

To,

The Principal Chief Conservator of Forests,  
(Forest Conservation)  
Aranya Bhavan, Malleshwaram 18<sup>th</sup> cross,  
Bangalore-560003

Sir,

SUB: 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.

REF:1) Govt. of India letter No:F.No.F(C)/11.1/17/KAR/525 dated:04-09-2020

- 2) Principal Chief Conservator of Forests, (Forest Conservation) & Nodal Officer, (FCA) Bangalore's e-officer file No:KFD/HOFF/A52K(GFL)/18/ 2019-FC E-72712 dated: 06-11-2020
- 3) Letter No. B4/GFL/FCA/SR-11/2011-12, dt:21-05-2021 of Deputy Conservator of Forests, Karwar Division, Karwar

The Government of India, Ministry of Environment, Forests and climate change, Kormangal, Bangalore was accorded approval in principal (Stage I) under section 2 of Forest Conservation Act 1980 for diversion of 2.469 ha. Forest land in Hattikeri Village Sy No,10/A1A1A Belekeri Hobali, Ankola Taluk Uttar Kannada District, Karwar Division for 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) Karwar subject to the following conditions vide their letter cited at reference (1). In this regard Deputy Conservator of Forests, Karwar Division furnished the compliance report under reference (3). The same is submitted for favour of information and necessary action.

1)	The State Government may clarify the proposed forest area for diversion is 2.469 ha. or 1.449 ha.	:	The proposed forest area for re-diversion is 2.469 Ha.
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2)	The State Government may submit the complete KML file of the proposed area for diversion.	:	The KML file of the proposed area of diversion is attached in Form-A C(ii)(a).
3)	The State Government may submit the complete KML file where CA has been raised over 426.20 ha. of forest land in Shimoga, Yellapur and Karwar Forest Division and 55.50 ha. of non forest land in Shimoga Division with respect to earlier diversion.	:	The Compensatory Afforestation was raised in 504.85 ha. of forest land in Shimogga, Yellapur, Haliyal, Sirsi, Honnavar and Karwar Division. The details of Compensatory Afforestation land and KML files are enclosed.
4)	As reported by the DFO violation has been taken place, in this regard the State Government is requested to kindly provide the action taken report, if any.	:	<p>The construction of toll plaza was carried out as per the working permission issued by the National Highway Authority of India and project Seabird 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 National Highway Authority of India to submit a re-diversion proposal to Ministry of Environment, Forest and Climate Change.</p>
5)	The State Government shall provide the copy of the lease transfer from Ministry of Defence to NHAI.	:	The MOU between Ministry of Defence and National Highway Authority of India is enclosed.
6)	Since the proposed proposal is a part of the 2259 ha. of forest land diverted earlier, the State Government is requested to kindly provide a complete compliance report of the same.	:	The compliance report submitted by Project Seabird is enclosed.




7)	The proper chronology of events for consideration of proposal for re-diversion under Section (2) of the Forest (Conservation) Act, 1980.	:					
		Year	User Agency	Stage-I No.& date	Stage-II No.& date	Land diverted extent (in ha.)	Remarks
		1986	Project Seabird	-	GOI No.8-472/ 83-FRY (CONS) dtd: 31-10-1986 GOK No. FFD 47 FGL 84 Bangalore dtd: 4-12-1986	2259.00	
		2014	NHAI	F.No.8-878-2013-FC dtd: 6-5-2014	F.No. 4-KRA 973/2013-BAN/1660 dtd: 6-3-2020 GOK No. FEE 67 FLL 2013 Bangalore dtd: 17-6-2020	163.283	Stage-I = 159.80 ha. Stage-II= 163.283 ha. (Including mangrove 3.483 ha.)
		2020	NHAI	F.No.4-KRA 973/2013BAN/698 dtd: 7-10-2020	-	0.051	Re-diversion
		2020	NHAI			28.218	Proposal pending at Regional Office.
		2021	NHAI			2.469	Submission of proposal under progress.
8)	In order to bring clarity and better perspective to the issue details regarding date of diversion/re-diversion, details of Stage-I and Stage-II approval letters, extent of diversion/ re-diversion in area hectare, approving authority, User Agency, extent of violation, violation attributable to, action initiated etc. shall	Date of Diversion		06-05-2014			
		Date of Re-diversion		06-05-2014 (6.68 ha.)			
		Details of stage-I Approval		GOI No:F.No.8-78/ 2013-FC dtd: 06-05-2014 PCCF (HOFF) Bangalore's circular No:A5(2)/GFL/CR-52/2014-15 dtd:22-09-2014			
		Details of Stage-II Approval		GOI No:F.No.4-KRA-973/2013-BAN/1660 dtd:06-03-2020 GOK No:FEE:67:FLL: 2013 Bangalore dtd:17-06-2020			
		Extent of Diversion (in ha.)		83.95 ha. Karwar division (Total 159.80 ha.)			

provided in a table as well as in a chronological order.	Extent of Re-diversion (in ha.)	6.68 ha.
	Approving Authority	Ministry of Environment, Forest & Climate Change.
	Name of User Agency	Project Director, National Highway Authority of India, Project Implementation, Mangalore.
	Extent of violation (in ha.)	2.469 ha.
	Violation attributable to action	The forest area was diverted to Project Seabird which was intern used for construction of Toll Plaza. It was within the Project Seabird area, forest officials could not identify the violation. Later National Highway Authority of India was informed to submit a re-diversion proposal to Ministry of Environment, Forest and Climate Change, Government of India.
	Action initiated	As the User Agency had applied for re-diversion proposal to Ministry of Environment, Forest and Climate Change, the use of forest land prevailing diverted to Project Seabird was not intentional and they used the land as per the MOU between Project Seabird and National Highway Authority of India. Hence, Forest Department directed the National Highway Authority of India to move the re-diversion proposal.

Therefore it is requested to move the matter with the higher authorities to obtain orders.

Yours faithfully,

  
**Chief Conservator of Forests**  
**Kanara Circle, Sirsi**

Copy to:

1. The Deputy Conservator of Forests, Karwar Division Karwar for information
2. The Project Director, National Highway Authority of India, Project implementing Unit, Door No:3-29 "Bethal", Tharethota, Near Pumpwell (NH-66), Mangalore - 575005 for information.