

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

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No.A5(2).[A5(3)].GFL.CR-167/2011-12

Proposal No. FP/KA/ROAD/22392/2016

Date: 21-10-2017

22

To,

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

Sir,

Sub: Diversion of 4.417 hectare of forest land in Sy. No. 32 of Siddankolla, Sy. No. 33 of Benakanavari, Sy. No. 16 Huvinhalli and Sy. No. 11, & 122 of Ramathala Village, Hungunda Taluk, Bagalkot District for improvement of road from Pattadakallu to Kamatagi (via Aihole) link 21F at Siddankolla in favour of the Executive Engineer, KSHIP Division, Belagavi-reg.

- Ref: 1. Letter No. FP/KA/ROAD/22392/2016 dated 27-04-2017 of the Executive Engineer, KSHIP Division, Belagavi.
2. This office online communication dated 17-05-2017.
3. Letter No. Nil online dated 16-09-2017 of the Deputy Conservator of Forests, Bagalkot Division, Bagalkot.
4. Letter No. A7/LND/Road/Pattadakallu/BGK/CR- /2017-18 dated 18-09-2017 of the Chief Conservator of Forests, Belagavi Circle, Belagavi.

* * * * *

The Executive Engineer, KSHIP Division, Belagavi vide letter under reference (1) above has submitted a proposal (through web portal mode) for diversion of 4.388 hectare of forest land in Sy. No. 32 of Siddankolla Village, Sy. No. 33 of Benakanavari Village, Sy. No. 16 Huvinhalli Village and Sy. No. 116 & 122 of Ramathala Village, Hungunda Taluk, Bagalkot District for improvement of

road from Pattadakallu to Kamatagi (via Aihole) link 21F at Siddankolla for obtaining approval under Forest (Conservation) Act, 1980. Accordingly, communication through online was made to Deputy Conservator of Forests, Bagalkot Division & Deputy Commissioner, Bagalkot District to process the said proposal and to submit their specific opinion / recommendation and RoFR Certificate respectively. The Deputy Conservator of Forests, Bagalkot Division & Chief Conservator of Forests, Belagavi Circle have submitted report vide letters cited under ref. (3 & 4) above.

The details of the proposal are as follows:

Purpose-wise breakup	Village	Sy.No.	Extent (in ha.)
For improvement of road from Pattadakallu to Kamatagi (via Aihole) link 21F at Siddankolla	Siddankolla	32	0.144
	Benakanavari	33	2.255
	Huvinhalli	16	0.555
	Ramathala	116 & 122	1.463
Total			4.417
<ul style="list-style-type: none"> Details of measurements like chainage (stretch of road), length etc along with maps of the cross sections are enclosed with the proposal. 			

The Deputy Conservator of Forests, Bagalkot Division, Bagalkot has inspected the project site on 09-08-2017 and reported the following.

1. The proposed area is barest minimum & unavoidable.
2. The proposed area does not form a part of any declared National Park, Wildlife Sanctuary, Biosphere Reserve, Tiger reserve or elephant corridor.
3. There are no protected / archeological / heritage sites / defence / establishments located in the proposed area.
4. There are no trees to be felled.
5. The proposed area is in Eco-class-IV with tropical thorn forest.
6. There is no violation reported under Forest (Conservation) Act, 1980.

The Deputy Conservator of Forests, Bagalkot Division has stated that the proposed improvement of this road will be a boost to tourism industry and economic upliftment to the people of the region as Badami, Aihole and Pattadakallu are major tourist spots / places in the District.

The Chief Conservator of Forests, Belagavi Circle has also inspected the site on 09-08-2017. Agreeing with the recommendations of the Deputy Conservator of Forests, Bagalkot Division, he has recommended for acceptance of the proposal submitting his remarks / specific opinion in Part-III of the proposal.

The User Agency has provided 4.47 ha of non forest land in Sy. No. 266 of Halakurki Village, Badami Taluk duly mutating in favour of Karnataka Forest Department vide M.R. No.31/2016-17 dated 07-11-2016 (As per Order dated 20-10-2016 of Deputy Commissioner, Bagalkot District) for raising Compensatory Afforestation. Further, the User Agency has agreed to pay the charges towards Compensatory Afforestation and submitted an undertaking.

The Deputy Conservator of Forests, Bagalkot has certified that the said land is suitable for plantation and also submitted Compensatory Afforestation scheme along with map of the proposed area.

Further, 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 and Forests, New Delhi vide letter No. 11-9/98-FC dated 13-02-2014 and 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. In this regard User Agency has agreed to pay such charges and submitted an undertaking.

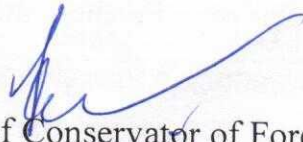
With regard to compliance of Recognition of Forests Rights (ROFR) Act 2006, the User Agency has furnished copy of requisite Certificate issued by the

Deputy Commissioner, Bagalkot District vide No.LND: CR-250/16-17 dated 01-10-2016 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 & II. However, supporting documents have not been enclosed by the User Agency.

Under the above circumstances and agreeing with recommendation of the field officers, it is requested to kindly move this proposal with the Government of India, Government of India, Ministry of Environment, Forests and Climate Change, Regional Office (Southern Zone), Bengaluru for according 'in-principle' (Stage-I) for a period of thirty (30) years, subject to the 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
(Head of Forest Force)
21/9/17

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

Copy to the Deputy Commissioner, Bagalkot District for information.

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

Copy to the Executive Engineer, KSHIP Division, No.170, S.B. Havannavar Buidling, Club Road-Belgaum-590 001 for information & necessary action.


23/10/17

ANNEXURE 'A'

1. The legal status of Forest land shall remain unchanged and it shall continue to be as forest land.
2. The lessee shall pay lease rent as fixed by the Govt. from time to time.
3. The lease tenure is 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 should be resumed to the Forest Department under Section 82 of Karnataka Forest Act, 1963. The concerned Chief Conservator of Forests / Deputy Conservator of Forests is authorized to take necessary action in this regard.
5. No residential buildings shall be permitted in the proposed forest area.
6. The Karnataka Forest Act, 1963 and Rules, 1969 and other relevant Acts & Rules will be applicable for any violation.
7. Compensatory Afforestation shall be raised at the cost of User Agency over 4.47 ha of non forest land in Sy. No. 266 of Halakurki Village, Badami Taluk at the rate prevailing at the time of approval (at present it is Rs.2,72,000/- per ha.)
8. Road side Plantation all along the stretch between Pattadakallu to Kamatagi (Via Aihole) shall be raised at the project cost and shall be maintained for 7 years.
9. The User Agency has to pay the Net Present Value (NPV) of forest land diverted under this proposal as per Orders dated 28-3-2008 and 9-5-2008 of the Hon'ble Supreme Court of India.
10. The User Agency shall ensure that there should be no damage to the available fauna and other flora.
11. The User Agency should pay cost of soil erosion controlling measures, to be carried out at the adjacent forest areas to a width of 25 m all along both sides of the road and charges towards felling/extraction and transportation of trees if any for execution of the project in accordance with the estimate prepared by the Deputy Conservator of Forests, Bagalkot Division.
12. The shoulder drains should be suitably covered with stone pitching in order to control soil erosion.
13. No crushing/breaking of stones shall be allowed inside forest area. Readymade material shall be used for improvement of such road.
14. No labor camp shall be established on the forest land.
15. All waste / debris generated shall be scientifically disposed off outside the forest area.
16. All precautions shall be taken to ensure fire protection to the forest when the road is being laid.
17. No work shall be allowed after sunset.
18. Any damage to forest area due to such improvement and widening works shall be compensated by the User Agency. The extent of damage shall be assessed by the concerned Deputy Conservator of Forests.
19. The lessee shall not sub-lease, mortgage & hypothecate the forest area.
20. The approval under the Forest (Conservation) Act, 1980 is subject to the clearance under the Environment (Protection) Act, 1986, if required.
21. The User Agency shall also abide by all the conditions imposed upon by Government of India, the Government of Karnataka and Principal Chief Conservator of Forests (Head of Forest Force).


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)

Detailed opinion & specific recommendation of the State Forest Department for acceptance or otherwise of the proposal with remarks.

(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).

Recommended for diversion of 4.417 hectare of forest land in Sy. No. 32 of Siddankolla Village, Sy. No. 33 of Benakanavari Village, Sy. No. 16 of Huvinhalli and Sy. No. 116 & 122 of Ramathala Village, Hungunda Taluk, Bagalkot District for improvement of road from Pattadakallu to Kamatagi (via Aihole) link 21F at Siddankolla in favour of the Executive Engineer, KSHIP Division, Belagavi under the Forest (Conservation) Act, 1980 subject to the conditions appended in **Annexure 'A'**.

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:

K.S. SUGARA IFS

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

(Official Seal):

N.D.O. No: **19** /2017-18.

Date: **23** -10-2017.

D: A5(2)/Bagalkot / Pattadakallu to Kamatagi 4.388 ha. (Online)

