest land in Karwar, Yellapura & Dharwad Division for construction of new Broad Gauge Railway Line of Hubballi Ankola in favour of the Deputy Chief Engineer, Construction - I, South Western Railway, Club road, Keshwapur, Hubballi.</p>
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Signature:



Name:

(P. Anur Reddy), IFS

Designation:

*Addl. Principal Chief Conservator of Forests
(Forest Conservation)
Bangalore*

Signature:



Name:

(R.S. Suresh), IFS

Designation:

*Principal Chief Conservator of Forests
(Head of Forest Force)
Bangalore*

(Official Seal):

N.D.O. No. 07/2016-17

Date: 28/10/2016.