

/359254/2022

ಕರ್ನಾಟಕ ಸರ್ಕಾರ

## 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)/19/2021-FC

Encl.: 3 sets of proposal hard copies

E-528953

Date 23-12-2022

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To,

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

Sir,

**Sub:** Diversion of 1.13136 Ha (*revised from 1.53939 ha*) of forest land in Karwar, Uttara Kannada District (Karwar Forest Division) for laying of OFC within the existing RoW in favour of JIO Digital Fiber Private Limited, Bengaluru

**Proposal No. FP/KA/OFC/142721/2021**

**Ref:** 1. Online proposal [FORM-A PART-I] dated 16-06-2022 (resubmitted) of Jio Digital Fiber Private Limited, Bengaluru and uploading of acknowledgement on 15-07-2022 for having delivered hard copies of proposal to the jurisdictional Deputy Conservator of Forests and Deputy Commissioner

2. This office online communication dated 16-07-2022 to Deputy Conservator of Forests, Karwar Division for further processing of proposal

3. Online submission of PART-II on 17-10-2022 by Deputy Conservator of Forests, Karwar Division [Letter No. B4/GFL/FCA/CR-16/2022-23 dated 10-10-2022]

4. Online submission of PART-III on 07-11-2022 by Conservator of Forests, Kanara Circle [Letter No. B2/GFL/Jio OFC/CR-27/2022-23 dated 07-11-2022]

1. Jio Digital Fiber Private Limited, No.51, RMZ Icon, Palace Cross Road, Vasanth Nagar, Bengaluru [USER AGENCY] vide Ref (1) has (re)submitted a proposal through FC web portal seeking approval under Section 2 of the Forest (Conservation) Act, 1980 for Diversion of 1.53939 hectare of forest land in Karwar, Uttara Kannada District (Karwar Forest Division) for laying of OFC within the existing RoW. The same was accepted by Nodal Officer (FCA) on 29-06-2022 for further processing. After uploading of the acknowledgement online by User Agency on 15-07-2022 for having delivered the hard copies of proposal to the jurisdictional Deputy Conservator of Forests and Deputy Commissioner, an online communication was made on 16-07-2022 by Nodal Officer vide Ref (2) to the Deputy Conservator of Forests, Karwar Division to process the proposal under FC Act and to submit the specific opinion through PART-II of the proposal.



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**2. Location details and Component wise break up:** DCF, Karwar reported in his site inspection report that only 1.13136 Ha out of 1.53939 Ha falls in forest area and remaining area is non-forest land. Location details of the area falls in forest land proposed for diversion are given below.

Division	Village		Sy No.	Forest extent proposed for diversion (ha)	Status of land
Karwar Division	1	Kodsani	26	0.0144	Reserved forests
	2	Shiruru	169A1A1	0.0432	
			164A1A1	0.0324	
	3	Balse	152A1A1A	0.021	
			319A1A1A1A1A	0.0282	
	4	Bole	81A1A1	0.0204	
			71A1A1A	0.01395	
	5	Shedgeri	108	0.0045	
	6	Algeri	188 (BI.No.461)	0.0255	
	7	Bogribail	50A1A1 (BI.No.79A1)	0.0615	
	8	Navagadde	25 (BI.No. 37)	0.03675	
			26 (BI.No. 38)	0.027	
	9	Adlur	23	0.0192	
	10	Agsur	118A	0.0105	
			63	0.006	
			33A1	0.0129	
			54A	0.0201	
	11	Kawalalli	3	0.174	
	12	Hebbul	74	0.0129	
			25	0.0357	
	13	Sunksal	161, 165 & 1	0.26210	
	14	Kolgagadde	31, 36A & 21	0.24916	
<b>Total</b>				<b>1.13136</b>	

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

Project Component		Forest Land requirement (ha)
1	Under Ground Optical Cable within the existing RoW (trench width 0.3 mtr and depth 1.65 mtr)	<b>1.13136</b>
<b>Total</b>		<b>1.13136</b>

**3. DCF, Karwar Report:** The Deputy Conservator of Forests, Karwar Division has inspected the project site on 08-10-2022 and vide Ref (3) has submitted the Site Inspection Report along with details of the site in PART-II of the proposal to the Conservator of Forests, Kanara Circle. Main features of the forest land proposed for



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- 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 0.25 Canopy Density (Dense Forest).
  - b. As per Item 4(ii) of PART-II, there are no trees to be felled on the forest land proposed for diversion.
  - c. The forest land proposed for diversion does not form part of any National Park/ Wildlife Sanctuary/ Biosphere Reserve/ Tiger Reserve/ Elephant Corridor but the part of the forest area forms the Wildlife Migration Corridor.
  - d. There are no Protected/ Archaeological/ Heritage Sites/ Defence establishments located in the proposed area.
  - e. The forest area proposed for diversion is the bare minimum and unavoidable.
  - f. There is no violation reported under Forest (Conservation) Act, 1980.
4. **CF, Kanara Circle Report:** The Conservator of Forests, Kanara Circle has inspected the proposed area personally on 05-11-2022 and has vide Ref (4) submitted Site Inspection Report in PART-III online. Agreeing with the recommendation made by the Deputy Conservator of Forests, Karwar Division, the Conservator of Forests, Kanara Circle has also recommended the proposal.
  5. **Net Present Value (NPV):** As per the Para 3.5, serial No.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 proposal is for laying underground Optical Fiber Cable within the existing RoW (trench size not more than two meter in depth and one meter in width) is exempted from the Net Present Value (NPV). **The User Agency however submitted an Undertaking dated 15-02-2022 to pay the charges towards Net Present Value (NPV) of the forest land proposed for diversion.**
  6. **Compensatory Afforestation (CA):** In accordance with the guidelines communicated by Government of India, Ministry of Environment, Forests and Climate Change, New Delhi vide F.No. FC-11/165//2019-FC dated 27-07-2020, the proposal is for laying underground Optical Fiber Cable within the existing RoW (trench size not more than two meter in depth and one meter in width) is exempted from the Compensatory Afforestation purpose. **The User Agency has however furnished an Undertaking dated 15-02-2022 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



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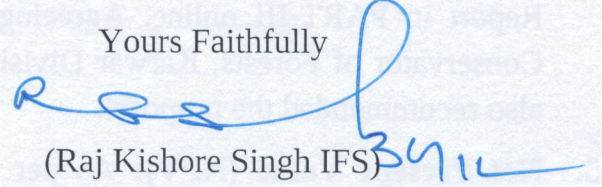
Environment, Forests and Climate Change, New Delhi vide F.No. 5-2/2017-FC dated 28-03-2019. Accordingly, **the User Agency is being informed to obtain the required RoFR certificate and submit a copy.**

8. **Additional Information:** User Agency submitted the proposal for diversion of 1.53939 ha forest land. But, after the field verification, DCF, Karwar has reported in his site inspection report that only 1.13136 Ha out of 1.53939 Ha falls in forest area and remaining area is non-forest land. Accordingly, DCF, Karwar Division and CF, Kanara Circle has recommended only for 1.13136 Ha of forest land for diversion.

Under the above circumstances and agreeing with recommendations of the field officers, **it is requested to consider the proposal for according in-principle (Stage-I) approval under Forest (Conservation) Act, 1980 for diversion of 1.13136 Ha (revised from 1.53939 ha) of forest land in Karwar, Uttara Kannada District (Karwar Forest Division) for laying of OFC within the existing RoW in favour of JIO Digital Fiber Private Limited, Bengaluru for a period of Twenty (20) 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 IFS)  
Principal Chief Conservator of Forests  
(Head of Forest Force)

**Copy to the:**

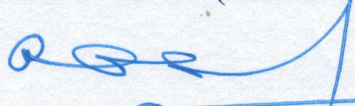
1. Conservator of Forests, Kanara Circle Sirsi for information.
2. Deputy Conservator of Forests, Karwar Division for information.
3. Deputy General Manager, Jio Digital Fiber Private Limited, No.51, RMZ Icon, Palace Cross Road, Vasanth Nagar, Bengaluru for information and with the request to obtain 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.**



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**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/ 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/ 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 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 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)

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**PART – IV**

(To be filled in by the Nodal Officer or Principal 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. <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>	<b>Recommended for diversion of 1.13136 ha (revised from 1.53939 Ha) of forest land in Karwar Taluk, Uttara Kannada District (Karwar Forest Division) for JIO Digital Fiber Underground OFC within the existing RoW (trench width 0.3 mtr and depth 1.65 mtr) in favour of Jio Digital Fiber Private Limited, Bengaluru for a period of Twenty (20) years subject to production of RoFR Certificate in FORM-I (for linear projects) and further subject to the conditions appended in Annexure 'A'.</b>  <b>Proposal No. FP/KA/OFC/142721/2021</b>
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Signature:

Name:

(Vijay Sharma, IFS)

Designation:

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

Signature:

**Signed by Raj Kishore  
Singh, IFS****Date: 24-12-2022 12:28:30**

Name:

(Raj Kishore Singh, IFS)

Designation:

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

N.D.O. No. 53/2022-23

(Official Seal)

Dated: 31/12/2022