

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)



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E-office File No. KFD/HOFF/A5-6(GFL)/13/2021-FC
Encl. 3 sets of proposal hard copies

E-583702
Date 20-06-2022

21

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

Sir,

Sub: Diversion of 47.91 hectare of forest land in 13 Villages in Shivamogga and Davanagere District (Shivamogga & Sagara Forest Division) for construction of Shivamogga - Shikaripura New BG Railway Line in favour of Deputy Chief Engineer, South Western Railway Construction.

Proposal No. FP/KA/RAIL/155505/2022

- Ref:** 1. Online proposal [FORM-A PART-I] dated 21-05-2022 of Deputy Chief Engineer, South Western Railway Construction r/w uploading of Acknowledgement on 31-05-2022 for having delivered hard copies of proposal to jurisdictional Deputy Conservators of Forests and Deputy Commissioner
2. This office online communication dated 02-06-2022 to Deputy Conservator(s) of Forests, Shivamogga and Sagar Division(s) for further processing of proposal
3. Online submission of PART-II on 13-06-2022 by Deputy Conservator of Forests, Shivamogga Division [Letter No. B4/LAND (Survey)/FC/GL-11632/2021-22 (1614) dated 14-06-2022]
4. Online submission of PART-II on 11-06-2022 by Deputy Conservator of Forests, Sagar Division [Letter No. B1/LAND/FC/155505/2022/2022-23 dated 09-06-2022]
5. Online submission of PART-III on 14-06-2022 by Chief Conservator of Forests, Shivamogga Circle [Letter No. A11/FC/Shikaripur Railway/GL-1844/2022-23 dated 14-06-2022]

1. The Deputy Chief Engineer, South Western Railway, Construction, Bangalore Cantonment, Bangalore [USER AGENCY] vide Ref (1) has submitted a proposal through FC web portal seeking approval under Section 2 of the Forest (Conservation) Act, 1980 for Diversion of 47.91 hectare of forest land in 13 Villages in Shivamogga and Davanagere District (Shivamogga & Sagar Forest Division) for construction of Shivamogga - Shikaripura New BG Railway Line. After uploading the Acknowledgement online by User Agency on 31-05-2022 for having delivered the hard copies of proposal to the jurisdictional Deputy Conservators of Forests and Deputy Commissioner, an online communication was made on 02-06-2022 by Nodal Officer vide Ref (2) to the Deputy Conservator(s) of Forests, Shivamogga and Sagar Division(s) to process the proposal under FC Act and to submit the specific opinion through PART-II of the proposal.
2. **Location details and Component wise break up:** Location details of the forest land proposed for diversion are given below.

Division	Village		Sy No.	Forest extent proposed for diversion (ha)
Sagar	1	Harogoppa	11	1.62
			12	2.16
			13	2.51
	2	Yarakatti	15	10.5
	3	Ittigehalli	28	0.40
			81	1.97
	4	Thimlapura	25	4.96
	5	Doopadahalli	27	5.74
			49	0.030
	6	Sadashivapura	32	8.98
Sagar Division Area				38.87
Shivamogga	7	Sidlipura	26	0.2
	8	Konagavalli	56	0.33
	9	Kondajji	23	1.2
	10	Narayanapura	34	0.17
	11	Lakkinakoppa	46	0.21
	12	Belakatte	32 & 33	3.22
	13	Hirekoralahalli	39	3.71
Shivamogga Division Area				9.04
Total				47.91

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

Project Component	Forest Land requirement (ha)
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1	Railway Line	47.91
Total		47.91

3. **DCF, Shivamogga Report:** The Deputy Conservator of Forests, Shivamogga Division has inspected the project site on 09-06-2022 and vide Ref (3) has submitted the Site Inspection Report along with details of the site in PART-II of the proposal to Chief Conservator of Forests, Shivamogga Circle. Main features of the forest land proposed for diversion as per the DCF, Shivamogga Division report r/w reports of CCF, Shivamogga Circle and that of ICT Centre of Forest Department are as follows.

- a. The forest land proposed for diversion is in general landscape of Eco-class I (Tropical Wet Evergreen Forests/ Tropical Semi Evergreen Forests/ Tropical Moist Deciduous Forests) and 6.93 Ha (out of 9.04 Ha in Shivamogga Division) is up to 0.4 Canopy Density (Very Dense Forest) and 2.11 Ha (out of 9.04 Ha in Shivamogga Division) is with up to 0.2 Canopy Density (Dense Forest). [Note: The entry made in Item 4(i) of PART-II pertains to Shivamogga Division may be read accordingly.]
- b. As per Item 4(ii) of PART-II, there are 1113 trees on the forest land proposed for diversion. Major tree species include *Eucalyptus*, *Tectona grandis*, *Terminalia paniculata*, *Terminalia tomentosa*, *Butea monosperma*, *Dalbergia latifolia*, *Syzigiumcumini*, *Pterocarpus marsupium*, *Acacia auriculiformis*, *Alstoniascholaris*, *Semecarpus anacardium*, *Terminalia bellirica*, *Bauhinia Parviflora*, *Adenacordifolia*, *Lagerstroemia lanceolate* and various other jungle wood species.
- c. Major wild animals found in and around the project area include Leopard, Wild dogs, Sloth bear, Jackal, Wild cat, Wild hares, Jungle Fowls, Spotted deer among others. [Note: The entry made in Item 8(i) of PART-II pertains to Shivamogga Division may be read accordingly.]
- d. There are rare / endangered / unique species of flora and fauna reported in the forest area proposed for diversion.
- e. As per Item 8 (ii) of PART-II pertaining to Shivamogga Division, the forest land proposed for diversion does not form part of any National Park/ Wildlife Sanctuary/ Biosphere Reserve/ Tiger Reserve/ Elephant Corridor/ Wildlife Migration Corridor.
- f. As per Item 8 (iv) of PART-II pertaining to Shivamogga Division, there are no National Park/ Wildlife Sanctuary/ Biosphere Reserve/ Tiger Reserve/ Elephant Corridor/ Wildlife Migration Corridor within one kilometer from the boundary of the forest land proposed for diversion.
- g. The forest land proposed for diversion is located within 10 Km default Eco-Sensitive Zone (ESZ) of Shettihalli Wildlife Sanctuary. Since the railway project is linear, the impact of this project on ESZ is minimum. All necessary

precautionary measures for the safety of wild animals in the area are taken into consideration.

- h. There are no Protected/ Archaeological/ Heritage Sites/ Defence establishments located in the proposed area.
- i. The forest area proposed for diversion is the bare minimum and unavoidable.
- j. There is no violation reported under Forest (Conservation) Act, 1980.

4. **DCF, Sagar Report:** The Deputy Conservator of Forests, Sagar Division has inspected the project site on 09-06-2022 and vide Ref (4) has submitted the Site Inspection Report along with details of the site in PART-II of the proposal to Chief Conservator of Forests, Shivamogga Circle. Main features of the forest land proposed for diversion as per the DCF, Sagar Division report r/w reports of CCF, Shivamogga Circle and that of ICT Centre of Forest Department are as follows.

- a. The forest land proposed for diversion is in general landscape of Eco-class III (Tropical Dry Deciduous Forests) and 16.79 Ha (out of 38.87 Ha in Sagar Division) is up to 0.4 Canopy Density (Very Dense Forest) and 22.08 Ha (out of 38.87 Ha in Sagar Division) is with up to 0.1 Canopy Density (Dense Forest).
[Note: The entry made in Item 4(i) of PART-II pertains to Sagar Division may be read accordingly.]
- b. As per Item 4(ii) of PART-II, there are 3861 trees on the forest land proposed for diversion. Major tree species include *Tectona grandis*, *Dalbergia latifolia*, *Azadirachta indica*, *Terminalia paniculata*, *Terminalia bellerica*, *Diospyros melanoxylon*, *Lagerstroemia lanceolata*, *Hardwickia binata*, *Terminalia tomentosa*, *Xylocarpus*, *Mangifera indica*, *Syzigium cumini*, *Garcinia indica*, *Pongamia pinnata*, *Alstonia scholaris*, *Myristica magnifica*, *Madhuca indica*, *Acacia auriculiformis* and various other jungle wood species.
- c. Major wild animals found in and around the project area include Leopard, Sloth Bear, Hyena, Fox, Spotted Deer, Sambar, Muntjac, Wild Boar, Jungle cat, Peacock, Indian Roller, King fisher, Parrot, Myna, Jungle fowl among others.
[Note: The entry made in Item 8(i) of PART-II pertains to Sagar Division may be read accordingly.]
- d. There are no rare / endangered / unique species of flora and fauna reported in the forest area proposed for diversion.
- e. As per Item 8 (ii) of PART-II pertaining to Sagar Division, the forest land proposed for diversion does not form part of any National Park/ Wildlife Sanctuary/ Biosphere Reserve/ Tiger Reserve/ Elephant Corridor/ Wildlife Migration Corridor.
- f. As per Item 8 (iv) of PART-II pertaining to Sagar Division, there are no National Park/ Wildlife Sanctuary/ Biosphere Reserve/ Tiger Reserve/ Elephant Corridor/

Wildlife Migration Corridor within one kilometer from the boundary of the forest land proposed for diversion.

- g. The forest land proposed for diversion is not located within Eco-Sensitive Zone (ESZ) of any Protected Area notified under Wildlife (Protection) Act, 1972.
- h. There are no Protected/ Archaeological/ Heritage Sites/ Defence establishments located in the proposed area.
- i. The forest area proposed for diversion is the bare minimum and unavoidable.
- j. There is no violation reported under Forest (Conservation) Act, 1980.

5. **CCF, Shivamogga Circle Report:** The Chief Conservator of Forests, Shivamogga Circle, Shivamogga has inspected the project site personally on 14-06-2022 and vide Ref (5) has submitted the Site Inspection Report in PART-III online. Agreeing with the recommendation made by the Deputy Conservator(s) of Forests, Shivamogga and Sagar Division(s), the Chief Conservator of Forests, Shivamogga Circle has also recommended the proposal.
6. **Net Present Value (NPV):** The User Agency is required to pay the Net Present Value (NPV) of forest land proposed for diversion as per Para 3.1 to 3.4 of the FC Guidelines communicated by Government of India, Ministry of Environment, Forests and Climate Change, New Delhi vide letter F.No. 5-3/2011-FC dated 06-01-2022. **The User Agency has submitted an Undertaking to pay the charges towards Net Present Value (NPV) of the forest land proposed for diversion.**
7. **Compensatory Afforestation (CA):** In accordance with the provisions of para 2.5 (f) of the the FC Guidelines communicated by Government of India, Ministry of Environment, Forests and Climate Change, New Delhi vide F.No. 5-2/2017-FC dated 28-03-2019, the User Agency being a central Government agency implementing a Central Government project is exempted from the requirement of providing the non-forest land for Compensatory Afforestation purpose and the Compensatory Afforestation can be raised and maintained at the cost of User Agency on degraded forest land twice in extent of the forest area proposed for diversion. Accordingly, the Deputy Conservator(s) of Forests, Shivamogga&Sagar have identified the following degraded forest land parcels in their jurisdictions.

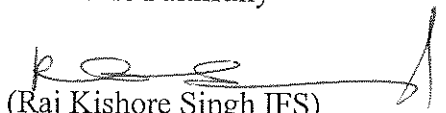
District	Taluk	Hobli	Village	Sy No.	Extent of Degraded Forest Land (ha)	Forest Division
Shivamogga	Shikaripur	Hosur	Shidiginhala / Gaggavanasara S. F	1	77.74	Sagar
	Shivamogga	Kumshi	Mandagatta	81	18.08	Shivamogga
Total					95.82	

The Compensatory Afforestation land details in form of KML files, Topo-maps, 'Geo'-referenced maps along with GPS readings, CA Schemes and CA Site Certificates have been uploaded at Item 13 of PART-II (Shivamogga and Sagar Divisions). Further, **the User Agency has furnished an Undertaking to pay the applicable Compensatory Afforestation (CA) charges.**

8. **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 obtained and furnished the requisite Certificate in FORM-I (for Linear projects) issued by the jurisdictional Deputy Commissioner as per Annexure II of the FC Guidelines communicated by Government of India, Ministry of Environment, Forests and Climate Change, New Delhi vide F.No. 5-2/2017-FC dated 28-03-2019. Accordingly, **the User Agency is being informed to obtain the required RoFR certificate and submit a copy.**

Under the above circumstances and agreeing with recommendations of the field officers, it is requested to move the proposal with the Government of India, Ministry of Environment, Forests and Climate Change, Regional Office (Southern Zone), Bengaluru for according in-principle (Stage-I) approval under Forest (Conservation) Act, 1980 for diversion of 47.91 hectare of forest land in 13 Villages in Shivamogga and Davanagere District (Shivamogga & Sagara Forest Division) for construction of Shivamogga - Shikaripura New BG Railway Line in favour of Deputy Chief Engineer, South Western Railway Construction for a period of thirty (30) years subject to production of RoFR Certificate in FORM-I (for linear projects) and further subject to the conditions appended in Annexure 'A'.

Yours Faithfully


(Raj Kishore Singh IFS)

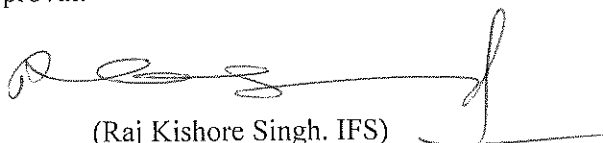
Principal Chief Conservator of Forests
(Head of Forest Force)

Copy to the:

1. Chief Conservator of Forests, Shivamogga Circle for information.
2. Deputy Conservator of Forests, Shivamogga Division for information.
3. Deputy Conservator of Forests, Sagar Division for information.
4. The Deputy Chief Engineer, Office of Deputy Chief Engineer, Construction, South Western Railway, Mysore - 570001 for information and **with the request to obtain the RoFR certificate in FORM-I (for Linear projects) issued by the jurisdictional Deputy Commissioner as per Annexure II of the FC Guidelines communicated by Government of India, Ministry of Environment, Forests and Climate Change, New Delhi vide F. No. 5-2/2017-FC dated 28-03-2019**

ANNEXURE 'A'

1. The legal status of forest land shall remain unchanged and it shall continue to be the forest land.
2. The User Agency shall pay the applicable Net Present Value (NPV), Compensatory Afforestation (CA) charges, cost of extraction of trees (if required in future), land lease rent and anyother 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 take appropriate measures to avoid accidental deaths of wild animals on the railway track in consultation with the jurisdictional Deputy Conservator of Forests/ Conservatorof Forests at the project cost.
5. The lessee shall not sub-lease, mortgage & hypothecate the forest area.
6. 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 two years or when it is no longer needed for the stipulated purpose, the area would stand resumed to the Forest Department.
7. 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 lease.
8. No residential or commercial buildings shall be permitted in the forest area proposed for diversion.
9. 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.
10. Any damage to forest area because of implementation of the project 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.
11. The Lessee shall ensure that no avoidable harm is caused to the fauna and flora in and aroundthe proposed area.
12. No change in Land Use Plan shall be done unless prior approval of Government of India under FC Act is obtained.
13. 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.
14. The approval under the Forest (Conservation) Act, 1980 is subject to any other clearances necessary under the prevailing statutes.
15. 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.


(Raj Kishore Singh. IFS)
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><i>(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.)</i></p>	<p>Recommended for diversion of 47.91 hectare of forest land in 13 Villages in Shivamogga and Davanagere District (Shivamogga & Sagara Forest Division) for construction of Shivamogga - Shikaripura New BG Railway Line in favour of Deputy Chief Engineer, South Western Railway, Construction for a period of thirty (30) years subject to production of RoFR Certificate in FORM-I (for linear projects) and further subject to the conditions appended in Annexure 'A'.</p> <p>Proposal No. FP/KA/RAIL/155505/2022</p>
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Signature:

Name:

Designation:



(Vijay Sharma, IFS)

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

Signature:

Name:

Designation:


(Raj Kishore Singh, IFS)

Principal Chief Conservator of Forests
(Head of Forest Force)

N.D.O. No. 17/2022-23

(Official Seal)

Dated: 24/06/2022

