

I/737594/2025

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, 18 ನೇ ಅಡ್ಡ ರಸ್ತೆ,
ಮಲ್ಲೇಶ್ವರಂ, ಬೆಂಗಳೂರು-560003
Aranya Bhavan, 18th Cross,
Malleshwaram, Bengaluru- 03
Telephone: 080 2334 6472
Email: apccffc@gmail.com

Old File No. A5(2) K/GFL.CR-02/2018-19

E-office File No.KFD/HOFF/A52K(GFL)/18/2019-
FC Encl. 48 pages

E-72712

Date -01-2025

To,

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

Sir,

Sub: Re-diversion of 2.469 hectare in Hattikere village F.Sy No. 10A1A1A, Belekeri Hobli, Ankola Taluk, Uttar Kannada District (*Karwar Forest Division*) for establishing Toll Plaza with amenities (*shifting from existing location at CH. 117+900 to CH. 131+200*) in Goa- Karnataka Border–Kundapur Section of NH-66 from Project Sea Bird [*Primary User Agency*] in favour of Project Director, National Highway Authority of India (NHAI), Project Implementation Unit (PIU), Mangaluru [*Secondary User Agency*]
Proposal No. FP/KA/ROAD/33150/2018 [FORM-A]

Ref: 1. This office letter of even number dated 19-03-2020 [*Stage-I proposal*] and 22-05-2024 [*communication of GOK EDS Query*]
2. Government of Karnataka letter No. FEE 41 FLL 2020 (E) dated 04-05-2024 [*GOK EDS query*]
3. Deputy Conservator of Forests, Karwar Division letter No. B4/GFL/FCA/SR-11/2011-12/2024-25 dated 08-10-2024 [*online reply dated 21-12-2024 to GOK EDS Query*]
4. Conservator of Forests, Kanara Circle letter No. B2/GFL/ CR-14/2019-20 dated 10-10-2024 [*online reply dated 21-12-2024 to GOK EDS Query*]

With reference to the above proposal seeking Stage-I approval submitted by this office vide Ref (1) letter dated 19-03-2020, the Government of Karnataka vide Ref (2) has raised an EDS Query seeking certain additional information. Accordingly, this office vide Ref (1) letter dated 22-05-2024 has forwarded the same to the field officers.

In response, DCF, Karwar and CF, Kanara Circle vide Ref (3) & (4) has submitted the information sought by the Government of Karnataka through FC web portal. **The report of DCF & CF is enclosed to this letter.**

I/737594/2025

It is requested to forward the above information / Documents to the Government of India in response to the EDS query for further needful.

Yours Faithfully

Signed by Brijesh Kumar

Date: 07-01-2025 09:34:12

Reason: Approved

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

Copy to the:

1. Conservator of Forests, Kanara Circle Sirsi for information.
2. Deputy Conservator of Forests, Karwar Division for information.
3. Project Director, National Highway Authority of India (NHAI), Project Implementation Unit (PIU), Door No.3-29, 'Bethel', Tharethota, Near Pump Well, NH-66, Mangaluru for information.



34602

ಕರ್ನಾಟಕ ಸರ್ಕಾರ

ಅರಣ್ಯ ಇಲಾಖೆ



ಅರಣ್ಯ ಸಂರಕ್ಷಣಾಧಿಕಾರಿಗಳ ಕಛೇರಿ, ಕೆನರಾ ವೃತ್ತ, ಶಿರಸಿ - 581 402

OFFICE OF THE CONSERVATOR OF FORESTS, KANARA CIRCLE, SIRSI-581402.

ದೂರವಾಣಿ (PHONE): 08384-236335, ಇ-ಮೇಲ್ (e_mail) : ccfkanaracircle@gmail.com

No:B2/GFL/CR-14/2019-20 / 254

Date : 10.10.2024

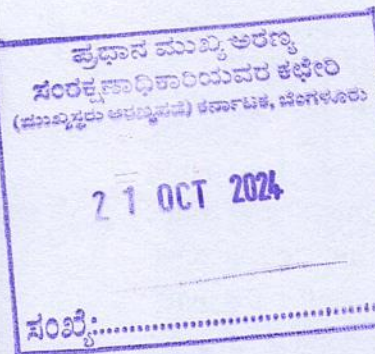
To,

The Principal Chief Conservator of Forests,
(Forest Conservation) & Nodal Officer (FCA)
Aranya Bhavan, Malleshwaram 18th cross,
Bangalore-560003.

Sir

SUB: Re-diversion of 2.469 ha. forest land in Hattikeri Village Sy. No:10/A1A1A Belekeri Hobali, Ankola Taluk Uttar Kannada District, Karwar Division for establishing Toll plaza with amenities (shifting from existing location at CH.117+900 to CH.131+200) in Goa-Karnataka Border and Kundapur Section of NH-66 Project Seabird (Primary User Agency) in favour of Project Director, National Highways Authority of India (NHAI) project Implementation Unit (PIU), Mangalore (Secondary User Agency)-reg.
Proposal No : FP/KA/ROAD/33150/2018(FORM-A).

- REF:1) Govt. of India letter No: F.No. 4 KRB 1249/2020-BAN/780 dated:07-10-2022, 4 KRB 1249/2020-BAN/267 dated:02-05-2023 and 4 KRB 1249/2020-BAN/117 dated:26-09-2023.
- 2) Govt. of Karnataka's letter No:FEE 41 FLL 2020(e) dated: 30-09-2023 and FEE 41 FLL 2024(E) 5620,Dated :04-05-2024.
- 3) Principal Chief Conservator of Forests, (Forest Conservation) & Nodal Officer, (FCA) Bangalore's letter No: KFD/HOFF/A52K(GFL)/18/ 2019-FC, E-72712 dated: 21-04-2022, 26-12-2022, 08-05-2023, 12-10-2023 and 22-05-2024.
- 4) This office letter even No:B2/GFL/ CR-324/1983-84 dated: 20-05-2023 & B2/GFL/NH-66/CR-14/2019-20 dated: 25-10-2023 and 17-08-2024.
- 5) Deputy Director General, (PI), Project Seabird, Karwar's letter No: SB/K/ NH-66/Toll Plaza dated: 17-05-2023 and SB/K/PH IIA/ADMIN dated: 17.09.2024.
- 6) Letter No.B4/GFL/FCA/SR-11/2011-12, dt:18-01-2023, 17-02-2023, 13-06-2023, 12-12-2023, 16-07-2024, 19-08-2024 & 03-09-2024 of Deputy Conservator of Forests, Karwar Division, Karwar
- 7) Chief Manager, (Tech) and Regional Officer, National Highway Authority of India, Bengaluru's letter No: NHAI/RO-BNG/Forest/25027(B)/5/2022-23/3524 dated:17-01-2023



- 8) The Project Director, National Highways Authority of India, PIU, Mangalore's letter No:12014/1/2011/PIU(Mnglr)/207 dated:27-06-2022 and NHAI/PIU-HNVR/11011/DCF/2024-25/817 dated:14-09-2024

With reference to above, Deputy Conservator of Forests, Karwar division has submitted the report on the violation of Forest Conservation Act, 1980 in construction of Toll Plaza in Seabird leased forest area as per the report of Project Director, National Highways Authority of India, PIU, Mangalore vide letter dated: 12-12-2023 cited at reference (6).

The Principal Chief Conservator of Forests, (Forest Conservation) & Nodal Officer, (FCA), Bengaluru vide his letter dated: 22-05-2024 cited at reference (3) has directed to submit the additional information sought by the Govt. of Karnataka vide there letter dated:04-05-2024 cited at reference (2). In this regard Deputy Conservator of Forests, Karwar division has submitted the detailed report vide letter dated:16-07-2024 cited at reference (6),

Again, vide this office letter dated: 17-08-2024 cited at reference (4), Deputy Conservator of Forests, Karwar division was informed to submit the detailed report on violation, including names of the erring officials of department/NHAI who have ordered to carry out the work in violation of Forest Conservation Act, 1980, as per MoEF and State Govt. letter cited at reference (1) and (2). Accordingly, the same has been informed to Project Director, National Highways Authority of India, PIU, Mangalore and Deputy Director General (P), Project Seabird, Karwar vide letter dated: 19-08-2024 and 03-09-2024 cited at reference (6).

The Project Director, National Highways Authority of India, PIU, Mangalore vide reference (8) above has reported that, the independent engineer for the project was AECOM Asia Company Limited in association with Rodic Consultant Pvt. Ltd., was appointed by NHAI on behalf of MoRTH, GoI for supervision and monitoring of works to be executed. The details of team leader and resident engineer at site as engineer-in-charge represent them for the works involved during the execution of work on forest land in Sy.No: 10/A1 of Hattikeri village, Ankola Taluk, Uttara Kannada district.

Sl. No.	Name	Position	Company
1	Kiran S. Vishwaroop	Team leader cum Senior Highway Engineer	Rodic Consultant Pvt. Ltd.
2	Anil Kumar Singh	Resident cum Highway Engineer-1	
3	Devaraj B.C.	Resident cum Highway Engineer-2	AECOM Asia Company Limited.

Further they have re submitted that due to the non identification of forest land, private land and Project Seabird area, the construction was started. The mistake was not intentional. The necessary action for re-diversion of forest areas was submitted. It once again requested to consider vide letter dated: 27-06-2022 cited at reference (8) with detailed justification/reason for taking up the work prior to approval under Forest (FC)

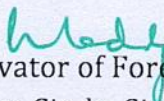
Act, 1980 and requested kindly consider clarification in the large interest public and NHAI. **(copy enclosed)**

The Deputy Director General (P), Project Seabird, Karwar vide reference (5) above has reported that,

- a) All statutory permissions required for re-diversion of forest land rests with NHAI in accordance with GOI/MoD order on working permission and memorandum of understanding established between MoD and NHAI.
- b. NHAI was responsible for obtaining necessary clearance from the Ministry of Environment, Forest and Climate Change (MoEF & CC).
- d.. Project Seabird had permitted NHAI to utilize defence land and forest land for construction of Toll Plaza with a clear of directive that utilization of forest land should be with prior approval of MoEF & CC. **(copy enclosed)**

Hence, the report submitted vide letter under ref (6) by Deputy Conservator of Forests, Karwar Division, Karwar is enclosed here with. This is for your kind perusal and further necessary action in the matter.

Yours faithfully,


Conservator of Forests 10.10.24
Kanara Circle, Sirsi.

Office of the Deputy Conservator
of Forests, Karwar Division
Kajubhag, M.G. Road
Karwar – 581301
Karnataka



Phone No. 08382-226365

Email : karwardcf@gmail.com

No: B4/GFL/FCA/SR-11/2011-12/2024-25 | 1198

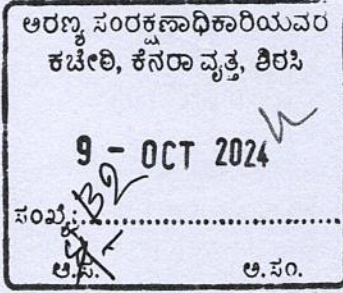
Dated: 03-10-2024

To,

Conservator of Forests,
Kanara Circle,
Sirsi.

Sir,

SUB: Re-diversion of 2.469 ha. forest land in Hattikeri Village Sy. No:10/A1A1A Belekeri Hobali, Ankola Taluk Uttar Kannada District, Karwar Division for establishing Toll plaza with amenities (shifting from existing location at CH.117+900 to CH.131+200) in Goa-Karnataka Border and Kundapur Section of NH-66 Project Seabird (Primary User Agency) in favour of Project Director, National Highways Authority of India (NHAI) project Implementation Unit (PIU), Mangalore (Secondary User Agency)-reg. Proposal No : FP/KA/ROAD/33150/2018(FORM-A)



- REF:1) Govt. of India letter No: F.No. 4 KRB 1249/2020-BAN/780 dated: 07-10-2022, 4 KRB 1249/2020-BAN/267 dated:02-05-2023 and 4 KRB 1249/2020-BAN/117 dated:26-09-2023
- 2) Govt. of Karnataka's letter No:FEE 41 FLL 2020(e) dated:30-09-2023 and FEE 41 FLL 2024(E) 5620, Dated : 04-05-2024
- 3) Principal Chief Conservator of Forests, (Forest Conservation) & Nodal Officer,(FCA) Bangalore's letter No:KFD/HOFF/A52K(GFL)/18/ 2019-FC, E-72712 dated: 21-04-2022, 26-12-2022, 08-05-2023, 12-10-2023 and 22-05-2024
- 4) Your letter No: B2/GFL/CR-324/1983-84 dated: 20-05-2023 and B2/GFL/NH-66/CR-14/2019-20 dated:25-10-2023 and 17-08-2024
- 5) Deputy Director General, (PI), Project Seabird, Karwar's letter No: SB/K/NH-66/Toll Plaza dated: 17-05-2023 and SB/K/PH IIA/ADMIN dated: 17-09-2024
- 6) This office letter even No. dated:18-01-2023,17-02-2023 13-06-2023, 12-12-2023, 16-07-2024, 19-08-2024 and 03-09-2024
- 7) Chief Manager, (Tech) and Regional Officer, National Highway Authority of India, Bengaluru's letter No:NHAI/RO-BNG/Forest/25027(B)/5/ 2022-23/3524 dated:17-01-2023
- 8) The Project Director, National Highways Authority of India, PIU, Mangalore's letter No:12014/1/2011/PIU(Mnglr)/207 dated:27-06-2022 and NHAI/PIU-HNVR/11011/DCF/2024-25/817 dated:14-09-2024

With reference to above, this office has submitted the name of the official involved in violation of Forest Conservation Act, 1980 and constructed Toll Plaza in Seabird leased

forest area through proper channel as per reported by Project Director, National Highways Authority of India, PIU, Mangalore vide this office letter dated: 12-12-2023 cited at reference (6).

The Principal Chief Conservator of Forests, (Forest Conservation) & Nodal Officer, (FCA), Bengaluru vide his letter dated: 22-05-2024 cited at reference (3) has directed to submit the additional information sought by the Govt. of Karnataka vide there letter dated: 04-05-2024 cited at reference (2). In this regard this office has submitted the detailed report vide letter dated: 16-07-2024 cited at reference (6),

Again as per your kind letter dated: 17-08-2024 cited at reference (4) that informed to submit the detailed report on violation, including names of the erring officials of department/NHAI who have ordered to carry out the work in violation of Forest Conservation Act, 1980, as per MoEF and State Govt. letter cited at reference (1) and (2). Accordingly, the same has been informed to Project Director, National Highways Authority of India, PIU, Mangalore and Deputy Director General (P), Project Seabird, Karwar vide this office letter dated: 19-08-2024 and 03-09-2024 cited at reference (6).

In turn both agencies are again reported vide letters cited at reference (5) and (7) as under.

The Project Director, National Highways Authority of India, PIU, Mangalore has reported that, the independent engineer for the project was AECOM Asia Company Limited in association with Rodic Consultant Pvt. Ltd., was appointed by NHAI on behalf of MoRTH, GoI for supervision and monitoring of works to be executed. The details of team leader and resident engineer at site as engineer-in-charge represent them for the works involved during the execution of work on forest land in Sy.No: 10/A1 of Hattikeri village, Ankola Taluk, Uttar Kannada district.

Sl. No.	Name	Position	Company
1	Kiran S. Vishwaroop	Team leader cum Senior Highway Engineer	Rodic Consultant Pvt. Ltd.
2	Anil Kumar Singh	Resident cum Highway Engineer-1	
3	Devaraj B.C.	Resident cum Highway Engineer-2	AECOM Asia Company Limited.

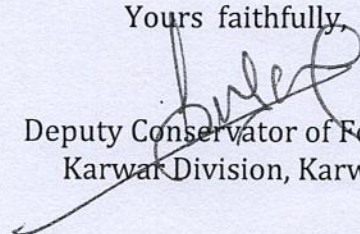
Further they have re submitted that due to the non identification of forest land, private land and Project Seabird area, the construction was started. The mistake was not intentional. The necessary action for re-diversion of forest areas was submitted. It once again requested to consider vide letter dated: 27-06-2022 cited at reference (8) with detailed justification/reason for taking up the work prior to approval under Forest (FC) Act, 1980 and requested kindly consider clarification in the large interest public and NHAI.
(copy enclosed)

The Deputy Director General (P), Project Seabird, Karwar has reported that,

- a) All statutory permissions required for re-diversion of forest land rests with NHAI in accordance with GOI/MoD order on working permission and memorandum of understanding established between MoD and NHAI.
- b. NHAI was responsible for obtaining necessary clearance from the Ministry of Environment, Forest and Climate Change (MoEF & CC).
- d.. Project Seabird had permitted NHAI to utilize defence land and forest land for construction of Toll Plaza with a clear of directive that utilization of forest land should be with prior approval of MoEF & CC. **(copy enclosed)**

This is for your kind perusal and necessary action in the matter.

Yours faithfully,


Deputy Conservator of Forests,
Karwar Division, Karwar.



सत्यमेव जयते

भारतीय राष्ट्रीय राजमार्ग प्राधिकरण

(सड़क परिवहन एवं राजमार्ग मंत्रालय, भारत सरकार)

National Highways Authority of India

(Ministry of Road Transport & Highways, Government of India)

परियोजना कार्यान्वयन इकाई-होन्नावर/Project Implementation Unit - Honnavar

2nd Floor, Part 1, Vasudeva Business Park, Adjacent To HDFC Bank,
Mastikatte, Honnavar - 581 334

Email : piunhaihonnnavar@gmail.com Email : piuhonnnavar@nhai.org



No. NHAI/PIU-HNVR/11011/DCF/2024-25/817

14.09.2024

Proposal No. : FPI/KA/ROAD/33150/2018

To

The Deputy Conservator of Forests
Karwar Division
Karwar
Uttara Kannada Dist

Proj: 4/6 laning of Goa Karnataka Border - Kundapur Section of NH-66 (formerly NH-17) (Km. 93.700 to Km. 283.300) (NHAI/DBFOII/DPR/01) to be executed as BOT (Toll) Project on DBFO Pattern under NHDP-

Sub: Diversion of 2.469 ha of forest land in Sy.No.10/A1 of Hattikere Village, Ankola Taluk U.K District, Karwar Division - reg.

Ref:

1. DCF, Karwar letter No. B4/GFL/FCA/SR-11/2011-12 dated 06.05.2022.
2. NHAI Mangalore letter No.12014/1/2011/PIU (Mnglr)/207 dated 27.06.2022.
3. DCF, Karwar letter No. B4/GFL/FCA/SR-11/2011-12 dated 04.01.2023.
4. DCF, Karwar letter No. B4/GFL/FCA/SR-11/2011-12/2024-25 Dated 19.08.2024

Sir,

This is with reference to your office letter dated 19.08.2024, wherein it was requested the name of the officer who is ordered to execute the work in violation of Forest Act, 1980 as information sought by the MoEF & CC.

2. In this context, in reply to your office letter dated 06.05.2022, NHAI vide letter dated 27.06.2022 explained that the construction of toll plaza was carried out as per the working permission issued by Project Seabird Authority to the National Highway Authority of India and the forest area was earlier diverted to Project Seabird. During construction, forest field officials, informed that, this was 2.469 Ha of forestland diverted to Project Seabird. By the time inadvertently the construction was started. The mistake was not intentional and it was taken up as per the alignment. Due to the non-identification of forest land, private land and Project Seabird area the construction work was started. Hence, as per the direction of forest officers the proposal for re-diversion of 2.469 Ha through Parivesh Portal on 27.04.2018 (Proposal no. FPI/KA/ROAD/33150/2018).

3. Further, NHAI vide letter dated 3524 dated 17.01.2023 (copy enclosed) informed that the Independent Engineer for the project was AECOM Asia Company Limited in Association with Rodic Consultant Pvt. Ltd. was appointed by NHAI on behalf of MoRTH, Gol for supervision and monitoring of works to be executed. The details of Team Leader and Resident Engineer at Site as Engineer-in-Charge represent them for the works involved during the execution of work on forest land in Sy. No. 10/A1 of Hattikere Village, Ankola Taluk, U.K. District which are as under:

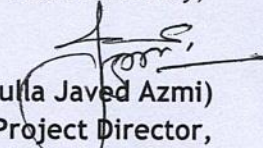
Sl No	Name	Position	Company
1	Kiran S. Vishwaroop	Team Leader cum senior Highway Engineer	Rodric Consultant Pvt.Ltd
2	Ahil Kumar Singh	Resident cum Highway Engineer - 1	
	Devraj B C	Resident cum Highway Engineer - 1	AECOM Asia Company Limited.

BA

18 SEP 2024

5. It is resubmitted that due to the non-identification of forest land, private land and Project Seabird area, the construction was started. The mistake was not intentional. As soon as matter was brought into notice, necessary action for re-diversion of forest areas was submitted. It once again requested to consider this office letter dated 27.06.2022 (copy enclosed) vide which detailed justification/reason for taking up the work prior to approval under Forest F(C) Act 1980 and requested to kindly consider clarification in the large interest of public/NHAI.

Yours Sincerely,


(Abdulla Javed Azmi)
DGM(T) & Project Director,
NHAI, PIU-Honnar

Encl : As above.

CC: The Regional Officer- Bengaluru, NHAI - for information.



भारतीय राष्ट्रीय राजमार्ग प्राधिकरण NATIONAL HIGHWAYS AUTHORITY OF INDIA

(सड़क परिवहन एवं राजमार्ग मंत्रालय, भारत सरकार)
(MINISTRY OF ROAD TRANSPORT & HIGHWAYS, GOVT. OF INDIA)

क्षेत्रीय कार्यालय: नागसंद्रा मेट्रो स्टेशन के पीछे, बेंगलूरु-५६० ०७३.
Regional Office: Beside Nagasandra Metro Station, Bengaluru - 560073.

Email : robangalore@nhai.org | ronhaibangalore@gamil.com

Phone : 080-28397156, 28397171, Fax : 080-28377171

No. NHAI/RO-BNG/Forest/25027(B)/5/2022-23/3624

Date: 17.01.2023

To
The Deputy Conservator of Forests
Karwar Division
Karwar,
Uttara Kannada District.

Sub: 4/6 laning of Goa Karnataka Border – Kundapur Section of NH-66 (formerly NH-17) (Km. 93.700 to Km. 283.300) (NHA/DBFOII/DPR/01) to be executed as BOT (Toll) Project on DBFO Pattern under NHDP– Diversion of 2.469 ha of forest land in Sy.No.10/A1 of Hattikere Village, Ankola Taluk U.K District, Karwar Division - reg.

- Ref: 1) DCF-Karwar letter no B4/GFL/FCA/SR-11/2011-12 dated 04.01.2023
2) CCF, Canara Circle Sirsi letter no B2/GFL/CR-324/1983-84 dated 27.12.2022.
3) PCCF(FC)/ Nodal Officer letter no. KDF/HOFF/ A52K(GFL) /18 /2019-FC E-72712 dated 21.04.2022 and 26.12.2022.
4) ACS, FE&E dept. letter no APG 41 FLL 2020(E) dated 16.12.2022.
5) MoEF&CC letter no F.No.4-KRB1249/2020-BAN/780 dated 07.10.2022.

Sir,

1. Please refer to your letter cited (1) vide which forwarded the below mentioned observation and information sought by MoEF & CC, further requested to submit action taken report including names of the officials involved in violation of F(C) act 1980 in above mentioned matter.

"The subject proposal was considered in the Regional Empowered meeting held on 28/09/2022. During the meeting, REC noted that the instant proposal involves violation of F(C.) Act, 1980 and the information submitted by the State Government vide letter dated 18.09.2021 with respect to action taken report on the violations was not complete and satisfactory. Therefore, REC decided to seek detailed Action Taken report from State Government including names of the officials involved in the said violation".

2.1. With reference to above, please refer this office letter dated 27.06.2022 vide which detailed justification / reason for taking up the work prior to approval under Forest of F(C.) Act, 1980.and requested to kindly consider clarification in the larger interest of public/NHAI.

2.2. Further it is to submit that, the project 4/6 laning of Goa Karnataka Border – Kundapur Section of NH-66 (formerly NH-17) (Km. 93.700 to Km. 283.300) is being executed/executing under (DBFOT by Concessionaire M/s IRB Westcoast Tollway Private Limited. Mumbai. The Independent Engineer for the project was AECOM Asia company Limited in Association with Rodic Consultant Pvt. Ltd., for supervision and monitoring of works to be executed. They are represented by Team Leader and Resident Engineer at Site as Engineer-in-Charge for the works.

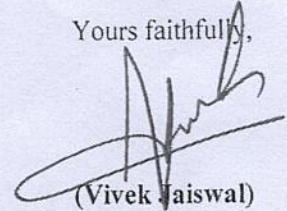
2.3. Therefore, the names of the representatives of Engineer-in-Charge at that time are as below:

Sl. No.	Name	Position	Company
1	Kiran S.Vishwaroop	Team Leader cum Senior Highway Engineer	Rodric Consultant Pvt. Ltd
2	Anil Kumar Singh	Resident Cum Highway Engineer-1	
3	Devaraj B C	Resident Cum Highway Engineer-2	AECOM Asia company Limited

Submitted for kind perusal and onward submission to Ministry of Environment, Forest and Climate Change.

Thanking you,

Yours faithfully,



(Vivek Jaiswal)
Chief General Manager (Tech) &
Regional Officer-Bengaluru

Copy to:

1. The DDGF(Central) Regional Office (Southern Zone), Koramangala, Bengaluru.
2. The PCCF (FC) and Nodal officer FCA Arayana Bhavan Bangalore- For information please
3. The CCF ,Canara Circle, Sirsi, – For information please
4. Regional Officer, NHAI, Bengaluru – for information please
5. The Project Manager, M/s. IRBWTPL, Kumta – for information and n/a
6. The, M/s. Theme Engineering Services Pvt Ltd . Bhatkal – for information
7. PA to AEG Home for information please.

भारतीय राष्ट्रीय राजमार्ग प्राधिकरण

National Highways Authority of India

(Ministry of Road Transport & Highways, Government of India)

प्रियोजना कार्यालय इकाई - मंगलूर, Project Implementation Unit - Mangalore

डा. नं. 3-29, बेल्लि, थान्दोला नदी पम्पवेल (NH 66), पोस्ट - 575002

Dist. No. 3-29, Belli, Thandola Nadi Pumpwell (NH 66) Mangalore - 575002



फ़ोन / Telephone : 91-824-42424

टेलिफैक्स / Telefax : 91-824-42424

ई-मेल / e-mail : nhamangalore@vsnl.com

No.12014/1/2011/PIU (Mnglr)/ 207

Proposal No. : FP/KAR/AD/33150/2018

To,
The Deputy Conservator of Forests,
Karwar Division
Karwar
Uttara Kannada Dist

Sub: 4/6 laning of Goa Karnataka Border - Kundapur Section of NH-66 (formerly NH-17) (Km 93.700 to Km 283.300) (NHAI/DBFOH/DPR/01) to be executed as BOT (Toll) Project on DBFO Pattern under NHDP - Diversion of 2.469 ha of forest land in Sy.No.10/A1 of Hatikere Village, Ankola Taluk 1, K District, Karwar Division - reg.

- Ref: 1) Your office letter no B4/GFL/FCA/SR-11/2011-12 dated 06.05.2022
2) PCCF (FC) Nodal Officer letter no. KDF/HOFF/ A52K(GFL)/18/2019-FC dated 21.04.2022
3) ACS, FE&E dept. letter no APG 41 FLI 2020(E) dated 19.04.2022.
4) MoEF&CC letter no F No.F(C) A/11.1/17/KAR/1613 dated 21.03.2022.
5) ACS, FE&E dept. letter no APG 41 FLI 2020(E) dated 18.09.2021.
6) PCCF (FC) Nodal Officer letter no. KDF/HOFF/ A52K(GFL)/18/2019-FC dated 02.09.2021
7) CCF, Canara Circle Surs letter no B2/GFL NH-66/CR-14/2019-20/570 dated 09.06.2021
8) DCF, Karwar letter no B4/GFL/FCA/SR-11/2011-12 dated 21.05.2021
9) This office letter no 12014/2011/2011/PIU(Mnglr)/153 dated 12.01.2021.
10) DCF, Karwar letter no B4/GFL/FCA/SR-11/2011-12 dated 05.10.2020.
11) PCCF (FC) Nodal Officer letter no KDF/HOFF/ A52K(GFL)/18/2019-FC dated 06.11.2020
12) ACS, FE&E dept. letter no APG 41 FLI 2020(E) dated 30.09.2020.
13) MoEF&CC letter no F No.F(C) A/11.1/17/KAR/525 dated 04.10.2020.

Sir,

This has reference with your letter cited (1) vide which forwarded the observations/essential details sought by MoEF & CC which are as under

- NHAI has not provided the proper justification for carrying out the work without approval under Forest (Conservation) Act, 1980 as per the working permission issued by the Ministry of Defense vide its letter dated 28.10.2014 and MoU signed between and Project Sea Bird and NHAI on 10.11.2017. NHAI has to take up the case with Forest Department for transfer of forest land. However, the work has been undertaken without prior approval under FCA Act, 1980.
- In view of the above, it may be clarified that under what circumstances the said work has been carried out without approval under FCA, 1980. The action taken by the State Forest Department against the NHAI officials for illegal construction of toll plaza in forest land may also be furnished for further consideration of the proposal.

2. In this regard following facts in brief are brought out.

[Handwritten signature]

- NHAI initially initiated the proposal for diversion of forest land for 4 Laning project of Goa Karnataka Border to Kundapur section of NH66 and accordingly obtained Stage I clearance for 159.80 Ha (Including 6.68 ha of area which falls in Sea bird naval base project) on 06th May 2014. Further diversion applied for additional land of 3.483 Ha and obtained combined Stage I approval [159.80 ha (Including 6.68 ha of area which falls in Sea bird naval base project) + 3.463 ha] on 9th October 2015.

- Meanwhile the total 9.136 Ha of forest land is transferred from Ministry of defense to NHAI on 28th October 2014, stating Grant of working permission regarding transfer of defense land to NHAI for four laning project of Goa Karnataka Border to Kundapur section of NH66. By the time of obtaining Stage I clearance for 159.80 Ha only 6.68 ha of area has been included/considered out of 9.136 Ha transferred from MoD and excluded 2.469 Ha which falls in Sea Bird naval base project) on 06th May 2014. Stage II clearance obtained on 06.03.2020.

- However, while submitting diversion of 159.80 Ha proposal, re-diversion of 6.680 Ha forest land diverted to navy was included. 2.469 Ha of forest land was not considered for re-diversion and which was noticed later.

- In this connection, please refer to above letters cited under reference wherein submitted the clarification regarding work carried out without approval (re-diversion of 2.469 ha) under F(C)A, 1980 by NHAI, DCF Karwar, CCF Canara Circle Sirsi and PCCF (FC)/Nodal Officer. The same are retroverted below:

Sl No.	MoEF observation	Compliance submitted by NHAI (User Agency)	Compliance submitted
1	As reported by DCF Karwar violation has been taken place, in this regard the State Government has requested to kindly provide the action taken, if any		<p>The construction of toll plaza was carried out as per the working permission issued by Project Seabird Authority the National Highway Authority of India and. The forest area was earlier diverted to Project Seabird.</p> <p>During construction, forest field officials, informed that, this was 2.469 ha of forest land diverted to Project Seabird. By the time inadvertently the construction was started. The mistake was not intentional and it was taken up as per the alignment. Due to the non-identification of forest land, private land and Project Seabird area the construction work was started.</p> <p>Hence, as per the direction of forest officers the re-diversion proposal is submitted for getting approval.</p>

Handwritten signature/initials

Sl No.	MoEF observation	Compliance submitted by	Compliance submitted
2		DCF, Karwar	<p>The construction of Toll Plaza was carried out as per the permission issued by NHAI and Project Sea Bird Authority. The forest area was earlier diverted to Project Seabird.</p> <p>During construction, forest field officials, informed that, this was 2.469 ha. of forest land diverted to Project Seabird. By the time inadvertently the construction was started. The mistake was not intentional and it was taken up as per the alignment. Due to the non-identification of forest land, private land and Project Seabird area the construction work was started. Hence, as per the direction of forest officers the re-diversion proposal is submitted for getting approval.</p>
3		CCF Canara Circle Sirsi	<p>The construction of Toll Plaza was carried out as per the permission issued by NHAI and Project Sea Bird Authority. The forest area was earlier diverted to Project Seabird.</p> <p>During construction, forest field officials, informed that, this was 2.469 ha. of forest land diverted to Project Seabird. By the time inadvertently the construction was started. The mistake was not intentional and it was taken up as per the alignment. Due to the non-identification of forest land, private land and Project Seabird area the construction work was started. Hence, Forest Department informed NHAI to submit a re-diversion proposal to Ministry of Environment, Forest and Climate Change.</p>
4		PCCF (FC)/Nodal Officer	<p>The construction of Toll Plaza was carried out as per the working permission issued by NHAI and Project Sea Bird Authority. The forest area was earlier diverted to Project Seabird.</p> <p>During construction, forest field officials, informed that, this was 2.469 ha. of forest land diverted to Project Seabird. By the time inadvertently the construction was started. The mistake was not intentional and it was taken up as per the alignment. Due to the unavailability of the non-forest land or private land, the work was started in the diverted forest area in favour of Project Seabird. Hence, the Forest Department informed NHAI to submit a re-diversion proposal in Parivesh Web Portal.</p>

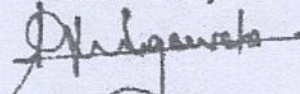
Sl No.	MoEF observation	Compliance submitted by	Compliance submitted
5		Additional Secretary to Government Forest, Ecology and Environment Department	Forwarded the above mentioned compliance to MoEF & CCF vide letter dated 18.09.2021

- Further it is to submit that the toll plaza is a part of 4 Laning of Goa Karnataka Border to Kundapur section of NH66 project has been constructed considering the national interest being Project Sea bird (Navy) granted working permission for construction of toll plaza at chainage 131+200.

3. In view of above facts, it is requested once again to consider the above clarification in the larger interest of public and forward the same along with your recommendation to MoEF & CC for according Stage I approval under F(C) A 1980 for balance extent of 2.469 ha.

Thanking you,

Yours faithfully



H.S. Lingegowda
DGM(T)& Project Director

- Copy to: 1) Regional Officer, MoEF & CC, Integrated Regional office (South Zone Bangalore) – For information please
 2) The PCCF (FC) and Nodal officer FCA Arayana Bhavan Bangalore- For information please
 3) The CCF, Canara Circle, Sirsi, – For information please
 4) Regional Officer, NHAI, Bengaluru – for information please
 5) The Project Manager, M/s. IRBWTP, Kumta – for information and n/a
 6) The, M/s. Theme Engineering Services Pvt Ltd. Bhatkal – for information



Tele: 08382 - 233741

PIMT(Kar)
Project Seabird
Naval Base, Arga
Karwar - 581308

SB/K/PH IIA/ADMIN

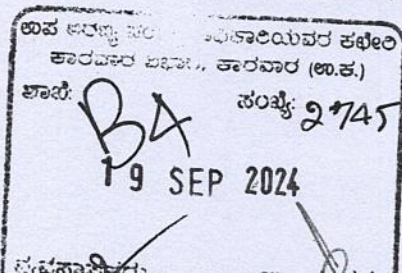
17 Sep 24

Deputy Conservator of Forests
Karwar Division
Kajubhag, M.G. Road
Karwar - 581301

**RE-DIVERSION OF 2.469 HA FOREST LAND IN HATTIKERI VILLETTE TO NHAI
FOR CONSTRUCTION OF TOLL PLAZA**

Dear Sir,

1. Refer to the following letters (Copies placed at **Enclosure**): -
 - (a) DCF letter B4/GFL/FCA/SR-11/2011-12 dated 03 Sep 24.
 - (b) PIMT Karwar letter SB/K/NH66/Toll Plaza dated 17 May 23.
 - (c) HQ CE (P) Seabird letter SB/6/E2/725/65/VOL VI dated 29 Sep 17.
 - (d) Government of India (GoI)/ Ministry of Defence (MoD) letter SB/8(l)/1051/PC/320/DEN III dated 28 Oct 14.
 - (e) Project Seabird letter SB/6/E2/725 dated 29 Oct 14.
 - (f) Minutes of Proceedings of Board for transfer of Naval land to NHAI dated 15 Feb 13.
2. DCF Karwar vide letter at para 1 (a) ibid had requested PIMT Karwar to provide a detailed report on violation of F(C) Act, 1980 including the name of the erring officer. It is pertinent to mention that the same query was asked by DCF Karwar on 18 Jan 23 and 12 May 23. PIMT (Kar) vide letter at para 1 (b) ibid had clarified that all statutory permissions required for re-diversion of forest land rests with NHAI in accordance with GoI/ MoD order on Working Permission and Memorandum of Understanding established between MoD and NHAI vide para 1 (d) ibid.
3. It is hereby submitted that: -
 - (a) NHAI was responsible for obtaining necessary clearances from the Ministry of Environment, Forest and Climate Change (MoEF &CC).
 - (b) Project Seabird had permitted NHAI to utilise defence lands and forest land for construction of Toll Plaza with a clear directive that utilisation of forest land should be with prior approval of MoEF & CC.



4. In view of the above, it is requested that necessary clarifications may be obtained from concerned agency/ department.



(Mithun KC)
Lieutenant Commander
Project Coordinator
for DDG(PI)

Enclosure: - As above

Copy to: -

The Director General
{Cmde (Ops)/ SO to ADG}
Headquarters, Project Seabird
Room No. E-102, East Block
Nau Sena Bhawan
New Delhi, 110 010

Office of the Deputy Conservator
of Forests, Karwar Division
Kajubhag, M.G. Road
Karwar - 581301
Karnataka

Phone No. 08382-226365

Email : karwaract@gmail.com

No: B4/GFL/FCA/SR-11/2011-12

Dated: 03-09-2024

To,

Deputy Director General, (PI),
Project Seabird,
Arga, Naval Base,
Karwar

Sir,

SUB: Re-diversion of 2.469 ha. Forest land in Hattikeri Village by No:10/A1A1A Belekeri Hobali, Ankola Taluk Uttar Kannada District, Karwar Division for establishing Toll plaza with amenities (shifting from existing location at CH 117+900 to CH 131+200) in Karnataka Border and Kundapur Section of NH-66 Project Seabird (Primary User Agency) in favour of Project Director, National Highways Authority of India (NHAI) project Implementation Unit (PIU), Mangalore (Secondary User Agency)-reg.

- REF:1) Govt. of India letter No: F.No. F(c)A/11.1/17/KAR/1613 dated 21-03-2022 4 KRB 1249/2020-BAN/780 dated: 07-10-2022, 4 KRB 1249/2020-BAN/267 dated:02-05-2023 and 4 KRB 1249/2020-BAN/17 dated:26-09-2023
- 2) Govt. of Karnataka's letter No:ಅಪಜಿ 41 ಎಫ್‌ಎಲ್‌ಎಲ್ 2020(e) dated: 19-04-2022, 16-12-2022 FEE 41 FLL 2020(e) dated:30-09-2023 and FEE 41 FLL 2024(E) 5620, Dated : 04-05-2024
- 3) Principal Chief Conservator of Forests, (Forest Conservation) & Nodal Officer,(FCA) Bangalore's letter No:KFD/HOFF/A52K(GFL)/18/2019-FC, E-72712 dated: 21-04-2022, 26-12-2022 and 08-05-2023
- 4) Conservator of Forests, Kanara Circle, Sirsi's letter No: B2/GFL/CR-324/1983-84 dated: 20-05-2023
- 5) Project Director, National Highways Authority of India (PIU), Mangalore's letter No: SB/K/NH-66/Toll Plaza dated: 17-05-2023
- 6) This office letter even No. dated: 18-01-2023 and 17-02-2023

With reference to above, this office has submitted the name of the official involved in violation of Forest Conservation Act, 1980 and constructed Toll Plaza in Seabird leased forest area as per reported by Project Director, National Highways Authority of India, PIU, Mangalore vide this office letter dated: 17-02-2023 cited at reference (5).

But the Ministry of Environment, Forest and Climate Change, Bengaluru is informed vide letter dated: 26-09-2023 cited at reference (1) and the Govt. of Karnataka vide letter dated: 04-05-2024 cited at reference (2) stated that, the information furnished is incomplete

as detailed report on violation including name of erring officer who is carry out the work in violation of F(C) Act, 1980 have not be provided.

Therefore you are hereby informed to submit the name of the officer who is ordered and permitted to execute the work without prior approval for re diversion from Govt. of India and in violation of Forest Conservation Act, 1980 at earliest for onward submission for procession proposal.

Yours faithfully,

Deputy Conservator of Forests,
Karwar Division, Karwar

Copy submitted to Conservator of Forests, Kanara Circle, Sirsi for kind information.

Tel. 08382 263380
Email: ddgpi@navy.gov.in

PIMT(Kar)
Project Seabird
Naval Base Arga
Karwar 581308

SB/K/NH66/Toll Plaza

17 May 23

The Deputy Conservator of Forests
Karwar Division
Karwar 581301

**REDIVERSION OF 2.469 HA FOREST LAND AT HATTIKERI VILLAGE FSY NO
10/A1A1A1 TO NHAI FOR CONSTRUCTION OF TOLL PLAZA**

1. Refer to following -

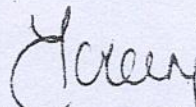
- (a) DCF Karwar letter B4/GFL/FCA/SR-11/2011-12 dated 18 Jan 23
- (b) PIMT Karwar letter of even number dated 13 Feb 23
- (c) DCF Karwar letter B4/GFL/FCA/SR-11/2011-12 dated 12 May 23

2 The same query was asked by DCF Karwar vide letter dated 18 Jan 23 and PIMT had replied vide letter dated 13 Feb 23. The letter was dispatched by Speed Post bearing No. RK642382430IN and delivered to your office on 16 Feb 23

3 The same is attached again for ready reference.



Encl - As above


(Praveen Jahagirdar)
Commander
PD-II
for DDG(PI)

Tel: 08382-233330

Email: ddgoi@navy.gov.in

PIMT(Kar)

Project Seabird

Arga Nava Base

Karwar 581 306

SB/K/NH66 Toll Plaza

13 Feb 23

The Deputy Conservator of Forest

Karwar Division

Karwar 581 301

**RE-DIVERSION OF 2.469HA FOREST LAND AT HATTIKERI VILLAGE FSY NO
10/A1A1A1 TO NHAI FOR CONSTRUCTION OF TOLL PLAZA**

1. Refer to following -

- (a) DCF, Karwar letter B4/GFL/FCA/SR-11/2011-12 dated 18 Jan 23
- (b) This office letter SB/K/Forest dated 27 Nov 20
- (c) DCF, Karwar letter B4/GFL/FCA/SR-11/2011-12 dated 22 Oct 20
- (d) MoU between MoD(N) and NHAI dated 10 Nov 17
- (e) HQ OE(P) Seabird letter SB 6/E2 725 64 VOL-VI dated 29 Sep 2017
- (f) HQ Project Seabird letter SB 6/E2 725 dated 29 Oct 14
- (g) Govt MoD(N) letter no SB/8/11/1051 PC 320 D(N-III) dated 28 Oct 14

2. The information received from DCF, Karwar vide letter Para 1(a) (ibid) wrt violation of FC Act 1980 on re-diversion of 2.469 Ha Forest land to NHAI and the submission of information sought by Govt MoEF&CC vide letter F.No. 4-KRB1249/2020-BAN 780 dated 07 Oct 22 does not suffice to understand the matter since the action taken report on the violation was submitted by the State Government, which was not addressed to this office and the case for re-diversion of Forest land being processed by NHAI. However, notwithstanding the above, background of re-diversion of 2.133Ha Forest land to NHAI is elaborated in succeeding paragraphs.

Background

3. The requirement of land transfer, re-diversion had emerged due to expansion of NH66 and a stretch of road passing through the core area of Nava Base, Karwar. HQ Project Seabird had issued a Convening Order to constitute a Board of Officers for transfer of land under possession of Project Seabird to NHAI and vice-versa on 29 Jan 13 as NHAI had proposed for expansion of NH-66 from two lane to four lane. Accordingly, Board of Officers ascertained the Nava land and Forest land to be re-diverted for expansion of NH66 four lane project and as per the proceedings of Board 6.6761Ha of forest land was envisaged to be

re-diverted to NHAI from forest land leased to Project Seabird / Indian Navy by GoK vide Order No. FFD47 FGL 84, Bangalore, dated 04 Dec 1936. Further, considering the strategic importance of Naval Base and after extensive deliberation between Project Seabird and NHAI, the Toll Plaza was determined to shift from Ohendla to Hatken village. Accordingly, another Board of Officers was constituted for ascertaining the requirement of land re-diversion transfer to NHAI on 21 Apr 14. Further, Board of Officers had later on agreed and recommended transfer of 2.46Ha forest land to be required to be diverted to NHAI in addition to 6.676Ha forest land for establishment of Toll Plaza at Hatken village. The copies of Board Proceedings is enclosed for reference. Further, the case for re-diversion of total 9.136Ha forest land and transfer of Naval land was taken up with Competent Authority for obtaining sanction for transfer of land.

4. Govt MoD(N) vide letter no. SB 81/1051 PC/320 D(N-III) dated 28 Oct 14 had given sanction for working permission to NHAI for widening of NH-66 at Karwar. As per the sanction order at Para 1(a) an area of 9.136Ha of forest land leased with MoD to be transferred to NHAI without any financial effect and NHAI shall take up case with Forest Department to obtain statutory approval for re-diversion forest land.

5. On enquiry of Forest Clearance during formulation of MoU between Project Seabird MoD(N) and NHAI in 2017, it was intimated by NHAI that MoEF&CC has accorded in-principle approval of 6.68Ha of area for re-diversion. Further, HQ Project Seabird vide letter Para 1(e) had requested CGM, NHAI to take up with Forest department of GoK for re-diversion of 2.46Ha forest land on perpetual lease with Navy to NHAI and matter was persistently followed up with NHAI seeking status of approval. Further, NHAI has intimated that MoEF&CC vide letter FIC/11.1.17/KAR 523 dated 04 Sep 20 has sought compliance report w.r.t 2259Ha of forest land diverted to MoD, Project Seabird since 2.46Ha also part of 2259 Ha. Further, compliance report of 2259Ha Forest land leased to Navy has been submitted to DCF, Karwar on 27 Nov 20 for onward submission to MoEF&CC. Further, this office had taken up case with Forest Department for deduction of area of Forest land from the account of Project Seabird MoD(N) which has already re-diverted to KRCL and NHAI vide letter SB K Land Forest dated 04 Aug 21.

6. To summarize, as per the Govt Order on Working permission and MoU established between MoD(N) and NHAI, seeking of all statutory permission required for re-diversion of forest land rests with NHAI and the requirement of extent of forest land was known in 2014. Project Seabird has permitted to utilize defence land as well as forest land complying with the instructions of Govt Order issued on 28 Oct 14 and as per the MoU. Hence, it is deemed that there is no allegation of P.O. A. 1980 by Project Seabird since all legal procedure for re-diversion of forest land was taken up with NHAI and seeking Forest Department under official order.

B Swaminathan
Commodore
DDG P

Encl as above

Copy to:

The Director General
{for Cdr (PSB) ATO}
Headquarters Project Seabird
West Block-V, RK Puram
New Delhi 110011

Tele : 011-26102357
Fax : 011 - 26100608
Email : dgpsb@navy.gov.in

Regd by SDS/Post
HQ CE (P) Seabird
IHQ of MoD (Navy)
West Block - V
RK Puram
New Delhi - 110 066

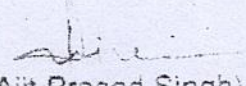
SB/6/E2/725/ 64 /VOL-VI

29 Sep 2017

The Chief General Manager (Tech)
National High Authority of India
Regional Office, SY No 13, Km 14
Bengaluru - Tumkur Road NH-4
Bengaluru-560073

**TRANSFER OF FOREST LAND ON PERPETUAL LEASE WITH
GOI, MOD (NAVY) TO NHAI AT KARWAR**

1. Ref working permission given by GoI, MoD, New Delhi vide letter No SB/8(I)/1051/PC/320/D(N-III) dated 28 Oct 2014.
2. As per the working permission, 9.136 Ha of forest land on perpetual lease with GOI, MoD (Navy) is to be transferred to NHAI. **NHAI has to take up the case with forest Department, Govt of Karnataka for transfer of the said forest land at their end.** GOI, MOE&F (FC section) vide their letter F.No.8-78/2013-FC dt 6th May 2014 has given in-principle approval for diversion of 6.68 ha of forest land on perpetual lease with GOI, MoD (Navy) to NHAI. However, approval for transfer of balance 2.46 ha of forest land from GOI, MoD (Navy) to NHAI is yet to be obtained. Progress of MoU is held up for the transfer of balance forest land.
3. In view of above, You are requested to take up the case with forest department, Govt of Karnataka for early transfer of forest land on perpetual lease with Navy to NHAI.
4. An early action is requested


(Ajit Prasad Singh)
EE (SG)
Jt Dir
for Chief Engineer

Copy to:-

The Chief General Manager
(Land Acquisition),
National Highway Authority of India,
Ministry of Road Transport & Highway,
G-5&6 Sector-10 Dwarka,
New Delhi-1100075

for info and necessary action
for early signing of MoU.

The Project Director
National Highways Authority of India
Project Implementation Unit
Door No 3-29, Bethel,
Tharethota, Near Pumpwell (NH-66)
Mangalore-57505

for info and necessary action
for early signing of MoU.

DDG (PI)/PIMT
Project Seabird
Post Box No 12
Karwar - 581 301

Please liaise with NHAI authority for
early action.

**MINUTES OF PROCEEDINGS OF BOARD (SUPPLEMENTARY) FOR TRANSFER
OF NAVAL LAND TO NHAI, NHAI LAND TO NAVY AND RELINQUISHMENT OF
LEASE OF FOREST LAND AT KARWAR TO FACILITATE WIDENING/
REALIGNMENT OF NH-66 (RELOCATION OF TOLL PLAZA)**

1. Proceedings of - Board of Officers
2. Assembled at - DDG(PI) Office, Binaga Site, Karwar
3. On - 27 May 14 and subsequent days
4. By order of - Director General
Project Seabird
West Block - V, RK Puram
New Delhi - 110066.
5. Convening Order No. - No. 14 promulgated vide HQPSB
SB/6/E2/725 dated 21 Apr 14
6. For the purpose of - As mentioned at subject
7. Presiding Officer - Captain Praveen Thapa
Deputy Director General
(Project Implementation)
8. Members - As tabulated below

SL.	MEMBER	REPRESENTATIVE OF
(a)	SLt Sandeep Kumar (89156-A) INS Kadamba Karwar	Flag Officer Commanding - in - Chief Headquarters, Western Naval Command Colaba, Mumbai
(b)	Lt NP Fernandez (07067-K) Staff Officer(Works)	Flag Officer Commanding Headquarters, Karnataka Naval Area Karwar - 581308
(c)	Shri Lokesh Gowda S Sub Divisional Officer -II	Defence Estates Office Karnataka Circle K. Kamaraj Road Bangalore - 560042
(d)	Shri Shriram Mishra Project Director National Highways Authority of India	National Highways Authority of India (Ministry of Road Transport and Highways) Karnataka and Goa Region Regional Office, Bengaluru

	Project Implementation Unit 7-35/10(4), Near Pumpwell, Shri Mahalingeshwara temple road, Kankanady, Mangalore - 575002	Sy. No. 13, 14 th Km., Near Deepak Bus Stop, Nagasandra, M.S. Ramaiah Enclave, Bengaluru-Tumkur Road(NH-4) Bengaluru-560073
(e)	Shri Mohan Kangil, ACF The Assistant Conservator of Forests, Karwar Division, Karwar, Uttara Kannada	The Principal Chief Conservator of Forests (Head of Forest Force) Aranya Bhavan, 18 th Cross, Malleswaram, Bangalore-3
(f)	Shri Prashantkumar S.B Assistant Commissioner, Karwar	SDM(Revenue), Karwar
(g)	Shri Satish Chandra Babu, JE (Civ)	Garrison Engineer (I) Karwar Military Engineer Services Sankrubagh, Naval Base Karwar - 581308
(h)	Lt P Sanjeev Kumar (84648-F) ATC Rep	INS Hansa Dabolim Goa
(j)	Lt Cdr Vijay Gadkari (52380-W) Project Coordinator PIMT, Karwar	Co-opted member

9. **Terms of Reference**. As per Convening Order.

Preamble

10. A Board of Officers (BOO) was ordered by HQ Project Seabird vide letter SB/6/E2/725 dated 29 Jan 13 for preparing details of land required to be transferred between MINISTRY OF DEFENCE (NAVY), NEW DELHI and NATIONAL HIGHWAYS AUTHORITY OF INDIA (NHAI) to facilitate the widening/ re-alignment of NH-66 (formerly NH-17) from Goa-Karnataka Border (Km 93.700 from Panaji) to Kundapur section (Km 283.300 from Panaji) running adjacent to the Naval Base at Karwar and Ankola Taluks. This BOO submitted the board proceedings (BPs) and draft Memorandum of Understanding (MoU) between GoI, MoD (Navy) and NHAI vide DDG(PI) letter SB/K/NH-66 on 31 Oct 13 after addressing all known issues and working out amicably the scope for transfer of land taking into consideration all concerns pertaining to safety, security and smooth functioning of Naval Base, Karwar.

11. Subsequent to submission of the BPs, it came to light that a 'Toll Plaza' is being planned by NHAI at existing chainage Km 119.700 near Todur village, which was neither intimated to nor considered by the previous board. Since, the Naval Base, Karwar is stationed at four different locations viz. Site 'A', 'B', 'C' & 'E' and extending

from existing chainage Km 110.750 at the northern extent (at Binaga village in Karwar) to Km 135.179 at the southern extent (at Algeri village in Ankola), the toll plaza lies at a location with the Naval Base on its either sides. This not only will impede the movement of naval vehicles and personal between Site 'A', 'B', 'C' & 'E' but will also affect the operational efficiency of this strategically important naval station during an exercise or/ and any emergent situation as well as routine functions.

12. Accordingly, the issue of shifting the toll plaza beyond the limits of the naval base was taken up by MoD(Navy) with NHAI. However, NHAI conveyed their reservations due to existing policy of NHAI of not having toll plaza within 5 km of municipal limits of a town; since Karwar Naval Base is within 5 km of both Karwar municipal limits at the northern end and Ankola municipal limit at the southern end. Shifting of the toll plaza beyond Karwar and Ankola municipal limits was also not possible as the distance between two toll plazas cannot be less than 60 km.

13. Considering the above constraints/ restriction and to ensure free movement of naval vehicles and personal between various site, the navy agreed to establish the toll plaza within naval area with a provision that it should not restrict or hamper naval movement and operational functioning of the base. Accordingly, a joint survey with reps from HQ Project Seabird and NHAI was undertaken at Karwar on 24 Mar 14 and three options were examined. Based on the outcome of the joint survey, a fresh BOO was convened by HQ Project Seabird on 21 Apr 14 to study the suitability of shifting of the toll plaza and to finalise the new location.

Proceedings

14. In accordance with the directives of the convening orders issued by Headquarters Project Seabird, New Delhi on the 21 Apr 14, a meeting of the nominated members from all agencies/ stake holders including outstation officials was held at DDG(PI) Office, Binaga Site, Karwar at 1100 hrs on 27 May 14. The diary of events in chronological order leading to conclusion of the board is enumerated in the succeeding paragraphs.

15. **Initial Meeting (27 May 14).** The first board meeting was held on 27 May 14 attended by reps and officials from HQWNC/ INS Kadamba, ATC Officer (from INS Hansa, Goa), HQKNA, State Revenue & Forest Departments, DEO(Bangalore) and NHAI team led by Mr Shriram Mishra, Project Director. The meeting could not be scheduled earlier due to delay in nomination of board members. Since the main members of the present board were part of the previous board, all new members were briefed about the previous board. Thereafter, the scope of present board regarding shifting of the toll plaza, as per the options worked out by a team of officials from NHAI and Project Seabird on 24 Mar 14 was discussed (minutes placed at **Appendix 'A'**). At

the outset, PD(NHAI) reiterated the governing requirements/ limitations for setting up a toll plaza, as mentioned below:-

- (a) Availability of a straight stretch of minimum 600m length and 120m width.
- (b) Minimum distance of 5 km from municipal town limit.
- (c) Minimum separation of 60 km between two successive toll plazas.

16. During deliberations, the three options worked out during the meeting on 24 Mar 14 were discussed in details and following consensus arrived at:-

- (a) **Option 1.** Location at design chainage km 112.600 behind INHS Patanjali considered not suitable view non-compliance to conditions mentioned at Paras 15(a) and 15(b) above.
- (b) **Option 2.** Location at existing chainage km 133.000 near Belekeri Port Cross considered favourable as it meets all the requirements listed at Para 15 above. However, since Konkan Railway line runs to the east of the existing road this location would require transfer of additional naval land on the west of the road where future Naval Air Station is planned to come up.
- (c) **Option 3.** Location at existing chainage of km 135.050 near the end of the defence land near Algeri Village cross not suitable view non-compliance to conditions mentioned at Paras 15(b) and 15(c) above.

17. It was therefore decided that NHAI would design the toll plaza comprising of the toll booth and administrative building and forward the drawings for Option 2 & 3 above which would then be scrutinized by the aviation member with respect to alignment of the alternate runway planned in the Naval Air Station. Accordingly, a review meeting after 02 weeks was tentatively planned for 09 Jun 14. After the meeting a site visit for the proposed Option 2 & 3 for all new members was conducted.

18. **Designing & Preliminary Ground Survey (28 May to 11 Jun 14).** During the period, NHAI as per the action plan undertook preliminary design, carried out ground survey and peg marking alongwith reps from Project Seabird. The proposed drawing alongwith the Development Plan of the Naval Air Station were then forwarded to INS Hansa for scrutiny and clearance by the aviation member with respect to safety aspects. During the ground survey and site visits, an alternate site located at existing chainage km 133.700 (design chainage km 131.400) between Option 2 & 3 was also considered and found suitable.

19. **1st Review Meeting (17 Jun 14)**. A follow up meeting to assess the progress was held on 17 Jun 14. Option 1 & 3 were ruled and considered unsuitable in the earlier meeting and the discussions were focused on feasibility of Option 2 and the alternate option as brought out at Para 18 above. The aviation member intimated that Option 2 with the designed structure of height 10m as confirmed by NHA I, in the glide path of the alternate runway would not be acceptable. The same would need to be verified with respect to the exact orientation of the proposed alternate runway and coordinates to establish the distance from the end of the runway with respect to slope and divergence in accordance with International Civil Aviation Organisation (ICAO) norms. Alternatively, the drawings of the alternate site at a location between Option 2 & 3 were considered favourable by all concerned and it was decided to undertake detailed design and ground survey of the location, which prima facie was outside the safety arc of the proposed alternate runway.

20. **Survey Work (25 Jun to 24 Jul 14)**. Even though the alternate site at design chainage km 131.400 was found to be most suitable for relocation of the toll plaza after designing and ground survey, it was brought out by NHA I on 15 Jul 14 that the site was falling within 5 km of the municipal limits of Ankola (design chainage km 136.250) and in contravention to the Para 15(b) above. Thereafter, a number of internal meetings between Project Seabird and NHA I reps were held to break the impasse.

21. **2nd Review Meeting (31 Jul 14)**. During this meeting it was decided that as all other options were not feasible, the relocation of the toll plaza at Option 2 be reviewed with the true coordinates and orientation of the alternate runway. Accordingly, a site survey was planned in the first week of Aug 14.

22. **Meeting with Aviation Member (06 Aug 14)**. The governing requirements/limitations with respect to dimensions and slopes of obstacle to the approach runways were discussed with the aviation member, in lines with ICAO Annex 14, Chapter 4, Table 4-1 (**Appendix 'C'**). The siting of the toll plaza in the 'no development zone' of the planned alternate runway subject to meeting the slope restriction was sought from HQ Project Seabird which was concurred. Accordingly, the coordinates of the centre of the north end of the runway of 1000m length i.e. 14°42'30"N, 74°17'30"E in the orientation of 040-220 obtained from HQ Project Seabird was handed over to NHA I along with the ICAO norms to design the toll plaza at a location best suited as per Option 2.

23. **Review Meeting (22 Aug 14)**. During the meeting the NHA I presented the design at existing design chainage km 131.200 with the toll plaza admin building height of 10m, which was beyond the acceptable slope of 3.33% as per ICAO guidelines. After hectic deliberation both parties agreed to relocation of the toll plaza from the planned location at existing chainage Km 119.700 near Todur village to existing chainage

Km 132.940 (design chainage km 131.200) near Belekeri Port cross with the following commitments:-

(a) Navy will transfer additional land to NHAI for relocation and creation of toll plaza at existing chainage km 132.940 (design chainage km 131.200), which falls in the 'no development zone' of the alternate runway.

(b) NHAI will restrict the height of the toll booth to within 6m and admin building to 4m to ensure that the height of the toll plaza complex is within 3.33% of the slope as per ICAO guidelines. NHAI also agreed to shift the admin building to the extent possible to stay out of the no development zone. Further, NHAI agreed for installation of flood lights on pole not more than 4m high, instead of mast head lights.

(c) NHAI will provide a dedicated service road with a median cut at approx existing chainage km 132.600 near Belekeri Port cross for smooth entry to and exit from the Naval Base (located east of the existing road) through entry gate at existing chainage km 133.000, by passing the toll plaza. Also a service road on both side with a median cut will be provided at approx existing chainage km 135.200 at Algeri Village cross for entry and exit to Ankola from Naval Air Station (located west of the existing road).

(d) NHAI will re-construct any existing security wall, barbed wire fencing, retaining walls etc. demolished for the purpose of construction of the toll plaza.

24. Final Design, Ground Marking & Finalisation of BPs (23 to 26 Aug 14).

Based on the decisions of the meeting of 22 Aug 14, the final design was undertaken and frozen at existing chainage km 132.940 (design chainage km 131.200). The measurements was undertaken on 23 Aug 14 and ground survey on 24 & 25 Aug 14. It emerged that both naval land as well as forest land on lease to navy would be required to be transferred/ relinquished by navy for construction of the toll plaza to NHAI. The preparation of survey sketches/ maps post completion of ground survey/ measurement was undertaken by revenue department thereafter on 25 & 26 Aug 14.

25. Review Meeting (26 Aug 14). A meeting was held at Karwar with NHAI representatives for reconciliation of data with respect to extent of land proposed for transfer/ re-diversion, costing, drawings, ownership etc for finalisation of the BPs.

Findings

26. Dimension and location of Toll Plaza. The toll plaza will be located at existing chainage km 132.940 (design chainage km 131.200). The plan showing details of the toll plaza is placed at **Appendix 'D'**.

27. **Location Affected due to Relocation of Toll Plaza.** The relocation of toll plaza will affect the naval land at existing chainage Km 132.035 to Km 135.179 (covered under **Para 25 (e) main BPs at Appendix 'B'**). A total of 11.725 acre i.e. 5.575 acre naval land and 6.15 acre forest land on lease to navy would be required to be transferred/ relinquished by navy for construction of the toll plaza to NHAI

28. **Additional Naval Land to be Transferred to NHAI.** An area of 5.575 acre navy land in addition to 29.6667 acre as per **Para 26 of main BPs at Appendix 'B'** is required to be transferred to NHAI for relocation of the toll plaza. The survey sketches are placed at **Appendix 'E'**. This consolidated list of survey numbers with extent of transfer of Navy land to NHAI is tabulated and placed at **Appendix 'F'**.

29. **Re-diversion of Forest Land (on Perpetual Lease to Navy) to NHAI.** An area of 2.46 hectare (6.15 acre) in addition to 6.6761 hectare of forest land which is on perpetual lease to Navy as per **Para 27 of main BPs at Appendix 'B'** is required to be re-diverted to NHAI for relocation of the toll plaza. The forest survey sketch is placed at **Appendix 'G'**. The list of forest survey number with extent for re-diversion to NHAI is tabulated and placed at **Appendix 'H'**. The forest department has no objection to re-diversion of the above stated forest lands to NHAI for construction of toll plaza.

30. **Additional Assets to be constructed for Navy by NHAI.** NHAI informed that approx 1840 rmt barbed wire fences between design chainage km 130.500 and 132.200 would be constructed along the boundary at their cost view security concern of the Naval Base prior demolishing existing fence for construction of the toll plaza. Service lanes as agreed to at Para 23(c) above will be constructed by NHAI for smooth functioning of the base.

31. **Financial Implication for transfer of land from Navy to NHAI for construction of Toll Plaza.** The transfer value of total navy land of 35.2417 acre i.e. 5.575 acre (for toll plaza) + 29.6667 acre (for widening of NH as per **Para 26 of main BPs at Appendix 'B'**) works out to Rs. 12,29,45,605.00 @ Rs. 34,88,640.00 per acre based on calculation sheet provided by rep of DEO, Bangalore (**Appendix 'J'**).

32. **Draft MoU.** The draft MoU between Govt of India, MoD(Navy) and NHAI regarding transfer of defence land to NHAI for widening and re-alignment of NH-66, re-construction of demolished/ affected naval assets, construction of new VUPs, VOB, FOB, toll plaza and service roads is placed at **Appendix 'K'**.

33. **Disposal of Trees.** The number of trees within the land under transfer to NHAI will be required to be identified by a BOO prior actual handing over of the land. Post identification, NHAI will get current valuation from forest department for deposition of the amount with DEO, Bangalore.

34. **Recommendations.** In view of the above findings the BOO recommends that that recommendation at Para 35 **main BPs at Appendix 'B'** be amended as follows:-

(a) An area of 14.2621 hectare (35.2417 acre) of naval land valued at Rs. 12,29,45,605.00 be transferred to NHAI (Para 31 above refers), subject to approval by respective ministries of Government of India.

(b) An area of 1.5027 hectares (3.7132 acres) of NHAI land valued at Rs. 22,27,920.00 be transferred to Navy, subject to approval by respective ministries of Government of India.

(c) The net financial implication amounts to NHAI having a liability of Rs. 12,07,17,685.00 to Navy {Para 34(a) – Para 34(b)}.

(d) An area of 9.1361 hectares (22.5753 acres) forest land which is presently on perpetual lease from Forest Department to Indian Navy is to be re-diverted to NHAI without any financial implication, after NHAI obtains concurrence from MoEF for the same (Para 29 above refers).

(e) The construction of affected assets i.e. security compound wall, barbed wire fence, retaining wall, buildings, pipelines, cables and any other services/assets found during execution be undertaken by NHAI prior demolition as per (Para 29 of **main BPs at Appendix 'B'** and Para 30 above).

(f) The authorities/-agency responsible for bearing the cost of construction of under-passes, over bridges and service road is as follows:-

(i) VUPs at Binaga and Amadalli by NHAI (Para 30(a) of **main BPs at Appendix 'B'** refers).

(ii) A four lane VOB at Nellur Kanchinbail village between Project Seabird Sites 'C1' and 'C2' by Indian Navy (Para 30(b) of **main BPs at Appendix 'B'** refers).

(iii) A FOB in Algeri village between Project Seabird Sites 'C1' and 'C2' by Indian Navy (Para 30(c) of **main BPs at Appendix 'B'** refers).

(iv) Toll plaza conforming to height restrictions by NHAI (Para 23(b) and 26 above refers).

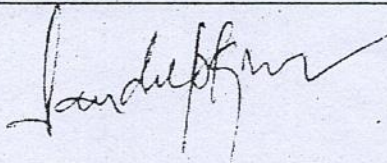
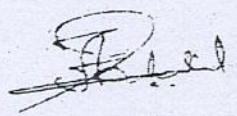
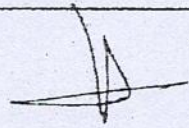
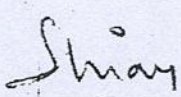
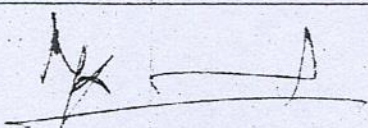
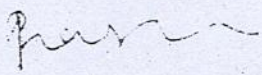
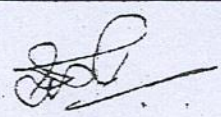
(v) Service roads for free entry and exit into Naval Base and Naval Air Station by NHAI (Para 23(c) above refers).

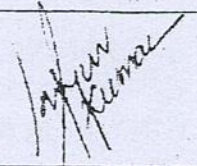
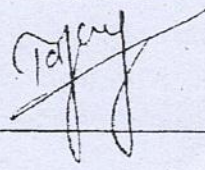
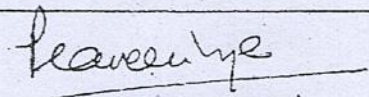
(g) The construction of new Project Seabird Site Office will be undertaken by NHAI at their cost, prior dismantling the existing building at village Binaga (Para 31 of **main BPs at Appendix 'G'**).

(h) NHAI will ensure that adequate safety measures are taken while constructing the highway in the proximity of Arga Sub-station and the KPTCL power transmission lines as per prevailing safety norms.

(j) All future issues regarding land transferred to NHAI including any rehabilitation and resettlement or any court directives will be handled by NHAI hereinafter.

35. The responsibility of mutation for change in ownership of proposed transfers of land will be borne by NHAI.

<u>Sl.</u>	<u>Members</u>	<u>Signature</u>
(a)	SLt Sandeep Kumar (89156-A) INS Kadamba (Rep of HQWNC) Karwar - 581308	
(b)	Lt NP Fernandez (07067-K) Staff Officer(Works), HQKNA Karwar - 581308	
(c)	Shri Lokesh Gowda S. Sub Divisional Officer -II Defence Estates Office Bangalore - 560042	
(d)	Shri Shriram Mishra Project Director National Highways Authority of India Project Implementation Unit Mangalore - 575002	
(e)	Shri Mohan Kangil The Assistant Conservator of Forests, Karwar Division, Karwar, Uttara Kannada	
(f)	Shri Prashantkumar S.B Assistant Commissioner SDM (Revenue) Karwar	
(g)	Shri Satish Chandra Babu JE (Cv) Garrison Engineer (I) Karwar Military Engineer Services Karwar - 581308	

(h)	Lt P Sanjeev Kumar (84648-F) ATC Rep INS Hansa, Goa	
(j)	Lt Cdr Vijay Gadkari (52380-W) Project Coordinator PIMT, Karwar	
Board President		
	Captain Praveen Thapa Deputy Director General (PI) Project Implementation and Monitoring Team Project Seabird, Karwar	 (Praveen Thapa) Captain DDG (PI)

No.
SB/8(1)/1051/PC/320/DLN
Govt of India
Ministry of Defence
New Delhi-110011
28th Oct 14

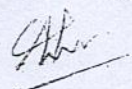
To
The Chief of the Naval Staff (with 10 spare copies)
Integrated Headquarters (Navy)
Ministry of Defence
New Delhi

GRANT OF WORKING PERMISSION REGARDING TRANSFER OF DEFENCE
LAND TO NHAI FOR CONVERSION OF EXISTING NH-66 (FORMERLY NH-17) INTO
4/6-LANE DUAL CARRIAGEWAY AND RE-CONSTRUCTION OF
DEMOLISHED/AFFECTED NAVAL ASSETS, CONSTRUCTION OF NEW VUPS,
YOB, FOB, TOLL PLAZA AND SERVICE ROADS ETC AT NAVAL BASE KARWAR.

Sir,

1. I am directed to convey the sanction of the Competent Authority for working permission to NHAI for widening of NH-66 at Karwar, pending approval of CCS, subject to the following conditions:-

- (a) Transfer of 14.262 Ha Defence land to NHAI at a cost of Rs 12,29,45,605.00 (Rupees twelve crore twenty nine lakh forty five thousand six hundred and five only) and transfer of 1.503 Ha NHAI land to MoD with a cost of Rs 22,27,920.00 (Rupees twenty two lakh twenty seven thousand nine hundred and twenty only).
- (b) Transfer of 9.136 Ha forest land on lease with MoD to NHAI without any financial effect. NHAI to take up the case with Forest Department, for transfer of land.
- (c) Construction of two Vehicular Under Passes each costing Rs 11,13,00,000.00 (Rupees eleven crore thirteen lakh only) by NHAI, one at NHAI expense at existing km 110.750 and the other at the cost of HQ, MoD (Navy) at existing km 124.740.
- (d) Construction of Toll Plaza at existing km 132.940 (Design Chainage km 131,200) by NHAI with provision of dedicated service roads bypassing Toll Plaza and median cuts/opening at approximately existing Kms 132.600



& 135.200: The height of toll booth structure to be restricted to 6 m and height of administrative building and flood lights to 4 m

(e) Construction of new Project Seabird Site Office by NHAI along with allied facilities. New Site Office to include approach road, fencing/wall, street lights etc as per requirements of the Navy. Area and specifications of the building would be same as the existing building being demolished by NHAI for widening of road.

(f) Construction of approximately 939 m security compound wall, 6509 m security barbed wire fencing and 591 m retaining wall by NHAI. Any security wall/fencing or any other asset in addition to those being damaged during construction/widening or toll plaza construction will be reconstructed by NHAI prior to demolition as per HQ, MoD (Navy) requirement.

(g) NHAI to accord permission for construction of one 'Vehicle Over Bridge' and one 'Foot Over Bridge' over NH-66 by Project Seabird between existing kms 132.035 and 135.030 between sites C1/C2.

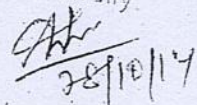
(h) The number of trees within the MoD land under transfer to NHAI to be identified by a Board of Officers prior to actual handing over of the land. Post identification, NHAI will get current valuation from Forest Department for deposition of the amount with DEO, Bangalore and take action as per rules in vogue

2. NHAI to deposit Rs 12,07,17,685.00 (Rupees twelve crore seven lakh seventeen thousand six hundred and eighty five only) with MoD as cost of Defence land at Para 1(a) within 45 days of issue of this letter.

3. MoU between NHAI and HQ, MoD (N) is to be signed post Cabinet approval.

4. This issues with the concurrence of Ministry of Defence (Fin/Navy) vide their ID No. 1(4)/2014-NE dated 19.09.2014.

Yours faithfully,



(Dibakar Mishra)
Under Secretary to the Government of India

Copy to:-

1. The Chief of the Naval Staff (CNS), New Delhi
2. The Director of Audits (Air Force & Navy), New Delhi
3. The Joint Director of Audit, Mumbai
4. The CGDA, New Delhi

5. The CDA, Bengaluru – 02 copies (One signed in ink)
6. CDA (Navy), Mumbai – 02 copies (One signed in ink)
7. The ACDA Project Seabird, New Delhi -02 copies (One signed in ink)
8. The Director (Fin/Navy)/MoD/D(N-III)
9. The E-in-C Branch (E-2 Navy), Kashmir House, Rajaji Marg, New Delhi
10. DFA (Budget)

Tele 26102357
Fax: 26100608

IHQ of MoD(Navy)
Project Seabird
West Block-V
R.K Puram
New Delhi-110066

SB/6/E2/725

29 Oct 14.

Shri SC Jindal
General Manager
National Highways Authority of India
(Ministry of Road Transport and Highways)
G-5&6, Sector-10, Dwarka
New Delhi-110075

**GRANT OF WORKING PERMISSION REGARDING TRANSFER OF DEFENCE
LAND TO NHAI FOR WIDENING OF NH-66 (FORMERLY NH-17)**

1. A copy of GoI (MoD) letter SB/8(I)/1051/PC/320/D(N-III) giving working permission to NHAI is forwarded herewith for necessary action.
2. It is requested that all terms as given in the working permission be strictly complied with.
3. It is further requested that CCS note be expedited at your end to facilitate finalizing of MoU between NHAI and Project Seabird.

(Vivek Davan)
Col
Chief Engineer

Encl.-As above

Copy to:-

FOO-in-C WNC (Command Works Officer)
Colaba Mumbai-400020

Dte General Defence Estates
Ministry of Defence
Raksha Sampada Bhawan
Ulaanbaatar Road Delhi Cantt-110010

Flag Officer Commanding
(For CSO to FoK)
Headquarters
Karnataka Naval Area
Karwar-581308

11 Nov 14

1693

NHA I / 6

The Principal Director Defence Estates
Ministry of Defence
Southern Command
Pune-411001

The Chief General Manager (Tech)
National Highways Authority of India
Regional Office, Sy. No 13, Km 14
Near Deepak Bus Stop, Nagasandra Village
Bangalore-Tumkur Road-NH-4

DDG (PI)
Project Seabird
Post Box No. 12
Karwar-581301

The Defence Estates Officer
Karnataka & Goa Circle
T-56 Assaye Lines, Kankaria Road
Bangalore-560042

Sh S Manra, Project Director
National Highways Authority of India
#7-35/10/10(4),
Shree Mahalingeshwara Temple Road,
Near Pumpwell, Kankarady,
Mangalore-575002

MINUTES OF PROCEEDINGS OF BOARD FOR TRANSFER OF NAVAL LAND TO NHAI, NHAI LAND TO NAVY AND RE-DIVERSION OF FOREST LAND PRESENTLY UNDER PERPETUAL LEASE TO NAVY TO NHAI FOR WIDENING/ REALIGNMENT OF NH-66 (FORMERLY NH-17) BY NHAI IN KARWAR AND ANKOLA TALUK OF UTTARA KANNADA DISTRICT IN KARNATAKA STATE

1. Proceedings of - Board of Officers
2. Assembled at - DDG(PI) Office, Binaga Site, Karwar
3. On - 15 Feb 13 and subsequent days
4. By order of - Director General
Project Seabird
West Block - V, RK Puram
New Delhi - 110066
5. Convening Order No. - No. 13 promulgated vide HQPSB
SB/6/E2/725 dated 29 Jan 13
6. For the purpose of - As mentioned at subject
7. Presiding Officer - Captain Praveen Thapa
Deputy Director General
(Project Implementation)
8. Members - As tabulated below

SL.	MEMBER	REPRESENTATIVE OF
(a)	Cdr S Mukherjee (03942-H) INS Kadamba Karwar	Flag Officer Commanding - In - Chief Headquarters, Western Naval Command Colaba, Mumbai
(b)	Lt NP Fernandez (07067-K) Staff Officer:(Works)	Flag Officer Commanding Headquarters, Karnataka Naval Area Karwar - 581303
(c)	Shri Lokesh Gowda S Sub Divisional Officer -II	Defence Estates Office Karnataka Circle K. Kamaraj Road Bangalore - 560042
(d)	Shri Shriram Mishra Project Director National Highways Authority of India	National Highways Authority of India (Ministry of Road Transport and Highways) Karnataka and Goa Region Regional Office, Bengaluru

	Project Implementation Unit 7-35/10(4), Near Pumpwell, Shri Mahalingeshwara temple road, Kankanady, Mangalore - 575002	Sy. No. 13, 14 th Km., Near Deepak Bus Stop, Nagasandra, M.S. Ramaiah Enclave, Bengaluru-Tumkur Road(NH-4) Bengaluru-560073
(e)	Shri T Heeralal, IFS The Deputy Conservator of Forests, Karwar Division, Karwar, Uttara Kannada	The Principal Chief Conservator of Forests (Head of Forest Force) Aranya Bhavan, 18 th Cross, Malleswaram, Bangalore-3
(f)	Shri R Venkatesh, KAS Special Land Acquisition Officer, Seabird	SDM(Revenue), Karwar
(g)	Sub A Peddanarappa, JE(Civ)	Garrison Engineer (I) Karwar Military Engineer Services Sankrubagh, Naval Base Karwar - 581308
(h)	Lt Cdr CG Ingleswar 05368-Z Project Coordinator PIMT, Karwar	Co-opted member

9. **Terms of Reference** As per Convening Order.

10. **Preamble.** The NHAI has proposed to undertake the conversion of NH-66 (formerly NH-17) from Goa-Karnataka Border (Km 93.700 from Panaji) to Kundapur section (Km 283.300 from Panaji), into 4/6-Lane Dual Carriageway, with Proposed Right of Way (**PROW**) of 60 meters. Since, NH-66 runs adjacent to the Naval Base at Karwar from Km 110.750 to Km 135.179, the NHAI approached the Navy to facilitate the widening/ re-alignment envisaged and work out terms for transfer of land among the three land holding agencies viz. Navy, NHAI and Forest Department. The issues regarding mutation/ change in ownership, reconstruction of assets existing on the land to be transferred, smooth movement of personnel between the Naval Base and NH-66 etc. were to be deliberated prior handing/ taking over of land. A board was therefore constituted to address all the known issues and work out amicably the scope for transfer of land and also address concerns pertaining to safety and security of Naval Base, Karwar. The Board Proceedings (**BPs**) are to form the basis for preparing the Memorandum of Understanding (**MoU**) between MINISTRY OF DEFENCE (NAVY), NEW DELHI and NATIONAL HIGHWAYS AUTHORITY OF INDIA (**NHAI**) for establishing a co-operative arrangement for ensuring safety and security of the Naval Base while undertaking up-gradation of NH-66 (formerly NH-17) running adjacent to the Naval Base at Karwar and Ankola Taluks.

Proceedings

11. In accordance with the directives of the convening orders issued by Headquarters Project Seabird, New Delhi the first meeting of the nominated members from all agencies/ stake holders including outstation officials was held at DDG(PI) Office, Binaga Site, Karwar at 1030 hrs on 15 Feb 13. The diary of events in chronological sequence of occurrence is enumerated in the succeeding paragraphs.

12. **Initial Meeting (15 Feb 13).** The first board meeting was held on 15 Feb 13, with members from all agencies involved (list of attendees is placed at Appendix 'A'). After the welcome address by the Board President, all members were briefed about the scope of the board on the basis of the terms of reference. An action plan to complete the proceedings in a time bound manner was thereafter drawn out after identifying the various tasks and assigning responsibilities to concerned departments/ agencies. The following tasks were assigned to the members based on the roles of respective offices:-

(a) **NHAI.** NHAI was to carry out the peg marking of Naval land (both acquired as well as leased forest land) indicating the proposed expansion of NH-66, to initiate process for identifying transfer of Naval land to NHAI. Parallely, peg marking of NHAI land for transfer to Navy was also to be undertaken.

(b) **Revenue Department.** The District Revenue department was to carry out the survey based on the peg marks and prepare sketch of affected survey numbers, with extent and value of land being transferred.

(c) **Forest Department.** The Deputy Conservator of Forest was to carry out the survey based on the peg marks and prepare sketch of affected survey numbers within the forest land on perpetual lease to Navy for re-diversion to NHAI.

(d) **Defence Estate Office (DEO).** DEO was to verify the proposed land to be transferred, post completion of peg marking and ground survey work.

(e) **HQKNA/ MES.** HQKNA/ SO(Works) and GE(I), Karwar were to prepare list of assets that would get affected due to widening/ re-alignment and those needed to be constructed prior demolition. Further, the requirement of ensuring safe entry/ exit from the Naval Base with respect to construction of Vehicular Underpasses (**VUP**), Vehicular Over Bridges (**VOB**)/ Foot Over Bridges (**FOB**) etc was to be worked out in consultation with Project Seabird, Karwar. A representative from HQWNC, Mumbai was initially nominated for the board. Subsequently, in Jun 13 HQWNC directed HQKNA to depute an officer to

represent them. Accordingly, Cdr S Mukherjee from INS Kadamba was nominated as HQWNC rep.

13. **Site Visit (25 Feb 13).** A site visit by a team with representatives from M/s SNC Lavalin Infrastructure Private Limited (Rep. of NHAI), State Revenue Department, Karwar and Project Seabird was undertaken to appreciate the exact scope of work on ground.
14. **Preliminary Peg Marking (01 to 06 Mar 13).** The preliminary peg marking of the PROW of 60 meters width passing in Naval land was undertaken.
15. **1st Review Meeting (13 Mar 13).** A follow up meeting to assess the progress, resolve hold-ups and chart out the future course of action was conducted on 13 Mar 13. Since the preliminary peg marking of land for transfer was completed on 06 Mar 13, a detailed timeline was drawn in consultation with the Revenue and Forest Departments to commence ground survey/ measurements from 18 Mar 13 onwards with the help of taluk and forest surveyors. This activity was to be followed by preparation of maps/ survey sketches with an EDC of 28 Mar 13.
16. **Survey Work (18 to 24 Mar 13).** As per the timelines, the Revenue Department completed the on ground survey/ measurement of affected areas of villages Hattikeri, NK Bail and Algeri in Ankola taluk from 18 to 20 Mar and villages Binaga, Arga and Amadalli in Karwar taluk from 21 to 23 Mar 13. The Forest Department also completed survey of forest land which is on perpetual lease to Indian Navy for re-diversion to NHAI.
17. **Permanent Peg Marking (25 to 29 Mar 13).** Post completion of the ground survey work, installation of concrete pillars (painted in yellow colour) at intervals of 20 meters along both sides of the PROW passing in Naval land (except three inaccessible areas due to difficult terrain and dense forest at Arga village) was undertaken.
18. **2nd Review Meeting (02 Apr 13).** The meeting was called to consolidate and reconcile the documentation of survey work and finalise the timelines for the balance activities.
19. **Preparation of Survey Sketches/ Maps (09 to 17 Apr 13).** The preparation of survey sketches/ maps post completion of ground survey/ measurement was completed by revenue department.
20. **Marking of Inaccessible Areas (22 and 23 May 13).** Temporary markings at balance three inaccessible areas (mentioned at Para 17 above) at Arga village were carried out and necessary sketches/ maps were prepared by Forest Department.

21. **3rd Review Meeting (04 Jun 13)**. During the meeting, the status of progress with respect to peg marking of the PROW in forest area and other inaccessible areas undertaken by the NHAI team along with rep from Project Seabird on 22 and 23 May 13 was reviewed. On completion of the meeting a site visit with representatives from HQKNA, Project Seabird and NHAI was undertaken to appreciate and finalise the scope for construction of assets affected by the widening/ re-alignment by NHAI. On completion of site visit a copy of drawings indicating the affected assets and proposed construction of security compound wall, barbed wire fence, retaining wall, VUP, VOB and FOB were handed over to HQ KNA/ SO(Works) for ratification in consultation with GE(I), Karwar.

22. **Discussions with GE(I), Karwar (28 Jun 13)**. During the meeting, the Naval assets being affected was discussed with GE(I), Karwar and the assets to be constructed by NHAI on account of the widening/ re-alignment of NH-66 were finalised.

23. **Visit by Rep of DEO (04 Jul 13)**. Shri Shivananda, SDO-III from DEO, Bangalore visited site for verification of land to be transferred and relinquished.

24. **Review Meeting (27 Aug 13)**. A meeting was held at Karwar with NHAI representatives for reconciliation of data with respect to extent of land proposed for transfer/ re-diversion, costing, drawings, ownership etc for finalisation of the BPs.

Findings

25. **Location Affected due to NH-66 Widening/ Re-alignment**. The widening/ re-alignment of NH-66 will affect the land of the Navy/ Forest/ NHAI at the following locations:-

<u>Sl.</u>	<u>Existing Chainage</u>	<u>Village</u>
(a)	Km 110.750 to Km 115.300	Binaga and Arga
(b)	Km 114.151 to Km 115.067	Arga
(c)	Km 121	Amadalli
(d)	Km 124.314 to Km 124.940	Amadalli
(e)	Km 132.035 to Km 135.179	Hattikeri, NK Bail & Algeri

26. **Naval Land to be Transferred to NHAI**. An area of 29.6667 acres of Navy land is required to be transferred to NHAI for the work of 4/6 laning of NH-66. The survey sketches which were generated after onsite survey based on the peg marking on ground are placed at Appendix 'Q'. In some sites revenue surveyors could not carry out the survey on ground due to difficult terrain and dense forest, for which the revenue maps were not prepared. In these cases NHAI has prepared sketches based on the

advanced survey instruments, which are placed at Appendix 'Q1'. These sketches/ maps have been superimposed on to the revenue map to show the extent of Navy Land to be transferred to NHAI and placed at Appendix 'P'. The consolidated list of survey numbers with extent of transfer of Navy land to NHAI is tabulated and placed at Appendix 'B'.

27. **Re-diversion of Forest Land (on Perpetual Lease to Navy) to NHAI.** An area of 6.6761 hectares of forest land which is on perpetual lease to Navy is required by NHAI for the work of 4/6 laning of NH-66. NHAI has already submitted a proposal to Forest Department in this regard. The forest survey sketches which were generated after onsite survey based on the peg marking on ground are placed at Appendix 'S'. These sketches/ maps superimposed on to the revenue map to show the extent of Forest land (presently on perpetual lease to Navy) to be re-diverted to NHAI is placed at Appendix 'R'. The consolidated list of forest survey numbers with extent for re-diversion to NHAI is tabulated and placed at Appendix 'C'. In regard to re-diversion of the above stated forest lands to NHAI, the Forest Department has no objection.

28. **NHAI Land to be transferred to Navy.** The existing road from Km 114.151 to Km 115.067 i.e. a total length of 0.916 km shall become redundant to NHAI after completion of 4/6 laning since NHAI is realigning the road at the above section as per the requirement of the Navy. As per the revenue records, Navy land exists on both side of this section of existing highway and will not be of use to the general public after completion of 4/6 laning work. Hence, NHAI has agreed to transfer the above section of road for use by Navy. Accordingly, an area of 1.5027 hectares (3.7132 acres) NHAI land will be required to be transferred to Navy. The plan superimposed on Revenue map showing the extent of NHAI land to be transferred to Navy is placed at Appendix 'W'.

29. **Assets to be constructed for Navy by NHAI.** NHAI has informed that the proposed four laning of NH-66 requires demolition of certain existing Naval assets viz. security compound walls, barbed wire fences, retaining walls and also the Project Seabird Office located adjacent to NH-66 at Km 112.00 near Binaga village. NHAI has agreed to construct the Naval assets being demolished to meet the site requirement. The consolidated list of assets to be constructed by NHAI is placed at Appendix 'D'. The assets proposed to be constructed by NHAI shall be in elevation point of view and functional point of view similar to that of existing specifications. If any changes are required due to unavoidable site condition the same has to be approved by Navy. All Naval assets shall be constructed by NHAI prior to demolition of existing assets in view of security concerns of the Naval Base. The plan showing the details of security compound walls, barbed wire fences and retaining walls to be re-constructed are placed at Appendices 'T', 'U' and 'V' respectively. All trees that are being affected by the widening work will be disposed off by DEO as per prevalent norms.

30. Requirement of Under-Passes and Over Bridges.

(a) Vehicle Under Pass (VUP). VUPs at the following locations will be required for access to NH-66 for smooth and safe movement between Naval Base and adjoining NH. The plan showing locations of VUPs are placed at Appendices 'X' and 'Y':-

(i) Existing Km 110.750 Kamat Enclave Gate at Binaga Village

(ii) Existing Km 124.740 Minor Bridge 125/6 at Amadalli village for Defence Civilian Colony

(b) Vehicle Over Bridge (VOB). A four lane VOB at existing Km 133.300 in Nellur Kanchinbail village will be required for free vehicular movement between Project Seabird Sites 'C1' and 'C2'. The plan showing VOB is placed at Appendix 'Z'.

(c) Foot Over Bridge (FOB). A FOB at existing Km. 134.700 in Algeri village is required for movement of personnel between Project Seabird Sites 'C1' and 'C2'. The plan showing FOB is placed at Appendix 'Z'.

31. Project Seabird Site Office at Binaga. As brought out at Para 29 above, the existing Project Seabird Site Office at village Binaga will be affected by the NH-66 expansion. This building on forest survey number 9 A1A1 of Binaga village was taken over by Navy from Karnataka Urban Water Supply and Drainage Board (layout of the building is placed at Appendix 'PA'). Construction of a new Project Seabird Site Office in lieu of the existing office would need to be undertaken by NHAI at their cost, prior dismantling the existing building located at existing Km 112.050. The location of the new office of DDG (PI) will be indicated by Indian Navy. The plinth area and specifications of the new DDG (PI) office will be the same as that of the existing office and the design as approved by Indian Navy.

32. Financial Implication. The transfer value of land proposed for transfer from Navy to NHAI and NHAI to Navy has been evaluated based on prevailing rates on the guidance value notified by the Government of Karnataka for registration purpose, as obtained from the Sub-Registrar Office, Karwar. The details are placed at Appendices 'E' & 'E1'. The BOO has considered the value of land as type wet & garden for valuation.

33. Ownership Documents. The ownership documents of each type of land are placed at Appendix 'F'.

34. **Compliance Matrix.** A compliance matrix for the 'Terms of Reference' to the convening order complied by the board is placed at Appendix 'G'.

35. **Recommendations.** In view of the above findings the BOO recommends that the following be incorporated in the MoU with NHAI and requisite Government sanction(s) obtained and communicated to all concerned:-

(a) An area of 29.6667 acres of naval land valued at Rs. 1,67,36,705.00 is to be transferred to NHAI (Para 26 & 32 above refers).

(b) An area of 1.5027 hectares or 3.7132 acres of NHAI land valued at Rs. 22,27,920.00 be transferred to Navy, subject to approval by respective ministries of Government of India (Para 28 above refers).

(c) The net financial implication amounts to NHAI having a liability of Rs. 1,45, 08,785.00 to Navy {Para 35(a) – Para 35(b)}.

(d) An area of 6.6761 hectares forest land which is presently on perpetual lease from Forest Department to Indian Navy is to be re-diverted to NHAI without any financial implication, after NHAI obtains concurrence from MoEF for the same (Para 27 above refers).

(e) The construction of affected assets i.e. security compound wall, barbed wire fence, retaining wall, buildings, pipelines, cables and any other services/assets found during execution be undertaken by NHAI prior demolition as per (Para 29 above refers):

(f) The authorities/ agency responsible for bearing the cost of construction of under-passes and over bridges is as follows:-

(i) VUPs at Binaga and Amadalli by NHAI (Para 30(a) refers)

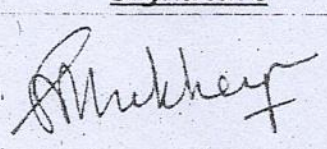

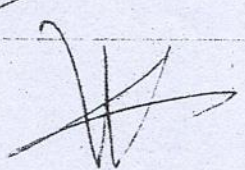
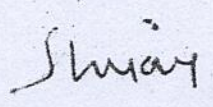
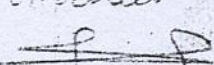
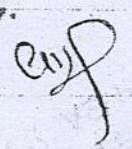
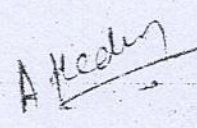

(ii) A four lane VOB at Nellur Kanchinbail village between Project Seabird Sites 'C1' and 'C2' by Indian Navy (Para 30(b) refers).

(iii) A FOB in Algeri village between Project Seabird Sites 'C1' and 'C2' by Indian Navy (Para 30(c) refers).

(g) The construction of new Project Seabird Site Office will be undertaken by NHAI at their cost, prior dismantling the existing building at village Binaga (Para 31 refers).

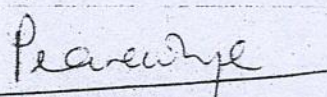
(h) NHAI will ensure that adequate safety measures are taken while constructing the highway in the proximity of Arga Sub-station and the KPTCL power transmission lines as per prevailing safety norms.

36. The responsibility of mutation for change in ownership of proposed transfers of land will be borne by NHAI.

<u>Sl.</u>	<u>Members</u>	<u>Signature</u>
(a)	Cdr S Mukherjee (03942-H) INS Kadamba Karwar - 581308	
(b)	Lt NP Fernandez (07067-K) Staff Officer(Works) Headquarters Karnataka Naval Area Karwar - 581308	
(c)	Shri Lokesh Gowda S. Sub Divisional Officer -II Defence Estates Office Bangalore - 560042	
(d)	Shri Shriram Mishra Project Director National Highways Authority of India Project Implementation Unit Mangalore - 575002	
(e)	Shri T Heeralal, IFS The Deputy Conservator of Forests, Karwar Division, Karwar, Uttara Kannada	on behalf  Range Forest Officer, Naval Base, Karwar.
(f)	Shri R Venkatesh, KAS Special Land Acquisition Officer, Seabird	
(g)	Sub A Peddhanarappa, JE(Civ) Garrison Engineer (I) Karwar Military Engineer Services Karwar - 581308	
(h)	Lt Cdr C G Ingleshwar (05368-Z) Project Coordinator PIMT, Karwar	

Board President

Captain Praveen Thapa
Deputy Director General (PI)
Project Implementation and Monitoring Team
Project Seabird, Karwar


(Praveen Thapa)
Captain