

ಕರ್ನಾಟಕ ಸರ್ಕಾರ

GOVERNMENT OF KARNATAKA

ಪ್ರಧಾನ ಮುಖ್ಯ ಅರಣ್ಯ ಸಂರಕ್ಷಣಾಧಿಕಾರಿ  
(ಅರಣ್ಯ ಪಡೆ ಮುಖ್ಯಸ್ಥರು) ರವರ ಕಚೇರಿ

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



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

Aranya Bhavan, 18<sup>th</sup> Cross,  
Malleshwaram, Bengaluru-560 003  
Telephone : 080 2334 6472  
Email : apccffc@gmail.com

No. A5(2).GFL.CR-8/2017-18

Date: 10-11-2017

Proposal No. FP/KA/Others/27787/2017

To,

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

Sir,

Sub: Diversion of 0.502 ha of forest land in Sy. No. 62 & 67 of  
Doddamangadi Village, Ramdurga Taluk, Belgaum District  
for creation of Shiva & Sai theme park in favour of the  
President, Shiva Prathishtana Seva Samithi, Ramdurga- reg.

- Ref: 1. Online proposal dated 30-08-2017 (resubmitted) of the  
President, Shiva Prathishtana Seva Samithi, Ramdurga.
2. This office online communication dated 23-09-2017 to  
Deputy Conservator of Forests, Ghataprabha Division.
3. On line submission of PART-II by Deputy Conservator of  
Forests, Ghataprabha Division to Chief Conservator of  
Forests, Belagavi Circle on 12-10-2017
4. Letter No. A7/LND/Shiva T/GKK/CR-10/2017-18 dated  
16-10-2017 of the Chief Conservator of Forests, Belagavi  
Circle, Belagavi.
5. Online submission of PART-III by the Chief Conservator  
of Forests, Belagavi Circle to Nodal Officer on 17-10-  
2017.

\* \* \* \* \*

The President, Shiva Prathishtana Seva Samithi, Ramdurga vide reference  
(1) has submitted a proposal through web portal mode for diversion of 0.502 ha of  
forest land in Sy. No. 62 & 67 of Doddamangadi Village, Ramdurga Taluk,  
Belgaum District for creation of Shiva & Sai theme park in the Forest Department

Tree Park for obtaining approval under Forest (Conservation) Act, 1980. Accordingly, a communication through online was made by Nodal Officer vide reference (2) to the Deputy Conservator of Forests, Ghataprabha Division, Gokak and Deputy Commissioner, Belagavi District to process the said proposal and to submit their specific opinion / recommendations.

The Deputy Conservator of Forests, Ghataprabha Division, Gokak, vide reference (3) has submitted his online report (PART-II) alongwith his Site Inspection Report to Chief Conservator of Forests, Belagavi Circle, Belagavi.

In turn, the Chief Conservator of Forests, Belagavi Circle has submitted his report (Part-III) vide reference (4) and uploaded it online vide reference (5).

The proposal and the reports of field officers have been examined. The details of the proposal are given below:

Village	Sy.No.	Component	Length x Width	Extent of forest land involved (in ha.)
Doddamanagadi	62 & 67	Shiva Statue	-	0.121
		Sai Temple	-	0.086
		Road	270x4	0.108
		VIP Road	271x4	0.108
		Steps	113x4	0.045
		Bridge	43x8	0.034
Total				0.502

The Deputy Conservator of Forests, Ghataprabha Division, Gokak has inspected the project site on 04-10-2017 and has reported the following:

1. Proposed area is bare minimum and unavoidable.
2. No trees are required to be felled.
3. Proposed forest area falls under as Eco-class-IV (Open forest).

4. There are no rare / endangered / unique species of flora and fauna in the proposed area.
5. There are no protected / archeological / heritage sites / defence / establishments located in the proposed area.
6. Proposed area does not form part of any Wildlife Sanctuary, National Park, Biosphere Reserve, Tiger Reserve or Elephant Corridor, etc.
7. The forest is not vulnerable to erosion.
8. There is no violation reported under Forest Conservation Act, 1980.

The Chief Conservator of Forests, Belagavi Circle, Belagavi has also inspected the site on 05-10-2017, and has recommended the proposal for acceptance, duly agreeing with the recommendations of the Deputy Conservator of Forests, Ghataprabha Division, Gokak. In his report (reference 4), he has stated the following.

*"The Deputy Conservator of Forests, Ghataprabha Division, Gokak has processed the proposal and recommended for acceptance. The Deputy Conservator of Forests, Ghataprabha Division, Gokak has recommended the diversion of forest land for establishment Shiva statue and Sai Temple, both have immense role in conservation of nature. The Lord Shiva is associated with nature by virtue of his attire and his surroundings. In Hindu mythology, he is also said to have controlled the goddess Ganga, the river, by flooding the whole earth. The godly personality like Sri Sai Baba throughout his life helped the people through natural resources like medicinal plants. He also preached the people about nature conservation.*

*The proposed area falls well within the area designated for establishment Tree Park in Ramadurga Range of Gokak Division. Establishment of such nature oriented godly personalities will certainly help in creating awareness about nature conservation among public. It is also kindly be noted that, the Shiva Prathisthan*

*Seva Sameeti will bear the cost of establishment of these theme based structures and these will be managed by the local Village Forest Committee."*

Further, the User Agency has to pay the Net Present Value (NPV) of forest land being diverted under this proposal as per conditions stipulated by Government of India, Ministry of Environment and Forests, New Delhi vide letter No. 11-9/98-FC dated 13-02-2014 and Orders dated 28-3-2008 and 9-5-2008 of the Hon'ble Supreme Court of India in I.A.No. 826 in I.A. 566 in WP(C) No. 202/1995. The User Agency has agreed to pay the charges towards Net Present Value (NPV) and Compensatory Afforestation vide Undertaking dated 03-10-2017.

With regard to compliance of Recognition of Forest Rights (RoFR) Act 2006, the User Agency has furnished requisite Certificate in Form-II issued by the Deputy Commissioner, Belagavi District vide No. RB/LND/CR-98/206-17 dated 03-08-2017 as per guidelines issued by Ministry of Environment and Forest, New Delhi, vide F. No. 11-9/1198-FC(Pt) dated 03-08-2009/05-07-2013.

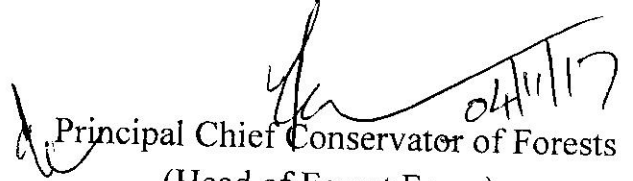
The forest area proposed for diversion is less than 1.00 ha and is governed by Para 3.2 (viii) (b) of FC Rules 2003 which provides exemption from Compensatory Afforestation (CA), however mandates planting of ten times the number of trees likely to be felled. The User Agency in present case is a private entity and hence the proposal is required to be submitted to the Government of India for considering approval under the Forest (Conservation) Act, 1980. Further, the proposal could be viewed as the one that enhances forest conservation advocacy by leveraging on the mythological and biocultural traditions in a Forest Department Tree Park. Furthermore, Shiva Prathistana Seva Samithi, Ramdurga is User Agency as they contribute funds for creation of proposed Shiva and Sai theme park within the Tree Park.

Under the above circumstances, it is requested to take appropriate decision to move the proposal with the Government of India, Ministry of Environment,

Forests and Climate Change, Regional Office (Southern Zone), Bengaluru, for considering according 'in-principle' (Stage-I) approval for a period of twenty (20) years, subject to the 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 necessary action.


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

Copy to the President Shiva Prathishtana Seva Samithi, Junipeth Post, Ramdurga Taluk, Belagavi District, for information.

  
04/11/17

### 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 government from time to time.
3. The lease tenure is for a period of 20 (twenty) 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. The Chief Conservator of Forests / Deputy Conservator of Forests concerned are authorized to take necessary action in this regard.
5. The Karnataka Forest Act, 1963 and Rules, 1969 and other relevant Acts & Rules will be applicable for any violation. The User Agency shall ensure that there shall be no damage to the available fauna and other flora in and around the proposed area. The User Agency will be liable for any forest or wildlife offence in or around the project area.
6. 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.
7. The lessee shall not sublease, mortgage or hypothecate the forest area.
8. The User Agency shall also abide by all the conditions imposed 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 &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>Submitted for appropriate decision regarding diversion of 0.502 ha of forest land in Sy. No. 62 &amp; 67 of Doddamangadi Village, Ramdurga Taluk, Belgaum District for establishment of Shiva Statue and Sai Temple in Forest Department Tree Park in favour of the President, Shiva Prathishtana Seva Samithi, Ramdurga under the Forest (Conservation) Act, 1980 subject to the conditions appended in <b>Annexure 'A'</b>.</p>
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Signature: \_\_\_\_\_  
Name: **JAGMOHAN SHARMA IFS**  
Designation: **Additional Principal Chief Conservator of Forests**  
**(Forest Conservation)**  
**and**  
**Nodal Officer (FCA)**

(Official Seal):

Counter signed by : \_\_\_\_\_  
Name: **K.S. SUGARA IFS**  
Designation: **Principal Chief Conservator of Forests**  
**(Head of Forest Force)**

(Official Seal):

N.D.O. No: 21 /2017-18.

Date: 10 -11-2017.

D: A5(2)/Gokak/ Doddamangadi 0.429 ha

