

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 ಅಡ್ಡರಸ್ತೆ
ಮಲ್ಲೇಶ್ವರಂ, ಬೆಂಗಳೂರು-560 003
AranyaBhavan, 18th Cross
Malleshwaram, Bengaluru-560 003
Telephone : 080 2334 6472
Email : apceffc@gmail.com

E-office File No. KFD/HoFF/A5-4(GFL)/45/2020-FC

E-385679
Date 30-03-2023

To,

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

Sir,

Sub: Diversion of 2.5254 hectare of forest land in Kenkere Sy. No 278 Chiknayakanahalli Taluk, Tumkuru District for Reconstruction of two-lane Road with paved shoulders from Ds. Ch. 442+180 (Ex. Km 448.00) to Ds. Ch. 485+240 (Ex. Km 494.000) of Huliya to K.B Cross Section and from Km Ds. 532+100 (Ex. Km 533.150) to Ds. Ch. 539+100 (Ex. Km 540.175) from KB Cross to Nelligere section of NH-150A in favour of the Superintending Engineer (Civil), Ministry of Road Transport and Highways (Government of India), Regional Office, Race Course Road, Bengaluru.

Proposal No: FP/KA/ROAD/55323/2020[FORM A]

- Ref:**
1. Online proposal [FORM-A PART-I] dated 12-01-2022 (re submitted) of Superintending Engineer (Civil), Ministry of Road Transport and Highways (Government of India), Regional Office, Bengaluru r/w Acknowledgement uploaded online on 21-02-2022 by User Agency for having delivered the hard copy proposal to jurisdictional Deputy Conservator of Forests and Deputy Commissioner.
 2. This office online communication dated 05-03-2022 to Deputy Conservator of Forests (s) Chitradurga and Tumkuru Divisions for further processing of proposal.
 3. Online submission of PART-II on 30-08-2022 by the Deputy Conservator of Forests, Chitradurga Division.
 4. Online submission of PART-II on 22-08-2022 by the Deputy Conservator of Forests, Tumkuru Division.
 5. Online submission of PART-III on 15-02-2023 by the Chief

Conservator of Forests, Ballari Circle [letter No.M1/NH150A/Kenkere village/CR-25/2022-23dated09-12-2022]

6. Online submission of PART-III on 22-02-2023 by the Conservator of Forests, Hassan Circle [letter No.A8/Land/NH-150/CR-26/2022-23dated 22-02-2023]

1. The Superintending Engineer (Civil), Ministry of Road Transport and Highways (Government of India), Regional Office, Race Course Road, Bengaluru[**USER AGENCY**] vide Ref (1) has submitted an online proposal [FORM-A PART-I] through FC web portal seeking approval under Section 2 of the Forest (Conservation) Act, 1980 for Diversion of 2.5254 hectare of forest land in Kenkere Sy. No 278 Chiknayakanahalli Taluk, Tumkuru District for Reconstruction of two-lane Road with paved shoulders from Ds. Ch. 442+180 (Ex. Km 448.00) to Ds. Ch. 485+240 (Ex. Km 494.000) of Huliya to K.B Cross Section and from Km Ds. 532+100 (Ex. Km 533.150) to Ds. Ch. 539+100 (Ex. Km 540.175) from KB Cross to Nelligere section of NH-150A. After uploading of Acknowledgement on 21-02-2022 by User Agency for having delivered the hard copies of the proposal to jurisdictional Deputy Conservator of Forests and Deputy Commissioner, an online communication was made by the Nodal Officer (FCA) vide Ref (2) to the Deputy Conservator of Forests (s), Chitradurga and Tumkuru Divisions to process the proposal under the Forest (Conservation) Act, 1980 and to submit specific opinion / recommendation.

2. **Location details and Component-wise breakup of forest land requirement:**
The details of the location of forest land and component wise requirement are given below.

a. Chitradurga Division:

District, Taluk, Hobli	Village	Sy.No.	Forest extent proposed for diversion (ha)	Legal status of land
Chitradurga District	Kenkere	278	0.2654	Kudre kanive Reserved Forest
Total			0.2654ha	

b. Tumkuru Division:

District, Taluk, Hobli	Village	Sy.No	Name of the Block	Forest extent proposed for diversion (ha)	Legal status of land
Tumkuru District, Chikkanayaka nahalli Taluk, Huliyaru Hobli	Kenkere	278	A	0.464791	Kudre kanive Reserved Forest
		278	C	1.795292	
Grand Total				2.2600 ha	

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

Name of Project component (laying Rising main (pipeline))	Forest extent proposed for diversion (ha)
Carriageway	0.363584
Paved Shoulder	0.157458
Earthen Shoulder	0.211232
Slope Protection	0.372784
Earthen Drain	0.322184
Future widening & Tree Plantation	1.098158
Total	2.5254 ha

3. Report of DCF, Chitradurga Division: The Deputy Conservator of Forests, Chitradurga Division has inspected the site on 29-08-2022, 09-09-2022 and vide Ref (3) has submitted his report along with Site Inspection Report in PART-II to Chief Conservator of Forests, Ballari Circle. Main features of the proposal based on the reports of the Deputy Conservator of Forests, Chitradurga Division r/w report of Chief Conservator of Forests, Ballari Circle and that of ICT Centre of Forest Department are summarized below.

- a. The forest area proposed for diversion is not vulnerable to soil erosion.
- b. The forest land proposed for diversion is in general landscape of Eco-class-III (Tropical thorn Forest) with a Canopy Density of up to 0.1 (Open Forest).
- c. As per Item 4(ii) of PART-II of the proposal, there are no trees on the forest land proposed for diversion.

- d. Main wild animals reported in and around the project area include Sloth bear, Leopard, Wild Boar, Hare etc.
- e. There are no other rare / endangered / unique species of flora and fauna reported in and around the forest land proposed for diversion.
- f. 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. There are no Protected/ Archaeological/ Heritage sites or Defence establishments or important monuments in the area.
- h. There is no violation reported under the Forest (Conservation) Act, 1980.
- i. The requirement of forest land for the project is bare minimum and unavoidable.

4. Report of DCF, Tumkuru Division: The Deputy Conservator of Forests, Tumkuru Division has inspected the site on 15-02-2023 vide Ref (4) has submitted his report along with Site Inspection Report in PART-II to Conservator of Forests, Hassan Circle. Main features of the proposal based on the reports of the Deputy Conservator of Forests, Tumkuru Division r/w report of Conservator of Forests, Hassan Circle and that of ICT Centre of Forest Department are summarized below.

- a. The forest area proposed for diversion is not vulnerable to soil erosion.
- b. The forest land proposed for diversion is in general landscape of Eco-class-III (Tropical thorn Forest) with a Canopy Density of up to 30 (Open Forest).
- c. As per Item 4(ii) of PART-II, there are 456 trees in different girth classes. Main tree species include *Acacia Catechu*, *Acacia Nilotica*, *Albizia Amara*, *Azadirachta Indica*, *Bauhinia Parviflora*, *Terminalia Paniculata*, *Ficus Benghalensis*, *Dalbergia Latifolia*, *Madhuca Indica*, *Hardwickia Binata*, *Terminalia Bellarica*, *Ziziphus jujuba* and others
- d. Main wild animals reported in and around the project area include Leopard, Bear, Chinkara & Wild Boar etc.
- e. There are no other rare / endangered / unique species of flora and fauna reported in and around the forest land proposed for diversion.
- f. 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. There are no Protected/ Archaeological/ Heritage sites or Defence establishments or important monuments in the area.
- h. There is no violation reported under the Forest (Conservation) Act, 1980.

- i. The requirement of forest land for the project is bare minimum and unavoidable.
5. **CCF, Ballari Circle Report:** The Chief Conservator of Forests, Ballari Circle has inspected the site on 09-09-2022 and has agreed with the report of Deputy Conservator of Forests Ballari Division. The Chief Conservator of Forests, Ballari Circle vide Ref (4) has submitted his report in PART-III and has also recommended the proposal.
6. **CF, Hassan Circle Report:** The Conservator of Forests, Hassan Circle has inspected the site on 15-02-2023 and has agreed with the report of Deputy Conservator of Forests Tumkuru Division. The Conservator of Forests, Hassan Circle vide Ref (4) has submitted his report in PART-III and has also recommended the proposal.
7. **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 F.No. 5-3/2011-FC (Vol-I) dated 06-01-2022 and 19-01-2022. **The User Agency has submitted an Undertaking agreeing to pay the Net Present Value (NPV) of the forest land proposed for diversion.**
8. **Compensatory Afforestation (CA):** In accordance with the provisions of para 2.5 (i)(a) 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 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 in the cases of widening of roads. Accordingly, the **Deputy Conservator of Forests, Tumkuru has identified an extent of 5.0508 ha degraded forest land in Dasudi Village Sy No. 114 & 115 of Dasudi Forest, Chikkanayakanahalli Taluk, Huliya Hobli, Tumkuru District** for raising CA and uploaded the KML file, Topo Map, Geo-reference Map along with GPS readings of all corners in PART-II of the proposal and also uploaded the CA Suitability Certificate dated 20-08-2022 in the prescribed format. **The User Agency has also submitted an Undertaking agreeing to pay the Compensatory afforestation charges.**
9. **Status of RoFR compliance:** In order to meet the requirement of the provisions of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 and Rules 2008 and the FC Guidelines, the User Agency has not obtained/ furnished the (copy of) requisite **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. Accordingly, the User Agency is being informed once again to obtain the said certificate in prescribed format and submit a copy.

Under the above circumstances and agreeing with recommendation of the field officers, it is requested to move the proposal to Government of India for according 'in-principle' (Stage-I) approval under Section 2 of the Forest (Conservation) Act, 1980 for diversion of 2.5254 hectare of forest land in Kenkere Sy. No 278 Chiknayakanahalli Taluk, Tumkur District for Reconstruction of two-lane Road with paved shoulders from Ds. Ch. 442+180 (Ex. Km 448.00) to Ds. Ch. 485+240 (Ex. Km 494.000) of Hulyar to K.B Cross Section and from Km Ds. 532+100 (Ex. Km 533.150) to Ds. Ch. 539+100 (Ex. Km 540.175) from KB Cross to Nelligere section of NH-150A in favour of the Superintending Engineer (Civil), Ministry of Road Transport and Highways (Government of India), Regional Office, Race Course Road, Bengaluru for a period of twenty (20) years subject to submission of RoFR Compliance Certificate in FORM-I (for Linear projects) and the conditions listed 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



(Raj Kishore Singh IFS) 30/3


Principal Chief Conservator of Forests
(Head of Forest Force)

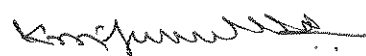
Copy to the:

1. Chief Conservator of Forests, Ballari Circle, Ballari for information.
2. Conservator of Forests, Hassan Circle, Hassan for information
3. Deputy Conservator of Forests (s), Chitradurga and Tumkuru Divisions for information.
4. Superintending Engineer (Civil), Ministry of Road Transport and Highways (Government of India), Regional Office, # 32, 2nd floor, KSCFL Building, D.Devraj URS Road, Bengaluru 560 001 for information and with a request to obtain 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 (available on FC web portal) and submit the authenticated / attested copies at the earliest.

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, Plantation cost of extraction of trees, 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 lessee shall not sub-lease, mortgage and hypothecate the forest area.
5. The Lessee shall provide signages in appropriate dimensions and kind near the proposed road within forest limits for sensitization of general public towards the forest, wildlife and environmental issues in consultation with the jurisdictional Deputy Conservator of Forests.
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.


(Raj Kishore Singh IFS) 20/3
Principal Chief Conservator of Forests/3
(Head of Forest Force)

O/C
Resumed on 31/3/2023


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 moving the proposal to Government of India for according 'in-principle' (Stage-I) approval under Section 2 of the Forest (Conservation) Act, 1980 for diversion of 2.5254 hectare of forest land in Kenkere Sy. No 278 Chiknayakanahalli Taluk, Tumkuru District for Reconstruction of two-lane Road with paved shoulders from Ds. Ch. 442+180 (Ex. Km 448.00) to Ds. Ch. 485+240 (Ex. Km 494.000) of Huliyaar to K.B Cross Section and from Km Ds. 532+100 (Ex. Km 533.150) to Ds. Ch. 539+100 (Ex. Km 540.175) from KB Cross to Nelligere section of NH-150A in favour of the Superintending Engineer (Civil), Ministry of Road Transport and Highways (Government of India), Regional Office, Race Course Road, Bengaluru for a period of twenty (20) years subject to submission of RoFR Compliance Certificate in FORM-I (for Linear projects) and the conditions listed in Annexure 'A'.</p> <p>[Proposal No. FP/KA/ROAD/55323/2020]</p>
---	---

Signature:

Name:

Designation:


VIJAY SHARMA IFS

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

(Official Seal):

Counter signed by :

Name:

Designation:


RAJ KISHORE SINGH IFS

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

(Official Seal):

N.D.O. No: 75/2022-23

Date: 30 -03-2023