

ಕರ್ನಾಟಕ ಸರ್ಕಾರ
GOVERNMENT OF KARNATAKA

ಪ್ರಧಾನ ಮುಖ್ಯ ಅರಣ್ಯ
ಸಂರಕ್ಷಣಾಧಿಕಾರಿ
(ಅರಣ್ಯ ಪಡೆ ಮುಖ್ಯಸ್ಥರು) ರವರ ಕಚೇರಿ
Office of the
Principal Chief Conservator of Forests
(Head of Forest Force)



ಅರಣ್ಯ ಭವನ, 18ನೇ ಅಡ್ಡರಸ್ತೆ
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E-office File No. KFD/HOFF/A5-6(GFL)/2/2022-FC
Encl.: 3 sets of proposal hard copies

E-794864

Date 20-10-2022

21

To,

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

Sir,

Sub: Diversion of 18.844 Ha of forest land in Hosanagara Taluk, Shimoga District (Sagar Forest Division) for construction of 2 lane with paved shoulder road from Km 55.6-Adagodi to Km 90.7-Mavinakoppa of NH 766C with 4 major bridges across Sharavathi Backwaters in Favour of Executive Engineer, NH Division, PWD, Shimoga.

Proposal No. FP/KA/ROAD/156224/2022

- Ref:**
1. Online proposal [FORM-A PART-I] dated 06-06-2022 of Executive Engineer, NH Division, PWD, Shimoga and uploading of acknowledgement on 02-08-2022 for having delivered hard copies of proposal to jurisdictional Deputy Conservators of Forests and Deputy Commissioner
 2. This office online communication dated 04-08-2022 to Deputy Conservator of Forests, Sagar Division for further processing of proposal
 3. Online submission of PART-II on 23-09-2022 by Deputy Conservator of Forests, Sagar Division [Letter No. B1/Bhoomi/FC/Road/156224/2022-23/4117 dated 23-09-2022]
 4. Online submission of PART-III on 01-10-2022 by Conservator of Forests, Shimoga Circle [Letter No. A11/FC/Hosanagara road/GL-892/2022-23 dated 01-10-2022]

1. The Executive Engineer, NH Division, PWD, Shimoga [USER AGENCY] vide Ref (1) has submitted the proposal through FC web portal on 06-06-2022 seeking diversion of 18.844 Ha of forest land in Hosanagara Taluk, Shimoga District (Sagar Forest Division) for construction of 2 lane with paved shoulder road from Km 55.6-Adagodi to Km 90.7-Mavinakoppa of NH766C with 4 major bridges across Sharavathi Backwaters for approval under Section 2 of the Forest (Conservation) Act, 1980. The same was accepted by Nodal Officer (FCA) on 13-

06-2022 for further processing under the Act. After receiving the online acknowledgement from the User Agency on 02-08-2022 for having delivered the hard copies of proposal to the Deputy Conservator of Forests, Sagar Division and Deputy Commissioner, Shimoga District, the online link was forwarded to the Deputy Conservator of Forests, Sagar Division on 04-08-2022 for field verification and further processing under the Forest (Conservation) Act, 1980.

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

District, Taluk	Village	Sy No.	Forest extent proposed for diversion (ha)	Legal status of land
Shimoga District, Sagar Taluk,	Ganganakoppa	21	0.337	Protected Forest
	Sutta	10	1.635	Protected Forest
		75	0.165	
	Manasetti	38	1.866	Section – 4 notified forest
	L Guddekoppa	45	0.222	Reserved Forest
		46	1.260	
		27	0.450	Deemed Forest
	Hebburli	204	1.411	Deemed Forest
		221	3.435	Reserved Forest
		51	3.301	
		44	0.945	
	Hosuru	43	0.301	Protected Forest
	Adugodi	74	1.992	Reserved Forest
		79	1.524	
	Total		18.844	

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

Component		Forest Land (ha)
1	Carriageway	4.4
2	Paved Shoulder	1.88
3	Earthen Shoulder	1.26
4	Drain& Slope	11.3
Total		18.84

3. **DCF, Sagar Report:** The Deputy Conservator of Forests, Sagar Division has inspected the project site on 20-09-2022 and vide Ref (3) has submitted the Site Inspection Report along with details of the site in PART-II of the proposal to Conservator of Forests, Shimoga Circle. Main features of the forest land proposed for diversion as per the DCF, Sagar Division report r/w reports of CF, Shimoga 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/ Topical Moist Deciduous Forests) with Canopy Density varies from 0.1 to 0.4 (Very Dense Forest).
- b. As per Item 4(ii) of PART-II, there are 3213 trees on the forest land proposed for diversion. Major tree species include *Lagerstroemia lanceolate*, *Emblica Officinalis*, *Syzgiumcumini*, *Albizia lebbeck*, *Bombax ceiba*, *Mangifera indica*, *Ficus benghalensis*, *Mimusop selengi*, *Adina cordifolia*, *Gmelina arborea*, *Swietenia mahagoni*, *Terminalia tomentosa*, *Alstonia scholar*, *Artocarpus heterophyllu* and various other jungle wood species.
- c. Major wild animals found in and around the project area include Indian Gaur, Sambar deer, Wild boar, Hanuman langoor, King cobra, Peacock, Grey hornbill among others.
- 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, 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, 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/ Archeological/ Heritage Sites/ Defence establishments located in the proposed area.

i. There is no violation reported under Forest (Conservation) Act, 1980.

4. **CF, Shimoga Circle Report:** Agreeing with the recommendation made by the Deputy Conservator of Forests, Sagar Division, the Conservator of Forests, Shimoga Circle has also recommended the proposal.

5. **Net Present Value (NPV):** The User Agency is required to pay the Net Present Value (NPV) of forest land proposed for diversion as per 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.**

6. **Compensatory Afforestation (CA):** In accordance with the provisions of para 2.5 (i) (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 State 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 of Forests, Sagar Division 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
Shimoga (D), Hosanagara (T), Huncha (H)	Haniya	48,50 & 94	22	Sagar
Shimoga (D), Hosanagara (T), Kerehalli (H)	Harathalu	27 & 65	16	Sirsi
Total			38	

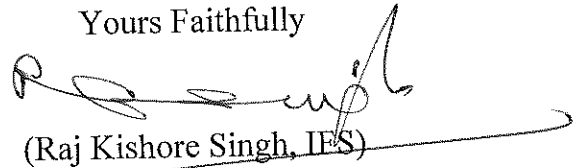
The Compensatory Afforestation land details in form of KML files, Topo-maps, Geo-referenced maps along with GPS readings, CA Schemes and CA Site Certificates have been uploaded at Item 13 of PART-II. Further, **the User Agency has furnished an Undertaking to pay the applicable Compensatory Afforestation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

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 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 once again 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 18.844 Ha of forest land in Hosanagara Taluk, Shimoga District (Sagar Forest Division) for construction of 2 lane with paved shoulder road from Km 55.60 Adagodi to Km 90.7 Mavinakoppa of NH 766C with 4 major bridges across Sharavathi Backwaters in Favour of Executive Engineer, NH Division, PWD, Shimoga 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'.

The hard copy of the proposal along with the relevant documents in 3 sets is submitted herewith for further needful.

Yours Faithfully



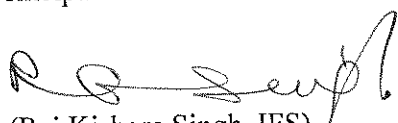
(Raj Kishore Singh, IES)
Principal Chief Conservator of Forests
(Head of Forest Force)

Copy to the:

1. Conservator of Forests, Shimoga Circle, Shimoga for information.
2. Deputy Conservator of Forests, Sagar Division for information.
3. Executive Engineer, NH Division, APMC Yard, Shimoga - 577204 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 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 provide the signages of appropriate size and kind all along the road within forest limits for creating awareness about forest, Wildlife and Environment issues among general public and the road users at project cost in consultation with the jurisdictional Deputy Conservator of Forests/ Conservator of Forests/ Chief Conservator of Forests.
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 around the 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 18.844 Ha of forest land in Hosanagara Taluk, Shimoga District (Sagar Forest Division) for construction of 2 lane with paved shoulder road from Km 55.6-Adagodi to Km 90.7-Mavinakoppa of NH 766C with 4 major bridges across Sharavathi Backwaters in Favour of Executive Engineer, NH Division, PWD, Shimoga 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/ROAD/156224/2022</p>
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Signature:



Name:

(Vijay Sharma, IFS)

Designation:

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

Signature:



Name:

(Raj Kishore Singh, IFS)

Designation:

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

N.D.O. No. 41/2022-23

(Official Seal)

Dated: 21/10/2022

