

ಕರ್ನಾಟಕ ಸರ್ಕಾರ

GOVERNMENT OF KARNATAKA

ಪ್ರಧಾನ ಮುಖ್ಯ ಅರಣ್ಯ ಸಂರಕ್ಷಣಾಧಿಕಾರಿ

(ಅರಣ್ಯಪಡೆ ಮುಖ್ಯಸ್ಥರು) ರವರ ಕಛೇರಿ

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



ಅರಣ್ಯಭವನ, 18ನೇ ಅಡ್ಡರಸ್ತೆ

ಮಲ್ಲೇಶ್ವರಂ, ಬೆಂಗಳೂರು-560 003

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E-office File No.KFD/HOFF/A5-2(GFL)/74/2020-FC

E-373907 ✓

Date 17-03-2022

To

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

Sir

Sub: Diversion of 1.3312 hectare of forest land in Londa, Mohishet, Payaswadi and 12 other villages in Belagavi District for laying of optical fibre cable from Halsi via Londa to Karnataka/Goa Border in Belagavi District (Belagavi Forest Division) and Uttara Kannada District (Haliyal Forest Division and Kali Tiger Reserve, Dandeli) in favour of M/s Jio Digital fibre Private Limited, Bengaluru.

Proposal No. FP/KA/OFC/54851/2020[FORM-A]

- Ref:**
1. Online proposal [FORM-A PART-I] dated 16-03-2021 (Resubmitted) of M/s Jio Digital fibre Private Limited, Bengaluru r/w acknowledgement uploaded online on 04-05-2021 by User Agency for having delivered the hard copy proposal to jurisdictional Deputy Conservator of Forests and Deputy Commissioner.
 2. This office online communication dated 22-07-2021 to Deputy Conservator of Forests(s), Belagavi, Dandeli Wildlife & Haliyal Divisions for further processing of proposal.
 3. Online submission of PART-II on 28-10-2021 by the Deputy Conservator of Forests, Haliyal.
 4. Online submission of PART-II on 09-09-2021 by the Deputy Conservator of Forests, Dandeli Wildlife Division, Dandeli.
 5. Online submission of PART-II on 10-12-2021 by the Deputy Conservator of Forests, Belagavi.
 6. Online submission of PART-III by the Chief Conservator of Forests, Belagavi [letter No.A7/LND/FC/cable/BGM/CR- /2021-22 dated 02-02-2022]
 7. Online submission of PART-III by the Chief Conservator of Forests, Kanara Circle [letter No.B2/GFL/CR-16/2021-22 dated 20-12-2021]

1. M/s Jio Digital Fibre Private Limited, No.51, RMZ Icon, Palace Cross Road, Vasanth Nagar, Bangaluru, [USER AGENCY] vide ref (1) has submitted an online proposal [FORM-A PART-I] through FC web portal seeking approval under Section 2 of the Forest (Conservation) Act, 1980 for diversion of 1.3312ha of forest land in Londa village Sy No. 51,53,Khanapura and Joida Taluk, Belagavi and Uttara Kannada District for construction of Jio digital optical fibre cable. After uploading of acknowledgement on 04-05-2021 by user agency for having delivered the hard copies of the proposal to jurisdictional Deputy Conservator of Forests(s) and Deputy Commissioner(s), an online communication was made by the Nodal Officer (FCA) vide ref (2) to the Deputy Conservator of Forests (s) Belagavi, Dandeli Wildlife & Haliyal Divisions to process the proposal and to submit specific opinion / recommendation.

2. **Location details and Component-wise breakup of forest land requirement:**
The details of the location of forest land and component wise requirement are given below.

District, Taluk, Hobli	Villages	Project component	Forest extent proposed for diversion (ha)	Legal status of land
Belagavi, Khanapura Taluk, Gunji Hobli	Londa, Kiravale Gunji, Gunji, Watere, Jetage, Halasala, Mohisetha, Kamathage, Dhiggehalli	Optical Fibre Cable	0.4958	Reserve Forest
Uttara Kannada District, Joida Taluk, Gunji and Kyasalarka Hobli	Payaswadi, Devalli, Atali, Anamoda, Akrali		0.8354	
Total			1.3312	

3. **Division wise details:**

Sl No	Divisions	Extent in Ha
1	Belagavi	0.4958
2	Dandeli Wildlife	0.3496
3	Haliyal	0.4858
Total		1.3312

4. **Report of DCF, Belagavi Division:** The Deputy Conservator of Forests, Belagavi has inspected the site on 07-12-2021 and vide ref (3) has submitted his report along with site inspection report in PART-II to Chief Conservator of Forests,

Belagavi. Main features of the proposal based on the report of the Deputy Conservator of Forests, Belagavi r/w report of Chief Conservator of Forests, Belagavi and that of ICT Centre of Forest Department are summarized below.

- a. The forest area proposed for diversion is not vulnerable to soil erosion.
- b. The forest land proposed for diversion is in general landscape of Eco-class-I (Consisting of Moist Mixed deciduous Forest) with a Canopy Density of up to 0.2% (open Forest).
- c. As per Item 4(ii) of PART-II of the proposal, there are no trees on the forest land proposed for diversion.
- d. There are no main wild animals reported in and around the project area.
- e. There are no rare / endangered / unique species of flora and fauna reported in and around the forest land proposed for diversion.
- f. The forest land proposed for diversion does not form part of any national park/ wildlife sanctuary/ biosphere reserve/ tiger reserve/ wildlife migration corridor, etc.
- 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. The forest land proposed for diversion is a part of elephant corridor.
- i. There are no protected/ archaeological/ heritage sites or defence establishments or important monuments in the area.
- j. There is no violation reported under the Forest (Conservation) Act, 1980.
- k. The requirement of forest land for the project is the bare minimum and unavoidable.

5. Report of DCF, Dandeli Wildlife Division: The Deputy Conservator of Forests, Dandeli Wildlife Division has inspected the site on 23-06-2021 and vide ref (3) has submitted his report along with site inspection report in PART-II to Chief Conservator of Forests, Kanara Circle, Kanara. Main features of the proposal based on the reports of the Deputy Conservator of Forests, Dandeli Wildlife Division r/w report of Chief Conservator of Forests, Kanara Circle and that of ICT Centre of Forest Department are summarized below.

- a. The forest area proposed for diversion is not vulnerable to soil erosion.
- b. The forest land proposed for diversion is in general landscape of Eco-class-I (Moist mixed Deciduous and Semi Evergreen Forest) with a Canopy Density of up to 90% (very Dense Forest).
- c. As per Item 4(ii) of PART-II of the proposal, there are no trees on the forest land proposed for diversion.

- d. Main wild animals reported in and around the project area include tigers, leopards, their co predators present in the area. The area is part of Dandeli Wildlife Sanctuary a biodiversity rich pa in Western Ghats.
- e. The major flora and fauna reported in and around the forest land proposed for diversion is black panther, king cobra, malabar pied hornbill, ceylin frogmouth, wroughton's free tailed bat, theobald's bat, tiger, common leopard, dole, jackal, elephant, gaur, sambar deer, spotted deer, barking deer, mouse deer, sloth bear, hanuman langur, bonnet macaque, indian giant squirrel, flying squirrel, pangolin, reptiles and other bird species.
- f. The forest land proposed for diversion form part of national park/ **wildlife sanctuary**/ biosphere reserve/ tiger reserve/ elephant corridor/ wildlife migration corridor, etc.*It is proposed to lay the cable using trenchless boring method that does not involve any excavation. Negligible impact restricted to during the execution of the project. No lasting impact is envisaged.*
- g. There are national park/ wildlife sanctuary/ biosphere reserve/ tiger reserve/ elephant corridor/ wildlife migration corridor, etc., within one kilometre of the forest land proposed for diversion.
- h. There are no protected/ archaeological/ heritage sites or defence establishments or important monuments in the area.
- i. There is no violation reported under the Forest (Conservation) Act, 1980.
- j. The requirement of forest land for the project is the bare minimum and unavoidable.

6. Report of DCF, Haliyal: The Deputy Conservator of Forests, Haliyal has inspected the site on 17-09-2021 and vide ref (3) has submitted his report along with site inspection report in PART-II to Chief Conservator of Forests, Kanara Circle, Kanara. Main features of the proposal based on the reports of the Deputy Conservator of Forests, Haliyal Division r/w report of Chief Conservator of Forests, Kanara Circle and that of ICT Centre of Forest Department are summarized below.

- a. The forest area proposed for diversion is not vulnerable to soil erosion.
- b. The forest land proposed for diversion is in general landscape of Eco-class-I (Consisting of Moist Mixed deciduous Forest) with a Canopy Density of up to 80% (very Dense Forest).
- c. As per Item 4(ii) of PART-II of the proposal, there are no trees on the forest land proposed for diversion.
- d. Main wild animals reported in and around the project area include spotted deers, hornbills, rabbits, bisons, monkeys etc.

- e. There are no rare / endangered / unique species of flora and fauna reported in and around the forest land proposed for diversion.
 - f. 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, etc.
 - 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 national park/ wildlife sanctuary/ biosphere reserve/ tiger reserve/ elephant corridor/ wildlife migration corridor, etc., within one kilometre of the forest land proposed for diversion.
 - i. There are no protected/ archaeological/ heritage sites or defence establishments or important monuments in the area.
 - j. There is no violation reported under the Forest (Conservation) Act, 1980.
 - k. The requirement of forest land for the project is the bare minimum and unavoidable.
7. **CCF, Belagavi Circle Report:** The Chief Conservator of Forests, Belagavi has not inspected the site. However, agreeing with the recommendation made by the Deputy Conservator of Forests, Belagavi Division, the Chief Conservator of Forests, Belagavi has also recommended the proposal while submitting the report in PART-III vide ref (4).
8. **CCF, Kanara Circle Report:** The Chief Conservator of Forests, Kanara Circle has inspected the site on 27-11-2021 and has agreed with the report of Deputy conservator of Forests, Haliyal. The Chief Conservator of Forests, Kanara Circle vide ref (4) has submitted his report in PART-III and has also recommended the proposal.
9. **Compensatory Afforestation (CA):** In accordance with the provisions of para 2.5 (i)(a) 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, 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 in the cases of lying of optical fibre cable. The Deputy Conservator of Forests, Haliyal Division has identified an extent of 2.66 ha degraded forest land in Belavatagi Village Sy No.95 (Belavatagi Reserved Forest), Murkwad Hobli, Haliyal Taluk, Uttara kannada District for raising CA and the Deputy Conservator of Forests, Haliyal Division has uploaded the KML file, Topo map, Geo-reference map along with GPS readings of all corners in PART-II of the proposal and also uploaded the CA suitability certificate dated 21-02-2021

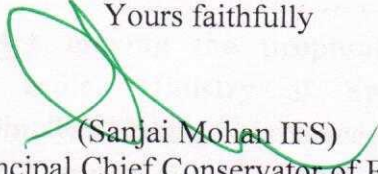
in the prescribed format. **The User Agency has also submitted an undertaking agreeing to pay the compensatory afforestation charges.**

- 10. Net Present Value (NPV):** The User Agency is required to pay the Net Present Value (NPV) of forest land proposed for re-diversion as per Para 3.1 to 3.4 of the latest 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 has submitted an undertaking to pay the Net Present Value (NPV) of the forest land proposed for diversion.**
- 11. Status of RoFR compliance:** In order to meet the requirement of the provisions of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 and Rules 2008 and the FC Guidelines, the user agency has not obtained/ furnished the (copy of) requisite **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. Accordingly, **the user agency is being informed once again to obtain and submit the said certificate in prescribed format.**
- 12. Wildlife Clearance:** As the proposal involves diversion of forest land inside a protected area of Dandeli Wildlife Sanctuary, the user agency will have to obtain the wildlife clearance for the proposal from the National Board for Wildlife. **The user agency is being informed once again to obtain wildlife clearance for the project.**
- 13. Additional Information:** The project area runs along the alignment of NH 4A within the right of way and does not require removal of any trees, once the work is completed the area remains undisturbed and there are no lasting negative impacts of the project. The impacts are limited and restricted to the installation phase. Since the forest land required by the project (for laying pipeline) is open land and already under utilization for public highway the impact is minimal. Overall the impact of the project is minimal and can be mitigated by using trenchless boring technology.

Under the above circumstances and agreeing with recommendation of the field officers, **it is requested to move the proposal with the Government of India, Ministry of Environment, Forests and Climate Change for according 'in-principle' (Stage-I) approval under Section 2 of the Forest (Conservation) Act, 1980 for diversion of 1.3312 hectare of forest land in Londa, Mohishet, Payaswadi and 12 other villages in Belagavi District for laying of optical fibre cable from Halsi via Londa to Karnataka/Goa Border in Belagavi District (Belagavi Forest Division) and Uttara Kannada District (Haliyal Forest Division and Kali Tiger Reserve, Dandeli) in favour of M/s Jio Digital Fibre Private Limited, Bengaluru for a period of twenty (20) years, subject to submission of RoFR compliance certificate in FORM-I (for linear projects) and the conditions listed in Annexure 'A'.**

The hard copy of the proposal along with the relevant documents in 3 sets is submitted herewith for further needful. The present status of the proposal obtained from the web-portal is also appended for necessary action.

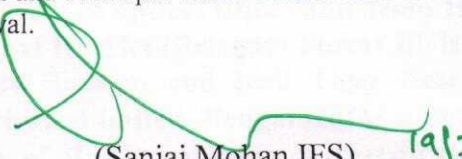
Yours faithfully


(Sanjai Mohan IFS) 19/3
Principal Chief Conservator of Forests
(Head of Forest Force)

1. Copy to the Chief Conservator of Forests (s), Belagavi and Kanara Circles for information.
2. Copy to the Deputy Conservator of Forests (s), Belagavi, Dandeli Wildlife/Haliyal Division for information.
3. Copy to M/s Jio Digital Fibre Private Limited, Bengaluru for information with a request to obtain and submit **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 (available on FC web portal) **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), Compensatory, Plantation cost of extraction of trees, 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 lessee shall not sub-lease, mortgage & hypothecate the forest area.
5. The Lessee shall provide signages in appropriate dimensions and nature along the proposed Optical Fiber Cable within forest limits for sensitization of general public towards the forest, wildlife and environmental issues in consultation with the jurisdictional Deputy Conservator of Forests.
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. No change in Land Use Plan on forest land shall be done except with prior approval of Government of India under FC Act 1980.
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 lease.
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 on forest land 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. 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 / 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.



(Sanjai Mohan IFS) 19/3
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)

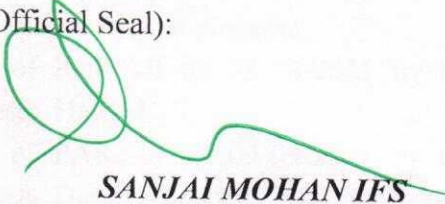
<p>Detailed opinion & specific recommendation of the State Forest Department for acceptance or otherwise of the proposal with remarks.</p> <p><i>(While giving opinion, the adverse comments made by concerned Conservator of Forests or Deputy Conservator of Forests should be categorically reviewed and critically commented upon.)</i></p>	<p>Recommended for moving the proposal with the Government of India, Ministry of Environment, Forests and Climate Change for according 'in-principle' (Stage-I) approval under Section 2 of the Forest (Conservation) Act, 1980 for diversion of 1.3312 hectare of forest land in Londa, Mohishet, Payaswadi and 12 other villages in Belagavi District for laying of optical fibre cable from Halsi via Londa to Karnataka/Goa Border in Belagavi District (Belagavi Forest Division) and Uttara Kannada District (Haliyal Forest Division and Kali Tiger Reserve, Dandeli) in favour of M/s Jio Digital Fibre Private Limited, Bengaluru for a period of twenty (20) years, subject to submission of RoFR compliance certificate in FORM-I (for linear projects) and the conditions listed in Annexure 'A'.</p> <p>[Proposal No.FP/KA/OFC/54851/2020]</p>
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Signature:
Name:
Designation:


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

(Official Seal):

Counter signed by :
Name:
Designation:


SANJAI MOHAN IFS
Principal Chief Conservator of Forests
(Head of Forest Force)

(Official Seal):

N.D.O. No: **59** /2021-22

Date: **19** -03-2022