

ಕರ್ನಾಟಕ ಸರ್ಕಾರ

GOVERNMENT OF KARNATAKA

ಪ್ರಧಾನ ಮುಖ್ಯ ಅರಣ್ಯ ಸಂರಕ್ಷಣಾಧಿಕಾರಿ  
(ಅರಣ್ಯ ಪಡೆ ಮುಖ್ಯಸ್ಥರು) ರವರ ಕಛೇರಿ

Office of  
Principal Chief Conservator of Forests  
(Head of Forest Force)



ಅರಣ್ಯ ಭವನ, 18ನೇ ಅಡ್ಡ ರಸ್ತೆ  
ಮಲ್ಲೇಶ್ವರಂ, ಬೆಂಗಳೂರು-560 003.

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No. A5(2).GFL.CR-18/2017-18  
E-office File No. KFD/HOFF/A5-2(GFL)/24/2018-FC

*Encl. 3 Set*

E-64373

Date: 03-01-2019

*Ex*

To,

The Additional Chief Secretary to Government  
Forest, Environment and Ecology Department  
M.S. Building, Bengaluru - 560 001

Sir,

**Sub:** Diversion of 0.70 hectare of forest land in Sy No. 225 of Halki Village, Murugodu Hobli, Savadatti Taluk, Belagavi District for improvements to road from Hullikeri Tanda to Halki under Gandhi Patha Grama Patha (NGNRY-4) in favour of the Executive Engineer, Karnataka Rural Road Development Agency (KRRDA) Project Division, Gokak-reg. **Proposal No.: FP/KA/ROAD/29864/2017**

**Ref:**

1. Online proposal [FORM-A PART-I] dated 05-01-2018 (re-submitted) of the Executive Engineer, KRRDA Project Division, Gokak
  2. This office online communication dated 23-01-2018 to Deputy Conservator of Forests, Ghataprabha Division, Gokak
  3. Online submission of PART-II by Deputy Conservator of Forests, Ghataprabha Division, Gokak to Chief Conservator of Forests, Belagavi Circle on 15-10-2018 r/w reply dated 26-09-2018 of User Agency to last EDS of Division Office [Letter No. FP/KA/Road/29864/2017 dated 15-10-2018]
  4. Online submission of PART-III by the Chief Conservator of Forests, Belagavi Circle, Belagavi to Nodal Officer on 27-10-2018 r/w reply dated 22-12-2018 to EDS of Nodal Officer [Letter No. A7/LND/Road/Halki/CR-/ 2017-18 dated 31-10-2018]
1. The Executive Engineer, Karnataka Rural Road Development Agency (KRRDA), Project Division, Gokak vide reference (1) has submitted an online proposal [FORM-A PART-I] through FC web portal for diversion of 0.70 hectare of forest land in Sy No. 225 of Halki Village, Murugodu Hobli, Savadatti Taluk, Belagavi District for improvements to road from Hullikeri Tanda to Halki under Gandhi Patha Grama Patha (NGNRY-4) seeking approval under Section 2 of the Forest (Conservation) Act, 1980. After uploading of Acknowledgement on 17-01-2018 by User Agency for having delivered the hard copies of the proposal to jurisdictional DCF & DC, an online communication was made by the Nodal Officer vide reference (2) to the Deputy Conservator of Forests, Ghataprabha Division, Gokak to process the said proposal and to submit specific opinion / recommendation.



2. **Location and Component-wise break up:** Location of the forest land proposed for diversion is given below.

District, Taluk, Hobli	Village	Sy No.	Forest extent proposed for diversion (ha)	Legal Status of land
Belagavi District, Savadatti Taluk, Murugodu Hobli	Halki	225	0.70	Reserved Forest
<b>Total</b>			<b>0.70</b>	

The project component-wise breakup of the forest land proposed for diversion is given below.

Project component		Forest extent proposed for diversion (ha)
Road	Embankment (700 m x 9 m)	0.63
	Side Drains (700 m x 1 m)	0.07
<b>Total</b>		<b>0.70</b>

3. **Report of DCF, Ghataprabha Division, Gokak:** The Deputy Conservator of Forests, Ghataprabha Division, Gokak has inspected the project site on 30-01-2018 and has recommended the proposal for consideration. The DCF vide reference (3) has submitted the Site Inspection Report along with other information in PART-II to the Chief Conservator of Forests, Belagavi Circle, Belagavi. Main features of the DCF report r/w with the reports of the CCF, Belagavi Circle and ICT centre of the Forest Department are given below.
- The forest area in this landscape has a 0.25 canopy density and Eco-class-IV (Tropical Thorn Forest).
  - Because of hard soil, low gradient and poor rainfall, the forest land proposed for diversion is not vulnerable to soil erosion.
  - There are no trees in 31-60 cm or above girth on the forest land proposed for diversion, though the area has growth of species like *Albizia amara*, *Wrightia tinctoria*, *Diospyros melanoxylon*, *Cassia fistula*, *Cassia siamea* and *Swietenia mahogany*.
  - The forest area proposed for diversion does not form part of any National Park, Wildlife Sanctuary, Biosphere Reserve, Tiger reserve or Elephant corridor.
  - There are no rare / endangered / unique species of flora and fauna in the area.
  - There are no protected/ archeological/ heritage sites/ defence/ establishments located in the proposed area.
  - The forest area proposed for diversion is the bare minimum and unavoidable.
  - There is no violation reported under Forest (Conservation) Act, 1980.
4. **Report of CCF, Belagavi Circle:** The Chief Conservator of Forests, Belagavi Circle has not inspected the site personally but agreeing with the recommendation made by the Deputy Conservator of Forests, Ghataprabha Division, the Chief Conservator of Forests, Belagavi Circle has also recommended the project and has submitted his opinion in PART-III uploaded online vide reference (4).



8. **Compensatory Afforestation:** The forest area proposed for diversion is within one hectare and is thus governed by Para 3.2(viii)(b) of the Government of India FC Guidelines, which provides **exemption from raising Compensatory Afforestation (CA)**, however mandates planting of ten times the number of trees likely to be felled. **In present case, there is no tree felling involved.**

6. **Net Present Value (NPV):** The User Agency is liable to pay the Net Present Value (NPV) of forest land being diverted under this proposal in accordance with the orders dated 28/03/2008 and 09/05/2008 of the Hon'ble Supreme Court of India in I. A. No. 826 in I.A. 566 in WP (C) No. 202/1995 and as per the conditions stipulated by Government of India, Ministry of Environment and Forests, New Delhi vide letter F. No. 5-3/2007-FC Dated 05-02-2009. **The User Agency has agreed to pay the charges towards Net Present Value (NPV) and has submitted an Undertaking to that effect.**

7. **Status of RoFR compliance:** With regard to compliance of the provisions of Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forests Rights) Act 2006 and Rules 2008, the User Agency has not furnished the requisite Certificate in FORM-I issued by the Deputy Commissioner, Belagavi District as per guidelines issued by Ministry of Environment and Forest, New Delhi vide letter No. 11-9/1198-FC(Pt) dated 03-08-2009/05-07-2013. **The User Agency is being informed again to submit the said certificate in original.**

Under the above circumstances and agreeing with recommendation of the field officers, it is requested to accord the *in-principle* (Stage-I) approval under Section 2 of Forest (Conservation) Act, 1980 for diversion of 0.70 hectare of forest land in Sy No. 225 of Halki Village, Murugodu Hobli, Savadatti Taluk, Belagavi District for improvements to road from Hullikeri Tanda to Halki under Gandhi Patha Grama Patha (NGNRY-4) in favour of the Executive Engineer, Karnataka Rural Road Development Agency (KRRDA) Project Division, Gokak as per guidelines issued by Government of India, Ministry of Environment, Forests and Climate Change New Delhi vide No. 11-9/98-FC dated 13-02-2014 (General Approval) for a period of 30 years, subject to the production of RoFR Compliance Certificate by the User Agency in FORM-I issued by the Deputy Commissioner, Belagavi District and other conditions appended in Annexure 'A'.

The proforma particulars along with the relevant documents in 3 sets are submitted herewith for kind perusal and further action.

Yours faithfully,



Principal Chief Conservator of Forests  
(Head of Forest Force)

Copy to the Chief Conservator of Forests, Belagavi Circle Belagavi for information.

Copy to the Deputy Commissioner, Belagavi District for information and necessary action to issue the RoFR Compliance Certificate as mentioned above.

Copy to the Deputy Conservator of Forests, Ghataprabha Division, Gokak for information and necessary action.

Copy to the Executive Engineer, KRRDA Project Division, Near Lakshmi Temple, Gokak, Belagavi District-591 307 for information and necessary action to obtain the Certificate of RoFR Compliance as mentioned above and submit the same in original at the earliest.



### ANNEXURE 'A'

1. The legal status of forest land shall remain unchanged and it shall continue to be forest land.
2. The User Agency shall pay the applicable Net Present Value (NPV), cost of extraction of trees if any, land lease rent and any other levies as per the conditions of approval.
3. The User Agency shall demarcate the lease area in the manner specified at the time of approval at its own cost.
4. The User Agency shall undertake avenue plantation along the proposed road at project cost.
5. The User Agency shall provide the Display Boards of appropriate dimensions and colour combination in consultation with the jurisdictional Deputy Conservator of Forests at regular intervals along the proposed road within forest limits to sensitize public about forest, wildlife and environment at project cost.
6. The lessee shall not sub-lease, mortgage & hypothecate the forest area.
7. 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 would stand resumed to the Forest Department.
8. The application for renewal of the lease in the prescribed form and manner shall be submitted at least six months prior to the expiry of forest lease. In case no renewal is sought, the Lessee shall hand over the leased forest land.
9. No residential or commercial buildings shall be permitted in the forest area proposed for diversion.
10. No crushing / breaking of stones or labour camp shall be allowed inside forest area and all waste / debris generated shall be scientifically disposed off outside the forest area.
11. Any damage to forest area because of implementation of the proposal shall be compensated by the Lessee. The extent of damage shall be assessed by the jurisdictional Deputy Conservator of Forests/ Conservator of Forests/ Chief Conservator of Forests.
12. The Lessee shall ensure that no avoidable harm is caused to the fauna and flora in and around the proposed area.
13. No change in Land Use Plan shall be done unless prior approval of Government of India under FC Act is obtained.
14. In case, any violation of the provisions of the Karnataka Forest Act, 1963 & Rules, 1969 or other relevant Acts/Rules is reported during the lease period, the lease will be liable for forfeiture under Section 82 of Karnataka Forest Act, 1963. The Chief Conservator of Forests and/or Deputy Conservator of Forests concerned are authorized to take necessary action in this regard.
15. The approval under the Forest (Conservation) Act, 1980 is subject to any other clearances necessary under the prevailing statutes.
16. The User Agency shall also abide by other conditions those may be imposed by the Government of India, Government of Karnataka and Principal Chief Conservator of Forests (Head of Forest Force) before or after the approval.



Principal Chief Conservator of Forests  
(Head of Forest Force)

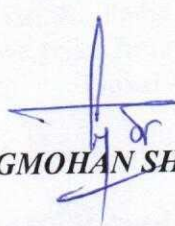


**PART - IV**

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

<p>Detailed opinion &amp; 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 0.70 hectare of forest land in Sy No. 225 of Halki Village, Murugodu Hobli, Savadatti Taluk, Belagavi District for improvements to road from Hullikeri Tanda to Halki under Gandhi Patha Grama Patha (NGNRY-4) in favour of the Executive Engineer, Karnataka Rural Road Development Agency (KRRDA) Project Division, Gokak for a period of 30 years, subject to production of RoFR Compliance Certificate by the User Agency in FORM-I and other conditions appended in Annexure 'A'.</p> <p>[Proposal No. FP/KA/ROAD/29952/2017]</p>
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Signature:

  
**JAGMOHAN SHARMA IFS**

Name:

Designation:

**Additional Principal Chief Conservator of Forests  
(Forest Conservation) and Nodal Officer (FCA)**

(Official Seal):

Counter signed by :

Name:

  
**PUNATI SRIDHAR IFS**

Designation:

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

(Official Seal):

N.D.O. No: 37/2018-19.

Date: 04-01-2019

