

KARNATAKA GOVERNMENT
KARNATAKA FOREST DEPARTMENT



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No. LAND CR: 69/Road widening /2011-12 (Addl. Land)

Dated : 06-10-2022.

Proposal No. FP/KA/ROAD/120467/2021

To,

The Chief Conservator of Forest,
Mangalore Circle,
Mangalore.

Sir,

Sub : Diversion of 2.5315 ha. additional forest land for Four Laning of the Bangalore – Mangalore section of NH-48 (New-75) from Design Chainage Km 255.140 to 270.270 passing through reserve forest stretch of Four laning of Addahole (Near Gundya) (ExisitingChainage Km 263.000) – reg.

- Ref 1 Government of India, Ministry of Environment, Forest and Climate Change, New Delhi, Letter No : F.No.4 : KRB 1313/2021-BAN/172, dated:03-5-2022. (EDS Query)
- 2 Principal Chief Conservator of Forests (Forest Conservation), & Nodal Officer (FCA) Bangalore Letter No : A5(2):GFL:CR : 3 : 2019-20, dated : 23-5-2022, E-office File No. kFD/HOFF/ A5-2/GFL/129/2019/FC/E-88119, Dated:23-5-2022
- 3 Sri. H.S. Linge Gowda, DGM(T) & Project Director, National Highway Authority of India, project implementation Unit–Mangalore office Letter No. 17012/1/2020/PIU/(Mnglr)/332, dated:16-9-2022.

With reference to the letter cited in (1) & (2), the Project Director, National Highways Authority of India has furnished the informations sought by EDS, for the

proposal of Diversion of 2.5315 ha. additional forest land in Rekhyia village, Mangalore District for Four Laning National Highway from B.C.Road to Addahole. The compliance report submitted by the user agency (EDS) is furnished here below along with my remarks,for your kind perusal and further needful action.

Sl. No	Comments in Government of India Letter	Reply / Comments of User Agency	DCF Remarks & Comments
1.	The matter may be examined at the level of Nodal Officer as to Why the original proposal was not adhered to.	<p>It is submitted that, in case if NHAI has followed the original alignment for which already Stage-I and Stage-II got approved the additional burden borne was:</p> <ol style="list-style-type: none"> Investment of exchequer money to the tune of 200 Cr. towards provision of adoption of tunnel. The area where the forest area was sought falls under the Deccan Plateau, wherein the consolidation process was happening since millions of years. On obtaining the earlier Stage-I clearance and where the work was got started, from the site condition was noted that very high cutting was to be taken up for functioning of the carriage way. 	<p>The user agency NHAI has furnished the compliance and details as per letter dated 23.5.2022 of the Principal Chief Conservator of Forests (HoFF) Bangalore. The User agency has furnished in details, the reason for which the original alignment is not technically feasible for construction.</p> <p>As per the information given by the user agency the reason for not adhering the original proposal is due to very high land cuttings, vulnerability of the side slope for landslides and soil erosions. Further stated that, upon detailed study, the proposal for adopting a tunnel was not viable, which will cause and additional expense of Rs.200 crore and it also required extra diversion of forest land and clearance of tree</p>

	<p>iv. Keeping in view of the nature of soil where the consolidation process is still in process and after the excavation and formation of carriage way the retention of slope in high cutting area was not technically feasible. Keeping in view the high rainfall conditions and non-self-sustaining stability of slope, the site demanded the high cutting area and retention of earth in the slope of 1:2 (1-Vertical & 2-Horizontal) for attaining the stability of slope.</p> <p>v. By adopting the 1:2 slope for attaining the stability of slope were compared to bottom width and the top width of the carriage way and the requirement of forest area to be diverted, the number of tree to be cut and also keeping in view the vulnerability of the side slope for landslides and erosions and keeping in view of the project cost the existing road alignment with some geometric improvements is being taken up for the development. Hence the same may be accepted.</p>	<p>growth</p> <p>Keeping in view of the above fact, it is opinion that, the 2.744 ha. of land already diverted to the user agency after clearing the tree growths may be used by the way of forming tunnel without considering the cost of the project. This will save forest and avoid obstruction to the movement of Elephants and other wild animals.</p>
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2.	<p>Why the user agency has taken up felling of trees in the earlier proposed area, if the re-alignment was not feasible.</p>	<p>This project was earlier awarded to the contractor and as per CA provisions; the site should be made available by the authority free from all encumbrance and occupation for the duration of project completion schedule. As a further course of action to go ahead with the construction of the project without delay and to ensure encumbrance free land to the contractor, the permission was sought from the Forest Department for felling of trees, wherein the charges for felling of trees was also met by the NHAI.</p> <p>Due to various reasons the earlier contractor could not complete the project work and the project was foreclosed in Feb.2021. Since the project was tackled by the earlier contractor in bits and pieces while the carriage way was not suitable to the road users and also keeping in view of the early completion of the project further to the road users the balance work was got awarded to new contractor, wherein the probability of taking the tunnel was envisaged in the earlier contract and also the</p>	<p>The reasons stated by the user agency for taken up felling of trees in the earlier proposed may be considered. But the User Agency failed to verify this fact at the time of the original proposal.</p>
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probability of taking of Wildlife Mitigation measures, the contractor has explored all the possibility and as per the assessment, the cost of the tunnel was working out to Rs.200 Cr. Besides in case the carriage way profile was taken the height of the cutting was very huge, which also demands more area of forest diversion also cutting of more number of trees.

It is to inform that, the location of EUP @ design km 267+500 is not technically feasible for construction. Considering the huge depth of the earth cutting EUP will not serve its intended purpose and hence at the very best an EOP could be constructed. The path along which the elephants are crossing at present has been jointly verified at design km.267+580 where the depth of cutting is around 20 m. AE/Contractor envisaged original alignment stretch has a maximum cutting of around 44 m, the construction of which will lead to formation of valley in the midst of the forest, besides acquisition of more forest

	<p>land and felling of more number of trees. Hence it is opined to explore the possibilities of construction of a tunnel, in case the same is technically viable. Accordingly we have approached DPR consultant for exploring the possibilities of construction of tunnel. The DPR consultant has recommended the existing road alignment instead of suggested tunnel keeping in view the techno economic reasons. In view of the recommendation of the DPR consultant, we request for according approval for existing road alignment instead of suggested tunnel. In this context a meeting was conducted on 22.05.2018 with PCCF (W/L) and APCCF(FC), Bangalore for approval of existing road alignment. During the subsequent meeting on 01.06.2018 with DCF, certain corrections were suggested in existing road alignment and duly incorporating the suggested corrections, we have submitted the revised drawing along with the additional forest land required for diversion. The proposal of the existing road alignment was</p>	
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		<p>accepted by the Forest department.</p> <p>Hence, cutting of 272 nos. trees is as eye opening for the project which has envisaged the project to be taken up on the realignment which has saved huge cost of construction, large number of tree felling and large extent of forest diversion and also avoided the soil erosion in the dense evergreen forest. It is therefore requested to kindly peruse the same for acceptance.</p>	
3.	The details of trees existed in the area and the number of trees already felled.	272 nos. of trees were existing and they were felled with the permission from the Forest Department (Details enclosed).	The fact reported by the user agency is found correct.
4.	The User Agency may explore the technical feasibility of sticking with the already felled area for laying of road or laying of elevated corridor in this area.	<p>Principal Chief Conservator of Forests (Wildlife) & Chief Wildlife Warden, Karnataka, Bangalore vide letter No. PCCF(WL)/DCR-26/2016-17, dated 13.12.2017 has approved Wildlife Mitigation Strategy.</p> <p>NHAI was directed the DPR consultant M/s Feedback Infra Pvt. Limited for exploring the possibilities of construction of a tunnel, in case the same was technically viable.</p>	The technical feasibility explored by the User Agency for sticking with the already felled area for laying of road or laying of elevated corridor is not considerable. The User Agency may be directed for adopting a tunnel without considering the cost of the project, which will save forest and avoid obstruction to the movement of Elephants and other wild animals.

		<p>When the construction work was in progress by the concessionaire, the forest land was cleared by removal of trees in the forest land diverted, in view to make available encumbrance free land to concessionaire for construction work as per the contract agreement.</p> <p>The DPR consultant M/s. Feedback Infra Pvt. Limited has examined the forest area after the tree cutting for implementation of mitigation measures suggested by PCCF (WL) & CWLW. The DPR consultant recommended that the proposed forest area is not suitable for tunnel or EOP. To go with the elephant under pass and road construction works, it requires vertical cutting of >20m within the RoW, which results in formation of valley in the midst of the forest and easily prone to landslides and erosion of soil. To stabilize the slope in the vertical cuttings @ 1:2 it requires additional width of RoW for the project i.e. additionally >5 ha of forest area of diversion for project and felling of >1000 nos. of trees in the forest area.</p>	
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NHAI vide letter no. 250 dated 28.05.2018 conveyed the DPR consultant recommendation and accordingly submitted proposal for existing road alignment to DCF Mangalore with a copy to APCCF(FC), CWLW, Karnataka.

Additional Principal Chief Conservator of Forests (Forest Conservation), Bangalore directed NHAI to submit a fresh proposal for additional area to be diverted, as change in alignment requires additional forest area.

Due to various reasons Contractor M/s L&T initiated foreclosure notice in 2018 and the project could not progress further. Project was foreclosed in Feb 2021.

The project 'Four lining of Addahole (Near Gundya) (Existing km 263.00, Design Chainage 255.703) to Bantwal Cross (Existing Km 328.000, Design Chainage 318.755 km) section of NH-75 (Old NH-48) 'was divided into 2 packages as under:

Package I- Four Laning from Design Km 255.140 to Km 270.270 of Addahole-Bantwal section of NH-75 (Old NH-48)-15.130 Kms.

Package II- Four Laning of Bangalore-Mangalore Section from Km 270+270 (Periya Shanthi) to Km 318+755 (Bantwal) including 6-lane Flyover at Kalladka Town- 48.485 Kms.

As the scope of the earlier consultant was only up to the bidding document, NHAI has freshly invited the bid for consultancy services and accordingly as per the tender procedure the successive bidder was awarded the work of the preparation of DPR.

The new current consultant also examined the possibility of following the original alignment and upon detailed study, the proposal for adopting a tunnel was not viable and further it also required extra diversion of forest land. The consultant proposed the most cost effective and feasible alignment which is to follow the existing road alignment with some geometrical improvements where in 2.5315 Ha of forest land was required. The main aim of the NHAI is to follow the most viable and

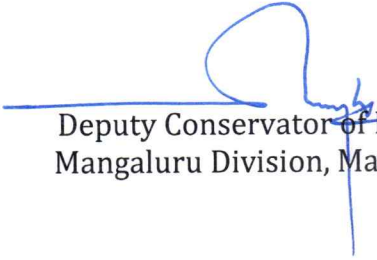
	fast implementation of project keeping in view of the present road condition and also facilitate early completion of work keeping in view of the road safety. Hence, the existing road alignment is the better option for NHAI. Therefore it is requested to accept the same.	
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After verification of the compliance and details given by the User Agency I submit my remarks as follows.

1. Out of the originally diverted 33.18 Ha of land i.e., 32.69 Ha in Mangalore Division, an extent of 2.744 Ha. has been resumed back by the department, since this land is not feasible either EUP (Elephant under pass) or EOP (Elephant over pass). Hence user agency submitting this proposal for granting additional/alternative forest land of 2.5315 ha. I have inspected additional / alternative proposed land along with the the Chief Conservator of Forests, Mangalore Circle Mangalore, and it is found that this forest land is an elephant corridor and the river Gundya flowing along the proposed area. Large number of elephants and other wild animals are moving through area from Kudremukha and Pushpagiri wild life sanctuary here to vice versa. Elephants and other wild animals crossing the river and moving through the D'lines of the Forest.
2. Hence keeping in view of the above fact, the 2.744 ha. of land already diverted to the user agency after clearing the tree growths may be made use by the way of forming **tunnel** without considering the cost of the project. This will save forest and avoid obstruction to the movement of Elephants and other wild animals.
3. Gundya river is passing along the high way in several locations. Hence the wild life mitigation plan already approved has to be revised.

4. After excavation and formation of carriage way, retention of slope in high cutting areas are found in several areas. During rainy season in several location land sliding noticed further may have possibility of heavy land slides along the highway. Several trees are found standing dangerously along the high cutting areas. These dangerously standing trees may be uprooted during the rainy season. Hence eco-restoration works has be taken by the user agency in their own cost.

Yours Faithfully,



Deputy Conservator of Forests
Mangaluru Division, Mangaluru.