

ಕರ್ನಾಟಕ ಸರ್ಕಾರ
GOVERNMENT OF KARNATAKA

ಪ್ರಧಾನ ಮುಖ್ಯ ಅರಣ್ಯ ಸಂರಕ್ಷಣಾಧಿಕಾರಿ
(ಅರಣ್ಯ ಪಡೆ ಮುಖ್ಯಸ್ಥರು) ರವರ ಕಛೇರಿ



ಅರಣ್ಯ ಭವನ, 18ನೇ ಅಡ್ಡರಸ್ತೆ, ಮಲ್ಲೇಶ್ವರಂ
ಬೆಂಗಳೂರು-560 003.

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

AranyaBhavan, 18th Cross
Malleshwaram, Bengaluru-560 003
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No: A5(2).GFL.CR.14/2017-18

Date: 18 -12-2018

To, *Enr 3 Sets + 2 CD*

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

Sir,

Sub: Diversion of 41.2081 hectare of forest land in Babiganahalli and 21 other villages in various Taluks & Districts (Gubbi and Tiptur Taluks of Tumkur District, Arasikere Taluk of Hassan District, Kadur & Tarikere Taluks of Chikkamagalur District and Bhadravathi Taluk of Shimoga District) for widening of existing 2-lane to 4-lane of National Highway (NH-206) from Tumkur to Shimoga Section under NHDP (12+310 KM to 217+000KM) in favour of the Project Director, National Highway Authority of India (NHAI), Project Management Unit, Chitradurga- reg. [Proposal No. FP/KA/ROAD/30938/2017].

- Ref:**
- 1) Online proposal dated 15-06-2018 (resubmitted) of the Project Director, National Highway Authority of India (NHAI), Project Management Unit, Chitradurga- [and the latest online reply dated 15-11-2018 to EDS of DCF].
 - 2) This office online communication dated 05-07-2018 [online link transfer to DCFs]
 - 3) Online submission of PART-II on 25-11-2018 by Deputy Conservator of Forests, Tumkur Division, Tumkur [letter No. A5/Land/NH-206/CR-96/2018-19 dated 24-11-2018].
 - 4) Online submission of PART-II on 27-10-2018 by Deputy Conservator of Forests, Hassan Division, Hassan [letter No. B4/DMN/FCA/Four Lane NH-206/2018-19 dated 03-12-2018]
 - 5) Online submission of PART-III on 4-12-2018 by Chief Conservator of Forests, Hassan Circle, Hassan [letter No. A8/Land/NH-206/CR-79/2018-19 dated 03-05-2018 & 05-12-2018]
 - 6) Online submission of PART-II on 12-11-2018 r/w online reply dated 03-12-2018 to EDS of Circle Office by Deputy Conservator of Forests, Chikkamagalur Division, Chikkamagalur [letter No. B4/NH-206/CR-18/2018-19 dated 01-12-2018]
 - 7) Online submission of PART-III on 4-12-2018 by Chief Conservator of Forests, Chikkamagalur Circle, Chikkamagalur [letter No. A10/LND/RoadDvlp/NH-206/CR-06/2018-19 dated 03-12-2018]
 - 8) Online submission of PART-II on 26-10-2018 by Deputy Conservator of Forests, Bhadravathi Division, Bhadravathi [letter No. B2/Bhoomi/NH-206/FC/CR-01/2018-19]
 - 9) Online submission of Part-III on 4-12-2018 by Chief Conservator of Forests, Shimoga Circle, Shimoga [letter No. A4/Bhoomi/NH-206/CR-06/2018-19 dated 29-11-2018]

1. The Project Director, National Highway Authority of India (NHAI), Project Management Unit, Chitradurga vide reference (1) has submitted an online proposal through FC Web Portal seeking approval for diversion of 41.2081 hectare of forest land in Babiganahalli and 21 other villages in various Taluks & Districts (Gubbi and Tiptur Taluks of Tumkur District, Arasikere Taluk of Hassan District, Kadur & Tarikere Taluks of Chikkamagalur District and Bhadravathi Taluk of Shimoga District) for widening of existing 2-lane to 4-lane of National Highway (NH-206) from Tumkur to Shimoga Section under NHDP (12+310 KM to 217+000KM) under Section 2 of the Forest (Conservation) Act, 1980. After acceptance of the proposal by Nodal Officer, the User Agency has delivered the hard copies of the proposal to Deputy Conservators of Forests, Tumkur, Hassan, Chikkamagalur & Bhadravathi Divisions and Deputy Commissioners, Tumkur, Hassan, Chikkamagalur & Shimoga Districts and uploaded the Acknowledgment on the web portal on 05-07-2018. Accordingly, an online communication was made by Nodal Officer vide reference (2) to the Deputy Conservators of Forests, Tumkur, Hassan, Chikkamagalur & Bhadravathi Divisions for further processing of the proposal under FC Act.

[Note on the slight variation in certain Items of PART-I caused by multiple revision of forest extent at various stages of processing at Division/ Circle levels resulting in locking of certain fields for editing on FC Web Portal: As the forest land proposed for diversion is spread over a large number of villages in different Divisions, certain ONLINE fields got locked for editing by User Agency due to technical issues with the FC Web Portal. As a result, the User Agency has uploaded certain (corrected) information in Additional Information Details Item rather than in the main Item of PART-I. Accordingly, the information contained in Item A-1(viii), B-2.1 to B-2.4 of PART-I may be read in conjunction with the letter dated 15-11-2018 of User Agency uploaded at Sl No. 15 of Additional Information Details Item. Similarly, the revised KML files (which could not be uploaded by User Agency on FC Web Portal at the time of revision of PART-I) are being submitted herewith in the form of CD]

1. **Location details and component-wise break up of forest land proposed for diversion:** The location details of the forest land required for the project are as under:

	District	Forest Division	Taluk	Hobli	Village	Sy No	Extent (ha)	Village wise total (ha)	Status of Land
1	Tumkur	Tumkur	Gubbi	Nittur	Babiganahalli	6	1.1603	1.1603	RF
2					Ankapura	20	0.3539	0.3539	
3					Sopanhalli	27	0.3809	0.3809	Deemed Forest
4					Bidarihalla Kaval	1	1.9797	1.9797	RF
5					Yellapura	36	0.8155	2.3147	Deemed Forest
6						35	1.0005		
7						34	0.4987		
8					Kanchiganaha	30	0.8439	1.0922	RF

9					lli	7	0.2483		Deemed Forest	
10					Bennihallada Kaval	1	2.7183	4.6385	RF	
11						2	1.9202			
12			Tiptur	Kibbana halli	Rajathadripura	95	0.2189	0.2189	PF	
13					Chowdlapura	11	4.8085	5.5797	RF	
14						12	0.7712		Deemed Forest	
Tumkur Division Total (A)							17.7188	17.7188		
15	Hassan	Hassan	Arasik ere	Kasaba	Kallanaykana halli	36	0.7	0.7	RF	
16				Banavar a	Bendekere	148	0.6762	0.6762	RF	
Hassan Division Total (B)							1.3762	1.3762		
17	Chikkamaga luru	Chikkamaga luru	Kadur	Singiteg ere	Linglapura	69	0.364	1.074	Deemed Forest	
18						50	0.0034			
19						51	0.7066			
20						Anche Chomanahalli	66	0.6798	0.6798	Deemed Forest
21					Kasaba	Kuppalu	31	0.4138	1.3684	Deemed Forest
22				32			0.2897			
23				33			0.4276			
24				2			0.2373			
25						Mathighatta	230	0.4246	0.4246	Deemed Forest
26						Gedlehalli	14	0.6415	0.6415	Deemed Forest
27						Tangali	293	0.0851	0.0851	Deemed Forest
28						Biruru	Jodi Thimmapura	153	0.3063	0.3063
Chikkamagalur Division Total (C)							4.5797	4.5797		
29	Chikkamaga luru	Bhadravathi	Tarikere	Kasaba Kasaba	H. Rangapura H.Rangapu ra	67	0.5767	7.5958	Recorded as Forest in Revenue Records)	
30						9	1.2465			
31						122	0.1096			
32						123	0.2301			
33						124	0.1894			Hadikere West SF

34						11	1.1725		
35						12	4.071		
36					Malali	4	3.2226	4.9883	Hadikere
37					Chennenah	43	0.6062		West SF
38					alli	17	0.1387		
39						16	0.0521		
40						15	0.1244		
41						442	0.6065		
42						441	0.2378		
43	Shimoga	Bhadravathi	Bhadravathi	Kasaba II	Karehalli	22	0.3394	0.6294	Bommenahalli MF
44						38/1 & 2	0.1852		
45						37	0.0824		
46						34/1	0.0224		
47					Anekoppa	14	3.6071	3.6071	Minor Forest
48					Ujjanipura	58	0.4493	0.7128	Anekoppa MF
49						5	0.2635		
Bhadravathi Division Total (D)							17.5334	17.5334	
Grand Total (A+B+C+D)							41.2081	41.2081	

A District and Division-wise abstract is given below.

	District	Forest Division	Forest land proposed for diversion (ha)
1	Tumkur	Tumkur	17.7188
2	Hassan	Hassan	1.3762
3	Chikkamagalur	Chikkamagalur	4.5797
4	Shimoga	Bhadravathi	17.5334
Total			41.2081

The component-wise breakup of the forest land proposed for diversion is as under:

Name of Project Component	Extent of forest land proposed for diversion (ha)
Four laning of NH 206	41.2081

2. **DCF, Tumkur Division Report:** The Deputy Conservator of Forests, Tumkur Division has inspected the site on 24-11-2018 and vide reference (3) has submitted his report along with recommendation in PART-II to Chief Conservator of Forests, Hassan Circle. Main features of the proposal with regard to Tumkur Division are summarized below.

- A. The forest land proposed for diversion is in Eco-Class 3 and has average crown density of 0.3.
- B. As per Item 4(ii) of PART-II, there are 1732 trees in 31-60 cm and above girth classes. Main species include *Eucalyptus*, *Albizia amara*, *Acacia auriculiformis*, *Cassia siamea*, *Acacia leucophloea*, etc.
- C. Major wildlife in the proposed area include the Sloth bear, leopard, Blackbuck, etc.
- D. There are no other rare / endangered / unique species of flora and fauna in the proposed area.
- E. There is no National Park, Wildlife Sanctuary, Biosphere Reserve, Tiger Reserve, Elephant Corridor, wildlife migration corridor, within one (1) km distance from the boundary of the forest land proposed for diversion.
- F. The forest land proposed for diversion is not located within Eco-sensitive Zone (ESZ) of any Protected Area notified under Wildlife (Protection) Act, 1972.
- G. There are no protected / archaeological / heritage sites or defence establishments or important monuments in the area.
- H. The requirement of forest land proposed by the User Agency is bare minimum and unavoidable for the project.
- I. There is no violation reported under the Forest (Conservation) Act, 1980.

3. **DCF, Hassan Division Report:** The Deputy Conservator of Forests, Hassan Division has inspected the site on 4-10-2018 and vide reference (4) has submitted his report along with recommendation in PART-II to Chief Conservator of Forests, Hassan Circle. Main features of the proposal with regard to Hassan Division are summarized below.

- A. The forest land proposed for diversion is in Eco-Class 3 and has average crown density of 0.4.
- B. As per Item 4(ii) of PART-II, there are 364 trees in 31-60 cm and above girth classes. Main species include *Eucalyptus*, *Cassia siamea*, *Tamarindus indica*, etc.
- C. The site is not vulnerable to soil erosion.
- D. Major wildlife in the proposed area include the Sloth bear, leopard, hare, etc.
- E. There are no other rare / endangered / unique species of flora and fauna in the proposed area.
- F. There is no National Park, Wildlife Sanctuary, Biosphere Reserve, Tiger Reserve, Elephant Corridor, wildlife migration corridor, within one (1) km distance 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 or defence establishments or important monuments in the area.
- I. The requirement of forest land proposed by the User Agency is bare minimum and unavoidable for the project.
- J. There is no violation reported under the Forest (Conservation) Act, 1980.

4. **DCF, Chikkamagalur Division Report:** The Deputy Conservator of Forests, Chikkamagalur Division has inspected the site on 4-10-2018 and vide reference (6) has submitted his report along with recommendation in PART-II to Chief Conservator of

Forests, Chikkamagaluru Circle. Main features of the proposal with regard to Chikkamagalur Division are summarized below.

- A. The forest land proposed for diversion is in Eco-Class 3 and has average crown density of 0.3. [Note: The entry in Item 4(i) of PART-II of Chikkamagalur Diviison may be read accordingly.]
- B. As per Item 4(ii) of PART-II, there are 72 trees in 31-60 cm and above girth classes. Main species include *Eucalyptus*, *Acacia nilotica*, *Tamarindus indica*, etc.
- C. The site is not much vulnerable to soil erosion.
- D. Major wild animals found in the area include leopard, wildboar and peafowl.
- E. There are no other rare / endangered / unique species of flora and fauna in the proposed area.
- F. There is no National Park, Wildlife Sanctuary, Biosphere Reserve, Tiger Reserve, Elephant Corridor, wildlife migration corridor, within one (1) km distance 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 or defence establishments or important monuments in the area.
- I. The requirement of forest land proposed by the User Agency is bare minimum and unavoidable for the project.
- J. There is no violation reported under the Forest (Conservation) Act, 1980.

5. DCF, Bhadravathi Division Report: The Deputy Conservator of Forests, Bhadravathi Division has inspected the site on 17-10-2018 [Note: Inspection date is wrongly mentioned as 17-11-2018 in Item 15 of PART-II and thus may be ignored] and vide reference (8) has submitted his report along with recommendation in PART-II to Chief Conservator of Forests, Shimoga Circle. Main features of the proposal with regard to Bhadravathi Division are summarized below;

- A. The forest land proposed for diversion is in Eco-Class 3 and has average crown density of 0.25.
- B. As per Item 4(ii) of PART-II, there are 248 trees in 31-60 cm and above girth classes. Main species include *Eucalyptus*, *Acacia auriculiformis*, *Tectona grandis*, *Artocarpus heterophyllus*, *Mangifera indica*, *Tamarindus indica*, *Terminalia arjuna*, *Ficus religiosa*, etc.
- C. The site is not much vulnerable to soil erosion.
- D. The DCF has reported that no major wild animals have been reported in the forest land proposed for diversion.
- E. There are no rare / endangered / unique species of flora and fauna in the proposed area.
- F. There is no National Park, Wildlife Sanctuary, Biosphere Reserve, Tiger Reserve, Elephant Corridor, wildlife migration corridor, within one (1) km distance 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 or defence establishments or important monuments in the area.
- I. The requirement of forest land proposed by the User Agency is bare minimum and unavoidable for the project.
- J. There is no violation reported under the Forest (Conservation) Act, 1980.


6. **CCF, Hassan Circle Report:** The Chief Conservator of Forests, Hassan Circle has inspected the site on 09-11-2018 (Tumkur Division) and 13-11-2018 (Hassan Division) and he has agreed with the recommendations made by the Deputy Conservators of Forests, Tumkur & Hassan Divisions and has recommended the proposal. The Chief Conservator of Forests, Hassan has submitted PART-III of the proposal vide reference (5).
7. **CCF, Chikkamagaluru Circle Report:** The Chief Conservator of Forests, Chikkamagaluru Circle has inspected the site on 02-12-2018 and he has agreed with the recommendations made by the Deputy Conservator of Forests, Chikkamagaluru Division and has recommended the proposal. The Chief Conservator of Forests, Chikkamagaluru has submitted PART-III of the proposal vide reference (7).
8. **CCF, Shimoga Circle Report:** The Chief Conservator of Forests, Shimoga Circle has inspected the site on 22-11-2018 and he has agreed with the recommendations made by the Deputy Conservator of Forests, Bhadravathi Division and has recommended the proposal. The Chief Conservator of Forests, Shimoga has submitted PART-III of the proposal vide reference (9).
9. **Net Present Value (NPV):** The User Agency is required to pay the Net Present Value (NPV) for 41.2081 hectare of forest land being diverted as per 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 and the Government of India, MOEF&CC Guidelines issued vide F.No. 5-3/2007-FC dated 05-02-2009. **The User Agency has submitted an Undertaking to pay the same.**
10. **Compensatory Afforestation (CA):** In accordance with the special provisions laid in Para 3.2(ix) of FC Guidelines regarding Central Government projects, the User Agency is exempted from providing the non-forest land for Compensatory afforestation purpose. Accordingly, the Deputy Conservator of Forests, Tumkur Division has identified double the extent of forest land being diverted, i.e., 83.00 hectare of degraded forest land for raising compensatory afforestation in Sy No.14 of Kurihalli & Sy No. 20 of Mucchaveeranahalli Village, Hagalvadi Hobli, Gubbi Taluk of Manchaladore State Forest, Tumkur District. The DCF Tumkur Division has submitted the CA scheme and the maps of the proposed CA land. **The User Agency is required to pay the Compensatory Afforestation charges and has submitted an Undertaking to that effect.**
11. **ROFR Compliance:** The User Agency has not enclosed the Certificate of compliance in FORM-I (Liner Projects) under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights Act, 2006 and Rules 2008 issued by Deputy Commissioner as per guidelines issued by GOI, MOEF&CC, New Delhi vide F.No. 11-9/ 1198-FC (Pt) dated 05-07-2013. However, it **has given an Undertaking to obtain and submit the ROFR Certificate. The User Agency is being informed to submit the said certificate.**

Under the above circumstances and agreeing with the recommendation of the field officers, it is requested to move the proposal to Government of India for seeking Stage-I (in-principle) approval under Section 2 of the Forest (Conservation) Act, 1980 for

Diversion of 41.2081 hectare of forest land in Babiganahalli and 21 other villages in various Taluks & Districts (Gubbi and Tiptur Taluks of Tumkur District, Arasikere Taluk of Hassan District, Kadur & Tarikere Taluks of Chikkamagalur District and Bhadravathi Taluk of Shimoga District) for widening of existing 2-lane to 4-lane of National Highway (NH-206) from Tumkur to Shimoga Section under NHDP (12+310 KM to 217+000 KM) in favour of the Project Director, National Highway Authority of India (NHAI), Project Management Unit, Chitradurga **for a period of 30 years subject to submission of RoFR Compliance Certificate and the conditions appended in Annexure 'A'.**

The proforma particulars along with relevant documents in 3 sets are submitted herewith for further action.

Yours faithfully


Principal Chief Conservator of Forests
(Head of Forest Force)

Copy to the Chief Conservators of Forests, Hassan, Chikkamagalur & Shimoga Circles for information and necessary action.

Copy to the Deputy Conservators of Forests, Tumkur, Hassan, Chikkamagalur & Bhadravathi Divisions for information and necessary action.

Copy to the Project Director, National Highway Authority of India, Project Management Unit, JMIT Campus, NH-4, Km 201, Tharalabaalu Nagara, Chitradurga-577 502 for information and with a request to submit the RoFR Compliance Certificate (in original) as mentioned above at the earliest.

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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 Afforestation (CA) charges, cost of extraction of trees, land lease rent and any other levies as per the conditions of approval.
3. The User Agency shall provide for Display Boards of specified dimensions and material at project cost for creating awareness on forest and wildlife issues and speed limits at regular intervals all along the NH stretch within forest limits in consultation with the jurisdictional Deputy Conservator of Forests.
4. The User Agency shall demarcate the lease area in the manner specified at the time of approval at its own 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. 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.



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>(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>Recommended for diversion of 41.2081 hectare of forest land in Babiganahalli and 21 other villages in various Taluks & Districts (Gubbi and Tiptur Taluks of Tumkur District, Arasikere Taluk of Hassan District, Kadur & Tarikere Taluks of Chikkamagalur District and Bhadravathi Taluk of Shimoga District) for widening of existing 2-lane to 4-lane of National Highway (NH-206) from Tumkur to Shimoga Section under NHDP (12+310 KM to 217+000KM) in favour of the Project Director, National Highway Authority of India (NHAI), Project Management Unit, Chitradurga subject to the conditions appended in Annexure-‘A’.</p> <p>[Proposal No. FP/KA/ROAD/30938/2017].</p>
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Signature:

Name:

(JAGAMOHAN SHARMA IFS)

Designation:

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

(Official Seal)

Countersigned by :

Name:

(PUNATI SRIDHAR IFS)

Designation:

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

(Official Seal)

N.D.O. No: 33 /2018-19

Date: 22-12-2018

