

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, 18th Cross,
Malleshwaram, Bengaluru-560 003
Telephone : 080 2334 6472
Email : apccffc@gmail.com

No. A5(2).GFL.CR-20/2017-18

Date: 16-03-2018

Proposal No. FP/KA/ROAD/30276/2017

To, *Encl. 3 Sets*

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

Madam,

Sub: Diversion of 0.414 ha (revised from 0.415 ha) of forest land in
Sy. No. 70 of Nagara S B Village, Badami Taluk, Bagalkot
District for development of Naganath Kolla road in favour of
the Chief Officer, Town Municipal Council Badami-reg.

- Ref: 1 Online proposal dated 28-11-2017 (re-submitted) of the
Chief Officer, Town Municipal Council Badami.
- 2 This office online communication dated 17-01-2018 to
Deputy Conservator of Forests, Bagalkot Division, Bagalkot.
- 3 Letter No. B2/GFL/0.415/MIS-96/2017-18/2415 dated
24-02-2018 and online submission of PART-II by Deputy
Conservator of Forests, Bagalkot Division, Bagalkot to Chief
Conservator of Forests, Belagavi Circle on 03-03-2018.
- 4 Letter No. A7/LAND/FC/BGK/NTR/CR-22/2017-18 dated
03-03-2018 and online submission of PART-III by the Chief
Conservator of Forests, Belagavi Circle, Belagavi to Nodal
Officer on 03-03-2018).

1. The Chief Officer, Town Municipal Council Badami vide reference (1) has
submitted a proposal through web portal mode for 0.415 ha of forest land in
Sy. No. 70 of Nagara S B Village, Badami Taluk, Bagalkot District for
development of Naganath Kolla road for obtaining approval under Section-2
of Forest (Conservation) Act, 1980. Accordingly, a communication through

online was made by Nodal Officer vide reference (2) to the Deputy Conservator of Forests, Bagalkot Division, Bagalkot and Deputy Commissioner, Bagalkot District to process the said proposal and to submit their specific opinion / recommendations.

2. Report of DCF, Bagalkot Division: The Deputy Conservator of Forests, Bagalkot Division vide reference (3) has submitted his online report (PART-II) along with his Site Inspection Report to Chief Conservator of Forests, Belagavi Circle, Belagavi.

The details of the proposal are given below:

Component-wise breakup	Village	Sy.No.	Length x Width (m)	Extent (in ha)	Status of forest land
Development of Naganath Kolla road	Nagaral S B	70	920.00 x 4.50	0.414	Reserved Forest
Total				0.414	

The Deputy Conservator of Forests, Bagalkot Division has inspected the project site on 26-01-2018 and has reported the following:

1. Proposed area is the bare minimum and unavoidable.
2. Proposed forest area falls under as Eco-class-IV.
3. No tree is required to be felled.
4. The proposed area does not form part of any declared National Park, Wildlife Sanctuary, Biosphere Reserve, and Tiger reserve or Elephant corridor.
5. There are no rare / endangered / unique species of flora and fauna in the proposed area.
6. There is no violation reported under Forest Conservation Act, 1980.

The road is for providing road connectivity by upgrading the existing mud-road to sand stone paved path to a 5-7th Century temple belonging to Chalukya period, which has significant historic and heritage value.


3. **Report of CCF, Belagavi Circle:** The Chief Conservator of Forests, Belagavi Circle has submitted his report (PART-III) and uploaded it online vide reference (4). He has recommended the proposal for acceptance duly agreeing with the recommendations of the Deputy Conservator of Forests, Bagalkot Division.
4. **Compensatory Afforestation:** The forest area proposed for diversion is less than 1.00 ha and is governed by Para 3.2 (viii) (b) of 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 accordance with the letter No.A5(3).GFL.CR-28/2009-10 dated 04-11-2017 of the PCCF (HOFF). **No felling of trees is involved in the present case.**
5. **Net Present Value (NPV):** 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, Forest and Climate Change New Delhi vide letter No. 11-9/98-FC dated 13-02-2014 and 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. In this regard, **User Agency has agreed to pay the charges towards Net Present Value (NPV) and has submitted an Undertaking** in this regard.
6. **Status of RoFR:** With regard to compliance of the provisions of Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forests Rights) Act 2006 (No.2 of 2007) and Rules 2008, the **User Agency has furnished copies of requisite Certificate issued by the Deputy Commissioner, Bagalkot District vide No. DUDCBGK/HRIDAY Badami/Forest/17-18 dated 22-02-2018** 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 **in Form-I**. The User Agency is being requested to submit the said certificate in original.

7. Further, the User Agency has also submitted that the instant project is proposed under the Government of India National Heritage City Development and Augmentation Yojana (HRIDAY), which supports development of core heritage infrastructure including revitalization of urban infrastructure for areas around heritage assets identified / approved by the Ministry of Culture, Government of India and State Governments (copy of letter dated 11-01-2018 of User Agency is enclosed).

Under the above circumstances and agreeing with recommendation of the field officers, it is requested to issue approval under Section 2 of Forest (Conservation) Act, 1980 for diversion of 0.414 ha of forest land in Sy. No. 70 of Nagara S B Village, Badami Taluk, Bagalkot District for development of Naganath Kolla road in favour of the Chief Officer, Town Municipal Council, Badami as per guidelines issued by Government of India, Ministry of Environment and Forest, New Delhi vide No. 11-9/98-FC dated 13-02-2014 (General Approval) subject to 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
16/18 (Head of Forest Force)

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


Copy to the Deputy Commissioner, Bagalkot District, Bagalkot for information.

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

Copy to the Chief Officer, Town Municipal Council Badami, Near PCARD Bank, Badami-587 201 for information. It is advised that the compliance under Forest Rights Act, 2006 issued by Deputy Commissioner, Bagalkot District may be submitted in original immediately.

ANNEXURE 'A'

1. The legal status of forest land shall remain unchanged and it shall continue to be the forest land.
2. The lessee shall pay lease rent as fixed by the Government from time to time.
3. The lease tenure shall be 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 shall be resumed back. The Chief Conservator of Forests / Deputy Conservator of Forests concerned is authorized to take necessary action in this regard.
5. In case any violations are committed by the User Agency under the forest laws, the forest lease shall be liable for forfeiture under Section 82 of Karnataka Forest Act, 1963.
6. The leased area shall be appropriately demarcated on ground with respect to clear visibility of such demarcation and its permanency at the cost of the User Agency.
7. The User Agency has to pay the Net Present Value (NPV) for forest land diverted.
8. The User Agency has to pay charges towards SMC works in the forest area of the proposed road to a width of 100 Mtrs on both sides along with avenue plantation of local species, to be taken up by the Karnataka Forest Department.
9. The User Agency shall ensure that there is no damage to the fauna and flora in and around the leased area. Any violation will render the User Agency liable for action under relevant forest and any other laws.
10. No labour camp shall be established in the forest area.
11. All waste / debris generated shall be scientifically disposed off outside the forest area.
12. All precautions shall be taken to ensure fire-protection of the forest while executing the works and during any time the road is interacted with / repaired by the User Agency.
13. Any damage to forest area caused while executing works shall be compensated by the User Agency. The extent of damage shall be assessed by the Deputy Conservator of Forests concerned.
14. The lessee shall not sub-lease, mortgage or hypothecate the forest area.
15. The approval under the Forest (Conservation) Act, 1980 is subject to the clearance under the Environment (Protection) Act, 1986, if required.
16. The User Agency shall also abide by all the conditions imposed upon by the Government of India, Government of Karnataka and the Principal Chief Conservator of Forests, (Head of Forest Force).


Principal Chief Conservator of Forests
(Head of Forest Force)

da
R
16/2/12

PART – IV

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

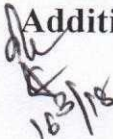
<p>Detailed opinion & specific recommendation of the State Forest Department for acceptance or otherwise of the proposal with remarks.</p> <p>(While giving opinion, the adverse comments made by concerned Conservator of Forests or Deputy Conservator of Forests should be categorically reviewed and critically commented upon).</p>	<p>Submitted for approval for diversion of 0.414 ha of forest land in Sy. No. 70 of Nagara S B Village, Badami Taluk, Bagalkot District for development of Naganath Kolla road in favour of the Chief Officer, Town Municipal Council Badami under the Forest (Conservation) Act, 1980 subject to conditions listed in Annexure 'A'.</p>
--	--

Signature:

Name:

Designation:


JAGMOHAN SHARMA IFS


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


(Official Seal):

Counter signed by :

Name:

Designation:


PUNATI SRIVIDHAR IFS


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

(Official Seal):

N.D.O. No: 46 /2017-18.

Date: 20 -03-2018.

D: / A5(2) / Bagalkot / Naganath Kolla Road 0.415 ha.

