

Sub:- Diversion of 72.177 ha of forest land in Sy. No. 1/1 of Bhutaramanahatti village, Belgaum Taluk and District for Establishment of Rani Chennamma University in favour of the Registrar, Rani Chennamma University, Belgaum-reg. (online Proposal No. FP/ KA /SCH/ 20566/2016).

The Government of Karnataka vide their letter No. FEE 101 FLL 2016 dated 04.10.2016 submitted the above subject proposal to Regional Office, Bangalore. The Regional Office, Bangalore vide their letter no. 4-KRA 1099/2016-BAN/1012 dated 15.11.2016 forwarded this proposal for Establishment of Rani Chennamma University in favour of the Registrar, Rani Chennamma University, Belgaum to Forest Conservation Division of MoEF&CC, New Delhi for processing this proposal. The details and the documents of the instant proposal is available at www.parivesh.nic.in.

2. The Ministry vide its letter dt 23.12.2016 requested the Regional Office, Bangalore to carry out a Site inspection

3. Basic Facts with respect to this proposal:

1.	Name of the Proposal	Diversion of 72.177 ha of forest land in Sy. No. 1/1 of Bhutaramanahatti village, Belgaum Taluk and District for Establishment of Rani Chennamma University in favour of the Registrar, Rani Chennamma University, Belgaum.
2.	Location i. State ii. District	Karnataka Belagavi
3.	Particulars of Forests: i. Name of Forest Division and Forest area involved. ii. Legal status/Sy.No.	Belagavi Forest Division 72.176 ha (178 acre & 14 gunts) Reserve Forest
4.	Vulnerability to erosion	Not Much
5.	(i) Density (iii) No. of trees enumerated/to be actually felled	30 to 40% 4476 Nos of trees
6.	Whether forms part of National park, Wildlife Sanctuary, Biosphere Reserve, Tiger Reserve, Elephant Corridor, etc. (if so, details of the area and comments of the Chief Wildlife Warden	No
7.	Whether any RET species of flora and fauna are found in the area. If so details thereof	No
8.	Approximate distance of the proposed site for diversion from boundary of forest.	Proposal is within the Reserve Forests
9.	Whether any protected archaeological/heritage site/defence establishment or any	No

	other important monuments is located in the area.	
10.	Whether any work of in violation of the Forest (Conservation) Act, 1980 has been carried out (Yes/No). If yes details of the same including period of work done, action taken on erring officials. Whether work in violation is still in progress.	Yes, Deputy Conservator of Forests has given certificate that the 178 acre & 14 gunta of the proposed land was granted to Karnataka University Dharwad by Deputy Commissioner Belagavi vide order No . RD/LBP/CR/98/89-90, dtd. 15.03.1990 considering it as gomal land (gairana) but the said granted land is a part of Fs. No. 1/1 of Bhuthramanhatti Reserved Forest having an area of 196 acre & 14 guntas which was notified vide notification No. AFD/13/FAP/60/BNG, dtd. 28.07.1960. As per the grant, The user agency carried out non forestry activity. The user agency has deposited Rs. 5.00 lakhs on 07.02.1993 and Rs. 9.40 lakhs on 05.01.1995 towards the compensatory afforestation charges. The user agency completed the construction of 3 buildings in 1995 is self, thus violating the Forest Conservation Act, 1980.
11.	Whether the requirement of forest land as proposed by the user agency in col. 2 of Part-I is unavoidable and barest minimum for the project, if no recommended area item-wise with details of alternatives examined.	Yes
12.	Whether clearance under the Environment (protection) Act, 1986 is required?	No
13.	Compensatory Afforestation	
	i. Details of non-forest area/degraded forest area identified for CA, its distance from adjoining forest, number of patches, size of each patches.	It is reported by DCF, Belagavi that the details of CA area released by the Deputy Commissioner, Belagavi as per order no. RB/LND/CR-618/2000-01 dated 24.04.2002 and order no. RS/LND/CR—618/2000-01 dated 28.05.2016.
	ii. Map showing non-forest/degraded forest area identified for CA and adjoining forest boundaries.	Map Submitted
	iii. Detailed CA scheme including species to be planted, implementing agency, time schedule, cost structure, etc.	Detailed CA Scheme is not given.
	iv. Total financial outlay for CA	
	v. Certificate from the competent authority regarding suitability of the area identified for CA and from management point of view.	Suitability certificate dated 15.07.2016 has been given by DCF, Belagavi division, Belagavi

14.	Catchment Area Treatment	NA
15.	Rehabilitation of Oustees a. No of families involved b. Category of families c. Details of rehabilitation plan	Nil NA NA
16.	Employment likely to be generated a. Whether the project is likely to generate employment b. Permanent/ Regular Employment (Number of person) c. Temporary Employment (Number of person-days)	Teaching and Non-Teaching staff of 200 members at present working and there is a scope for about 1000 members when fully developed.
17.	Compliance of Scheduled Tribe and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006	Certificate of Deputy Commissioner & District Magistrate, Belagavi regarding FRA for an area of 178 acres and 14 guntas has submitted. However, copies of Gram Sabha Resolution are not given. Thus, compliance on FRA is incomplete.
18.	Site Inspection Report by DFO	Submitted with the proposal
19.	Cost Benefit Ratio	It is stated that cost benefit analysis is not applicable as Rani Channamma university is a non -profit organization.
20.	Total Cost of the Project	Rs 10,000 Lakhs
21.	Recommendation	
	DCF	The user agency has already violated Forest Conservation Provisions by constructing administrative, library and other buildings which are being used since establishment of the Post Graduation Centre. As approximate 1000 students are getting a Post Graduation every year. The Proposed Forest land is recommended for diversion to Rani Channamma University for the above said purpose.
	CCF	The forest land proposed for diversion has already been granted in favour of the user agency and the post graduate centre has already been established in violation of the Forest Conservation Act, 1980. Therefore, the proposal is recommended for obtaining post-facto approval for diversion of 72.176 ha of forest land.
	PCCF	Recommended subject to condition.
	SG	Recommended

Other Remarks

(i) The purpose wise break-up is as follows:

S. No.	Purpose	Extent (Ha)
1	Faculty cum department building	4.047
2	Boys Hostel	0.809
3	Ladies hostel	0.809
4	Guest House	0.809
5	Quarters	8.094
6	Approach road including land acquired for national highway (H-4)	20.235
7	Play Ground	8.094
8	Water tank	0.405
9	indoor stadium	4.047
10	Garden	10.117
11	open area	10.579
	Total:	68.045

4. Summary of Ranni Chennamma University, Belgavi

i. The proposal has been taken to FAC three times (on 26.12.2016, 15.06.2017 and 19.06.2018).

Recommendations FAC in the three Fac meeting is given below:

- **26.12.2016:**

- i. Regional Office shall carry out inspection and submit Site inspection report (SIR). The matter stands deferred till such time.
- ii. State Government to explain the circumstances under which reserve forest was considered as gomel land and lease was executed in violation of provision of Forest Conservation Act, 1980.
- iii. State Government shall fix the responsibility of officials for carrying out violation of provision of Forest Conservation Act, 1980.

- **15.06.2017:**

FAC after through deliberation and interaction with User Agency observed that there appears to be a no. of violations perhaps deliberately, in the past. Therefore the proposal is deferred to next FAC meeting. It is desired that the ACS(Forests) to govt. of Karnataka , PCCF(HoFF), Karnataka and Nodal Officer (FCA) Karnataka will be requested to attend the next FAC meeting in New Delhi and clarify these issues.

- **19.06.2018:**

- i. State Government shall initiate action for violation as per provisions of Govt. of India Guidelines 11-42/2017-FC dt 29.01.2018.

- ii. State Govt shall explore possibility of establishing the University Campus in the alternative non-forest land. Detail analysis of at least three possible sites may be submitted.
- iii. On analysis in DSS, it is observed that, the actual change in land use is restricted to a small portion of the forest area. State Govt. shall demarcate the area and submit details of actual forest area under non-forest use at present. The shape file of the same shall be submitted.

- ii. The land is part of area, which was declared as reserved Forest in 1960.
- iii. In 1990 the forest area was given on lease to the University. At that time, it was conveyed that the land is a forest land, and requires to be dealt under FC Act. But State Govt directed PCCF not to interfere in establishment of the University.
- iv. Two FIRs have been lodged against the Registrar of the University by the State Forest Deptt (in 1991 and 2014).
- v. In 2004, University authorities sold part of this forest land in 2004 to NHAI (9.24 acres) at a cost of Rs 30 lakhs.
- vi. Since there was a proposal for expansion of infrastructure for the University, the state Government initiated a proposal under FC Act in October, 2016 for ex-post facto approval of 72.18 ha land.
- vii. Site Inspection by Regional Office, Bangalore of MoEF&CC has also been done (in March, 2017). The Regional Office has confirmed violation under FC Act. (can be seen at parivesh.nic.in)
- viii. This is a case of violation under FC Act and the requisite information/action from the State Government has not been obtained. As a result, no further action by Ministry has been taken.
- ix. The Addl. Chief Secretary (Forest) received on 29.01.2020. **Ministry vide its letter dated 20.04.2020** sought the following shortcomings after the examination of reply forwarded by the Govt. of Karnataka vide in its letter dated 29.01.2020 -
 - a. The State Government has not provided the details of action initiated against the officials for violation as per the provisions of Government of India guidelines 11-42/2017-FC dated 29.01.2018.
 - b. The details of three possible sites for establishing the University campus on alternate non-forest land has not been identified by the State Government.
 - c. A black and white demarcation maps has been submitted with letter, it would be appreciable if KML file of the forest area is submitted.

The reply from the State Government is still awaited.

5. Now a DO letter received from Hon'ble Chief Minister; SS Yediyurappa addressed to Hon'ble Minister, EF&CC vide DO no. CM/318/GoI/2020 dt 11-09-2020 in which it was requested to kindly consider providing post facto FC clearance to the University in the interest of providing education to the students of the backward border regions.

In view of above, the facts related to the above proposal may be placed before FAC in its upcoming meeting scheduled to be held on 21.10.2020 for their examination and appropriate recommendation.
