

GOVERNMENT OF KARNATAKA

ಪ್ರಧಾನ ಮುಖ್ಯ ಅರಣ್ಯ ಸಂರಕ್ಷಣಾಧಿಕಾರಿ
(ಅರಣ್ಯ ಪಡೆ ಮುಖ್ಯಸ್ಥರು) ರವರ ಕಛೇರಿ

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



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

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E-office File No. KFD/HOFF/A52K(GFL)/128/2019-FC

E-108215

Encl.: 3 sets of proposal

Date 08-07-2021

26

To,

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

Sir,

Sub: Diversion of 4.371 Ha (*revised from 6.0235 hectare*) of forest land in Devihal and seven (7) other villages in Gadag and Haveri Districts for widening (Two-Laning with paved shoulder) of Gadag to Honnali Road (from KM 105.500 to KM 205.290 of SH-57 and from KM 215.235 to KM 253.713 of SH 26) for total length of 138.02 km in favour of The Project Director, Project Implementation Unit, Karnataka State Highway Improvement project (KSHIP), K.R. Circle, Bengaluru

Proposal No.: FP/KA/ROAD//40747/2019

- Ref:**
1. Online proposal [FORM-A PART-I] dated 13-07-2020 of M/s Project Director, Project Implementation Unit, Karnataka State Highway Improvement project (KSHIP), K.R. Circle, Bengaluru r/w uploading of Acknowledgement on 24-08-2020 for having delivered the hard copies of proposal to jurisdictional Deputy Conservators of Forests and Deputy Commissioner
 2. This office online communication dated 26-08-2020 to Deputy Conservator(s) of Forests, Gadag, Haveri Division(s) for further processing of proposal
 3. Online submission of PART-II by Deputy Conservator of Forests, Gadag Division on 03-03-2021 [Letter No. A4/GFL/FC/Road/60.235 Ha/CR-08/2020-21/2450 dated 09-03-2021]
 4. Online submission of PART-II by Deputy Conservator of Forests, Haveri Division on 03-05-2021 [Letter No. A5/GFL/Gadag-Honnali/Road/CR-44/2019-20 dated 28-04-2021]
 5. Online submission of PART-III by Chief Conservator of Forests, Dharwad Circle on 23-06-2021 [Letter No. A1/GFL/Road widening/Gadag-Honnali/CR-19/2020-21 dated 23-06-2021]

1. The Project Director, Project Implementation Unit, Karnataka State Highway Improvement project (KSHIP), K.R. Circle, Bengaluru [USER AGENCY] vide Ref (1) has submitted a proposal through FC web portal seeking approval under Section 2 (ii) of the Forest (Conservation) Act, 1980 for Diversion of 4.371 hectare (revised from 6.0235 hectare) of forest land in Devihal and seven (7) other villages in Gadag and Haveri Districts (Gadag and Haveri Forest Divisions) for widening (Two-Laning with paved shoulder) of Gadag to Honnali Road (from KM 105.500 to KM 205.290 of SH-57 and from KM 215.235 to KM 253.713 of SH 26) for total length of 138.02 km. After uploading of the Acknowledgement online by User Agency on 24-08-2020 for having delivered the hard copies of proposal to the jurisdictional Deputy Conservators of Forests and Deputy Commissioner, an online communication was made on 26-08-2020 by Nodal Officer (FCA) vide Ref (2) to the Deputy Conservator(s) of Forests Gadag and Haveri, Divisions to process the proposal under FC Act and to submit the specific opinion in PART-II of the proposal.

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
Gadag District, Shirahatti Taluk	Devihalla	48	0.1806	Reserved Forests
		49	0.1398	
		50	0.573	
		32	0.1657	
	Hosur	7	0.2601	
	Tangoda	22	0.0409	
	Algilwada	26	0.134	
	Itagi	198	0.0117	
		199	0.4457	
		211	0.4945	
		212	0.4113	
		214	0.0175	
Haveri District, Ranebennur Taluk	Gudagoor	76	0.0409	
		75	0.0081	
		69	0.1836	
	Kerimallapura	23	0.0658	
Haveri District, Rattihalli Taluk	Hallur	83	0.1154	
		99	1.0824	
	Total			4.371

The Component-wise breakup of the forest land required for the project is given below.

Name of component	Forest extent required (ha)
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1	Carriageway	0.762
2	PROW (drain & Utility)	3.245
4	Shoulder	0.364
	Total	4.371

3. DCF, Gadag Report: The Deputy Conservator of Forests, Gadag Division has inspected the project site on 09-11-2020 and vide Ref (3) has submitted the Site Inspection Report along with other details in PART-II of the proposal and recommendation to Chief Conservator of Forests, Dharwad Circle. Main features of the forest land proposed for diversion as per the DCF, Gadag Division report r/w reports of CCF, Dharwad Circle and that of ICT Centre of Forest Department are as follows.

- a. As the forest land proposed for diversion is linear in nature, the soil erosion will be negligible.
- b. The forest land proposed for diversion is in general landscape of Eco-class IV (Tropical Thorn Forests) with Open forest (0.2 Canopy Density).
- c. As per Item 4(ii) of PART-II (Gadag Division), there are 44 trees of various species on the forest land proposed for diversion in Belagavi Division. Major tree species include *Azadirachta indica*, *Albezzia amara*, *Acacia catechu*, *Holoptolia integrifolia*, *Dalburgia sisoo*, *Pongamia pinnata*, *Ficus bengalensis*, among others.
- d. Major wild animals found in and around the project area include Leopard, Black Buck, Chinkara, Rock Python, Peacock, Hyenas, Jackals, Foxes among others.
- e. There are no other rare / endangered / unique species of flora and fauna reported in the forest area proposed for diversion.
- f. As per Item 8 (ii) of PART-II pertaining to Gadag Division, 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.
- g. As per Item 8 (iv) of PART-II pertaining to Gadag Division, 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.
- h. The Devihal Sy Nos of the proposed area falls within 1.5 Km of the Kappathagudda Wildlife Sanctuary. There is no adverse impact apart from the road kills which may be avoided with proper precautions.
- i. There are no Protected/ Archeological/ Heritage Sites / Defence establishments located in the proposed area.

- j. The forest area proposed for diversion is the bare minimum and unavoidable.
- k. There is no violation reported under Forest (Conservation) Act, 1980.

4. DCF, Haveri Report: The Deputy Conservator of Forests, Haveri Division has inspected the project site and vide Ref (4) has submitted the Site Inspection Report along with other details in PART-II of the proposal and recommendation to Chief Conservator of Forests, Dharwad Circle. Main features of the forest land proposed for diversion as per the DCF, Haveri Division report r/w reports of CCF, Dharwad Circle and that of ICT Centre of Forest Department are as follows.

- a. The forest land proposed for diversion is not much prone to soil erosion.
- b. The forest land proposed for diversion is in general landscape of Eco-class IV (Tropical Thorn Forests) with Open forest (up to 0.25 Canopy Density).
- c. As per Item 4(ii) of PART-II of the proposal (Haveri Division), there are no trees to be felled on the forest land proposed for diversion.
- d. Major wild animals found in and around the project area include Leopard, Wild boar, Blackbuck, peafowl, etc.
- e. There are no other rare / endangered / unique species of flora and fauna reported in the forest area proposed for diversion.
- f. As per Item 8 (ii) of PART-II (Dharwad Division), 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. As per Item 8 (iv) of PART-II (Dharwad Division), 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.
- h. There are no Protected/ Archeological/ Heritage Sites/ Defense establishments located in the proposed area.
- i. The forest area proposed for diversion is the bare minimum and unavoidable.
- j. There is no violation reported under Forest (Conservation) Act, 1980.

5. CCF, Dharwad Circle Report: The Chief Conservator of Forests, Dharwad Circle, Dharwad has inspected the project site personally on 22-06-2021 and vide Ref (5) has submitted the Site Inspection Report in PART-III online. Agreeing with the recommendation made by the Deputy Conservator(s) of Forests, Gadag and Haveri Divisions, the Chief Conservator of Forests, Dharwad Circle has also **recommended** the proposal.

- 6. Net Present Value (NPV):** The User Agency is required to pay the Net Present Value (NPV) of forest land proposed for diversion as per Para 3.1 to 3.4 of the FC Guidelines communicated by Government of India, Ministry of Environment, Forests and Climate Change, New Delhi vide letter F.No. 5-2/2017-FC dated 28-03-2019. **The User Agency has submitted an Undertaking to pay the charges towards Net Present Value (NPV) of the forest land proposed for diversion.**
- 7. Compensatory Afforestation (CA):** As the instant proposal is a fresh proposal under FC Act, the User Agency is required to provide an equivalent extent of suitable non-forest land in accordance with FC guidelines. the User Agency had identified the following non-forest land over an extent of 4.5021 hectare for raising compensatory afforestation.

District	Village	Sy No.	Extent
Gadag District, Ron Taluk, Ron Hobli	Shanthagiri	125/3	4.5021 Ha
Total			4.5021 Ha

In addition, the User Agency is also required to pay the CA charges as per prevailing rates. Accordingly, the User Agency has furnished an Undertaking to pay the stipulated CA charges.

- 8. 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 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. **The User Agency has not submitted the required RoFR certificate in specific proforma, but has uploaded the RoFR certificate in non-authenticated format dated 25-01-2021 of the Deputy Commissioner, Gadag. The said Certificate will have to be submitted before Stage-II approval.** However, the User Agency is being informed to submit authenticated certificate of the same.

In light of the facts stated above and agreeing with the recommendation of the field officers, **it is requested to move the proposal with the Government of India for according 'in-principle' (Stage-I) approval for diversion of 4.371 Ha of forest land in Devihal and seven (7) other villages in Gadag and Haveri Districts for widening (Two-Laning with paved shoulder) of Gadag to Honnali Road (from KM 105.500 to KM 205.290 of SH-57 and from KM 215.235 to KM 253.713 of SH 26) for total length of 138.02 km in favour of The Project Director, Project Implementation Unit, Karnataka State Highway Improvement project (KSHIP), K.R. Circle, Bengaluru for a period of Thirty (30) years subject to production of 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 and further subject to the conditions specified 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 (Timeline) of the proposal obtained from the web-portal is also appended for necessary action.

Yours Faithfully

(Sanjai Mohan IFS)

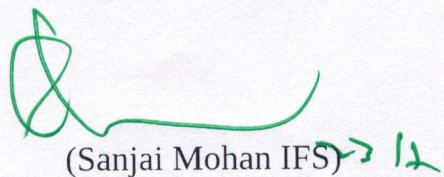
Principal Chief Conservator of Forests
(Head of Forest Force)

Copy to the:

1. Chief Conservator of Forests, Dharwad Circle for information.
2. Deputy Conservator of Forests, Gadag Division for information.
3. Deputy Conservator of Forests, Haveri Division for information.
4. The Project Director, Project Implementation Unit, Karnataka State Highway Improvement project (KSHIP), K.R. Circle, Bengaluru 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 Transmission Line within forest limits for creating awareness about forest, Wildlife and Environment issues among general public 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 and 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.



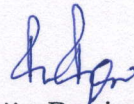
(Sanjai Mohan IFS) 12
Principal Chief Conservator of Forests
(Head of Forest Force)

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><i>Recommended</i></p> <p>4.371 Ha of forest land in Devihal and seven (7) other villages in Gadag and Haveri Districts for widening (Two-Laning with paved shoulder) of Gadag to Honnali Road (from KM 105.500 to KM 205.290 of SH-57 and from KM 215.235 to KM 253.713 of SH 26) for total length of 138.02 km in favour of The Project Director, Project Implementation Unit, Karnataka State Highway Improvement project (KSHIP), K.R. Circle, Bengaluru for a period of Thirty (30) years subject to production of 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 and further subject to the conditions specified in ANNEXURE 'A'.</p> <p>Proposal No. FP/KA/ROAD//40747/2019 (FORM-A)</p>
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Signature:



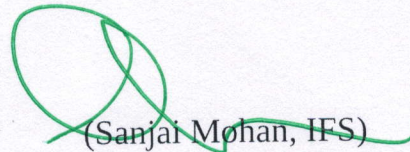
Name:

(Rajiv Ranjan, IFS)

Designation:

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

Signature:



Name:

(Sanjai Mohan, IFS)

Designation:

Principal Chief Conservator of Forests
(Head of Forest Force)

N.D.O. No. 13/2021-22

(Official Seal)

Dated: 26/07/2021