

ಕರ್ನಾಟಕ ಸರ್ಕಾರ

(ಮೂಲಸೌಲಭ್ಯ ಅಭಿವೃದ್ಧಿ, ಬಂದರು ಮತ್ತು ಒಳನಾಡು ಜಲಸಾರಿಗೆ ಇಲಾಖೆ)

ಸಹಾಯಕ ಕಾರ್ಯನಿರ್ವಾಹಕ ಇಂಜಿನಿಯರರ ಕಚೇರಿ, ಬಂದರು ಉಪವಿಭಾಗ, ಹೊನ್ನಾವರ ಉತ್ತರಕನ್ನಡಜಿಲ್ಲೆ -581 334	OFFICE OF THE ASSISTANT EXECUTIVE ENGINEER PORT SUB DIVISION, HONNAVAR. UTTARA KANNDA - 581 334
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ಕ್ರ.ಸಂ.ಸಕಾನಿಇಂ/ಬಂಉವಿಹೊ/ಹೆಚ್‌ಪಿವಿಎಲ್/2022-23 / 79

ದಿನಾಂಕ: 20-07-2022

ರಿಗೆ:

ಉಪ ಅರಣ್ಯ ಸಂರಕ್ಷಣಾಧಿಕಾರಿಗಳು,

ಹೊನ್ನಾವರ ವಿಭಾಗ,

ಹೊನ್ನಾವರ.

ಮಾನ್ಯರೇ,

ವಿಷಯ:

Diversion of 0.76 hectare of forest land in Kasarkod Village F.Sy.No.233 & 237 MankiHobali, HonnavarTalukUttara Kannada District (Honnavar Forest Division) for Approach Road from NH -66 to Kasarkod side of Honnavar Port in favour of the Assitant Executive Engineer, Port and Inland Water Transport Department, Port Sub Division ,Honnavar-Reg.

ಉಲ್ಲೇಖ:

1. Principal Chief Conservator of Forests, (Forest Conservation) and Nodal Officer (FCA) Bangalore E- Office File No: KFD/HOFF/A52K(GFL)/47/2019-FC Dated: 04/05.10.2021
2. Deputy Conservator Of Forest,Honnavar Division, Honnavar Letter No.B2/GFL/FC/CR-20/2020-21 Dated : 27/10/2021.
3. Assistant Executive Engineer,Port Sub Division & Nodal Officer,Honnavar Letter No. AEE/PSDH/HPPL/2020-21/166 Date: 06-11-2021.
4. Additional Inspector General of Forests,Bangalore Letter No: FNO.4-KRB1275/2021-BAN/1298 Dated 20-01-2022.
5. Principal Chief Conservator of Forests, (Forest Conservation) and Nodal Officer (FCA) Bangalore E- Office File No: KFD/HOFF/A52K(GFL)/47/2019-FC Dated: 08-02-2022.
6. Assistant Executive Engineer,Port Sub Division & Nodal Officer,Honnavar Letter No. AEE/PSDH/HPPL/2021-22/244 Dated 17.02.2022.
7. Deputy Conservator Of Forest ,Honnavar Division, Honnavar Letter No.B2/GFL/FC/CR-20/2020-21 Dated : 16-02-2022. (22.02.2022).
8. ನಿರ್ದೇಶಕರು, ಬಂದರು ಮತ್ತು ಒಳನಾಡು ಜಲಸಾರಿಗೆ ಇಲಾಖೆ , ಕಾರವಾರ ರವರ ಪತ್ರ ಸಂಖ್ಯೆ: ಕಜಮಂ/ಸಿಆರ್-05/ಭೂಮಿ-02/2019-20 ದಿನಾಂಕ: 29.03.2022
9. ಈ ಕಚೇರಿ ಪತ್ರ ಸಂ: ಸಕಾನಿಇಂ/ಬಂಉವಿಹೊ/ಹೆಚ್‌ಪಿವಿಎಲ್/2022-23/02 ದಿನಾಂಕ: 06.04.2022
10. ಈ ಕಚೇರಿ ಪತ್ರ ಸಂ: ಸಕಾನಿಇಂ/ಬಂಉವಿಹೊ/ಹೆಚ್‌ಪಿವಿಎಲ್/2022-23/07 ದಿನಾಂಕ: 07.04.2022
11. ಈ ಕಚೇರಿ ಪತ್ರ ಸಂ: ಸಕಾನಿಇಂ/ಬಂಉವಿಹೊ/ಹೆಚ್‌ಪಿವಿಎಲ್/2022-23/25 ದಿನಾಂಕ: 20.07.2022
12. ಈ ಕಚೇರಿ ಪತ್ರ ಸಂ: ಸಕಾನಿಇಂ/ಬಂಉವಿಹೊ/ಹೆಚ್‌ಪಿವಿಎಲ್/2022-23/29 ದಿನಾಂಕ: 07.05.2022
13. ಈ ಕಚೇರಿ ಪತ್ರ ಸಂ: ಸಕಾನಿಇಂ/ಬಂಉವಿಹೊ/ಹೆಚ್‌ಪಿವಿಎಲ್/2022-23/33 ದಿನಾಂಕ: 11.05.2022
14. ಉಪ ಅರಣ್ಯ ಸಂರಕ್ಷಣಾಧಿಕಾರಿಗಳು, ಹೊನ್ನಾವರ ರವರ ಪತ್ರ ಸಂ: ಬಿ2/ಜಿಎಫ್ ಎಲ್ /ಎಫ್ ಸಿ/ಸಿಆರ್ -20/2020-21 ದಿನಾಂಕ: 03.06.2022
15. ಈ ಕಚೇರಿ ಪತ್ರ ಸಂ: ಸಕಾನಿಇಂ/ಬಂಉವಿಹೊ/ಹೆಚ್‌ಪಿವಿಎಲ್/2022-23/43 ದಿನಾಂಕ: 06.06.2022

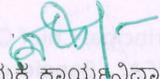
16. ನಿರ್ದೇಶಕರು, ಬಂದರು ಮತ್ತು ಒಳನಾಡು ಜಲಸಾರಿಗೆ ಇಲಾಖೆ, ಕಾರವಾರ ರವರ ಪತ್ರ ಸಂಖ್ಯೆ:
ಕಜಮಂ/ಸಿಆರ್-05/ಭೂಮಿ-02/2019-20 ದಿನಾಂಕ: 19.07.2022

ಮೇಲಿನ ವಿಷಯಕ್ಕೆ ಸಂಬಂಧಿಸಿದಂತೆ, ಉತ್ತರ ಕನ್ನಡ ಜಿಲ್ಲೆಯ ಹೊನ್ನಾವರ ತಾಲ್ಲೂಕಿನ ಕಾಸರಕೋಡ ಗ್ರಾಮದ ಕಾಸರಕೋಡ ಅಸನಂ: 233 ಮತ್ತು 237 ರಲ್ಲಿ ರಸ್ತೆ ನಿರ್ಮಾಣಕ್ಕಾಗಿ 0.76 ಹೆಕ್ಟೇರ್ ಅರಣ್ಯ ಭೂಮಿಯನ್ನು ನೀಡಲು ಕೆಂದ್ರ ಸರ್ಕಾರವು ಸ್ಪೆಷ್ - 1 ಅನುಮೋದನೆ ಆದೇಶ ನೀಡಿದ್ದು ಸದರಿ ಸ್ಥಳದಲ್ಲಿರುವ ಮರಗಳನ್ನು ಕಟಾವಣೆಗೊಳಿಸಿ ಕಾಮಗಾರಿಯನ್ನು ಪ್ರಾರಂಭಿಸಲು ಅನುವು ಮಾಡಿಕೊಡಲು ವಿನಂತಿಸಿದ್ದು ಇರುತ್ತದೆ. ಆದರೆ ತಮ್ಮ ಕಚೇರಿ ಉಲ್ಲೇಖಿತ ಪತ್ರ (14) ರಲ್ಲಿ ಸ್ಪೆಷ್ - 1 ಅನುಮೋದನೆ ಷರತ್ತಿನಲ್ಲಿ ನಮೂದಿಸಿದಂತೆ ರೂ. 75,714.00 ಮೊತ್ತದ ರಾಷ್ಟ್ರೀಕೃತ ಬ್ಯಾಂಕಿನ ಡಿ.ಡಿ ಯನ್ನು ಉಪ ಅರಣ್ಯ ಸಂರಕ್ಷಣಾಧಿಕಾರಿ, ಹೊನ್ನಾವರ ರವರ ಪದನಾಮದಲ್ಲಿ ತೆಗೆದು ಸಲ್ಲಿಸಲು ತಿಳಿಸಿದ್ದು ಇರುತ್ತದೆ. ಅಂತೆಯೇ ಸದರಿ ಮೊತ್ತವನ್ನು ಉಪ ಅರಣ್ಯ ಸಂರಕ್ಷಣಾಧಿಕಾರಿ, ಹೊನ್ನಾವರ ರವರ ಪದನಾಮದಲ್ಲಿ ಡಿ.ಡಿ ಸಂ: 129982 ದಿನಾಂಕ: 18.07.2022 ರಂತೆ ತೆಗೆಯಲಾಗಿದ್ದು, ಡಿ.ಡಿ ಯ ಮೂಲ ಪ್ರತಿಯನ್ನು ಈ ಪತ್ರದೊಂದಿಗೆ ಲಗತ್ತಿಸಿ ಮುಂದಿನ ಕ್ರಮ ಕೋರಿ ಸಲ್ಲಿಸಿದೆ. ಇದನ್ನು ಸ್ವೀಕರಿಸಿದ ಕುರಿತು ಸ್ವೀಕೃತಿ ಪತ್ರ ನೀಡಲು ವಿನಂತಿಸಲಾಗಿದೆ.

ಇದನ್ನು ತಮ್ಮ ಮಾಹಿತಿಗಾಗಿ ಹಾಗೂ ಮುಂದಿನ ಸೂಕ್ತ ಕ್ರಮಕ್ಕಾಗಿ ವಿನಂತಿಸಿ ಸಲ್ಲಿಸಲಾಗಿದೆ.

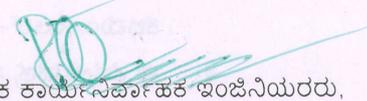
ಅಡಕ : ಮೇಲಿನಂತೆ

ತಮ್ಮ ವಿಶ್ವಾಸಿ


ಸಹಾಯಕ ಕಾರ್ಯನಿರ್ವಾಹಕ ಇಂಜಿನಿಯರರು,

ಬಂದರು ಉಪ ವಿಭಾಗ, ಹೊನ್ನಾವರ.

- ಪ್ರತಿಯನ್ನು :
1. ನಿರ್ದೇಶಕರು, ಮೂಲ ಸೌಲಭ್ಯ ಅಭಿವೃದ್ಧಿ, ಬಂದರು ಮತ್ತು ಒಳನಾಡು ಜಲಸಾರಿಗೆ ಇಲಾಖೆ, ಕಾರವಾರ ರವರಿಗೆ ಮಾಹಿತಿಗಾಗಿ ಸಲ್ಲಿಸಲಾಗಿದೆ.
 2. ಬಂದರು ಇಂಜಿನಿಯರ್, ಮೂಲ ಸೌಲಭ್ಯ ಅಭಿವೃದ್ಧಿ, ಬಂದರು ಮತ್ತು ಒಳನಾಡು ಜಲಸಾರಿಗೆ ಇಲಾಖೆ, ಕಚೇರಿ ಕಾರವಾರ ರವರಿಗೆ ಮಾಹಿತಿಗಾಗಿ ಸಲ್ಲಿಸಿದೆ.
 3. ಬಂದರು ಅಧಿಕಾರಿ, ಹೊನ್ನಾವರ ಇವರಿಗೆ ಮಾಹಿತಿಗಾಗಿ ಸಲ್ಲಿಸಿದೆ.
 4. ವಲಯ ಅರಣ್ಯಾಧಿಕಾರಿಗಳು, ಹೊನ್ನಾವರ ಇವರಿಗೆ ಮಾಹಿತಿಗಾಗಿ ಸಲ್ಲಿಸಿದೆ.
 5. ಪ್ರಧಾನ ವ್ಯವಸ್ಥಾಪಕರು, ಹೆಚ್ ಪಿ ಪಿ ಎಲ್, ಹೊನ್ನಾವರ ರವರಿಗೆ ಮಾಹಿತಿಗಾಗಿ ಹಾಗೂ ಸೂಕ್ತ ಕ್ರಮಕ್ಕಾಗಿ ಸಲ್ಲಿಸಿದೆ.


ಸಹಾಯಕ ಕಾರ್ಯನಿರ್ವಾಹಕ ಇಂಜಿನಿಯರರು,

ಬಂದರು ಉಪ ವಿಭಾಗ, ಹೊನ್ನಾವರ.

ಕರ್ನಾಟಕ ಸರ್ಕಾರ

(ಮೂಲ ಸೌಲಭ್ಯ ಅಭಿವೃದ್ಧಿ, ಬಂದರು ಮತ್ತು ಒಳನಾಡು ಜಲಸಾರಿಗೆ ಇಲಾಖೆ)

ಕ್ರ.ಸಂ.ಕಜಮಂ/ಸಿಆರ್-05/ಭೂಮಿ-2/2019-20

ಬಂದರು ಮತ್ತು ಒಳನಾಡು ಜಲಸಾರಿಗೆ

ನೋಂದಾಯಿತ ಅಂಚೆ ಸ್ವೀಕೃತಿ ಮೂಲಕ

ನಿರ್ದೇಶನಾಲಯ ಬೈತಖೋಲ್, ಕಾರವಾರ

ದಿನಾಂಕ: 19.07.2022.

ರಿಗೆ,

ಸಹಾಯಕ ಕಾರ್ಯನಿರ್ವಾಹಕ ಇಂಜಿನಿಯರ್,

ಬಂದರು ಉಪ ವಿಭಾಗ,

ಹೊನ್ನಾವರ.

ಮಾನ್ಯರೇ,

ವಿಷಯ:- Four laning with paved Shoulders of Honnavar Port Connectivity road from Km 0.00 (Kasarkod side of Honnavar Port) to Km 2.580 (towards NH-66) connecting Honnavar Port with NH-66 at KM 195.986 and to improve NH-66 from Km 195.00 to Km197.00 to integrate port connectivity on EPC mode under Bharatmala Phase-I-Memorandum of Inventory-Appointed date-reg.

- ಉಲ್ಲೇಖ:-**
1. ನಿಮ್ಮ ಪತ್ರ ಸಂಖ್ಯೆ: ಸಕಾನಿಇಂ / ಬಂಉವಿಹೊ / ಹೆಚ್‌ಪಿಪಿಎಲ್ / 2022-23 / 43. ದಿನಾಂಕ: 06.06.2022.
 2. ಈ ಕಛೇರಿಯ ಮೇಲಿನದೆ ಸಮ ಸಂಖ್ಯೆಯ ಪತ್ರ ದಿನಾಂಕ: 27.06.2022.
 3. ಮೆ|| ಹೊನ್ನಾವರ ಪೋರ್ಟ್ ಪ್ರೈ. ಲಿ., ಇವರ ಪತ್ರ ಸಂಖ್ಯೆ: HPPL/RD/2022/0030. ದಿನಾಂಕ: 28.06.2022.
 4. ಈ ಕಛೇರಿಯ ಲೆಕ್ಕ ಪತ್ರ ವಿಭಾಗದ ಪತ್ರ ಸಂಖ್ಯೆ: ಕಜಮಂ-03/ಲೆಕ್ಕಪತ್ರ-1/2022-23. ದಿನಾಂಕ: 18.07.2022.

ಮೇಲ್ಕಂಡ ವಿಷಯಕ್ಕೆ ಸಂಬಂಧಿಸಿದಂತೆ, ಮೆ|| ಹೊನ್ನಾವರ ಪೋರ್ಟ್ ಪ್ರೈ. ಲಿ., ಇವರು ತಮ್ಮ ಉದ್ದೇಶಿತ ಬಂದರು ಯೋಜನೆಯ ಸ್ಥಳಕ್ಕೆ ಸರಕುಗಳನ್ನು ಸಾಗಿಸಲು ಅನುಕೂಲವಾಗುವಂತೆ ಭಾರತಮಾಲಾ ಯೋಜನೆಯಡಿಯಲ್ಲಿ ರಾಷ್ಟ್ರೀಯ ಹೆದ್ದಾರಿ 66 ರಿಂದ ಬಂದರು ಯೋಜನಾ ಸ್ಥಳದವರೆಗೆ ಕೈಗೊಳ್ಳಲಿರುವ ರಸ್ತೆ ಕಾಮಗಾರಿಯ ನಿಮಿತ್ತ ಅರಣ್ಯ ಇಲಾಖೆಯಿಂದ ಪಡೆಯಬೇಕಾದ 0.76 ಹೆಕ್ಟರ್ ಭೂಮಿಯ 2 ನೇ ಹಾಗೂ ಅಂತಿಮ ಹಂತದ ಅನುಮೋದನೆ ಪಡೆಯುವ ಸಲುವಾಗಿ ಅರಣ್ಯ ಇಲಾಖೆಯ ಕೋರಿಕೆಯಂತೆ ಮರು ಅರಣ್ಯೀಕರಣದ ಕುರಿತು ರೂ.76,094/- (D.D ಮೊತ್ತ ಸೇರಿ) ಮೊತ್ತವನ್ನು ಮೆ|| ಹೊನ್ನಾವರ ಪೋರ್ಟ್ ಪ್ರೈ. ಲಿ., ಇವರು ಈಗಾಗಲೇ ಕರ್ನಾಟಕ ಜಲಸಾರಿಗೆ ಮಂಡಳಿಯ ಖಾತೆಗೆ ಬೇಡಿಕೆ ಹುಂಡಿ ಸಂಖ್ಯೆ: 665844 ದಿನಾಂಕ: 28.06.2022 ರಂತೆ ಜಮೆ ಮಾಡಲಾಗಿರುತ್ತದೆ. (ಪ್ರತಿ ಲಗತ್ತಿಸಿದೆ).

ಸದ್ರಿ ಮೊತ್ತವನ್ನು ಅರಣ್ಯ ಇಲಾಖೆಗೆ ಬೇಡಿಕೆ ಹುಂಡಿ ಮುಖಾಂತರ ಪಾವತಿಸಬೇಕಾಗಿರುವುದರಿಂದ, ಸದ್ರಿ ಬೇಡಿಕೆ ಹುಂಡಿಯನ್ನು ಉಪ ಅರಣ್ಯ ಸಂರಕ್ಷಣಾಧಿಕಾರಿ, ಹೊನ್ನಾವರ ಇವರ ಪದನಾಮದಲ್ಲಿ ಬೇಡಿಕೆ ಹುಂಡಿ ಸಂಖ್ಯೆ: 129982 ದಿನಾಂಕ: 18.07.2022 ರಂತೆ ತೆಗೆಯಲಾಗಿದ್ದು, ಬೇಡಿಕೆ ಹುಂಡಿಯ ಮೂಲ ಪ್ರತಿಯನ್ನು ಈ ಪತ್ರದೊಂದಿಗೆ ಲಗತ್ತಿಸಿದೆ. ಕಾರಣ ಸಂಪರ್ಕ ರಸ್ತೆಯ ಕುರಿತು ಅರಣ್ಯ ಇಲಾಖೆಯಿಂದ ಅರಣ್ಯ ಭೂಮಿ ವರ್ಗಾವಣೆಯ 2ನೇ ಹಂತದ ಅನುಮೋದನೆಯನ್ನು ಪಡೆಯುವ ಬಗ್ಗೆ ಮುಂದಿನ ಶೀಘ್ರ ಕ್ರಮವನ್ನು ಕೈಗೊಳ್ಳುವಂತೆ ನಿಮಗೆ ಸೂಚಿಸಲಾಗಿದೆ.

ತಮ್ಮ ವಿಶ್ವಾಸಿ,

ನಿರ್ದೇಶಕರ ಪದವಾಗಿ,

ಮೂಲ ಸೌಲಭ್ಯ ಅಭಿವೃದ್ಧಿ,

ಬಂದರು ಮತ್ತು ಒಳನಾಡು ಜಲಸಾರಿಗೆ

ಇಲಾಖೆ, ಕಾರವಾರ.

ಅಡಕ: ಮೇಲಿನಂತೆ.

ಪ್ರತಿ: ಪ್ರಧಾನ ವ್ಯವಸ್ಥಾಪಕರು, ಮೆ|| ಹೊನ್ನಾವರ ಪೋರ್ಟ್ ಪ್ರೈ. ಲಿ., ಹೊನ್ನಾವರ ಇವರಿಗೆ ಮಾಹಿತಿಗಾಗಿ ಹಾಗೂ ಮುಂದಿನ ಸೂಕ್ತ ಕ್ರಮಕ್ಕಾಗಿ.

Key: OOFDOT
Sr. No: 607037

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D D M M Y Y Y Y

मांगद्वार
DEMAND DRAFT

जा देने का भारतीय स्टेट बैंक
State Bank of India
ISSUING / CODE No: 00857
कोड नं. 08382-221613
Tel No. 08382-221613

नामो जानेपर DEPUTY CONSERVATOR OF FORESTS HONAVAR
ON DEMAND PAY
Seventy Five Thousand Seven Hundred and Fourteen Only

या अंक अक्षर पर
OR
9
8
7
6
5
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3
2
1

रुपये RUPEES

75714.00

₹

अवा करें

ICR 000530129982
Name of Applicant
KARNATAKA MARITIME BOARD

AMOUNT BELOW 75715.75

रुपये मात्र / VALUE RECEIVED

भारतीय स्टेट बैंक
STATE BANK OF INDIA
अवाकर्ता शाखा / DRAWEE BRANCH: HONAVAR
कोड नं. / CODE No. 00259

प्राधिकृत हस्ताक्षरकर्ता
AUTHORISED SIGNATORY

₹ 1,50,000/- एवं अधिक के लिखत दो अधिकारियों द्वारा हस्ताक्षर होने पर ही वैध है।
INSTRUMENTS FOR ₹ 1,50,000/- & ABOVE ARE VALID ONLY WHEN SIGNED BY TWO OFFICERS

04-2019

MANIPAL TECHNOLOGIES LIMITED, KARNATAKA / CTS-2010

कम्प्यूटर द्वारा मुद्रित होने पर ही वैध
VALID ONLY IF COMPUTER PRINTED

केवल 3 महीने के लिए वैध
VALID FOR 3 MONTHS ONLY

1 2 9 9 8 2 0 0 0 0 2 0 0 0 1 0 0 0 5 3 0 1 1 6

Signature
BRANCH: HONAVAR
53-3933-55



(ಮೂಲ ಸೌಲಭ್ಯ ಅಭಿವೃದ್ಧಿ ಬಂದರು ಮತ್ತು ಒಳನಾಡು ಜಲಸಾರಿಗೆ ಇಲಾಖೆ)

ಸಹಾಯಕ ಕಾರ್ಯನಿರ್ವಾಹಕ ಇಂಜಿನಿಯರ ಕಛೇರಿ ಬಂದರು ಉಪ ವಿಭಾಗ, ಹೊನ್ನಾವರ ಉತ್ತರ ಕನ್ನಡ ಜಿಲ್ಲೆ, 581334	OFFICE OF THE ASSISTANT EXECUTIVE ENGINEER PORT SUB DIVISION, HONNAVAR UTTAR KANNADA-581334
ಇ-ಮೇಲ್ (e-mail) aeepsdh@gmail.com	

NO:AEE/PSDH/HPPL/2022-23/53

Date: 29/06/2022

To:

The Deputy Conservator of Forests,
Honnavar Division,
Honnavar.

Dear Sir,

Sub: Diversion of 0.76 hectare of forest land in Kasarkod Village F.Sy.No.233 & 237 Manki Hobali, Honnavar Taluk Uttara Kannada District (Honnavar Forest Division) for Approach Road from NH -66 to Kasarkod side of Honnavar Port in favour of the Assistant Executive Engineer, Port and Inland Water Transport Department, Port Sub Division, Honnavar-Reg.

- Ref:
1. Principal Chief Conservator of Forests, (Forest Conservation) and Nodal Officer (FCA) Bangalore E- Office File No: KFD/HOFF/A52K(GFL)/47/2019-FC Dated: 04/05.10.2021
 2. Deputy Conservator Of Forest, Honnavar Division, Honnavar Letter No.B2/GFL/FC/CR-20/2020-21 Dated: 27/10/2021.
 3. Assistant Executive Engineer, Port Sub Division & Nodal Officer, Honnavar Letter No. AEE/PSDH/HPPL/2020-21/166 Date: 06-11-2021.
 4. Additional Inspector General of Forest, Bangalore letter no. FNO.4-KRB1275/2021-BAN/1298 Dated: 20-01-2022.
 5. Principal Chief Conservator of Forests, (Forest Conservation) and Nodal Officer (FCA) Bangalore E- Office File No: KFD/HOFF/A52K (GFL)/47/2019-FC Dated: 08.02.2022.
 6. Assistant Executive Engineer, Port Sub Division & Nodal Officer, Honnavar Letter No. AEE/PSDH/HPPL/2021-22/244, Date: 17-02-2022.
 7. Deputy Conservator Of Forest, Honnavar Division, Honnavar Letter No.B2/GFL/FC/CR-20/2020-21 Dated: 16/02/2022 (22.02.2022).
 8. Assistant Executive Engineer, Port Sub Division & Nodal Officer, Honnavar Letter No. AEE/PSDH/HPPL/2021-22/253, Date: 24-02-2022.
 9. Director of Ports & IWT, Karwar Letter No. PIWT-62/LND-II/2010, Dated: 03.03.2022.
 10. Director of Ports & IWT, Karwar Letter No. KMB/CR-05/LND-II/2019-20, Dated: 29.03.2022.
 11. Deputy Conservator Of Forest, Honnavar Division, Honnavar Letter No.B2/GFL/FC/CR-20/2020-21 Dated: 03/06/2022.
 12. Assistant Executive Engineer, Port Sub Division & Nodal Officer, Honnavar Letter No. AEE/PSDH/HPPL/2022-23/043, Date: 06-06-2022.

ಇಂಜಿನಿಯರ್
(ಒ.ಒ.ಇ.) ಹೊನ್ನಾವರ

13. Deputy Conservator Of Forest ,Honnavar Division, Honnavar Letter
No.B2/GFL/FC/CR-20/2020-21 Dated: 17/06/2022.

With reference to the above, as per the demand notice by the Deputy Conservator of Forest, Honnavar for to make the payments after Stage – I approval vide letter under ref (7), the Net Present Value and the cost of raising plantation of Rs. 1,02,21,800/- is paid to CAMPA account through RTGS for necessary action in the matter.

Further, the observations raised under reference (7) is complied and uploaded in the FC online web portal. Hard copies are enclosed herewith for necessary action in the matter is requested.

This is for favour of information and further needful action in the matter.

Yours Faithfully,

Encl: As above


Assistant Executive Engineer
Port Sub Division, Honnavar &
Nodal Officer, Honnavar

1. Copy submitted to The Director, Ports & Inland Water Transport Department, Karwar for favour of information in the matter.
2. Copy submitted to The Port Engineer, Directorate of Ports and Inland Water Transport, Karwar & Litigation Conducting Officer, Karwar for favour of information in the matter.
3. Copy submitted to the Range Forest Officer , Honnavar for information in the matter.


Assistant Executive Engineer
Port Sub Division, Honnavar &
Nodal Officer, Honnavar.

ಸ್ವೀಕೃತವಾಗಿದೆ



ಉ.ಇ.ಪಂ. ಕಛೇರಿ, ಹೊನ್ನಾವರ
ದಿನಾಂಕ: 6/7/22

for Proof 6/7/22
ವಲಯ ಅಧ್ಯಕ್ಷ ಅಧಿಕಾರಿ
ಹೊನ್ನಾವರ (ಉ.ಕ.)

ಕರ್ನಾಟಕ ಸರ್ಕಾರ

(ಮೂಲಸೌಲಭ್ಯ ಅಭಿವೃದ್ಧಿ, ಬಂದರು ಮತ್ತು ಒಳನಾಡು ಜಲಸಾರಿಗೆ ಇಲಾಖೆ)

ಸಹಾಯಕ ಕಾರ್ಯನಿರ್ವಾಹಕ ಇಂಜಿನಿಯರರ ಕಚೇರಿ, ಬಂದರು ಉಪವಿಭಾಗ, ಹೊನ್ನಾವರ ಉತ್ತರಕನ್ನಡಜಿಲ್ಲೆ -581 334	OFFICE OF THE ASSISTANT EXECUTIVE ENGINEER PORT SUB DIVISION, HONNAVAR. UTTARA KANNDA - 581 334
ಇ-ಮೇಲ್ (e-mail) aee PSDH@gmail.com	

ಕ್ರ.ಸಂ.ಸಕಾನಿಇಂ/ಬಂಉವಿಹೊ/ಹೆಚ್‌ಪಿವಿಎಲ್/2022-23 / 79

ದಿನಾಂಕ: 20-07-2022

ರಿಗೆ:

ಉಪ ಅರಣ್ಯ ಸಂರಕ್ಷಣಾಧಿಕಾರಿಗಳು,

ಹೊನ್ನಾವರ ವಿಭಾಗ,

ಹೊನ್ನಾವರ.

ಮಾನ್ಯರೇ,

ವಿಷಯ:

Diversion of 0.76 hectare of forest land in Kasarkod Village F.Sy.No.233 & 237 MankiHobali, HonnavarTalukUttara Kannada District (Honnavar Forest Division) for Approach Road from NH -66 to Kasarkod side of Honnavar Port in favour of the Assitant Executive Engineer, Port and Inland Water Transport Department, Port Sub Division ,Honnavar-Reg.

ಉಲ್ಲೇಖ:

1. Principal Chief Conservator of Forests, (Forest Conservation) and Nodal Officer (FCA) Bangalore E- Office File No: KFD/HOFF/A52K(GFL)/47/2019-FC Dated: 04/05.10.2021
2. Deputy Conservator Of Forest,Honnavar Division, Honnavar Letter No.B2/GFL/FC/CR-20/2020-21 Dated : 27/10/2021.
3. Assistant Executive Engineer,Port Sub Division & Nodal Officer,Honnavar Letter No. AEE/PSDH/HPPL/2020-21/166 Date: 06-11-2021.
4. Additional Inspector General of Forests,Bangalore Letter No: FNO.4-KRB1275/2021-BAN/1298 Dated 20-01-2022.
5. Principal Chief Conservator of Forests, (Forest Conservation) and Nodal Officer (FCA) Bangalore E- Office File No: KFD/HOFF/A52K(GFL)/47/2019-FC Dated: 08-02-2022.
6. Assistant Executive Engineer,Port Sub Division & Nodal Officer,Honnavar Letter No. AEE/PSDH/HPPL/2021-22/244 Dated 17.02.2022.
7. Deputy Conservator Of Forest ,Honnavar Division, Honnavar Letter No.B2/GFL/FC/CR-20/2020-21 Dated : 16-02-2022. (22.02.2022).
8. ನಿರ್ದೇಶಕರು, ಬಂದರು ಮತ್ತು ಒಳನಾಡು ಜಲಸಾರಿಗೆ ಇಲಾಖೆ , ಕಾರವಾರ ರವರ ಪತ್ರ ಸಂಖ್ಯೆ: ಕಜಮಂ/ಸಿಆರ್-05/ಭೂಮಿ-02/2019-20 ದಿನಾಂಕ: 29.03.2022
9. ಈ ಕಚೇರಿ ಪತ್ರ ಸಂ: ಸಕಾನಿಇಂ/ಬಂಉವಿಹೊ/ಹೆಚ್‌ಪಿವಿಎಲ್/2022-23/02 ದಿನಾಂಕ: 06.04.2022
10. ಈ ಕಚೇರಿ ಪತ್ರ ಸಂ: ಸಕಾನಿಇಂ/ಬಂಉವಿಹೊ/ಹೆಚ್‌ಪಿವಿಎಲ್/2022-23/07 ದಿನಾಂಕ: 07.04.2022
11. ಈ ಕಚೇರಿ ಪತ್ರ ಸಂ: ಸಕಾನಿಇಂ/ಬಂಉವಿಹೊ/ಹೆಚ್‌ಪಿವಿಎಲ್/2022-23/25 ದಿನಾಂಕ: 20.07.2022
12. ಈ ಕಚೇರಿ ಪತ್ರ ಸಂ: ಸಕಾನಿಇಂ/ಬಂಉವಿಹೊ/ಹೆಚ್‌ಪಿವಿಎಲ್/2022-23/29 ದಿನಾಂಕ: 07.05.2022
13. ಈ ಕಚೇರಿ ಪತ್ರ ಸಂ: ಸಕಾನಿಇಂ/ಬಂಉವಿಹೊ/ಹೆಚ್‌ಪಿವಿಎಲ್/2022-23/33 ದಿನಾಂಕ: 11.05.2022
14. ಉಪ ಅರಣ್ಯ ಸಂರಕ್ಷಣಾಧಿಕಾರಿಗಳು, ಹೊನ್ನಾವರ ರವರ ಪತ್ರ ಸಂ: ಬಿ2/ಜಿಎಫ್ ಎಲ್ /ಎಫ್ ಸಿ/ಸಿಆರ್ -20/2020-21 ದಿನಾಂಕ: 03.06.2022
15. ಈ ಕಚೇರಿ ಪತ್ರ ಸಂ: ಸಕಾನಿಇಂ/ಬಂಉವಿಹೊ/ಹೆಚ್‌ಪಿವಿಎಲ್/2022-23/43 ದಿನಾಂಕ: 06.06.2022

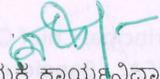
16. ನಿರ್ದೇಶಕರು, ಬಂದರು ಮತ್ತು ಒಳನಾಡು ಜಲಸಾರಿಗೆ ಇಲಾಖೆ, ಕಾರವಾರ ರವರ ಪತ್ರ ಸಂಖ್ಯೆ:
ಕಜಮಂ/ಸಿಆರ್-05/ಭೂಮಿ-02/2019-20 ದಿನಾಂಕ: 19.07.2022

ಮೇಲಿನ ವಿಷಯಕ್ಕೆ ಸಂಬಂಧಿಸಿದಂತೆ, ಉತ್ತರ ಕನ್ನಡ ಜಿಲ್ಲೆಯ ಹೊನ್ನಾವರ ತಾಲ್ಲೂಕಿನ ಕಾಸರಕೋಡ ಗ್ರಾಮದ ಕಾಸರಕೋಡ ಅಸನಂ: 233 ಮತ್ತು 237 ರಲ್ಲಿ ರಸ್ತೆ ನಿರ್ಮಾಣಕ್ಕಾಗಿ 0.76 ಹೆಕ್ಟೇರ್ ಅರಣ್ಯ ಭೂಮಿಯನ್ನು ನೀಡಲು ಕೆಂದ್ರ ಸರ್ಕಾರವು ಸ್ಪೆಷ್ - 1 ಅನುಮೋದನೆ ಆದೇಶ ನೀಡಿದ್ದು ಸದರಿ ಸ್ಥಳದಲ್ಲಿರುವ ಮರಗಳನ್ನು ಕಟಾವಣೆಗೊಳಿಸಿ ಕಾಮಗಾರಿಯನ್ನು ಪ್ರಾರಂಭಿಸಲು ಅನುವು ಮಾಡಿಕೊಡಲು ವಿನಂತಿಸಿದ್ದು ಇರುತ್ತದೆ. ಆದರೆ ತಮ್ಮ ಕಚೇರಿ ಉಲ್ಲೇಖಿತ ಪತ್ರ (14) ರಲ್ಲಿ ಸ್ಪೆಷ್ - 1 ಅನುಮೋದನೆ ಷರತ್ತಿನಲ್ಲಿ ನಮೂದಿಸಿದಂತೆ ರೂ. 75,714.00 ಮೊತ್ತದ ರಾಷ್ಟ್ರೀಕೃತ ಬ್ಯಾಂಕಿನ ಡಿ.ಡಿ ಯನ್ನು ಉಪ ಅರಣ್ಯ ಸಂರಕ್ಷಣಾಧಿಕಾರಿ, ಹೊನ್ನಾವರ ರವರ ಪದನಾಮದಲ್ಲಿ ತೆಗೆದು ಸಲ್ಲಿಸಲು ತಿಳಿಸಿದ್ದು ಇರುತ್ತದೆ. ಅಂತೆಯೇ ಸದರಿ ಮೊತ್ತವನ್ನು ಉಪ ಅರಣ್ಯ ಸಂರಕ್ಷಣಾಧಿಕಾರಿ, ಹೊನ್ನಾವರ ರವರ ಪದನಾಮದಲ್ಲಿ ಡಿ.ಡಿ ಸಂ: 129982 ದಿನಾಂಕ: 18.07.2022 ರಂತೆ ತೆಗೆಯಲಾಗಿದ್ದು, ಡಿ.ಡಿ ಯ ಮೂಲ ಪ್ರತಿಯನ್ನು ಈ ಪತ್ರದೊಂದಿಗೆ ಲಗತ್ತಿಸಿ ಮುಂದಿನ ಕ್ರಮ ಕೋರಿ ಸಲ್ಲಿಸಿದೆ. ಇದನ್ನು ಸ್ವೀಕರಿಸಿದ ಕುರಿತು ಸ್ವೀಕೃತಿ ಪತ್ರ ನೀಡಲು ವಿನಂತಿಸಲಾಗಿದೆ.

ಇದನ್ನು ತಮ್ಮ ಮಾಹಿತಿಗಾಗಿ ಹಾಗೂ ಮುಂದಿನ ಸೂಕ್ತ ಕ್ರಮಕ್ಕಾಗಿ ವಿನಂತಿಸಿ ಸಲ್ಲಿಸಲಾಗಿದೆ.

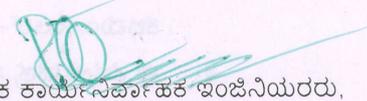
ಅಡಕ : ಮೇಲಿನಂತೆ

ತಮ್ಮ ವಿಶ್ವಾಸಿ


ಸಹಾಯಕ ಕಾರ್ಯನಿರ್ವಾಹಕ ಇಂಜಿನಿಯರರು,

ಬಂದರು ಉಪ ವಿಭಾಗ, ಹೊನ್ನಾವರ.

- ಪ್ರತಿಯನ್ನು :
1. ನಿರ್ದೇಶಕರು, ಮೂಲ ಸೌಲಭ್ಯ ಅಭಿವೃದ್ಧಿ, ಬಂದರು ಮತ್ತು ಒಳನಾಡು ಜಲಸಾರಿಗೆ ಇಲಾಖೆ, ಕಾರವಾರ ರವರಿಗೆ ಮಾಹಿತಿಗಾಗಿ ಸಲ್ಲಿಸಲಾಗಿದೆ.
 2. ಬಂದರು ಇಂಜಿನಿಯರ್, ಮೂಲ ಸೌಲಭ್ಯ ಅಭಿವೃದ್ಧಿ, ಬಂದರು ಮತ್ತು ಒಳನಾಡು ಜಲಸಾರಿಗೆ ಇಲಾಖೆ, ಕಚೇರಿ ಕಾರವಾರ ರವರಿಗೆ ಮಾಹಿತಿಗಾಗಿ ಸಲ್ಲಿಸಿದೆ.
 3. ಬಂದರು ಅಧಿಕಾರಿ, ಹೊನ್ನಾವರ ಇವರಿಗೆ ಮಾಹಿತಿಗಾಗಿ ಸಲ್ಲಿಸಿದೆ.
 4. ವಲಯ ಅರಣ್ಯಾಧಿಕಾರಿಗಳು, ಹೊನ್ನಾವರ ಇವರಿಗೆ ಮಾಹಿತಿಗಾಗಿ ಸಲ್ಲಿಸಿದೆ.
 5. ಪ್ರಧಾನ ವ್ಯವಸ್ಥಾಪಕರು, ಹೆಚ್ ಪಿ ಪಿ ಎಲ್, ಹೊನ್ನಾವರ ರವರಿಗೆ ಮಾಹಿತಿಗಾಗಿ ಹಾಗೂ ಸೂಕ್ತ ಕ್ರಮಕ್ಕಾಗಿ ಸಲ್ಲಿಸಿದೆ.


ಸಹಾಯಕ ಕಾರ್ಯನಿರ್ವಾಹಕ ಇಂಜಿನಿಯರರು,

ಬಂದರು ಉಪ ವಿಭಾಗ, ಹೊನ್ನಾವರ.

ಕರ್ನಾಟಕ ಸರ್ಕಾರ

(ಮೂಲ ಸೌಲಭ್ಯ ಅಭಿವೃದ್ಧಿ, ಬಂದರು ಮತ್ತು ಒಳನಾಡು ಜಲಸಾರಿಗೆ ಇಲಾಖೆ)

ಕ್ರ.ಸಂ.ಕಜಮಂ/ಸಿಆರ್-05/ಭೂಮಿ-2/2019-20

ಬಂದರು ಮತ್ತು ಒಳನಾಡು ಜಲಸಾರಿಗೆ

ನೋಂದಾಯಿತ ಅಂಚೆ ಸ್ವೀಕೃತಿ ಮೂಲಕ

ನಿರ್ದೇಶನಾಲಯ ಬೈತಖೋಲ್, ಕಾರವಾರ

ದಿನಾಂಕ: 19.07.2022.

ರಿಗೆ,

ಸಹಾಯಕ ಕಾರ್ಯನಿರ್ವಾಹಕ ಇಂಜಿನಿಯರ್,

ಬಂದರು ಉಪ ವಿಭಾಗ,

ಹೊನ್ನಾವರ.

ಮಾನ್ಯರೇ,

ವಿಷಯ:-

Four laning with paved Shoulders of Honnavar Port Connectivity road from Km 0.00 (Kasarkod side of Honnavar Port) to Km 2.580 (towards NH-66) connecting Honnavar Port with NH-66 at KM 195.986 and to improve NH-66 from Km 195.00 to Km197.00 to integrate port connectivity on EPC mode under Bharatmala Phase-I-Memorandum of Inventory-Appointed date-reg.

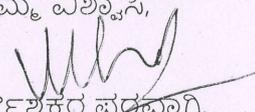
ಉಲ್ಲೇಖ:-

1. ನಿಮ್ಮ ಪತ್ರ ಸಂಖ್ಯೆ: ಸಕಾನಿಇಂ / ಬಂಉವಿಹೊ / ಹೆಚ್‌ಪಿಪಿಎಲ್ / 2022-23 / 43. ದಿನಾಂಕ: 06.06.2022.
2. ಈ ಕಛೇರಿಯ ಮೇಲಿನದೆ ಸಮ ಸಂಖ್ಯೆಯ ಪತ್ರ ದಿನಾಂಕ: 27.06.2022.
3. ಮೆ|| ಹೊನ್ನಾವರ ಪೋರ್ಟ್ ಪ್ರೈ. ಲಿ., ಇವರ ಪತ್ರ ಸಂಖ್ಯೆ: HPPL/RD/2022/0030. ದಿನಾಂಕ: 28.06.2022.
4. ಈ ಕಛೇರಿಯ ಲೆಕ್ಕ ಪತ್ರ ವಿಭಾಗದ ಪತ್ರ ಸಂಖ್ಯೆ: ಕಜಮಂ-03/ಲೆಕ್ಕಪತ್ರ-1/2022-23. ದಿನಾಂಕ: 18.07.2022.

ಮೇಲ್ಕಂಡ ವಿಷಯಕ್ಕೆ ಸಂಬಂಧಿಸಿದಂತೆ, ಮೆ|| ಹೊನ್ನಾವರ ಪೋರ್ಟ್ ಪ್ರೈ. ಲಿ., ಇವರು ತಮ್ಮ ಉದ್ದೇಶಿತ ಬಂದರು ಯೋಜನೆಯ ಸ್ಥಳಕ್ಕೆ ಸರಕುಗಳನ್ನು ಸಾಗಿಸಲು ಅನುಕೂಲವಾಗುವಂತೆ ಭಾರತಮಾಲಾ ಯೋಜನೆಯಡಿಯಲ್ಲಿ ರಾಷ್ಟ್ರೀಯ ಹೆದ್ದಾರಿ 66 ರಿಂದ ಬಂದರು ಯೋಜನಾ ಸ್ಥಳದವರೆಗೆ ಕೈಗೊಳ್ಳಲಿರುವ ರಸ್ತೆ ಕಾಮಗಾರಿಯ ನಿಮಿತ್ತ ಅರಣ್ಯ ಇಲಾಖೆಯಿಂದ ಪಡೆಯಬೇಕಾದ 0.76 ಹೆಕ್ಟಾರ್ ಭೂಮಿಯ 2 ನೇ ಹಾಗೂ ಅಂತಿಮ ಹಂತದ ಅನುಮೋದನೆ ಪಡೆಯುವ ಸಲುವಾಗಿ ಅರಣ್ಯ ಇಲಾಖೆಯ ಕೋರಿಕೆಯಂತೆ ಮರು ಅರಣ್ಯೀಕರಣದ ಕುರಿತು ರೂ.76,094/- (D.D ಮೊತ್ತ ಸೇರಿ) ಮೊತ್ತವನ್ನು ಮೆ|| ಹೊನ್ನಾವರ ಪೋರ್ಟ್ ಪ್ರೈ. ಲಿ., ಇವರು ಈಗಾಗಲೇ ಕರ್ನಾಟಕ ಜಲಸಾರಿಗೆ ಮಂಡಳಿಯ ಖಾತೆಗೆ ಬೇಡಿಕೆ ಹುಂಡಿ ಸಂಖ್ಯೆ: 665844 ದಿನಾಂಕ: 28.06.2022 ರಂತೆ ಜಮಾಡಲಾಗಿರುತ್ತದೆ. (ಪ್ರತಿ ಲಗತ್ತಿಸಿದೆ).

ಸದ್ರಿ ಮೊತ್ತವನ್ನು ಅರಣ್ಯ ಇಲಾಖೆಗೆ ಬೇಡಿಕೆ ಹುಂಡಿ ಮುಖಾಂತರ ಪಾವತಿಸಬೇಕಾಗಿರುವುದರಿಂದ, ಸದ್ರಿ ಬೇಡಿಕೆ ಹುಂಡಿಯನ್ನು ಉಪ ಅರಣ್ಯ ಸಂರಕ್ಷಣಾಧಿಕಾರಿ, ಹೊನ್ನಾವರ ಇವರ ಪದನಾಮದಲ್ಲಿ ಬೇಡಿಕೆ ಹುಂಡಿ ಸಂಖ್ಯೆ: 129982 ದಿನಾಂಕ: 18.07.2022 ರಂತೆ ತೆಗೆಯಲಾಗಿದ್ದು, ಬೇಡಿಕೆ ಹುಂಡಿಯ ಮೂಲ ಪ್ರತಿಯನ್ನು ಈ ಪತ್ರದೊಂದಿಗೆ ಲಗತ್ತಿಸಿದೆ. ಕಾರಣ ಸಂಪರ್ಕ ರಸ್ತೆಯ ಕುರಿತು ಅರಣ್ಯ ಇಲಾಖೆಯಿಂದ ಅರಣ್ಯ ಭೂಮಿ ವರ್ಗಾವಣೆಯ 2ನೇ ಹಂತದ ಅನುಮೋದನೆಯನ್ನು ಪಡೆಯುವ ಬಗ್ಗೆ ಮುಂದಿನ ಶೀಘ್ರ ಕ್ರಮವನ್ನು ಕೈಗೊಳ್ಳುವಂತೆ ನಿಮಗೆ ಸೂಚಿಸಲಾಗಿದೆ.

ತಮ್ಮ ವಿಶ್ವಾಸಿ,



ನಿರ್ದೇಶಕರ ಪದವಾಗಿ,

ಮೂಲ ಸೌಲಭ್ಯ ಅಭಿವೃದ್ಧಿ,

ಬಂದರು ಮತ್ತು ಒಳನಾಡು ಜಲಸಾರಿಗೆ

ಇಲಾಖೆ, ಕಾರವಾರ.

ಅಡಕ: ಮೇಲಿನಂತೆ.

ಪ್ರತಿ: ಪ್ರಧಾನ ವ್ಯವಸ್ಥಾಪಕರು, ಮೆ|| ಹೊನ್ನಾವರ ಪೋರ್ಟ್ ಪ್ರೈ. ಲಿ., ಹೊನ್ನಾವರ ಇವರಿಗೆ ಮಾಹಿತಿಗಾಗಿ ಹಾಗೂ ಮುಂದಿನ ಸೂಕ್ತ ಕ್ರಮಕ್ಕಾಗಿ.

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Annexure R24

No. 11011/1/2021/PC/ Kasarkod - Honnavar Port

Dated-08/12/2021

To

M/s. Viva Infraventure Pvt. Ltd.
K-6, Sector K, Aashiyana Colony, LDA, Lucknow-226012,
Email Id: - vivainfraventure@gmail.com

Subject: Four laning of Honnavar Port Connectivity road from km 0.00 (Kasarkod side of Honnavar Port) to Km 2.58 (towards NH-66) connecting Honnavar Port with NH-66 at Km 196.00 and to improve NH-66 from Km 195.00 to Km. 197.00 to integrate port connectivity road on EPC mode under Bharatmala Phase-I in the State of Karnataka- **Letter of Acceptance (LOA)-Reg.**

Reference: Your bid for the subject work dated 14.07.2021

Sir,

This is to notify you that your Bid dated 14.07.2021 for execution of the "Four laning of Honnavar Port Connectivity road from km 0.00 (Kasarkod side of Honnavar Port) to Km 2.58 (towards NH-66) connecting Honnavar Port with NH-66 at Km 196.00 and to improve NH-66 from Km 195.00 to Km. 197.00 to integrate port connectivity road on EPC mode under Bharatmala Phase - I in the State of Karnataka", at your quoted bid price amounting to Rs. 87,50,00,000 /- (Rupees Eighty Seven Crore Fifty Lakhs only) has been determined to be the lowest evaluated bid and is substantially responsive and has been accepted.

2. You are requested to return a duplicate of the LOA as an acknowledgement and sign the Contract Agreement within the period prescribed in Clause 1.3 of the RFP.
3. You are also requested to furnish Performance Security for an amount of Rs. 2,62,50,000 (Rupees Two Crore Sixty Two Lakhs Fifty Thousand Only) and additional performance guarantee for an amount of Rs. 41,18,000/- (Rupees Forty one lakh and eighteen thousands only) in the form of irrevocable and unconditional guarantee from a bank in the form set forth in Appendix VII as per Clause 2.21 of the RFP within 30 (thirty) days of receipt of this Letter of Acceptance (LOA).
4. In case of failure of submission of Performance Security, Additional Performance Security and Security against Damages (if any) within the stipulated time, the award shall be deemed to be cancelled and bidder will be suspended for participation in the tendering process for the work of MORTH/NHAI/NHIDCL and

Ayoni

work under other centrally Sponsored Schemes for a period of One Year from the bid due date of this work.

Yours faithfully,



(Asheesh Kumar Jain)
General Manager (PC)

Copy To: -

- (i) RO Bengaluru
- (ii) PD, PIU, New Mangalore

ASSESSMENT OF COASTAL AND MARINE ECOSYSTEM GOODS AND SERVICES – LINKING COASTAL ZONE MANAGEMENT TO ECOSYSTEM SERVICES IN INDIA

— FINAL REPORT —

TURTLE NESTING GROUNDS

ISE DIVISION

National Centre for Sustainable Coastal Management
Ministry of Environment, Forest & Climate Change

2018 - 19
Chennai



**ASSESSMENT OF COASTAL AND MARINE
ECOSYSTEM GOODS AND SERVICES - LINKING
COASTAL ZONE MANAGEMENT TO ECOSYSTEM
SERVICES IN INDIA**

TURTLE NESTING GROUNDS

by

**Integrated Social Sciences and Economics (ISE) Division
National Centre for Sustainable Coastal Management
Ministry of Environment, Forest and Climate Change
Government of India**

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SUMMARY

Sea turtles are ancient reptiles that have changed little over their 150 million year history on Earth. Sea turtles migrate hundreds or even thousands of kilometres between established feeding and breeding sites. All sea turtle species lay their eggs on land, typically on sandy beaches. Turtle nesting grounds are on land, and they are typically sandy beaches. Turtles have various ecological roles, including: nutrient cycling, which is crucial for the coastal ecosystem; and maintenance of sea grass beds, coral reefs and beach dunes. Aside from the obvious ecological services, sea turtles contribute to tourism activities, due to their charismatic nature, yielding great economic benefits.

Turtle nesting grounds have been distributed in 179 sites covering 17,872 ha are located in mainland and island coast of India. In turtle nesting areas, regulation, cultural and supporting services generate economic value than consumptive use. Turtle nesting beaches protect the coastal communities from storm surges, and cyclones. In addition, it acts as an aquifer and source of freshwater to the coastal communities of India. Turtle products such as oil, calipee (cartilage), skin, viscera, shell, and curios are popular among the coastal communities of the world illegal market and it is protected in India. Though marine turtle are protected from consumption in India, to estimate the value of turtle's international market, value of meat and eggs used by coastal communities have been used to value the turtle nesting grounds.

In general, the survival of sea turtle has been threatened by loss of their habitat. Sustainability of turtle population has been pressurized by various anthropogenic activities in turtle nesting sites. It is widely observed that, the turtle population and its nesting beaches are declining due to manmade activities and sea level rise. Quantification of the economic consequences of marine turtle use and conservation could contribute significantly to our understanding of use options and their ecological impacts, and hence further the process of defining adequate management policies. Expressing the economic value of various uses and benefits of turtle nesting grounds shall be a tool to raise awareness and convey its (relative) importance to general public and policy makers.

The use and non-use values of the turtle nesting ground has been estimated at Rs. 45,68,358 /- yr. /ha. Out of which recreation function shares Rs. 29,81,237/- yr. /ha. Disturbance regulation and water storage function of turtle nesting ground was estimated at Rs, 1,17,866/yr./ha, and Rs. 12,61,326/yr./ha respectively. In addition, consumptive value of Rs2,07,929/ ha, has been incorporated in this study though there is no consumption in India but, it has international market value. The Total Economic Value of turtle nesting ground of India is Rs.7997 Crore. Out of the total benefit from turtle nesting grounds, Andaman and Nicobar islands share Rs.5826 crore followed by Andhra Pradesh Rs. 601 crore. Economic contributions of various States and UTs have been described below.

1. INTRODUCTION

Sea turtles are ancient reptiles that have changed little over their 150 million year history on Earth (Fugazzatto and Behera, 1999). Sea turtles are air-breathing reptiles spending most of their lives at sea. During the breeding/nesting seasons, both sexes typically aggregate in the waters close to the nesting beaches (Hamann et al., 2003). Sea turtles migrate hundreds or even thousands of kilometers between established feeding and breeding sites (Plotkin., 2003). All sea turtle species lay their eggs on land, typically on sandy beaches. The location at which sea turtles lay their eggs is called turtle nesting grounds. Turtles nesting are happening in narrow beaches where it can lay eggs and suitable environment for hatching of young ones. Costa Rica, Nicaragua, Panama, Mexico, Surinam and India are the popular beaches for turtle nesting (National Marine Fisheries Services/US Fish And Wildlife Service., 1996).

Turtle nesting grounds are on land, and they are typically sandy beaches (<http://www.biodiversitya-z.org/content/turtle-nesting-site.pdf>). The seven different species of sea turtles occupy different, although often overlapping, geographic ranges. In general, sea turtles occupy a wide range of oceanic habitats and will travel widely in their lifetimes (Hawkes et al., 2009). Turtles have various ecological roles, including: nutrient cycling, which is crucial for the coastal ecosystem; and maintenance of sea grass beds, coral reefs and beach dunes (Moran and Bjorndal, 2005, Hannan et al. 2007). Aside from the obvious ecological services, sea turtles contribute to tourism, due to their charismatic nature, yielding great economic benefits (Clevo and Clem, 2001). Marine turtles are highly migratory and represent an open-access resource. Many countries recognize the need to reduce marine turtle mortality from human sources and have provided partial or total legal protection for marine turtles. However, attempts to exclude users and reduce human impacts have met limited success, particularly in countries where funds to enforce restrictive legislation are scarce (Troeng and Drews, 2004).



Rushikulva, Odisha, India

In general, the survival of sea turtle has been threatened by loss of their habitat. It is widely observed that, the turtle population and its nesting beaches are declining due to manmade activities and sea level rise (Fish et al., 2008). IUCN has classified the marine turtle species under red list, endangered and vulnerable species. In India, many turtle species have been protected under Schedule 1 of the Indian Wild Life (Protection) Act, 1972. Party to CITES (Convention on International Trade in Endangered Species of Wild Fauna and Flora), ratified the

Convention on Biological Diversity (CBD) and related treaties, implementing National Biodiversity Act. Areas of turtle nesting site have been classified under sanctuaries and National marine parks. Appendix I include over 820 plant and animal species, including all seven marine turtle species that are threatened with extinction and are or may be affected by trade (CITES, 2000). International trade in these species is subject to particularly strict regulation in order to avoid further endangering their survival. International commercial trade in Appendix I species of CITES and its products are prohibited. Non-commercial trade may be authorized in exceptional circumstances, such as for specimens acquired before the Convention entered into force, for personal or household effects, or for specimens bred in captivity, according to definitions adopted by the Conference of the Parties. Schedule I items of CITES shall possess export documents to the standard format recognized for international trade with non-CITES Parties. Irrespective of the prohibition of international trade on a commercial scale, marine turtles continue to be taken incidentally or opportunistically for domestic use and turtle products are traded illegally within the region and exported illegally (Elizabeth H. Fleming., 2001). Each shipment must be authorized and accompanied by an export permit from the country of origin, or re-export certificate from the country of re-export, as well as an import permit issued by the importing country.

To protect the turtles and their population, India is implementing many initiatives including banning of fishing turtle breeding season around nesting sites; practice of using Turtle Excluding Device (TEDs) in fishing nets to avoid by-catch of turtles, awareness campaign etc. Turtle nesting grounds have been classified as Ecologically Sensitive Area (ESA) under CRZ 2011 and the activities in turtle nesting area have been prohibited and regulated.

Sustainability of turtle population has been pressurized by various anthropogenic activities in turtle nesting sites. Though, trafficking of sea turtle products is illegal, poverty of the third world countries or developing countries are driving the market (Didiher Chacon., 2002). In recent decades, there has been increased recognition that economic factors are behind many human activities that cause declines in habitats and species (Troeng and Drews, 2004).

Quantification of the economic consequences of marine turtle use and conservation contributes significantly to our understanding of use options and their ecological impacts, and hence further the process of defining adequate management policies. Expressing the economic value of various uses and benefits of turtle nesting grounds shall be a tool to raise awareness and convey its (relative) importance to general public and policy makers. These values shall help to make decisions about allocation of resources between competing uses (Farley, 2008). Accordingly, in this chapter, various goods and services of turtle nesting ground were identified and economic values of the above services have been fixed using benefit cost transfer method and other valuation methods. Application of economic value to turtle nesting grounds of India for policy decisions has been discussed.

Turtle nesting in beaches shall have the following main environmental variables for oviposition they include; fine sands, moderate slopes, good humidity and drainage, are. Turtles nesting grounds are the specific places where turtle population can be increased. To protect the turtle population, nesting grounds shall be essentially protected. Consumptive and non-consumptive economic valuation studies on turtle nesting sites shall provide an opportunity to create markets for conservation of turtle nesting grounds and to analyse the impacts of externalities. This shall lead to enhance our knowledge on total flow of benefits from turtle nesting ground. In view of the above, economic valuation of turtle nesting ground covers turtles and it's nesting beaches.

2. TURTLE NESTING GROUNDS IN INDIA - VALUATION

Turtle nesting grounds are distributed in 179 sites in the mainland coast and island coast of India. Total areas of nesting grounds distribution in India are 17872 ha. Andaman and Nicobar Islands have the highest number (102) of turtle nesting grounds covering 13344 ha area. In the mainland the coastal States viz., Maharashtra has 14 turtle nesting grounds followed by Gujarat and Andhra Pradesh. The above turtle nesting grounds are covering an area of 202 ha, 399 ha and 1375 ha respectively. Turtle nesting grounds of various coastal States and UTs of India has been given in chart Fig 1. It was estimated that up to one million sea turtles have nested in Odisha (873 ha) during a single year during the mid-1980's (Venkatraman and John Milton., 2003). Accordingly, one hectare of turtle nesting ground shall support 1145 turtles to lay eggs per year and the total nesting grounds of India support 211,67,615 number of turtles to lay eggs in 179 turtle nesting grounds. List of various turtle nesting grounds around India are given in table 2.1.

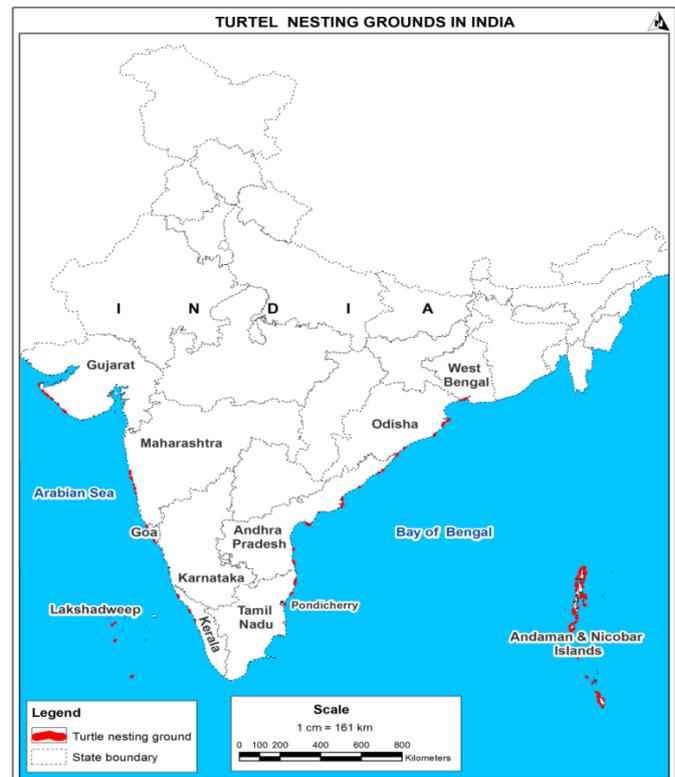


Fig 1

Table 2.1 Turtle nesting grounds in India				
S.No	States	No of sites	Area (ha)	Common sp.
1.	Gujarat	13	399.51	Olive ridley, Green turtle
2.	Maharashtra	14	202.20	Olive ridley
3.	Goa	6	25.54	Olive ridley
4.	Kerala	4	116.61	Olive ridley
5.	Lakshadweep	5	992.15	Olive ridley, Green turtle and Hawksbill
6.	Tamil Nadu	6	263.08	Olive ridley
7.	Pondicherry	2	15.79	Olive ridley
8.	Andhra Pradesh	12	1374.69	Olive ridley
9.	Odisha	11	872.93	Olive ridley
10.	West Bengal	4	265.48	Olive ridley
11.	Andaman & Nicobar	102	13344.06	Olive ridley, Green turtle, Hawksbill and Leatherback
	Total	179	17,872.05	Olive ridley, Green turtle, Hawksbill and Leatherback

Source: ESAs of India NCSCM report, 2015; <http://morjimhermitagegoa.com/oliveridleyturtles.html>

Table 2.2 Turtle Nesting Grounds – Indian Coastal Districts						
Sl. No	State / Union Territory	District	Patches in coastal areas	Turtle Nesting Grounds (ha)	Turtle density	Common sp.
1.	Gujarat	Devbhumi Dwarka	Lamba-Sethala Mata Mandir	32.55	31	Olive ridley, Green turtle
2.			Mithapur-Mojap	12.57	24	
3.			Sethala Mata Mandir-Harshad Mata Mandir	13.99	33	
4.			Okhamadhi-Kharakhetar	33.41	16	
5.			Mojap-Shivrajpur	13.14	32	
6.			Kharakhetar-Kuranga	25.57	20	
7.			Navadra-Lamba	40.44	34	
8.			Nearby Shivrajpur Beach	6.98	NA	
9.		Junagadh	Shil-Lohej	50.82	42	Olive ridley, Green turtle
10.			Mangrol-Mangrol Bara	20.57	37	
11.		Porbandar	Ratadi-Kantela	47.43	29	Olive ridley, Green turtle
12.			Kantela-Kuchhadi	50.55	37	
13.			Navibandar-Rativa	51.52	15	
Sub Total			13	399.51	350	Olive ridley, Green turtle
14.	Maharashtra	Ratnagiri	Kolthare	5.09	2	Olive ridley
15.			Sandkhol	4.32	NA	
16.			Velas	8.59	7	
17.			Guhagar	48.91	1	
18.			Kelashi	17.00	0.33	
19.			Dabhol	6.00	2	
20.			Bankot Fort	1.52	NA	
21.			Baag beach , Guhagar	6.64	NA	
22.		Raygad	Murud Janjira	2.79	NA	Olive ridley
23.			Diveagar	73.70	1	
24.			Harihareshwar	13.04	1	
25.			Maral	7.16	NA	
26.			Shining Sands Beach	0.08	NA	
27.	Vela's Beach		7.37	NA		
Sub Total			14	202.20	14	Olive ridley

28.	Goa	North Goa	Mandrem (Nearby Junos Vaddo village)	2.28	NA	Olive ridley
29.			Morjim (Morjim South)	3.11	NA	
30.			Mandrem	2.46	1	
31.			Morjim (Morjim North)	0.86	2	
32.		South Goa	Agonda	11.90	3	Olive ridley
33.			Galgibaga	4.92	3	
Sub Total			6	25.54	9	Olive ridley
34.	Kerala	Kozhikode	Kolavipalam	70.86	NA	Olive ridley
35.		Malappuram	Alungal	9.25	NA	
36.		Kasargod	Thaikkadappuram	20.32	NA	
37.		Kasargod	Hosdurg Beach	16.18	NA	
Sub Total			4	116.61	NA	Olive ridley
38.	Lakshadweep	Lakshadweep	Suheli Valliakara	58.33	NA	Green turtle
39.			Karingikuppu	24.20	NA	Green turtle
40.			Tinnakara	52.36	NA	Green turtle
41.			Minicoy group	513.16	NA	Olive ridley, Green turtle
42.			Agatti	344.10	NA	Olive ridley, Green turtle and Hawks bill
Sub Total			5	992	NA	Green turtleOlive ridley &Hawks bill
43.	Tamil Nadu	Chennai	Marina - Neelankarai (Urrur kuppam-kaveri Nagar)	67.69	8	Olive ridley
44.			Marina - Neelankarai (Marina - Srinivasa Puram)	86.06	8	
45.			Pattinapakkam	13.46	NA	
46.		Cuddalore	(Nearby Mandalpattu village)	3.95	NA	Olive ridley
47.		Kanchipuram	Alikuppam	44.17	NA	Olive ridley
48.		kanchipuram	Neelankarai - Uthandi	47.74	1	Olive ridley
Sub Total			6	263.08	17	Olive ridley
49.	Pondicherry	Pondicherry	Nearby village Nallavadu	3.46	NA	Olive ridley
50.			Nearby village Panithittu	12.34	NA	
Sub Total			2	15.79	NA	Olive ridley

51.	Andhra Pradesh	East godavari	Gautami Godavari - Nilarevu	360.94	68	Olive ridley	
52.			Hope Island	61.72	7		
53.			Sacramento Island	74.36	373		
54.		Guntur	Krishna Lankavanidibba -	172.53	10	Olive ridley	
55.		Krishna	Elichetladibba	346.96	31	Olive ridley	
56.		Nellore	Pennaru - Mypadu	63.30	7	Olive ridley	
57.			Sriharikota - Durgarajupatnam	88.67	8	Olive ridley	
58.		Srikakulam	Bahuda Kapaskuddi -	85.24	40	Olive ridley	
59.			Vamsadhara Bandaruvanipeta	37.39	55		
60.			Rajaram Puram Beach	10.03	NA		
61.			Kunduvanipeta - Nagavali	46.83	50		
62.		Vishakapatnam	Muthiyavanipalem	26.70	32	Olive ridley	
Sub Total			12	1374.69	681	Olive ridley	
63.		Odisha	Baleshwar	Digha (Nearby Digha village)	14.89	NA	Olive ridley
64.	Ganjam		Rushikulya	121.93	16667	Olive ridley	
65.			Bahuda Kapaskuddi -	72.69	55	Olive ridley	
66.	Jagathsinghpur		Akashdia Island (Devi)	314.45	10000	Olive ridley	
67.	Kendrapara		Gahirmatha (Wheeler, Ekakula, Habalikati)	154.11	33333	Olive ridley	
68.			Agarnasi	127.88	NA		
69.			Pentha	66.99	NA		
Sub Total			11	873	60,055	Olive ridley	
70.	West Bengal	Purba Midnapore	Dadanpatra	51.10	NA	Olive ridley	
71.			Junput	146.88	NA	Olive ridley	
72.			Digha (Jagai Basan-Digha)	50.14	NA	Olive ridley	
73.			Shankarpur	17.36	NA	Olive ridley	
Sub Total			4	265.48	NA	Olive ridley	
74.	Andaman & Nicobar	Andaman & Nicobar	Andaman & Nicobar	13344	8,026	Olive ridley, Green turtle, Hawksbill and Leatherback	
Sub Total			102	13344	8,026	Olive ridley, Green turtle, Hawksbill & Leatherback	
Total			179	17872.05	69152	Olive ridley, Green turtle, Hawksbill & Leatherback	

3. VALUATION OF GOODS AND SERVICES OF TURTLE NESTING GROUNDS

Goods and services provided by marine turtles to the global community are economically valued by societies around the world (Daily et al. 2000). The economic values are significant for expressing utilitarian and non-consumptive values of sea turtles. In turtle nesting areas, regulation, cultural and supporting services generate gross revenue than consumptive use. It has been estimated that, the average gross revenue was 2.9 times higher at sites where marine turtles are a major tourist attraction than the average gross revenue of consumptive use sites (Troëng and Drews, 2004).

Under consumptive value of turtles, traditionally, all of their body parts have been used for specific purposes. Marine turtle meat and eggs have long provided a supplemental source of protein for coastal communities. Its eggs are often sought today for their supposed aphrodisiac qualities. Turtle products such as oil, calipee (cartilage), skin, viscera, shell, and curios are popular for coastal communities of the world (Elizabeth H. Fleming., 2001). According to Parsons (1972), antiquity information on the use of sea turtles products are available in Egyptians, Asians and Europe scripts. During colonial times, marine turtle utilization increased for use as food by ships' crews and for export to European countries. In 1950s and 1960s, international markets for shell from hawksbill turtles expanded, and markets developed and grew for green and olive ridley turtle shell and leather. The United States, Europe, and Japan were the major markets until domestic legislation and international regulations closed the legal trade to the United States and Europe (Elizabeth H. Fleming., 2001). It is clear that a culture and its folklore will not be lost by reducing or even stopping completely the use of sea turtles and their products. The sea turtle products have been continuously used locally and nationally. In the global market, turtle products have been illegally at least in lesser scale exported to demanding Nations. Japanese market is one of the most important consumers of sea turtle products, such as hawksbill shell (Didiher Chacón., 2002).

Turtle nesting site is a capital that provides opportunities including revenue generation using various incentives in cultural and supporting services. Turtle nesting beaches are protecting the coastal communities from storm surges, and cyclones. In addition, it acts as an aquifer and source of freshwater to the coastal communities of India. Developing countries have realized the benefit out of turtle nesting grounds service and conserve it by sustainable management. Countries promote tourism in the coastal areas to create awareness and educate the people about the goods and services of the turtle nesting areas. Costa Rica, Sri Lanka, Indonesia Malaysia and India are promoting sea turtle-based tourism. This tourism promotes insitu and exsitu conservations by marketing sea turtle nesting and hatcheries development. Sea turtle viewing has also been encouraged in India similar to Australia, South Africa, USA, and Israel. Furthermore, the turtle nesting

grounds provide supporting services such as biodiversity maintenance, and are a source of scientific knowledge about land ocean interaction and migration. Turtle nesting sites goods and services have been influenced by many externalities. The goods and services of turtle nesting grounds, economic values, and application for policy values for sustainable management of turtle nesting grounds have been discussed in the following chapters.

4. META ANALYSIS (ACCOUNTING) TURTLE NESTING GROUNDS - GOODS AND SERVICES

A meta-analysis is defined as the study of studies (Melina Barrio, Maria L. Loureiro., 2010). Meta-analysis of turtle nesting ground was conducted by studying about 250 research studies. In the turtle nesting grounds, turtles are the key stone species and the nesting area has the qualities of general beaches hence it provides different services.

Based on the research studies, the turtle fleshes have been consumed and its body parts have been used for ornamental purposes. The turtle nesting grounds have rare earth mineral deposits which has huge potential in the international market. The turtle nesting grounds also protect the coastal communities from hazards and thus increase real estate value. In addition, the turtle nesting grounds are a source of freshwater and minerals to the coastal communities. More than above, in Hindu mythology, turtles are second incarnation of lord Vishnu and have great spiritual and cultural value for coastal communities. In addition, the turtle nesting ground support the fishermen to land their boats, dry their

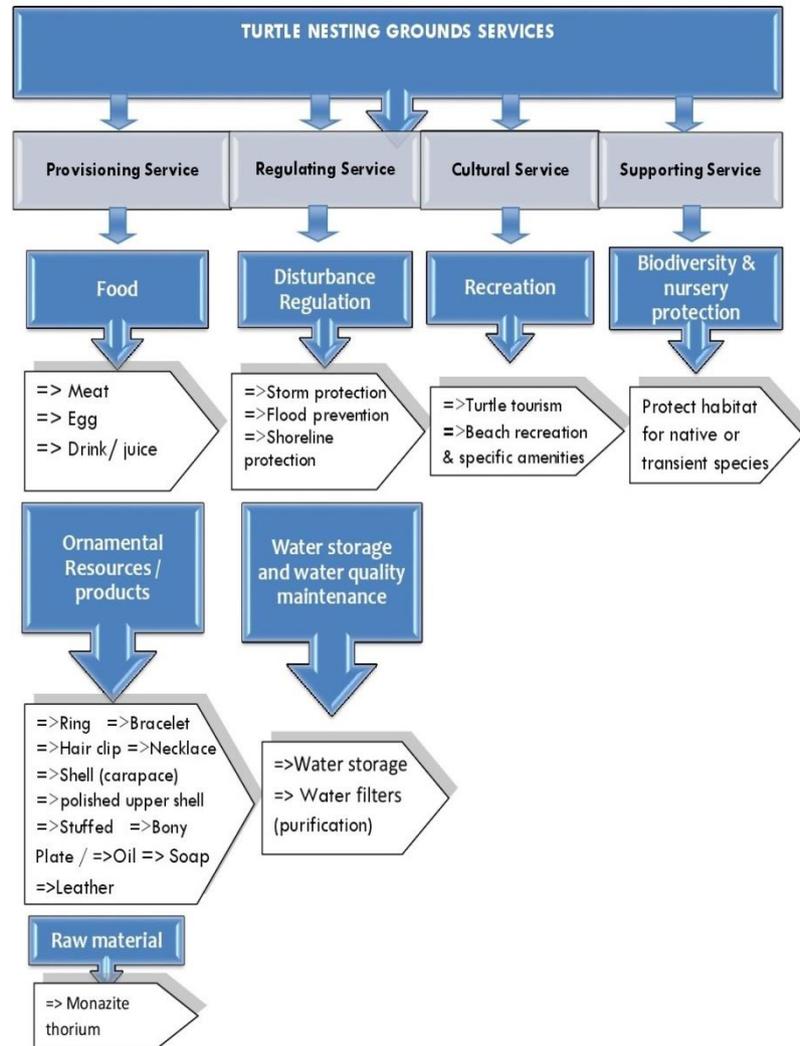


Fig2

harvests and it also acts as a market place. The turtle eggs and carcass are food for many vertebrates and invertebrates food web and are very significant to biodiversity and has significant scientific value. The scientific studies and research reports on turtle nesting grounds opened much information of the services provided by turtle nesting grounds. The services have been classified as (i) provisional service (ii) regulation services (iii) cultural services and (iv) supporting services following the Millennium Ecosystem Assessment (2005). The following chapters exhibits the various services and functions of turtle nesting grounds and the estimated value for various services. The list of studies which have been referred and used for valuation of various turtle nesting ground services and functions have been given in Annexure 1.

4.1. Provisioning services of turtle nesting grounds

Provisioning services of the turtle nesting grounds are the goods that can be used for human requirements. Turtle nesting grounds provide turtles, which are the key stone parameter of the Ecologically Sensitive Area (ESA). Marine turtles provides eggs, meat, shell, oil, leather or other products since at least 5000 BC (Frazier 2003). In India, it was observed that during the dynasty of Kanika, people were paying "Anda Kara" (revenue for the eggs) and were collecting boatload of eggs from the Gahirmatha rookery (Venkatraman, K. and M.C. John Milton., 2003).

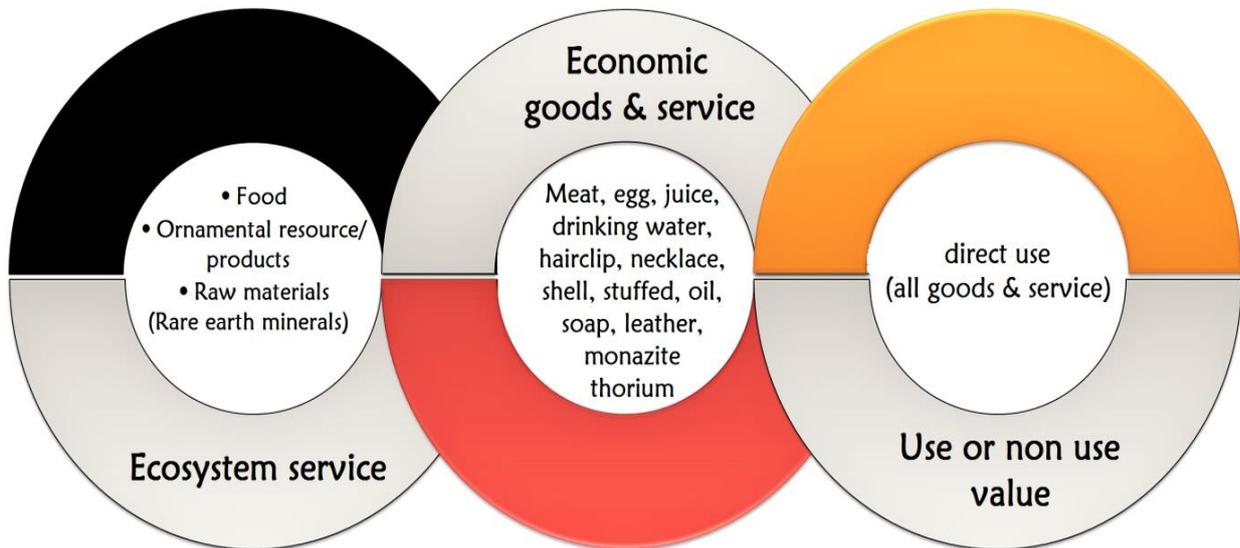


Fig 3

Hair clips, combs, rings, frames for glasses and other items, made from marine turtle are attractive ornamental uses of turtle in various countries. Central American countries have a use of olive ridley turtle oil for respiratory ailments for cold. The oil has strong smell and taste, and it also has a different colour and viscosity hence, it has been used for indigenous soap making (Didiher Chacon.,

2002). During colonial times, marine turtle utilization increased for use as food by ships' crews and for export to European countries (Jackson 1997). Due to such trade, the green turtle was once called "...the world's most valuable reptile..." (Parsons 1962). In addition the turtle nesting beach sands provide varieties of economically important minerals. The raw materials in the form of sand has been mined for centuries for multiple uses, including extraction of minerals such silica and feldspar for glass and ceramic production, infill for development, amendments for agriculture, and base material for construction products (Edward B. Barbier et al., 2011).

4.1.1. Consumptive value

Turtle meat has been used for various purposes in India. Globally, turtle meat has been used for consumption purpose and has a consumptive value. Didiher Chacón (2002) has reported that there is no species wise variation in consumption due to taste. All turtles taste the same and the flavour depends on how it is cooked. In Caribbean countries, wild turtle meat can fetch up to US\$19.25-US\$27.50/kilogram. A turtle farm sold turtle meat for US\$13.20/kg. Cooked turtle meat dishes cost US\$12-15 per dish (Elizabeth H. Fleming., 2001).



However the turtle meat rate is very low in Livingston, Guatemala, where one kilogram of turtle meat sells for US\$1.32 (Didiher Chacón., 2002). In India, out of the seven species of living sea turtles, juveniles and adults of three species are heavily exploited for commercial trade. The green sea turtle is taken for its much-favoured meat. Its belly, neck and tail bones are used for ingredient of turtle soup. In Andaman Islands all species except the leatherback was hunted for meat. The tribes of Andaman consume turtle meat minced with coconut. In Lakshadweep turtle meat is used as shark bait. Turtle fat was used to waterproof the boats in Lakshadweep islands. It was reported that during between 1963 and 1974, India exported 102,022 kg of sea turtle products valued at roughly \$ 100,800. The products included sea turtle meat, oil and shell (Venkataraman, K. and M.C. John Milton., 2003).

Sánchez et al. (2002) reported that the average price per dozen eggs was \$2.89 only. Generally, in Guatemala, raw turtle eggs are mixed with orange juice and consumed as a revitalizing drink in the morning. Normally this drink is sold for US\$2-\$3 per glass by street vendors along the sidewalks (Didiher Chacón., 2002). Eggs are thought to have aphrodisiac properties; they are mixed with wine, brandy, and beer to make "punch," which is sometimes called "front end lifter"

(Haynes-Sutton et al., 1995). The lower part of the body (plastron), which is salted and smoked over the hearth is consumed in soup approximately two or three months later; i.e., during the months when there are no fish (Didiher Chacón., 2002).

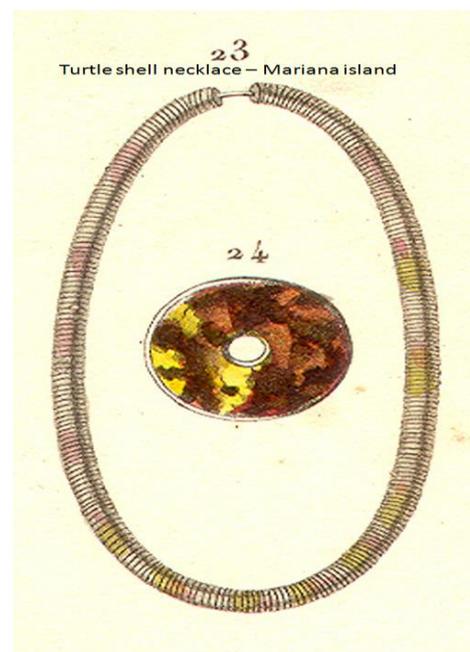
4.1.2. Non consumptive value

Hawksbill shell products, sold for very good price say a ring costs US\$17.50, and bracelet cost US\$25. Hawksbill scutes (bony plate made as handicrafts) to Belize City was sold for US\$ 25.00 per pound (Didiher Chacón., 2002). The turtle parts are combined with other metals to make jewels. The costs of these ornamental goods in Caribbean countries is valued for US\$18.00 (Didiher Chacón., 2002). In Honduras, necklace made of hawksbill and black coral, priced at US\$ 18.60 (Didiher Chacón., 2002).



A hair clip that is possibly equal to the one found with a value of US\$50 (Didiher Chacón., 2002). Accordingly, value of turtle shell covering a size of 10 cm² curved to develop a US\$ 20 (Avg.). The sizes coming to the breeding for nesting ground is 182 Kgs (Avg) for Leatherback turtle which have a curved carapace length CCL 140-200 cm (170 cm) curved carapace width CCW of 106 cm (Avg.). In Anguo wholesale market, around 9 kg of Hawksbill shell was observed in eight stalls. The price was significantly lower than that in Qingping. The average price was USD46 per kg, and the price range was USD37–59 per kg. (Timothy lam 2012, In India, due to thickness and colour of hawksbill sea turtle, it is used for jewellery, ornaments, or as delicate inlays and veneer on furniture. Most of the tortoise shell trade is believed to be from the hawksbill sea turtle (Venkataraman, K. and M.C. John Milton., 2003).

Stuffed turtles are marketed from US\$ 32.50 to \$62.50 Avg. at various sales points from fishermen to shop owners in Central America (Didiher Chacón., 2002). It has been reported that eight carapaces that were marketed after polish were priced from US\$165 to US\$220 each (Elizabeth H. Fleming., 2001). Ottenwalder (1996) reported that large sized stuffed hawksbill turtles were sold for US\$550. The Central American countries use olive ridley turtle oil for respiratory ailments and colds. The oil has strong smell and taste, and it also has



a different colour and viscosity. In Dangriga, Belize, a vendor was selling sea turtle oil cream for skin protection and nourishment and the cream cost US\$ 2.50 each / 100 grams (Didiher Chacón., 2002). A single turtle can provide the right quantity of oil (i.e. between 10 and 20 liters of oil) for coating an entire pirogue (Tripathy and Choudhury 2007). Most turtle oil creams made in the 1930s contained less than 10 per cent of the oil (0.5 g) with many creams being less than 5 per cent (deNavarre & Ruszkowski, 1933, p. 17). Soaps have also been made from oils sea turtles, and the soap was priced from \$1.20/unit (200 gms) in Guatemala (Didiher Chacón., 2002). In addition turtle leather has been used for various purposes. It has been reported that poachers sell turtle leather for \$15 US/turtle (Héctor Trinidad and James Wilson., 2000).

4.1.3. Rare earth minerals

In addition, minerals including silica of beach sands of turtle nesting grounds have significant value. Some minerals are important for National economy, strategic significance and military security. They are non-renewable and are more difficult to find, inventory and develop. Indian resources constitute about 35% of world resources of ilmenite, 10% of rutile, 14% of zircon, and 71.4% of monazite. India meets about 10% of the world requirement of garnet (Rajamanickam et.al., 2004). The minerals do not exist in natural form but it exists as Monazite oar. The monazite with other heavy minerals in the beach sand deposits along the coastal tracts is the major resource for rare earths in India. Atomic Minerals Directorate for Exploration and Research (AMDER), a constituent unit under the DEA has estimated that the 11.93 million tonnes of monazite resources are present in the beach sand mineral placer deposits along the coastal tracts of India. It has been reported that the grade of monazite falls between 1% and 5%. In the coastal States, the monazite distribution in selected beaches of Odisha, Andhra Pradesh, Tamil Nadu, Kerala and West Bengal are 2.41, 3.72, 2.48 and 1.90 and 1.22 tonnes respectively (Lok Sabha unstarred question No.328; answered on 22/07/2015). The list of beaches has been identified by AMDER (http://www.unece.org/fileadmin/DAM/energy/se/pp/unfc/UNFC_ws_India_Oct2013/5b.2_Parihar.pdf visited on 11/11/2016). Out of 30 turtle nesting grounds in India, placer sand are deposited in 2 locations of Andhra Pradesh beaches viz., (1) Vamsadhara (R) – Bandaruvanipeta (2) Bahuda (R) – Kapaskuddi. The highest thorium reserves have been witnessed in Andhra Pradesh (3.74 Million Tonnes) in the country. US Department of Energy, office of Science,

Monazite particle



prices and certificate price list indicates the value of Monazite sand silica mixture (1%Th) costs \$680/50g (<http://science.energy.gov/nbl/certified-reference-materials/prices-and-certificates/uranium-thorium-ores-price-list/> pages visited on 11/11/2016).

The demand for monazite sand in the United States was limited to the incandescent gas mantle and the pyrophorie-alloy industries, according to the United States Bureau of Mines. During the war, the price of monazite sand delivered to New York, exclusive of the duty of \$80 a ton, varied from \$25 to \$40 per unit (1 per cent per short ton) of thorium or from \$ 150 to \$240 per ton. Immediately after the war the price was quoted (November, 1919) at \$27 per unit, or about \$162 per ton of the 6 percent (thorium) sand, plus duty. Before the end of 1925 the price had dropped to \$ 120 per ton. After increasing slightly during the latter part of 1928 to \$ 130 per ton, the price dropped in 1929 to \$60 a ton, the lowest figure so far recorded (Ind. Eng. Chem., 1930, 22 (12), pp 1407–1407)

Thorium metal cost \$5000 - \$5300 per Kg (\$150/oz). That's around \$5 million per tonne and that pegs the value of this scam to \$ 974.5 Billion to \$1035 Billion. Current values are as high as \$5,000/kg, because the demand for the refined metal is very low. Projections are that thorium prices will drop to as low as \$10/kg. Once thorium reactors move into production, prices will rise as demand grows (<http://defenceforumindia.com/>).

4.2. Regulation services

Sea turtles can emerge onto the beaches to deposit several batches of eggs during the course of a nesting season (Miller, 1997). Sea turtle species reproductive success depends mainly on the availability of terrestrial habitat to lay eggs. Geomorphology of the coastal area, slope of the beach, wave action, storms and the grain size of the sand are the essential characteristics of selection of turtle nesting ground in reproduction (Bird, 1996). For centuries, due to their unique position between ocean and land, the turtle nesting beaches and dunes have provided humans with important services such as raw materials, coastal protection, erosion control, water catchment and purification, maintenance of wildlife, carbon sequestration, and tourism, recreation, education, and research (Edward B. Barbier et al., 2011). Coastal protection is arguably one of the most valuable services provided by sand shore ecosystems especially in the face of extreme storms, tsunamis, and sea level rise. Turtle nesting grounds are the beaches that provide disturbance regulation (protection) function, water quality maintenance function and climate regulation function (Baird and Dann, 2003; Lastra et al., 2010). The turtle nesting ground of the natural beaches protect the life and livelihood of coastal communities from storm and flood damage. The turtle nesting ground beaches protect coastal wetlands by buffering the shorelines. It buffers the coastal wetland from erosion; reduce floodwaters impacts during cyclone and storms impacts. Details of disturbance regulation (protection) function of turtle nesting grounds have been explained in chapter 4.2.1.

Aquifers in lowland and coastal plains are the most important available source of renewable freshwater. Turtle nesting ground are potential source of renewable of freshwater. The turtle nesting ground acts as a buffer to renew the freshwater in the coastal aquifer and limits seawater intrusion into the coastal plains. The turtle nesting grounds acts as a freshwater reservoir and supply water to local communities during drought season. Freshwater stored in coastal aquifers is particularly vulnerable to degradation due to its close proximity to seawater, and the significant water demand associated with coastal areas whereby groundwater is often the main source of drinking water (Giada Felisa et al., 2013). Saltwater intrusion into coastal aquifers is one of the most significant global challenges coastal water resource managers, industries, and agriculture face (Ferguson and Gleeson 2012). Saltwater intrusion shall contaminate the potential water reservoirs of municipal, industrial, and agricultural water resources supplies (Barlow and Reichard 2010). The water storing, replenishing and water quality maintenance function of the turtle nesting ground are given in para 4.2.2.

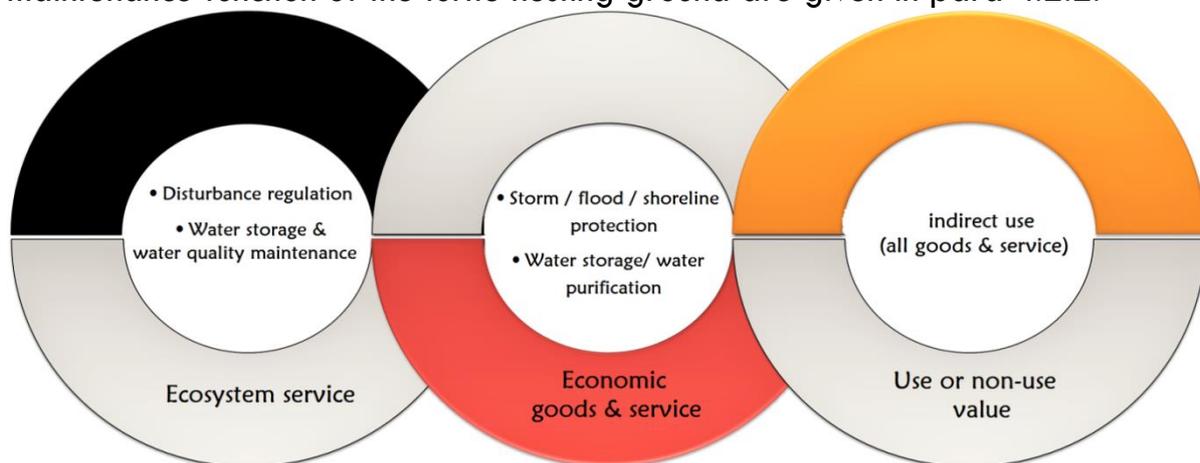


Fig 4

4.2.1. Disturbance regulation function

Turtle nesting grounds are located in high-energy coastlines where the regional coastal slope is low and vulnerable to sea level rise, and flood damage hence the location is very important in coastal protection function (Jeffrey Pompe and Jennifer Haluska., 2011). As waves reach the shoreline of the turtle nesting grounds, they are attenuated by the beach slope and also by the fore dune, a structure immediately behind the beach where sand accumulates in hills or ridges parallel to the shoreline. Beaches vary in their ability to attenuate waves depending on a continuum in their morphology (Edward B. Barbier et al., 2011). Wider beaches provide protection from flooding during storms and high tides to oceanfront property as well as to homes and lots farther removed from the beach. Additionally, wider beaches also enhance the value of recreational activities such as strolling on the beach, sunbathing, and picnicking. Therefore, the expectation is that a wider beach increases the market price of property, since property values capture the flood control and recreational gains associated with a wider beach

(Pompe, J., and J. Rinehart., 1999). Serious erosion of beaches endangers oceanfront property and, in extreme cases, leads to houses toppling into the ocean. Therefore, the expectation is that a wider beach increases the market price of property, since property values capture the flood control and recreational gains associated with a wider beach.

By protecting the impacts from erosion and storm, the property values near to the turtle nesting grounds and beaches have been increased. Landry et al. (2003) found that, for one meter increase of beach width, property values increased by \$233 on Tybee Island in the U.S. state of Georgia. Using hedonic pricing method, Pompe and Rinehart (1995) found that an additional foot of beach for two coastal communities in South Carolina increases the value of developed and undeveloped oceanfront lots by \$554 and \$754, respectively (Pompe, J., and J. Rinehart. 1995). Costanza et al., (1989) used WTP method to estimate storm reduction function of wetlands for \$452/acre/year (in 2009 dollars) which shall be equivalent to beach protection function. Other than the above estimate, hurricane protection function of coastal wetlands range between USD 250 to USD 51 000 ha¹ yr¹, with a mean of USD 8240 ha¹ yr¹ (median ¼ USD 3230 ha¹ yr¹) applicable for turtle nesting grounds. By applying damage avoided cost, Costanza et al (2008) has estimated storm protection services of Louisiana coast at (USD) 1700 ha⁻¹ yr (Robert Costanza et al., 2008).

4.2.2. Water storage and water quality maintenance function

In the coastal aquifers including beaches, gentle to nearly flat ground water table and semi-confined conditions fresh water occurs in shallow depths in discontinuous patches with deeper zones generally saline. Maximum thickness of 600 m and yield 3 - 38 lps (litre per second) from the coastal aquifers in coastal areas of India have been reported by Central Ground Water Board, India (CGWB., 2014). However, considering replenishable and water storing capacity of turtle nesting based on the average annual rainfall of 1200 mm. yr/ ha. 12000 m³ of water / year can be sustainably used. Managed Aquifer Recharge (MAR) and water banking are of increasing importance to water resources management. MAR can be used to buffer against drought and changing or variable climate, as well as provide water to meet demand growth, by making use of excess surface water supplies and recycled waters (Sharon and Dillon. 2015). Contamination of freshwater bodies caused by saltwater intrusion (SI) is a global issue, affecting water quality, vegetation, and soil conditions along coastal lines. Deterioration of this freshwater resource threatens the sustainability of the water supply of coastal communities and their economic development.

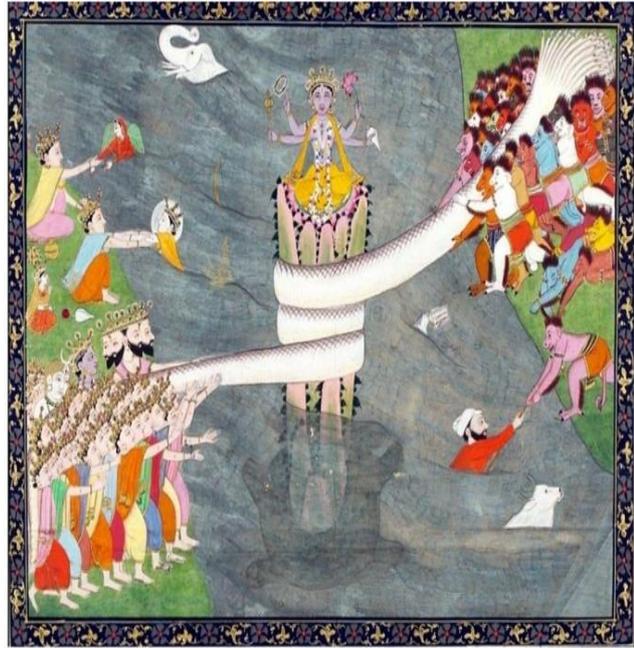
A popular approach among practitioners to assess the benefits of groundwater protection is the avoidance-cost method (Abdalla 1994; Rinaudo et al. 2005). It consists of assessing the cost of actions undertaken by economic agents to cope with groundwater degradation, and pollution in particular. Typical avoidance

costs are those related to the closure and displacement of contaminated drinking water wells (public or private), the installation of sophisticated water treatment units (municipal or domestic) or the purchase of bottled water when groundwater can no longer be used as a safe source of drinking water (Cecile Herivaux and Jean-Daniel Rinaudo., 2016). Other than avoidance cost method, CVM/WTP method has been applied by Belloumi and Matoussi (2002) to estimate the value for preserving groundwater quality from saline intrusion in the Tunisian coastal areas. Accordingly the ground water protection value in the coastal aquifer is 41€/hh/year (currency value of 2013). In New Zealand, economic value of groundwater for abstractive users in the Waimea Plains, Nelson, New Zealand have estimated the ground water value of the plain to be \$ 250 million, and the Waimea Plains 7500 ha area., accordingly, 1 ha ground water economic value is \$33333/ha, and the mean willingness to pay \$1.2 million to maintain groundwater, to keep springs and river flowing and prevent salt water intrusion (White et al., 2001). Because of the importance of this water source, the Meijendel dune (Netherlands) covering an area of 2000 ha has been managed as a nature reserve that serves both drinking water and recreation needs. In 1999, the cost of management was \$3.8 million/year, while the yearly income of the reserve was \$99.2 million/year (Edward B. Barbier et al., 2011). The cost of management of the water source area can be applied apart from Replacement cost method for valuation of water resources in the beaches. Also the economic valuations of in-situ groundwater resource in the Waimea Plains, Nelson, New Zealand were estimated \$ 1.2 million; Groundwater left in-situ would maintain spring flow, maintain groundwater quality and prevent saltwater intrusion into groundwater system. In Lebanon, a CVM method was applied to value the ground water resources for agriculture process and the farmer's willingness to pay estimated that the value is about \$ 134.3 ha. /Yr. (Daniel EL CHAMI et al., 2008).

4.3. Cultural services

Turtles are playing an important cultural, traditional, social and economic role in India. Turtle nesting grounds are sandy beaches that are the place for recreation and relaxation. It is a popular place for peacefulness, nature appreciation and play games and sports. Along with the turtle tourism, beach recreation increases the economic value of turtle nesting ground beaches. Turtles have spiritual value in Hindu mythology. According to Hindu mythology, the Indian deity Vishnu was

reincarnated as "Kachhapa" – a turtle, holding the burden of the world on its back (Liz McLellan et al., 2005). In Hinduism, Kurma (Sanskrit: कूर्म; Kurma, lit. turtle) is the second avatar of Vishnu. Three temples in India have special spiritual relationship with turtles and they are popular pilgrimage sites. The temples dedicated to Kurma are located in Kurmai in Chittoor district, Andhra Pradesh, Srikurmam in Srikakulam District, Andhra Pradesh and Gavirangapur in Chitradurg District of Karnataka. In addition the nesting areas offer recreation function (Klein et al., 2004; Noriega et al., 2012). Among the cultural services, turtle nesting grounds providing recreation function and spiritual function.



Kurma Avatar of Vishnu, below Mount Mandara, with Vasuki wrapped around it, churning the ocean of milk during Samudra Manthan. ca 1870.

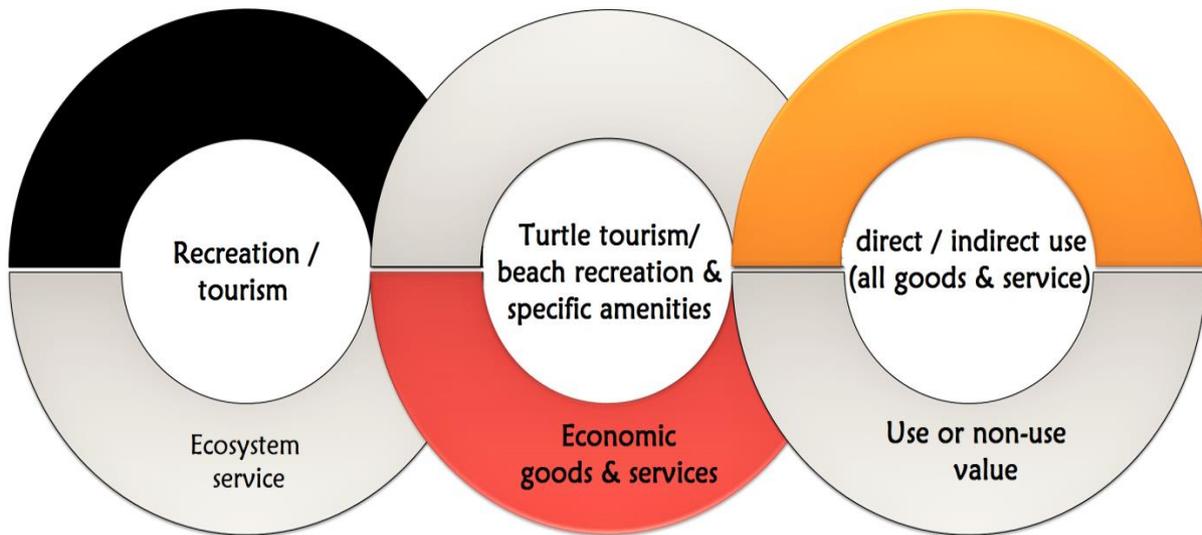


Fig 5

4.3.1. Recreation function

It has been estimated that, all over the world 175,000 tourists / year are participating marine turtle tours (Troëng and Drews, 2004). “It has been estimated that turtle-based tourism activities in Tortuguero, Costa Rica, generated more than US\$6.5 million through tourism services, along the 22 miles (35 km) long "beach-resting turtles (tortugas) was estimated by travel cost method (benefit transfer) souvenir sales and national park fees, in 2002 alone (Liz McLellan et al., 2005).”

Expenditures for turtle tourism in international market are 26 times higher than whale watching (Hoyt 2001).

Time spent for travelling to and from the turtle nesting area (beaches) is time that could be spent in another productive activity, such as in another leisure activity or at work, and thus represents a real cost that must be accounted for in the price paid by the user in going to the turtle nesting ground. These time costs can be translated into money terms by multiplying time units by the shadow value of leisure time (SVLT), which is a measure of the opportunity cost of a unit of time spent in non-work activities. Using the estimated model, the mean (median) value of a beach day (turtle nesting ground) across the sample is \$28.27 with a standard error of \$5.55 /day (Daniel K. Lew, and Douglas M. Larson ., 2005).



School Girls watch sand artists, Puri, Orissa, India

It has been estimated that, gross revenue for nine case studies, where non-consumptive use of marine turtles, such as tourism, is a major revenue generator range from US\$41,147 to US\$6,714,483 yr⁻¹ per site with an average of US\$1,659,250 yr⁻¹. Gross revenue at four sites where marine turtles are one of many attractions varies between US\$3,387-US\$105,997 yr⁻¹



Marine turtles play an important role in Australian aboriginal culture. This contemporary design is drawn by Karen Puruntatameri

with an average of US\$40,791 yr⁻¹ (Troeng and Drews, 2004). Entire beach and adjacent land of Playa Grande Dominican Republic, covering an area of 379 ha annual gross revenue from turtle tourism was estimated at US\$900,460 in 1993 (Gutic 1994). A capitalized commercial value of US\$ 8,002,820 and a capitalized recreational value of US\$ 31,269,296 were estimated for the turtles and estuary resources, which adds up to a present total annual capitalized economic value of US\$ 39,272,116 for these resources. Based on the estimated total economic value, a capitalized economic value of US\$ 13,090,705 was determined for the Tamarindo estuary and a capitalized value of US\$ 34,910 was set for every leatherback turtle which nested at Playa Grande during the 1992 - 1993 season. The capitalized economic value for the whole (local) leatherback turtle population was set at US\$ 26,181,411 for the same season

(Jorge Gutic M., 1994). It has been estimated that Vela's beach Ratnagiri (Maharashtra) has 59 ha of turtle nesting grounds. Respondents were asked about their willingness to pay (WTP) for entry fee for recreational access along with turtle nesting habit were randomly offered 20 Rs per visit, Vela's to host almost 3,000 tourists during Turtle Festival seasons, annually 1016 Rs / ha /yr WTP (Pranab mukhopadhyay et.al 2016).

Nice views are important to property owners, ocean front and ocean view property is highly valued than the inland properties (Edwards 1989). In an Island of South Carolina, during 1989, an average plot size of 25993 (SQFT) which are located in the oceanfront are varied between \$22,718 and \$36,373 based on development. The ocean view (not oceanfront) properties located in developed areas were between \$12,780 and \$33,016 however, the inland areas property values have been varied between \$8,081 and \$5,915 (1989\$ estimate) respectively \$143/foot, \$343/foot, \$103/foot and \$549/foot altogether average of 285 \$/ foot (Jwffrey, J. Pompe and James R. Rinehart., 1999). However, Hobbs (1980) used historical erosion rates to evaluate the impact of coastal erosion on shoreline property along the Chesapeake Bay. They found that the value of dwelling decreases by \$0.24 for each square foot of shoreline lost and by \$8.24 per foot of distance lost. Property owners value additional beach width differently, based on the state of development of the property, and the proximity to the beach. The value of an additional foot of beach is \$58.19 for vacant lots and \$80.98 for developed lots. Price differentials exist for property at different locations. An additional foot of beach adds \$194.09 and \$310.84, respectively, to developed and undeveloped oceanfront property (1989\$ estimate) (Jwffrey, J. Pompe and James R. Rinehart., 1999).



Puri, Odisha, India

The turtle nesting ground such as beaches and dunes supply important recreational benefits such as boating, fishing, swimming, scuba diving, walking, beachcombing, collecting seashells, walking, jogging, viewing birds and sunbathing among the numerous recreational and scenic opportunities that are provided by beach and dune access (Edward B. Barbier et al., 2011). Values, estimated using both travel cost and contingent valuation methods, range from a low of just \$0.07/trip in Delaware, Maryland, and New Jersey to highs of well over \$70/activity day in California and Florida.



Linwood H. Pendleton (2006) estimated the economic use value of beach recreation at California beaches of 1,100 miles (1770 km) for \$1.5 billion and \$7.5 billion annually and the value of beach recreation in Florida (coastline were 700 miles (1,126 km) was between \$886 million and just under \$9 billion annually.

In addition, turtles provide spiritual service. Daily religious practices bring out the cultural value of a temple, church and mosque (Klamer, Arjo., 1996). Turtle temples support spiritual tourism of coastal regions. Since there is no macro analysis conducted for spiritual tourism of turtles, CVM will be applied to estimate the values of spiritual tourism benefits.

4.4. Supporting service

Supporting services of turtle nesting grounds does not necessarily have direct economic benefit but shall provide for ecosystem functioning, processes, maintenance of integrity, resilience, and so the delivery of other benefits, including soil, mineral, gas formation and water recycling. It is also an essential habitat for plants and invertebrates such as shellfish, birds, rodents, and ungulates (Carter 1990, Pye and Tsoar 1990; Baird and Dann, 2003; Lastra et al., (2010). The turtle species of Olive ridley nesting at Orissa is genetically distinct from other populations, and may even be the ancestral stock of other olive ridley turtle populations in other oceans (Liz McLellan et al., 2005). Hence, the olive ridley population reaching Orissa coast has special biological and scientific importance. Bjorndal and Jackson (2003) reported the presence of green turtles contributes to healthy seagrass beds. The sea turtles' grazing activity in sea grass beds control and stabilize the distribution and diversity of sea grasses and disburse nutrition to other organisms and ecosystems (Thayer & Engel 1982, Thayer et al. 1984). Nesting females are important food for many vertebrates living at the shore. The sea turtles have been attacked and eaten by jaguars, tigers and hyenas. The high protein eggs are an important food for several animals including jackals, mongooses, foxes, opossums, vultures, crows, lizards, snakes, crabs, and ants (Bjorndal & Jackson 2003). The turtle eggs directly influence the growth of vegetation's of beaches by supplying a concentrated source of high-quality nutrients in the sand (Bouchard, S.S. and Bjorndal, K.A. 2000). Limited nutrients in dune ecosystems, such as nitrogen, phosphorus and potassium, are partially provided to the ecosystem by un-hatched sea turtle eggs. These vital nutrients allow for the continued growth of vegetation and subsequent stabilization of beach dunes (Hannan, et al., 2007).

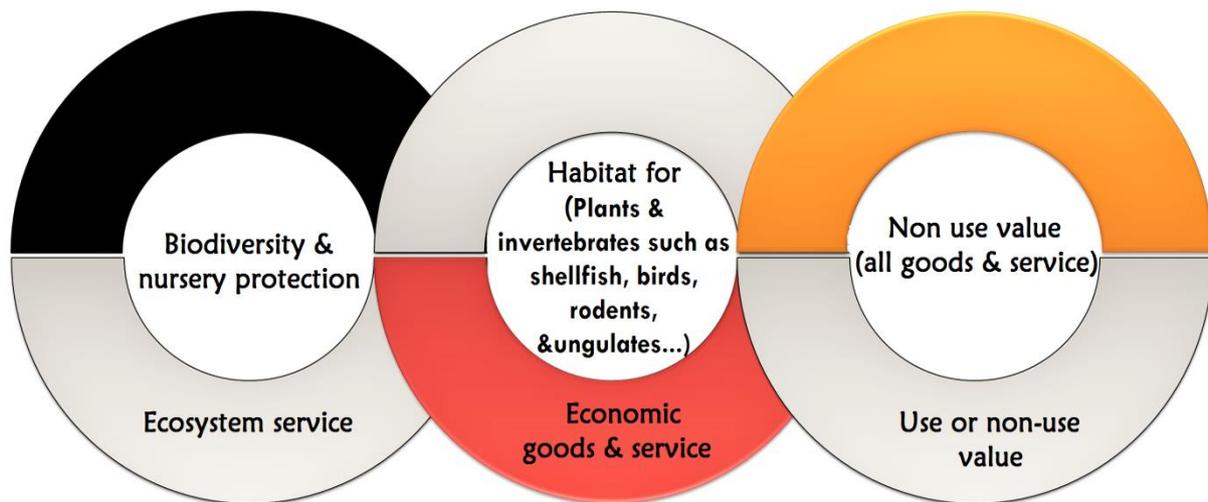


Fig 6

As the turtle nesting grounds have ecological and habitat significance by supporting the sustenance of large number of biological organisms, its existence and protection value is worth to incorporate under supportive service. It was estimated that an average weekly willingness to pay to protect sea turtles in Australia range between Aus \$ 1.97 - 2.67 that the visitors to Mon Repos for the 2000 season would be prepared to pay at least Aus \$250,000 per year to protect sea turtles in Australia for 9 mile (14 km) (Clevo Wilson and Clem Tisdell., 2002). Though, estimation of submissive values of turtle nesting services is difficult to measure in currency. Using CVM, a study in North Carolina in 1991 suggested that respondents would be willing to pay on average US\$33.2 per year to conserve loggerhead turtles (Whitehead 1992). Turtles at Rekawa are under threat due to ongoing illegal activities. Mean willingness to pay (WTP) as an entrance fee to protect at Rekawa sanctuary and two national parks close to Rekawa sanctuary (i.e. Bundala and Yala as the offsite study sites) were (SLR) 106.05 and SLR 145.47. Annual revenue increases under these scenarios respectively to SLR 4.96 million and SLR 7.40 million, across the Rekawa beach of approximately 4 km. (Wasantha Rathnayake 2014). Respondents were asked about their willingness to pay (WTP) for beach nourishment that would result in a wider beach head for improved recreational access along with turtle nesting habit randomly offered \$2.12 per visit, for a total of 1587 visitors surveyed and 3364\$ willingness to pay on the time of survey for the total 5.1 mile (Manoj P. Shivilani., 2003). Using benefit transfer method, S'Abanell beach habitat valued 106 \$/ha/yr (Lozoya et.al 2011).

5. Benefit Transfer and meta-analysis of turtle nesting grounds

The use and non-use values of the turtle nesting ground have been estimated at Rs. 45, 68,358/- yr. (Avg.). Out of which recreation function shares Rs. 29, 81,237/- yr. Disturbance regulation and water storage function of turtle nesting ground were estimated at Rs, 1, 17,866/ yr., and Rs. 12, 61,326/- yr., respectively. In addition, consumptive value of Rs. 2,07,929/ ha- was incorporated though there is no consumption value in India but, it has international market value. This value has been applied to the turtle nesting areas of India in relation to the composition of turtle species recorded by various scientific studies. The Total Economic Value from the turtle nesting ground is Rs.7997 Crore. Out of the total benefit from turtle nesting grounds, Andaman and Nicobar islands share Rs.5826 crore followed by Andhra Pradesh Rs. 601 crore.

Table 5.1 Turtle nesting grounds services values - ha / Yr.

Sl. No	Goods & services	Valuation Methods	Value estimation study	Year & Value	Value given US \$	Value US \$ 2011	Value in Rs. 2011	Avg. TEV value
I	Provisioning service							
I.1	Food (consumptive value)							
a.	Meat	Market Pricing	Didiher chacon	2002 23.3 \$ /kg	23.3	28.3	1391	757/ kg
b.	Meat	Market Pricing	Elizabeth H. fleming	2001 13.20\$/kg	13.2	16.2	800	
c.	Meat	Market Pricing	Didiher chacon	2002 1.32 \$/ kg	1.32	1.60	79	
d.	Egg	Market Pricing	Sanchez Et. al	2002 2.89 \$ / dozen	2.89	3.51	172	172/ dozen
I.2	Ornamental resource / Products (non - consumptive value)							
a.	Ring (scutes)	Market Pricing	Didiher chacon	2002 17.50 \$/ ring	17.5	21.2	1044	9396/9 rings
b.	Bracelet (scutes)	Market Pricing	Didiher chacon	2002 25 \$/ bracelet	25	30.3	1492	74600/ 50 bracelet
c.	Necklace (scutes)	Market Pricing	Didiher chacon	2002 18 \$/ ornament	18	21.8	1074	6552 /6 necklace

d.	Necklace (scutes)	Market Pricing	Didiher chacon	2002	18.60	22.60	1110	
				18.60 \$/ ornament				
e.	Hair clip (scutes)	Market Pricing	Didiher chacon	2002	50	60.7	2984	11936/ 4 hair clip
				50 \$/ clip				
f.	Shell	Market Pricing	Didiher chacon	2002	20	24.3	1194	
				20 \$ / clip				
g.	Shell	Market Pricing	Timothy lam et. al	2012	46	46	2260	
				46 \$/ shell				
h.	Polished shell	Market Pricing	Elizabeth H. fleming	2001	24	29.6	1458	1601 / shell
				24 \$/ shell				
i.	Bony Plate	Market Pricing	Didiher chacon	2002	25	30	1492	
				25 \$/ 1 kg of bony plate				
j.	Stuffed	Market Pricing	Didiher chacon	2002	47.50	58	2835	19612 / turtle
				47.50 \$/ stuffed				
k.	Stuffed	Market Pricing	Ottenwal der	1996	550	741	36390	
				550 \$/ stuffed				
l.	Oil (fat)	Market Pricing	Didiher chacon	2002	2.79	137	27400	41800 / turtle
				2.50 US\$ / 100 gm				
m.	soap(fat)	Market Pricing	Didiher chacon	2002	1.46	72	14400	
				1.20 \$ / 200 gm				
n.	Leather	Market Pricing	Trinidad & James wilson	2000	15	18.9	930	930/ turtle
				15 \$/turtle				
II	Regulating service							
II.1	Disturbance regulation function							
a.	Storm protection	CVM	Costanza et. al.	2009	452 \$/ acre	467	56662	117866/ ha
				452 \$/ acre				
b.				2008			86949	

		Damage avoided cost	Costanza et.al.	1700\$/ha	1700\$ / ha	1,770		
c.		Damage avoided cost	Costanza et. al.	2009	3230 \$/ ha	3,337	163927	
				3230\$/ha				
II.2 Water storage and water quality maintenance function								
a.	Water quality	CVM	Belloumi & Matoussi	2013	32 \$/ ha	31	1523	
				41€/ ha				
b.	Water quality	CVM	White et.al.	2001	160\$/ ha	197	9677	
				160\$/ha				
c.	Water quality	CVM	Daniel El Chami et.al.	2008	134.3 \$/ ha	139	6828	
				134.3 \$/ ha				
d.	Water quality/ storage	Replacement cost	Edward B. Barbier et.al.	1999	1900 \$/ ha	2452	120452	1261326 / ha
				3.8 million \$/ 2000 ha				
e.	Water storage	CVM	White et.al.	2001	33333 \$/ ha	41116	2019782	
				33333\$/ha				
f.	Water storage	Market pricing	Edward B. Barbier et.al.	2000	47700 \$/ ha	60180	2956282	
				95.4 million \$/2000 ha				
III Cultural services								
III.1 Recreation function								
a.	Turtle tourism	CVM	Gutic	1993	2376 \$/ ha	3398	166923	2981237 / ha
				900,460\$ / 379 ha				
b.	Recreation	CVM	Gutic (general)	1993	82505 \$/ ha	117978	5795551	
				31,269,296\$/ 379 ha				

Table 5.2 Turtle nesting ground service value – minimum, maximum, average ha/yr./Rs.			
Service	Minimum value / ha	Maximum value / ha	Average value / ha
I. Provisioning service(Consumptive value)			
Consumption + commercial value (Ornamental resource (bracelet, ring, necklace, hairclip, oil, soap, shell, stuffed)	0 Kerala, West Bengal...	2227434 (Odisha)	207929
II. Regulating service(non- consumptive value)			
Disturbance regulation function	56662	163927	117866
Water storage and water quality maintenance function	1523	2956282	1261326
III. Cultural services			
Recreation function	166923	5795551	2981237
Total Economic value / ha			4568358 (Forty Six Lakh)

Table 5.3 Total economic value of turtle nesting grounds services Rs/ Yr.			
S.No	State / Union Territories	Turtle nesting distribution - ha	Total Value of Turtle nesting grounds
1.	Gujarat	399.51	1751596647
2.	Maharashtra	202.20	882154337
3.	Goa	25.54	111672599
4.	Kerala	116.61	508455859
5.	Lakshadweep	992.15	4326197888
6.	Tamil Nadu	263.08	1147441668
7.	Pondicherry	15.79	68870225
8.	Andhra Pradesh	1374.69	6013858517
9.	Odisha	872.93	5750762983
10.	West Bengal	265.48	1157610090
11.	Andaman & Nicobar	13344.06	58261309277
	Total	17872.05	79979930092 (7997Crore)

6 Conclusion

Turtle nesting grounds are on land, and they are typically sandy beaches. Turtles have various ecological roles, sea turtles contribute to tourism activities, due to their charismatic nature, yielding great economic benefits. Quantification of the economic consequences of marine turtle use value and conservation could contribute significantly to our understanding of use options and their ecological impacts, and hence further the process of defining adequate management policies. Expressing the economic value of various uses and benefits of turtle nesting grounds shall be a tool to raise awareness and convey its (relative) importance to general public and policy makers.

The use and non-use values of the turtle nesting ground has been estimated at Rs. 45, 68,358 /- yr. /ha. Out of which consumptive value shares of Rs2, 07,929/ ha, has been incorporated in this study though there is no consumption in India but, it has international market value. The Total Economic Value of turtle nesting ground of India is Rs.7997 Crore. Out of the total benefit from turtle nesting grounds, Andaman and Nicobar islands share Rs.5826 crore followed by Andhra Pradesh Rs. 601 crore. The monetary values could be used in National, State and regional policies to integrate environment and economics.

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Annexure – 1

Turtle nesting grounds – Services, Functions & Methods							
Sl. No	Year	Value estimation study	Location	Ecosystem Service & Sub-Service			Methods
1	2002	Didiher chacon	Caribbean (Grand Cayman island)	Provisioning service	Food	Meat	Market Pricing
2	2001	Elizabeth H. fleming	British Virgin Islands			Meat	Market Pricing
3	2002	Didiher chacon	Guatemala (Livingston)			Meat	Market Pricing
4	2002	Sanchez et al	Guatemala			Egg	Market Pricing
5	2002	Didiher chacon	Guatemala			Drink/ juice	Market Pricing
6	2002	Didiher chacon	Belize (Dangriga)		Ornamental resource / Products	Ring (scutes)	Market Pricing
7	2002	Didiher chacon	Margarita Island, Venezuela			Bracelet (scutes)	Market Pricing
8	2002	Didiher chacon	Belize City			Bony Plate (scutes)	Market Pricing
9	2002	Didiher chacon	Caribbean			Ornament (scutes)	Market Pricing
10	2002	Didiher chacon	Honduras			Ornament (scutes)	Market Pricing
11	2002	Didiher chacon	Panama			Hair clip (scutes)	Market Pricing
12	2012	Timothy lam et. al	China (Anguo, Hebei)			Shell (carapace)	Market Pricing

13	2001	Elizabeth H. Fleming	Central America			Polished shell (carapace)	Market Pricing
14	2002	Didiher chacon	Caribbean			Stuffed	Market Pricing
15	1996	Ottenwalder	Caribbean			Stuffed	Market Pricing
16	2002	Didiher chacon	Dangriga, Belize			Oil (fat)	Market Pricing
17	2002	Didiher chacon	Guatemala			soap(fat)	Market Pricing
18	2000	Trinidad & James Wilson	Mexico			Leather	Market Pricing
19	2003	Landry et.al.	U.S. state of Georgia (Tybee Island)	Disturbance Regulation	Storm protection	Hedonic pricing	
20	1995	Pompe & Rinehart	South Carolina		Storm protection	Hedonic pricing	
21	2009	Costanza et. al.	Global		Storm protection	Contingent valuation	
22	2009	Costanza et. al.	Global		Hurricane protection	Damage avoided cost	
23	2008	Costanza et.al.	Louisiana coast		storm protection	Damage avoided cost	
24	2013	Belloumi & Matoussi	Central Eastern Tunisia	Water storage & water quality maintenance	Water quality	Contingent valuation	
25	2001	White et.al.	Waimea plains nelson		Water quality	Contingent valuation	
26	2008	Daniel El Chami et.al.	Lebanon		Water quality	Contingent valuation	
27	1999	Edward B. Barbier et.al.	Netherlands (Meijendel dune)		Water quality	Replacement cost	
28	2001	White et.al.	Waimea plains nelson		Water storage	Contingent valuation	
29	2000	Edward B. Barbier et.al.	Netherlands (Meijendel dune)		Water storage	Market pricing	

30	1993	Gutic	Costa Rica (Tamarindo)	Cultural	Recreation	Turtle tourism	Contingent valuation
31	1993	Gutic	Costa Rica (Tamarindo)			Recreation	Contingent valuation

Annexure – 2

Turtle nesting grounds Total Economic Value service & patch wise valuation						
Sl. No	Patches in coastal areas	Turtle Nesting Grounds -ha.	Provisional Service	Regulating Service	Cultural Service	Total Economic Value
1	Lamba Sethala Mata Mandir	32.55	829660	44887147	97027262	142744069
2	Mithapur Mojav	12.57	657697	17332868	37466422	55456987
3	Sethala Mata Mandir Harshad	13.99	885678	19288065	41692739	61866482
4	Okhamadhi Kharakhetar	33.41	444046	46076819	99598837	146119702
5	Mojav Shivraipur	13.14	859623	18124237	39177030	58160891
6	Kharakhetar Kuranga	25.57	563899	35260804	76219128	112043832
7	Navadra Lamba	40.44	923458	55772227	120556259	177251945
8	Shil Lohej	50.82	1135284	70089847	151504972	222730105
9	Mangrol Mangrol Bara	20.57	1011003	28370671	61325539	90707213
10	Maktupur Mangrol	6.98	0	9623578	20802156	30425734
11	Ratadi-Kantela	47.43	800999	65410729	141390674	207602402
12	Kantela Kuchhadi	50.55	1011003	69714095	150692754	221417852
13	Navibandar Ratiya	51.52	428413	71053352	153587667	225069432
	Gujarat	399.51	9550763	551004442	1191041443	1751596647
14.	Kolthare	5.09	64754	7024007	15182968	22271729
15.	Sandkhol	4.32	0	5955759	12873864	18829624

16.	Velas	8.59	226639	11853009	25621255	37700903
17.	Guhagar	48.91	45328	67454039	145807456	213306823
18.	Kelashi	17.00	10684	23443598	50675266	74129549
19.	Dabhol	6.00	64754	8268391	17872808	26205953
20.	Murud Janjira	2.79	0	3848443	8318726	12167169
21.	Diveagar	73.70	32376	101643769	219711371	321387517
22	Harihareshwar	13.04	32377	17984171	38874266	56890814
23	Maral	7.16	0	9871220	21337455	31208675
24		1.52	0	2096229	4531171	6627400
25		6.64	0	9156821	19793221	28950042
26		0.08	0	108018	233489	341507
27		7.37	0	10164730	21971901	32136631
	Maharashtra	202.20	476912	278872205	602805220	882154337
28	Mandrem (Nearby Junos Vaddo village)	2.28	0	3149344	6807567	9956912
29	Morjim (Morjim South)	3.11	0	4295191	9284409	13579601
30	Mandrem	2.46	48565	3392651	7333493	10774709
31	Morjim (Morjim North)	0.86	64754	1192420	2577514	3834688
32	Agonda	11.90	97131	16406975	35465027	51969133
33	Galgibaga	4.92	107815	6784495	14665244	21557554
	Goa	25.54	318266	35221077	76133256	111672599
34	Kolavipalam	70.86	0	97726504	211243879	308970383
35	Alungal	9.25	0	12756349	27573899	40330249
36	Thaikkadappu ram	20.32	0	28022601	60573158	88595759
37		16.18	0	22317770	48241697	70559468
	Kerala	116.61	0	160823225	347632634	508455859
38	Suheli Valliakara	58.33	0	80446890	173892573	254339463
39	Karingikuppu	24.20	0	33378239	72149811	105528050
40	Tinnakara	52.36	0	72220561	156110687	228331248
41	Minicoy group	513.16	0	707739684	1529837567	2237577252
42	Agatti	344.10	0	474579415	1025842459	1500421875

	Lakshadweep	992.15	0	1368364791	2957833097	4326197888
43	Marina - Neelankarai (Urrur kuppam-kaveri Nagar)	67.69	123153	93360970	201807419	295291541
44	Marina - Neelankarai (Marina - Srinivasa Puram)	86.06	156572	118695379	256569828	375421779
45	(Nearby Mandalpattu village)	3.95	0	5451590	11784061	17235651
46	Alikuppam	44.17	0	60916932	131676960	192593892
47	Neelankarai - Uthandi	47.74	19426	65844891	142329150	208193467
48	Marina - Neelankarai Kuppam)	13.46	0	18568341	40136997	58705337
	Tamil Nadu	263.08	299151	362838102	784304415	1147441668
49	Nearby village Nallavadu	12.34	0	17017092	36783844	53800936
50	Nearby village Panithittu	3.46	0	4766376	10302913	15069289
	Pondicherry	15.79	0	21783467	47086758	68870225
51	Gautami Godavari - Nilarevu	360.94	0	497805506	1076047565	1573853071
52	Hope Island	61.72	0	85126714	184008397	269135110
53	Sacremment Island	74.36	12076620	102559440	221690668	336326728
54	Krishna - Lankavanidib	172.53	337368	237957824	514365419	752660611
55	Elichetladibba	346.96	991704	478529034	1034379886	1513900625
56	Pennaru - Mypadu	63.30	215954	87308129	188723705	276247788
57	Sriharikota - Durgarajupat	88.67	259016	122299330	264360066	386918412
58	Bahuda - Kapaskuddi	85.24	1295079	117558446	254112255	372965781
59	Vamsadhara -	37.39	1780735	51564761	111461474	164806970

60		10.03	0	13838872	29913860	43752732
61	Kunduvanipeta - Nagavali	46.83	1618850	64588646	139613674	205821170
62	Muthiyavanipalem	26.70	1036064	36827589	79605864	117469517
	Andhra Pradesh	1374.69	19611391	1895964292	4098282834	6013858517
63	Digha (Nearby Digha village)	14.89	0	20532820	44383381	64916202
64	Rushikulya	121.93	539616774	168167102	363507030	1071290907
65	Bahuda - Kapaskuddi	72.69	1780734	100248611	216695621	318724966
66	Akashdia Island (Devi)	314.45	323769984	433680844	937436831	1694887658
67	Gahirmatha (Wheeler, Ekakula, Habalikati)	154.11	1079233345	212546963	459437751	1751218059
68	Agarnasi	127.88	0	176373960	381246828	557620788
69	Pentha	66.99	0	92391839	199712564	292104403
	Odisha	872.93	1944400837	1203942140	2602420006	5750762983
70	Dadanpatra	51.10	0	70476589	152340948	222817537
71	Junput	146.88	0	202572979	437878165	640451144
72	Digha (Jagai Basan-Digha)	50.14	0	69149960	149473328	218623288
73	Shankarpur	17.36	0	23949438	51768682	75718121
	West Bengal	265.48	0	366148967	791461123	1157610090
74	Andaman & Nicobar	13344.06	75480895	18404021489	39781806893	58261309277
	Andaman & Nicobar	13344.06	75480895	18404021489	39781806893	58261309277
	Total TNG value	17872.05	2050138215	24648984198	53280807679	79979930092

Annexure – 3

State wise Total economic value of turtle nesting grounds services					
Sl.No	State / Union Territories	Provisioning Service value	Regulating Service value	Cultural Service value	Total economic value
1.	Gujarat	9550763	551004442	1191041443	1751596647

2.	Maharashtra	476912	278872205	602805220	882154337
3.	Goa	318265	35221077	76133256	111672599
4.	Kerala	0	160823225	347632634	508455859
	Lakshadweep	0	1368364791	2957833097	4326197888
5.	Tamil Nadu	299150.8078	362838102	784304415	1147441668
6.	Pondicherry	0	21783467	47086758	68870225
7.	Andhra Pradesh	19611391	1895964292	4098282834	6013858517
8.	Odisha	1944400837	1203942140	2602420006	5750762983
9.	West Bengal	0	366148967	791461123	1157610090
10.	Andaman & Nicobar	75480895	18404021489	39781806893	58261309277
	Total	2050138215	24648984198	53280807679	79979930092

Annexure – 4

Provisioning Service (Function)	Average value 2011Rs	Utilization pattern of turtle
Meat	757/ kg	Olive ridley, green turtle, hawksbill turtle, leather back
Fat (oil, soap)	41800 / turtle	Olive ridley, green turtle, hawksbill turtle
Stuffed	19614/ turtle	Olive ridley, green turtle, hawksbill turtle
Egg	172/ dozen	Olive ridley, green turtle, hawksbill turtle, leather back
Shell (carapace)	1601/ turtle	Olive ridley, green turtle, hawksbill turtle
Shell - Ornamental resource (bracelet, ring, necklace, hairclip)	102484/ turtle	hawksbill turtle
Skin (Leather)	930/ turtle	leather back

Note: average weight and eggs / year: Olive ridley - 36 kg /204 eggs; Green turtle - 136 kg/ 300 eggs, Hawksbill - 55 kg/ 216 eggs; Leatherback - 499 kg/ 276 eggs (Fisheries Department); meat- 75% weight taken in account, fat – 15 litre / turtle converted to approximate amount used in soap and oil.

Turtle	Average value / turtle 2011Rs	Function includes in Average value / turtle
Olive ridley	32377	livelihood consumption (meat, egg) + commercial value (oil, soap, shell, stuffed)
Green turtle	52110	livelihood consumption (meat, egg)+ commercial value (oil, soap, shell, stuffed)
Hawksbill turtle	86348	livelihood consumption (meat, egg) +

		commercial value(Ornamental resource (bracelet, ring, necklace, hairclip), oil, soap, shell, stuffed)
Leather back	288193	livelihood consumption (meat, egg) + commercial value (leather)

Survey of 45 hectares area at Kasarkdod Tonka in Honnavar Taluk of Uttar Kannada district of Karnataka on the issue of Turtle nesting ground

Introduction

Honnavar is small coastal town located at Uttara Kannada district in Karnataka and is popular amongst tourists due to its scenic beauty and the coastal lifestyle. It is located along the banks of rivers Sharavati and Badagani before the joining the Arabian Sea in the west coast of India. Honnavar is located approximately 165 kilometers from Goa and 460 km from the State Capital, Bengaluru.

The Government of Karnataka proposed to develop the Honnavar Port in the land at Kasarkod Tonka in Honnavar Taluk of Uttar Kannada District. The proposed port is situated on the left bank of river Sharavati at the confluence of both Sharavati and Badagani with the Arabian Sea.

Present Issue

The Government of Karnataka has proposed to develop Honnavar Port in the port land at Kasarkod Tonka in Honnavar Taluk of Uttar Kannada District. In this regard, M/s Honnavar Port Pvt. Ltd. (HPPL), Bengaluru were sanctioned 40,000 sqm of port land in the 1st phase and 93 acres of port land was reserved for the project in 2010. Work commenced at the site in 2019 by the company after obtaining necessary statutory clearances. Honnavar Taluka Hasi Meenu Vyaparasthara Sangha filed a W.P. No. 4039/2021 (PIL) in Hon'ble High Court of Karnataka, Bengaluru, praying for stoppage of construction of the port. According to the petitioner, the entire area of 45 hectares on which the project is to come up is a turtle nesting ground.

On 13.07.2021, upon hearing the Hon'ble High Court of Karnataka issued a Daily Order directing NCSCM to carry out a survey of the 45 hectares area at Kasarkod Tonka in Honnavar Taluk of Uttar Kannada District of Karnataka to verify the issue of turtle nesting ground. A report has to be submitted in this regard by NCSCM before the next hearing which is on 19th August, 2021.

Marine turtles in India

Turtles are both freshwater and marine reptiles and capable of amphibious life (Both on land and water) although, marine turtles come to land only for laying eggs in the nests created on sandy shores. India reports 5 species of marine turtles that inhabit the coastal waters. In order of their abundance, the listed species are

1. Olive Ridley - *Lepidochelys olivacea*
2. Green turtle - *Chelonia mydas*
3. Hawksbill - *Eretmochelys imbricata*

4. Loggerhead - *Caretta caretta*
5. Leatherback - *Dermochelys coriacea*



Olive Ridley Turtle



Green Turtle



Hawksbill Turtle



Loggerhead Turtle



Leatherback Turtle

Fig. 1. Marine turtles of India (Image courtesy: Wikimedia commons)

Types of Turtle Nesting

There are two types of nesting in turtles i) Mass nesting and ii) sporadic nesting. The mass nesting of turtles is termed "arribadas" (Spanish for arrival). Arribadas are also referred to as rookeries. **The Olive Ridley species have a unique social behavior in that they have communal/ mass nesting or arribada.**

During the nesting seasons, there are a number of arribada beaches where thousands of females congregate on sandy beaches that are 2–6 km long on three or four continuous

evenings¹. In India, the arribadas are located at Gahirmatha and Rushikulya in Odisha with an estimated over 100,000 nests per year and, more recently, a new mass nesting site was discovered in the Andaman Islands, with more than 5,000 nests reported in a season². Solitary nesting is witnessed sporadically along the entire coast of India.



Fig. 2. Mass nesting of turtles at Gahirmatha marine sanctuary, Odisha
(Image courtesy: Bijay Kumar)

Nesting Beaches in Coastal Karnataka

Sporadic nesting of Olive Ridley turtles is reported from the coast of Karnataka. The oldest comprehensive study dates back to 2002, a study jointly undertaken by Government of India (GoI) and UNDP where, a baseline was prepared for the nesting beaches along the coast of Karnataka.

(a) GOI – UNDP Sea Turtle Project³

The report has located major turtle nesting sites but no geocoordinates is available pertaining to the exact locations. Out of 13 sites identified in the Uttara Kannada District, Kasarkod beach was designated as an "**occasional nesting site**". The report highlights unequivocally that mass nesting in rookeries (arribadas) like those in Odisha does not occur in Karnataka. The nesting season was observed to be from September to January.

¹ Paladino, F.V., and Morreale. S.J. (2001). Sea Turtles in Encyclopedia of Ocean Sciences (Second Edition)

² NOAA. 2021. Olive Ridley Turtle. <https://www.fisheries.noaa.gov/species/olive-ridley-turtle> accessed on 11 August 2021

³ Sharath B.K. (2002) Marine turtle nesting along the coast of Karnataka – a status survey. GOI – UNDP Sea turtle project, 25 p.

(b) WWF - India Report⁴

The WWF 2013 report has provided an overview of the status of sea turtle nesting in Karnataka. It has mentioned Kasarkod as a potential nesting site with new nesting areas (the co-ordinates 14.26028 N, 74.43256 E). The report highlighted the decrease in turtle nesting over the years and the need for a detailed research to create a database on nesting. Fourteen beaches were identified from Uttara Kannada, thirteen from Udupi and six from Dakshina Kannada as potential nesting sites with new nesting areas (Table 1).

Table. 1. List of Potential Nesting Sites in Dakshin Kannada with New Nesting Areas (WWF-India Report, 2013)

S. No.	Name of nesting the beach	Beach Type	Co-ordinates
1.	Tilmati	Small black sand	N14.90019; E74.09111
2.	Devbag	Long sandy beach	N14.84525; E74.11454
3.	Amdalli (S)	Sandy	N14.75938; E74.17922
4.	Belekeri	Long sandy beach	N14.70572; E74.26435
5.	Kini	Sandy	N14.70579; E74.26435
6.	Manjaguni	Sandy	N14.60259; E74.29021
7.	Gangavali	Sandy	N14.59030; E74.29435
8.	Kagal	Sandy	N14.49140; E74.36355
9.	Dhareshwara	Sandy	N14.37469; E74.40492
10.	Haldipur	Sandy	N14.34576; E74.43485
11.	Kasarkod	Sandy	N14.26028; E74.43256
12.	Talmakki	Sandy	N14.12745; E74.48281
13.	Bailoor	Sandy	N14.05862; E74.49700
14.	Bengre (Bhatkal)	Sandy	N14.05865; E74.49699

(c) Dakshin - EMPRI Report⁵

The Dakshin-EMPRI Report of 2016 is a comprehensive document concerning sea turtle breeding along the Karnataka coast. According to the report, Olive Ridley nests are observed to be along the entire coastline of Honnavar Division and seven major nesting beaches (Figure 3) have been identified. These beaches are mostly sandy with small rocky patches. The seven nesting beaches are located at Gangavali, Kagal, Dhareshwara, Haldipur, Kasarkod, Talmakki, and Bengre (Bhatkal). According to the report, the nesting season begins as early as October and lasts till April every year. The peak nesting season in Honnavar is for three months beginning from December to February. The report has also provided beach profiles of Haldipur, Kasarkod and Manki beaches.

⁴ Ravi Pandit and Rakesh Soans (2013) Marine Turtle Habitats and Nesting Status in Karnataka. In. Annie Kurian (Ed.) (2013) Marine Turtles Along the Indian Coast - Distribution, Status, Threats and Management Implications, WWF-India, pp. 113-126

⁵ Anon (2016) Establishing a baseline for monitoring sea turtle nesting sites on the Karnataka coast through coastline mapping. Final Report. Dakshin & EMPRI, 93 p.



Fig. 3. Turtle nesting beaches in Uttara Kannada District (redrawn from Dakshin-EMPRI Report, 2016)

(d) Sritharan et al. (2017)⁶ – Report submitted to NCSCM

As a part of the delineation and demarcation of Ecologically Sensitive Areas (ESA) and Critically Vulnerable Coastal Areas (CVCA), the Indian Institute of Sciences (IISc), Bangalore was identified as the partner agency to identify turtle nesting sites along the coast of India. IISc Bangalore submitted the nesting sites for the entire coast of India and for the Karnataka coast, 28 nesting beaches of Olive Ridley turtles were reported. The report also clearly points out that there is no secondary data available for any of these nesting sites.

All available turtle nesting records were used to classify nesting as ‘High’ or ‘Medium’ to qualify the area as an ESA. For beach stretches with no past reports on nesting numbers, the nesting abundance of the 2 nearest nesting beaches were used to interpolate the approximate nesting abundance for the region. According to the study, certain states such as Kerala had just a few reports of high-intensity sea turtle nesting. No mass nesting sites were observed along the Karnataka coast, despite the availability of several point records of turtle nesting.

(e) Data from Forest Department, Honnavar Range, Karnataka⁷

Turtle nesting data was collected from Forest Department, Honnavar Range and the compiled data was analyzed. Based on the list, Kasarkod beach has been mentioned 5 times for turtle nesting from 2015 to 2021. Pavinakurve, Haldipur and Taribagilu have far more nesting records compared to Kasarkod since 2015. The details of the geo-tagged locations taken from the Forest Department records is given in Figure 4 and 5. The nesting frequency of each location is provided in Figure 6 and the details are placed at Annex 2). In Kasarakod, 582 turtle eggs were collected between 2016 and 2021.

All the GPS points recorded in the list provided by the Forest Department were falling in the ocean and one site in the land area. None of the GPS points that have been documented were on the beach. This probably might be due to the use of mobile smart phones with GPS facility or because of improper calibration of the GPS device.

The map with actual geo-tagged locations is provided in Figure 4. The entire Forest Department data which was documented in Kannada has been translated into English and as is attached with this document as Annex 2.

From the records of the Forest Department, it was observed that the southern tip of the proposed HPPL project site had one nesting in the year 2020 (marked as No. 5 in the maps 4, 5 and 6). The actual geolocation in the document falls 3 km in the land area from the shore. A straight line drawn from this location westward to the coast falls in the southern tip of the proposed port area.

⁶ Sritharan S., Muralidharan M. and Shanker K (2017) Mapping of Important Sea Turtle Nesting Sites in India, Project Completion Report. Submitted to: National Centre for Sustainable Coastal Management (NCSCM). Centre for Ecological Sciences, Indian Institute of Science, Bangalore, 5 p.

⁷ List of turtle nesting from the Honnavar Subdivision, Provided by the Range Forest Office, Honnavar Range, Honnavar - 581334

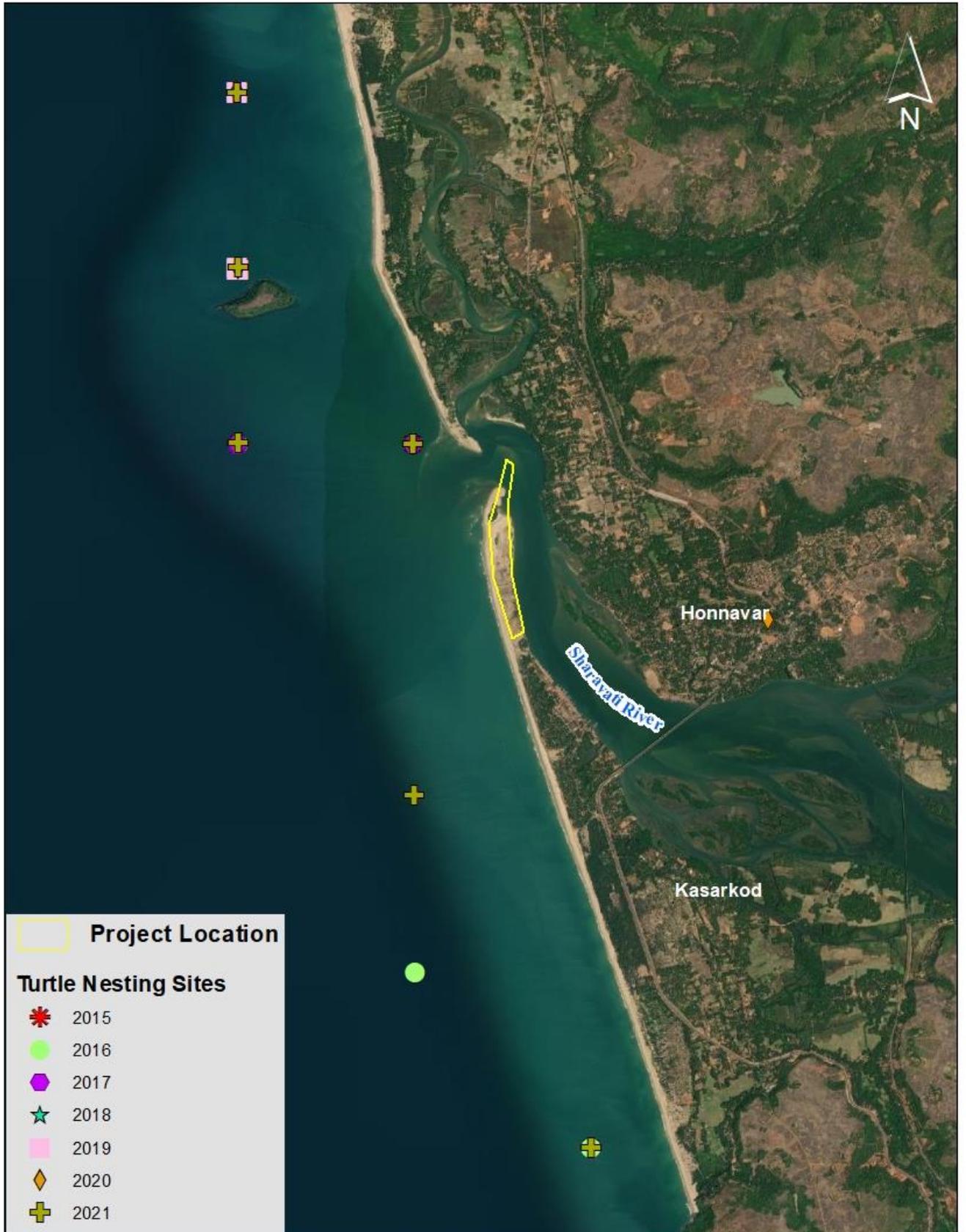


Fig. 4. Geolocation of Turtle nesting sites – Data source: Forest Division, Honnavar
 Note: None of the locations are on the beach

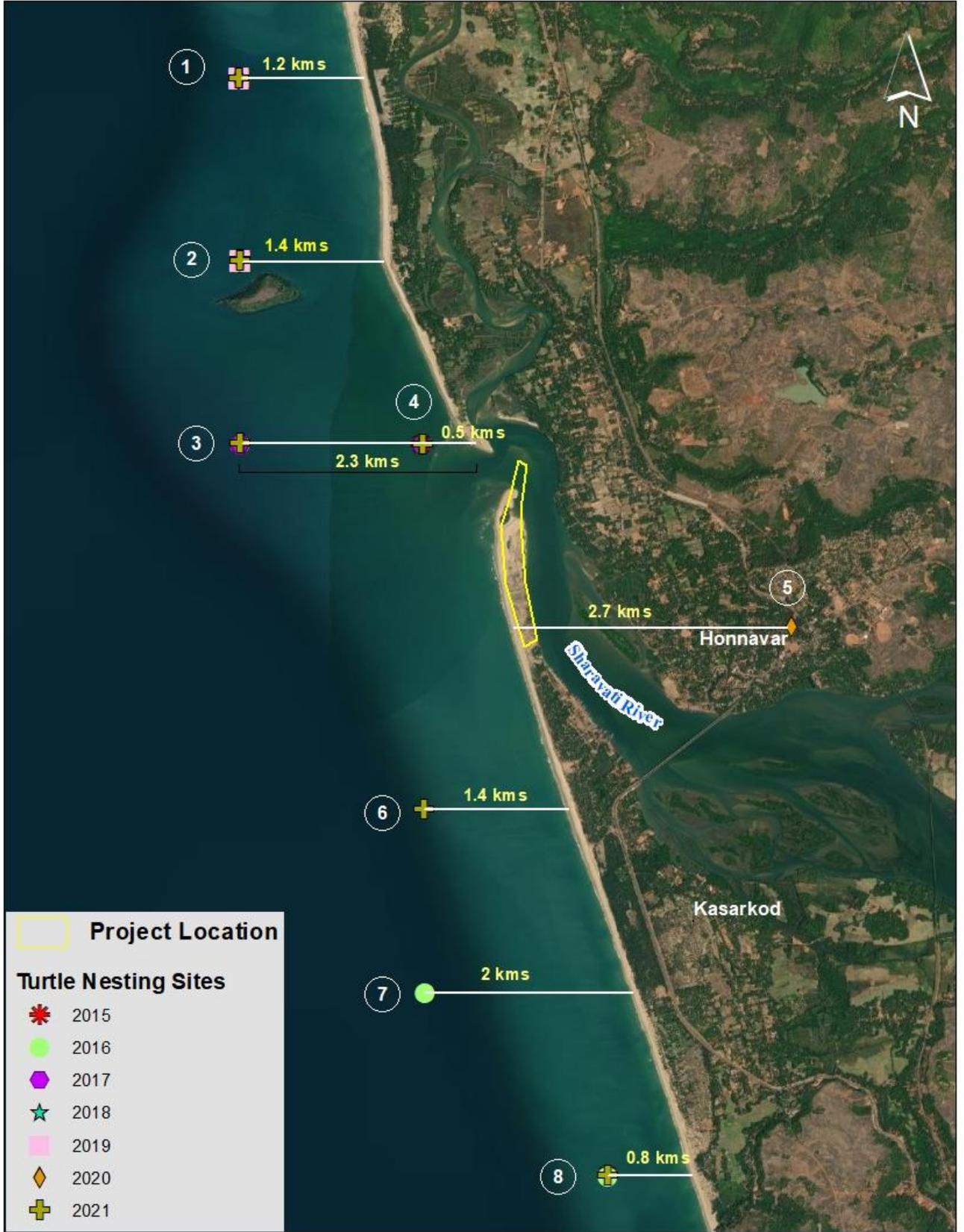


Fig. 5. Geolocation of Turtle nesting sites drawn parallel to the shore – Data source: Forest Division, Honnavar

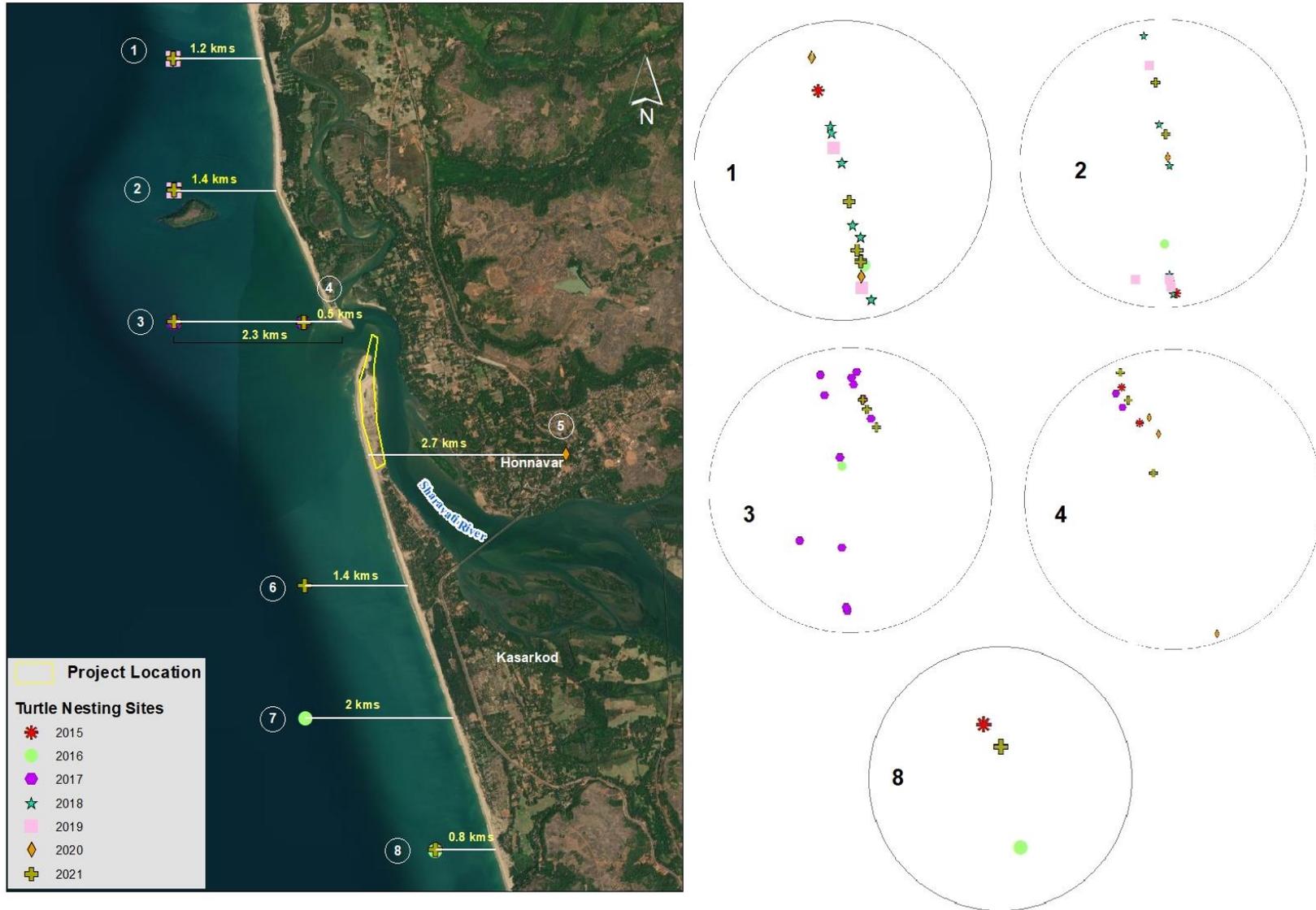


Fig. 6. Nesting locations and number of nests (indicated in circles)- Data source: Forest Division, Honnavar

Turtle nesting ground (ESA) – CRZ 2019 Notification

The Coastal Regulation Zone Notification (CRZ 2019) in para 2.1.1 constitutes 11 Ecologically Sensitive Areas (ESA) and the geomorphological features which play a role in maintaining the integrity of the coast.

- (i) Mangroves (in case mangrove area is more than 1000 square meters, a buffer of 50 meters along the mangroves shall be provided and such area shall also constitute CRZ-I A)
- (ii) Corals and coral reef
- (iii) Sand dunes
- (iv) Biologically active mudflats
- (v) National parks, marine parks, sanctuaries, reserve forests, wildlife habitats and other protected areas under the provisions of Wild Life (Protection) Act, 1972 (53 of 1972), Forest (Conservation) Act, 1980 (69 of 1980) or Environment (Protection) Act, 1986 (29 Of 1986), including Biosphere Reserves
- (vi) Salt marshes
- (vii) Turtle nesting grounds**
- (viii) Horse shoe crabs' habitats
- (ix) Sea grass beds
- (x) Nesting grounds of birds
- (xi) Areas or structures of archaeological importance and heritage sites.

The ESA for the entire coast of India was demarcated and delineated by NCSCM and has been approved by the respective State/ UT Governments and have been integrated in Coastal Zone Management Plans (CZMP).

The CZMP of Karnataka (based on CRZ Notification 2011) was approved on 18.07.2018 based on the recommendation made by the National Coastal Zone Management Authority (NCZMA) in its 34th meeting (Annex 1 - F.No.12-1/2018-1A-III)

CZMP Map⁸

As per CZMP Map No.: KA 25, the proposed port area is categorized into under three CRZ areas – CRZ – I (IB) intertidal area, CRZ – II and CRZ – III (No Development Zone). There is no reported ESA (CRZ 1A) in the proposed site of the Honnavar Port as per approved CZMP maps of Honnavar. A closer view of the CZMP map covering the port area and the entire CZMP map (KA 25) is provided as Figures 7 & 8. Mangroves are present in the estuarine area of Sharavathi river.

⁸ As per CZMP map prepared by NCSCM, Chennai and Forest, Ecology & Environment, Government of Karnataka

NCSCM Site Survey

The Hon'ble High Court of Karnataka in the Daily Order to the Infrastructure Development, Ports and Inland Water Transport Department, Government of Karnataka, had proposed to appoint NCSCM working under the Ministry of Environment, Forest and Climate Change, Government of India to survey the 45 hectares of land covered by the HPPL project with a view to ascertain whether any part of the said area is a turtle nesting ground or the entire area in the turtle nesting ground.

NCSCM team surveyed the proposed port area and the surroundings around Kasarkod on 2nd and 3rd August 2021 as per the directive of the Hon'ble High Court of Karnataka. It is to be noted that the month of August is not the nesting season for sea turtles. Usually the nesting occurs during late October to April every year. Identification of nests, turtles or dead carcass were not recorded during NCSCM's site visit. Based on the published works on turtle nesting sites in Honnavar, the locations were visited and correlated with CZMP maps which indicate if any ESA (including turtle nesting sites) have been demarcated. The GPS locations of the sites visited by NCSCM is provided in Table 2.

Table 2. GPS Points of the sites visited inside the proposed port area

No.	Latitude	Longitude
1	14.282254°	74.427078°
2	14.283611°	74.426667°
3	14.289034°	74.425702°
4	14.295769°	74.425800°
5	14.296203°	74.424595°
6	14.292135°	74.423815°
7	14.286925°	74.424371°
8	14.281852°	74.425779°

The following are the observations

- No nests, turtles or dead carcass of turtles were observed in the entire 45 ha area of the proposed site during the survey
- Erosion was observed along the road from current port entry road until the estuarine mouth (Fig. 10 a and b)
- Limited port construction activity has begun along the eastern boundary of the proposed port (Fig. 10 c)
- For coastal defense along the eroding road, tetrapods have been deployed on the banks.
- Mangroves are present along the north right bank of the River Sharavati.
- The northwestern boundary of the port has a flat beach, which is usually not conducive for nesting (Fig. 10d)

- An abandoned turtle hatchery was observed (Fig. 11) established by the Forest Department in the Apsarkonda Beach, suggesting possible turtle nesting in the past. This abandoned hatchery is located 1 to 2km from the southern tip of the port area (i.e. beyond the 45ha area).



a. Eroding road leading to the entry gate of the proposed port



b. Erosion along the eastern boundary of the proposed site



c. Construction activity along the eastern boundary of the port



d. Flat north-western boundary of the port

Fig. 10. Major coastal features at the port site



Fig. 11. Abandoned turtle hatchery of the Forest Department at Apsarkonda Beach

Summary

- On the basis of one-time field survey, no nesting of sea turtles was observed in the 45 ha area for the following reasons:
 - The present survey was undertaken during non-nesting season of turtles. Hence, no nesting could be recorded during the survey, undertaken in August 2021.
 - No nests or dead turtles or carcasses were observed during the survey of the 45 ha area

- Based on the records received from the Forest Department, Honnavar Range, one site landward of the beach at the southernmost tip of the proposed port area was indicated (Figs. 5 and 6)

- The approved Coastal Zone Management Plan (CZMP) was also referred to for the presence of turtle nesting sites in the 45 ha area (CZMP Map No. 25), indicating **ABSENCE** of any Ecologically Sensitive Area in the 45 ha area under survey (i.e. CRZ IA, which also includes ESA such as turtle nesting grounds).



F. No. 12-1/2018-IA-III
Government of India
Ministry of Environment, Forest & Climate Change

Telephone: 011-24695340
e-mail: arvind.nautiyal@gov.in
Indira Paryavaran Bhavan, Jor Bagh,
Lodi Road, New Delhi-110003.
Dated: 07.08.2018

To,

10479
2018/2/18

The Member Secretary,
Karnataka Coastal Zone Management Authority,
Department of Forest, Ecology & Environment
Secretariat, 7th Floor, 4th Gate,
M.S. Building, Dr. B.R. Ambedkar Veedhi
Bengaluru – 5560 001

Sub: Coastal Zone Management Plan of Karnataka - reg.

Sir,

This has reference to your letter nos. FEE 289 CRZ 2017 P-1, dated 28.04.2018 and 18.07.2018, furnishing therein the Coastal Zone Management Plan (CZMP) of Karnataka, drawn as per the provisions of the Coastal Regulation Zone Notification, 2011.

ENW
2018

2. In this regard, it is to state that based on the recommendation made by the National Coastal Zone Management Authority in its 34th Meeting held on 18.07.2018, the Ministry of Environment, Forest and Climate Change conveys its approval of the CZMP for the State of Karnataka.

This issues with the approval of the Competent Authority.

Yours faithfully,

Arvind Nautiyal
Arvind Nautiyal

Arvind Nautiyal

Arvind Nautiyal
(Arvind Nautiyal)
Director

Copy to:

1. The Secretary (Environment and Ecology), Forest, Environment and Ecology Department, Government of Karnataka, Secretariat, Room No. 709, 7th Floor, Gate No. 4, M. S. Building, Bangalore-560001
2. The APCCF (C), MoEF&CC Regional Office (SZ), Kendriya Sadan, 4th Floor, E&F Wings, 17th Main Road, Koramangala, Bengaluru – 560034.
3. The Director, National Centre For Sustainable Coastal Management, Anna University Campus, Chennai – 600025, Tamil Nadu
4. Guard File.

Arvind Nautiyal
(Arvind Nautiyal)
Director

Annex 2

Details of Turtles nesting, numbers, hatchlings released data from Honnavar Forest Range Office

Sl. No	Name and Address of the person who found the Turtle Eggs	Place	Latitude/Longitude	Date	No. of Eggs Found	Number of Hatchlings		Total Hatching s	Hatchlings released date
						Date	No		
1	Thimmappa Mesta, Pavinakurve, Haladipura	Pavinakurve, Haladipura	14 18.565 N, 74 25.022 E	17.04. 2015	82	04.06. 2015	53	53	05.06.2015
2	Mabla Rama Kharvi	Pavinakurve, Haladipura	14 18.516 N, 74 25.047 E	06.10. 2015	145	25.11. 2015	90	90	
3	Chaudu Sankoosa Harikantra	Soranagadde	14 20.730 N, 74 24.518 E	16.12. 2015	85	08.02. 2016	8	8	
4	Ganapathi N Kharvi	Kharvikeri, Apsarakonda	14 14.824 N, 74 26.211 E	21.12. 2015	76	-		-	
5	Vittala K Mesta	Karki		23.12. 2015	32	15.02. 2016	3	3	15.02.2016
							3	3	15.02.2016
6	Venkatesh Harikantra	Horabaga, Haladipura	14 19.049 N, 74 24.805 E	27.12. 2015	95	17.02. 2016	34	46	17.02.2016
						18.02. 2016	12		18.02.2016
7	Nagaraj Keshav Kharvi	taribagila, Haladipura	14 19.002 N, 74 24.830 E	29.12. 2015	67		35		
1	Ganapathi N Kharvi	Kharvikeri, Apsarakonda	14 14.749 N, 74 26.234 E	11.01. 2016	129	29.02. 2016	67	67	
2	Sebastian Saaver Lopic	Kasarakoda		21.01. 2016	96				
3	Sebastian Saaver Lopic	Kasarakoda		21.01. 2016	132	10.03. 2016	16	16	
4	Ishwara Kharvi	Apsarakonda		28.01. 2016	83				

Annex 2

Details of Turtles nesting, numbers, hatchlings released data from Honnavar Forest Range Office

Sl. No	Name and Address of the person who found the Turtle Eggs	Place	Latitude/Longitude	Date	No. of Eggs Found	Number of Hatchlings		Total Hatchlings	Hatchlings released date
						Date	No		
5	Krishna Birappa Ambiga	Kadle, Kumata		28.01.2016	120				
6	Madevi Ishwara Mesta	Haladipura	14 20.155 N, 74 24.671 E	03.02.2016	115	23.03.2016	25	25	
7	Ishwara Kharvi	Apsarakonda	14 15.756 N, 74 25.911 E	05.02.2016	76				
8	Ishwara Kharvi	Apsarakonda		11.02.2016	100				
9	Thimmappa Mesta	Haladipura	14 19.190 N, 74 24.785 E	27.02.2016	105	17.04.2016	30		
10	Thimmappa Mesta	Haladipura	14 20.257 N, 74 24.785 E	02.03.2016	113	21.04.2016	48		
11	Kanna Budavantha Harikantha	Haladipura	14 18.598 N, 74 24.796 E	19.12.2016	151				
1	Ganapathi Kanna Harikantha	Taribagila	14 18.557 N, 74 25.014 E	24.01.2017	91	12.03.2017	27	50	
						13.03.2017	11		
						14.03.2017	12		
2	Kanna Budavantha Harikantha	Haladipura	14 18.632 N, 74 24.788 E	05.02.2017	130	22.03.2017	47	51	23.03.2017
						22.03.2017	2		

Annex 2

Details of Turtles nesting, numbers, hatchlings released data from Honnavar Forest Range Office

Sl. No	Name and Address of the person who found the Turtle Eggs	Place	Latitude/Longitude	Date	No. of Eggs Found	Number of Hatchlings		Total Hatchlings	Hatchlings released date	
						Date	No			
						25.03.2017	2			
3	Krishna Pandu Kharvi	Pavinakurve	14 18.538 N, 74 25.023 E	05.02.2017	103	22.03.2017	2	75	24.03.2017	
						23.03.2017	69			
						25.03.2017	4			
4	Narayana Harikanta	Taribagila	14 18.021 N, 74 24.816 E	07.02.2017	128	23.03.2017	4		24.03.2017	
5	Ganapathi Kanna Harikantha	Taribagilu	14 18.027 N, 74 24.816 E	07.02.2017	107					
6	Thimayya Gidda Harikanta	Taribagilu	14 18.035 N, 74 24.813 E	07.02.2017	59					
7	Kanna Budavantha Harikanta	Haladipura	14 18.881 N, 74 24.725 E	08.02.2017	135	28.03.2017	26	35		
						29.03.2017	7			
						30.03.2017	2			
8	Nagappa Yenkappa Harikanta	Taribagilu	14 18.789 N, 74 24.913 E	15.02.2017	128			47		
9	Anantha Kharvi	Taribagilu	14 18.866 N, 74 24.880 E	16.02.2017	106	03.04.2017	64	78		
						04.04.2017	14			

Annex 2

Details of Turtles nesting, numbers, hatchlings released data from Honnavar Forest Range Office

Sl. No	Name and Address of the person who found the Turtle Eggs	Place	Latitude/Longitude	Date	No. of Eggs Found	Number of Hatchlings		Total Hatching s	Hatchlings released date
						Date	No		
10	Kanna Budavantha Harikantha	Haladipura	14 18.963 N, 74 24.708 E	19.02. 2017	130				
11	Ramesha Annappa Harikantha	Taribagilu	14 18.925 N, 74 24.842 E	07.03. 2017	117				
12	Kanna Budavantha Harikantha	Haladipura	14 18.951 N, 74 24.833 E	08.03. 2017	150	20.04. 2017	5	76	
						21.04. 2017	46		
						22.04. 2017	12		
						24.04. 2017	13		
13	Mahadeva Siddha Harikantha	Haladipura	14 18.301 N, 74 24.626 E	11.03. 2017	120	23.04. 2017	47	85	
						24.04. 2017	38		
14	Rama Bira Harikantha	Taribagilu	14 18.274 N, 74 24.796 E	03.04. 2017	127	17.05. 2017	54		
						18.05. 2017	12		
15	Narasimha Harikantha	Taribagilu	14 18.975 N, 74 24.855 E	15.12. 2017	126	07.02. 2018		101	
1	Nagappa Yenkappa Harikanta	Haladipura	14 20.248 N, 74 24.659 E	16.01. 2018	129	12.03. 2018		96	

Annex 2

Details of Turtles nesting, numbers, hatchlings released data from Honnavar Forest Range Office

Sl. No	Name and Address of the person who found the Turtle Eggs	Place	Latitude/Longitude	Date	No. of Eggs Found	Number of Hatchlings		Total Hatchlings	Hatchlings released date
						Date	No		
2	Madhukara Harikantha	Horabaga, Haladipura	14 20.492 N, 74 24.598 E	16.01. 2018	54	11.03. 2018		12	
3	Venkatramana Nagappa Harikantha	Haladipura	14 20.613 N, 74 24.558 E	22.01. 2018	101	15.03. 2018		74	
4	Rama Narayana Harikantha	Haladipura	14 20.591 N, 74 24.565 E	24.01. 2018	86	18.03. 2018		58	
5	Nagappa Durga Harikantha	Haladipura	14 19.978 N, 74 24.705 E	29.01. 2018	122	23.03. 2018		98	
6	Kanna Budavantha Harikantha	Haladipura	14 20.285 N, 74 24.634 E	29.01. 2018	143	23.03. 2018		108	
7	Thimmayya Narayana Harikantha	Haladipura	14 19.074 N, 74 24.804 E	02.02. 2018	127	27.03. 2018		98	
8	Ravi Mestu Kharvi	Pavinakurve	14 20.042 N, 74 24.695 E	08.02. 2018	96	31.03. 2018		61	
9	Pursu Rama Harikantha	Haladipura	14 19.486 N, 74 24.803 E	08.02. 2018	110	31.03. 2018		81	
10	Kanna Budavantha Harikantha	Haladipura	14 19.644 N, 74 24.765 E	12.02. 2018	130	04.04. 2018		118	
11	Thimmappa Mestu Kharvi	Haladipura		14.02. 2018	113	08.04. 2018		91	
12	Manjunatha Nagappa Harikantha	Haladipura		14.02. 2018	101	08.04. 2018		79	
13	Manjunatha Nagappa Harikantha	Haladipura		18.02. 2018	93	10.04. 2018		57	
14	Thimmappa Mestu Kharvi	Pavinakurve		20.02. 2018	63	12.04. 2018		35	

Annex 2

Details of Turtles nesting, numbers, hatchlings released data from Honnavar Forest Range Office

Sl. No	Name and Address of the person who found the Turtle Eggs	Place	Latitude/Longitude	Date	No. of Eggs Found	Number of Hatchlings		Total Hatchlings	Hatchlings released date
						Date	No		
15	Hanumantha Kariyana Harikantha	Pavinakurve		23.02.2018	119	14.04.2018		68	
16	Kanna Budavantha Harikantha	Haladipura		24.02.2018	71	15.04.2018		45	
17	Kanna Budavantha Harikantha	Thimmappa Mestu Kharvi		27.02.2018	119	16.04.2018		55	
18	Thimmappa Mesta Kharvi	Pavinakurve		24.03.2018	111	10.05.2018	41		
19	Thimmappa Mestu Kharvi	Thimmappa Mestu Kharvi		13.04.2018	68				
20	Thimmappa Mesta Kharvi	Pavinakurve	14 19.000 N, 74 24.817 E	07.12.2018	115	28.06.2019		46	
1	Mohana, Sandesha, Jagadisha, Shankara, Vinayaka Tandel	Chonka, Kasarkod		02.01.2019	138	25.02.2019		63	
2	Manjunatha Nagappa Harikantha	Swarna Gadde	14 20.543 N, 74 24.572 E	21.01.2019	101				
3	Vittala Narayana Harikantha	Taribagilu	14 19.055 N, 74 24.803 E	30.01.2019	135	24.03.2019		81	
4	Thimmappa Mesta Kharvi	Pavinakurve	14 19.028 N, 74 24.810 E	07.02.2019	121	31.03.2019		31	
5	Santhosha Mesta	Chonka, Kasarkod		01.03.2019	90	20.04.2019	30	30	
6	Manjunatha Thimmappa Harikantha	Taribagilu	14 20.079 N, 74 24.665 E	03.03.2019	130	21.04.2019		91	

Annex 2

Details of Turtles nesting, numbers, hatchlings released data from Honnavar Forest Range Office

Sl. No	Name and Address of the person who found the Turtle Eggs	Place	Latitude/Longitude	Date	No. of Eggs Found	Number of Hatchlings		Total Hatchlings	Hatchlings released date
						Date	No		
7	Ravi Keshava Kharvi	Taribagilu	14 19.867 N, 74 24.726 E	14.03. 2019	135			12	
8	Ravi Keshava Kharvi	Taribagilu	14 19.056 N, 74 24.675 E	14.03. 2019	138	01.05. 2019	76	76	
9	Manjunatha Narayana Harikantha	Haladipura		27.03. 2019	101		56	56	
1	Pursayya Kharvi	Pavinakurve	14 17.832 N, 74 27.071 E	16.01. 2020	128	09.03. 2020		63	
2	Niranjana Manjunatha Harikantha	Haladipura	14 20.839 N, 74 24.497 E	24.01. 2020	135	17.03. 2020		87	
3	Nagappa Harikantha Haladipura	Pavinakurve	14 18.501 N, 74 25.073 E	30.01. 2020	118	22.03. 2020		66	
4	Manjunatha Narayana Harikantha	Haladipura	14 20.116 N, 74 24.663 E	07.02. 2020	120	29.03. 2020		83	
5	Nagappa Harikantha	Haladipura	14 19.518 N, 74 24.796 E	18.02. 2020	124	09.03. 2020		92	
6	Pursayya Kharvi	Pavinakurve	14 18.523 N, 74 25.060 E	22.02. 2020	99			70	
7	Thimmappa Venkatesha Mesta	Pavinakurve, Haladipura	14 18.226 N, 74 25.154 E	21.12. 2020	101	13.02. 2021		30	14.02.2021
1	Krishna Pandu Kharvi	Pavinakurve, Haladipura	14 18.547 N, 74 25.031 E	03.01. 2021	118	26.02. 2021	102		27.02.2021
						27.02. 2021	1	103	28.02.2021

Annex 2

Details of Turtles nesting, numbers, hatchlings released data from Honnavar Forest Range Office

Sl. No	Name and Address of the person who found the Turtle Eggs	Place	Latitude/Longitude	Date	No. of Eggs Found	Number of Hatchlings		Total Hatching s	Hatchlings released date
						Date	No		
2	Krishna Pandu Kharvi	Pavinakurve, Haladipura	14 18.585 N, 74 25.020 E	10.01.2021	87	05.03.2021	72	72	06.03.2021
3	Pandu Mari Harikantha	Pavinakurve, Haladipura	14 18.753 N, 74 24.933 E	13.01.2021	144	07.03.2021	118	118	08.03.2021
4	Ravi Keshava Kharvi	Taribagilu, Haladipura	14 19.802 N, 74 24.749 E	19.01.2021	124	14.03.2021	3	3	15.03.2021
5	Roshan Michel Fernandes	Kelaginoor	14 14.810 N, 74 26.222 E	25.01.2021	134				
6	Manjunatha Harikantha	Haladipura		31.01.2021	90	26.03.2021	55	55	27.03.2021
7	Ishwara S Harikantha	Pavinakurve	14 18.825 N, 74 24.895 E	12.02.2021	Insitu Conservation				
8	Ravi Keshava Kharvi	Taribagilu	14 19.605 N, 74 24.789 E	12.02.2021	40	05.04.2021	5	5	06.04.2021
9	Kumara Shanthappa Kharvi	Chonka, Kasarakod	14 16.937 N, 74 25.541 E	15.02.2021	126				
10	Ramakrishna Babu Harikantha	Pavinakurve	14 18.755 N,	15.02.2021	90	06.04.2021	10	10	07.04.2021
11	Venkatramana Manjunatha Harikantha	Haladipura		15.02.2021	95	06.04.2021	20	20	07.04.2021
12	Manjunatha Narayana Harikantha	Haladipura	14 20.169 N, 74 24.660 E	22.02.2021	42	12.04.21	29	29	13.04.2021
13	Hanumantha Kariyanna Haikantha	Haladipura	14 20.165 N, 74 24.660 E	23.02.2021	64	12.04.2021	45	45	13.04.2021

Annex 2

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Sl. No	Name and Address of the person who found the Turtle Eggs	Place	Latitude/Longitude	Date	No. of Eggs Found	Number of Hatchlings		Total Hatchlings	Hatchlings released date
						Date	No		
14	Ganapathi Manjunatha Harikantha	Haladipura	14 20.203 N, 74 24.648 E	23.02. 2021	58	12.04. 2021	36	36	13.04.2021
15	Manjunatha Narayana Harikantha	Haladipura	14 20.364 N, 74 24.622 E	28.02. 2021	116				
16	Krishna Pandu Kharvi	Pavinakurve	14 18.447 N, 74 25.066 E	09.03. 2021	97				
17	Annappa Kanna Harikantha	Pavinakurve	14 18.862 N, 74 24.879 E	13.03. 2021	62				

**IN THE HON'BLE HIGH COURT OF KARNATAKA AT
BENGALURU
(ORIGINAL JURISDICTION)**

WRIT PETITION NO..... /2021 (PIL)

BETWEEN:

**HONNAVAR TALUK HASIMEENU VYPARASTARA
SANGHA (REGISTERED),**

Tonka-Kasarkod, Honnavar,
Uttara Kannada - 581 342.
Represented by its President
Sri.Ganapathi Iswar Tandel,
S/o. Late Iswar Durgayya Tandel,
Aged about 38 years.

..PETITIONER

AND:

1. **M/S. HONNAVAR PORT PVT LTD,**
Registered office at No.103,
Lalehzar Apartments,
45/1-2, Palace Road,
Bengaluru - 560 001.
Phone: 080-22353670 / 080-41494960
email: info@honnnavarport.com
Represented by its Authorized Representative
2. **THE PORT OFFICER,**
Honnnavar Port,
Honnnavar - 581 334.
Uttara Kannada District.
3. **THE DIRECTOR OF PORTS, AND INLAND
WATER TRANSPORT,**
Karwar Port,
Baithkol Village-581302.
Karwar Taluk,
Uttara Kannada District.

4. **THE DEPUTY COMMISSIONER,**
Uttara Kannada District,
Mini Vidhana Soudha,
Karwar-581 301.
5. **THE PRINCIPAL SECRETARY,**
PWD, Ports and Inland Water Transport Department,
Government of Karnataka,
Room No.333, 3rd Floor,
Vikasa Soudha,
Bengaluru - 560 001.
6. **THE STATE LEVEL ENVIRONMENT IMPACT
ASSESSMENT AUTHORITY-KARNATAKA,**
Department of Ecology and Environment,
IV-Gate, Room No.709, 7th Floor,
M.S.Building,
Dr.Ambedkar Veedhi,
Bengaluru-560 001.
Represented by its Principal Secretary.
7. **THE KARNATAKA STATE POLLUTION
CONTROL BOARD,**
Represented by its Senior Environmental Officer,
Regional Office,
'Parisara Bhavan',
LIG-II, B-217, Near Hari Om Trust,
Habbuwada,
Karwar-581 303.
8. **THE GRAMA PANCHAYAT,**
Kasarkod,
Honnavar - 581 342,
Uttara Kannada District.
9. **THE SECRETARY,**
Ministry of Environment & Forest
And Climate Change,
Government of India,
Indira Paryavaran Bhavan,
Jor Bagh Road,
New Delhi - 110 003.

..RESPONDENTS

**MEMORANDUM OF WRIT PETITION UNDER ARTICLE 226
OF THE CONSTITUTION OF INDIA:**

The Petitioner above named most respectfully submits as follows:

INTRODUCTION:

1. The Petitioner is a Registered Association comprising of fisher folks and residents of Kasarkod-Tonka village in Honnavar Taluk, living besides the bank of Sharavati River, for several generations and are dependent on fishing and fisheries related activities. There are around 4000 fisher folks (men and women) directly dependent on fisheries and fishing activities and around 3000 members of the fishing community who depend on fish drying and trading on the beach situated in the 5 villages, namely Kasarkod, Honnavar, Pavinkurva, Malukurva and Karki, in Honnavar Taluk. The Coastal Zone Management Plan bearing Map No.KA25, Sheet No.D/4317 SE, issued by the Ministry of Forest, Ecology and Environment Department, Government of Karnataka, depicting the above said villages and the Arabian Sea and Sharavati River and the other villages, is produced herewith and marked as **ANNEXURE-A**.

2. The petitioner in this petition, which is filed in the form of Public Interest Litigation, is challenging the proposed construction of a port by the 1st Respondent herein on the eco-sensitive and a blue flagged beach, situated in Kasarkod, Honnavar and other beaches of Pavinkurva, Malukurva and Karki which are all adjacent and contiguous to each other and situated in Honnavar Taluk of Uttara Kannada District, without obtaining necessary consent from the Karnataka State Pollution Control Board. The said project is being undertaken on the basis of environmental clearance granted by the 6th Respondent herein, without authority of law, knowing fully well that the above mentioned beach falls within the CRZ-I and as such no commercial activity can be carried on.

3. The said development of port is being undertaken at a place where Arabian Sea and the Sharavati River meet (which is known as the 'Sangam' in Kannada and Hindi language). The above said project will lead to enormous ecological damage and destruction of flora and fauna and thereby the said beach will lose its pristine beauty in its natural form.

4. By the said construction around 12,600 people engaged in fishing activity carrying on their traditional / ancestral fishing avocation with the help of around 1415 different kinds of boats would lose their livelihood.

5. The said construction is being carried out without obtaining the necessary consent from the 7th Respondent and also in utter violation of the terms and conditions of Lease Agreements at Annexures-B and D, which have been transferred to the Respondent No.1 herein vide Annexure-E, which annexures are referred to and produced below. The petitioner association having knocked the doors of almost all the respondents by way of various representations, has approached this Hon'ble Court for redressal of their grievance, as there is flagrant violation of various provisions of the Constitution of India, such as Article-19(1)(d), 19(1)(g), 21, 48(a), 51-A(g), 300-A etc. The said construction not only affects the life of the people in and around the above mentioned beach, but also affects the citizens of the neighboring taluka, such as Bhatkal, Karwar etc. The permanent stoppage of the said project by way of an order from this Hon'ble Court is extremely essential to avoid catastrophic consequences.

6. There is no private interest involved in filing the present petition and it is filed in the larger interest of fisher folks, fisher community and general public at large residing in and around the above villages in Honnavar Taluka and other neighboring Talukas, such as Karwar, Bhatkal etc.

FACTS LEADING TO THE FILING OF THIS PETITION:

7. It is submitted that a Lease Agreement dated 07.04.2010 was entered into between the Director of Ports and M/s. North Canara Sea Ports – GVPREL – Consortium, for usage of port land for port related activities at Honnavar Port. Copy of the Lease Agreement dated 07.04.2010 is produced herewith and marked as **ANNEXURE-B**.

8. The Government of Karnataka, represented by the Under Secretary-PWD, Ports and Inland Water Transport, Bengaluru, passed a Government Order dated 22.09.2020 bearing No.PWD.119.PSP.2010, Bengaluru, to the effect that M/s.North Canara Sea Ports – GVPREL – Consortium, Hyderabad, was given a permission to construct the Jetty and facilitate the anchoring activity, as mentioned in Map-A and Map-B, in an area having an extent of 8,47,560 square meters, and to develop this port

project after obtaining necessary permissions from the other departments. Certain conditions have been mentioned therein. Copy of the Government Order dated 22.09.2020 is produced herewith and marked as **ANNEXURE-C**. Further a Lease Agreement dated 11.10.2010 was entered into between the Director of Ports and M/s. North Canara Sea Ports - GVPREL - Consortium, for port related activities and ANCHORAGE operations at Honnavar Port. Copy of the lease agreement dated 11.10.2010 is produced herewith and marked as **ANNEXURE-D**.

9. It is submitted that a communication dated 07.04.2011 was addressed by the respondent No.5 to M/s. North Canara Sea Ports Pvt Ltd and GVPR Engineering Limited Consortium, wherein permission was accorded to transfer the subject matter of Lease Agreement dated 07.04.2010 and lease agreement dated 11.10.2010 in favour of M/s. Honnavar Ports Pvt Ltd, (SPV) without any change. Copy of the communication dated 07.04.2011 is produced herewith and marked as **ANNEXURE-E**. Also a communication dated 13.09.2011 was addressed by the State Level Expert Appraisal Committee, Karnataka, to Honnavar Port Pvt Ltd, regarding development of Barge-Vessel Loading Facility at Coastal Sand Spit, Kasarkod, Tonka, Honnavar,

containing Terms of Reference (TOR). Copy of the communication dated 13.09.2011 is produced herewith and marked as **ANNEXURE-F**.

10. It is submitted that the CRZ Clearance was issued on 24.11.2011, by Ministry of Environment and Forests (IA-III Division), Government of India in favour of M/s. Master Ship Yard Pvt Ltd, containing the CRZ clearance. Copy of the CRZ clearance dated 24.11.2011 is produced herewith and marked as **ANNEXURE-G**.

11. / It is further submitted that the 6th Respondent has issued an environmental clearance on 21.09.2012, to M/s. Honnavar Port Pvt Ltd. Copy of the Environment Clearance issued by the State Level Environment Impact Assessment Authority (Respondent No.6) on 21.09.2012 is produced herewith and marked as **ANNEXURE-H**. The Consent for establishment dated 06.02.2013 was issued by the Karnataka State Pollution Control Board to M/s. Honnavar Port Pvt Ltd. It has been mentioned therein that the said consent for establishment is co-terminus with the validity of Environment Clearance referred at Sl.No.5 therein. Copy of the Consent dated 06.02.2013 is produced

herewith and marked as **ANNEXURE-J**. Communication dated 26.03.2014 was issued to the Director of Ports & Inland Water Transport, Karwar- Respondent No.3, by the Respondent no.5 wherein the ports department was permitted to commence the work. Copy of the Communication dated 26.03.2014 issued to the Director of Ports & Inland Water Transport, Karwar, is produced herewith and marked as **ANNEXURE-K**.

12. It is submitted that on 30.04.2015, the Respondent No.3 issued Technical Approval to M/s.Honnavar Port Pvt Ltd for Development of Barge/Vessel Loading facilities at Honnavar Port. In the said communication, the details of the drawing that have been approved are listed out. Copy of the Technical Approval dated 30.04.2015, is produced herewith and marked as **ANNEXURE-L**. It is further submitted on 03-07/08-2015, 3rd Respondent, issued a letter to the Respondent no.1 informing that the plans/drawings for construction of Break Waters at Honnavar Port has been approved subject to conditions mentioned therein. The communication dated 03-07/08.2015 is produced herewith and marked as **ANNEXURE-M**. Also, on 03-07/08-2015, the 3rd respondent addressed another letter conveying approval to carry out the capital dredging work at

Honnavar Port subject to conditions mentioned therein. Copy of the said communication dated 03-07/08-2015, is produced herewith and marked as **ANNEXURE-N**. Further on 20.06.2018, a communication was sent by the 7th Respondent to 1st Respondent mentioning about the non-compliance under the provisions of Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981, (for short referred to as "Water Act and Air Act"). Copy of the said communication dated 20.06.2018 is produced herewith and marked as **ANNEXURE-P**. A further communication dated 01.07.2019 was issued by the 6th Respondent to 1st respondent conveying the extension of validity of Environmental Clearance for a further period of 3 years from the date of expiry of the validity of the Environmental clearance dated 21.09.2012. Copy of the said communication dated 01.07.2019 is produced herewith and marked as **ANNEXURE-Q**.

13. It is further submitted that on 19.02.2020, a reply was given by the 7th Respondent to Mr. Vivian Fernandes, stating that there is no record regarding consent obtained in respect of the above said port expansion project in Kasarkod, Tonka, Honnavar Taluka, Under Water and Air Act. Copy of the reply dated

19.02.2020 to the RTI query is produced herewith and marked as **ANNEXURE-R.** It is submitted that a communication dated 04.07.2020 was issued by the Principal Chief Conservator of Forests (Head of Forest Force), Government of Karnataka, to the Assistant Executive Engineer, Port Department, Honnavar, stating that crucial information required for processing of the proposal under FC act 1980 has not been provided completely. The said communication dated 04.07.2020 is produced herewith and marked as **ANNEXURE-S.** The Representation dated 14.02.2020 submitted to the Deputy Commissioner, Uttara Kannada, Karwar from Purse-seine Boat Maalikara Sangha (Regd), Karavali Meenugarara Karmika Sangha, Trawl Boat Maalikara Sangha, is produced herewith and marked as **ANNEXURE-T.**

14. It is further submitted that as soon as the local villagers, residents, fishermen etc., got to know about the said construction, several representations were given to various authorities. Few of them are as under.

15. On 17.02.2020, a representation was submitted to the Secretary to the Government, Ecology and Environment,

and will have a serious impact on the nature and ecology because the same is being undertaken at a place where there is confluence of Arabian sea and the Sharavati River, at the places mentioned above. It will lead to destruction of water bodies and impair its reproduction permanently. It will lead to pollution of water and will have harmful effects on the drinking water that is being supplied to the neighbouring villages.

22. The pristine beauty in its natural form of the above mentioned beaches / place would be completely destroyed in the event the above said construction is allowed to continue. Various photographs evidencing the said beach / river/fishing dock at Honnavar and the construction activities are produced herewith and collectively marked as **ANNEXURES-Z to Z-13**. Annexure-Z depicts the beach along with a fishing trawler and thick vegetation alongside the coast. Annexure-Z-1, depicts the ongoing Construction activity and most importantly the sand stored for construction purpose has submerged with the river/sea, which is clearly visible from Annexure Z-2, which is taken from a close distance. Annexure-Z-3, depicts the various machineries installed for the said purpose. Annexure-Z-4, depicts the display board containing the layout map of Kasarkod Eco

Beach, which is displayed in the said beach. Annexures-Z-5 and Z-6, depicts the Kasarkod Beach, Sea, Walking Track etc. Annexure-Z-7, depicts the beach information board erected on the said beach. Annexures-Z-8 to Z-10 depicts the aerial view of the Honnavar fishing dock. Annexures-Z-11 and Z-12 depicts the aerial view of the beaches and Annexure-Z-13 depicts the Blu Flagged Beach (eco beach), at Kasarkod. The said board contains various details such as information for tourists, information on environmental activities, beach eco system, important contact information, information on natural environment of the beach and the surrounding area, flora and fauna, information about tourist safety and other details.

23. The perusal of the map at Annexure-A would clearly establish that the said construction falls within the Coastal Regulatory Zone-1 ('CRZ-1' for short). The area where the above said construction is going on, is marked for the sake of clarity and mentioned as 'Construction in Progress'. The perusal of the legend in the said map on the right hand side depicts CRZ-1B in blue color dots and the same is in the place where the said construction is in progress. Next to the same, on the right hand side is Sharavati River and on the left hand side is the Arabian

Sea. Further, villages of Kasarkod, Honnavar and Pavinkurva are depicted in the said map in the area where the said construction is in progress. In fact Malukurva village is not depicted in the said map at all as the same has submerged with Honnavar.

24. The above said construction would lead to violation of Article 19(1)(g) of Constitution of India which deals with right of all the citizens to practice any profession or to carry on any occupation, trade or business. The above mentioned beaches are being used for fishing activity by the Fishermen in and around Honnavara Taluk and as a result of the said construction activity, Fishermen will not be able to carry on the fishing activity as they have been using the shore of the Arabian Sea /Sharavathi River to park their Boats, Dingies, Trawalers etc., which will be stopped as a result of this expansion. Their livelihood entirely depends on fishing activity which will be forcibly snatched from them leading to the violation of Article 21 of the Constitution of India. It is noteworthy to mention here that even the fisherwomen earn their livelihood by selling the fish, that is caught by the fishermen in the said Beaches, and as such, even their daily bread would be taken away. The movement of huge barge (loading vessel) in the sea will be a severe blow to all the

fishermen engaged in fishing activity through mechanized boats. It is relevant to mention here that the Fishermen are by avocation and tradition carrying on the activity of fishing since time immemorial for several generations and by the said construction project they would be jobless and will be reduced to the state of penury.

25. The Assistant Director, Fisheries (Grade-II), Honnavar, Uttara Kannada, has addressed a communication dated 25.02.2020 to the President of Belakonda Meenugaarike Sahakara Sangha Niyamitha, Honnavar, mentioning that there are 23,500 fishermen, carrying on their traditional / ancestral fishing avocation with the help of around 1415 different kinds of boats, and that they would lose their livelihood. The said communication is produced herewith and marked as **ANNEXURE-AA**, where in it is mentioned that there are 17 Purse-seine boats, 161 Trawlers, 342 Gillnet boats, 895 Regular boats. Hence, in the event if the said construction is not stopped, then thousands of people would lose their livelihood.

26. The right to catch and carry away the fish being a profit or benefit arising out of the land, has to be regarded as immovable

property within the meaning of Transfer of Property Act, as held by the Supreme Court in the case of ***Bihar Eastern Gangetic Fishermen Co-operative Society Limited vs. Sipahi Singh and others***. Further the privy council around 100 years back, in the case of ***Matamajaw Salmon Club vs. Duchaine***, reported as AIR 1921 Privy Council 200, has held that title to take the fish is a title to take the product of the river, while dealing with ownership with regard to fishing rights. In the famous case of ***Delhi Transport Corporation v/s D.T.C. Mazdoor Congress and others*** reported as 1991 Supp(1) SCC 600, the Constitution Bench of the Supreme Court, in paragraph-298 of the said judgment has held that Article 21 guarantees the right to live which includes right to livelihood, the deprivation thereof must be in accordance with the procedure prescribed by law conformable to the mandates of Articles 14 and 21 has to be fair, just and reasonable but not fanciful, oppressive or at vagary.

27. The right of the citizens to enjoy and make use of the said Beach will be completely stopped as a result of the said project and in fact all the beaches adjoining these villages will be rendered useless and no common citizen would be in a position

to make use of the same because barricades would be put all around the beach area. Presently the said beach is being used by the citizens for the purpose of their morning and evening walks, children play in the said beach, is used for the purpose of swimming, fishing activities are carried out in a massive scale and other aqua marine and water sports are carried out in the said beach. During rainy season it is used as grazing field for cattles and other animals because there is thick growth of grass. As a result of the said project, all the activities would be completely stopped and virtually there will be no place for amusement for the citizens of Honnavar and other neighboring places. It will have harmful effects on the health of the people residing in and around the said area and will lead to deadly diseases, such as cancer, thyroid, respiratory problem, diseases related to intestine etc., and would also lead to Air and Water Pollution.

28. It has been consistently held by the Supreme Court of India in catena of judgments that environmental, ecological, air, water pollution etc., should be regarded as amounting to violation of Article 21 of the Constitution of India. The said view is taken in the case of *Virender Gaur and others v/s State of*

Haryana and others reported as (1995)2 SCC 577. It has been held that Articles 21 and 48-A, 47 and 51-A(g) comprehend right to hygienic environment protection. Government as well as Municipality is obliged to maintain and protect environment, manmade as well as natural. Article 21 protects right to life as a fundamental right. Enjoyment of life and attainment including their right to life with human dignity encompasses within its ambit, the protection and preservation of environment, ecological balance, free from pollution of air and water, sanitation without which life cannot be enjoyed. Any contra acts or actions would cause environmental pollution, as in this case.

29. Article 48-A of the Constitution of India provides for protection and improvement of environment and safeguarding of forest and wildlife. With the present expansion project there will be serious impact on the environment, forest, wildlife etc. and without taking into consideration the said aspects, the expansion project has been embarked upon. Even Article 49 of the Constitution of India states that it shall be the obligation of the State to protect every monument or place or objects of artistic or historic interest, [declared by or under law made by parliament] to be of National importance, from spoliation, disfigurement,

destruction, removal, disposal or export, as the case may be. However, the said aspects have not at all been taken into consideration.

30 Article 51-A(g) deals with duty of every citizen of India to protect and improve the natural environment including forests, lakes, rivers, and wildlife, and to have compassion for living creatures. Keeping this aspect in mind also the Petitioner has filed the present Petition with the fond hope that this Honorable Court would intervene and thereby avoid drastic destruction and damage that would be caused to the environment as a whole.

31. In fact it is apposite to rely on the judgment of the Supreme Court in the case of *M.C.Mehta v/s Kamal Nath and others reported as (1997)1 SCC 388*, wherein the Supreme Court has in detail dealt with the concept of Public Trust Doctrine and held that it extends to natural resources such as Rivers, Forests, Sea Shores, Air etc., for the purpose of protecting the ecosystem. Paras-25 and 35 of the said judgment read as under:

"25. The Public Trust Doctrine primarily rests on the principle that certain resources like air, sea, waters and the forests have such a great importance to the people as

a whole that it would be wholly unjustified to make them a subject of private ownership. The said resources being a gift of nature, they should be made freely available to everyone irrespective of the status in life. The doctrine enjoins upon the Government to protect the resources for the enjoyment of the general public rather than to permit their use for private ownership or commercial purposes. According to Professor Sax the Public Trust Doctrine imposes the following restrictions on governmental authority:

"Three types of restrictions on governmental authority are often thought to be imposed by the public trust: first, the property subject to the trust must not only be used for a public purpose, but it must be held available for use by the general public; second the property may not be sold, even for a fair cash equivalent; and third the property must be maintained for particular types of uses."

"35. We are fully aware that the issues presented in this case illustrate the classic struggle between those members of the public who would preserve our rivers,

forests, parks and open lands in their pristine purity and those charged with administrative responsibilities who, under the pressures of the changing needs of an increasingly complex society, find it necessary to encroach to some extent upon open lands heretofore considered inviolate to change. The resolution of this conflict in any given case is for the legislature and not the courts. If there is a law made by Parliament or the State Legislatures the courts can serve as an instrument of determining legislative intent in the exercise of its powers of judicial review under the Constitution. But in the absence of any legislation, the executive acting under the doctrine of public trust cannot abdicate the natural resources and convert them into private ownership, or for commercial use. The aesthetic use and the pristine glory of the natural resources, the environment and the ecosystems of our country cannot be permitted to be eroded for private, commercial or any other use unless the courts find it necessary, in good faith, for the public good and in public interest to encroach upon the said resources".

32. The perusal of Annexure-H, being the Environmental Clearance dated 21.09.2012, granted by the 6th Respondent in favour of the 1st Respondent would indicate that the Respondent Nos.1 and 2 had to obtain necessary permission from other authorities, such as the Karnataka State Pollution Control Board, the Respondent No.7. Further the consent for establishment dated 06.02.2013 at Annexure-J granted by the Respondent No.7, would indicate that the said consent is co-terminus with the validity of the environmental clearance, as mentioned therein at Sl. No.1 of the condition column. This would categorically establish that the consent granted expired with the expiry of environmental clearance granted at Annexure-H. Annexure-R dated 01.07.2019, extends the validity of EC by further period of 3 years from the date of expiry of validity of said EC subject to all other terms and conditions of the EC issued on 21.09.2012. It is pertinent to mention here that any environmental clearance granted in respect of a project is valid for a period of 7 years. The notification dated 14th September 2006, issued by the Ministry of Environment and Forests, Government of India, ("EIA Notification" for short), is produced herewith and marked as **ANNEXURE-AB**. Paragraph No.9 of the said notification on page

no.8, deals with validity of Environmental Clearance (EC). As per the same, the Environmental Clearance is valid for a period of thirty years for mining projects and five years in the case of all other projects and activities. The said validity period has been extended from five years to seven years by way of a notification dated 29.04.2015, issued by the Ministry of Environment, Forest and Climate Change, which is published in the Gazette of India on April 30, 2015. The said Gazette notification dated 30.04.2015 is produced herewith and marked as **ANNEXURE-AB(1)**.

33. The perusal of Annexure-P being the communication dated 20.06.2018, addressed by the Respondent No.7 to Respondent no.1 clearly speaks about the non-compliance of the provisions of Water Act and Air Act. Further it has been mentioned that the Respondent No.1 had obtained Consent for Establishment on 06.02.2013, from Respondent No.7, which contained a condition that the applicant shall apply for consent for operation 45 days in advance to the commissioning even the trial production of the plant along with necessary documents. But the same has not been applied by the Respondent No.1. Further it has been mentioned that the Respondent No.1 has to apply for renewal of

consent application under both Water and Air Acts through online along with the details mentioned therein within 7 days from the receipt of the said notice.

34. Further in Annexure-R, being the communication dated 19.02.2020, issued by the Karnataka State Pollution Control Board, in response to a RTI query sought by one of the residents of the said area, it has been categorically mentioned that there is no record regarding obtaining of any consent in respect of the above mentioned project in question under Water and Air Act.

35. The end result that emerges from a careful perusal of the above documents is that there is no valid consent issued in favour of the Respondent No.1 herein, who is actually carrying on with the construction activity nor the 2nd Respondent herein, who is in charge of the said port has obtained any consent.

36. The communication dated 08.02.2021 addressed by the Public Development Officer, Grama Panchayat, Kasarkod, Honnavar Taluk, Uttara Kannada, addressed to the president of the Petitioner Association in response to their RTI query dated 08.02.2021 would throw light on the fact that the Respondent No.1 herein has not obtained any permission to construct / lay a

road in the above mentioned area. The said communication is produced herewith marked as **ANNEXURE-AC**. Further there is no record to indicate that necessary permission / approval has been obtained from the Karnataka State Coastal Zone Management Authority (KSCZMA).

37. It is relevant to mention here that the Assistant Executive Engineer of Respondent No.2 has in the application submitted in Form-A, Part-I, seeking approval from Central Government under Section-2 of the Forest (Conservation) Act, 1980, for diversion of fresh forest area has in column-A pertaining to General Details mentioned that there is requirement of forest land to the extent of 0.76 Hectare in forest Survey No.233 and 237 of Kasarkod village, Honnavar Taluka and Division, Uttara Kannada District, for approach road from NH-66 to Kasarkod side of Honnavar Port in favour of Assistant Executive Engineer and Nodal Officer, P.W, PIWT Department, Port Sub Division. The details of the user agency has been mentioned as Port Department, Honnavar. In Column-B the details of lands require for the project is mentioned in detail. The said FORM-A, bearing proposal No.FP/KA/Road/41625/2019, is produced herewith and marked as **ANNEXURE-AD**.

38. However, in the updated Form-I submitted in March 2019 by Respondent No.1 for extension of Environmental / CRZ Clearance validity for barge/vessel loading facility, at Kasarkod Tonka, Honnavar, Uttara Kannada District, Karnataka, which report is prepared by L&T Infra Engineering, L&T Infrastructure Engineering Limited, in the basic information column at Sl.No.19 on Page No.3, under the item "*whether the proposal involves approval / clearance under the Forest (Conservation) Act, 1980, in the details column it has been mentioned as not applicable barge / vessel loading facility does not attract Forest (Conservation) Act, 1980*". The said updated Form-I dated March 2019, is produced herewith and marked as **ANNEXURE-AE**. This itself would indicate that the Respondent No.2 has been filing misleading applications with false details and hence the present construction needs to be stopped as it will impact the forest area also and most importantly the construction of road is being carried out without obtaining necessary approvals from the Forest Department which is in utter violation of the conditions of Lease at Annexures- B, D and E.

39. The comparison of two maps of Karnataka Coastal Kasarkod village of the year 2012 and 1923 would establish that there has been change of coast line village border at Pavinkurva, Karki, Malukurva and Kasarkod villages of Honnavar Taluka, where the present construction is being undertaken by the Respondent No.1. The said maps evidencing the same are collectively marked as **ANNEXURE-AF to AF-2**. The newspaper article in the New Indian Express English Daily, with the caption "*villages in Honnavar missing: change in National Border raises hackles*" is produced herewith and marked as **ANNEXURE-AG**. The letter dated 11.02.2021 addressed by the Survey of India to the Deputy Commissioner, Uttara Kannada (Respondent No.1), would establish that the said letter has been addressed pursuant to the complaint regarding change of coast line village borders at Pavinkurva, Karki, Malukurva and Kasarkod villages of Honnavar Taluka by the District Administration and ADLR in the interest of a private company - Honnavar Port Pvt Ltd (Respondent No.1) and that the said change in coast line / coastal border is against the Coastal Zone Management Plan (KCZMP), which were approved in 2018. Hence, the concerned maps of the area have been sought for by

the Survey of India at the earliest from the Respondent No.4. The said letter dated 11.02.2021 is produced herewith and marked as **ANNEXURE-AH**. This itself would indicate that the Respondent No.4 in connivance with and for the benefit of Respondent No.1 indulged in the above said illegal act, which requires to be enquired into.

40. Another map prepared as per the Coastal Regulation Zone Notification, 2011, by the Ministry of Forest, Ecology and Environment Department, Government of Karnataka, is produced herewith and marked as **ANNEXURE-AJ**, which evidences that there has been change in the location of the above said construction. The index on the right hand side at Sl.No.1 refers to the proposed port project location as per the Government Order, which is in RED and Sl.No.2 refers to the existing work location (land grab). Sl.No.1 is encircled in RED colour and Sl.No.2 is encircled in BLUE colour. This would categorically establish that there has been a change in the original location for the said construction project, for which the environmental clearance has been granted and as such would also amount to violation of terms of lease at Annexures- B and D as categorically mentioned in condition No. 42 of Annexure-B and in condition

No. 44 of Annexure-D and hence the same is liable to be quashed along with Annexure-E.

41. Further it is relevant to mention here that recently several eggs of Sea Turtle were found in and around the above said beaches. Photograph evidencing the same is produced herewith and marked as **ANNEXURE-AK**. The Department of Forest, Government of Karnataka, has protected the same by fencing the said area. The photograph evidencing the same is produced herewith and marked as **ANNEXURE-AK(1)**. The Principal Secretary to Government (Ecology and Environment) Forest, Ecology and Environment Department, Government of Karnataka has addressed a letter dated 15.10.2020 bearing No.FEE 49 CRZ 2020, to the Project Director, Project Management Unit, Sustainable Coastal Protection and Management Investment Program, Old Mangalore Port Office Building, Mangalore, with reference to CRZ Clearance for Coastal Erosion Protection Works, at Uttara Kannada District. In the said letter the CRZ Clearance for Coastal Erosion Protection Works at selected location in Uttara Kannada District has been issued subject to the conditions mentioned therein. Condition No.1 reads as under:-

"No work should be undertaken in turtle nesting areas and ecologically sensitive areas"

From the reading of the same, it is clear that no activity should be undertaken in areas where there is turtle nesting, as in the present case as forthcoming from Annexures-AK and AK(1). The above said letter dated 15.10.2020 is produced herewith and marked as **ANNEXURE-AK(2)**.

42. The Notification dated 18th January 2019, issued by Ministry of Environment, Forest and Climate Change, Government of India, as published in the Gazette of India: Extraordinary, contains the classification of CRZ at paragraph-2.0. At paragraph-2.1 it is mentioned that CRZ-I areas are environmentally most critical and are further classified as under:

2.1.1 CRZ-I A shall constitute the following ecologically sensitive areas (ESAs) and the geo-morphological features which play a role in maintaining the integrity of the coast viz.: (i) mangroves, (ii) Corals and Coral Reefs, (iii) Sand Dunes, (iv) Biologically active mudflats, (v) National Parks, Marine Parks, Sanctuaries and Reserve Forests, Wild life habitats and other protected areas under the provisions of the Wild Life (Protection) Act, 1972,

Forest (Conservation), Act, 1980 or Environment (Protection) Act, 1986, including Biosphere Reserves, (vi) Salt Marshes, (vii) Turtle nesting grounds, (viii) Horse shoe crabs habitats, (ix) Sea grass beds, (x) Nesting grounds of birds, (xi) Areas or structures of Archeological importance and heritage sites. Further the said notification contains the other CRZ classifications, areas requiring special consideration in the CRZ, prohibited activities within CRZ, regulations of permissible activities in CRZ-I, CRZ-IA and other zones, Coastal Zone Management Plan etc. The said notification is produced herewith and marked as **ANNEXURE-AK(3)**.

43. The perusal of paragraph-5.1.1, which deals with CRZ-IA states that these areas are ecologically most sensitive and generally no activities shall be permitted to be carried out in CRZ-IA area, with the exceptions mentioned therein. The present construction work is being carried out in a CRZ-IA area, as forthcoming from the map at Annexure-A and as such the said construction of port does not fall within the exceptions, as mentioned therein. In fact paragraph-4 deals with prohibited activities within CRZ and sub-para-(vii) refers to Port and Harbour Projects in high eroding stretches of the coast. Therefore, the said project requires to be stopped on this ground

also. Further, it is submitted that the beaches referred above where the construction is being undertaken has all the characteristics as mentioned in 2.1.1 of the said notification and as such falls within the bracket of **Ecologically Sensitive Areas (ESAs)**.

44. Further paragraph-3.0 of the said notification refers to "**Areas requiring special consideration in the CRZ**". Further it refers to the coastal areas which shall be accorded special consideration for the purpose of protecting the critical coastal environment and difficulties faced by local communities. Paragraph-3.1 refers to Critically Vulnerable Coastal Areas (CVCA), where under ecologically sensitive areas identified under Environment (Protection) Act, 1986, fall within the said ambit of CVCA. The present project being undertaken in CRZ-IA area, which falls within the ecologically sensitive area, as enumerated in paragraph-2.1.1 of the notification, becomes a Critically Vulnerable Coastal Area. Further paragraph-10 deals with areas requiring special consideration and paragraph-10.1 deals with Critically Vulnerable Coastal Area. The 2019 notification being the notification that is in force as on date, the same is applicable to the present project in question. In fact the Hon'ble Supreme

Court has in the case of "*Kapico Kerala Resorts Pvt Ltd vs. State of Kerala, reported as (2020) 3 SCC 18 has discussed in detail the ramification of the 2019 notification*".

45. The perusal of Annexure-B would indicate that the 3rd Respondent has entered into Lease Deed with M/s. North Canara Sea Ports GVPREL-Consortium on 07.04.2010, which has been vide Annexure-E transferred to the 1st Respondent herein as the legal entity for implementing the recitals / tenets of lease agreement at Annexure-B and Annexure-D. However, perusal of Annexure-G would indicate that the CRZ Clearance is in favour of one M/s. Mastership Yard Pvt Ltd issued by the 9th Respondent on 24.11.2011 and that there is no record evidencing grant of CRZ Clearance in favour of Respondent No.1 herein.

46. An office memorandum dated 2nd December 2009 bearing No.J-11013 41 2006-IA.II(I) issued by the Ministry of Environment and Forest, Government of India, New Delhi, contains the procedure for consideration of proposals for grant of environmental clearance under EIA Notification, 2006, which involve forest land and wild habitat. At paragraph-2 (iii) it has

been mentioned that a specific condition shall be stipulated that the Environmental Clearance is subject to their obtaining prior clearance from Forestry and Wild Life angle including clearance from the standing committee of the National Board for Wild life as applicable. Further it will always be categorically stated in the Environment Clearance that grant of Environmental Clearance does not necessarily implies that Forestry and Wild life Clearance shall be granted to the project and that their proposal for Forestry and Wild life clearance will be considered by the respective authorities on their merits and decision taken. **Further it is clearly mentioned that the investment made in the project, if any, based on Environmental Clearance so granted, in anticipation of clearance from Forestry and Wild life angle shall entirely be at the cost of project proponent and Ministry of Environment and Forest shall not be responsible in this regard in any manner. The said Office Memorandum is produced herewith and marked as ANNEXURE-AL.** It is submitted that there is no clearance whatsoever from the National Board for Wild Life and hence the said construction project needs to be stopped on this ground also.

47. This Hon'ble Court in W.P.No.1332 / 2020, by an interim order dated 23.01.2020 was pleased to issue various interim directions in respect of a similar construction project that was being carried out on the Rabindranath Tagore Beach at Karwar without obtaining valid consent from the Pollution Board and in violation of various provisions of law. The court was pleased to order restoration of the beach to its original condition. The Certified Copy of the said interim order is produced herewith and marked as **ANNEXURE-AM**. The said writ petition is pending and the final hearing is in progress and is posted for further hearing on 03.03.2021.

48. The petitioner craves leave of this Hon'ble Court to produce any other document or material in support of their case in future and to place any other relevant facts on record.

GROUNDS FOR INTERIM PRAYER

49. The grounds urged in the writ petition may be treated as part and parcel of the grounds for the interim relief. Further the said construction that is being carried out by Respondent No.1 is illegal, because the same falls within CRZ-IA and as such the project in question is a prohibited activity. Further the same is being carried on without necessary Consent for Establishment (CFE) from the 7th respondent and also without obtaining permission from the other concerned authorities. In the event the interim relief is not granted, then the Respondent No.1 will continue with the construction activity, which will have a serious impact on the ecology and environment. There will be large scale destruction of natural resources. Livelihood of thousands of Fishermen and Fisherwomen would be taken away, and the main prayers sought for in the writ petition would be rendered infructuous. This Hon'ble Court may be pleased to pass interim order similar to the interim order passed in W.P.No.1332/2020 dated 23.01.2020 at Annexure-A/1 referred to above.

PRAYER:

Wherefore it is most respectfully prayed that this Hon'ble court be pleased to:

- (a) Issue a Writ of Mandamus directing the Respondent Nos.1 to 5 not to continue with the construction of the port on the beaches of Kasarkod, Malukurva, Pavinkurve, Karki and Honnavar, in Honnavar Taluka, of Uttara Kannada District.
- (b) Issue a Writ of Certiorari, quashing the environmental clearance dated 21st September 2012, issued by the Respondent No.6, vide **ANNEXURE-H**.
- (c) Issue a Writ of Certiorari, quashing the order dated 01.07.2019 bearing No.SEIAA 22 IND 2011, issued by the Respondent No.6, extending the environmental clearance dated 21st September 2012, for a further period of 3 years, vide **ANNEXURE-Q**.
- (d) Issue a Writ of Certiorari, quashing **Annexure-B** being the Lease Agreement dated 07.04.2010, entered into between the respondent No. 3 and M/s.

North Canara Sea Ports – GVPREL – Consortium, for usage of port land for port related activities at Honnavar Port.

- (e) Issue a Writ of Certiorari, quashing **Annexure-D**, being Lease Agreement dated 11.10.2010, entered into between the respondent No.3 and M/s. North Canara Sea Ports – GVPREL – Consortium, for port related activities and ANCHORAGE operations at Honnavar Port.
- (f) Issue a Writ of Certiorari, quashing **Annexure-E** where in permission was accorded by the Respondent No.5 to transfer the subject matter of Lease Agreement dated 07.04.2010 and lease agreement dated 11.10.2010 in favour of the Respondent No.1 without any change.
- (g) Issue a Writ of Mandamus directing the Respondent No.7 to initiate suitable action in accordance with law against Respondent No.1 for commencing the work

without obtaining consent under the Air (Prevention and Control of Pollution) Act, 1981 and Water (Prevention and Control of Pollution) Act, 1974.

- (h) Issue a Writ of Mandamus, permanently injuncting the Respondent Nos.1 to 5 and 8 from putting up any construction on the beaches of Kasarkod, Malukurva, Pavinkurva, Karki and Honnavar, in Honnavar Taluka.
- (j) Issue a Writ of Mandamus, directing Respondent Nos.6 and 9, to discharge their official duty strictly in accordance with law and to implement the respective notifications issued by the State and the Central Government in its letter and spirit for protecting the environment, ecology, forests etc.
- (k) Issue a Writ of Mandamus directing the Respondent No.4 to carry on the administration of the District of Uttara Kannada, strictly in accordance with law, in the interest of general public and to take steps to

protect the ecology, environment, natural resources etc., in its pristine form.

- (l) Pass an order in the nature of declaration, declaring the beaches of Kasarkod, Malukurva, Pavinkurva, Karki and Honnavar, to be within the Ecologically Sensitive Area as per the notification dated 18th January 2019, issued by the Respondent No.9, vide Annexure-AK(3).

- (m) Pass appropriate order directing enquiry by an independent investigation agency, with regard to the allegations of change in the coast line village border, at Pavinkurva, Karki, Malukurva and Kasarkod villages of Honnavar Taluka, by Respondent No.4 for the benefit of Respondent No. 1, as per Annexures-AF to AG.

- (n) Pass such other orders, directions, writ etc., as this Hon'ble Court may deem fit, in the interest of justice and equity.

INTERIM PRAYER

Pending disposal of the above writ petition, this Hon'ble Court may be pleased to direct the Respondent Nos.1 to 2 to stop further construction on the beaches of Kasarkod, Malukurva, Pavinkurva, Karki and Honnavar, in Honnavar Taluka, and further be pleased to direct the restoration of the said beaches to its original condition, in the interest of justice and equity.

Bengaluru
Dated: 22.02.2021


(Murthy Dayanand Naik)
Advocate for Petitioner

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IN THE HIGH COURT OF KARNATAKA AT BANGALORE**W.P.No.4039/2021 (PIL)****Between:**

Honnavar Taluk Hasimeenu Vyparastara Sangha (Regd.) .. PETITIONER

And

M/s. Honnavar Port Pvt. Ltd. and others .. RESPONDENTS

STATEMENT OF OBJECTION OF RESPONDENT No.1 TO THE MAIN WRIT PETITION

The Respondent No.1 above named respectfully submits as follows:

1. The above Writ Petition is wholly false, frivolous and vexatious and is not maintainable either in law or on facts. It has been filed only with an intention to harass this respondent and coerce them into terms. The Writ Petition lacks bonafides and is liable to be dismissed in limine.

DELAY AND LACHES

2. The above Writ Petition has been filed challenging the lease agreement dated 11.10.2010 and the Environment Clearance dated 21.09.2012. The Writ Petition is hopelessly barred by limitation. It is liable to be dismissed on grounds of delay and laches. The Hon'ble Supreme Court of India has held in a number of judgements that even a public interest litigation (PIL) is liable to be dismissed in case of delay [for example, DDA-v-Rajendra Singh

reported in **2009(8) SCC 582**]. Hon'ble Supreme Court dismissed a public interest petition filed after a delay of 5 months in the case of Ramana Dayarama Shetty-v-International Airport Authority of India, reported in **1979(3) SCC 489**.

SUPPRESSION OF MATERIAL FACTS

3. The Writ Petition is also liable to be dismissed on the ground of suppression of material facts. Several members of the petitioner's association were unauthorized occupants of the lands of the Government, part of which was leased to this respondent. The Government initiated proceedings to remove them from the unauthorized occupation under the provisions of Public Premises Eviction of Unauthorized Occupants Act. The said action was challenged by some of the unauthorized occupants and their petition came to be dismissed by the learned Single of this Hon'ble Court in W.P.No.100908-934/2016(GM-Res) vide order dated 10.02.2016. The order of the learned single Judge was challenged before the Division Bench of this Hon'ble Court in W.A.No.100303/2016 & 101144-101169/2016 (GM-Res) and the Division Bench was pleased to dismiss the writ appeal vide its order dated 20.09.2016. Copies of orders in W.P.No.100908-934/2016 (GM-Res) and W.A.No.100303/2016 & 101144-101169/2016 (GM-Res) are produced herewith and marked as **Annexures - R1& R2.**

4. Even though there was no obligation, respondent out of humanitarian consideration has paid a lump-sum ex-gratia amount to the encroachers who are the members of the petitioner's association and in this regard, agreements were entered into

between this respondent and encroachers/members of the petitioner's association. Copies of agreements are produced herewith and collectively marked as **Annexure - R3 (colly)**.

STUDY CONDUCTED REGARDING IMPACT ON FLORA & FAUNA

5. The petitioners have contended that there has been no proper study conducted before the clearances and permissions were granted to this respondent for the project in question. This is also not true. At the behest of the State Government, Environment Impact Assessment (EIA) study was conducted by L&T Ramboll (Authorized agency of Ministry of Environment & Forest) to conduct EIA studies and reports. A detailed study of the Environment Impact Assessment (EIA) of the project in question was conducted including each and every aspect of the environment, fish culture, tissue culture and flora and fauna studies etc. A detailed EIA report was prepared in February 2012 itself in the name and style of 'Final EIA report for Honnavar Port Barge/Vessel loading facility which report consists of over 500 pages. Copy of the Final EIA report is produced herewith and marked as **Annexure - R4**. In addition to these, various other studies were conducted which included each and every aspect of the environment, such as:

- CRZ studies by National Centre of Earth Science Study (NCESS), by Ministry of Earth Sciences, Government of India.
- Mathematical modelling studies by Central Water & Power Research Station (CWPRS) Govt. of India.
- Ambient Air & Water quality studies by Vision Labs, recognised & certified by (Ministry of Environment & Forest, Govt. of India).

- Bathymetry & Marine studies by Indomer Coastal Hydraulics, accredited & certified by (Ministry of Science & Technology, Govt. of India).
- Geo Technical investigations by Fugro Geo tech (India).
- Marine baseline & Bio diversity surveys were conducted by the Department of Meteorology & Oceanography, Andhra University.

6. It is there after the Environment/CRZ Clearance has been issued to the project, copy of which is produced at Annexure - H to the writ petition.

7. Details of Fishing Villages, Fishing activities and Fish Landing Centres are provided in Section 4.8.4 of Final EIA Report. Physical demarcation of HTL, LTL and delineation of CRZ setbacks for the project site were carried out by National Centre of Earth Science Study (NCESS), by Ministry of Earth Sciences, Government of India has carried out studies, copy of the Report of NCESS is produced herewith and marked as **Annexure - R5** and as per the CRZ Notification, 2011 and the HTL/LTL, survey outcome clearly bears out the following:

- Proposed site falls on the sandy beach near the river mouth;
- CRZ Setback lines indicate that the proposed barge/vessel loading site mostly falls within the CRZ I (B) (i.e., Area between LTL and HTL), CRZ (III) undeveloped rural area and CRZ IV (near shore waters and backwaters);
- Proposed location does not contain environmentally sensitive areas such as National Parks / Marine Parks,

Sanctuaries. Wildlife Habitats, Corals / Coral Reefs. It also does not include breeding and sprawling grounds of fish and other marine lives, are of outstanding natural beauty/historically/heritage area, area rich in genetic diversity;

- Based on perusal of Coastal Regulation Zone (CRZ) Notification, 2011 and Karnataka Coastal Zone Management Plan (CZMP), Proposed Honnavar barge/vessel loading is a permissible activity in CRZ as it requires waterfront and foreshore facilities.

8. Petitioner has also falsely alleged that the respondent has not obtained consent from the Pollution Control Board, which again is a false statement. The project layout superimposed on HTL, LTL and CRZ setbacks is given in the Final EIA Report February 2012(Annexure - R4 above). [Port layout on Approved Coastal Zone Management Plan of Karnataka {Map No. KA25, Sheet No. D/4317 SE}]. A copy of the said Map is enclosed herewith and marked as **Annexure - R6**.

CONSENT ISSUED BY POLLUTION CONTROL BOARD

9. The petitioner has also alleged that the respondent has not obtained consent from the Pollution control Board, which is also not true. Subsequent to the issue of Environment Clearance for the project, the Karnataka state Pollution Control Board issued consent for establishment for the project, which has been renewed and is valid till date. Copies of the consent order dated 06.02.2013 and its

renewal dated 26.03.2021 are produced herewith marked **Annexure – R7& R8** respectively.

PROJECT LAND BARREN ALLUVIAL LAND & NOT FOREST

10. Petitioner has alleged that the project is being undertaken in a forest land, which again is not true. The land in question is barren alluvial land. Uttara Kannada District in Karnataka is industrially under developed due to its geographical conditions. State of Karnataka with a view to develop this region, decided to develop a port at Honnavar. The main objective for development of port at Honnavar is to provide basic infrastructure and to bring socio-economic changes in the region in a big way. As a step forward in this direction, Government of Karnataka entered into an agreement with the project proponent for developing Honnavar Port under PPP Mode. The land belonging to the Ports Department which is located in Tonka-Kasarkod Village, was identified for port development. The land leased for port development is an alluvial land where there is no flora and fauna.

11. In his report dated 20.11.2012 addressed to the Regional Commissioner, Belgaum Region, Belgaum, the Deputy Commissioner, Uttara Kannada District has stated that the said alluvial land is adjacent to revenue land in Survey No: 282A & 282B. This portion of the alluvial land is formed out of sand filling, which is highly unsuitable for agricultural cultivation or human habitation. In this alluvial land granted for port development by Government of Karnataka, as many as 30 fishermen were illegally utilizing this area for drying fishes. As their fishing activities were affecting development of port, the Deputy Commissioner, Karwar

removed illegal occupation of ports land following due process of law. However, as stated above, on humanitarian consideration, the respondent paid compensation/ex-gratia amount to all the displaced persons, who were evicted from their illegal occupation of alluvial land by the District Administration. The recipients of compensation amount/ex-gratia amount gave an agreement in writing to the project proponent that they would not involve themselves in any such activities that are detrimental for speedy execution of the proposed Honnavar Port.

12. The port is being developed on Public Private Partnership (PPP) Mode by the Lessee. The project proponent/respondent No.1 will construct barge / vessel loading facility. The capacity of the port is 4.9 MTPA. The proposed port will handle export and import related cargo - viz., granite, steel, coal, iron ore, edible oil, molasses, general cargo, etc. As per the lease agreement entered with the private company, there is no financial implication on the part of Government of Karnataka in the development of Honnavar Port. With the commencement of commercial operations at Honnavar Port, the economic activities are expected to increase enormously, which would bring in huge revenues to Karnataka Government and prosperity to the people of the region. The establishment of port would create great employment opportunities [skilled, semi-skilled and un-skilled] to the local youth. Under CSR initiatives, the project proponent would invest substantially in the area like establishment of schools, colleges, hospitals, community hall, health camps, etc., Rail/Road links will be improvised. The total scenario of the Uttara Kannada District in general and Honnavar in particular will undergo a sea change, bringing economic prosperity in the region.

13. A small section of the local population who is involved in fishing activities claim propriety of the entire marine zone and are obstructing construction of port at Honnavar as proposed by Government of Karnataka - which aims towards overall development of the citizens and inhabitants living in the area. With the development of Honnavar Port, the scope of fishing activities is expected to increase manifold. This is mainly because the project proponent has planned to provide a dedicated 24/7 channel for free movement of fishing vessels. By this fisherman can undertake fishing activities all through the year while ensuring their safety and security. It is expected that boat capsizing and human losses during fishing activity which is happening every season will not recur henceforth with the development of port, as the project proponent has commenced dredging activities in the navigation channel and creating a dedicated channel with 10 meters depth initially. Thereby the development of port is to a great added advantage for local fishermen in carrying out their traditional fishing activities. But quite unfortunately handful of local fishermen having deep personal interest and the disgruntled members of the petitioner who have been evicted from the land illegally occupied by them are trying to motivate innocent locals and create an awkward situation to the District Administration and contractor in the construction of port and other related activities.

FALSE & MISLEADING STATEMENTS IN WRIT PETITION

14. The Writ Petition deserves to be dismissed on the ground of false and misleading statements having been made by the

petitioner in the Writ Petition. The following are the false and misleading statements made by the petitioner in the Writ Petition:

- i. No proper study has been conducted before commencement of the project in question.
 - ii. Without obtaining the Consent for Establishment from the Karnataka State Pollution Control Board (KSPCB for short), this respondent has commenced the construction of port.
 - iii. The port has been constructed on the forest land without clearance under the Forest Conservation Act.
 - iv. Construction of port in the beach declared as Blue Flag Beach.
 - v. Construction of port on Coastal Regulation Zone - 1A (CRZ-1A) where the port activity is prohibited.
 - vi. No clearance from National Board for Wild Life.
 - vii. This Hon'ble Court has stayed all further construction activities in respect of Karwar Port expansion and directed to restore the beach.
 - viii. Livelihood of the petitioner and its members is jeopardised.
- 15/ The allegation that no proper study was conducted is false as is apparent from a complete study conducted by L&T Ramboll (Authorized agency of Ministry of Environment & Forest)(Annexure - R4) and only on being fully satisfied that the project in question

does not have any adverse effect on environment, ecology or the life and livelihood of the people, the environment clearance and other permissions were granted and the project was commenced. Further a large number of scientific studies have been carried out by eminent personalities and published in various journals/leading institutions and a list of published data referred/reviewed for the preparation of EIA Report for Barge/vessel loading facility at Honnavar is as shown in the EIA Report - February, 2012 and June 2012. A list of published data referred/reviewed is referred to in the said EIA Report itself.

16. The contention that consent for establishment was not obtained from the Pollution Control Board is also false as is apparent from the very consent for establishment issued by the Pollution Control Board.

17. The allegation that Port is being constructed on Forest land is also false. As stated herein above, the port is being constructed on alluvial land which had no tree growth and was not a forest land. Similarly, clearance from National Board for Wild Life is not at all needed since the land does not fall within any wild life area.

18. The allegation that the land (which is termed as beach in the Writ Petition) has been declared as Blue flag beach is also not true. Similarly, the construction of the port does not violate the CRZ regulation. Infact, the port activity is a permitted activity as per the CRZ notification.

19. The project in question does not at all affect or jeopardise the livelihood of fisherman whose cause the petitioner seeks to

espouse. As stated herein above, the project in question results in a dedicated navigation channel which will permit fisherman to undertake fishing activity throughout the year and will benefit them enormously. As stated earlier, before the project in question, the navigation channel which were used for the movement of fishing vessels could be used by fisherman only during high tide and because of accumulation of soil, mud and sand, etc., and many areas of the channel were not navigable for the fishing vessels. The project in question will, as stated herein above, create a dedicated for fishing. The project will benefit the fisherman enormously.

20. The respondent No.1 is a Special Purpose Vehicle incorporated under the provisions of the Companies Act, 1956 with the main object of carrying on the activities pertaining to project in question. The said SPV has been constituted by two private limited companies namely, M/s GVPR Engineers Limited and M/s North Canara Sea Ports. Honnavar Port is being developed on PPP model with private investment which is estimated at Rs.513 crores. The respondent has already made substantial investment towards construction of Honnavar Port. All statutory clearances and approvals from respective Government Department have been obtained by this respondent, which includes public hearing as stated in the forthcoming paragraphs in detail.

21. The Hon'ble Supreme Court has held in the case of **Dattataj Natuji Thaware-v-State of Maharashtra reported in 2005(1) SCC 590** that a petitioner in a PIL must come to court with clean heart, mind and objective. In the instant case, petitioner has suppressed whole lot of material facts and has also made false and misleading statements, as fully set out hereinabove.

22. In the light of the above background, this respondent controversy the averments and allegations made in the Writ Petition as under:

23. **Re-Para No.1:**

a. The allegation that the petitioner is a registered association comprising of fisher folks and resident of Kasarkod - Tonka village in Honnavar Taluk, living beside the bank of Sharavati river for several generation and dependent on fishing and fisheries related activities is not admitted to be true and correct. Petitioner is put to strict proof of the same. The averment that there are 4000 fisher folks directly dependent on fisheries and fishing activities and 3000 members of the fishing community depend on fish drying and trading on the beach in the project area is not admitted to be true and correct. Hardly, a handful of persons had encroached upon the alluvial which was a part of the project site and pursuant to the orders passed under the Public Premises Eviction Act, those persons have been ejected from area and the order has been upheld by this hon' led court. As stated hereinabove, this respondent has given them lumpsum ex-gratia amount. The further allegation that Annexure A is the coastal management plan is not true. Annexure A comprises of two pages and is a part of the Coastal Regulation Zone Notification 2011.

b. As admitted by the petitioner itself in the Writ Petition, this respondent has obtained all required governmental, administrative and statutory permissions, clearances and approvals for the project in question and then only has commenced the project in question.

At the cost of repetition, this respondent is setting out the details of all governmental, administrative and statutory permissions and approvals in the following tabular column for the easy reference of this Hon'ble Court:

Sl. No.	Clearances/Approvals obtained	Clearing Authority
1	Environment Clearance and CRZ Clearance. Issue Date: 21/09/2012	State Level Environment Impact Assessment Authority - Karnataka - vide its letter No. SEIAA: 22: IND:2011 dated 21/09/2012
2	Consent for establishment Issue Date: 06/02/2013	Karnataka State Pollution Control Board - vide its letter No. KSPCB/SEO (non-EIA)/Honnavar Port/EIA/2012-13/1381 dated 06/02/2013
3	Detailed Project Report Approval Issue Date: 26/03/2014	Government of Karnataka - vide its letter No. PWD/41/PSP/2013 dated 26/03/2014
4	Construction Plans & Designs - Technical Approval Issue Date: 30/04/2015	Director of Ports & IWD Department, Karwar -vide its letter No. PIWT-62/LND-II/2010 dated 30/04/2015
5	Break water plans/drawings approval Issue Date: 03/08/2015	Director of Ports & IWT Department, Karwar -vide its letter No. PIWT-73/DEV-I/2015 03/08/2015
6	Capital dredging plans/designs approval Issue Date:	Director of Ports & IWD Department, Karwar -vide its letter No. PIWT-71/DEV-I/2015 03/08/2015

	03/08/2015	
7	Energy approval for installation of 1000KVA (1MVA) Issue Date: 26/10/2015	Hubli Electricity Supply Company Limited – vide its letter dated 26/10/2015
8	No Objection Certificate from Local Authority Issue Date: 26/03/2016	Gram Panchayat, Kasarkod, Honnavar Taluk, Uttar Kannada District – vide its letter dated 26/03/2016
9	Terminal Bay Construction approval. Issue Date: 14/07/2016	Karnataka Power Transmission Corporation Limited – vide its 65 th T.B. committee meeting letter no: KPTCL/SEE(Plg)/EE-Plg-N/KCO-96/90/F-9252/2016-17/4622-28 dated 14 th -07-2016.
10	Energy approval for installation of 1000KVA (1MVA). Issue Date: 21/06/2016	Karnataka Power Transmission Corporation Limited – vide its OM No. BGKT/CEE/TRNS/CA/SEE(O)/A EE-5/16-17/4021-24, dated 21/06/2016
11	Issue of Notification 7(a) Issue Date: 08/07/2016	Central Board of Excise and Customs, Government of India, New Delhi – vide its notification No. 97/2016-Customs (N.T.) dated 08/07/2016
12	Extension of Environment Clearance and CRZ Clearance Issue Date: 01/07/2019	State Level Environment Impact Assessment Authority – Karnataka – vide its letter No. SEIAA: 22: IND:2011 dated: 01/07/2019
13	Extension for Consent for Establishment Issue Date: 26/02/2021	Karnataka State Pollution Control Board – vide its letter No. PCB 185 Infra 2020/5881, Dated: 26/03/2021

14	Renewal of Consent for Establishment by KSPCB dated 26.03.2021	Karnataka State Pollution Control Board vide its letter dated 26.03.2021
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c. The State Government has been regularly reviewing the progress of construction both physical and financial. The Government is constantly monitoring the progress of construction and trying to resolve any adverse situations coming in the way of speedy completion of the project. The State Government and the District Administration have been extending total support for port development.

d. Details of Fishing Villages, Fishing activities and Fish Landing Centres are provided in Section 4.8.4 of Final EIA Report.

e. Physical demarcation of HTL, LTL and delineation of CRZ setbacks for the project site were carried out by Centre for Earth Science Studies (CESS) (**Annexure – R5 above**). This centre is currently known in the name and style as "National Centre of Earth Science Studies" under the Ministry of Earth Sciences, Government of India. Based on the perusal of the CRZ Notification, 2011 and the HTL/LTL, survey outcome, following are the inferences arrived:

- Proposed site falls on the sandy beach near the river mouth;
- CRZ Setback lines indicate that the proposed barge/vessel loading site mostly falls within the CRZ I (B) (i.e., Are between LTL and HTL), CRZ (III) undeveloped rural area and CRZ IV (near shore waters and backwaters);

- Proposed location does not contain environmentally sensitive areas such as National Parks / Marine Parks, Sanctuaries, Wildlife Habitats, Corals / Coral Reefs. It also does not include breeding and sprawling grounds of fish and other marine lives, are of outstanding natural beauty/historically/heritage area, area rich in genetic diversity;

f. Based on perusal of Coastal Regulation Zone (CRZ) Notification, 2011 and Karnataka Coastal Zone Management Plan (CZMP), Proposed Honnavar barge/vessel loading is a permissible activity in CRZ as it requires waterfront and foreshore facilities.

g. The project layout superimposed on HTL, LTL and CRZ setbacks is given in the **Final EIA Report February 2012 and CESS report (Annexures – R4 & R5)**.

h. With reference to above Approved CZMP, project area is falling within the CRZ I (B), CRZ III, CRZ IV (A&B). Further, Port and Port related activities are permitted as per the CRZ Notification, 2011. As per the above map, there are no Fish landing centres, fish breeding areas, Ecologically Sensitive Areas, Critical Vulnerable Coastal Areas (CVCA) and Mangrove areas and are not reported in the Port Developing Area.

24. **Re-Para No.2:**

a. The allegation that proposed construction of the port by the 1st respondent is on the eco-sensitive and blue flagged beach, situated

in Kasarkod, Honnavar and other beaches of Pavinkurva, Malukurva and Karki which are all adjacent and contiguous to each other and situated in Honnavar Taluk of Uttara Kannada District, without obtaining necessary consent from the Karnataka State Pollution Control Board are false. The further allegation that the said project is being undertaken on the basis of environmental clearance granted by the 6th respondent herein, without authority of law, knowing fully well that the above mentioned beach falls within the CRZ-I and as such no commercial activity can be carried on is false.

b. Respondent No.1 [M/s. Honnavar Port Private Limited] submitted Final EIA Report prepared by L&T – Ramboll Consulting Engineers Limited on behalf of the project proponents in February, 2012. For Development of Barge/vessel facility to handle 4.9 MTPA of cargo at Coastal Sand Spit, Kasarkod Tonka Village, Honnavar Taluk, Uttara Kannada District of M/s. Honnavar Port Private Limited, State Level Environment Impact Assessment Authority, Karnataka [Constituted by Ministry of Environment & Forests, Government of India] considered the Final EIA Report – February, 2012 for issue of Environmental/CRZ Clearance. The SEIAA, Karnataka examined the proposal submitted by the project proponent for grant of Environmental/CRZ Clearance in accordance with EIA Notification, 2006-07 on the basis of the mandatory documents enclosed with the application viz., the Application in Form1, EIA, EMP and the additional clarifications furnished in response to the observations of the SEAC, Karnataka. It was noted by the Authority that the Karnataka State Coastal Zone Management Authority had recommended the proposal for issue of Environmental/CRZ Clearance during the meeting held on 28.05.2012. State Level Environment Impact Assessment Authority [SEIAA] in its meeting

held on 06.07.2012 & 06.08.2012 accorded Environmental/CRZ Clearance to the project as per provisions of the EIA Notification No. S.O. 1533 dated 14th September, 2006 of Ministry of Environment & Forest, Government of India, subject to compliance of certain terms and conditions indicated therein. One of the conditions was that the Company shall comply with the recommendations made in the EIA/EMP/Risk assessment report/Modelling study etc., Further, all approach roads shall be black topped and internal roads and major haul roads shall be black topped or concreted and swept regularly with mechanical sweepers.

c. Blue Flag Beach: Blue Flag Certification area came to be Notified during the year 2020 and whereas the Honnavar Port Development was conceived and proposed for construction during the year 2010. Karnataka's Padubidri and Kasarkod beaches were recommended for the coveted tag based on the amenities available, cleanliness, safety, drinking water facilities, pollution-free atmosphere and generation of renewable energy. Blue Flag recognition is awarded by the Foundation for Environmental Education, which is an NGO in Denmark. A copy of the News Paper clipping dated 12.10.2020 regarding Karnataka's Padubidri Kasarkod beaches bag Blue Flag tag is produced herewith and marked as **Annexure - R9**. The port area is about 2.2 km away from the Blue Flag Certified location. The proposed construction of four lane road connectivity from NH-66 to Kasarkod side of Honnavar Port under Bharatmala Pariyojana by National Highways Authority of India does not fall within the specified limits of Blue Flag Certification area, as per the existing coordinates which are available with the Karnataka Forest Department/Tourism Department. The external boundary of the road connectivity proposal is away from the Blue Flag Beach

territorial limits. Further, it is submitted by this Respondent that none of the parameters governing Blue Flag Certification would be violated while executing the proposed project. A copy of the Blue Flag Territorial limits Map is produced herewith and marked as **Annexure - R10**.

d. It is submitted by this Respondent that "Blue Flag Certification" by an International NGO of Denmark is from the point of view of tourism promotion in various parts of the Country. The identification of location and marking of boundaries is not made on the basis of any statutory provisions, but whereas it is purely administrative and discretionary, based on suitability of the marine zone. The road connectivity proposals are considered by Infrastructure Development, Ports & Inland Water Transport Department along with Government of India [Ministry of Shipping and Ministry of Road Transport & Highways] under Bharatmala Pariyojana scheme. This road connectivity to ports and Ports Development are of national importance. They play a vital role in the economic development of the State. Whereas, the Blue Flag Certification matters are dealt in the Tourism Department with the object of promoting tourism. Before taking any decision in such matters, the balance of convenience and larger public interests should be given higher weightage. It is further submitted that inter-departmental co-ordination in such matters would help to administer such policy matters without any problem.

e. The Respondent has obtained consent for establishment and its renewal from the Karnataka State Pollution Control Board on 06.02.2013/26.03.2021 itself (Annexure - R7 & R8). According to the statutory approval granted by the Board, the consent for

establishment of port granted in accordance with law is co-terminus with the validity of the Environmental/CRZ Clearance and copy of which is produced as Annexure - H in writ petition. A copy of order dated 01.07.2019 extending the validity of Environmental clearance is produced herewith and marked as **Annexure - R11**.

f. The proposed construction of port at Honnavar - Kasarkod side as per PPP Mode by M/s. Honnavar Port Private Limited is as per approvals granted by statutory bodies and in accordance with Environmental/CRZ Clearance obtained from the SEIAA, Karnataka (Annexure - H and R12). The allegations made by the petitioner is hereby denied as false, misconceived and concocted.

25. **Re-Para No.3:**

a. The allegation in paragraph 3 of the writ petition that the project will lead to enormous ecological damage and destruction of flora and fauna and thereby the said beach will lose its pristine beauty in its natural form are hereby denied as false, misconceived and ill motivated.

b. The allegation made by the Petitioner that the said project will lead to enormous ecological damage and destruction of flora and fauna and thereby the said beach will lose its pristine beauty in its natural form are hereby denied as false, misconceived and ill motivated. There is no ecological damage or destruction of flora and fauna due to construction of proposed port at Honnavar. In this regard, a large number of scientific studies from eminent personalities and published in various journals/leading institutions. A list of published data referred/reviewed for the preparation of EIA

Report for Barge/vessel loading facility at Honnavar is as shown in the EIA Report – February, 2012 (**Annexure – R4** above).

- c. Flora and fauna studies were conducted to assess the list of plants and animal species and their habitat in and around the port site. A detailed survey of flora and fauna of proposed development of Honnavar Barge/Vessel loading facility and its environs extending up to a radius of 10 kms was carried out under the supervision and guidance of Prof. K.B. Reddy, Professor of Environmental Biology (S.G.H.R & M.C.M.R. College of Post Graduate Studies, Mall Reddy Nagar, Guntur) and a senior consultant for flora, fauna and ecology for several major irrigation and hydroelectric projects and his team.
- d. Marine baseline and biodiversity surveys were conducted by the department of Meteorology & Oceanography, Andhra University was started in 1948 and over the years it contributed immensely for the development of newly emerging branches of sciences under the stewardship of Late Prof. R. Ramanandham, Prof. V. P. Subhramanyam and Prof. P Koteshwaram etc. The department has been identified for DST – FIST sponsored department in strengthening the teaching and research in the fields of Meteorology and Physical Oceanography.
- e. None of the Flora and Fauna species observed from the core area / project site belongs to the Rare/Endangered/Endemic/Threatened category.
- f. Detailed studies were conducted to assess the possible impact of the proposed project area and suitable mitigation measures are also provided in the Final EIA report. Presently this respondent in

compliance to accorded Environmental Clearance, doing continuous monitoring at project area and regularly submitting the reports to competent authority. A copy of the Environment Monitoring Reports [July, 2019 to February, 2021] submitted to SEIAA acknowledgment is produced herewith and marked as **Annexure - R12**.

26. **Re-Para No.4:**

a. The allegation that the said construction would affect around 12,600 people engaged in fishing activity carrying on their traditional / ancestral fishing avocation with the help of around 1415 different kinds of boats and that they would lose their livelihood is false apart from being misleading statement.

b. Details of fishing villages, fishing activities and fish landing centres are provided in Section 4.8.4 of Final EIA Report. The development of port does not obstruct any fishing activity as alleged. Instead, the project proponent will be providing a separate 24*7 exclusive channel for fishing/vessel movements. This dedicated channel will be earmarked with the help of floating marker buoys which will be helpful to the fisherman during barge/vessel movement to the berths, for their fishing activities. This Respondent has given an undertaking to the Fisheries Department through letter dated 26-03-2012 clearly mentioning about 24*7 separate navigation channel to fishermen's, through this channel. The local fishermen who are dependent upon this fishing activity for their livelihood are greatly benefited, using this dedicated channel, which ensures their safety and security. Copy of

the letter of undertaking dated 26.03.2012 is produced herewith and marked as **Annexure - R13.**

c. Further, steps are being taken for creating awareness to fishermen about the barge/vessel movement:

- Educating the fishermen about the orientation of approach channel;
- Regular interactions will be initiated with the fishing community;
- Conflicts if any with fishing community will be amicably resolved in all cases;
- No discharge of waste water/waste from the Barges/vessel calling at Honnavar Barge loading facility will be permitted into the area. There will not be any discharge in to the sea from the proposed barge/vessel loading facility;

27. **Re-Para No.5:**

a. The allegations in this paragraph that the said construction is being carried out without obtaining the necessary consent from the 7th respondent and also in utter violation of the terms and conditions of Lease Agreements at Annexure-B and D, which have been transferred to the respondent no.1 herein vide Annexure-E are false and misleading. The allegation that the petitioner association having knocked the doors of almost all the respondents by way of various representations, has approached this Hon'ble Court for redressal of their grievance, as there is flagrant violation of various provisions of the Constitution of India, such as Article-19(1)(d), 19(1)(g), 21, 48(a), 51-A(g), 300-A etc., is false and misleading. It

is false to state that the said construction not only affects the life of the people in and around the above mentioned beach, but also affects the citizens of the neighboring taluka, such as Bhatkal, Karwar etc. The allegation that the permanent stoppage of the said project by way of an order from this Hon'ble Court is extremely essential to avoid catastrophic consequences is false and misleading apart from being baseless.

b. This Respondent has obtained necessary approval from Respondent No. 7 - Karnataka State Pollution Control Board in accordance with law, before the commencement of work at the project site. Further, this Respondent has also adhered to all the terms and conditions of lease agreements without any violation of any of the conditions contained in the lease agreement. Further, the local people will be given preference in employment in the construction of port related activities, based on their educational/professional qualifications, skill set, etc., The socio-economic scenario of the entire region will change with the commissioning of Honnavar Port and will bring lot of infrastructural developments, such as schools, colleges, road/rail connectivity, boosting economic activity, etc.,

- Employment potential during construction phase and operational phase is estimated about 500 and 50 persons respectively.
- Employment opportunities to the local people for skilled, semi - skilled and unskilled work force during the construction and operation phases.
- Increase in education and health facilities in the project area.

- Significant benefits to the local people and to the region as a whole and positive impact on the socio-economic conditions of the region
- Proposed dedicated rail/road corridor will provide good connectivity and also offers an efficient and cost-effective supply chain/value proposition to the local importers and exporters in the state of Karnataka and neighboring states.

c. This Respondent hereby deny all other allegations/averments made by the petitioner as baseless, illegal and false.

28. **Re-Para No.6:**

The allegation that there is no private interest involved in filing the present petition and it is filed in the larger interest of fisher folks, fisher community and general public at large residing in and around the above villages in Honnavar Taluka and other neighboring Talukas, such as Karwar, Bhatkal etc., is false apart from being misleading statement. All the signatories of several Memoranda addressed to various authorities of Government and who are Members of the Petitioner Association are directly interested in this matter is false. They are professionally interested in carrying out their fishing activities and prima facie are having personal interests in the outcome of this petition. Further many of them were illegal squatters on a portion of the land where the port is being built and they were evicted in accordance with law. Hence they have a grouse against this respondent. Moreover, if the project is abandoned, they could again illegally occupy the land which had been illegally occupied by them earlier. Hence it is reiterated that this petition does not fall in the category of 'PIL', as it is not

intended to serve larger public interests and whereas it confines to the private interests of several individuals who are members of the Petitioner-Association.

29. **Re-Para No.7:**

The averment made in this paragraph regarding leased agreement dated 07.04.2010 between Director of Ports and M/s. North Canara Sea Ports - GVPREL Consortium is a matter of record and hence are not traversed.

30. **Re-Para No.8:**

The averments made in this paragraph are matter of record and hence are not traversed. The Government Order dated 22.09.2010 is wrongly mentioned as 22.09.2020.

31. **Re-Para No.9:**

The averments made in this paragraph are matter of record and hence are not traversed.

32. **Re-Para No.10:**

The CRZ Clearance alleged to have been issued on 24.11.2011 by Ministry of Environment and Forests (IA-III Division), Government of India in favour of M/s. Master Ship Yard Private Limited containing the CRZ Clearance does not relate to the proposed Honnavar Port. It has no relevance, whatsoever, in respect of Honnavar Port. The petitioner is trying to misquote a clearance

which is not related to the project in question with an intention of misleading this Hon'ble Court and hence the Writ Petition is liable to be dismissed.

33. **Re-Para No.11:**

The petitioner is misleading this Hon'ble Court by making several contradictory statements in this Writ Petition. On the one hand, in para 5 of the Writ Petition it alleges that this Respondent has not obtained statutory clearance from the Respondent No.7 as required under law for commencement of project work. And in this para (para 11) it states with the support of documents that this Respondent has obtained statutory clearance as required under law from the Respondent No.7, namely, consent for establishment, which is co-terminus with the validity of Environmental / CRZ Clearance. As stated earlier the consent of pollution control board has been renewed and is valid and subsisting.

34. **Re-Para No.12**

The petitioner has alleged that this Respondent has not complied with statutory provisions contained in Water and Air Act. The petitioner has brought attention of this Hon'ble Court to letter dated 20.06.2018 addressed by the Respondent No. 7 to this Respondent about non-compliance of statutory provisions. The above allegations are wholly false and misleading. This Respondent in its letter dated 7th February 2019 addressed to Respondent No.7 (copy enclosed), stated that this Respondent has completed the detailed design engineering and obtained necessary approvals for the

development of barge /vessel loading facility. It was submitted that the company is initiating construction activities at site w.e.f. 01.03.2019 and that the Company will adhere to all statutory conditions and other stipulations as per various statutes, in strict adherence to law. Further, w.e.f. July, 2019, this Respondent has been filing reports to the concerned authority as required under "Water" and "Air" Acts of 1974 and 1981, respectively. A copy of the letter dt: 07.02.2019 addressed to the Member Secretary, SEIAA, Bangalore by this respondent is produced herewith and marked as **Annexure – R14**.

35. **Re-Para No.13:**

The letter dated 19.02.2020 addressed to Shri. Vivian Fernandes, Tonka by Pollution Control Board is a misleading one. Apparently, sri. Vivian Fernandes had asked the pollution control board as to whether this respondent has obtained any consent for expansion of the project when no expansion of the project is being undertaken by this respondent. Therefore the pollution control board has written the letter stating that no permission/consent has been obtained by this respondent for expansion of the project. The project is primarily under construction and it is yet to be completed. As such, there is no expansion of the project as alleged. Such wrong/misleading questions are posed to authorities with the malafide intention. Contradictory statements made by respective authorities in this regard are not legally tenable.

36. **Re-Para No.14 to 18:**

a. The averments made in these paragraphs regarding the alleged representations made by the petitioner are not within the knowledge of this respondent and are not admitted. Petitioner is put to strict proof of the same. The allegations made in those alleged representations, copies of which were produced along with the Writ Petition are denied.

b. The alluvial land was granted on lease to this respondent for a period of 30 years for developing Honnavar Port on PPP model. The reports submitted by the Tahsildar, Honnavar Taluk and the Deputy Commissioner, Uttara Kannada District, Karwar to the Regional Commissioner, Belgaum clearly bring out the fact that the land granted on lease to this respondent is an alluvial land adjacent to revenue land in Survey No. 282A and 282B situated at Kasarkod-Tonka Village, Honnavar Taluk. This Respondent hereby denies the allegation that by the construction of a port at Honnavar, the local inhabitants are being displaced. In fact, there is no human habitation in the project site. As already stated above, certain illegal fishermen numbering about 30 were illegally utilizing a portion of this alluvial land for purposes of drying fishes and they were evicted from such illegal occupation in accordance with law. Their removal in accordance with law by the District Administration was upheld by the learned single Judge and the Division Bench of this Hon'ble Court, Dharwad Bench vide order dated 10.02.2016 in W.P.No.100908-934/2016(GM-Res) and order dated 20.09.2016 in Writ Appeal No. 100303/2016 & 101144-101169/2016 (GM-RES) (Annexure - R1 and R2 above). Further, this Respondent arranged to pay ex-gratia amount to 30 fishermen, purely on humanitarian grounds. The ex-gratia payments were gracefully accepted by all the 30 fishermen who were displaced from illegal occupation of the

alluvial land - granted to this respondent for developing port and also gave an undertaking that they would not engage themselves in any such activity which is detrimental to the development of port. This Respondent strongly submits that the allegations made in the representation that the development of project would affect their livelihood are not true. As a matter of fact, the scope of fishing activities is expected to increase manifolds with the dredging activity being undertaken by this respondent and creation of a separate navigational channel for the benefit of fishermen and movement of fishing vessels. The District Administration has granted an alternative five acres of land to the displaced fishermen for drying fishes. The petitioner-association is trying to mislead the statutory authorities by alleging incorrect and false information with an intention to mislead and confuse the authorities and this Hon'ble Court:

A. Emergence of new facts post the grant of EC:

(i). The information provided by the Petitioner-Association is incorrect and baseless. There is no forest land in the project area. The Respondent has not submitted any incorrect information to the authorities before obtaining Environmental Clearance. The allegations made in this regard are totally misconceived, false and baseless.

B. Details regarding road and rail connectivity, and the requirement of forest land for the same have not been provided in 2012 and 2019:

(i). The Government of Karnataka entered into an agreement with this respondent for construction of Honnavar Port in 2010. For construction of any port, it is obligatory on the part of the LESSOR

to provide an approach road to the project area. Having appreciated this essential requirement, the State Government proposed to the Government of India, Ministry of Shipping to include four lane road connectivity proposals from Kasarkod side of Honnavar Port to NH-66 under Bharatmala Pariyojana, to be executed by the National Highways Authority of India. The NHA authorities after inspection of the entire area and keeping in view larger interests of the general public and also safe movement of large trucks/trailers finalised a most suitable road alignment. While drawing-up a final sketch indicating the road alignment, it was noticed that a small extent of 0.76ha bearing survey no's 233 & 237 of forest land was required to be diverted. This does not fall within the project area of this respondent. For achieving this diversion, it was considered necessary to obtain forest clearance. Since, this road connectivity proposal was made by Government of Karnataka, the Nodal Officer for the project i.e., the Assistant Executive Engineer, Ports Sub-Division, Honnavar submitted online application to the Forest authorities seeking forest clearance in respect of diversion of 0.76 ha bearing survey no's 233 & 237 of forest land required for four lane road connectivity proposals. The forest clearance is awaited and only thereafter that portion of the road will be completed. Without appreciating this factual position, the petitioner-association is trying to submit wrong information to the authorities. The petitioner-Association has failed to appreciate the fact the four lane road connectivity proposals were conceptualised in 2018. Before proceeding to construct four lane road connectivity proposals under Bharatmala Pariyojana, the NHA authorities require forest clearance for diversion of 0.76 ha bearing survey nos. 233 & 237 of forest land. Therefore, steps have been taken by Assistant Executive Engineer, Ports Sub division, Honnavar to

obtain necessary forest clearance as per Forest (Conservation) Act, 1980.

(ii). In 80th and 81st Meeting of the SEAC, certain observations were made regarding grant of Environmental Clearance. To dispel the doubts/apprehensions expressed in the said meetings, this respondent submitted necessary clarifications - prepared by L&T-RAMBOLL Consulting Engineers Limited [project consultants of M/s. HPPL on EIA for Honnavar Barge / Vessel loading facility. A copy of the said report providing clarification to SEAC by the project consultant in June 2012 is produced herewith and marked as **Annexure - R15**. In respect of project area, the correspondence of the revenue administration clearly indicate that the lands granted for port development is an alluvial land which is adjacent to revenue lands in Survey No.282A & 282B of Kasarkod-Tonka Village, Honnavar Taluk. The studies conducted by the Fisheries College, Mangalore affiliated to the Animal Husbandry, Veterinary and Fisheries University, Bidar clearly show that there is no impact on fisheries due to dredging activity, no rare or endangered species are found in the area, no impact on flora and fauna, etc., as set out in the EIA reports (Annexure - R4 & R15).

C. Glaring defects in the application form submitted by the project proponent leading to wrongful grant of EC

(i). The allegations made by the Petitioner-Association are totally baseless and false. The status of alluvial land based on revenue records/reports of district administration, traffic impact on the landward side from the project, hinterland of Honnavar Barge/Vessel loading facility, existing hinterland connections and road/rail network, existing traffic scenario, projected traffic,

transportation of cargo to the hinterland, ambient air quality model study, impact of the port project on the river lirie habituated island, existing environmental and socio-economic status, social impact assessment, social impacts during operational phase, etc., were all taken into consideration by the authority, before granting Environmental Clearance. The project proponent submitted all reports, information and documents which were considered to be vital to the authority before seeking Environmental Clearance.

(ii). The allegations made that the traditional fishing, fish drying activities and sensitive ecology were not considered during the appraisal process are hereby denied as totally false. All information in this regard are captured in para 4.8.4 of the EIA Report of February 2012. Details of fishing villages and fish landing centres are provided to the authority for grant of Environmental Clearance. As per the information already provided, there are no major fishing zones in the area. The fish landing centres and fishing settlements in the area are Honnavar 1.0 km SE and Manki, 11 km SE and they do not fall within the project area. The authority has taken into consideration all relevant information pertaining to population details of fishing settlements in Honnavar Taluk, annual fish catch statistics, numbers & types of boats and nets in Honnavar fishing harbour, etc., before granting EC. EAIA studies were conducted as per the stipulated norms in accordance with Terms of Reference by SEAC, Karnataka.

D. Disparity in project costs and total and area requirement in various applications:

(i). The petitioner-Association is making certain vague and misleading applications without the support of any valid documents or letters. The port is being developed by this respondent on the alluvial land granted by the State Government on a lease period of 30 years. There is no question of submitting any false information to the authority for grant of EC, as it is purely on the basis of Government Orders, issued in this regard. The allegations made by the Petitioner-Association are therefore mischievous, illegal and contrary to the factual position. Before considering any such requests, the authority is duty bound to seek clarity from this respondent, as the Environmental clearance has been granted after following due procedures and obtaining necessary reports/documents, etc.

37. **Re-Para No.19:**

The allegation that the petitioner being left with no other alternative and efficacious remedy, is complaining of violation of Articles 19(1)d), 19(1)(g), 21, 48-A, 51-A(g) & 300-A of the Constitution of India, and has approached this Hon'ble Court for redressal of its grievance before this, by filing this Writ Petition, in the form of PIL is false.

38. **Re-Para No.20:**

It is false to stated that the reliefs sought for in this Writ Petition can be considered and granted only by this Hon'ble Court in exercise of its writ jurisdiction under Article-226 of the Constitution of India and as such cannot be urged before any other Forum, Tribunal.

39. **Re-Para No.21:**

a. The allegations that the above said construction work entrusted to the 1st respondent would lead to serious damage to the Flora and Fauna and will have a serious impact on the nature and ecology because the same is being undertaken at a place where there is confluence of Arabian sea and the Sharavati River, at the places mentioned above are false and misleading. Further allegations that it will lead to destruction of water bodies and impair its reproduction permanently and will lead to pollution of water and will have harmful effects on the drinking water that is being supplied to the neighboring villages is false. It is submitted that none of the flora and fauna species observed from the core area / project site belongs to Rare /Endangered / Endemic / Threatened category.

b. As already stated above the Flora and fauna studies were conducted to assess the list of plants and animal species and their habitat in and around the port site (Annexure – R4). A detailed survey of flora and fauna of proposed development of Honnavar Barge/Vessel loading facility and its environs extending up to a radius of 10 kms was carried out under the supervision and guidance of Prof. K.B. Reddy, Professor of Environmental Biology (S.G.H.R & M.C.M.R. College of Post Graduate Studies, Mall Reddy Nagar, Guntur) and a senior consultant for flora, fauna and ecology for several major irrigation and hydroelectric projects and his team.

c. It is submitted that the Marine baseline and biodiversity surveys were conducted by the department of Meteorology & Oceanography, Andhra University which department was started in 1948 and over

the years it has contributed immensely for the development of newly emerging branches of sciences under the stewardship of Late Prof. R. Ramanandham, Prof. V. P. Subhramanyam and Prof. P. Koteshwaram etc. The department has been identified for DST - FIST sponsored department in strengthening the teaching and research in the fields of Meteorology and Physical Oceanography. Detailed studies were conducted to assess the possible impact of the proposed project area and suitable mitigation measures are also provided in the Final EIA report. Presently this respondent in compliance to accorded Environmental Clearance, doing continuous monitoring at project area and regularly submitting the reports to competent authority.

40. **Re-Para No.22:**

a. The allegation that the pristine beauty in its natural form of the above mentioned beaches/place would be completely destroyed in the event the above said construction is allowed to continue is false. It is submitted that the Flora and fauna studies were conducted to assess the list of plants and animal species and their habitat in and around the port site. A detailed survey of flora and fauna of proposed development of Honnavar Barge/Vessel loading facility and its environs extending up to a radius of 10 kms., was carried out under the supervision and guidance of Prof. K.B. Reddy, Professor of Environmental Biology (S.G.H.R 7 M.C.M.R. College of Post Graduate Studies, Mall Reddy Nagar, Guntur) and a senior consultant for flora, fauna and ecology for several major irrigation and hydroelectric projects and his team. None of the flora and fauna species observed from the core area / project site belongs to Rare / Endangered / Endemic / Threatened category would be affected.

As stated above this Respondent is not disturbing any beach, as the proposed port spot is about 3 km away from the said Eco beach and walking track. The petitioner only with an intention of misleading this Hon'ble Court has produced certain photographs which do not depict true facts and which do not have any relevance to this case.

41. **Re-Para No.23:**

As regards the averments made in this paragraph, it is submitted that the Karnataka State Coastal Zone Management Authority [KSCZMA for short] scrutinized the Honnavar Port Development proposal along with road/rail corridor. Upon examination of the proposal, the KSCZMA has recommended the proposal for issue of Environmental/CRZ Clearance during the meeting held on 28.05.2012 to the SEIAA. Port activities are permitted activities in CRZ-I. The allegations made against this Respondent that such port activities are forbidden in CRZ-I is not correct and an attempt is being made by the Petitioner to mislead this Hon'ble Court by making such incorrect and illegal statements. As regards depiction of Malukurva Village in Map No.KA 25 [Annexure-R6], it is for the Survey of India to indicate all such locations in the approved Maps. The explanation given by the petitioner in this para regarding the map and the contents of the same are denied.

42. **Re-Para No.24:**

The allegation that the above said construction would lead to violation of Article 19(1)(g) of Constitution of India which deals with right of all the citizens to practice any profession or to carry on any occupation, trade or business is false. Further allegation that as a result of the said construction activity, Fishermen will not be able to

carry on the fishing activity as they have been using the shore of the Arabian Sea / Sharavathi River to park their Boats, Dingies, Trawlers etc., which will be stopped as a result of this expansion is false. The allegation that their livelihood which entirely depends on fishing activity will be forcibly snatched from them leading to the violation of Article 21 of the Constitution of India is false. The allegation that the fishermen earn their livelihood by selling the fish, which is caught by the fishermen in the said Beaches, and as such, even their daily bread would be taken away is false. The allegation that movement of huge barge (loading vessel) in the sea will be a severe blow to all the fishermen engaged in fishing activity through mechanized boats is false. It is false to state that the Fishermen are by avocation and tradition carrying on the activity of fishing since time immemorial for several generations and by the said construction project they would be jobless and will be reduced to the state of penury. As already stated above details of fishing villages, fishing activities and fish landing centres are provided in Section 4.8.4 of Final EIA Report. The development of port does not obstruct any fishing activity as alleged. Instead, this respondent will be providing a separate 24 X 7 exclusive channel for fishing/vessel movements. This dedicated channel will be earmarked with the help of floating marker buoys which will be helpful to the fisherman during barge/vessel movement to the berths, for their fishing activities. This Respondent has given an undertaking to the Fisheries Department through letter dated 26.03.2012 (Annexure - R13) clearly mentioning about 24*7 separate navigation channel to fishermens. Through this channel, the local fishermen who are dependent upon this fishing activity for their livelihood are greatly benefited, using this dedicated Channel. Further with the establishment of Port, lot of employment potential

[skilled, semi-skilled and un-skilled] is going to be created in this part of Western Ghats. The allegations made against this project that it would affect livelihood of many fishermen are hereby denied as totally false. The opportunities for better fishing activity in this area would bound to increase due to the formation of a separate 24 X 7 dedicated channel and the fishermen would also be in a position to engage themselves in deep sea fishing.

43. **Re-Para No.25:**

The allegations made in this paragraph are false apart from being misleading statement. It is false to state that in the letter dated 25.02.2020 addressed to the President of the Belkonda Fisheries Co-operative Society Limited, Honnavar by the Assistant Director of Fisheries, Honnavar has mentioned that the fishermen would lose their livelihood with the execution of the project. In the said letter Assistant Director of Fisheries, Honnavar no where mentions anything about the fishermen losing their livelihood due to the execution of the project.

44. **Re-Para No.26:**

It is false to state that this project would cause injury to the local fishermen and violates their fundamental rights under Articles 14 and 21 of Constitution. On the contrary, the local fishermen are going to be benefitted in a big way. With the execution of the proposed project, the scope of fishing would increase manifolds, due to dredging activity being undertaken by this respondent by providing a dedicated navigational channel and the construction of breakwaters would also help the fishermen to undertake deep sea

fishing activity throughout the year. Further, the facility that is going to be created by this Respondent would be helpful to other fishermen belonging to neighboring areas as well. It would further increase fishing market and improve their business activities due to arrival of huge quantities of fishes that is resulting in the area in view of better navigational channel. None of their rights are going to be jeopardised, as alleged. Instead, they are put to a great advantage by increasing their volume of business and more profits. The decisions referred to in this paragraph are of no relevance to the facts of the instant case. The right of fishermen to take fish is in no way violated by the project. The decisions referred to in this para have no application to the facts of the case.

45.

Re-Para No.27:

As regards the allegations made in this paragraph, it is submitted that any such infrastructural development projects would certainly have certain inherent advantages and disadvantages. From the point of view of economic development, removal of un-employment, providing of better educational facilities, development of road/rail connections, establishment of Hospitals and such other socio-economic activities in the region, construction of such ports are highly essential, keeping larger public interests in view. While doing so, certainly it would partially affect certain time immemorial facilities being traditionally enjoyed by locals, which are inevitable. The apprehensions that as a result of the said project, there would be harmful effects on the health of the people, etc., are not true and untenable. The main commodities which are proposed to be handled with the commissioning of the Honnavar Port are coal, iron ore, edible oil and general cargo. None of these commodities would

cause such dangerous diseases as alleged by the petitioner. Therefore, larger public interests outweigh certain trivial issues affecting a small section of the society. In this view of the matter, establishment of a port is highly essential and hence the allegations of the petitioner to the contrary are vehemently denied. In fact the Hon'ble Supreme Court has repeatedly held that balance has to be struck between environment and developmental activities and that principle of sustainable development is required to be adhered to and that right to development is a component of Art. 21 (See 2004(9) SCC 362).

46. **Re-Para No.28:**

The project is in in public interest and is being implemented in compliance with the permissions and clearances. Article 21 by is not in any way violated by the implementation of the project in question. The decision referred to in this para has no application to the facts of the case.

47. **Re-Para No.29:**

Since there are no monument or place or objects of artistic or historic interest, (declared by or under law made by Parliament) to be of National Importance in or near the project in question, the question of alleged violation of Article 49 of Constitution does not arise and hence all the allegations of the petitioner are denied. Article 48A is not in any way violated by the project.

48. **Re-Para No.30:**

Since the project in question is not affecting any of the natural course namely forests, lakes, rivers or wildlife, the question of alleged violation of Article 51-A(g) of Constitution does not arise and hence all the allegations of the petitioner are denied. No destruction of environment occurs as a result of the project.

49. **Re-Para No.31:**

The decision referred to in this paragraph has no application to the facts of the present case. It is false to state that because of the project in question the aesthetic use and the pristine glory of the natural resources, the environment and the ecosystems would be eroded for private, commercial or any other use.

50. **Re-Para No.32:**

a. The environmental consent granted for the project has not expired as alleged or otherwise. The clarifications with regard the period of validity of Environmental Clearance has been stated in Notification bearing S.O. 2944 EC dated: 14th September, 2016 issued by the Ministry of Environment, Forest and Climate Change. Paragraph 9 relating to Validity of Environment Clearance (EC), reads as under:--

"9. Validity of Environmental Clearance (EC):

(i) The "Validity of Environmental Clearance" is meant the period from which a prior environmental clearance is granted by the regulatory authority, or may be presumed by the applicant to

have been granted under sub- paragraph (iii) of paragraph 8, to the start of production operations by the project or activity, or completion of all construction operations in case of construction projects (item 8 of the Schedule), to which the application for prior environmental clearance refers. The prior environmental clearance granted for a project or activity shall be valid for a period of ten years in the case of River Valley projects [item 1(c) of the Schedule], project life as estimated by the Expert Appraisal Committee or State Level Expert Appraisal Committee or District Level Expert Appraisal Committee subject to a maximum of thirty years for mining projects and seven years in the case of all other projects and activities.

Provided that this period of validity with respect to sub-paragraphs (i) and (ii) above may be extended by the regulatory authority concerned by a maximum period of three years if an application is made to the regulatory authority by the applicant within the validity period, together with an updated Form I, and Supplementary Form IA, for Construction projects or activities (item 8 of the Schedule)."

g. The above said paragraph of the Notification dated Sept 14, 2016 clarifies that validity of environment clearance is seven years and shall be extended by a maximum of three more years. A copy of the Notification dated 14.09.2016 published in the Official Gazette is produced herewith and marked as **Annexure - R16**. It is submitted that as an abundant caution, this respondent has obtained the renewal of consent for establishment from the 7th respondent KSPCB vide order dated 26.03.2021 (Annexure - R8) though the same was not at all required to be obtained since the consent for establishment issued earlier is co-terminus with the

environmental clearance. This Respondent has obtained all statutory clearances and approvals from the respective authorities of Government, in accordance with law. This Respondent is governed by the terms and conditions of lease agreement. The actual port construction activities are in progress and that the CFO will be applied immediately upon completion of the project. Only with the consent, commercial operations would be started. The allegations made in this regard are highly pre-mature and without understanding the factual position.

51. **Re-Para No.33:**

The allegations made in this paragraph that there is non-compliance of the provisions contained in "Water" and "Air" Acts by this respondent are false and baseless. As per the statutory requirements, this Respondent has already obtained Consent for Establishment from the concerned statutory authorities. The project is still in the construction stage and the operation of the port has not yet commenced. The progress of construction was adversely affected in 2020 due to COVID-19 lockdown period.

52. **Re-Para No.34:**

The allegation made in this para denied. A perusal of the letter of pollution control board makes it clear that Shri. Vivan Fernades had sought information from the KSPCB regarding expansion of the proposed project. There is no expansion of the project. Prima facie, it is a deliberate attempt to mislead the authorities by such persons

having their vested interests against the project. Such correspondence has also been made a part of the petition, with a view to confuse the position and mislead this Hon'ble Court. This Respondent strongly opposes such ill motivated pleadings of the petitioner, which are obviously directed to mislead this Hon'ble Court.

53. **Re-Para No.35:**

The allegations made in this paragraph that this respondent has not obtained necessary valid consent for the construction are false and baseless. This Respondent has already obtained Consent for Establishment from the concerned statutory authorities including the 7th respondent KSPCB.

54. **Re-Para No.36:**

The allegations made in this paragraph are misconceived and baseless. The Karnataka State Coastal Zone Management Authority [KSCZMA] scrutinized the Honnavar port Development proposal along with road / rail corridor. For construction of any port, it is necessary to provide suitable road connectivity. The existing road connectivity from Tonka Village to the project site was not suitable, as port development activity greatly involved movement of large number of trucks/trailers carrying construction equipment, materials, large machineries, etc., This matter was brought to the notice of Government, as usage of existing rural road passing through Tonka village was found to be unsafe from the safety point of local Villagers and school going children. It was in this context, with the advice and support of Government and District

Administration, an existing road alongside the beach was improved, so that until the construction of four lane road connectivity proposal from Kasarkod side of Honnavar Port to National Highway No.66, as proposed by State Government, under Bharatmala Pariyojana by NHAI was completed, the temporary road is made use of for the port development activities. The temporary road will be operational until the construction of four lane road connectivity as proposed by the State Government. No such major activities could be undertaken without the advice and support of Government in an unauthorised manner. The entire cost of construction of temporary road by way of improvement of an existing road link alongside the beach is being met by this respondent which is an additional burden on this respondent which is not part of the estimation of the project. Further, in letter No.PWD 78 PSP 2019, dated 11.12.2019 addressed to the Deputy Commissioner, Uttara Kannada District, Karwar, directions were issued by Government to remove the illegal encroachments in the land belonging to the Ports Department alongside the Kasarkod beach up to the project site area, so as to enable the movement of vehicles for construction of breakwaters. A copy of the letter dated 11.12.2019 is produced herewith and marked as **Annexure - R17**.

55. **Re-Para No.37:**

As regards the averments made in this paragraph, it is submitted that four lane Road Connectivity proposals from Kasarkod side of Honnavar Port to National Highway No.66 under Bharathmala Pariyojana through the NHAI has been undertaken on the basis of recommendations made by the State Government. The Assistant Executive Engineer, Ports Sub-Division, Honnavar, who is the Nodal

Officer, has made an application online to the Forest Department, seeking forest clearance in respect of diversion of 0.76 ha of forest land for the proposed four lane road connectivity. The authorities of the NHAI, after inspection of the entire road link for undertaking the proposed four lane road connectivity proposals, has suggested a most suitable road alignment, keeping in view the convenience of the local people and suitability of road construction. State Government and NHAI have signed necessary bipartite agreements for execution of the proposed road connectivity proposals. The proposals involve diversion of 0.76 ha bearing survey no's 233 & 237 of forest land, which is a small extent and first stage approval has been initiated by the designated Nodal Officer viz., the Assistant Executive Engineer, Ports Sub-Division, Honnavar has submitted to the Forest Department, seeking forest clearance in respect of diversion of 0.76 ha. bearing survey no's 233 & 237 of forest land. The said road does fall within the project area.

56. **Re-Para No.38:**

The allegation of the petitioner that the port is developed in the forest land is false. Honnavar Port is being developed on an alluvial land where there is no forest area. Therefore, the question of obtaining forest clearance in terms of Forest (Conservation) Act, 1980 does not arise. However, as per the terms of lease agreement, it was obligatory on the part of LESSOR [Government of Karnataka] to provide suitable approach road from National Highway No.66 to project area. State Government, therefore, recommended to Government of India, Ministry of Shipping to include four lane road connectivity proposals from Kasarkod side of Honnavar Port to NH-66. This proposal was accepted and the

Ministry of Road Transport and National Highways included the project for execution through NHAI under Bharatmala Pariyojana. While finalising the road alignment most suitable for construction, keeping in view the convenience of local inhabitants and safe movement of heavy vehicles passing through the NH-66 to project area, it was found by the NHAI authorities that there is a small diversion of 0.76 ha., of forest land while making the road connectivity. The whole project proposed by the Karnataka Government and recommended for execution under Bharatmala Pariyojana has been cleared for execution. Bipartite/tripartite agreements have also been signed by respective authorities. In pursuit of this proposal, the designated Nodal Officer viz., the Assistant Executive Engineer, Ports Sub-Division, Honnavar has submitted the proposals online to the Forest Department, seeking forest clearance in respect of diversion of 0.76 ha. bearing survey no's 233 & 237 of forest land, which is required for completion of road connectivity proposals under Bharatmala Pariyojana by NHAI. Further, the State Government has made required budgetary provisions in the current State's Budget for the FY 2021-22. As stated earlier the said road does not fall within the project area.

57. **Re-Para No.39:**

The allegation that the respondent No.4 in connivance with and for the benefit of respondent No.1 indulged in the illegal act of changing the coast line, which requires to be enquired into is false and misleading. The allegations made against District authorities are baseless, as the Lessee is developing the port purely on PPP Mode and the ownership of the entire project area remains with Government in Revenue/Ports Department. The entire

infrastructure would remain with State Government on as is and where is condition after the completion of lease period. The complainant Shri.Prakash Mesta is having vested interest against the proposed project and he is trying to mislead all Governmental Departments and also the Survey of India, by making false allegations of nepotism and partisanship. There is no violation of his fundamental right and should there be any violation of civil rights, he should agitate such issues in appropriate forum. All allegations made against this respondent and other respondents are totally false, misconceived and not legally tenable.

58. **Re-Para No.40:**

The allegation that there has been a change in the original location of the construction for which the environmental clearance has been granted and as such would amount to violation of terms of lease at Annexures-B and D as categorically mentioned in condition No.42 of Annexure-B and in condition No.44 of Annexure-D and hence the same is liable to be quashed along with Annexure-E is false. It is submitted that physical demarcation of High Tide Line (HTL for short), Low Tide Line (LTL for short) and delineation of CRZ setbacks for the project site were carried out by National Centre of Earth Science Study (NCESS), by Ministry of Earth Sciences, Government of India. Based on the perusal of the CRZ Notification, 2011 and the HTC/LTL, survey outcome, following are the inferences arrived:

- Proposed site falls on the sandy beach near the river mouth;
- CRZ Setback lines indicate that the proposed barge/vessel loading site mostly falls within the CRZ I (B)(i.e., are between LTL and HTL), CRZ (III) undeveloped rural area and CRZ IV (near shore waters and backwaters);
- Proposed location does not contain environmentally sensitive areas such as National Parks/Marine Parks, Sanctuaries, Wildlife Habitats, Corals / Coral Reefs. It also does not include breeding and sprawling grounds offish and other marinelifes,areofoutstandingnaturalbeauty/historically/heritagegear ea,area rich in genetic diversity;
- As per Coastal Regulation Zone (CRZ) Notification, 2011 and Karnataka Coastal Zone Management Plan (CZMP), Proposed Honnavar barge/vessel loading is a permissible activity in CRZ as it requires waterfront and foreshore facilities. The project layout superimposed on HTL, LTL and CRZ setbacks is given in the **Final EIA Report February 2012.**

59/ **Re-Para No.41:**

The allegations made by the Petitioner regarding eggs of Sea Turtle alleged to have been found in and around the beaches are false and baseless. The press reports are all planted with the object of fabricating false evidence. None of the studies conducted experts and referred to above indicated any turtle breeding ground in the project area. The genuineness and authenticity of the documents produced by the petitioners are disputed.

60. **Re-Para No.42:**

According to Coastal Regulation Zone (CRZ) Notification 2011 and 2019, port development is a permissible activity. Honnavar Port project area falls under CRZ-1 (B). All other allegations made by the petitioner are ill founded, misconceived and baseless, which are not legally tenable. Copies of CRZ Notification, 2011 and 2019 are produced herewith and marked as **Annexure - R18** and **R19** respectively.

61. **Re-Para Nos.43 & 44:**

It is reiterated that as per CRZ Notification 2011, the port area of Honnavar comes under CRZ-1 (B). Hence the allegations made in this paragraph are baseless. The decision referred to in this paragraph are not applicable to the present case.

62. **Re-Para No.45:**

As regards the averments made in this paragraph, it is submitted that KCZMA upon careful consideration of the Honnavar Port project proposals has recommended issue of Environmental/CRZ Clearance during the meeting held on 28.05.2012. The allegation made by the Petitioner regarding CRZ Clearance in favour of M/s. Mastership Yard Private Limited do not relate to Honnavar Port Development. The Petitioner is repeatedly trying to misquote and correlate clearances which are not in any way connected to Honnavar Port Development.

63. **Re-Para No.46:**

Since the project area falls under CRZ - 1 (B) and does not have any forest and wildlife area clearance from National Wildlife Board is not needed. The allegation to the contrary is totally false and misconceived.

64. **Re-Para No.47:**

The petitioner with an intention to mislead this Hon'ble Court is trying to bring the issue pertaining to Karwar Port, wherein necessary consent was not in place. In the instant case, this respondent has obtained all the necessary approvals, clearances, etc., as required under law and is carrying on the port construction activities legally. Honnavar Port is being developed on PPP Mode. The entire cost of construction is being met by this respondent. The validity of the lease is for a period of 30 years. There is no financial implication on the part of State Government. Hence the petitioner is not entitled for any interim order as falsely sought and hence the Writ Petition is liable to be dismissed.

65. **Re-Para No.48:**

Since the entire case is filed on false and misleading plea by the petitioner, the petitioner is not entitled to produce any other document or material in support of their case in future and to place any other relevant facts on record.

66. **Re-Para No.49:**

a. The allegation that the construction that is being carried out by Respondent No.1 is illegal, because the same falls within CRZ-IA

and as such the project in question is a prohibited activity is false. The further allegation that the same is being carried on without necessary Consent for Establishment (CFE) from the 7th respondent and also without obtaining permission from the other concerned authorities is false. The allegation that in the event the interim relief is not granted, then the Respondent No.1 will continue with the construction activity, which will have a serious impact on the ecology and environment is false. The allegation that there will be large scale destruction of natural resources, and livelihood of thousands of Fishermen and Fisherwomen would be taken away, and the main prayers sought for in the Writ Petition would be rendered infructuous is false. Since the issues involved in the W.P.No.1332/2020 and the issues involved in the present Writ Petition are totally different, the interim order dated 23.01.2020 passed in the former case has no application to the present case. Since this respondent is carrying on the port construction activities in accordance with law and after obtaining necessary permissions, approvals and clearances etc., the prayers sought in the above Writ Petition are not maintainable and consequently the Writ Petition is liable to be dismissed with exemplary costs. In case the port activity is stalled, there will be huge loss to both the Government Exchequer and this respondent. The project is a public project, the above Writ Petition is liable to be dismissed.

b. It is pertinent to state herein that recently, India Maritime summit was organized by Government of India which was inaugurated by Hon'ble Prime Minister of India. This respondent was also provided an opportunity by the Government of Karnataka to take part in the summit through Video Conference. On behalf of this respondent, the fact that the Honnavar Port is being developed by

the Lessee on PPP mode, the various advantages to the region due to port development, the active support being received by the State Government, etc. was highlighted during the maritime summit. Through this VC, Honnavar Port development issue has been brought to the notice of Government of India by the Hon'ble Chief Minister of Karnataka.

c. Further, in the budget for the financial year 2021-22 presented by Hon'ble Chief Minister of Karnataka, a sum of Rs. 100.00 Crores has been earmarked for road connectivity proposal from Kasarkod side of Honnavar port to NH - 66. The decision of Government of Karnataka to develop Honnavar Port is re-iterated by Government through this decision of providing proper road link to Port area from NH-66.

d. The allegation that the fishermen are likely to be affected due to construction of port is false. Presently fishermen are not able to do fishing activity during monsoon. With the dredging activity being undertaken by the respondent and by creation of a 24/7 dedicated exclusive channel earmarked by marker buoys would enable movement of fishing vessels and enable fishermen to carry-out their traditional fishing activities safely. Regarding Impact of port development over fishing activity, L&T Ramboll (Authorized agency of Ministry of Environment & Forest) - EIA consultant for Honnavar Port development - have prepared a report "**Second Clarification to SEAC Observations of EIA for Honnavar Barge / Vessel loading facility June - 2012**" (Annexure - R15). Karnataka Veterinary, Animal Husbandry and Fisheries Sciences University has conducted a detailed study of fishing activity new Honnavar. While conducting a detailed study, baseline data on marine ecology was

collected through a marine ecology survey during the month of November, 2009. The study findings are as follows:

- i. Sediments sample collected from all the sites were uncontaminated. As such no adverse impact due to dredging on the chemical characteristics of water or sediment is expected;
- ii. Dredging activities will result in the localized removal of oxygen, however, removal of oxygen from the water is only a temporary phenomenon, as tidal exchange is more predominant and it would quickly replenish the oxygen supply;
- iii. No rare or endangered species amongst benthic fauna are reported in the study area. Earlier study also confirmed that the benthic organism will colonized within a short time. Impact due to dredging activity on benthos is very limited;
- iv. In the proposed area including the marine area, fisheries are not well developed. Hence there are no significant impacts on fisheries;

67. Further in the report submitted to the project proponent, it is made clear that a pair of break water is required to retain the natural tidal prism of the system while developing the port facilities. It is further submitted that the fishermen community living in this part of Honnavar constitute not exceeding 10% of the total population. It is to be understood that a small percentage of people cannot claim absolute proprietorship of the entire marine zone. In fact, the greater employment opportunities, socio-economic change in the region, improvement of infrastructural facilities, removal of

unemployment problem, skill development of unemployed youth, etc., that are available to entire population in the region cannot be withered away by a section of local fishermen who are obviously in minority.

68. If such prevention of maritime development takes place in the country for securing fishing activity for fishermen, it will end up in a position of no ports for carrying out import/export activities in marine zone, which is detrimental to economic activities. Marine infrastructure plays a key role in the economic development of the nation. With the establishment of ports and its commercial operations, economy of the region substantially improves. It is a matter of common knowledge that ports and port related activities play a key role in the national economy.

69. All other allegations and averments made in the Writ Petition which are not specifically traversed herein are hereby denied.

WHEREFORE Respondent No.1 above named respectfully prays that this Hon'ble Court may be pleased to dismiss the above Writ Petition with exemplary costs and grant such other and further reliefs as are just.

BANGALORE,

DATED:

ADVOCATE FOR RESPONDENT No.1

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

W.P.No.4039/2021

DISTRICT _____

Advocates

Vivek HollaBETWEEN
M/s. Holla & Holla
 Level 4, Prestige Nebula, No.8,
 Cubbon Road

**Honnavar Taluk Hasimeenu
 Vyparastara Sangha (Regd.)**

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Ph:+91 98866 14009

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AND

Email: vivek.holla@gmail.com **Honnavar Port Pvt.Ltd., & Others**
chandrashekar.somashekar@gmail.com

PRESENTATION FORM

Sl.No.	Description of paper presented	Court Fee Affixed on the paper
1.	Statement of Objections of Respondent No.1 to Main Writ Petition	
2.	On Vakalath	
3.	On Certified Copies	
4.	On Process Fee	
Total		

Number of Copies Furnished

Other side served

Presented by

Advocates for the Respondent No.1

Received Paper

Place: Bangalore

Date: .05.2021

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

W.P.No.4039/2021 (PIL)

Between:

Honnavar Taluk Haslimeenu Vyparastara

Sangha (Regd.) ..

PETITIONER

And:

M/s. Honnavar Port Pvt. Ltd. and others ..

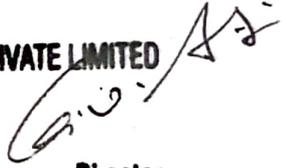
RESPONDENTS

AFFIDAVIT

I, G. Veera Sekhar Reddy aged about 39 years, son of Sri G.S.P. Veera Reddy, residing at GVPR Engineers Limited, D. No 8-2-293/A, Plot No 739-A, Road No 37, Jubilee Hills, Hyderabad, Telangana - 500033, do hereby solemnly affirm and state on oath as follows:

1. I am the Director of the 1st respondent company and I know the facts of the case. I am authorised to swear to this affidavit.
2. The statements made in paragraphs 1 to 69 of the accompanying statement of objections to the main writ petition are true to the best of my knowledge and information and believe them to be true.
3. Annexures R1 to R19 are true copies of the originals.

For HONNAVAR PORT PRIVATE LIMITED


Director



VERIFICATION

I, G. Veera Sekhar Reddy the deponent herein, do hereby solemnly affirm and declare that this is my true name and signature and that what is stated above is true and correct to the best of my knowledge, information and belief.

IDENTIFIED BY ME

For HONNAVAR PORT PRIVATE LIMITED

ADVOCATE

DEPONENT
Director

Hyderabad

Dated:

No. of corrections:



// ATTESTED //

S. Mohammed Riaz
B.A., LL.B.
ADVOCATE & NOTARY
(G.O. Ms. No.784)
(Appointed by Govt. of T.S. INDIA)
6-3-354/19, Hindi Nagar, Banjara Hills
Road No.1, Hyderabad-500 034, T.S., INDIA.

28 MAY 2021

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

W.P.No.4039/2021 (PIL)

Between:

Honnavar Taluk Hasimeenu Vyparastara

Sangha (Regd.) ..

PETITIONER

And:

M/s. Honnavar Port Pvt. Ltd. and others ..

RESPONDENTS

AFFIDAVIT

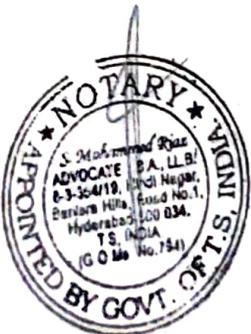
I, G. Veera Sekhar Reddy aged about 39 years, son of Sri G.S.P Veera Reddy, residing at GVPR Engineers Limited, D. No 8-2-293/A, Plot No 739-A, Road No 37, Jubilee Hills, Hyderabad, Telangana – 500033, do hereby solemnly affirm and state on oath as follows:

1. I am the Director of the 1st respondent company and I know the facts of the case. I am authorised to swear to this affidavit.

2. The statements made in paragraphs 1 to of the accompanying application are true to the best of my knowledge and information and believe them to be true.

For HONNAVAR PORT PRIVATE LIMITED

G. V. S. K. R.
Director



VERIFICATION

I, G. Veera Sekhar Reddy the deponent herein, do hereby solemnly affirm and declare that this is my true name and signature and that what is stated above is true and correct to the best of my knowledge, information and belief.

IDENTIFIED BY ME

For HONNAVAR PORT PRIVATE LIMITED

ADVOCATE

DEPONENT
Director

Hyderabad

Dated:

No. of corrections:



// ATTESTED //
S. Mohammed Riaz
 B.A., LL.B.
 ADVOCATE & NOTARY
 (G.O.No. No.794)
 (Appointed by Govt. of T.S. INDIA)
 6-3-354/19, Hindl Nagar, Banjara Hills
 Road No.1, Hyderabad-500 034, T.S, INDIA

28 MAY 2021

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 24TH DAY OF NOVEMBER, 2021

PRESENT

THE HON'BLE MR. RITU RAJ AWASTHI, CHIEF JUSTICE

AND

THE HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM

WRIT PETITION NO.4039 OF 2021 (GM-POL) PIL

BETWEEN:

HONNAVAR TALUK HASIMEENU
VYPARASTARA SANGHA (REGISTERED)
TONKA-KASARKOD, HONNAVAR
UTTARA KANNADA - 581 342.
REPRESENTED BY ITS PRESIDENT
SRI GANAPATHI ISWAR TANDEL
S/O LATE ISWAR DURGAYYA TANDEL
AGED ABOUT 38 YEARS.

... PETITIONER

(BY SRI MURTHY D. NAIK, ADVOCATE)

AND:

1. M/S. HONNAVAR PORT PVT LTD
REGISTERED OFFICE AT NO.103,
LALEHZAR APARTMENTS,
45/1-2, PALACE ROAD,
BENGALURU - 560 001
PHONE 080-22353670/080-41494960
EMAIL: info@honnnavarport.com
REPRESENTED BY ITS
AUTHORIZED REPRESENTATIVE



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- 2 -

- 2 . THE PORT OFFICER
HONNAVAR PORT,
HONNAVAR - 581 334,
UTTARA KANNADA DISTRICT.
- 3 . THE DIRECTOR OF PORTS, AND INLAND
WATER TRANSPORT,
KARWAR PORT,
BAITHKOL VILLAGE - 581302,
KARWAR TALUK,
UTTARA KANADA DISTRICT.
- 4 . THE DEPUTY COMMISSIONER
UTTARA KANNADA DISTRICT,
MINI VIDHANA SOUDHA,
KARWAR - 581 301.
- 5 . THE PRINCIPAL SECRETARY
PWD, PORTS AND INLAND WATER
TRANSPORT DEPARTMENT,
GOVERNMENT OF KARNATAKA,
ROOM NO.333, 3RD FLOOR,
VIKASA SOUDHA,
BENGALURU - 560 001.
- 6 . THE STATE LEVEL ENVIRONMENT IMPACT
ASSESSMENT AUTHORITY-KARNATAKA,
DEPARTMENT OF
ECOLOGY AND ENVIRONMENT,
IV-GATE,
ROOM NO.709, 7TH FLOOR,
M.S. BUILDING,
DR. AMBEDKAR VEEDHI,
BENGALURU-560 001
REPRESENTED BY ITS PRINCIPAL SECRETARY.
- 7 . THE KARNATAKA STATE POLLUTION
CONTROL BOARD
REPRESENTED BY ITS
SENIOR ENVIRONMENTAL OFFICER,
REGIONAL OFFICE,
'PARISARA BHAVAN',
LIG-II, B-217, NEAR HARI OM TRUST,
HABBUWADA
KARWAR-581 303.



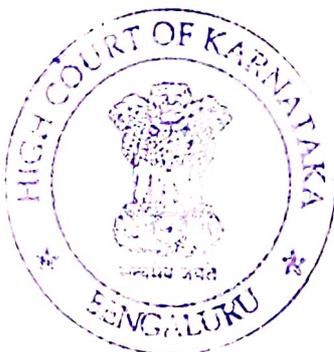
- 8 . THE GRAMA PANCHAYAT
KASARKOD
HONNAVAR-581 342
UTTARA KANADA DISTRICT.
- 9 . THE SECRETARY,
MINISTRY OF ENVIRONMENT AND FOREST
AND CLIMATE CHANGE
GOVERNMENT OF INDIA,
INDIRA PARYAVARAN BHAVAN,
JOR BAGH ROAD,
NEW DELHI-110 003.

... RESPONDENTS

(BY SRI UDAYA HOLLA, SENIOR ADVOCATE A/W
SMT. MEGHANA, ADVOCATE FOR R1,
SRI RAJASHEKAR S, AGA FOR R2 TO R5,
SRI D. NAGARAJ, ADVOCATE FOR R6,
SRI GURURAJ JOSHI, ADVOCATE FOR R7,
SRI ASHOK N. NAYAK, ADVOCATE FOR R8 &
NOTICE TO R9 IS SERVED AND UNREPRESENTED)

THIS WRIT PETITION IS FILED UNDER ARTICLE 226 OF
THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT OF
MANDAMUS DIRECTING THE RESPONDENT NOS.1 TO 5 NOT TO
CONTINUE WITH THE CONSTRUCTION OF THE PORT ON THE
BEACHES OF KASARKOD, MALUKURVA, PAVINKURVE, KARKI
AND HONNAVAR, IN HONNAVAR TALUKA, OF UTTAR KANNADA
DISTRICT & ETC.

THIS PETITION COMING ON FOR ORDERS THROUGH
VIDEO CONFERENCING THIS DAY, **CHIEF JUSTICE** MADE THE
FOLLOWING:



ORDER

Heard Sri Murthy D Naik, learned counsel for the petitioner, Sri Udaya Holla, learned Senior Counsel assisted by Smt. Meghana, learned counsel for respondent No.1, Sri Rajashekar S., learned Additional Government Advocate appearing for respondent Nos.2 to 5, Sri D.Nagaraj, learned counsel for respondent No.6, Sri Gururaj Joshi, learned counsel for respondent No.7 and Sri Ashok N. Nayak, learned counsel for respondent No.8.

2. This Public Interest Litigation has been filed raising the issue of location and construction of the port on the beaches of Kasarkod, Malukurva, Pavinkure, Karki and Honnavar in Honnavar Taluka of Uttara Kannada District. The petitioner has challenged the Environmental Clearance dated 21.09.2012 issued by respondent No.6, the order dated 01.07.2019 issued by respondent No.6 extending the environmental clearance dated 21.09.2012 for a further period of three years. The petitioner has also prayed to quash the lease agreement dated 07.04.2010 entered into between respondent No.3 and M/s. North Canara Sea Ports-GVPREL-Consortium for usage of port land for port related



activities at Honnavar Port, to quash the lease agreement dated 11.10.2010 entered into between respondent No.3 and M/s. North Canara Sea Ports- GVPREL-Consortium for port related activities and ANCHORAGE operations at Honnavar Port and to quash the permission which was accorded by respondent No.5 to transfer the subject matter of lease agreement dated 07.04.2010 and lease agreement dated 11.10.2010 in favour of respondent No.1 without any change. The petitioner has also prayed several consequential reliefs in this regard.

3. Learned counsel for the petitioner submits that there is certain forest land in the said beaches and therefore, approval from the Ministry of Forests should have been obtained prior to commencement of the work. It is submitted that construction is carried out in CRZ-I area. The said beach is a turtle nesting ground. The National Centre for Sustainable Coastal Management (NCSCM) have carried out the survey of 45 hectares area at Kasarkod Tonka in Honnavar taluk and has submitted its report in compliance of this Court's order dated 26.03.2021. It is also submitted that there has been change of coastline village border and also location of the aforesaid



construction. It is further submitted that there are violations of various constitutional provisions and respondent No.1 has furnished false environmental details regarding the project.

4. Learned Senior Counsel appearing for respondent No.1, on the other hand, submits that the writ petition has been filed on behalf of certain individual persons whose vested interest are involved in the area. They do not want the port to be constructed and as such, the instant writ petition is a proxy petition on behalf of certain fishermen and other persons involved in fishing and other similar activities. It is submitted that all necessary approvals have been obtained from the concerned authorities and it is only after necessary survey and other formalities that decision has been taken to construct the port at the location which is under challenge. It is also submitted that in compliance of the Court's order dated 13.07.2021, the NCSCM has carried out the survey and in its report, it has been stated that no nests, turtles or dead carcass of turtles have been observed in the entire 45 hectares of the proposed site during the survey. It is also submitted that so far as the requirement of approval from



the Ministry of Forests is concerned, as per respondent No.1, there is no such requirement as the forest land is outside the land leased for the project. Moreover, no construction can be carried out without the formalities are concluded.

5. Learned counsel for respondent No.6 submits that the State level environment assessment was carried out by the Department of Ecology and Environment and it is only after the necessary assessment that permission has been granted. It is also submitted that the orders under challenge are applicable and hence, the writ petition, in the first stage, would not be maintainable.

6. We have considered the submissions made by learned counsel for the parties and gone through the records.

7. The question of location of a port depends on various factors including the requirement and necessity of a port. It is for the experts to determine the location of the port and its requirements.

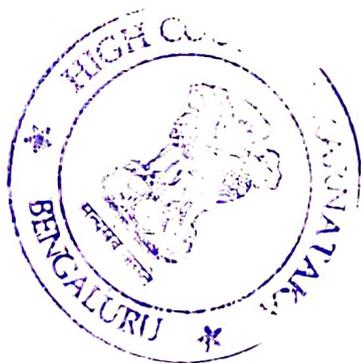
8. So far as the contention of learned counsel for the petitioner that the site which has been leased for



development of the port is a nesting area of turtles is concerned, we have perused the survey report of the NCSCM. As per the survey report which is on record, no nest, turtle or dead characters are found during the survey of the entire 45 hectares area of the proposed site. However, it is for the concerning authority to ensure that no damage is caused to the nesting of turtles and other endangered species found in the area.

9. So far as the requirement of approval from the Ministry of Forests is concerned, we are of the considered view that the respondents shall obtain all necessary approvals, sanctions and permissions from all the concerned authorities while undertaking construction of the port in question.

10. Learned Additional Government Advocate appearing for respondent Nos.4 and 5 submits that a survey was carried out by the Deputy Commissioner, U.K.District on 13.08.2021 and no land in excess of the leased land has been found in use for construction of the port.



11. Considering the entire aspect of the matter, we dispose of this writ petition with liberty to the petitioner to raise its grievance before respondent No.5-The Principal Secretary, PWD, Ports and Inland Water Transport Department, Government of Karnataka, who may consider the grievance of the petitioner and pass appropriate orders in accordance with law.

12. The pending interlocutory applications do not survive for consideration and are accordingly disposed of.

Sd/-
CHIEF JUSTICE

Sd/-
JUDGE



'TRUE COPY'

[Signature]
Section Officer,
High Court of Karnataka
Bangalore - 560 001

- KPS The date on which the application was made 25/11/21
- b) The date on which charges and additional Charges if any, are called for —
- c) The date on which charges and additional Charges if any are deposited/Paid —
- d) The date on which the copy is ready 26/11/21
- e) The date of notifying that the copy is ready For delivery 26/11/21
- f) The date on which the applicant is required to appear on or before 30/11/21
- g) The date on which the copy is delivered to the Applicant —
- h) Examined by 6/12/21

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RITD 807

E-NO-3675941

15/02/22

To,
Principle Secretary,
PWD, Port and Inland Water Transport Department,
Government of Karnataka
Room No. 333, 3rd Floor, Vikas Soudha,
Bangalore, 560001, Karnataka

From,
Honnavar Taluk HasiMeenuVyaparathara Sangha
Kasarkod, Tonka, Honnavar, Uttara Kannada
581 342

Reference:

1. Karnataka High Court Order dated 24-11-2021
2. Karnataka Government Order No. PWD 190 PSP 2009 dated 18.03.2010
3. Karnataka Government order No. PWD 119 PSP, 2010 dated 22.09.2010
4. Karnataka Government Proceeding, dated 2010
5. Lease agreement dated 11.10.2010
6. Karnataka Government order regarding lease agreement transfer dated 17.04.2011
7. Application submitted to Karnataka State Pollution Control Board, dated 21.02.2012
8. Copy of the amended lease agreement dated. 14.03.2018

Subject: Requesting to terminate the proposed port at Kasarakod village by Honnavar Port Pvt Ltd (HPPL).

Respected Sir/Madam,

We are the fisher folks and residents of Kasarkod-Tonka village living beside the banks of the Sharavathi river. This is with reference to an order issued by the Honourable High Court of Karnataka on 24.11.2021 regarding Honnavar Port. The Karnataka High Court directed the petitioners to approach the Principal Secretary, PWD, Port and Inland Water Transport Department, to raise their grievances regarding the Honnavar port matter. Therefore, through this letter we, the petitioners in the matter are bringing the following illegalities which befell during implementation of the project to your kind attention:

- A. The lease agreement dated 11.10.2010 and the amended lease agreement dated 14.03.2018 is viable for termination due to non-compliance with the terms and conditions of the lease agreement
- B. The project location is highly vulnerable to erosion and the sand pit is constantly changing its topographies every year.
- C. The project location is also subject to land ownership conflicts between local residents and the company.

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D. The project is located in turtle nesting areas and causing damage to local environment, fisheries and other livelihood.

Previously we have approached you regarding the Honnavar port matter in March 2021 and conveyed our grievances to you. Through this letter we would once again bring to your attention that we have been living in this village for several years and we have been dependent on fishing and fisheries related activities for generations. The adjacent area is also identified as a mangrove conservation area by the Karnataka Forest Department and the government has constructed mangrove tourism facilities nearby. The entire region supports ample livelihood opportunities, traditional fishing activities along with rich mangrove diversity and tourism opportunities. It is also known for nesting of Olive Ridley turtles and the turtle nesting area overlaps with the project location including the area marked for breakwater construction and dredging. On the other hand, the project area is located in a highly fragile sand pit which is vulnerable to erosion. This was witnessed when the Tauktae cyclone damaged the Kasarkod coast and project area this year (**Annexure: Photographs of erosion**).

Considering all these facts and above listed illegalities we are requesting you to kindly withdraw the Honnavar port project and kindly issue an order to terminate the lease agreements dated 11.10.2010 and 14.03.2018. We are providing a detailed explanation of illegalities of the project with evidence for your review:

A. The lease agreement dated 11.10.2010 and the amended lease agreement dated 14.03.2018 is viable for termination due to non-compliance with the terms and conditions of the lease agreement:

As per Karnataka government's Order No. PWD 190 PSP 2009 dated 18.03.2010, the state has granted the 5 acres of land in the Honnavar Port region (which is at the Honnavar town) to the M/S North Canara Seaports Private Limited and GVPR Engineers Ltd -Consortium on lease for a period of 10 years (**Annexure: Order dated 18.03.2010**) for development of anchoring facilities. Based on this order, the Directorate of Port and Inland Water Transport Department, Karwar entered into an agreement with M/S North Canara Seaports Private Limited on 11.10.2010 (**Annexure: Copy of the lease agreement**). This agreement was transferred to M/S Honnavar Port Pvt Ltd without any alteration whatsoever on 17.04.2011 (**Annexure: Copy of the transfer letter dated 17.04.2011**). This indicates that M/S Honnavar Port Pvt Ltd is responsible for carrying out the activities approved as per the aforementioned

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government orders and lease agreement. As per the lease agreement and the government orders, the project proponent is only allowed to construct 8 components which are collectively referred to as the project. These are:

- a. A jetty of 200-220 mts length and 5-6 mts width at the Honnavar port side, which is in the Honnavar town.
- b. Reclamation of 40,000 square mts of land for the above jetty.
- c. Reclamation of 36,000 square mts of land under the Honnavar Bridge for a vehicle terminal.
- d. Reclamation of the low-lying area in the corner of the Sharavathi Bridge and construct a road of 1560 square mts to give entry to the Port from NH 17.
- e. A jetty of 200-220 mts length and 5-6 mts width at the Kasarkod side of Honnavar Port.
- f. Improvement of the area of 40,000 square mts in the backup area of the Kasarkod jetty.
- g. Construction of a channel by dredging 2.5 km long and 5-6 mts deep.
- h. Construction of a 500 mts long break water.

Despite these activities being specified and the area earmarked for these specific components being clearly earmarked, the following illegalities need to be pointed out which would indicate non-compliance with the conditions of the lease agreement:

- A. The current port construction is being carried out at the Pavinakurva sand pit area and road construction is at the eco-beach area which is not as per the approved orders and lease agreement.
- B. The preamble of the Karnataka Government's proceedings state that 364500 sq mt area is reserved for improvement anchorage operation at the Kasarakod jetty. However in the actual government order No. PWD 119 PSP, Bangalore dated 22.09.2010 the point no (vi) states that only 40000 sq mts area is given permission for the anchorage purpose at Kasarkod jetty for the first phase. That would be around 10 acres but the project is claiming 93 acres in that area which is a clear violation of terms mentioned in the government order No. PWD 119 PSP, Bangalore dated 22.09.2010. Further it is also not clear where the

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Kasarkod jetty which they are referring to is located since the actual Kasarkod jetty is located 3 km away from the project site.

- C. Further as per the lease agreement (both 2011 and 2018) also the point no VI confirms that permission is given for only 40000 sq mt (around 10 acres) not the 93 acres at the Kasarkod side jetty. Same is mentioned in the Schedule attached with lease agreements. However, Honnavar port private limited has acquired 93 acres of land in the South side of the Sharavati river which is ten times higher than the land approved in the lease agreement. In reality the land area acquired by the M/S Honnavar Port Pvt Ltd is much higher than the land that has been approved in the government Order No. PWD 190 PSP 2009 dated 18.03.2010 and lease agreement documented dated 11.10.2010 and 14.03.2018. Therefore, the location of the project has also been altered due to excessive land encroachment in Kasarkod and Pavinakurva beach.

As a result of the above mentioned non-compliance, the following violations of conditions specified in the lease agreement have been identified, which would make the lease agreement liable for cancellation:

- Condition 7 and lease agreements condition 43 clearly stated that the "*lessee shall use the road available in Kasarkod side as shown in the map*". However, the project authorities are constructing the road on the Kasarkod and Pavinakurva beach which is contrary to the terms agreed in lease agreement.
- Condition no 14 of the lease agreement states that "*lessee shall not encroach upon any land, river or sea portion around the said premises*", but the project authorities have encroached upon the common and private land designated for fishing and fish drying (**Annexure: RTC documents**).
- Condition number 42 states that "*if there is any alteration in the original approval plan and design submitted by the company the lessee shall take prior approval of the port authority prior to commencement of construction and reclamation*". The construction of the 4 km long approach road along the Kasarkod beach was not part of any government approvals, lease agreement and environmental clearance. There was no permission obtained from PWD, Port department and panchayat for road construction carrying out for the project. This clearly validates that the Honnavar Port Pvt Ltd has violated several norms

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of the lease agreement and did not comply with government order No. PWD 190 PSP 2009 dated 18.03.2010 while implementing the project that has caused grave injustice to the local residents.

- Condition no 44 states that *"for violation of any above terms and conditions by the lessee the port authority is at liberty to cancel/terminate this agreement by Termination issuing a notice and cause the lessee to forfeit premises along with building and structures"*. In this case the lessee has clearly violated the several terms of the lease agreement by encroaching excessive land and altering the project design without prior approval and therefore the lease agreement shall be terminated as per the clause 44 of the lease agreement

B. The project location is highly vulnerable to erosion and the sand pit is constantly changing its topographies every year:

The project area is located on a highly fragile sand pit which is highly vulnerable to beach erosion. Any alteration to the beach and construction on the edge of the sand pit will damage the landscape severely. This was witnessed recently when the Tauktae cyclone hit the Western Coast. Since the port project has done construction of bunds and breakwater in the middle of estuary and beach, the impact of the cyclone was faced by our villages. Due to heavy rain, strong waves and floods the area witnessed intensive sea erosion which damaged around 12 houses and all the electrical poles (**Annexure: Photographs and Newspaper reports**).

The cyclone has also affected the construction structures built by Honnavar Port Pvt Ltd and the entire bund had collapsed by the flooding that damaged the Kasarkod beach. This clearly shows the lack of risk assessment by the port authorities during the Environmental Impact Assessment (EIA) process. Chapter 4.7.2 of the EIA report deals with disaster management plans and it only refers to ship accidents, fire safety and oil spills. The EIA study fails to mention any measures related to sea erosion, flooding and coastal calamities. It is unfortunate that this project is being built on eroded sand pits and it does not consider the impact of natural calamities in an area which receives heavy rainfall for 105 days in a year. If any further construction is allowed in this area, the beach and estuary will be severely affected thus affecting our livelihood and wellbeing.

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Further, the landscape of the sand pit where the project is being constructed has been undergoing changes regularly and this will cause damage to the proposed project properties as well (**Annexure: The satellite images of the area from 2000 to 2020**). The high eroding nature of these areas, where the port construction is also proposed, has been clearly noted by the Shoreline Change Atlas of the Indian Coast prepared in May 2014 by ISRO and Coastal Erosion Directorate under Ministry of Water Resources, GOI notes "*extensive erosion visible from the steep cut of sand dunes*" and "*terrestrial vegetation getting destroyed due to erosion*" near Kasarkod (**Annexure: Copy of Study**). Any port construction on high eroding areas are prohibited activities as per Para 3 (viii) of the Coastal Regulation Zone (CRZ) Notification of 2011 and also as per Para 4 (vii) of the CRZ Notification of 2019. Therefore, this authority should exercise its powers as entrusted by the High Court and stop any further illegal construction by Port authorities to ensure that there is no misuse of legal procedures resulting in the destruction of coastal ecology and productive coastal based livelihoods.

C. The project location is also subject to land ownership conflicts between local residents and the company:

At present M/S Honnavar Port Pvt Ltd is carrying out construction at the sand pit and beach area located at the Pavinakurva and Mallukurva village as per the revenue records. As per the revenue records the around 93-0-0 acres of land has been allocated to Karnataka government and recorded as survey number 305. Upon examining the land records, it was discovered that the survey number 305 is not updated in the village revenue maps and any other government records. Regarding the land in question only RTC is available mentioning the survey number 305 and other documents such as settlement of rights, mutation entry and proceedings are not available. In addition the current project areas also includes several private revenue lands that are overlapping with survey number 305. As per the revenue records the project areas that are designated for construction of berths, road, break water and dredging includes the private lands of Pavinakurva and Mallukurva village (**Annexure: Revenue maps**). In addition, a civil suit has been filed in Honnavar court (**Annexure: Copy of Petition**) by land owners against the port authorities for illegal encroachment of land. From all the above-mentioned documents it is evident that there have been several irregularities

related to the project land and approved location and therefore the project is liable for termination.

D. The project is located in turtle nesting areas and causing damage to local environment, fisheries and other livelihood:

Kasarkod beach has been a nesting ground for Olive Back Logger Head Turtle (*Lepidochelys olivacea*) for over 3 decades, and as recently as on April 4th 2021, more than 125 hatchlings emerged from 2 of the 3 nests which have been seen there since February 2021. None of this has been disclosed by the project proponent to the PWD and forest department. The proposed Honnavar port is within 100m distance from the turtle nesting grounds and a 45m wide road is being constructed exactly on the beach where the Olive Back Logger Head Turtle (*Lepidochelys olivacea*) have laid their eggs this year. Therefore, the continuation of the project will create wildlife related conflicts. The region also supports abundant livelihood opportunities in fishing related activities. Around 4000 fisherfolks are directly dependent on fisheries and 3000 members of the fishing community depend on fish drying and trading in this region. Mostly women are involved in fish drying and fish trading. Communities also use the beach and riverbanks for boat parking, boat repair and net mending purposes in all seasons. In addition to that, the Government of India has recognised Kasarkod beach as a blue flag beach to promote sustainable tourism in September, 2020. The adjacent area is also identified as a mangrove conservation area by the Karnataka Forest Department and the government has constructed the mangrove tourism facilities nearby. Thus, the entire region supports the ample livelihood opportunities, traditional fishing activities along with rich mangrove diversity and tourism opportunities. Allowing for construction especially when components such as the road being used to connect the port to NH 17 do not have an environmental clearance will be a disaster for the ecology of the area and the lives and livelihoods of the people living in it.

Examination of all above facts, clearly proves beyond any reasonable doubt that the project in question has several irregularities with respect to land, design, implementation and violations of lease agreement. It is certain that commencement of the project will take away all the common land available in the region and inevitably increase the conflict between the people and port authorities. Also, such massive construction on a highly eroding beach will also affect the project structures in the long run and will damage the land designated for fishing and

common use. Therefore, in larger public interest we request you to kindly terminate the lease agreement dated 11.10.2010 and 14.03.2018 and kindly issue an order to stop all the construction activities immediately.

Yours Sincerely


President
Honnavar Taluka Hasi Meenu Vyaparasthara Sangha

Date: 27/01/2022

Attached:

1. Karnataka High Court Order dated 24-11-2021
2. Karnataka Government Order No. PWD 190 PSP 2009 dated 18.03.2010
3. Karnataka Government order No. PWD 119 PSP, 2010 dated 22.09.2010
4. Karnataka Government Proceeding, dated 2010
5. Lease agreement dated 11.10.2010
6. Karnataka Government order regarding lease agreement transfer dated 17.04.2011
7. Application submitted to Karnataka State Pollution Control Board, dated 21.02.2012
8. Copy of the amended lease agreement dated: 14.03.2018

Principal Chief Conservator of Forests
(Wildlife) & Chief Wildlife Warden,
Karnataka.



Office : 080-23341993
Fax : 080-23346389
E-mail: pccfwl@gmail.com
Aranya Bhavan, 2nd Floor,
18th Cross, Malleswaram,
Bangalore-560 003
Date: 22-06-2020

No. PCCF/WL/D/CR-78/2020-21

To,

The Assistant Executive Engineer,
Port Sub Division,
Honnavar.

Sir,

Sub: Diversion of 0.76 ha. Of forest land in Kasarkod Village F.Sy No. 233 & 237, Manki Hobli, Honnavar Taluk, Uttara Kannada Dist for Approach Road from NH-66 to Kasarakod side of Honnavar Port in favour of the Assistant Executive Engineer, Port Dept. Honnavar.

- Ref:** 1 Letter No. KFD/HOFF/A52K(GFL)/47/2019FC dated: 17.06.2021 of the Principal Chief Conservator of Forests (Forest Conservation), Bengaluru.
- 2 Letter No. B2/GFL/FCA/Approach Road/CR-29/2020-21 dated: 05.06.2021 of the Chief Conservator of Forests, Canara Circle, Sirsi.
- 3 Letter No. B2/GFL/FC/CR-20/2020-21 dated: 21.05.2021 of The Deputy Conservator of Forests, Honnavar Division, Honnavar.

* * *

Adverting to the letter cited under referance on the subject, the Wildlife Mitigation Measures in respect of the above project prepared by the Assistant Executive Engineer, Port Dept. Honnavar, in consultation with Deputy Conservator of Forests, Honnavar Division has been recommended and submitted through the Chief Conservator of Forests, Canara Circle, Sirsi. The said Wildlife Mitigation Measures is reviewed and approved as under,

Mitigation Measures

Sl No	Particulars	Amount (in lakhs)
1	one underpass at chainage 2272 mtr for ensure safe and smooth movment/passage of animals	The execution and cost of the work to be borne by the user agency.
2	Box culvert at chainage 2491	
3	Either side rtaining wall from chainage 2272 m to 2491.	
Additional Mitigation Measures (On Annual basis)		
4	Protection of turtle nesting area i.e, to build barricades around the nesting area during breeding season.	2.00
5	Watch and Ward (02 person) during breeding season.	2.00
Total		4.00

Wildlife Mitigation Plan for Rs. 4,00,000 (Four Lakhs only) has been approved & conditions imposed above also be executed by user agency. Designs of proposed structures should be approved by the Deputy Conservator of Forests, Honnavar Division has been recommended and submitted through the Chief Conservator of Forests, Canara Circle, Sirsi. A copy of Wildlife Mitigation Plan is enclosed for necessary action.

Your's faithfully,

[Handwritten Signature] 22/6/21

Principal Chief Conservator of Forests,
(Wildlife), & Chief Wildlife Warden,
Bangalore.

[Faint mirrored text from the reverse side of the page, including references to wildlife mitigation plans and forest divisions.]

Sl No	Particulars	Amount (in Lakhs)
1	one boundary at change 2272 m for ensure safe and smooth movement of the work to be done	
2	Further side railing wall from change 2272 m to 2491	
3	Wash and water (60) cement during building season	
4	Provision of work during night for 2000	
	Address: Mitigation Measures (Or Annual Plan)	
		200
		400

GOVERNMENT OF KARNATAKA

No: PWD 293 PSP 2010

Karnataka Government Secretariat,
Vikasa Soudha,
Bangalore, Dated :07.04.2011.From :The Principal Secretary to Government,
Public Works, Ports and Inland Water Transport Department,
Vikasa Soudha, Bangalore.ToM/s. North Canara Seaports Private Limited
and GVPR Engineers Limited - Consortium,
8-2-276, 1st Floor, Road, No.2
Banjarahills, Hyderabad-500033 AP INDIA.

Dear Sir,

Sub:- Request for transfer of rights and obligations etc., in
Lease Agreement dated 07.04.2010 and Lease
Agreement dated 11.10.2010 in favour of SPV
Honnagara Ports Private Limited.

- Ref:1. Government Order No. PWD 190 PSP 2009 dated
18.3.2010.
2. Lease agreement for use of Port land for port related
activities at Honnagara Port dated 7.4.2010.
 3. Government Order No. PWD 119 PSP 2010 dated
22.9.2010
 4. Lease Agreement for use of Port land for Port related
activities and Anchorage operations dated
11.10.2010.
 5. Your request letter dated 4.11.2010 and 16.3.2011.
 6. Letter No. PIWT-62/LND-2/2010, Dated 20.12.2010
from the Director of Ports and Inland Water
Transport, Karwar.

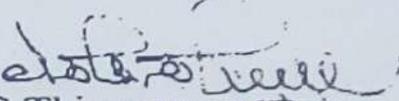
With reference to the above, I am directed to state that permission is
accorded to transfer the subject matter of the Lease Agreement dated
7.4.2010 and Lease Agreement dated 11.10.2010 with all its recitals / tenets

-2-

without any alteration whatsoever, in favour of Special Purpose Vehicle (SPV) i.e. M/s. Honnavar Ports Private Limited.

Henceforth, the M/s. Honnavar Ports Private Limited shall become the legal entity for implementing the recitals / tenets of Lease Agreement dated 7.4.2010 and Lease Agreement dated 11.10.2010 as requested by M/s. North Canara Sea Ports Private Limited and M/s. GVPR Engineers Limited Consortium, Hyderabad. Whatever liabilities are there due to the above agreements will be as it is transferred to M/s. Honnavar Port Private Limited (SPV) without any change and it will be binding on M/s. Honnavar Port Private Limited (SPV) immediately after its transfer.

Yours faithfully,


(S. Thippeswamy)

Under Secretary to Government
Public Works, Ports and Inland Water
Transport Department (Port

Copy to Director of Ports and Inland Water Transport Department
for information and necessary action.

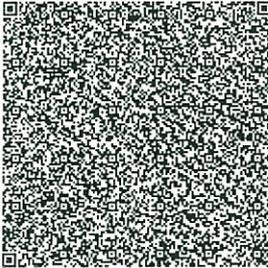


सत्यमेव जयते

INDIA NON JUDICIAL Government of Karnataka

e-Stamp

Certificate No. : IN-KA16308678754029Q
 Certificate Issued Date : 12-Mar-2018 03:02 PM
 Account Reference : NONACC (FI)/ kaksfcl08/ KARWAR4/ KA-KW
 Unique Doc. Reference : SUBIN-KAKAKSFCL0880777318684621Q
 Purchased by : M S HONNAVAR PORT PRIVATE LTD
 Description of Document : Article 12 Bond
 Description : FOR REGISTRATION OF LEASE AGREEMENT
 Consideration Price (Rs.) : 0
 (Zero)
 First Party : DIRECTOR OF PORTS AND IWT DEPT KARWAR
 Second Party : M S HONNAVAR PORT PRIVATE LTD
 Stamp Duty Paid By : M S HONNAVAR PORT PRIVATE LTD
 Stamp Duty Amount(Rs.) : 100
 (One Hundred only)



.....Please write or type below this line.....

Annexure to Government order No:PWD 05 PSP 2013, Dated 16.01.2018

FORM - B

[See Rule 25-(2)]

AMENDED AND RESTATED LEASE AGREEMENT FOR USE OF PORT LAND FOR PORT RELATED ACTIVITIES AND ANCHORAGE OPERATIONS AT HONNAVAR PORT

This indenture (hereinafter referred to as the "Agreement" or "Amended and Restated Lease Agreement") made on the 14th day of March Two Thousand Eighteen between the **Governor of Karnataka** represented by the Director of Ports and Inland

For HONNAVAR PORT PRIVATE LIMITED



**DIRECTOR OF PORTS & I.W.T
KARWAR**

Statutory Alert:

1. The authenticity of this Stamp Certificate should be verified at "www.stampestamp.com". Any discrepancy in the details on this Certificate and as available on the website renders it invalid.

2. The onus of checking the legitimacy is on the users of the certificate.

Water Transport in Karnataka (hereinafter referred to as the "Port Authority" or the "Lessor" which expression, shall where the context so admits be deemed to include his successors and permitted assigns) of the **ONE PART**

And

M/s. Honnavar Port Private Limited (transferee [vide the Government of Karnataka Order No. PWD. 293 PSP 2010 dated April 7th 2011] of all rights of M/s. North Canara Sea Ports- GVPREL- Consortium, Hyderabad (the '**Original Lessee**') under the lease agreement dated October 11, 2010 (the '**Original Lease**') a company registered under the Companies Act, 1956 with its Corporate Identity Number U74140KA2010PTC053064 and having its registered office at #103, Lalehzar Apartments, 45/1-2, Palace Road, Bangalore 560 001, Karnataka, India(hereinafter referred to as the "Lessee") which expression shall where the context so admits so be deemed to include its successors and assigns, the representative heirs and legal representatives) of the **OTHER PART**.

Each of the Port Authority/Lessor and the Lessee are referred to individually as a "Party" and collectively as the "Parties".

WHEREAS

- A. The Original Lessee had applied to the State Government of Karnataka for obtaining licence to use port land specified in **Schedule A** here underwritten and shown in the plan attached for the purpose of port related activities and to carry out the anchorage operations at Honnavar Port and the Government of Karnataka has accorded the necessary sanction in the matter under its order No. 119 PSP 2010 dated September 22, 2010 ("**Government Order**").
- B. In terms of the said Government Order, 8, 47,560 Sq. Mts. (as approved and indicated in the maps annexed as plan "A" & "B" therein) of the port land is kept reserved to facilitate M/s. North Canara Sea Ports- GVPREL- Consortium, Hyderabad to develop infrastructure by constructing jetty in Honnavar Port and at Kasarkod side of Honnavar Port to carry on anchorage operations subject to obtaining approval from the competent concerned authorities/departments.
- C. Thereafter the Original Lessee entered into the Original Lease with the Government of Karnataka to develop the infrastructure as mentioned below and to carry out anchorage operations at the proposed project, at Honnavar Port and Kasarkod side of Honnavar Port for a period of 30 (thirty) years.
- (i) Construction of jetty measuring 200-220 mtrs. length and 5-6 mtrs. depth in Honnavar Port.
 - (ii) Reclamation of 40,000 sq. mtrs. Land in the first phase in the backup area of the above said jetty.
 - (iii) Reclamation of 36,000 sq. mtrs. of port land below the Honnavar Bridge in Honnavar Port for vehicle terminal.
 - (iv) Reclamation of the low laying area in the corner of Sharavathi bridge and construction of road measuring 130 x12 mtrs. (total 1,560 sq. mtrs) to give entry to Honnavar Port from National Highway – 17.

For HONNAVAR PORT PRIVATE LIMITED

Authorised Signatory



DIRECTOR OF PORTS & I.W.T
KARWAR

- (v) Construction of jetty measuring 200-220 mtrs. length and 5-6 mtrs. depth in the Kasarkod side of Honnavar Port.
- (vi) Improvement of 40,000 sq. mtrs. land in the backup area of the said Kasarkod jetty i.e. in the south side where Sharavathi river and Arabian sea joins at the spit which is naturally filled up space for anchorage operations in the first phase.
- (vii) Construction of channel by dredging 2.5 km long and 5-6 mtrs. depth.
- (viii) Construction of 500 mtrs. long break water.
(Hereinafter collectively referred to as the "**Project**")

D. Now the Lessee has approached the Lessor and requested for inclusion of certain enabling clauses to protect the interests of the Lenders providing financial assistance to the Lessee to finance construction and development of infrastructure on port lands at Honnavar as envisaged in the Lease Agreement and to fund working capital requirements with respect to the operations and management thereof. The Lessor has considered the request of the Lessee and agreed to enter into this Amended and Restated Lease Agreement in replacement of the Original Lease.

NOW THIS AGREEMENT WITNESSES

The grant of the lease for use of the Port land is subject to the following conditions:-

DEFINITIONS:

"**Debt Due**" means the aggregate of the following sums expressed in Indian Rupees on the date of termination of this Agreement in terms of Clauses 32, 45 and 46 (the "**Termination Date**"):

- (a) the principal amount of the debt provided by the Lenders under any financing document but excluding any part of the principal that had fallen due for repayment two years prior to the Termination Date;
- (b) all accrued interest, financing fees and charges payable under any financing documents on, or in respect of, the debt referred to in sub clause (a) above until the Termination Date but excluding (i) any interest, fees or charges that had fallen due one year prior to the Termination Date, (ii) any penal interest or charges payable under the financing documents to any Lender and (iii) any pre-payment charges in relation to accelerated repayment of debt.

"**Fees**" shall mean the tariff or charges levied on a vessel and/or cargo in accordance with applicable law.

"**Financial Closure**" means the date on which the Lessee fulfils all conditions precedent to the initial availability of funds under the relevant financing document(s) entered into with Lenders.

"**Force Majeure**" or "**Force Majeure Event**": means the occurrence of any unforeseeable circumstances beyond the control of the Parties against which it would have been unreasonable for the affected Party to take precautions and which the affected Party cannot avoid even by using its best efforts, which in each case directly causes either Party to be unable to comply with all or a material part of its obligations under this Agreement.

"**Insurance Cover**" shall have the meaning ascribed to it in Clause 20 hereunder.

For HONNAVAR PORT PRIVATE LIMITED


Authorised Signatory




DIRECTOR OF PORTS & I.W.T.
KARWAR

“**Lenders**” shall mean such banks and financial institutions from which the Lessee avails financing for the Project and shall also include working capital lenders.

“**Lenders’ Representative**” means the person duly authorised by the Lenders to act for and on behalf of the Lenders with regard to matters arising out of or in relation to this Agreement, and includes its successors, assigns and substitutes.

“**Port**” means the demised premises (including right of way) comprising the water front, all structures/constructions/reclaimed land including but not limited to jetty, quay wall, wharf, foundations, embankments, pavements, road surface, bridges, drainage works, sign boards, electrical systems, communication systems, administrative offices, immovable fixtures, any subsequent construction, development and augmentation.

“**Termination Notice**” means the communication issued in accordance with this Agreement by one party to the other party terminating this Agreement.

TERMS AND CONDITIONS:

1. The Lessee shall pay in respect of the land leased, monthly land rent at Rs. 15 per 10 sq. mtrs or part thereof for the land used for industrial and commercial purposes and at Rs. 4/- per 10 sq. mtrs part thereof for the use of foreshore land other than that declared as public landing place as per the schedule – F of the Karnataka Ports (landing and Shipping Fees) (Amendment) Rules, 2006 and 10 % increase annually and penalty for the belated payments as per the schedule of rates approved by the Government and as revised by the Government from time to time.
2. The Lessee shall pay all ground fees and other port related charges, such as berth hire, Port dues, Pilotage, Tug hire etc., as per the schedule of rates as fixed/revised by the Government Authorities from time to time, in the time during the lease period of the demised premises.
3. The license/lease granted under this agreement shall be for a period of 30 (thirty) years from the date of the revised Government Order.
4. The Lessee shall get plans designs and drawings and estimates prepared through qualified and reputed consultants and obtain prior approval of the designs, location plan, detailed drawings and specifications from the Port Authority prior to the commencement of the constructions/ reclamation. The Port Authority shall approve such designs, location plan, detailed drawings and specifications within 30 (thirty) days of submission by the Lessee. If within such 30 (thirty) day period, the Port Authority does not revert in writing with their disapproval with all reasons specified in that respect, the designs, location plan, detailed drawings and specifications as submitted shall be deemed to have been approved by the Authority. The Lessee shall commence construction of all structure and buildings according to the approved designs, drawings and specifications at the site indicated in the approved plans within 6 (six) normal months and complete the same in all respect within 12 normal months thereafter from the date of receipt of statutory clearance.
5. The Lessee shall pay the supervision charges to the Port Authority at 1% (one percent) of the estimated value of the construction prior to commencement of construction on the demised premises.

For HONNAVAR PORT PRIVATE LIMITED

Authorised Signatory



[Signature]
DIRECTOR OF PORTS & L.W.T
KARWAR

6. The Lessee shall not sublet the use of the demised premises or any buildings/Structures thereon to anybody.
7. The Port Authority may revoke the lease at any time, if the Lessee failed to deliver any wreck or cargo salvaged, to the Government, or participates either in smuggling or pilferage activities or found to possess or conceal such cargo.
8. The Lessee shall pay wharfage charges, Port dues, Berthing fees, Pilotage fees etc., to the Government from time to time as prescribed by the Government in Government Notification No. PWD 115 PSP 2001 dated May 25, 2006. The Lessee also hereby agrees that in the events of enhancement of the above rates by the State Government by notification in the Karnataka Gazette the enhanced rates shall become payable by the Lessee with effect from the date of enhancement of such rates, fees etc.
9. The Lessee shall obtain all the required permissions, no objection certificates, clearance certificates etc., from the concerned competent government authorities of the Department of Environment, Karnataka State Pollution Control Board and from any other Departments/Governmental Authorities prior to commencement of construction activities or carrying out any activities on the demised premises.
10. The Lessee shall make his own arrangements for water and electricity and other infrastructure including formation of approach road and levelling the land leased to the required level at its own cost.
11. If there are any rents, fees, taxes, royalty, cess and other charges etc., due to the State/Central Government and the Lessee fails to pay the same on demand, it shall be lawful for the Government/Port Authority to detain upon any goods or articles of the Lessee remaining in the said demised premises.
12. The Lessee shall carry out all survey and sub-soil investigations for the construction of all structures through well-qualified and reputed firms at its own cost at the demised premises and furnish the copies of such investigation and other results to the Port Authority.
13. Any relevant terms and conditions imposed on the Lessee by the Government or the Port Authority in future as and when circumstances arise shall be treated as part and parcel of this agreement and the lessee shall be bound to obey the same.
14. The Lessee shall not encroach upon any land, river or sea portion around the said demised premises or dump and refuse/hazardous articles into the sea/river.
15. The Lessee shall not assign, mortgage, sublet, transfer or part with possession of the said demised premises or any part thereof without the consent in writing of the Port Authority. *Provided however* that such consent of the Port Authority in writing shall not be required for:
 - a) mortgage of the leasehold rights over the demised premises specified in detail in **Schedule A** of this Agreement and all structures/improvements to be constructed/made thereon as well as hypothecation of all movable goods/assets, in favour of Lenders as security for the financing to be provided for the Project and any subsequent refinancing thereof; and/or
 - b) assignment of the Lessee's rights and interest to and under this Agreement and other project documents in favour of any representative of the Lenders, or any nominee of the Lenders appointed as substitute of the Lessee, on the occurrence of an event of default under the financing documents.

For HONNAVAR PORT PRIVATE LIMITED

Authorised Signatory



[Signature]
 DIRECTOR OF PORTS & L.W.1
 KARWAR

16. For any belated payments pertaining to Port charges the Lessee shall be liable to pay penalty at the rate specified in the approved schedule of rates and as revised by the Government from time to time.
17. The Lessee shall not keep or permit to be kept in the said demised premises or any part thereof any offensive, noisy or dangerous trade, business or occupation.
18. The Lessee shall not keep or permit to be kept in the said demised premises any materials of a dangerous nature, the keeping of which may contravene any law, Act, Rules or Regulations without the prior sanction of the competent authority.
19. The Lessee shall allow the Port Authority or the officers/officials deputed by the Port Authority at all reasonable times during the term of the lease to enter upon the demised premises/buildings, structures in the demised premises for the purpose of viewing and examining the state of condition thereof and for keeping watch for strict compliance of any of the terms and conditions of this Agreement.
20. The Lessee shall insure all movable/immovable properties, plants and machinery, goods, structures standing on the demised premises including third party risk insurance at its own cost with the approved insurance company (hereinafter referred to as the "Insurance Cover") and the Lessee shall arrange for timely renewal of the said insurance policy well in advance.
21. The Lessee shall keep the said demised premises in clean and sanitary condition, maintain all demarcation survey stones planted and raised the plantation as far as possible at its own cost.
22. The Lessee shall hold the Government free from all risk and responsibilities in respect of structures raised, machinery installed, goods stored etc, in the demised premises from damage or loss due to any cause.
23. The Lessee shall take all necessary precaution to ensure that environmental pollution does not take place and in case the environment Pollution takes place the Lessee shall be held responsible for the same and he has to bear all the consequential losses caused.
24. The Lessee shall comply with any rules or regulations which may be framed by the Government in connection with the checking of goods entering or leaving the said demised premises.
25. The Lessee shall agree to hand over the immovable property along with all the structures, building, pipelines etc., raised on the said demised premises to the Lessor in "as is where is condition" without claiming any compensation or concession after the expiry of the lease period of 30 (thirty) years or extended period thereof (After the expiry of the lease period the Lessee shall submit a proposal along with necessary information for the continuation of the lease. If the Government does not consider the proposal to extend the lease period the Lessee shall handover the port land and other movable and immovable property therein to the Government as is where is basis without claiming any compensation.)
26. The Lessee shall ensure that during construction and operation of other activities in the demised premises, it shall not cause any kind of hindrances or inconvenience to the Port Departmental works or to any other works.

For HONNAVAR PORT PRIVATE LIMITED

Authorised Signatory



[Signature]
DIRECTOR OF PORTS & I.W.T
KARWAR

26. The Lessee shall ensure that during construction and operation of other activities in the demised premises, it shall not cause any kind of hindrances or inconvenience to the Port Departmental works or to any other works.
27. In lieu of the buildings/ structures standing on the demised premises, the Lessee shall construct similar buildings/ structures at its own cost in the area shown by the Port Authority and as per the directions and instructions issued by the Port Authority to the entire satisfaction of the Port Authority and hand over the said buildings/structures to the Port Authority free of cost.
28. The Lessee shall pay all the existing and future rates, taxes, fees, duties, cess and royalty etc., leviable by the Central/State Government or any local authority in respect of said demised premises or activities carried on such demised premises.
29. Any change in the constitution of the Lessee's firm or business shall in no way affect the terms and conditions of this Agreement.
30. All amount due under this agreement shall be recovered by Government without prejudice of other remedies as arrears of land revenue.
31. The Lessee shall also abide by the special conditions stipulated by the Government of Karnataka and the Port Authority as and when circumstance arises.
32. If necessity arises for expropriation of the demised premises or any part thereof in interest of public services before completion of the lease period, the Lessor shall be entitled to cancel/terminate the lease over the demised premises or in respect of any part thereof including over any part or whole of any structure/construction/development built/carried out by the Lessee of the demised premises, by issuing a Termination Notice, 60 (sixty) days prior to such cancelation/termination and on payment of compensation calculated on the basis as detailed in **Part A of Schedule B** hereunder.
33. The lessee shall comply with all the terms and conditions issued in Government Order No 119 PSP 2010 dated September 22, 2010.
34. The Lessee shall comply with all the provisions of the Karnataka Landing & Shipping Fees Act 1961 and the rules framed there under.
35. The Lessee shall obtain prior permission of the Coastal Regulation Zone Authorities for the construction of any infrastructure on the said demised premises.
36. During the subsistence of this Agreement, the Lessee shall have the sole and exclusive right to operate the Port and the facilities thereat and collect Fees from any user including any vessel or vehicle using the Port and or any facility thereat.
37. If the Lessee makes delay for the payment of ground fees for more than fifteen (15) days, fine will be levied on the outstanding amount @10% (Ten per cent) per month.
38. Neither Party shall be in breach of its obligations under this Agreement or incur any liability to the other Party for any losses or damages of any nature whatsoever incurred or suffered by that other if and to the extent that it is prevented from carrying out those obligations by, or such losses or damages are caused by, a Force Majeure Event except to the extent that the relevant breach of its obligations would have occurred, or the relevant losses or damages would have arisen, even if the Force Majeure Event had not occurred (in which case this Clause 38 shall not apply to that extent).

For HONNAVAR PORT PRIVATE LIMITED

Authorised Signatory



Director of Ports & L.W.T
KARWAR

As soon as reasonably practicable following the date of commencement of a Force Majeure Event, and within a reasonable time following the date of termination of a Force Majeure Event, any Party invoking it shall submit to the other Party reasonable proof of the nature of the Force Majeure Event and of its effect upon the performance of the Party's obligations under this Agreement.

The Parties shall, and shall procure that its subcontractors (if any) shall, at all times take all reasonable steps within their respective powers and consistent with good operating practices (but without incurring unreasonable additional costs) to:

- (a) prevent Force Majeure Events affecting the performance of the either Party's obligations under this Agreement;
- (b) mitigate the effect of any Force Majeure Event; and
- (c) comply with its obligations under this Agreement.

The Parties shall consult together in relation to the above matters following the occurrence of a Force Majeure Event.

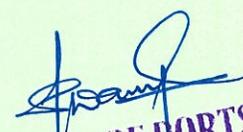
Should a single Force Majeure Event persist for a continuous period of more than 180(one hundred and eighty) days then the parties shall endeavour to agree to any modifications to this Agreement (including without limitation, determination of new charges, fees et., (if appropriate) which may be equitable having regard to the nature of the Force Majeure Event and which is consistent with applicable law or in the alternative the Lessee may terminate this Agreement, in which case the consequential provisions upon termination as stated in Clause 45 shall take effect.

- 39. The Lessee is responsible for development of additional land/acquisition of the private land at his own cost according to the prevailing rules, required for anchorage operations. The Lessee is liable to pay the ground fees to the Port Authority for the said development land as per the rules.
- 40. The Lessee shall obtain license /permission from the Forest Department, Mines & Geology and other concerned Department to store /export /import Iron Ore, Granite, Coal and Wood etc.
- 41. The Lessee shall ensure that during construction and operation of any activities in the demised premises, it shall not cause any hindrances or inconveniences or nuisance to the public.
- 42. If there is any alteration in the original approved layout plan and design, submitted by the company, the Lessee shall take prior approval of the Port Authority prior to commencement of any construction/reclamation activities.
- 43. The Lessee shall use the road available in Kasarkod side as shown in Map "C".
- 44. For violation of any of the above terms and conditions by the Lessee, the Port Authority is at liberty to cancel/terminate this Agreement by issuing a Termination Notice and cause the Lessee to forfeit the demised premises along with all the structures/building/other property standing thereon.
Provided however that on such cancelation/termination by the Lessor, the Lessor/Port Authority shall pay compensation calculated on the basis as detailed in **Part B of Schedule B** hereunder for such cancelation/termination to take effect.

For HONNAVAR PORT PRIVATE LIMITED


Authorised Signatory




DIRECTOR OF PORTS & I.W.T
KARWAR

Provided further that the Lessor shall, prior to issuing the Termination Notice, give adequate notice of its intention to issue Termination Notice to the Lenders' Representative, for enabling the Lenders' Representative to exercise the Lenders' right of substitution within a period of 180 (one hundred and eighty) days from the receipt of the Termination Notice by the Lenders' Representative. In this respect the Lessor shall confirm such right of substitution of the Lenders in writing addressed to the Lenders' Representative directly with a copy to the Lessee. If such right is exercised by the Lenders' Representative, the Lessee shall stand substituted under this Agreement with the nominee of the Lenders or a fresh lease agreement with such nominee shall be entered into on the same terms and conditions stated herein.

45. In the event the Lessor fails to fulfil any of its obligations under this Agreement, including but not limited to i) non-payment of any amounts due to the Lessee or ii) repudiates this Agreement or otherwise takes any action that amounts to or manifests an irrevocable intention not to be bound by this Agreement, the Lessee may terminate this Agreement.

Upon such cancelation/termination by the Lessee, the Lessor/Port Authority shall pay compensation calculated on the basis as detailed in **Part A** of **Schedule B** hereunder. Upon and against such payment, the Lessee shall handover the demised premises along with all the structures, building, pipelines etc., raised on the said demised premises to the Lessor in "as is where is condition".

46. The Lessee agrees that any compensation payable on termination of this Agreement shall be paid by the Lessor to the Lenders towards outstanding dues of such Lenders, during the currency of any loan facility availed for the construction and development of the Project, at their instruction to any designated bank account in India and the Lessor shall stand duly discharged of its obligation regarding payment of compensation to the Lessee.

47. Any dispute, difference or claim arising out of, or in connection with, or relating to the present contract or the breach, termination or invalidity thereof, shall be referred and settled under the Arbitration Centre, Karnataka (Domestic & International) Rules 2012, by one or more arbitrators appointed in accordance with its rules.

For HONNAVAR PORT PRIVATE LIMITED

Authorised Signatory



[Signature]
DIRECTOR OF PORTS & I.W.T
KARWAR

SCHEDULE - A

Sl No.	Taluk or Village	Area	Boundaries
a)	Honnavar, Honnavar Taluk, Uttar Kannada District	40,000 sq.mtrs [Proposed reclamation of land in 1 st phase in the back up area of the proposed Jetty measuring 200-220 mt. length and 5-6 mtrs. Depth in Honnavar Port as per map "A1"]	North: Port land South: Sharavathi River East: Sharavathi River West: Sharavathi River
b)	Honnavar, Honnavar Taluk, Uttar Kannada District	36,000 sq.mtrs [Proposed reclamation below the Honnavar Bridge in Honnavar Port for vechile terminal as shown in map"A2"]	North: Port land South: Sharavathi River East: Private/Port land West: Sharavathi River
c)	Honnavar, Honnavar Taluk, Uttar Kannada District	1560 sq.mtrs [Filling up of the low lying area in the corner of Sharavathi bridge and also to construct road measuring 130 X 12 mtrs (total 1,560 Sq. Mtrs) to give entry to Honnavar Port from National Highway-17 as shown in map "A3"]	North: Port land South: N.H. - 17 East: Sharavathi River West: Sharavathi River
d)	Honnavar, Honnavar Taluk, Uttar Kannada District	40,000 sq.mtrs [Back up area of the Kasarkod Jetty i.e. in the south side where Sharavathi river and Arabian sea joins at the spit which is naturally filled up space for anchorage operations in first phase as shown in map "B1"]	North: Sharavathi River South: Port land, East: Sharavathi River West: Reclaimed land

For HONNAVAR PORT PRIVATE LIMITED

Authorised Signatory



[Signature]
DIRECTOR OF PORTS & L.W.T
KARWAR

SCHEDULE B**PART A**

Termination payment payable in terms of Clause 32 and Clause 45 shall mean the aggregate of the following sums,

- a) Debt Due less Insurance Cover. Provided that if any insurance claims forming part of the Insurance Cover are not admitted and paid, then 80% (eighty percent) of such unpaid claims shall be included in the computation of Debt Due; and
- b) 90% (ninety percent) of the equity funded in Indian Rupees by the Lessee and adjusted on the first day of the current month (the "Reference Date"), to reflect the change in its value on account of depreciation and variations in WPI.

"WPI" means the Wholesale Price Index for all commodities as published by the Ministry of Industry, GOI and shall include any index which substitutes the WPI, and any reference to WPI shall, unless the context otherwise requires, be construed as a reference to the latest monthly WPI published no later than 30 (thirty) days prior to the date of consideration.

PART B

Termination payment payable in terms of Clause 44 shall mean an amount equal to 90%(ninety percent) of the Debt Due less Insurance Cover. Provided that if any insurance claims forming part of the Insurance Cover are not admitted and paid, then 80% (eighty percent) of such unpaid claims shall be included in the computation of Debt Due.

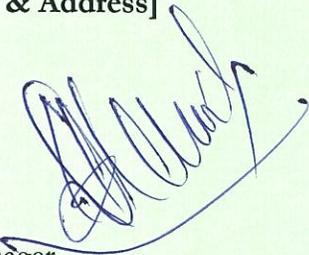
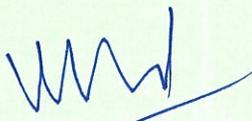
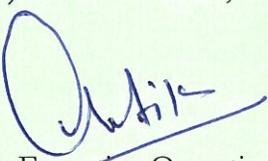
For HONNAVAR PORT PRIVATE LIMITED

Authorised Signatory



[Signature]
DIRECTOR OF PORTS & I.W.T
KARWAR

In witness thereof the Director of Ports and Inland Water Transport Department, Karwar, Karnataka, on behalf of the Governor of Karnataka and Mr. Shiva Shankar Reddy, S/o Mr.G.S.P Veera Reddy, #103, Lalehzar Apartments, 45/1-2, Palace Road, Bangalore-560001, Karnataka on behalf of M/s Honnavar Port (P) Ltd. have hereunto set their hands and seals the day and the year first above written in presence of the witnesses.

<p>Signed on behalf of Honnavar Port Private Limited. [HPPL]</p> <p>For HONNAVAR PORT PRIVATE LIMITED</p>  <p>Authorised Signatory</p> <hr/> <p>(Authorised Signatory) Name: Mr. Shiva Shankar Reddy Designation: Director. [LESSEE]</p>	<p>Signed on behalf of Governor of Karnataka</p>  <p>DIRECTOR OF PORTS & L.W.T KARWAR</p> <hr/> <p>Director of Ports and Inland Water Transport Department, Karwar, Karnataka. [LESSOR]</p>
<p>In the presence of witness: [Signature, Name & Address]</p> <p>(i).H. D Naik,</p>  <p>Administrative Manager, Honnavar Port (P) Ltd, Honnavar.</p>	 <hr/> <p>Administrative Assistant Directorate of Ports and Inland Water Transport Department, Karwar, Karnataka.</p>
<p>(ii).Roshan H. Naik,</p>  <p>Sr.Executive-Operations, Honnavar Port (P) Ltd, Honnavar.</p>	



HONNAVAR ANCHORAGE

M.A.P. - A

SCALE 1:25 000

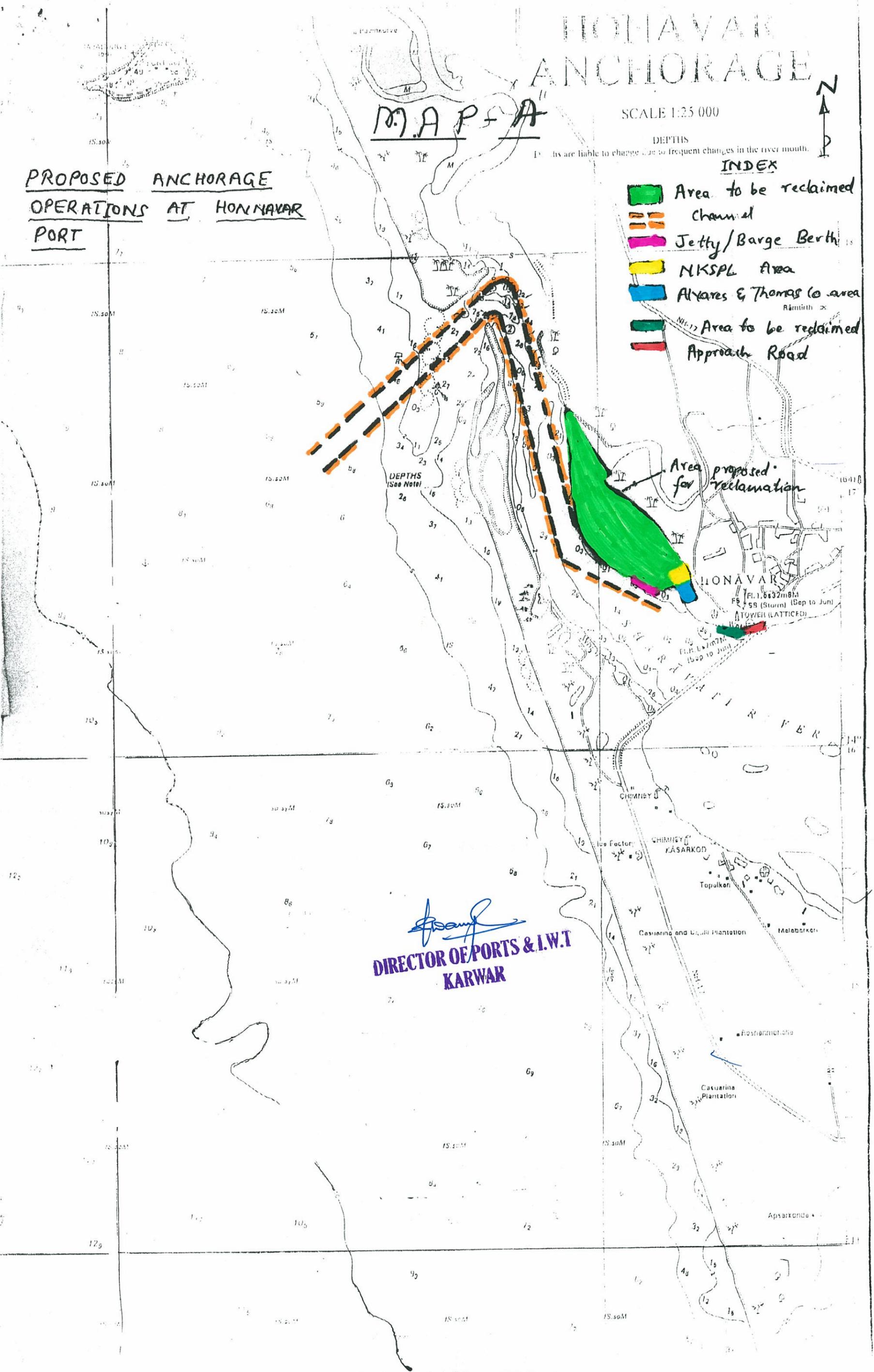
DEPTHS

Depths are liable to change due to frequent changes in the river mouth.

INDEX

-  Area to be reclaimed
-  Channel
-  Jetty/Barge Berth
-  NK SPL Area
-  Alvarez & Thomas Co. area
-  NH-12 Area to be reclaimed
-  Approach Road

PROPOSED ANCHORAGE OPERATIONS AT HONNAVAR PORT



[Signature]
DIRECTOR OF PORTS & I.W.T
KARWAR

HONAVAR ANCHORAGE

SCALE 1:25 000

DEPTHS
Depths are liable to change due to frequent changes in the river mouth

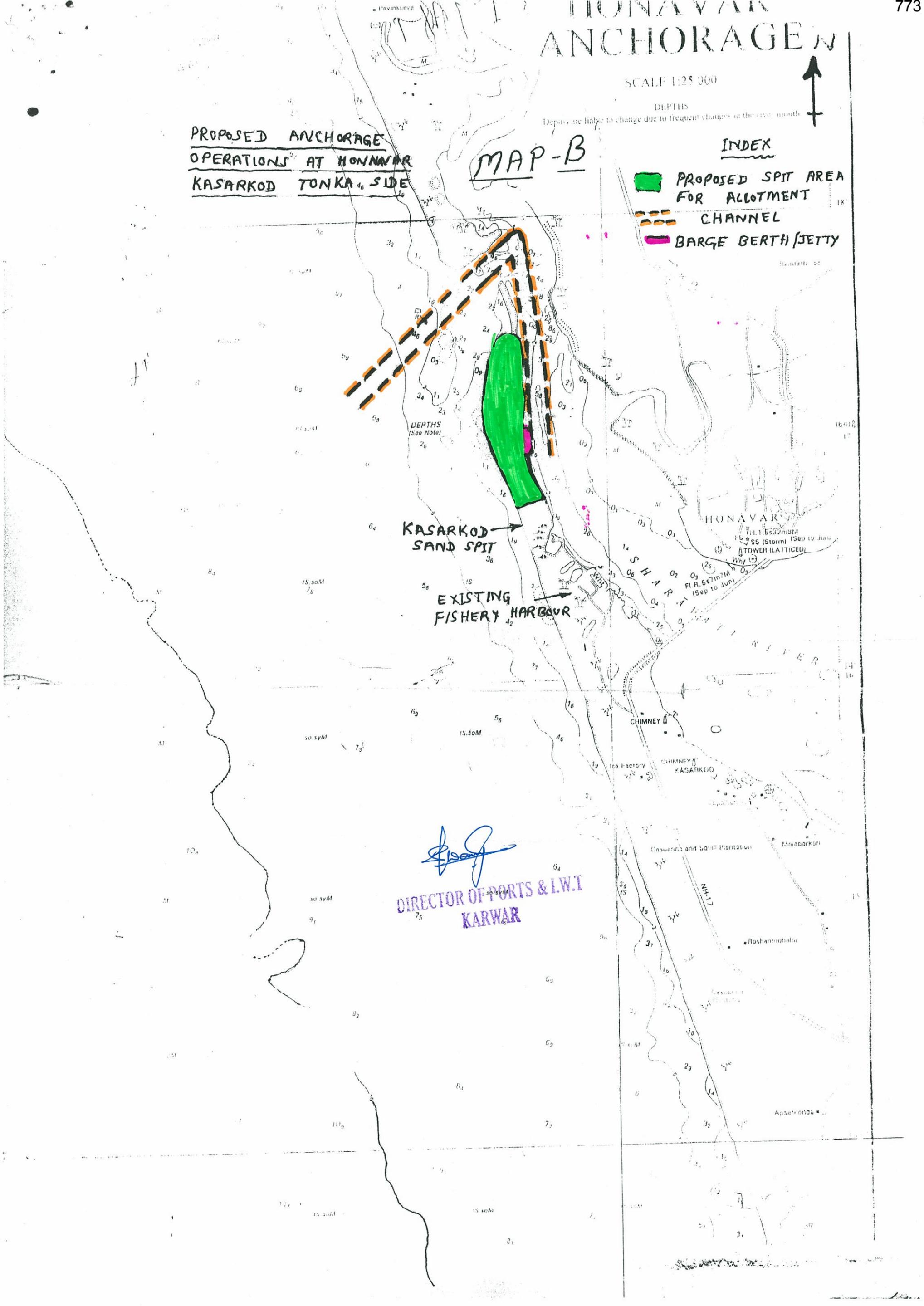


PROPOSED ANCHORAGE
OPERATIONS AT HONAVAR
KASARKOD TONKA SIDE

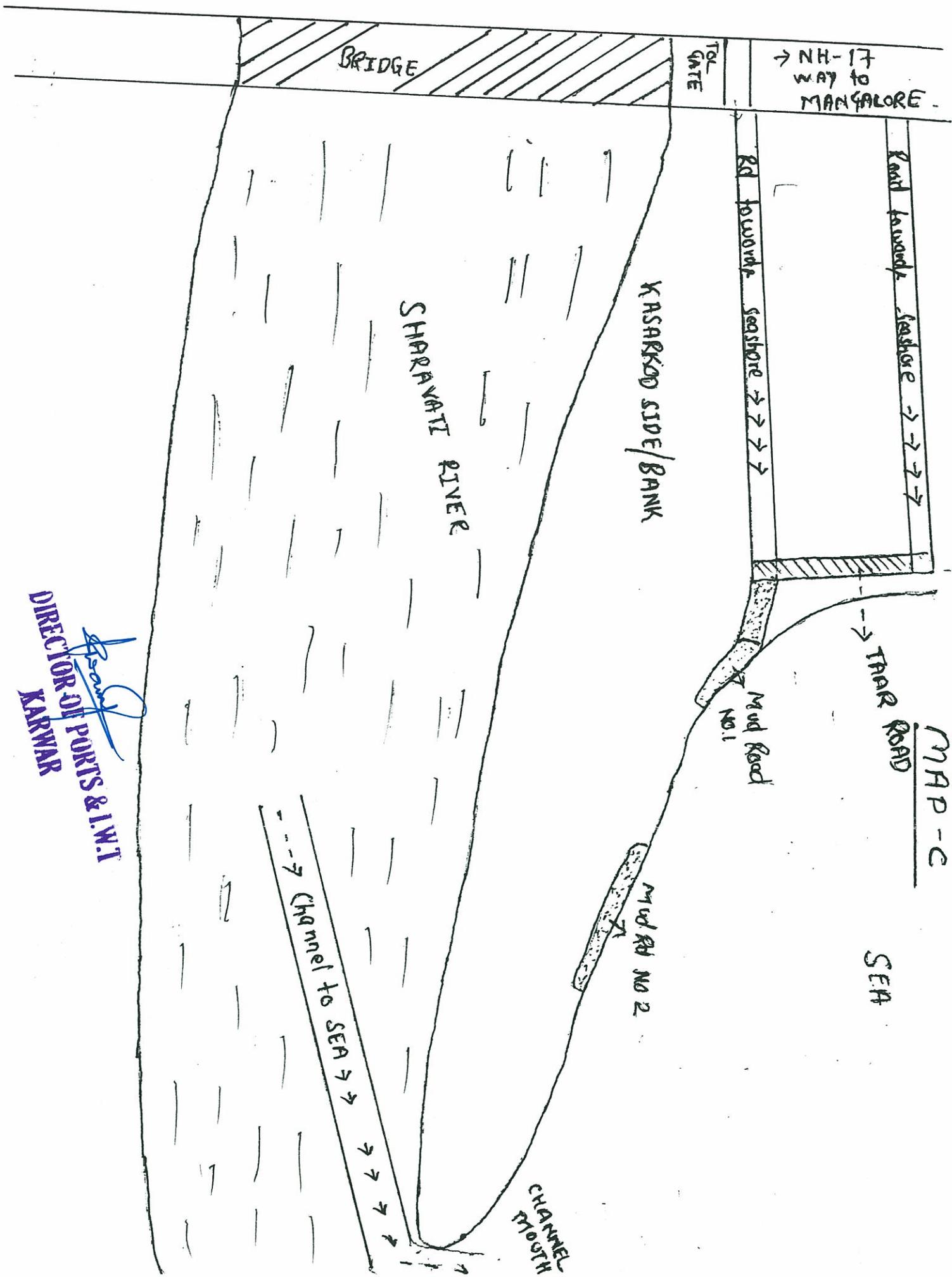
MAP-B

INDEX

-  PROPOSED SPIT AREA FOR ALLOTMENT
-  CHANNEL
-  BARGE BERTH/JETTY



[Signature]
 DIRECTOR OF PORTS & I.W.T
 KARWAR



[Signature]
 DIRECTOR OF PORTS & I.W.T.
 KARWAR

MAP - C

SEA

MAP-A-I

HONAVAR ANCHORAGE

SCALE 1:25 000

Depths are liable to change due to frequent changes in the river mouth.

INDEX

Area to be reclaimed
Channel

Jetty/Barge Berth

NISPL Area

Avioms & Thermal Co. area

Approach Road
Area to be reclaimed

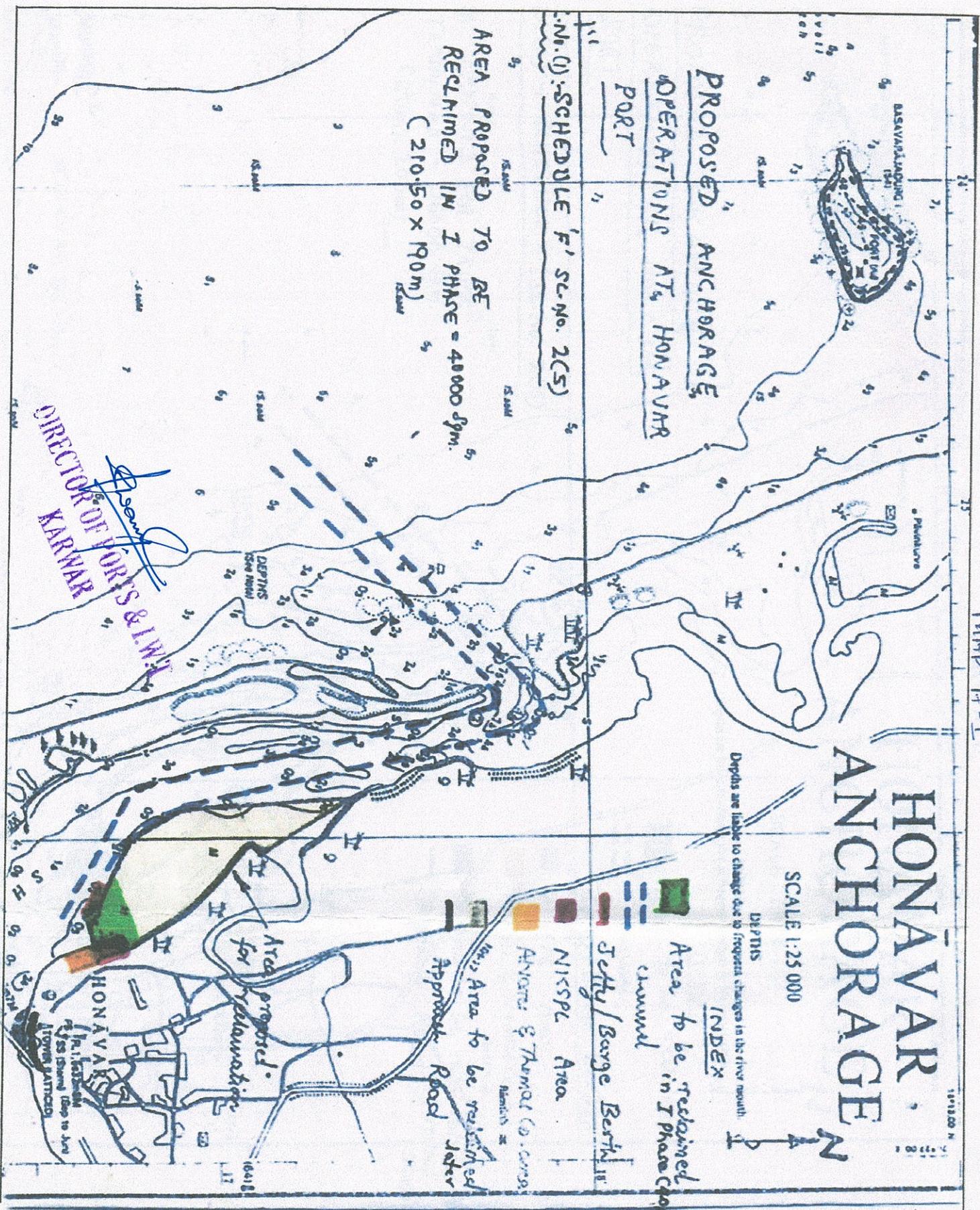
Area proposed for
reclamation

PROPOSED ANCHORAGE
OPERATIONS AT HONAVAR
PORT

IN: (U) SCHEDULE 'F' S.C. NO. 2(C5)

AREA PROPOSED TO BE
RECLAIMED IN I PHASE = 40000 sqm.
(210.50 x 190m)

Dr. S. M. Karnar
DIRECTOR OF PORTS & I.W.
KARNAR



A I

HONAVAR ANCHORAGE

SCALE 1:25 000

Depths are liable to change due to frequent changes in the river mouth

INDEX

-  Area to be reclaimed
-  crowded
-  Jetty/Barge Berth
-  NISPC Area
-  ANON & Trench Co. area
-  Area to be reclaimed for truck terminal
-  Approach Road

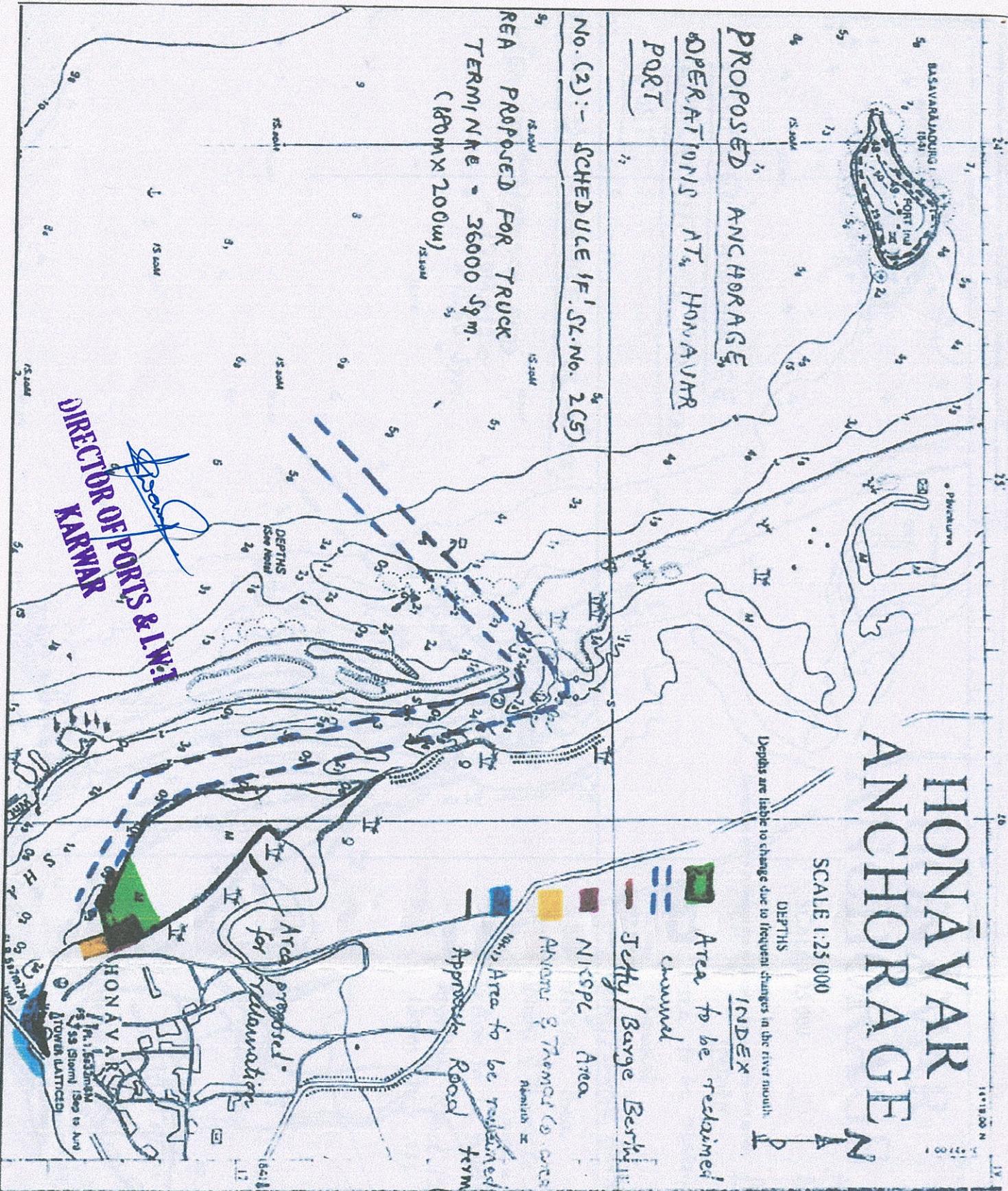
Area proposed for reclamation for truck terminal (36000 sqm)

PROPOSED ANCHORAGE OPERATIONS AT HONAVAR PORT

No. (2):- SCHEDULE 'F', S.No. 2(G)

REA PROPOSED FOR TRUCK TERMINAL - 36000 sqm. (180m x 200m)

[Signature]
DIRECTOR OF PORTS & T.W.I.
KARNAR



HONÁVÁR ANCHORAGE

SCALE 1:25 000

↑ DEPTHS
Depths are liable to change due to frequent changes in the river mouth

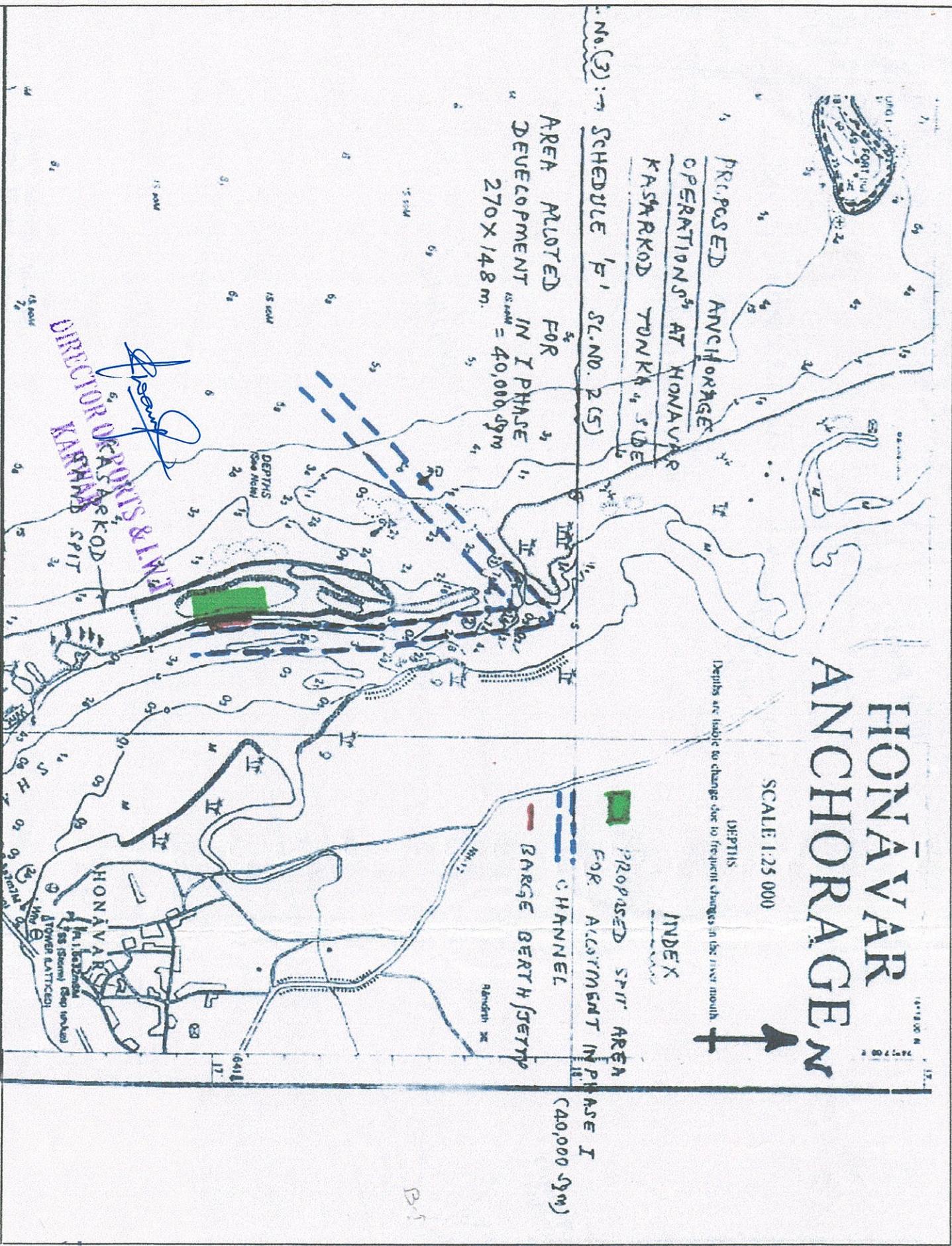
INDEX

-  PROPOSED SPIT AREA FOR ALIGNMENT IN PHASE I (40,000 sqm)
-  CHANNEL
-  BARGE BERTH SETYM

PROPOSED ANCHORAGE OPERATIONS AT HONÁVÁR KASKARKOD TUNKA SIDE

No. (3) - SCHEDULE 'B' ST. NO. 2 (5)

AREA ALLOTTED FOR DEVELOPMENT IN I PHASE 270 X 148 m.



Present

DIRECTOR OF KASKARKOD SPIT

KIRKAS 81.1.17

B-1

**GOVERNMENT OF INDIA
CENTRAL WATER AND POWER RESEARCH STATION
KHADAKWASLA, PUNE – 411 024**

MATHEMATICAL MODELLING FOR COASTAL ENGINEERING

TECHNICAL REPORT No.5048

FEBRUARY 2013

**MATHEMATICAL MODEL STUDIES FOR WAVE PROPAGATION FOR
DEVELOPMENT OF PORT AT HONNAVAR, KARNATAKA**

TECHNICAL REPORT No. 5048

FEBRUARY 2013

**MATHEMATICAL MODEL STUDIES FOR WAVE PROPAGATION FOR
DEVELOPMENT OF PORT AT HONNAVAR, KARNATAKA**

A. REPORT DOCUMENTATION SHEET	
Technical Report No. 5048	Date: February, 2013
Title : MATHEMATICAL MODEL STUDIES FOR WAVE PROPAGATION FOR DEVELOPMENT OF PORT AT HONNAVAR, KARNATAKA	
Officers Responsible for Conducting the Studies:	
Smt. A. M. Vaidya, Chief Research Officer, Smt. Sadhana Kulkarni, Senior Research Officers, Shri Santosh Kori, Assistant Research Officer under the overall supervision of Shri M. D. Kudale, Joint Director.	
Name and Address of Organization Conducting the Studies :	
Mathematical Modelling for Coastal Engineering Coastal and Offshore Engineering Laboratory Central Water and Power Research Station, Pune, India	
<i>Name and Address of Authority Sponsoring the Studies:</i>	
Director, Director of Fisheries 3 rd floor, V.V. Centre, Podium Block Dr Ambedkar Veedi Bangalore – 560 001	
Synopsis :	
<p>Honnavar Port Private Ltd (HPPL) have a proposal for development of a Port at Honnavar, Karnataka for providing berthing facilities for coal and iron ore carrying vessels of 10,000 DWT capacity. In this regard the Director of Fisheries Department, Karnataka referred the studies to CWPRS to examine the the port layout proposed by the consultant for desired wave tranquility in the harbour. The proposed layout consists of a Northern breakwater of 820m length and southern breakwater of 865m length with a channel dredged upto -10.0m depth. Mathematical model studies were carried out to assess wave tranquility in the proposed harbour.</p> <p>Transformation of ship observed data indicated that the predominant directions of wave approach at the site of development are from SSW, SW, WSW, W and WNW. The wave tranquility studies indicated that the wave heights in the harbour near the berth are in the range of 0.1 m to 0.3 m, which are within the permissible tranquility limit of 0.6 m. With the proposed breakwater layout it would be possible to operate the berths safely throughout the year.</p>	
Keywords	
Breakwater, wave tranquility, wave height, Refraction, Diffraction etc.	



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 3. SITE CONDITIONS
 - 3.1 Wave Data In Deep Sea
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 - 4.2 MIKE21-BW Model
 5. WAVE TRANQUILLITY STUDIES
 - 5.1 Wave Transformation Using Mike21-SW Model
 - 5.2 Permissible wave heights
 - 5.3 Wave Propagation Using Mike21-BW Model
 6. DISCUSSION ON RESULTS
 - 6.1 Wave Conditions at the Site of Development
 - 6.2 Wave Disturbance in the Harbour
 7. CONCLUDING REMARKS
- FIGURES



**MATHEMATICAL MODEL STUDIES FOR WAVE PROPAGATION FOR
DEVELOPMENT OF PORT AT HONNAVAR, KARNATAKA**

TECHNICAL REPORT NO. 5048

FEBRUARY 2013

1. INTRODUCTION

Honnavar Port Private Ltd (HPPL) have a proposal for development of a Port at Honnavar, Karnataka (Fig 1) for providing berthing facilities for coal and iron ore carrying vessels of 10,000 DWT capacity. In this regard the Director of Fisheries, Department of Fisheries, Karnataka referred the studies to CWPRS to examine the port layout proposed by the consultant for desired wave tranquility in the harbour. The proposed layout (Fig.2) consists of a Northern breakwater of 820m length and southern breakwater of 865m length having a clear gap of 360m in between them. The iron ore berth, coal berth and multipurpose berth are located inside the creek. The channel as well as harbor area are proposed to be dredged upto -10.0 m depth. Mathematical model studies were carried out to assess wave tranquility in the proposed harbour. Details of these studies are presented in this report.

2. SCOPE OF STUDIES

Mathematical model studies for simulation of wave propagation at Honnavar, for the proposed layout of the harbour were carried out in two stages:

- i) Transformation of wave height and wave direction while traveling from deep waters to 12m depth contour.
- ii) Simulation of wave propagation in the harbour, to compute wave heights in the harbour area.

3. SITE CONDITIONS

3.1 Wave Data In Deep Sea

In the absence of measured wave data at the site, the offshore wave data reported by India Meteorological Department as observed from ships plying in deep waters off Honnavar for 33 years were analyzed. These wave data information was considered at the offshore of the model limits. The frequency distribution of wave heights from different directions during south-west monsoon (June-September), post monsoon (October-January), non-monsoon period (February-May) and entire year (January-December) for the above offshore wave data is given in Tables 1A to 1D. Corresponding wave rose diagrams are presented in Figs. 3A to 3D.

Table 1 A
Percentage Occurrence of Wave Height & Direction off
Honnavar for South-West Monsoon Period (Jun-Sep)

WAVE HT(m)	0.5	1	1.5	2	2.5	3	3.5	4	4.5	TOTAL
DIRECTION								CALM %		.56
22.5	0.09	0	0.18	0	0	0	0	0	0	0.27
45	0	0	0.12	0	0	0	0	0	0	0.12
67.5	0	0	0.12	0	0.13	0	0	0	0	0.25
90	0	0.09	0.07	0	0.08	0.07	0	0	0	0.31
112.5	0	0	0.17	0.15	0	0.12	0	0	0	0.44
135	0.14	0.11	0.18	0.37	0.29	0.34	0	0.23	0	1.67
157.5	0.22	0.25	0.42	0.05	0.19	0.21	0	0.23	0.03	1.6
180	0.06	0.27	0.4	0.66	0.13	0.15	0.06	0.41	0.18	2.32
202.5	0.3	0.15	0.51	0.34	0.24	0.2	0.21	0.23	0	2.17
225	0.51	1.08	1.49	1.59	1.11	0.93	0.71	0.33	0.21	7.97
247.5	0.58	2.02	2.09	3.72	1.63	1.72	0.82	1.17	0.71	14.46
270	1.43	5.03	4.48	5.58	4.8	6.08	3.15	4.19	2.91	37.66
292.5	0.84	2.47	3.89	4.11	3.01	2.94	1.15	1.27	1.65	21.33
315	0.14	0.88	1.16	2.09	1.07	0.72	0.04	0.21	0.48	6.77
337.5	0.18	0.6	0.33	0.36	0.08	0.08	0	0	0	1.63
360	0.3	0.07	0	0.09	0	0	0	0	0	0.46
TOTAL	4.79	13.02	15.62	19.11	12.77	13.58	6.14	8.25	6.16	100.00

Table 1 B
Percentage Occurrence of Wave Height & Direction off
Honnavar for Post Monsoon Period (Oct-Jan)

WAVE HT(m)	0.5	1	1.5	2	2.5	3	3.5	4	4.5	TOTAL
DIRECTION								CALM %		.86
22.5	1.95	2.41	.95	1.06	.28	.16	.00	.10	.00	6.91
45	2.22	2.60	1.90	1.81	.04	.24	.00	.10	.11	9.03
67.5	1.88	2.71	1.94	.75	.33	.22	.14	.00	.00	7.96
90	2.69	3.23	1.71	.84	.19	.43	.07	.00	.00	9.17
112.5	1.55	2.00	.98	.80	.08	.35	.10	.00	.00	5.87
135	.56	1.45	.61	.48	.03	.44	.10	.00	.00	3.67
157.5	.52	.78	.99	.51	.09	.22	.10	0.03	.00	3.26
180	1.19	1.70	1.17	.97	.38	.07	.00	.17	.00	5.65
202.5	.97	.50	1.03	.92	.25	.21	.08	.00	.00	3.97
225	.50	1.17	.77	.65	.46	.04	.13	.00	.10	3.82
247.5	.90	1.82	1.57	.83	.69	.75	.10	.00	.00	6.67
270	.65	1.82	1.31	1.50	.17	.41	.00	.00	.00	5.87
292.5	1.21	1.48	1.63	.67	.13	.19	.00	.10	.00	5.41
315	1.15	2.04	.99	.47	.34	.00	.00	.00	.00	4.98
337.5	1.96	2.77	1.61	.80	.11	.10	.00	.00	.00	7.35
360	2.51	3.58	1.73	1.37	.12	.22	.00	.00	.00	9.53
TOTAL	22.43	32.05	20.91	14.44	3.70	4.05	.83	.51	.21	100

Table 1 C
Percentage Occurrence of Wave Height & Direction off
Honnavar for Non-Monsoon Period (Feb-May)

WAVE HT(m)	0.5	1	1.5	2	2.5	3	3.5	4	4.5	TOTAL
DIRECTION								CALM %		1.14
22.5	2.30	2.82	1.12	1.01	.36	.10	.16	.12	.05	8.04
45	2.10	1.40	.89	.38	.13	.17	.37	.37	.00	5.81
67.5	.62	1.34	.22	.04	.00	.22	.00	.15	.00	2.59
90	.87	1.48	.47	.60	.00	.00	.00	.28	.00	3.69
112.5	.84	1.33	.60	.40	.00	.00	.00	.05	.00	3.21
135	1.13	1.90	.86	.26	.01	.00	.00	.25	.00	4.41
157.5	1.58	1.03	1.62	.62	.25	.11	.04	.04	.00	5.32
180	1.06	1.98	.88	.76	.07	.07	.017	.10	.00	5.08
202.5	.54	.55	.96	.95	.05	.16	.05	.00	.00	3.25
225	.98	1.09	.40	.61	.34	.15	.26	.12	.12	4.07
247.5	.74	1.02	1.13	1.24	.23	.11	.00	.10	.03	4.61
270	1.30	2.10	.81	1.19	.07	.48	.00	.11	.08	6.15
292.5	1.68	2.07	1.24	.40	.33	.27	.00	.00	.00	5.99
315	3.45	3018	1.57	.85	.45	.16	.00	.00	.00	9.64
337.5	3.57	4.88	2.78	1.02	.04	.15	.00	.19	.11	12.73
360	4.78	4.99	2.28	1.10	.31	.12	.30	.20	.18	14.25
TOTAL	27.54	33.14	17.83	11.42	2.64	2.27	1.35	2.08	.58	100.00

Table 1 D
Percentage Occurrence of Wave Height & Direction Off
Honnavar for Entire Period (Jan-Dec)

WAVE HT(m)	0.5	1	1.5	2	2.5	3	3.5	4	4.5	TOTAL
DIRECTION								CALM %		6.34
22.5	1.30	1.61	.71	.62	.19	.08	.05	0.7	.01	4.64
45	1.29	1.26	.90	.67	.05	.12	.11	.13	.03	4.57
67.5	.75	1.26	.71	.26	.14	.13	.04	.04	.00	3.35
90	1.06	1.50	.75	.48	.10	.15	.02	.08	.00	4.15
112.5	.72	1.04	.57	.43	.04	.14	.03	.02	.00	2.98
135	.56	1.07	.56	.37	.12	.24	.03	.14	.00	3.08
157.5	.70	.68	.96	.42	.19	.18	.05	.09	.01	3.28
180	.69	1.22	.78	.76	.20	.10	.07	.20	.06	4.08
202.5	.54	.40	.78	.68	.18	.18	.10	.07	.00	2.93
225	.60	1.03	.86	.90	.60	.36	.33	.15	.13	4.97
247.5	.66	1.51	1.52	1.86	.86	.84	.31	.41	.23	8.21
270	1.02	2.73	2.15	2.76	1.73	2.26	1.01	1.37	.91	15.94
292.5	1.12	1.88	2.14	1.74	1.17	1.12	.40	.46	.50	10.52
315	1.42	1.91	1.23	1.13	.61	.29	.02	.07	.14	6.83
337.5	1.70	2.58	1.50	.71	.09	.10	.00	.05	.03	6.77
360	2.24	2.65	1.26	.78	.14	.10	.09	.06	.05	7.37
TOTAL	16.38	24.32	17.39	14.56	6.39	6.41	2.67	3.42	2.10	100.0

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From Table 1A and Fig. 3A it could be seen that during south-west monsoon, the waves approach predominantly from WNW, West and WSW directions with 14.46%, 37.66% and 21.33% respectively with the maximum wave heights of the order of 4.5 m. During post monsoon period [Table 1B and Fig.3B] waves approach predominantly from NE quadrant with maximum wave height of the order of 3.0 m. In the non-monsoon period [Table 1C and Fig.3C] the predominant directions of waves are from NW quadrant and the wave heights are in the range of 0.5 to 4 m. The wave climate during the entire year [Table 1D and Fig. 3D] indicates that the predominant wave directions in deep water are from SW to North with the maximum wave heights of the order of 4.5 m. These deep water wave data were transformed by MIKE 21- Spectral Wave model to get the nearshore wave climate at the port.

3.2 Tidal Levels

Tidal levels at Honnavar are given below:

Tidal Levels	
Mean High Water Spring (MHWS)	+1.8 m
Mean High Water Neap (MHWN)	+1.5 m
Mean Sea Level (MSL)	+1.2 m
Mean Low Water Neap (MLWN)	+1.0 m
Mean Low Water Spring (MLWS)	+0.4 m

4. MODELLING TECHNIQUES

For these studies, mathematical models MIKE21-SW and MIKE21-BW were used for assessment of nearshore wave field and simulation of wave penetration in the harbour respectively. Brief description of these models is given below.

4.1 MIKE21-SW Model

As waves travel from deep sea to shallow coastal waters, they undergo changes in direction and height due to the processes of refraction and shoaling. The simulation of wave transformation from deep to shallow coastal waters was carried out using Spectral Wave model MIKE 21- SW.

The model simulates the growth, decay and transformation of wind-generated waves

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and swells in offshore and coastal areas. It involves directional decoupled parametric formulation, which is based on a parameterisation of the wave action conservation equation. The parameterisation is made in the frequency domain by introducing the zeroth and first moment of the wave action spectrum. The discretisation of the governing equation in geographical and spectral space is performed using cell-centred finite volume method. In the geographical domain, an unstructured mesh technique is used. The time integration is performed using a fractional step approach where a multi-sequence explicit method is applied for the propagation of wave action.

4.2 MIKE21-BW Model

Mathematical model MIKE 21-BW was used for studying the wave disturbance in the harbour. The model is based on time dependant Boussinesq equations of conservation of mass and momentum obtained by integrating the three-dimensional flow equations without neglecting vertical acceleration. They operate in the time domain, so that irregular waves can be simulated. These equations include nonlinearity as well as frequency dispersion. The frequency dispersion is included in the flow equations by taking into account the effect of vertical acceleration and the curvature of stream lines on pressure distribution. The model simulates the processes of shoaling, refraction, diffraction from breakwater tips and bed friction. It also takes into account partial reflections from the boundaries, piers and breakwaters.

5. WAVE TRANQUILITY STUDIES

5.1 Wave Transformation Using Mike21-SW Model

The nearshore wave climate at Honnavar was obtained by transforming the ship observed deepwater wave data, using MIKE 21 SW model. Model area considered for SW model is shown in Fig. 4. Bathymetry in the model region of about 57.6 km X 50.6 km was schematized. The model was run to obtain nearshore wave climate at the Refraction Point in 12 m depth contour (Fig. 4). The wave direction and the transfer function (ratio of inshore wave height to offshore wave height) at 12m depth with 12 sec wave period with different directions of wave incidence at the offshore boundary are given in Table 2.

Table 2
Transformation from Deep to Shallow Coastal Waters

Sr. No.	Offshore Direction (Deg. N)	Inshore Direction (Deg. N)	Transfer Function (Hi /Ho)
1	22.5 (NNE)	336.7	0.2
2	45.0 (NE)	6.0	0.2
3	67.5 (ENE)	62.6	0.1
4	90.0 (E)	109.9	0.1
5	112.5 (ESE)	150.9	0.2
6	135.0 (SE)	174.0	0.2
7	157.5 (SSE)	197.0	0.3
8	180.0 (S)	209.9	0.5
9	202.0 (SSW)	219.7	0.6
10	225.0 (SW)	232.1	0.8
11	247.5 (WSW)	247.3	0.8
12	270.0 (W)	263.0	0.8
13	292.5 (WNW)	276.5	0.7
14	315.0 (NW)	287.1	0.5
15	337.5 (NNW)	300.0	0.4
16	360.0 (N)	320.2	0.3

Hi = Wave height at 12m depth

Ho = Offshore wave height

This transformation table was applied to the deep water wave data [Table 1A to 1D] to obtain the frequency distribution of waves at 12m depth for SW monsoon, post monsoon, non-monsoon and entire year [Tables 3A to 3D]. The corresponding rose diagrams are shown in Figs. 5A to 5D.

Table 3(A)
Percentage Occurrence of Wave Height & Direction at
Honnavar in 12m Depth for South-West Monsoon Period (Jun-Sep)

WAVE HT(m)	0.5	1	1.5	2	2.5	3	3.5	4	4.5	TOTAL
DIRECTION									CALM %	5.21
202.5	1.18	1.79	1.09	0.44	0	0	0	0	0	4.5
225	1.09	4.59	3.68	7.39	2.43	1.36	1.88	0	0	22.42
247.5	1.43	5.03	4.48	10.38	6.08	3.15	4.19	2.91	0	37.65
270	0.98	3.35	7.14	8.19	3.7	1.36	3.4	0	0	28.12
292.5	0.55	1.02	0.44	0.08	0	0	0	0	0	2.09
TOTAL	5.23	15.78	16.83	26.48	12.21	5.87	9.47	2.91	0	100.0

Table 3(B)
Percentage Occurrence of Wave Height & Direction at
Honnavar in 12m Depth for Post Monsoon Period (Oct-Jan)

WAVE HT(m)	0.5	1	1.5	2	2.5	3	3.5	4	4.5	TOTAL
DIRECTION									CALM %	46.69
202.5	5.53	3.37	0.63	0.08	0	0	0	0	0	9.61
225	1.4	3.76	2.22	2.02	0.88	0.2	0	0	0	10.48
247.5	0.65	1.82	1.31	1.67	0.41	0	0	0	0	5.86
270	2.36	3.52	3.09	1.14	0.19	0	0.1	0	0	10.4
292.5	8.05	7.6	1.13	0.1	0	0	0	0	0	16.88
TOTAL	17.99	20.07	8.38	5.01	1.48	0.2	0.1	0	0	100.0

Table 3(C)
Percentage Occurrence of Wave Height & Direction at
Honnavar in 12m Depth for Non-Monsoon Period (Feb-May)

WAVE HT(m)	0.5	1	1.5	2	2.5	3	3.5	4	4.5	TOTAL
DIRECTION									CALM %	34.2
202.5	5.01	2.81	0.48	0.05	0	0	0	0	0	8.35
225	1.72	2.51	1.74	1.96	0.37	0.24	0.13	0	0	8.67
247.5	1.3	2.1	0.81	1.26	0.48	0	0.11	0.08	0	6.14
270	5.13	5.25	3.66	1.18	0.43	0	0	0	0	15.65
292.5	13.34	11.35	1.68	0.33	0.3	0	0	0	0	27
TOTAL	26.5	24.02	8.37	4.78	1.58	0.24	0.24	0.08	0	100.0

Table 3(D)
Percentage Occurrence of Wave Height & Direction at
Honnavar in 12m Depth for Entire Period (Jan-Dec)

WAVE HT(m)	0.5	1	1.5	2	2.5	3	3.5	4	4.5	TOTAL
DIRECTION									CALM %	32.37
202.5	3.63	2.52	0.69	0.17	0	0	0	0	0	7.01
225	1.26	3.4	2.42	3.68	1.17	0.59	0.64	0	0	13.16
247.5	1.02	2.73	2.15	4.49	2.26	1.01	1.37	0.91	0	15.94
270	2.54	3.79	4.5	3.52	1.43	0.47	1.1	0	0	17.35
292.5	6.59	6.26	1.05	0.15	0.08	0	0	0	0	14.13
TOTAL	15.04	18.7	10.81	12.01	4.94	2.07	3.11	0.91	0	100.0

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It is seen from these studies that the predominant directions at 12m depth are from WNW, West, WSW SW. and SSW .The 99%occurenece values of wave heights (Table 2(D)) from different directions were considered for simulation of wave propagation in the harbour using MIKE 21-BW model and are as given below.

Table 4
Input Wave Conditions for Mike-21 BW Model

Wave direction (deg.N)	Wave height(m)
WNW	2
West	3.5
WSW	4.0
SW	3.0
SSW	2

5.2 Permissible Wave Heights

Table 5
Allowable Wave Heights Near The Berths
(Ipa Norms)

Type of vessels	Approximate acceptable wave heights - H_s (m)	
	Incident angle 0° (head on)	Incident angle ($45^\circ - 90^\circ$)
Conventional general cargo vessels	1.0	0.8
Container vessels	0.5	0.4
Dry bulk carrier 30-100,000 DWT (loading)	1.5	1.0
Dry bulk carrier 30-100,000 DWT (unloading)	1.0	0.8 – 1.0
Tankers 30-200,000 DWT	1.5 - 2.5	1.0 – 1.2

Table 6
Allowable Wave Heights Near The Berths
(Is-4651)

Type of vessels	Approximate acceptable wave heights - H_s (m)	
	At berth	Turning circle
General cargo	0.65	0.90
Bulk cargo	0.90	1.20
Container cargo	0.65	1.20
Dredgers	-	0.45 – 2.0

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The permissible wave disturbance at the berthing place depends on the ship size, mooring and berthing system, the method of loading and unloading used at berth and on orientation of the berth with respect to wave direction etc. In the present study keeping in view that the proposed berthing jetties would be mainly used for dry bulk carriers of 10000 DWT capacity, the permissible wave height at the berths was considered to be 0.6 m.

5.3 Wave propagation using MIKE-21 BW model

Wave propagation inside the harbour was simulated for wave conditions mentioned in Table 4 for the for the proposed harbor layout. The proposed layout consists of Northern breakwaters of 820m and southern breakwater of 865m length each having a clear gap of 360m in between them. The channel as well as harbor area is proposed to be dredged upto -10.0m depth. The bathymetry plot for the harbour area is shown in Fig. 6. Area of 6 km by 5 km was discretised with a grid size of 4 m by 4 m. Simulations were carried out for the tidal level at 1.8 m corresponding to MHWS.

Wave propagation and Wave height distribution in the channel and near the proposed berths for waves coming from WNW, West, WSW, SW and SSW directions are shown in Figs. 7 to 11, respectively. It is seen from figures 7 to 11 that wave heights in the harbour are in the range of 0.1 m to 0.3 m. Table 7 gives the average significant wave height observed at the proposed berths for different incident wave directions.

TABLE 7.
SIGNIFICANT WAVE HEIGHT AT the BERTHS

Incident Wave Direction/ Wave Height (m)	Wave Height at Berths (m)
WNW/2.0 m	0.1
West/3.5 m	0.2
WSW/4.0 m	0.3
SW/3.0 m	0.2
SSW/ 2.0 m	0.1

6. DISCUSSION OF RESULTS

6.1 Wave Conditions at the Site of Development

Wave propagation studies carried out for transformation of deep water wave conditions to 12 m depth (Fig. 4) showed that the directions of wave approach are from WNW, West, WSW, SW and SSW. At the nearshore location, during SW monsoon [Table 3A, Fig. 5A], the predominant directions of waves are from WSW, West, SW, SSW and WNW directions with percentages 37.65%, 28.12%, 22.42%, 4.5% and 2.09% respectively. High waves up to 4.0 m are encountered. From Table 3B and Fig. 5B, it could be seen that during post monsoon season, the predominant wave directions are WNW, SW, West, SSW and WSW directions with percentages 16.88%, 10.48%, 10.40%, 9.61% and 5.86% respectively and with maximum wave height of the order of 3.5 m. In non-monsoon period [Table 3C, Fig. 5C] waves approach predominantly from WNW, West, SW, SSW and WSW directions with percentages 27%, 15.65%, 8.67%, 8.35% and 6.14% respectively and waves upto 4.0 m are seen. The annual frequency distribution of waves shown in Table 3D and Fig. 5D indicates that the directions of wave approach are from West, WSW, WNW, SW and SSW with percentages 17.35%, 15.94%, 14.13%, 13.16% and 7.01%.

6.2 Wave Heights in the harbour

From Fig. 7 to Fig. 11 and Table 7 it is seen that wave heights near the proposed berths are less than 0.3m for all the incident wave conditions. Wave heights in the channel inside the harbor are in the range 0.4m at the turning circle to 1.1m at the harbor entrance. The proposed berths are to be used for iron and coal carriers of 10,000 DWT capacity. For safe operations at these berths, a wave height of 0.6m or less is desirable. Therefore it would be possible to operate these berths safely throughout the year.

1. CONCLUDING REMARKS

Mathematical model studies carried out for examining wave tranquility in the proposed harbor indicated that

- In the nearshore region of Honnavar, in 12 m depth, the predominant wave directions are from WNW, West, WSW, SW and SSW.
- With the proposed breakwater layout, wave heights are in the range 0.1 m to 0.3 m near the proposed berths and are within the permissible limit of 0.6 m. It would be possible to operate these berths safely throughout the year.

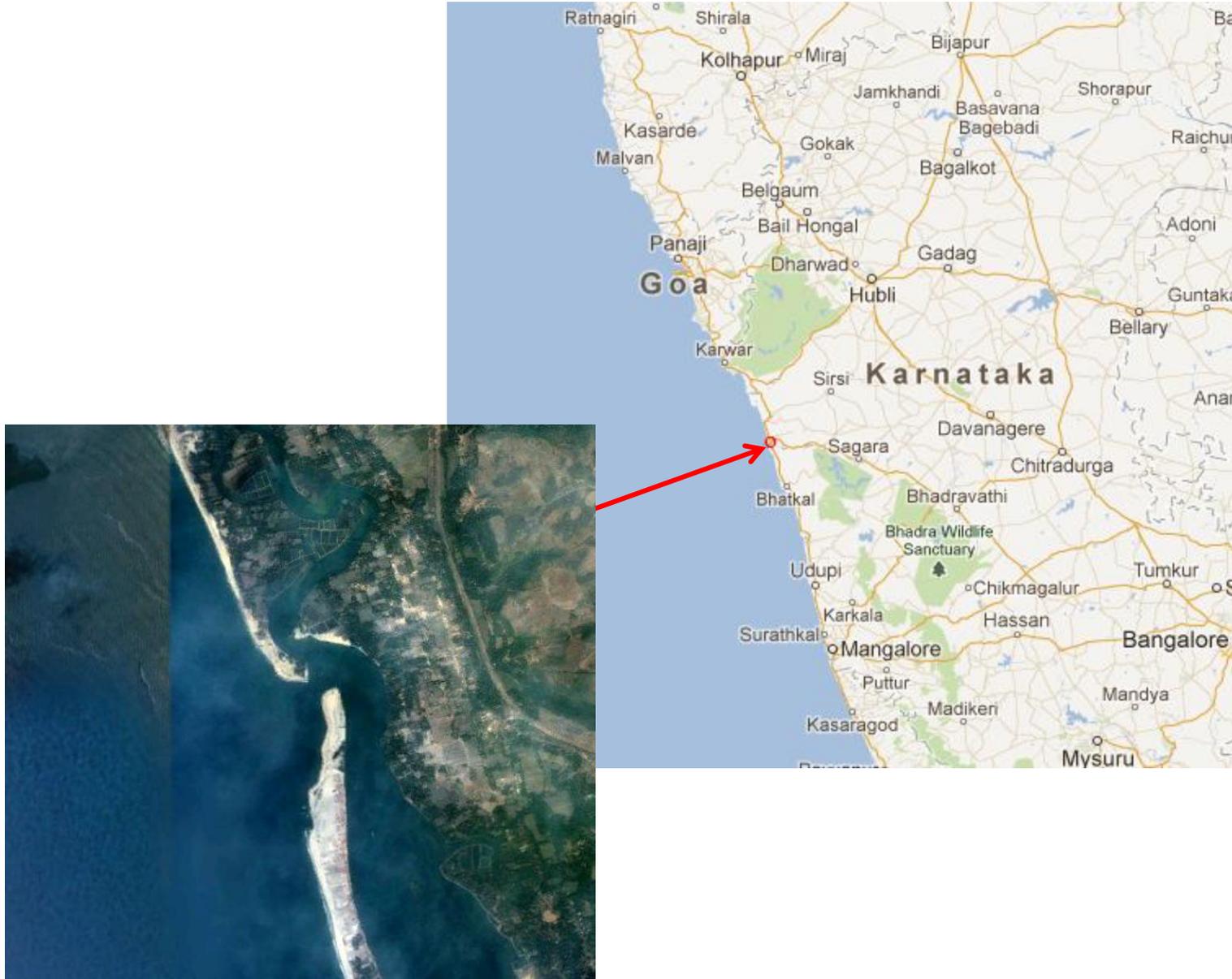


Fig 1 : LOCATION MAP OF HONNAVAR

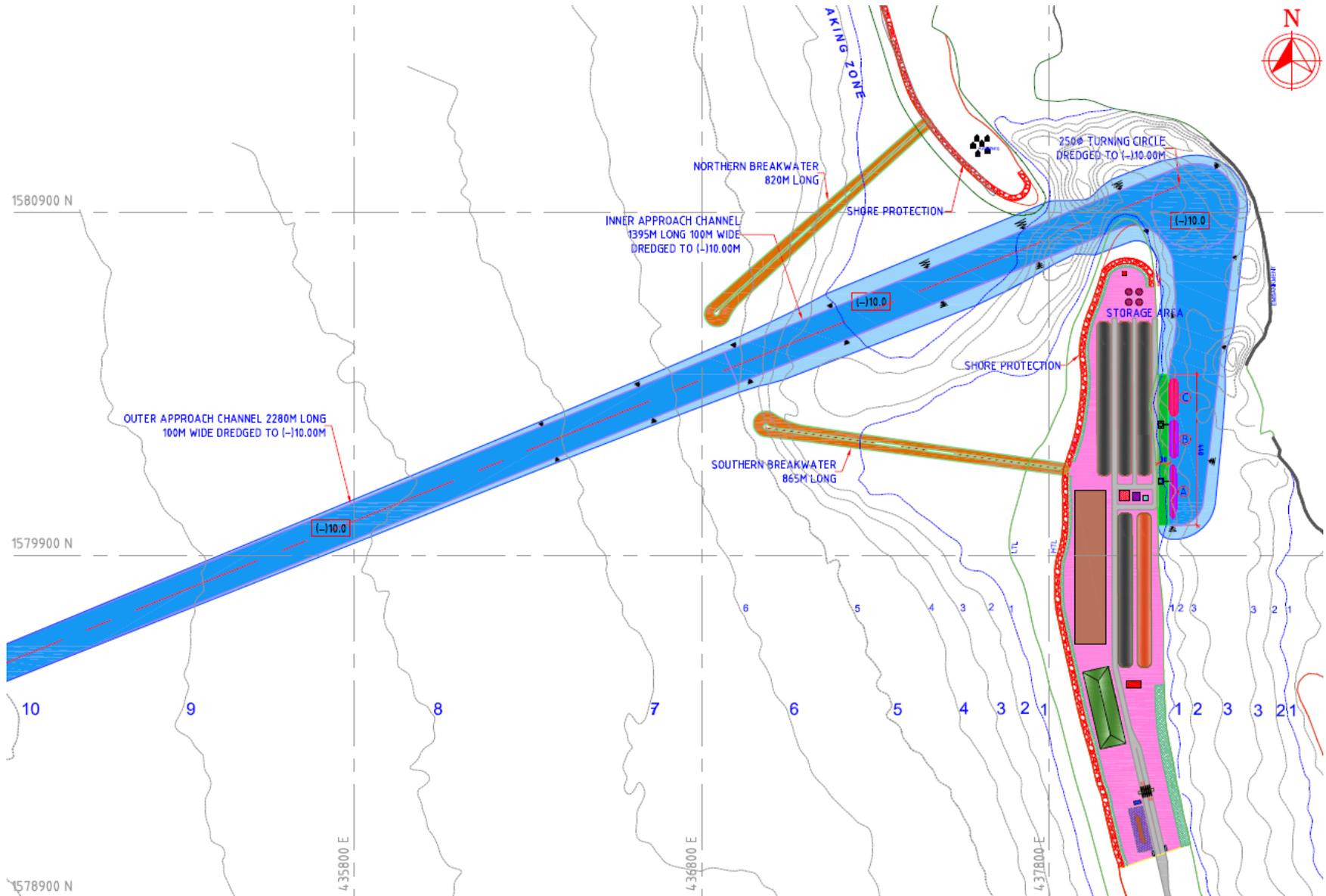


FIG 2. LAYOUT OF PROPOSED PORT

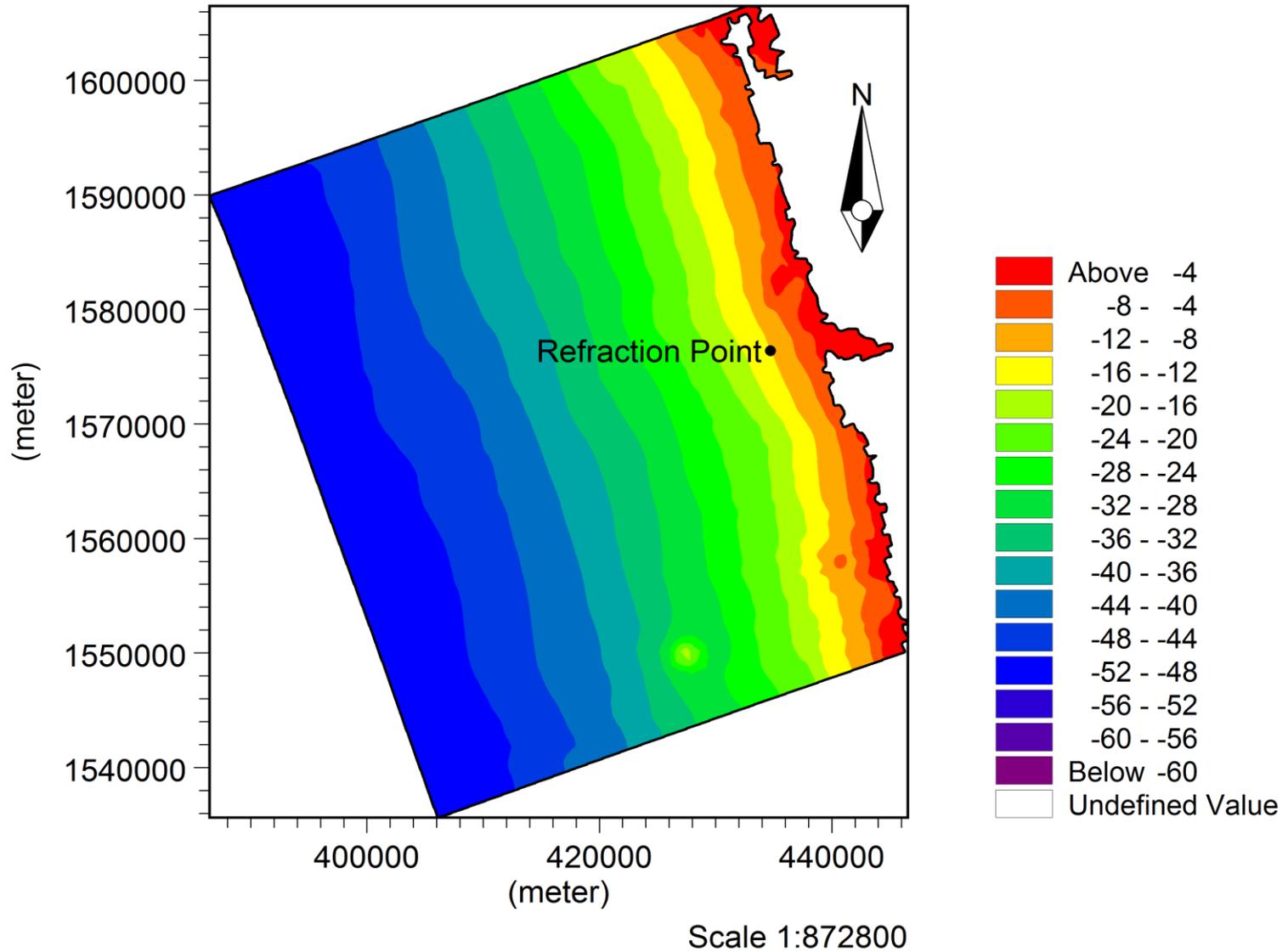


Fig 4: BATHYMETRY CONSIDERED FOR SPECTRAL WAVE MODEL

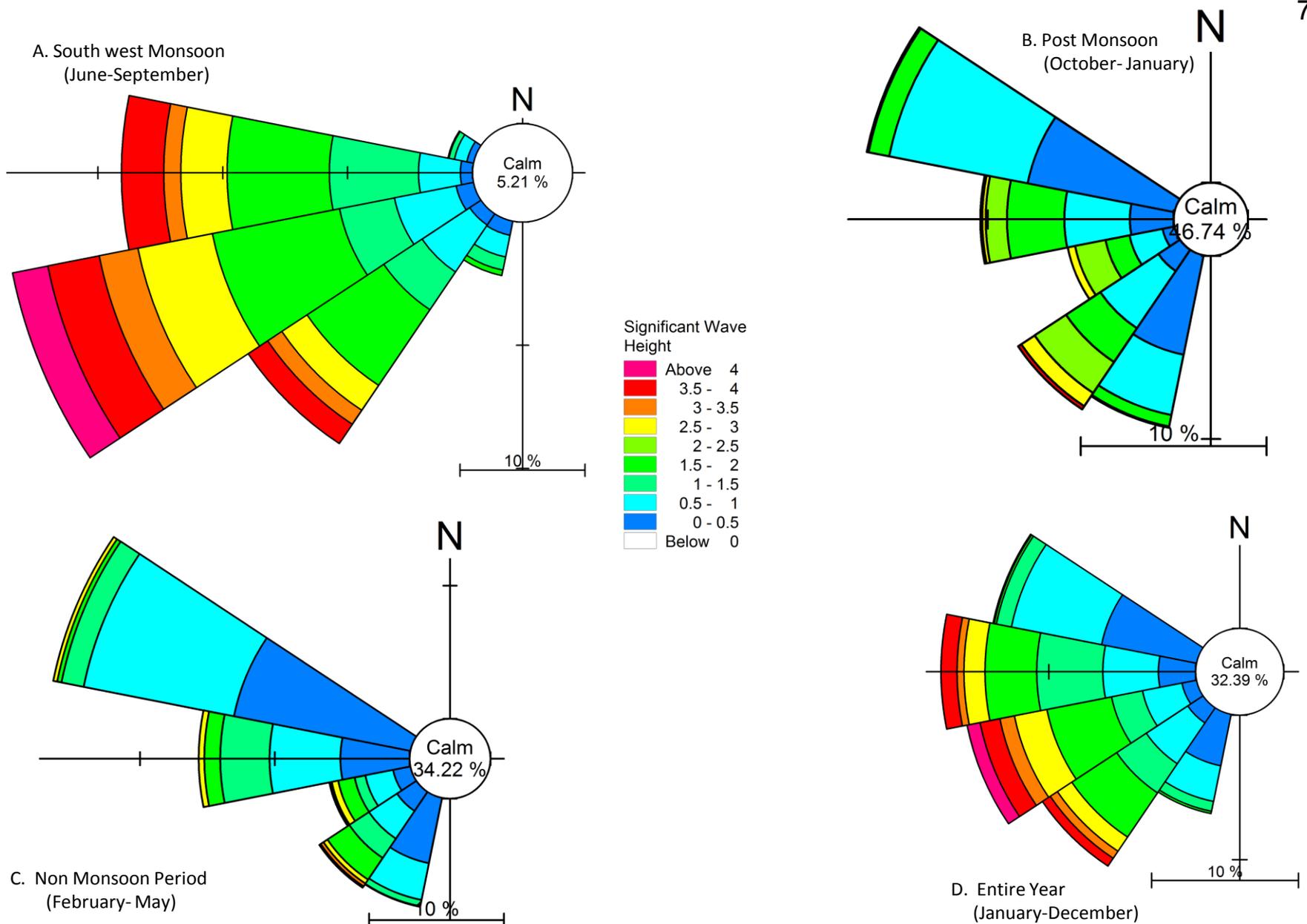
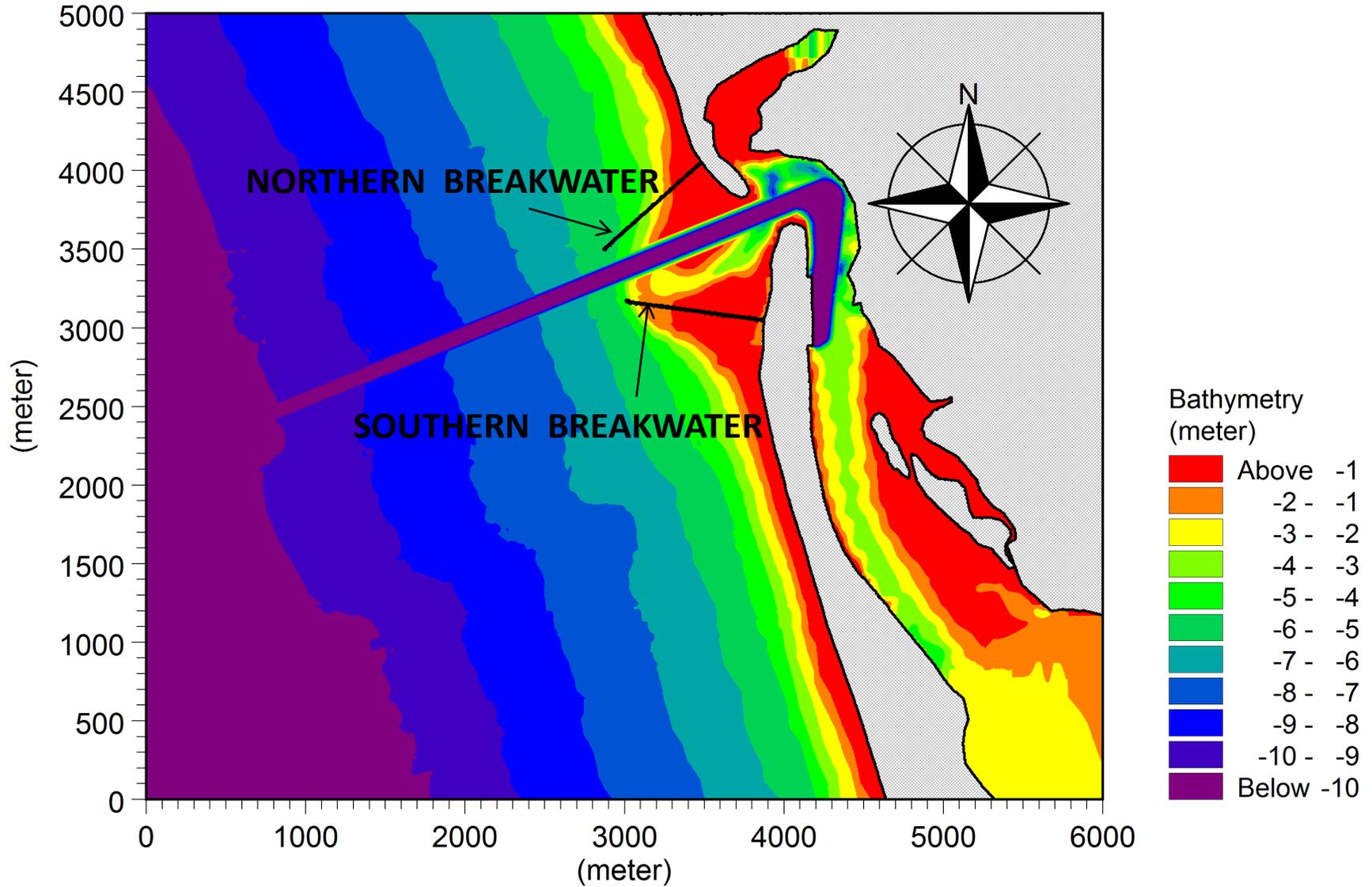


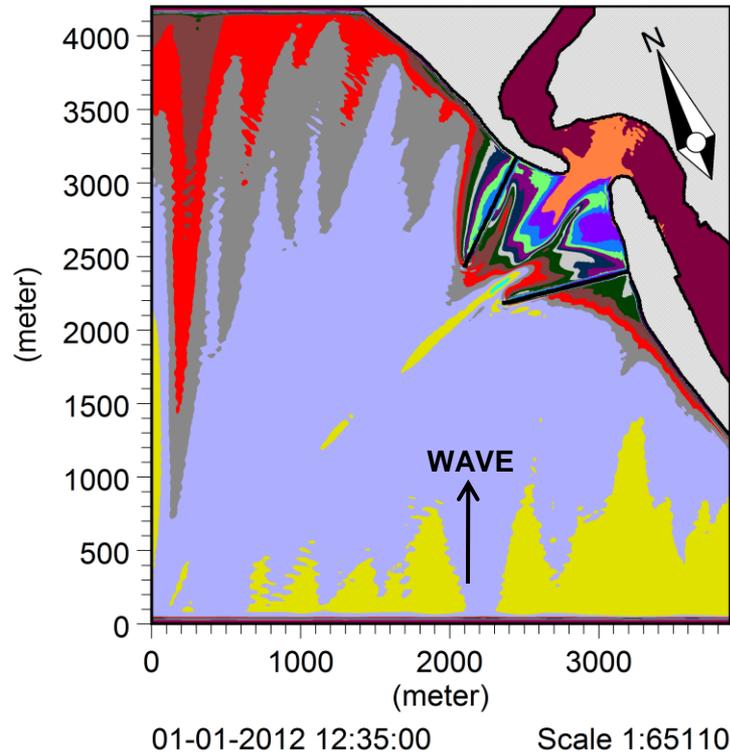
Fig 5(A – D) NEARSHORE ROSE DIAGRAMS AT -12m DEPTH



Scale 1:59960

Fig 6 : AREA CONSIDERED FOR WAVE TRANQUILLITY STUDIES

WAVE HEIGHT DISTRIBUTION



Significant Wave Height(meter)



WAVE PROPAGATION

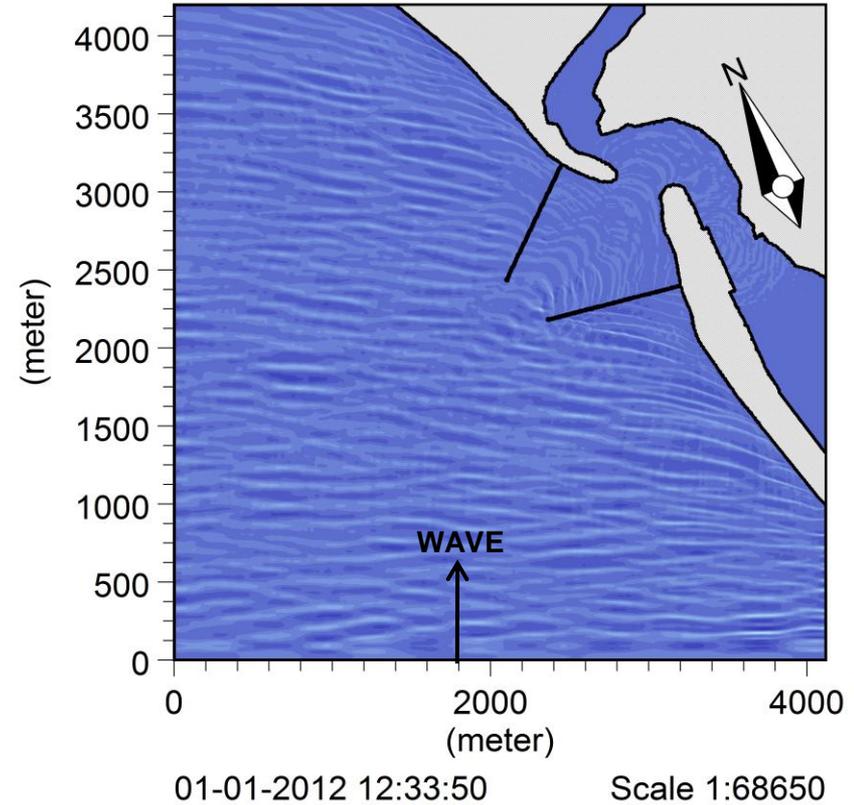
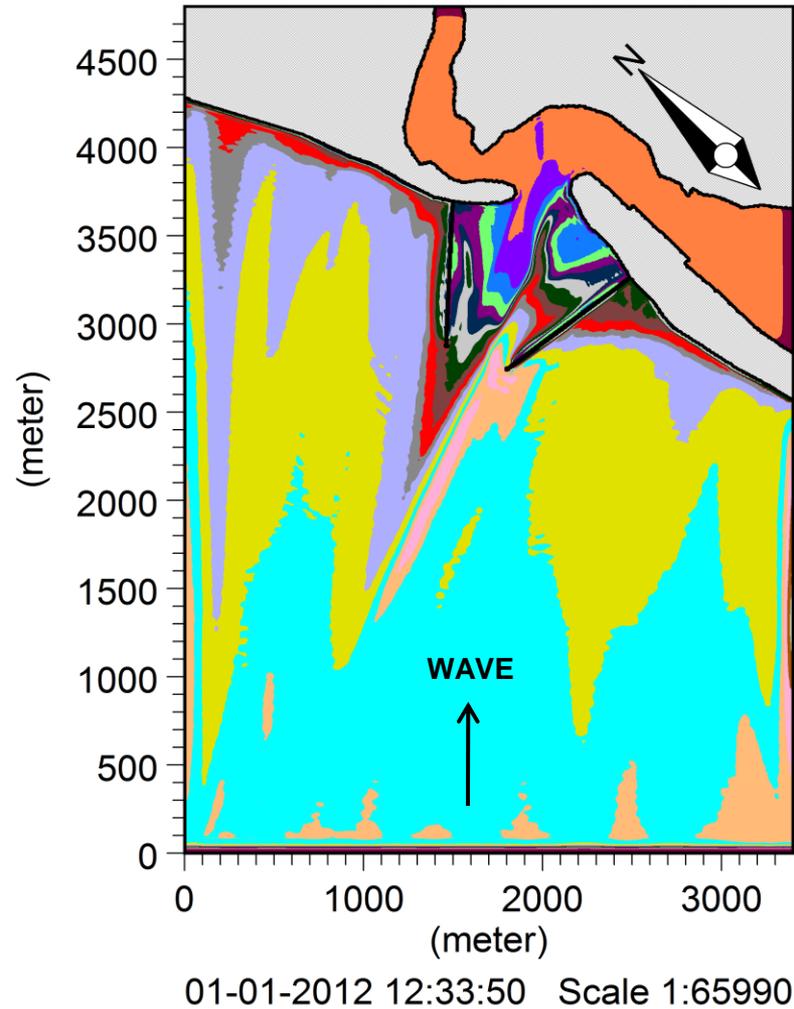
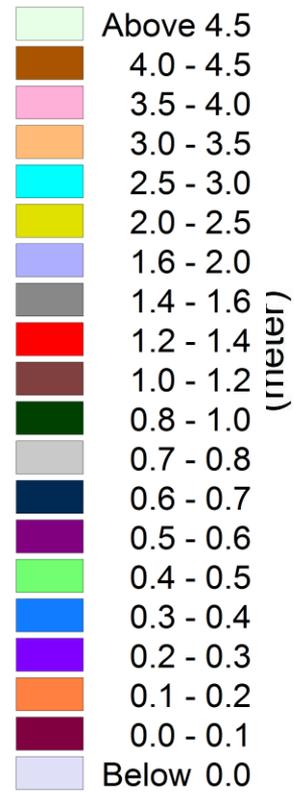


Fig 7 : WAVE HEIGHT DISTRIBUTION AND WAVE PROPAGATION IN THE HARBOUR FOR WAVES FROM 202.5° WITH INCIDENT WAVE HEIGHT : 2m

WAVE HEIGHT DISTRIBUTION



Significant Wave Height(meter)



WAVE PROPAGATION

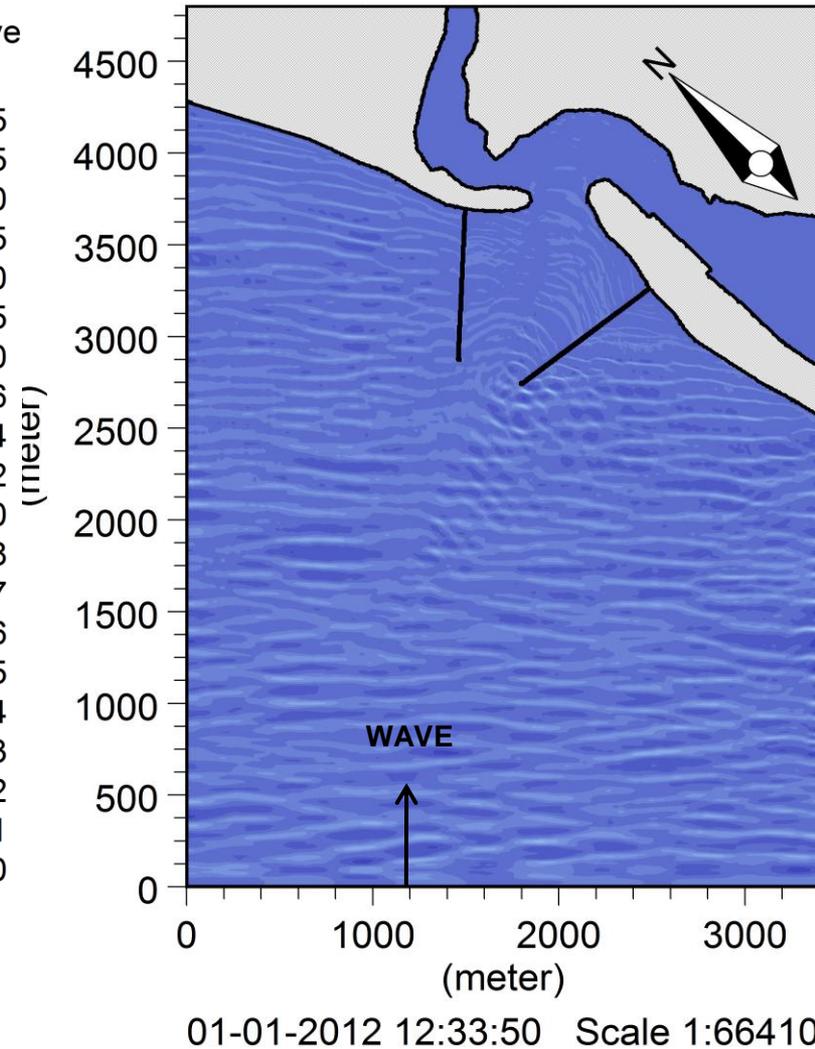
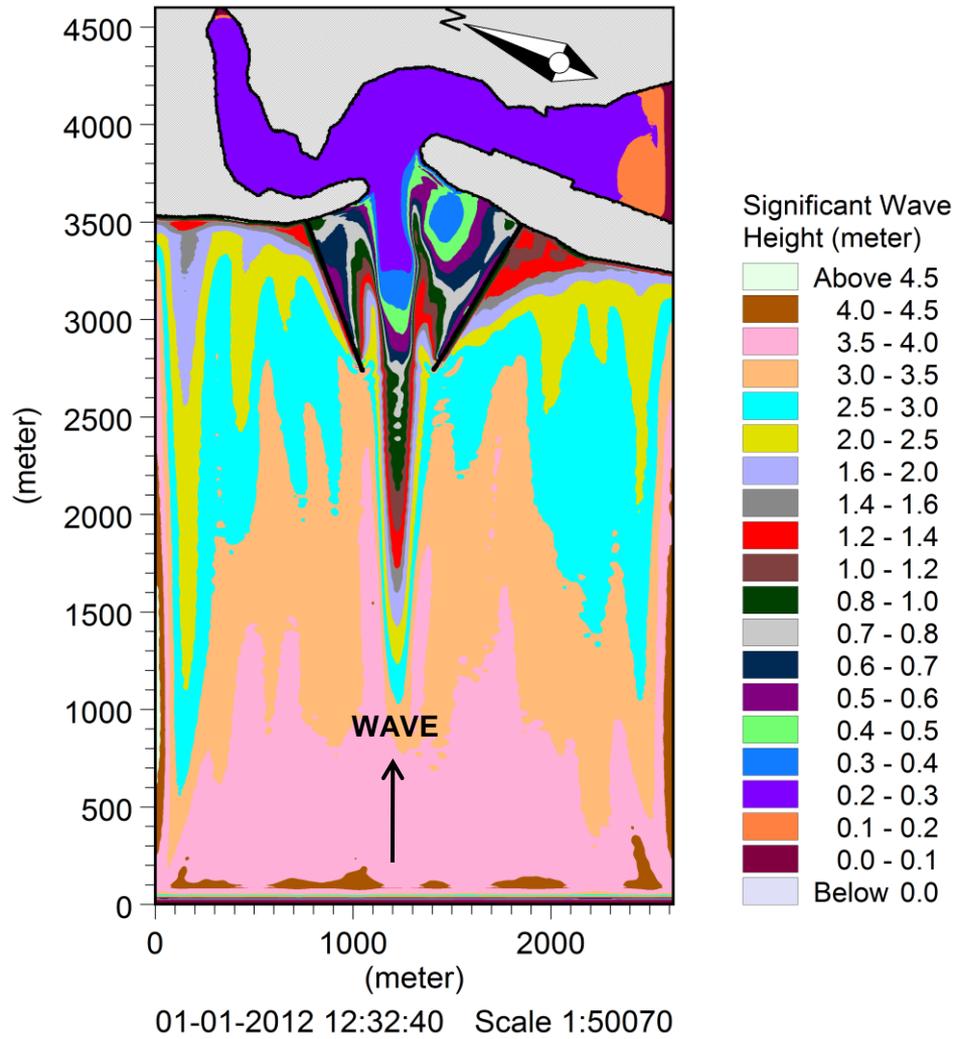


Fig 8 : WAVE HEIGHT DISTRIBUTION AND WAVE PROPAGATION IN THE HARBOUR FOR WAVES FROM 225° WITH INCIDENT WAVE HEIGHT : 3m

WAVE HEIGHT DISTRIBUTION



WAVE PROPAGATION

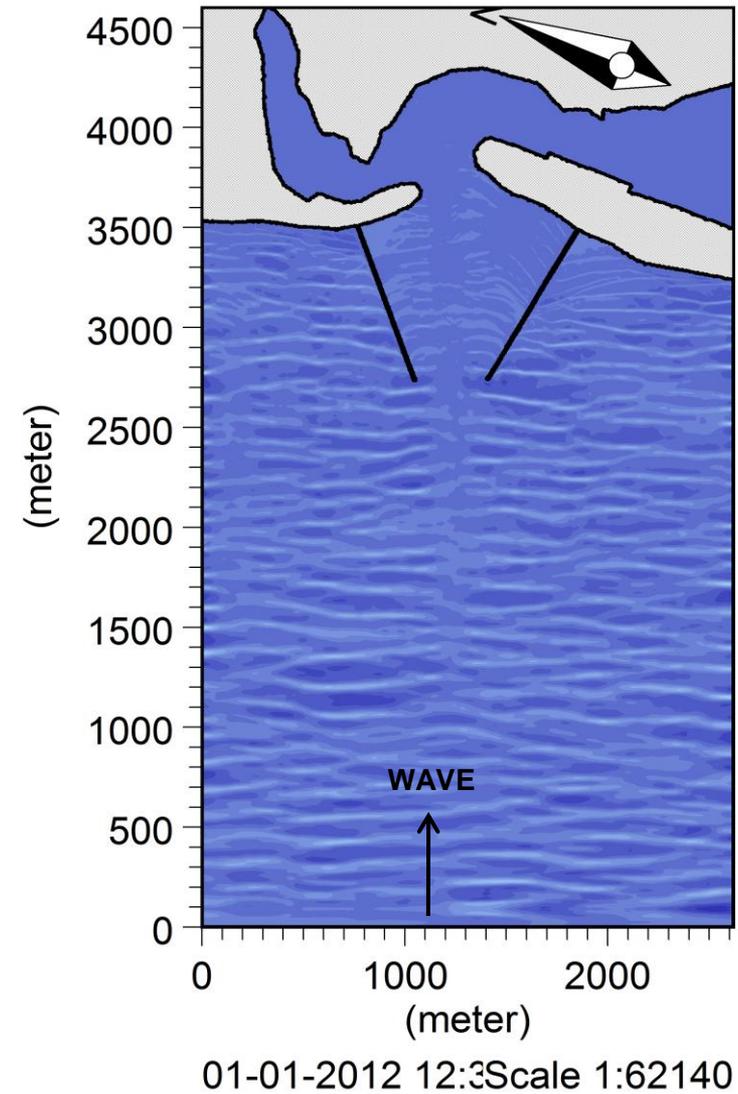


Fig 9 : WAVE HEIGHT DISTRIBUTION AND WAVE PROPAGATION IN THE HARBOUR FOR WAVES FROM 247.5° WITH INCIDENT WAVE HEIGHT : 4m

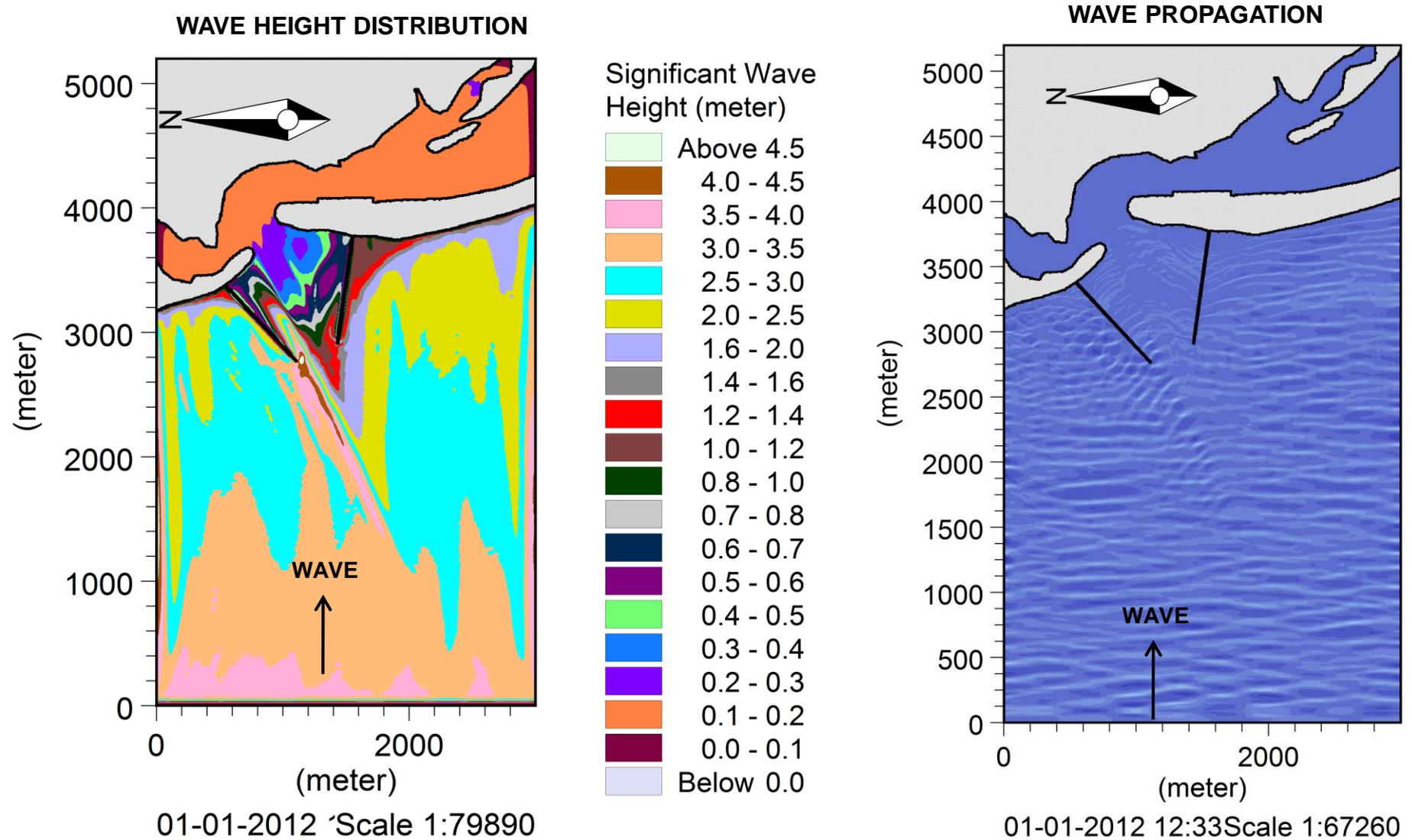
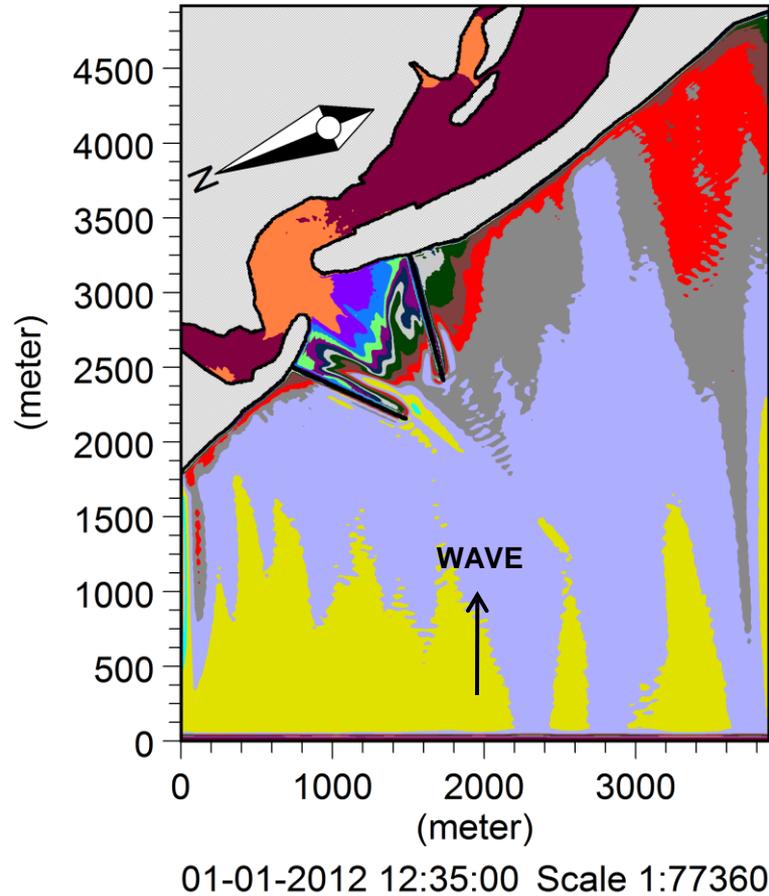


Fig 10 : WAVE HEIGHT DISTRIBUTION AND WAVE PROPAGATION IN THE HARBOUR FOR WAVES FROM 270° WITH INCIDENT WAVE HEIGHT : 3.5m

WAVE HEIGHT DISTRIBUTION



Significant Wave Height(meter)



WAVE PROPAGATION

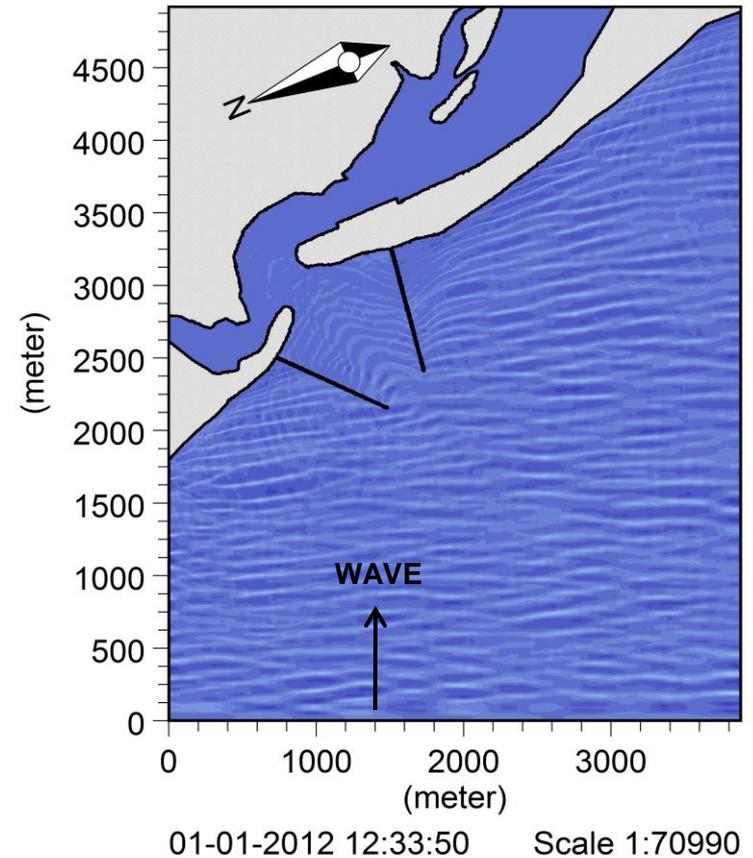


Fig 11 : WAVE HEIGHT DISTRIBUTION AND WAVE PROPAGATION IN THE HARBOUR FOR WAVES FROM 292.5° WITH INCIDENT WAVE HEIGHT : 2m

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KHADAKWASLA, PUNE – 411 024

MATHEMATICAL MODELLING FOR COASTAL ENGINEERING

**TECHNICAL REPORT No.5049
FEBRUARY 2013**

**MATHEMATICAL MODEL STUDIES FOR TIDAL HYDRODYNAMICS
AND SEDIMENTATION FOR DEVELOPMENT OF PORT AT
HONNAVAR, KARNATAKA**



REPORT DOCUMENTATION SHEET

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Date: February 2013

Title : MATHEMATICAL MODEL STUDIES FOR TIDAL HYDRODYNAMICS AND SEDIMENTATION FOR DEVELOPMENT OF PORT AT HONNAVAR, KARNATAKA

Officers Responsible for Conducting the Studies

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Name and Address of Organisation Conducting the Studies

**Mathematical Modelling for Coastal Engineering
Central Water and Power Research Station, Pune, India**

Name and Address of Authority Sponsoring the Studies

Director of Fisheries, 3rd floor, V.V. Centre, Podium Block, Dr Ambedkar Veedi
Bangalore – 560 001.

Synopsis

Honnavar Port Private Ltd (HPPL) have a proposal for development of a Port at Honnavar, Karnataka for providing berthing facilities for coal and iron ore carrying vessels of 10,000 DWT capacity. In this regard the Director of Fisheries, Department of Fisheries, Karnataka referred the studies to CWPRS to examine the port layout proposed by the consultant for tidal hydrodynamics and sedimentation aspects in the harbor. The proposed layout (Fig.1) consists of a Northern breakwater of 820m length and southern breakwater of 865m length having a clear gap of 360m in between them. The iron ore berth, coal berth and multipurpose berth are located inside the creek. The channel as well as harbor area is proposed to be dredged up to -10.0m depth.

Mathematical model studies were carried out to assess flow field and sedimentation pattern in the proposed harbor along with two alternative layouts. From the hydrodynamic studies it can be concluded that the flow field is conducive without significant circulation with the original proposal of port development and also with the two alternatives. Sedimentation studies reveal that the quantum of sediment deposition is minimal with the original port layout when compared with other two alternative layouts. Hence the original port layout is recommended for port development. The annual deposition of sediment is expected, in the approach channel. However, provisions may be made for the periodical maintenance dredging to maintain adequate depths in the channel and basin. This maintenance dredging data should be maintained annually on seasonal basis if possible, which could be further analyzed for predicting the stabilized annual maintenance dredging for port development. The capital dredging for proposed port development is estimated to be about 4.0 M Cu m and the maintenance dredging is estimated to be about 1.0 M Cu m.

Key Words: Mathematical Model, Flow field, Tide, Currents, Breakwater, Sediment, Honnavar port, approach channel.



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**MATHEMATICAL MODEL STUDIES FOR TIDAL HYDRODYNAMICS AND
SEDIMENTATION FOR DEVELOPMENT OF PORT AT HONNAVAR, KARNATAKA**

1. INTRODUCTION

Honnavar lies on the coast of the Arabian Sea and on the banks of the river Sharavati, forming an estuary. It lies midway between Panaji and Mangalore (Fig.1). Honnavar Port Private Ltd (HPPL) have a proposal for development of a Port at Honnavar, Karnataka for providing berthing facilities for coal and iron ore carrying vessels of 10,000 DWT capacity. In this regard the Director of Fisheries, Department of Fisheries, Karnataka referred the studies to CWPRS to assess flow field and sedimentation pattern in the proposed harbor.

The proposed layout [Fig.2(A)] consists of a northern breakwater of 820m length and southern breakwater of 865m length having a clear gap of 360m in between them. The iron ore berth, coal berth and multipurpose berth are located inside the creek. The channel as well as harbor area is proposed to be dredged upto -10.0m depth. Mathematical model studies were carried out at CWPRS to assess flow field and sedimentation pattern in the proposed harbor along with two alternative layouts.

This report describes the Mathematical model studies carried out to understand the tidal hydrodynamic behavior of flow and probable siltation pattern in the harbour area of the proposed development of port at Honnavar.

2. SCOPE OF STUDIES

Director of Fisheries, Department of Fisheries, Karnataka have referred the following hydraulic model studies for proposed development of port at Honnavar to CWPRS.

1. Simulation of wave propagation in the port, to compute wave heights in the port using software MIKE21-BW, for the proposed layout of port.
2. Simulation of Tidal hydrodynamic behavior of flow and siltation pattern in the proposed harbour area.

The mathematical model studies were carried out to understand the tidal hydrodynamic behavior of flow and probable siltation pattern in the harbour area which is presented in this report. The mathematical model studies for wave tranquility, propagation are presented in a separate Technical Report.

3.0 HISTORY OF HONNAVAR

The first ever historical reference about the Honnavar town appears in the works of the Greek author Periplus (AD 247), and then it was called Naour. The Sahyadri Hill range and the astonishing waves of the Arabian Sea represent the lifestyle of the coastal belt of Karnataka state. Honnavar is one of the coastal talukas of Uttar Kannada District. It has a total area of 754.8 km². Honnavar was a port and fortified town with a lot of historical antiquities. The name Honnavar might have originated from the word 'Honnavari' or 'Honnavare' which was a very popular plant in the region. Several inscriptions have mentioned Honnavar as 'Honnavaru' or 'Honnavara' which means the land of prosperity or the land of gold.

The river Sharavati is one of the main attractions of Honnavar. The river joins the Arabian Sea in Honnavar. While joining the sea, the river has created some islands. Among them, Mavinkurva is the largest and the most beautiful. Honnavar has a port that was one of the most important ones on the west coast of India during the time of Marco Polo. Presently it is being used as a fishing harbor inside the estuary by the local fishermen.

4.0 SITE CONDITION

4.1 Bathymetry

Bathymetric survey of the near shore region at the proposed site near Honnavar was conducted by INDOMER, Chennai [Fig.2(B)] and the same was supplied by the project authorities. The near shore bathymetry was super imposed on the C-MAP bathymetry to cover the model region for Hydrodynamic studies.

4.2 Tidal Levels

Tidal observations were done at Honnavar Jetty during 1-17 April 2011 at an interval of one hour was supplied by the project authorities. The data analysis indicated that the observed tidal range was 1.8m during High tide and about 1.0m during Low tide

and the same was considered initially and further it was extrapolated to longer duration. The tide used for model studies is shown in Fig.2(C).

Tidal levels at Honnavar are given below.

Tidal Levels	
Mean Higher High Water (MHHW)	+1.8m
Mean Lower High Water (MLHW)	+1.5m
Mean Sea Level	+1.2m
Mean Higher Low Water (MHLW)	+1.0m
Mean Lower Low Water (MLLW)	+0.4m

4.3 Current Observations

Currents observed at three locations (Fig .3) one in the open sea and the other two inside the Sharavati River covering spring and neap tide for a duration of two weeks during 1-17 April 2011 was supplied by the project authorities. The current observations were taken at every 20 minutes interval and at a water depth of 2.6m below surface. The analysis of the data indicated that there is a reversal of flow during flood and ebb phase and the average currents at C1 location in outer sea varied from 0.05 to 0.25 m/s with an average value of 0.1 m/s. At C2 location inside the river the average currents were of the order of 0.55 m/s with a peak value of about 1.2 m/s. Similarly at C3 location inside the river the average currents were of the order of 0.27 m/s with a peak value of about 0.8 m/s.

4.4 Sediments

Water samples were collected at 12 different locations during spring and neap tides at the site was supplied by the project authorities. Total 120 samples were analyzed and the suspended sediment concentration varied from 15 mg/lit to 195 mg/lit during different phases of tide and water depth. The average value of 0.01Kg/m³ was considered in the model studies. The average D₅₀ value of the sediments at site was considered as 0.40 mm for simulation. The following Table shows the sediment size distribution observed at Honnavar.

Table 2. The sediment size distribution at Honnavar

Locations	Soil description	D ₅₀ (mm)	Sand (%)			Silt & Clay (%)	
			Coarse sand	Medium Sand	Fine Sand		
River	S1	Coarse sand	0.52	54.03	31.88	13.77	0.20
	S2	Fine sand	0.18	18.72	3.93	56.30	19.04
	S3	Fine sand	0.43	22.71	47.71	28.86	0.45
	S4	Coarse sand	0.60	68.31	25.15	6.28	0.20
	S5	Coarse sand	0.52	52.17	33.60	13.33	0.40
Open sea	S6	Silt & clay	0.17	22.55	8.48	36.14	31.30
	S7	Silt & clay	0.17	18.07	11.90	39.59	29.69
	S8	Fine sand	0.32	13.23	40.03	23.51	19.92
	S9	Fine sand	0.31	16.36	34.87	29.17	15.96
River	S10	Coarse sand	0.53	55.33	26.31	17.05	1.00
	S11	Fine sand	0.28	16.63	39.28	35.77	7.76
	S12	Coarse sand	0.52	53.28	35.82	9.92	0.70

5.0 MATHEMATICAL MODEL STUDIES FOR TIDAL HYDRODYNAMICS

The mathematical model studies were carried out using MIKE 21 software developed by Danish Hydraulic Institute, Denmark. The hydrodynamic and siltation studies were carried out with the help of MIKE 21 HD and MIKE 21 MT modules respectively.

5.1 Model Description

In order to examine the tidal flow conditions and dynamics of sediments, it is necessary to compute hydrodynamics of water body in terms of velocity and water level fluctuation. The appropriate governing equations for studying water movement in coastal areas are the 2-D shallow water equations. These are obtained by vertically integrating the 3-D Navier-Stokes equations of motion making the following simplified assumptions.

- 1) The flow is incompressible
- 2) The flow is well mixed (No variation in density)
- 3) Vertical accelerations are negligible
- 4) Bed stress can be modelled

Simulation of hydrodynamics is based on the shallow water equations given below.

Continuity equation :

$$\frac{\partial z}{\partial t} + \frac{\partial uh}{\partial x} + \frac{\partial vh}{\partial y} = 0$$

Equation of motion in x-direction :

$$\frac{\partial u}{\partial t} + u \frac{\partial u}{\partial x} + v \frac{\partial u}{\partial y} + g \frac{\partial z}{\partial x} - C_f v + \tau_{bx} - E_c \nabla^2 u = 0.$$

Equation of motion in y-direction :

$$\frac{\partial v}{\partial t} + u \frac{\partial v}{\partial x} + v \frac{\partial v}{\partial y} + g \frac{\partial z}{\partial y} + C_f u + \tau_{by} - E_c \nabla^2 v = 0.$$

Where

z	-	Water surface elevation above the datum
u	-	X-component of velocity
v	-	Y- component of velocity
d	-	Depth of flow below datum
h	-	Total depth of flow (d+z)
C _f	-	Coriolis force
τ _b	-	Bed shear stress
E _c	-	Eddy viscosity coefficient

The governing equations are solved using Alternating Directions Implicit (ADI) finite difference technique based on Crank-Nicholson scheme. This entails covering the estuary with a mesh or grid and discretising elevations and velocities in space and time to fit on this grid.

Having discretised the variables, derivatives are approximated by sample differences divided by the distance between consecutive grid points. The space differences involve variables at the unknown time level, which are computed by solving a system of equations involving the boundary conditions using Alternating Directions

Implicit (ADI). ADI scheme is computationally efficient and widely used in solving shallow water equations. The solution of equation at every grid point results in simulation of flow conditions over a period of time.

5.2 Computational Model

A 2-D mathematical model was developed using bathymetry from the recent hydrographic survey carried out during April 2011. The mathematical model domain consists of open sea portion up to -21 m contour and a portion of Sharavati River influenced with tidal fluctuation. A uniform square grid of 20 m x 20 m was considered for entire model area of 19 km x 11 km to cover the entire proposed harbour and surrounding area. The model consists of 900 grid points along x-direction and 550 grid points along y-direction. The bathymetry data extracted from the C-MAP was reproduced in mathematical model for the existing conditions along with superimposition of Hydrographic survey data of the near shore region at Honnavar supplied by the project authorities and is shown in Fig.3.

5.3 Simulation of Flow Field for existing conitions

Initially, model was simulated for the existing conditions with typical field observed tide for 15 days duration considering non-monsoon season. The tidal input was provided along the northern and southern open boundaries with appropriate phase lag. The discharge from the Sharavati River was also considered during setting up of the model. The simulations were carried out for different options with tides and 50 m³/s river discharge during non monsoon. The model studies were carried out with different model parameters until computed value nearly matches with the field observed values and thus the model was calibrated. The flow fields at each hour tidal conditions were recorded for the existing condition and a typical flow during different phases of tide are shown in Fig.4 (A) to Fig.4 (D). The magnitude and direction of flow along with flow pattern were observed. The length of the vectors in the flow field shows the magnitude of the velocity to the scale shown and arrow head shows the direction of flow with respect to north. The magnitude of currents varied in the range of 0.2 to 0.3 m/sec indicating that the currents are weak in offshore and near the proposed harbour region during entire tidal cycle except at the inlet and estuary where the magnitude of currents are of the order of 0.8 m/s which may be attributed to the jetting action due to constriction. Comparison of observed and computed currents is shown in Fig.5.

Similarly simulations were carried out for monsoon season by increasing the river discharge to 300 m³/s and keeping all other conditions same. The flow fields at each hour tidal conditions were recorded for the existing condition and a typical flow during different phases of tide are shown in Fig.6 (A) to Fig.6 (D). The magnitude of currents did not change much in the offshore region and varied in the range of 0.2 to 0.3 m/sec. At the inlet near river mouth and estuary the magnitude of currents increased considerably due to the river discharge and reached up to 1.0 m/s.

5.4 Simulation of Flow Field with proposed developments

The computational model was modified by incorporating the proposed developments. The channel as well as harbor area is dredged up to -10.0m depth. A northern breakwater of 820m length and southern breakwater of 865m length having a clear gap of 360m in between them was incorporated in the model. A 2-D view of the computational model with proposed port development is shown in Fig.7.

The simulations were carried out for different options with tides and river discharge during non monsoon period. The flow fields at each hour tidal conditions were recorded for the proposed development and a typical flow during different phases of tide are shown in Fig.8 (A) to Fig.8 (D). The magnitude and direction of flow along with flow pattern were observed. The magnitude of currents varied in the range of 0.2 to 0.33 m/sec indicating that the currents are weak in offshore similar to that of existing condition but in the proposed harbour basin the current magnitude has reduced marginally due to the protection from breakwater and at the tip of the breakwater near channel entrance the flow velocities have increased marginally. It is also observed that there is no tidal circulation or eddy formation inside the harbor.

Similarly simulations were carried out for monsoon conditions. A typical flow during different phases of tide is shown in Fig.9 (A) to Fig.9 (D). The magnitude of currents did not change much in the offshore region which varied in the range of 0.2 to 0.3 m/sec. At the inlet near river mouth the magnitude of currents increased considerably due to the river discharge and reached up to 1.15 m/s.

5.5 Simulation of Flow Field with reduced breakwater (Alternative I)

The computational model was further modified by reducing the length of the breakwater towards sea side by about 30%, keeping the alignment intact and

maintaining all other conditions same. A 2-D view of the computational model with reduced breakwater length is shown in Fig.10.

The simulations were carried out for different options with tide and river discharge during non monsoon period. The flow fields at each hour tidal conditions were recorded for the proposed development and a typical flow during different phases of tide are shown in Fig.11 (A) to Fig.11 (D). The magnitude and direction of flow along with flow pattern were observed. The magnitude of currents in the offshore varied in the range of 0.2 to 0.30 m/sec indicating that the currents are weak in offshore similar to that of full length breakwater condition but in the proposed harbor basin the current magnitude has reduced further due to the increased opening at the tip of the north and south breakwaters near channel entrance. It is also observed that there is no tidal circulation or eddy formation inside the harbor.

Similarly simulations were carried out for monsoon conditions. A typical flow during different phases of tide is shown in Fig.12 (A) to Fig.12 (D). The magnitude of currents did not change much in the offshore region. At the harbor entrance the magnitude of currents has reduced marginally.

5.6 Simulation of Flow Field with shifting of south breakwater (Alternative II)

The computational model was further modified by shifting the south breakwater further towards south by about 100m considering full length of the breakwater to accommodate for future expansion of port facilities as discussed during a meeting at CWPRS. A 2-D view of the computational model is shown in Fig.13.

The simulations were carried out for different options with tide and river discharge during non monsoon period. The flow fields at each hour tidal conditions were recorded for the proposed development and a typical flow during different phases of tide are shown in Fig.14 (A) to Fig.14 (D). The magnitude and direction of flow along with flow pattern were observed. The magnitude of currents in the offshore varied in the range of 0.2 to 0.30 m/sec indicating that the currents are weak in offshore similar to that of original proposal but in the proposed harbor basin the current magnitude has reduced further due to the increased opening at the tip of the north and south breakwaters near channel entrance. It is also observed that there is no tidal circulation or eddy formation inside the harbor.

Similarly simulations were carried out for monsoon conditions. A typical flow during different phases of tide is shown in Fig.15 (A) to Fig.15 (D). The magnitude of currents did not change much in the offshore region. At the harbor entrance the magnitude of currents has reduced when compared with the original proposal with full length breakwater.

6.0 SEDIMENTATION STUDIES

Honnavar in Karnataka is located between Karwar and Mangalore on the west coast of India. Siltation in the approach channel and the harbour basin is a serious problem in west coast, which is being experienced by New Mangalore Port and other major ports on the west coast of India. Also at Honnavar formation of sand bars and shifting of sand bars seasonally is a common phenomenon. In this regard sedimentation studies are an important element in any port development especially in this region during the design and implementation stage.

6.1 The Sediment Transport Model

The sediment transport studies were carried out using sediment transport module MIKE21-MT. The effects of tide and wave conditions were considered for simulating the sediment transport. Using the flow fields obtained from the hydrodynamic model, the rate of sediment transport, depth of deposition and the re-suspension of the sediment were computed and thereby areas of potential siltation were identified. The MIKE21-MT model is a two-dimensional depth averaged sediment transport model based on the two dimensional advection-diffusion equation of conservation of mass of sediments. It takes into account conservation of mass of sediment, depth averaged velocities, longitudinal dispersion coefficient, lateral diffusivity, settling velocity, critical deposition stress, and critical erosion stress for the given sediment. The model also takes into account the littoral currents due to waves along the littoral zone. The rates of deposition and erosion are computed based on the critical shear stress condition. In case of significant bed load movement the model takes into account the additional sediment source in the transport equation. Thus the model considers the total load while predicting the morphological changes. An explicit, upstream finite difference technique is used to solve the advection - diffusion equation.

Transport of sediments in the coastal area is a complex phenomenon. Here the morphological changes are too slow and temporal bed changes are too variable to measure anything significant for comparison. The sediment fluxes at various locations may differ and the following factors contribute to these variations:

- unsteadiness of flow,
- mixtures of sediment in suspension,
- variability of supply of mobile sediment on the bed,
- presence of sandy (non - cohesive) sediment,
- omission of depth variation,
- effect of wave stirring.

Hence calibration of the sediment transport model is difficult. In order to simulate zone of siltation/erosion over the model domain, the sediment transport model studies were carried out using the flow conditions simulated by hydrodynamic model. The data supplied by project authorities were used for the studies. The average sediment concentration observed at the site (150mg/l) is considered as the initial concentration. The bed conditions are provided based on the grab samples collected at various locations at the site. The model was set up for the existing conditions and was further used for predicting the siltation pattern with the proposed port developments at Honnavar with two additional alternatives to optimize the length of breakwater (Alternative I) and keeping in mind the future expansion of Harbor (Alternative II). The hydrodynamic model and sediment model were operated for a period of 15 days month covering both spring and neap tide conditions.

6.2 Literature Survey

Nayak et al (2012) conducted studies using remote sensing technique to understand seasonal variations in suspended sediment (SS) dispersal pattern in the near-shore waters of the Central West Coast of India. Four distinct patterns of sediment dispersion are observed. (1) During monsoon, plume-like sediment dispersion seaward is observed especially in the mouths of rivers which is applicable to the present Honnavar port development. (2) As the monsoon progresses, there is northerly transport of sediments with anticlockwise pattern within the plumes. (3) During NE monsoon, sediment concentration is less and its transport is southward. (4) During premonsoon, SS concentration is high in the near-shore water and transport is

landward. Sequential OCM data analyses indicated the influence of tidal currents, especially during premonsoon in the vicinity of the river mouths on sediments dispersion. During rising tide, sediments move into the estuary, and during falling tide they flow seaward resulting in erosion and formation of shoals. Sediment-dispersal patterns largely follow wind and wave patterns, a characteristic feature of the mesotidal coast. Presence of a number of mudflats within the estuary along with the siltation in the channels suggests that a net landward transport of sediments occur in the region. Udhaba Dora et al (2011) carried out Grain character analysis of beach sediments along three selected beaches (Pavinkurve, Kundapura and Padukare) of Karnataka coast, west coast of India. Pavinkurve beach is very close to the proposed site for port development. The study shows that the sedimentary environment at Kundapura were influenced by relatively high wave action compared to Padukare and Pavinkurve beach and the beaches were under erosion or non-deposition with strong winnowing process.

6.3 Simulation of sedimentation in existing conditions

The sediment transport studies were carried out with the existing conditions i.e., without any development by considering spring and neap tidal conditions. The sedimentation during different phases of the tide was observed. A typical siltation pattern over a period during non monsoon for existing condition is shown in the Fig. 16(A). From the bed thickness change plot it is observed that there is a tendency of sediment accumulation in front of the river inlet and at the river mouth. The average depth of sediment deposition varies from 10 to 25 cm during non monsoon season. Further studies were conducted for monsoon conditions. A typical siltation pattern over a period during southwest monsoon for existing condition is shown in the Fig. 16(B). It could be seen that the zone of deposition is mainly in front of the inlet and a tendency of sand bar formation is prevailing. It is observed that the average depth of sediment deposition varies from 10 to 40 cm during monsoon season.

6.4 Simulation of sedimentation with proposed developments

The model was then operated for predicting the siltation pattern with the proposed developments as described earlier. A typical siltation pattern over a period of one month during non monsoon with the proposed port layout is shown in Fig. 17(A). It could be seen that the zone of deposition is mainly in the approach channel extending up to – 8.0 m contour, specifically after the tip of the proposed breakwater and towards

the offshore region which ranges from 0.5 to 10 cm, this may be attributed to the sudden change in depth of the channel when compared to the adjacent contours, also there is a tendency of erosion at the tip of the breakwater which may be attributed to the sudden variation in the flow condition i.e. increase in flow velocity which acts as a jet facilitating removal of sediments in the channel. Inside the Harbor there is a slight tendency of sediment deposition over the shadow region of the basin which is very marginal. But inside the river i.e., just behind the inlet there is a trend of deposition and may be of the order of 10 to 25 cm.

Further studies were conducted for monsoon conditions. A typical siltation pattern over a period during southwest monsoon with proposed port is shown in the Fig. 17(B). The trend of sediment deposition in the channel continues with further increase in the depth of deposition in the approach channel extending up to – 8.0 m contour, specifically after the tip of the proposed breakwater and towards the offshore region which ranges from 10 to 30 cm. Inside the Harbor also there is a slight tendency of sediment deposition in the channel as well as in the shadow region of the basin which is very marginal but more than non monsoon conditions. Inside the river i.e, just behind the inlet the trend of deposition has further intensified and may be of the order of 10 to 40 cm.

6.5 Simulation of sedimentation with reduced breakwater (Alternative I)

The model was further operated for predicting the siltation pattern with the modified layout by reducing the length of the breakwater towards sea side by about 30%, simultaneously keeping the alignment intact and maintaining all other conditions same. A typical siltation pattern over a period of one month during non monsoon with the proposed port layout is shown in Fig. 18(A). It could be seen that the zone of deposition is mainly in the approach channel, specifically after the tip of the proposed breakwaters the deposition trend is more and towards the offshore region up to a depth contour of about -8 m which ranges from 0.5 to 10 cm, it reduces gradually and stabilizes, this may be attributed to the sudden change in depth of the channel when compared to the adjacent contours, also there is a tendency of erosion at the tip of the breakwater which may be due to the sudden change in the flow condition i.e. increase in flow velocity. Inside the Harbor there is a reduction in tendency of sediment deposition. But inside the river i.e, just behind the inlet there is a trend of deposition

and may be of the order of 10 to 25 cm indicating that there is no impact of reduction in length of breakwater on sedimentation.

Further studies were conducted for monsoon conditions. A typical siltation pattern over a period during southwest monsoon with proposed port is shown in the Fig. 18(B). The trend of sediment deposition in the channel continues with further increase in the depth of deposition in the approach channel extending up to – 8.0 m contour, specifically after the tip of the proposed breakwater and towards the offshore region which ranges from 10 to 30 cm. Inside the Harbor also there is a clear increase in tendency of sediment deposition in the channel as well as in the shadow region of the basin when compared with full length of breakwater. Inside the river i.e, just behind the inlet the trend of deposition has further intensified and may be of the order of 10 to 40 cm. Overall it is clear that reduction in length of the breakwater has not reduced the quantum of siltation.

6.6 Simulation of sedimentation with shifting of south breakwater (Alternative II)

The model was further operated for predicting the siltation pattern with the modified layout suggested by CWPRS to shift the south breakwater further towards south by about 100m considering full length of the breakwater to accommodate for future expansion of port facilities as discussed during a meeting held at CWPRS. A typical siltation pattern over a period of one month during non monsoon with the proposed port layout is shown in Fig. 19(A). It could be seen that the zone of deposition is mainly in the approach channel, specifically after the tip of the proposed breakwaters the deposition trend is more and towards the offshore region up to a depth contour of about -8 m which ranges from 0.5 to 10 cm which is similar to that of full length breakwater of the proposed layout but there is a slight increase in depth of deposition. Inside the Harbor there is not much change in the trend of sediment deposition when compared to the original proposal. Sedimentation pattern inside the river also remains similar to that of the original layout. Overall impact of shifting the southern breakwater on sedimentation pattern is not significant.

7.0 DISCUSSIONS

Honnavar Port Private Ltd (HPPL) have a proposal for development of a Port at Honnavar, Karnataka for providing berthing facilities for coal and iron ore carrying vessels of 10,000 DWT capacity. In this regard, M/s HPPL have initiated feasibility

studies for the development of port at Honnavar in Karnataka (Fig. 1). The proposal includes simulation of tidal hydrodynamic behavior of flow and siltation pattern in the proposed harbor layout including two other alternative layouts suggested during the course of the studies.

The proposed layout [Fig.2(A)] consists of a northern breakwater of 820m length and southern breakwater of 865m length having a clear gap of 360m in between them. The iron ore berth, coal berth and multipurpose berth are located inside the creek. The channel as well as harbor area is proposed to be dredged up to -10.0m depth. Mathematical model studies were carried out at CWPRS to assess flow field and sedimentation pattern in the proposed harbor with additional two alternative layouts.

Mathematical model studies were carried out using MIKE21-HD and MIKE21-MT models to assess the changes in coastal hydrodynamics and siltation pattern due to the proposed harbor at Honnavar. From the model studies using the data made available by M/s HPPL, it was found that with the existing conditions the magnitude of currents varied in the range of 0.2 to 0.3 m/sec indicating that the currents are weak in offshore and near the proposed harbour region during entire tidal cycle except at the sharavati river inlet where the magnitude of currents are of the order of 1.0 m/s. From the sedimentation studies it could be seen that the zone of deposition is mainly in front of the river inlet and a tendency of sand bar formation is prevailing. It is observed that the average depth of sediment deposition varies from 10 to 25 cm during non monsoon season. It is observed that the average depth of sediment deposition varies from 10 to 40 cm during monsoon season.

With the proposed layout the magnitude of currents varied in the range of 0.2 to 0.33 m/s indicating that the currents are weak in offshore which is similar to the existing condition. For monsoon conditions the magnitude of currents did not change much in the offshore region which varied in the range of 0.2 to 0.3 m/s. At the river inlet and inside the estuary the magnitude of currents increased considerably due to the river discharge and reached up to 1.15 m/s. From the sedimentation studies conducted for monsoon conditions the depth of deposition in the approach channel extended up to – 8.0 m contour, specifically after the tip of the proposed breakwater and towards the offshore region which ranges from 10 to 30 cm. Inside the Harbor also there is a slight

tendency of sediment deposition. In the estuary the trend of deposition has further intensified and was of the order of 10 to 40 cm.

Similarly, studies were conducted by reducing the length of the breakwater by about 30%, to optimize the breakwater length (Alternative I). Model simulations for both non monsoon and monsoon conditions indicated that the magnitude of currents in the offshore varied in the range of 0.2 to 0.30 m/sec. In the proposed harbor basin the current magnitude has reduced further due to the increased opening at the tip of the north and south breakwaters near channel entrance. It is also observed that there is no tidal circulation or eddy formation inside the harbor. The sedimentation studies for monsoon conditions shows that there is an increase in the trend of sediment deposition in the channel and ranges from 10 to 30 cm. Inside the Harbor and behind river inlet also there is a clear increase in tendency of sediment deposition. Overall it is clear that reduction in length of the breakwater has not reduced the quantum of siltation.

Studies were also conducted by shifting the southern breakwater (Alternative II). Model studies for monsoon conditions indicated that the magnitude of currents in the offshore varied in the range of 0.2 to 0.30 m/sec. At the harbor entrance the magnitude of currents has reduced when compared with the original proposal. The sedimentation studies for monsoon conditions shows that depth of deposition ranges from 0.5 to 10 cm which is similar to that of the original proposal but there is a slight increase in depth of deposition. Inside the Harbor and behind river inlet also there is a clear increase in tendency of sediment deposition. Overall impact of shifting the southern breakwater on sedimentation pattern is not significant.

However, it may be noted that the sediment transport studies are more qualitative than quantitative. The exact quantification of the sedimentation in the coastal region is difficult as the process becomes complex due to continuous changes in the tide, currents and waves throughout the year.

8.0 CONCLUSIONS

The mathematical model studies for hydrodynamics and sedimentation were carried out for the proposed development of port at Honnavar in Karnataka (Fig. 1). The mathematical models MIKE21-HD and MIKE21-MT were used for simulation of hydrodynamics and sedimentation in and around the port area for the proposed

development as well as two other alternatives. The results are normally for 15 days duration during monsoon and non monsoon periods. The following are the main conclusions of the studies.

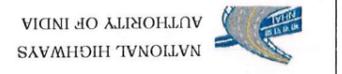
1. Hydrodynamic studies with proposed developments indicates that the magnitude of currents varied in the range of 0.2 to 0.33 m/sec but in the harbour basin the current magnitude is weak and at the tip of the breakwater the flow velocities have increased marginally. At the inlet inside estuary the magnitude of currents increased considerably during monsoon due to the river discharge and reached up to 1.15 m/s.
2. Sedimentation studies with proposed developments indicated that the depth of deposition in the approach channel ranges from 10 to 30 cm over a period of 15 days during monsoon. Inside the Harbor there is a slight tendency of sediment deposition and in the estuary the depth of deposition was observed to be of the order of 10 to 40 cm.
3. Studies with alternative I indicated that the flow field is quite similar to that of the proposed layout but sedimentation studies indicated that the trend of sediment deposition has further increased. Overall it is clear that reduction in length of the breakwater has not reduced the quantum of siltation. Hence this option is not recommended.
4. Studies with alternative II indicated that the flow field is quite similar to that of the proposed layout but sedimentation studies indicated that the trend of sediment deposition has further increased marginally. At the harbor entrance the magnitude of currents has reduced when compared with the original proposal. Inside the Harbor and behind river inlet also there is a clear increase in tendency of sediment deposition. Overall impact of shifting the southern breakwater on sedimentation pattern is not significant.
5. The capital dredging for proposed port development is estimated to be about 4.0 M Cu m and the total maintenance dredging is estimated to be about 1.0 M Cu m. This maintenance dredging quantity is about 0.4 M Cu m in the approach channel and 0.6 M Cu m in the basin including turning circle. This estimate is based on the model study and literature survey of ports along west coast.

From the hydrodynamic studies it can be concluded that the flow field is conducive without significant circulation with the original proposal of port development

and also with the two alternatives. Sedimentation studies reveal that the quantum of sediment deposition is minimal with the original port layout when compared with other two alternative layouts. Hence the original port layout is recommended for port development. Only with the requirement of additional harbour area the proposal of alternative II may be taken up. The annual deposition of sediment is expected, in the approach channel. However, provisions may be made for the periodical maintenance dredging to maintain adequate depths in the channel and basin. This maintenance dredging data should be maintained annually on seasonal basis if possible, which could be further analyzed for predicting the stabilized annual maintenance dredging for port development.

References:

1. Dattatri, J. and Kamath, M.M. (1997) "Littoral drift and maintenance dredging at New Mangalore for port" Proceedings of INCHOE 1997.
2. S. R. Nayak, et al (2012), Application of Satellite Remote Sensing for Investigation of Suspended Sediment Dispersion Pattern in the Near Shore Region: A Case Study from the Central West Coast of India.
3. G. Udhaba Dora, et al (2011), "Textural characteristics of foreshore sediments along Karnataka shoreline, west coast of India" *Int. J. Sedim. Res.*, vol.26; 2011; 364-377.



Authority :- NATIONAL HIGHWAYS AUTHORITY OF INDIA



Client :- HONNAVAR PORT PVT. LTD.

Project Title :- Consultancy Service for Preparation of DPR of Honnavar Port Road Connectivity Access road from Kasarkod Side of Honnavar Port Km. 0+000 to Km. 2+580 on NH-66

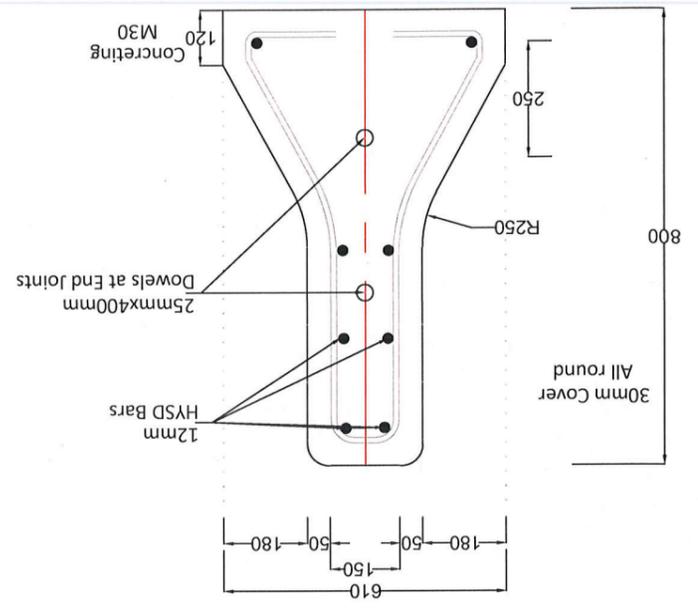
Drawing Name :- TYPICAL CROSS SECTION (TCS - 10)



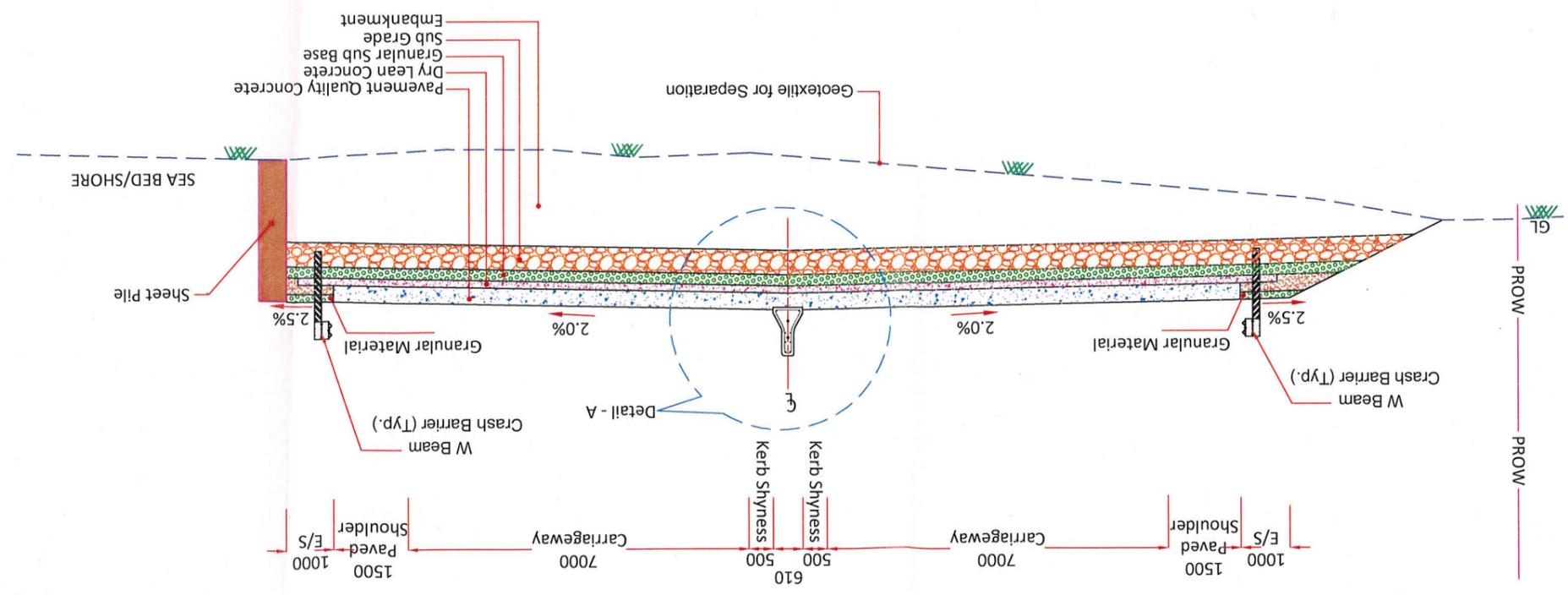
Prepared by: Shweta Sharma
 Designed by: Kiran V
 Checked by: Madhusudhan Rao
 Approved by: Manoj Kumar
 Intercontinental Consultants & Technocrats Pvt Ltd,
 A-8, Green Park, New Delhi - 110016
 Ph : 4086-3000, Fax 2685-5252

Rev.	Revisions		
	Date	Description	Checked by
R0	September, 2019	Initial Drawing	
Scale - as Shown (on A2 Sheet)			
DRAWING No: NHA/NH-66/HONNAVAR PORT/TCS/ 10			
(Sheet No.-10 of 13)			

Detail - A
(Scale - 1:10)



(SECTION J-J)
 TYPICAL CROSS SECTION FOR 4 - LANE PORT ROAD
 (Scale - 1:80)
 (From Ch.- 0+000 To Ch.-0+400)



Note :-
 1. All Dimension are in mm unless other wise specified.



ಜಿಲ್ಲಾಧಿಕಾರಿಗಳ ಕಾರ್ಯಾಲಯ, ಉತ್ತರ ಕನ್ನಡ, ಕಾರವಾರ - 581 301

OFFICE OF THE DEPUTY COMMISSIONER, UTTARA KANNADA DISTRICT, KARWAR, -581 301

ದೂರವಾಣಿ : } 08382 226406, 226471
Telephone: } 08382 226603 (Fax)

Email: dckarwar@gmail.com

Website: <http://uttara.kannada.nic.in>

ನಂ:ಡಿಎಬಿ/ಎಂಎಜಿ-1/ವಿವ- /2022-23

ದಿನಾಂಕ: 17-06-2022

- 1) ನಿರ್ದೇಶಕರು, ಬಂದರು ಇಲಾಖೆ, ಕಾರವಾರ
- 2) ತಹಶೀಲ್ದಾರ್, ಹೊನ್ನಾವರ
- 3) ಬಂದರು ಅಧಿಕಾರಿ, ಹೊನ್ನಾವರ
- 4) ಪ್ರಾದೇಶಿಕ ನಿರ್ದೇಶಕರು, ಪರಿಸರ ಇಲಾಖೆ, ಕಾರವಾರ

ಮಾನ್ಯರೇ .

ವಿಷಯ:- Legal Notice about illegal Port Connectivity road at Kasarkod, Tonka, Honnavar, U.K

ಉಲ್ಲೇಖ: Mr.Sreeja Chakraborty, New 2638, 36 th Cross, 28 th Main, 9 th Block, Jayanagar, bangalore-560069 ರವರ ಇ ಮೇಲ್ ಪತ್ರ ಸಂಖ್ಯೆ: MAH/6630/2016 ದಿನಾಂಕ:17-06-2022

-****-

Mr.Sreeja Chakraborty, New 2638, 36 th Cross, 28 th Main, 9 th Block, Jayanagar, bangalore-560069 ಇವರಿಗೆ ಸಂಬಂಧಿಸಿದಂತೆ ಸ್ವೀಕೃತವಾದ ಕಲಂ 80 ಸಿಪಿಸಿ ನೋಟೀಸನ್ನು ಲಗ್ನ ಇಟ್ಟಿದೆ. ಕಾರಣ ಈ ನೋಟೀಸಿಗೆ ಉತ್ತರವಾಗಿ ಪ್ರತಿಯೊಂದು ವಾಖ್ಯಾವಳಿಗಳಿಗೆ ಸತ್ಯಾಂಶಗಳನ್ನು ವಿವರಿಸಿದ ವರದಿಯನ್ನು ನಿಗದಿತ ಸಮಯದೊಳಗೆ ವಕೀಲರಿಗೆ ಸಲ್ಲಿಸಬೇಕು. ಅಲ್ಲದೇ ಸದಿ ಉತ್ತರವನ್ನು ವಕೀಲರಿಗೆ ಕಳುಹಿಸಿ ಅದರ ಪ್ರತಿಯನ್ನು ಈ ಕಾರ್ಯಾಲಯಕ್ಕೆ ಮಾಹಿತಿಗಾಗಿ ಸಲ್ಲಿಸಲು ಕೋರಿದೆ.

ತಮ್ಮ ವಿಶ್ವಾಸಿ

ಅಪರ ಜಿಲ್ಲಾಧಿಕಾರಿ,

ಉತ್ತರ ಕನ್ನಡ ಕಾರವಾರ

ಪ್ರತಿ:- Mr.Sreeja Chakraborty, New 2638, 36 th Cross, 28 th Main, 9 th Block, Jayanagar, bangalore-560069 ರವರ ಮಾಹಿತಿಗಾಗಿ ಕಳುಹಿಸಿದೆ

Gmail

DC Uttara Kannada <dckarwar@gmail.com>

Legal Notice on Honnavar Port

1 message

Sreeja Chakraborty <sreeja.raai@gmail.com>

Fri, Jun 17, 2022 at 10:10 AM

To: dckarwar@gmail.com

Cc: tah.honnavar@gmail.com, rdekwr2010@gmail.com

Respected Sir,

I hereby serve you a Legal Notice under Section 80 of Code of Civil Procedure, 1908 on the matter of illegal construction of a 4 lane, 4 kms, 40 meter wide dedicated 'Port connectivity road' at Kasarkod Village, Honnavar Taluka, UK.

Regards

Sreeja Chakraborty

Legal Notice_Honnavar Port_17 June 22.pdf
141K

Registered office:
New 2638, 36th cross, 28th Main,
9th Block Jayanagar, Bangalore-560069
Email: sreejachakraborty@protonmail.com
Ph: 8250654780

To

District Commissioner

Uttar Kannada District

Karwar-581 301

Email: dckarwar@gmail.com

17-06-2022

Sub: Legal Notice about illegal Port connectivity road at Kasarkod Tonka, Honnavar, Uttar Kannada.

Respected Sir,

This Notice is being served to bring to your kind attention that the Department of Ports and Inland Water Transport is undertaking a construction of 4-lane, 4km long, 40 m wide road through CRZ I and 'No Development Zone' of CRZ III areas of Kasarkod village in absence of 'prior' permission under the Coastal Regulation Zone (CRZ) Notification 2011 from the Karnataka Coastal Zone Management Authority (KCZMA).

It is imperative to note that the construction of the road is undertaken illegally by the Ports Department to provide 'dedicated port connectivity road' to the port project of M/s Honnavar Port Private Limited (HPPL) at Kasarkod tonka to National Highway-66 (earlier NH-17) under heavy police deployment whereby the Police Department is acting as personal bodyguard to the Port officers at site and protecting the private equipment's brought in by a third-party private contractor.

This has led to an environment of intimidation and fear amongst the fishing community especially the women and children.

The fisherfolks of Kasarkod Tonka have been asking, requesting and demanding a copy of the clearances granted to allow the construction of the road, however till date neither such permission been produced nor a copy of the same has been in-warded to the office of Gram Panchayat, Kasarkod.

Additionally, an RTI application was filed before the Member Secretary, Karnataka Coastal Zone Management Authority (KCZMA) at Bangalore seeking for a copy of the CRZ

clearance for the project, however, the KCZMA has failed to furnish the information as sought and now a first appeal has been filed.

Also, the Administrative sanction dated 22-09-2010 of the Government of Karnataka which sanctioned construction of Honnavar Port at Kasarkod side, sanctioned a port connectivity road by filing up low lying areas near the Sharavathi bridge by constructing an elevated corridor to connect the Port at Kasarkod to the National Highway.

It is imperative to highlight that the Hon'ble High Court of Karnataka vide judgment dated 24th November 2021 in W.P 4039/21 (Honnavar Taluka Hasimeenu Vyparastha Sangha v. Honnavar Port & Ors.) at para 9 has directed the Respondents (including the Port Department) to obtain all necessary permissions before undertaking construction for the port.

Therefore, considering the above facts and circumstances the ongoing construction of the road is undertaken in violation of:

- i. CRZ Notification, 2011 and Environment (Protection) Act 1986
- ii. Administrative approval of the Government of Karnataka,
- iii. illegal encroachment on private land of Kasarkod villagers
- iv. contempt of Hon'ble High Court judgment.

The above violations are brought to your kind attention for immediate action and issuance of 'stop work' order until the permissions, if any, are placed in the public domain with a copy marked to Gram Panchayat, Kasarkod. Failing which appropriate court of law will be approached against your office for enabling CRZ violations which your esteemed office is duty bound under the law to implement and uphold for the protection of environment and livelihood of coastal communities.



SREEJA CHAKRABORTY

(Advocate)

CC to:

1. Tahsildar & Taluka Magistrate, Honnavar
Email: tah.honavar@gmail.com
2. Regional Director (Environment), Habbuwada, Karwar-581306
Email: rdekwr2010@gmail.com



GOVERNMENT OF KARNATAKA

(Department of Infrastructure Development, Ports & Inland Water Transport)

Sl. No. KMB/CR-05/LND-II/2019-20

Directorate of Ports &
Inland Water Transport
Baithkhol, Karwar -581302
Dated: 24.06.2022

To

Sreeja Chakraborty,
Registered office, New 2638,
36th Cross, 28th Main, 9th Block,
Jayanagar,
Bangalore - 560 069.

Sir,

Sub: Legal Notice about illegal port connectivity road at Kasarkod
Tonka, Honnavar Taluk, Uttar Kannada.

Ref: Letter No: DCB/MAG-1/ViVa - / 2022-23, Dated 17.06.2022 of
the Deputy Commissioner, Uttar Kannada District, Karwar
enclosed along with the Legal notice dated: 17.06.2022 issued by
Sreeja Chakraborty, Bangalore.

With reference to the letter under reference above received from the Deputy Commissioner, Uttar Kannada Karwar enclosing your Legal Notice dated: 17.06.2022 about illegal port connectivity road at Kasarkod Tonka, Honnavar Taluk, Uttar Kannada, I am submitting here below reply to the said notice.

At the outset, the allegations mentioned in your notice to the Deputy Commissioner, Uttar Kannada District, Karwar Dated: 17.06.2022 are devoid of facts and hereby denied.

Government of Karnataka has sanctioned Port Land at Honnavar port for Development of Barge/Vessel loading facility at Kasarkod Tonka Village; Uttar Kannada District, Karnataka to M/s. North Canara Seaports – GVPREL – Consortium vide Government Order No. PWD 119 PSP 2010, Dated: 22/09/2010 for a period of 30 years. Government of Karnataka accorded permission to transfer the subject matter of Lease agreement dated 11.10.2010 with all its recitals/tenets without alteration whatsoever of M/s. North Canara Seaports – GVPREL - Consortium, in favor of Special Purpose Vehicle (SPV) i.e. M/s. Honnavar Ports Private Limited – (HPPL) vide Government Order No. PWD 293 PSP 2010, Dated: 07.04.2011. The clause No. 10 in the agreement dated: 11.10.2010 clearly states that, the project proponent i.e.: HPPL has to undertake all the developmental activities including connectivity on its own investment.

The project proponent obtained the Terms of Reference (ToR) from the competent authority i.e. The State Environment Impact Assessment Authority for obtaining Environment and CRZ clearances and conducted Environment Impact Assessment study (EIA) for the port project. The EIA report along with the details of the project components was put in public domain in English and local vernacular language (Kannada) well before the conduct of public hearing by the Karnataka State Pollution Control Board

..2..

(KSPCB). The same was made available for information of the public 30 days prior of conducting the Public Hearing in all the Government offices as mentioned in the **Annexure – A**.

This clearly shows that the local populaces were well aware of the project details. After following all the procedures, the competent authorities namely: KSCZMA recommended the project including connectivity for EC & CRZ clearance. Based on the recommendations, of the authority vide meeting dated: 28.05.2012, State Environment Impact Assessment Authority – Karnataka (SEIAA) accorded Environment Clearance for the project.

With respect to the local Government body is concerned, Gram Panchayat Kasarkod has accorded No Objection Certificate (NOC) for Electricity and Water connection for the port project vide its letter. ಸಂ/ಗ್ರಾ.ಪಂ.ಕಾ/ವಿ.ನೀ.ಆ/2015-16 dated: 26/03/2016 on request of the project proponent. This being the case, your allegation that Gram Panchayat was not aware of the project is far from truth.

Many Public consultation and presentations were conducted on 06.11.2020, 03.02.2021, 20.02.2021, 24.02.2021, 04.03.2021, 27.06.2021, 28.06.2021 and 22.01.2022 respectively to educate and update about the pros and cons of the project at Government offices in the district post obtaining statutory clearances under the Chairmanship of the District/Divisional/Taluka/Port/Police authorities. The project details including the clearances, administrative approvals were placed before the locals/local leaders. Therefore, the question of hiding information from the public is totally denied.

With respect to specific allegations regarding violations, point – wise clarification are submitted as follows:

(i). Point No: 1

CRZ Notification 2011 and Environment Protection Act 1986 the following clarification has been given.

The project proponent i.e., HPPL had obtained Terms of Reference (ToR) for Environment Clearance from State Level Impact Assessment Authority - vide letter No: SEIAA 22 IND 2011, dated: 13th September 2011, based on the study and public hearing held on 27th January 2012 under the Chairmanship of the Deputy Commissioner, Uttar Kannada District.

The Karnataka State Coastal Zone Management Authority in the Meeting held on 28.05.2012 (**Annexure – I – Meeting proceedings - copy enclosed**) has recommended for the grant of EC & CRZ clearance. With regard to the connectivity to the project site, the road corridor connecting the project site to NH – 17 is also included as one of the components recommended for EC.

The project proponent had conducted the EIA study as per the ToR guidelines dated: 13.09.2011. The road aspect is already captured in the EIA report. The section in the EIA report (2.6.16.1 – Road connectivity option – I, 2.6. 16.2 – Road connectivity option – II, and 2.6.16.3 conclusion) **clearly illustrates the road aspect stipulated for the project.**

Based on the recommendation of the Karnataka State Coastal Zone Management Authority, the State Level Environment Impact Assessment Authority – Karnataka - vide its letter **No: SEIAA: 22: IND: 2011, Dated: 21.09.2012** issued **Environment Clearance** to the Port Project (**Annexure – II**).

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Further, Extension of Environment Clearance was obtained for three more years vide letter No: **SEIAA: 22: IND: 2011, dated: 01.07.2019** of the State Level Environment Impact Assessment Authority – Karnataka (**Annexure – III – copy enclosed**).

As per the CRZ Notification 2011, construction of the road in the CRZ – I (B) & CRZ – III is a permissible activity as captioned in the point No: 8 of the CRZ Notification 2011 under permissible activities in the CRZ zone.

(ii) Point No: 2

Administrative approval of Government of Karnataka

With regard to the administrative approval of Government of Karnataka, this is to inform you that Government of Karnataka vide Government Order No. PWD 119 PSP 2010, dated: 22/09/2010 has sanctioned the land for the Honnavar Port development at Kasarkod side and accordingly an agreement was executed on 11.10.2010. As per the **Clause No 43 of the agreement, it is clearly mentioned that the lessee shall use the road available in Kasarkod side as shown in Map C (Extract of the lease agreement and copy of the map C is enclosed as Annexure – IV).**

(iii) Point No: 3

Illegal encroachment on private land of Kasarkod villagers.

The development of road connectivity from NH -17 to the project site at Honnavar Port has been taken up within Honnavar Port limits declared as per **Government Notification No. PWD 107 PSP 2013, dated: 09.12.2013** which is issued as per sec (5) of **Indian Ports Act 1908 (Annexure – V)**. Further, to get the encumbrance free land for the proposed road connectivity, the Forest Department has already issued **Stage – 1** clearance to the extent of 0.76 ha of Forest land in F.sy no 233 and 237 and action is being taken for final approval. Hence, there is no question of illegal encroachment on private land of Kasarkod villagers as alleged in the legal notice.

(iv) Point No: 4

Contempt of Hon'ble High Court of Karnataka judgment.

A Writ Petition was filed before the Hon'ble High Court of Karnataka, Bangalore as per **WP No: 4039/2021 (GM – POL) PIL** by Honnavar Taluk Hasimeenu Vyaparastara Sangha, Tonka

Kasarkod Honnavar praying the Hon'ble High Court to issue a writ to stop the construction of the Port on the beaches of Kasarkod. After hearing the both the parties, the Honorable High Court disposed the Writ Petition as per Order Dated: 24.11.2021. In para 9 of the Judgment of Hon'ble High Court says that

“So far as the requirement of approval from the Ministry of Forest is concerned, we are of the considered view that the respondent shall obtain all necessary approvals, sanctions and permissions from all the concerned authorities while undertaking construction of the port in question”.

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It is a project which is in public interest and is being implemented in compliance with the permissions and clearances. The project proponent have obtained all the statutory clearances and administrative approvals, as detailed below:

Sl. No.	Issue Date	Clearances/Approvals obtained	Clearing Authority
1	21/09/2012	Environment Clearance and CRZ Clearance	State Level Environment Impact Assessment Authority – Karnataka – vide its letter No. SEIAA: 22: IND:2011 dated 21/09/2012
2	06/02/2013	Consent for Establishment	Karnataka State Pollution Control Board – vide its letter No. KSPCB/SEO (non-EIA)/Honnavar Port/EIA/2012-13/1381 dated 06/02/2013
3	26/03/2014	Detailed Project Report Approval	Government of Karnataka – vide its letter No. PWD/41/PSP/2013 dated 26/03/2014
4	30/04/2015	Construction Plans & Designs – Technical Approval	Director of Ports & IWD Department, Karwar -vide its letter No. PIWT-62/LND-II/2010 dated 30/04/2015
5	03/08/2015	Break water plans/drawings approval	Director of Ports & IWT Department, Karwar -vide its letter No. PIWT-73/DEV-I/2015 03/08/2015
6	03/08/2015	Capital dredging plans/designs approval	Director of Ports & IWD Department, Karwar -vide its letter No. PIWT-71/DEV-I/2015 03/08/2015
7	26/10/2015	Energy approval for installation of 1000KVA (1MVA)	Hubli Electricity Supply Company Limited – vide its letter No. ಕಾರವಾರ/ಕಾ.ನಿ.ಇಂ(ಐ)/ಸ.ಕಾ.ಇಂ(ಕ)/ಸ.ಇಂ. (ತಾ)/2015-16/9824-26.dated 26/10/2015
8	26/03/2016	No Objection Certificate from Local Authority	Gram Panchayat, Kasarkod, Honnavar Taluk, Uttar Kannada District – vide its letter.ಸಂ/ಗ್ರಾ.ಪಂ.ಕಾ/ವಿ.ನೀ.ಆ/2015-16 dated 26/03/2016
9	14/07/2016	Terminal Bay Construction approval.	Karnataka Power Transmission Corporation Limited – vide its 65 th T.B. committee meeting letter no: KPTCL/SEE(Plg)/EE-Plg-N/KCO-96/90/F-9252/2016-17/4622-28 dated 14 th -07-2016.

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..5..

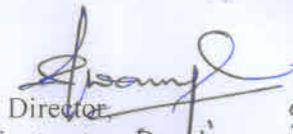
10	21/06/2016	Energy approval for installation of 1000KVA (IMVA)	Karnataka Power Transmission Corporation Limited – vide its OM No. BGKT/CEE/TRNS/CA/SEE(O)/AEE-5/16-17/4021-24, dated 21/06/2016
11	08/07/2016	Issue of Notification 7(a)	Central Board of Excise and Customs, Government of India, New Delhi – vide its notification No. 97/2016-Customs (N.T.) dated 08/07/2016
12	01/07/2019	Extension of Environment Clearance and CRZ Clearance	State Level Environment Impact Assessment Authority – Karnataka – vide its letter No. SEIAA: 22: IND:2011 dated: 01/07/2019
13	26/03/2021	Extension of Consent for Establishment	Karnataka State Pollution Control Board – vide its letter No. PCB 185 Infra 2020/5881, Dated: 26/03/2021

With the above clearances and approvals it is needless to emphasis that all the required permission and approvals are obtained including In-Principal approval from the Forest department for the 0.76 ha forest land in F. Sy. No: 233 & 237. Hence, there is no violation of the order of the Hon'ble High Court and no question of Contempt of Hon'ble High Court of Karnataka judgment. **(Copy enclosed as Annexure – VI).**

As mentioned in the above paras, it is clear that, there is no violation with regard to CRZ notification; Administrative approvals, Illegal encroachment and contempt of Honorable High Court Judgment as alleged in the ibid legal notice dated: 17.06.2022.

This is for your kind information.

Yours faithfully,


 Director,
 Department of Infrastructure Development,
 Ports & Inland Water Transport,
 Karwar.

24/6/22

Encl: As above.

Copy to:

1. The Deputy Commissioner, Uttar Kannada District, Karwar for kind information.
2. The Port Officer, Honnavar for kind information and necessary action.
3. The Assistant Commissioner, Bhatkal for kind Information.
4. The Tahshildar, Honnavar for kind information.
5. The Assistant Executive Engineer, Port Sub Division, Honnavar for information and necessary action.

Tele No. : 08382-221035/221494

Website : www.karnatakaports.org

Fax : 08382 -221035/228918

E-mail: directoratp@gmail.com

**State Level Environment Impact Assessment Authority-Karnataka**

(Constituted by MoEF, Government of India, under section 3(3) of E(P) Act, 1986)

No. SEIAA 01 EAA 2022

Date: 30.07.2022

✓ To,

M/s Honnavar Port Pvt. Ltd,
103, Lalehzar Apartments,
45/I-2, Palace Road,
Bangalore 560001.

Sir,

Sub:- Development of Barge/vessel loading facility to handle 4.0 MTPA of cargo at Coastal Sand Spit, Kasrkod Tonka Village, Honnavar Taluk, Uttara Kannada District by M/s Honnavar Port Private Limited (HPPL)-reg

- Ref: 1. Environmental Clearance letter No. No. SEIAA 22 IND 2011, dated 21.09.2012.
2. Order of Hon'ble National Green Tribunal (SZ), Chennai in O. A. No. 76 of 2022 (SZ) dated 27.07.2022.

This has reference to the order of the Hon'ble NGT dated 27.07.2022 in O.A. No. 76/2022 (SZ) and I.A. No. 116 of 2022(SZ) (copy enclosed) regarding construction of road by M/s Honnavar Port Private Limited on the CRZ area of Kasarkod Village which is in violation of Environmental Clearance already granted to the project proponent.

The Hon'ble NGT (SZ) have directed vide order at ref (2) above, to the authorities to ensure that no further construction should be made either as per the Environmental Clearance or in violation of the same in that area.

You are therefore directed to strictly comply with the direction of the Hon'ble National Green Tribunal (SZ), Chennai.

Yours faithfully,

(Vijay Mohan Raj V.)
Member Secretary,
SEIAA.

3/07/22

PRESENT STATUS OF PROJECT

1. CONSTRUCTION OF JETTY

a. APPROACH TRESTLE – 1 (67.5M X 15M) – Completed



b. APPROACH TRESTLE-2 (67.5M X 15M) – 5 nos of piles completed out of the proposed total 17 nos.

- i. Sheet Pile erection and sand filling for reclamation of land work completed.



ii. Liner pitching work.



c. BERTH – (440M X 30M)
Sheet pile erection for reclamation is in progress.



d. PRECAST DECK PLANKS**2. CONSTRUCTION OF BREAKWATER-**

- a. Breakwater boulders procured. A total of 1632.60 MT quantity stocked at site till date.



- 3. DEVELOPMENT OF INTERNAL ROADS (within the Project premises) - Out of proposed 4575 Rmtrs 1113 Rmtrs is completed.**



- 4. CONSTRUCTION OF APPROACH ROAD BY PORT DEPARTMENT – 2.1 kms**
- I. Road work up to GSB layer is completed.
 - II. WMM laying and construction work is in progress – 1.1 kms completed out of 2.1 kms



5. SITE DEVELOPMENT WORKS
a. YARD DEVELOPMENT.



b. ESTABLISHMENT OF SITE OFFICE



c. WEIGHBRIDGE – 100 MT CAPACITY.

i. One is operational



ii. 2nd Weighbridge installation is completed up to weighbridge platform.



d. Establishment of contractor office.



e. Labour camp.



f. QC Lab.



g. Batching Plant.



PER DAY EXPENDITURE DETAILS

SL. NO.	ITEMS	HPPL (PER DAY IN Rs.)	RKEC (PER DAY IN Rs.)
1	Site Engineers	10,000.00/-	35,000.00/-
3	Staff Accommodation and Administration charges	20,000.00/-	10,000.00/-
4	Equipment/Machinery	20,000.00/-	1,50,000.00/-
Total Amount		50,000.00/-	1,85,000.00/-
Total Expenses		2,35,000.00/-	

**DETAILS OF IDLE MACHINERY/EQUIPMENTS OF HPPL AND
RKEC AT PROJECT SITE**

S.NO	NAME OF THE EQUIPMENT	QTY (No's)	IDLE FROM
1	320 Crane	1	4 th June 2022
2	955 Crane	1	4 th June 2022
3	12 Ton Hydra Crane	1	4 th June 2022
4	125 KVA DG	3	4 th June 2022
5	62.5 KVA DG	2	4 th June 2022
6	30 KVA DG	1	4 th June 2022
7	Batching Plant	1	4 th June 2022
8	Transit Mixer	3	4 th June 2022
9	Dredging Equipment	1	4 th June 2022
10	Cutting Machine	1	4 th June 2022
11	Bar Bending Machine	1	4 th June 2022
12	Plate Bending Machine	1	4 th June 2022
13	JCB	1	4 th June 2022
14	Bolero Camper	1	4 th June 2022
15	Innova	1	4 th June 2022
16	Piling Rig-B 250	1	4 th June 2022
17	TATA Hitachi 200	1	17 th June 2022
18	Dozer	1	17 th June 2022
19	Ajax Fiori	1	4 th June 2022

DETAILS OF MANPOWER

SL NO.	MANPOWER	No(s)	
		HPPL	RKEC
1	Site Engineer	12	3
2	Foreman	0	1
3	Store Executive	1	1
4	Accounts	1	1
5	Supervisor	0	1
6	Electrician	2	2
7	955 Crane operator	0	1
8	Piling Rig Operator	0	1
9	Operators	3	0
10	Batching Plant Operator	0	2
11	Drivers	3	2
12	Crane Helpers	0	3
13	Batching Plant Helpers	0	1
14	Helpers	0	3

DUE TO HINDERANCE ON APPROACH ROAD

1. PILING RIG MACHINE ARRIVED ON 06.06.2022 AND DUE TO LOCAL ISSUES AND HINDERANCE ON APPROACH ROAD, IT IS UNLOADED OUTSIDE THE SITE PREMISE FROM 23.06.2022 ONWARDS.



2. DUE TO LOCAL ISSUES AND HINDERANCE ON APPROACH ROAD, TMT STEEL WEIGHING 70MT IS UNLOADED OUTSIDE THE SITE PREMISE FROM 03.06.2022 ONWARDS.



On date 09.08.2022 at 10: 30 am, while staff going to Project site on vehicles (Mahindra Bolero & Mahindra Camper) local people around 40 men and Women stopped the vehicle (Mahindra Bolero), beaten our staff, damaged the vehicle (Mahindra Bolero) and warned to face awful consequences if they enter the project site by quoting the NGT order.





HONNAVAR PORT (P) LTD.

Letter No. HPPL/RD/2022/0050

Date:-09.08.2022

To

The District Commissioner
Uttar Kannada District,
KARWAR – 581 301.

Sir,

Sub: Hindrance free access to the port project site - regarding.**Ref: 1. Government order no. PWD 190 PSP 2009 dated 18.03.2010.
2. Letter addressed to Deputy Commissioner Uttar Kannada, Karwar Sl. No. KMB/CR-05-LAND-11/2019-20 dated 03.08.2022**

As per the terms of agreement entered between the State Government ref(1) and the project proponent's viz., Honnavar Port (P) Limited, Honnavar Port should be made commercially operational as per the timeline drawn-up by the Company. It is brought to the notice that several vested interests who are anti-development of the region are obstructing execution of civil works by the Contractors and threatening the workmen about dire consequences if they fail to desist from work.

Meanwhile Damayanthi Subraya Mesta called as applicant has filed Original application no. 76 of 2022(SZ) I.A. No. 116 of 2022 (SZ) Before the National Green Tribunal Southern Zone, Chennai on 11.07.2022

It is brought to the kind notice that, as per the National Green Tribunal order dated 27.07.2022, it is been directed that "no further construction should be made either as per the Environmental Clearance or in violation of the same in that area".

Meantime, on date 09.08.2022 at 10:25 AM while going project site certain local miscreants of around 40mobs including gents and ladies Kasarkod Tonka region are stopped the staff movement vehicles (Mahindra Bolero & Mahindra Camper) forcefully and threatened, beaten them and damaged the vehicle (Mahindra Bolero) by quoting the order of the National Green Tribunal (NGT), South zone, Chennai and they are warning them to face awful consequence if they enter the project site. . Looking the threat to the life of our staff, the site was completely vacated immediately and whole staff proceeded toward the police station. we request your good self to take necessary action and cause to provide Honnavar Port (P) Ltd staff appropriate protection.

Your early compliance in the matter is requested.

Thanking You,

Yours faithfully,

Ce. Rajhu Reddy

Executive Director
Honnavar Port (P) Ltd.





GOVERNMENT OF KARNATAKA
KARNATAKA MARITIME BOARD

Department of Infrastructure Development, Ports & Inland Water Transport

Sl.No. KMB/CR-05/LND-II/2019-20

Directorate of Ports &
Inland Water Transport
Baithkhol, Karwar -581302
Dated: 03.08.2022.

To

The Deputy Commissioner,
Uttara Kannada District,
Karwar

Dear sir,

Sub: Hindrance free access to the Honnavar Port project area – providing police protection to the employees of the HPPL and contractor & his workmen – reg.

Ref: Letter No: No: HPPL/RD/2022/0045, Date: 03.08.2022 of M/s. Honnavar Port (P) Ltd.

The self-explanatory letter dated: 03.08.2022, received from the CEO of M/s. HPPL, is enclosed. In this connection, it is submitted that, in the meeting held on 27th June, 2022 held at Karwar to review the progress of Honnavar Port Development it was unanimously resolved to remove all bottlenecks in the execution of the project being developed under PPP Mode and all other Departments and Agencies should extend necessary support for timely completion of the project.

Vide letter above, CEO HPPL stated that, certain miscreants who are opposed to the project make an unlawful assembly at the entrance of the project area and are preventing legitimate movement of the staff of HPPL and the workmen employed by the contractor who is executing the project. It is also reported that these miscreants are virtually man handling the staff, truck drivers and workers, creating law and order problems. The project proponents are not in a position to move rig, machineries, construction materials, etc., to the project area and they are reported to be lying outside the project area.

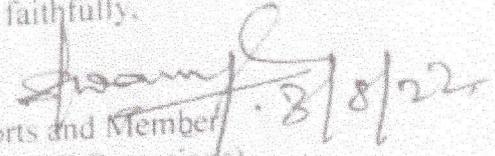
The project, which is being developed by the project proponent under PPP Mode, is adversely affected due to certain acts of miscreants/local inhabitants unlawfully. It has been requested by the project proponents to provide adequate police protection and to provide free access to the project area for the staff and persons connected with the project works.

It is submitted that, above project is included in the Gati Shakti priority projects the progress of which is directly monitored by Government of India.

In the said circumstances, I request you kindly to issue suitable directions to the local authorities to provide necessary police protection to the staff and workmen and to provide hindrance free access to the project area.

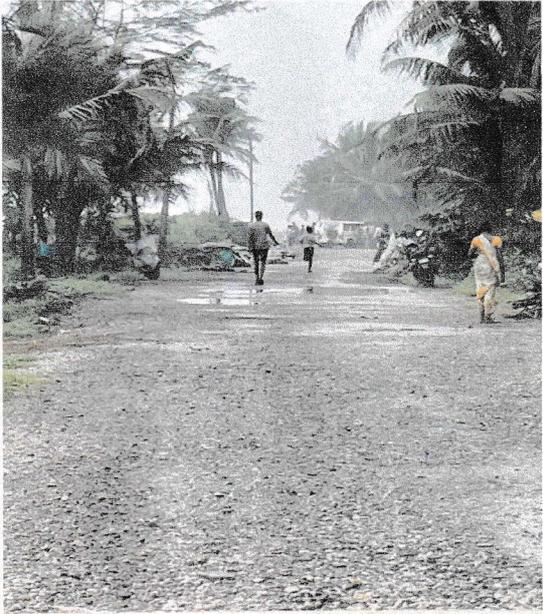
Yours faithfully,

Enclosures: As above


Director Ports and Member
(Maritime & IWT Operations).
Karnataka Maritime Board

Copy to

1. Superintendent of Police with a request to provide requisite Police protection for the said company staff and provide access to the project area.
2. Asst. Commissioner, Bhatkal for kind information and needful action
3. Tahsildar, Honnavara for kind information and needful action
4. Port Officer, Honnavar for information and needful action
5. Asst. Executive Engineer, Ports Sub-Division for information and needful action.
- ✓ 6. M/s Honnavar Port Private Limited, Honnavar for information and needful action.







Letter No. HPPL/RD/2022/0051

Date:-09.08.2022

To

The Circle Police Inspector
Honnavar

Sir,

Sub: Hindrance free access to the port project site - regarding.

**Ref: 1. Government order no. PWD 190 PSP 2009 dated 18.03.2010.
2. Letter addressed to Deputy Commissioner Uttar Kannada, Karwar Sl. No. KMB/CR-05-LAND-11/2019-20 dated 03.08.2022**

As per the terms of agreement entered between the State Government ref(1) and the project proponent's viz., Honnavar Port (P) Limited, Honnavar Port should be made commercially operational as per the timeline drawn-up by the Company. It is brought to the notice that several vested interests who are anti-development of the region are obstructing execution of civil works by the Contractors and threatening the workmen about dire consequences if they fail to desist from work.

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Your early compliance in the matter is requested.

Thanking You,

Yours faithfully,

A. Raghav Reddy
Executive Director
Honnavar Port (P) Ltd.





GOVERNMENT OF KARNATAKA
KARNATAKA MARITIME BOARD

Department of Infrastructure Development, Ports & Inland Water Transport

Sl.No. KMB/CR-05/LND-II/2019-20

Directorate of Ports &
Inland Water Transport
Baithkhol, Karwar -581302
Dated: 03.08.2022.

To

The Deputy Commissioner,
Uttara Kannada District,
Karwar

Dear sir,

Sub: Hindrance free access to the Honnavar Port project area – providing police protection to the employees of the HPPL and contractor & his workmen – reg.

Ref: Letter No: No: HPPL/RD/2022/0045, Date: 03.08.2022 of M/s. Honnavar Port (P) Ltd.

The self-explanatory letter dated: 03.08.2022, received from the CEO of M/s. HPPL, is enclosed. In this connection, it is submitted that, in the meeting held on 27th June, 2022 held at Karwar to review the progress of Honnavar Port Development it was unanimously resolved to remove all bottlenecks in the execution of the project being developed under PPP Mode and all other Departments and Agencies should extend necessary support for timely completion of the project.

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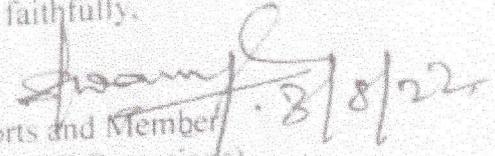
The project, which is being developed by the project proponent under PPP Mode, is adversely affected due to certain acts of miscreants/local inhabitants unlawfully. It has been requested by the project proponents to provide adequate police protection and to provide free access to the project area for the staff and persons connected with the project works.

It is submitted that, above project is included in the Gati Shakti priority projects the progress of which is directly monitored by Government of India.

In the said circumstances, I request you kindly to issue suitable directions to the local authorities to provide necessary police protection to the staff and workmen and to provide hindrance free access to the project area.

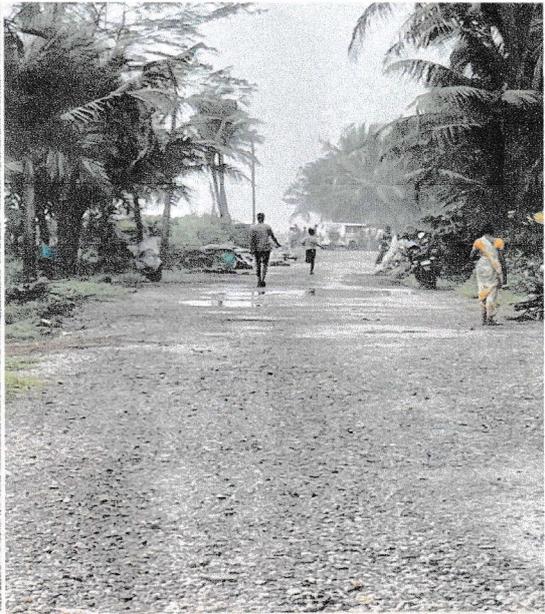
Yours faithfully,

Enclosures: As above


Director Ports and Member
(Maritime & IWT Operations).
Karnataka Maritime Board

Copy to

1. Superintendent of Police with a request to provide requisite Police protection for the said company staff and provide access to the project area.
2. Asst. Commissioner, Bhatkal for kind information and needful action
3. Tahsildar, Honnavara for kind information and needful action
4. Port Officer, Honnavar for information and needful action
5. Asst. Executive Engineer, Ports Sub-Division for information and needful action.
- ✓ 6. M/s Honnavar Port Private Limited, Honnavar for information and needful action.







No: HPPL/RD/2022/0048

Date: 09.08.2022

To,

The Director,
Infrastructure Development, Ports &
Inland Water Transport Department,
Baithkol, Karwar, Uttar Kannada District.

Sir,

Sub: Hindrance free access to the port project site - regarding.

- Ref:**
1. This office letter No: HPPL/RD/2022/0042, Dated: 23.07.2022 addressed to the Director, Infrastructure Development, Ports & Inland Water Transport Department.
 2. This office letter No: HPPL/RD/2022/0041, Dated: 20.07.2022 addressed to the Director, Infrastructure Development, Ports & Inland Water Transport Department.
 3. This office letter No: HPPL/RD/2022/0035, Dated: 06.07.2022 addressed to the Director, Infrastructure Development, Ports & Inland Water Transport Department.
 4. Your good office letter No: KMB/CR-05/LND-2/2019-20, Dated: 01.07.2022 addressed to M/s. Honnavar Port (P) Ltd.
 5. Proceedings of the Meeting held on 20.06.2022 held under the Chairmanship of The Deputy Commissioner Karwar with regards to the issues related to road connectivity to Honnavar Port Project site at Kasarkod.
 6. This office letter No: HPPL/PP/2022/0028, Dated: 17.06.2022 addressed to the Director, Infrastructure Development, Ports & Inland Water Transport Department.
 7. This office letter No: HPPL/RD/2022/0017, Dated: 27.05.2022 addressed to the Director, Infrastructure Development, Ports & Inland Water Transport Department.
 8. Letter adressed to Deputy Commisioner Uttar Kannada, Karwar SI. No. KMB/CR-05-LAND-11/2019-20 dated 03.08.2022

We have been conveying through letters vide ref (1), (2) & (3) regarding the preparedness/plans for movement of machineries, equipments, construction materials since a long time. Also, as per the directions from your good office vide ref (4) and w. r. t the proceedings of the meeting held under the Chairmanship of Deputy Commissioner, Uttar Kannada, Karwar on 20.06.2022 vide **ref (5)** above, we have submitted the plan/preparedness for execution of movement of the said equipments, construction materials and machineries to the project site.

Port Office : Kasarkod Tonka, Honnavar Taluk, Uttar Kannada District, Karnataka - 581 342.

Regd. Office : #103, Lalehzar Apartments, 45/1-2, Palace Road, Bangalore - 560 001, Karnataka, India.

Ph : +91-80-2235 3670, 4149 4960 Fax : +91-80-2235 3671 Email : info@honnavarport.com

Meanwhile as directed in the proceedings of the meeting held under the Chairmanship of the Deputy Commissioner Karwar, Assistant Commissioner – Bhatkal had fixed a meeting on 29th of July 2022 to discuss about the preliminary plans required for execution of the project work. But due to the NGT order in the amidst, Assistant Commissioner Bhatkal has postponed the meeting.

It is brought to the kind notice that, as per the National Green Tribunal, it is been directed that no further construction should be made either as per the Environmental Clearance or in violation of the same in that area.

Meantime, on date 09.08.2022 at 10:25 AM while going project site certain local miscreants of around 40mobs including gents and ladies Kasarkod Tonka region are stopped the staff movement vehicles (Mahindra Bolero & Mahindra Camper) forcefully and threatened, beaten them and damaged the vehicle (Mahindra Bolero) by quoting the order of the National Green Tribunal (NGT), South zone, Chennai and they are warning them to face awful consequence if they enter the project site. . Looking the threat to the life of our staff, the site was completely vacated immediatly and whole staff proceeded toward the police station. we request your good self to take necessary action and cause to provide Honnavar Port (P) Ltd staff appropriate protection.

Your early compliance in the matter is requested.

Thanking You,

Yours faithfully,

C. Raghu Reddy
Executive Director
Honnavar Port (P) Ltd.



Copy to:

1. Deputy Commissioner, Karwar, Uttar Kannada for needful action.
2. Superintendent of Police, Karwar, Uttar Kannada for needful action.
3. Assistant Commissioner, Bhatkal for needful action.
4. Deputy Superintendent of Police, Bhatkal for needful action.
5. Circle Police Inspector for needful action.
6. Tahsildar, Honnavar for needful action.
7. Port Officer, Honnavar for needful action.



GOVERNMENT OF KARNATAKA
KARNATAKA MARITIME BOARD

Department of Infrastructure Development, Ports & Inland Water Transport

Sl.No. KMB/CR-05/LND-II/2019-20

Directorate of Ports &
Inland Water Transport
Baithkhol, Karwar -581302
Dated: 03.08.2022.

To

The Deputy Commissioner,
Uttara Kannada District,
Karwar

Dear sir,

Sub: Hindrance free access to the Honnavar Port project area – providing police protection to the employees of the HPPL and contractor & his workmen – reg.

Ref: Letter No: No: HPPL/RD/2022/0045, Date: 03.08.2022 of M/s. Honnavar Port (P) Ltd.

The self-explanatory letter dated: 03.08.2022, received from the CEO of M/s. HPPL, is enclosed. In this connection, it is submitted that, in the meeting held on 27th June, 2022 held at Karwar to review the progress of Honnavar Port Development it was unanimously resolved to remove all bottlenecks in the execution of the project being developed under PPP Mode and all other Departments and Agencies should extend necessary support for timely completion of the project.

Vide letter above, CEO HPPL stated that, certain miscreants who are opposed to the project make an unlawful assembly at the entrance of the project area and are preventing legitimate movement of the staff of HPPL and the workmen employed by the contractor who is executing the project. It is also reported that these miscreants are virtually man handling the staff, truck drivers and workers, creating law and order problems. The project proponents are not in a position to move rig, machineries, construction materials, etc., to the project area and they are reported to be lying outside the project area.

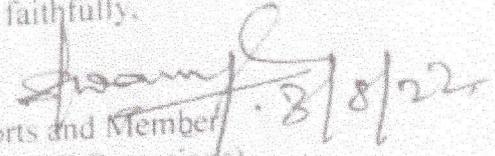
The project, which is being developed by the project proponent under PPP Mode, is adversely affected due to certain acts of miscreants/local inhabitants unlawfully. It has been requested by the project proponents to provide adequate police protection and to provide free access to the project area for the staff and persons connected with the project works.

It is submitted that, above project is included in the Gati Shakti priority projects the progress of which is directly monitored by Government of India.

In the said circumstances, I request you kindly to issue suitable directions to the local authorities to provide necessary police protection to the staff and workmen and to provide hindrance free access to the project area.

Yours faithfully,

Enclosures: As above


Director Ports and Member
(Maritime & IWT Operations).
Karnataka Maritime Board

Copy to

1. Superintendent of Police with a request to provide requisite Police protection for the said company staff and provide access to the project area.
2. Asst. Commissioner, Bhatkal for kind information and needful action
3. Tahsildar, Honnavara for kind information and needful action
4. Port Officer, Honnavar for information and needful action
5. Asst. Executive Engineer, Ports Sub-Division for information and needful action.
- ✓ 6. M/s Honnavar Port Private Limited, Honnavar for information and needful action.

STAFF DEATAILS

SL NO	EID	NAME	DESIGNATION	DEPARTMENT & PLACE OF WORK	REMARKS
1	H3	Mr.K G V MURTHY	CHIEF GENERAL MANAGER	HONNAVAR	
2	H1	Mr.HARISHCHANDRA DATTA NAIK	CHIEF LIAISON OFFICER	HONNAVAR	
4	H10	Mr.ARUN R NAIK	LIAISON OFFICER	HONNAVAR	
5	H4	Mr.KRISHNA M NAIK	DY.MANAGER -HR	HONNAVAR	<i>Diya</i>
6	H8	Mr.VINOD NAIK	DY.MANAGER -CIVIL	HONNAVAR	<i>Diya</i>
7	H24	Mr. N ALLA BAKASH	ASST STORE MANAGER	HONNAVAR	<i>Diya</i>
8	H23	Mr. VENKATESH MARELLA	ASST ACCOUNT MANAGER	HONNAVAR	<i>Diya</i>
9	635	Mr .ROSHAN H N	SR.EXECUTIVE-OPERATION	HONNAVAR	
10	H26	Mr.BALA RAJEEV SANJEEV REDDY	SR.ENGINEER	HONNAVAR	
11	H22	MR.TANMOY DAY	SR.SURVEROY	HONNAVAR	<i>Diya</i>
12		MR. M SRINIVASA RAO	SR.ENGINEER -ELECTRICAL	HONNAVAR	<i>Diya</i>
13	H25	MR . HARISH G	ASST.ENGINEER-QS	HONNAVAR	<i>Diya</i>
14	H27	MR.KALYAN REVU	ENGINEER CIVIL	HONNAVAR	<i>Diya</i>
15	H7	Mr.SUDHEER M NAIK	JR.ENGINEER-CIVIL	HONNAVAR	<i>Diya</i>
17	H20	MR.RAJA RAM SING	JR.ENGINEER-CIVIL	HONNAVAR	<i>Diya</i>
18	H19	MR.KIRAN KUMAR	ASST.ENGINEER	HONNAVAR	<i>Diya</i>
19	H30	MR.NANDANA AJAY	WEIGHBRIDGE OPERATOR	HONNAVAR	<i>Diya</i>
20	H29	MR.PRABKAHAR REDDY	SUPERVISOR	HONNAVAR	<i>Diya</i>
21	H21	MR .HIRAMAN YADAV	Ajax self loader Opt	HONNAVAR	<i>Diya</i>
22		MR.MAHADEV GOUDA	OFFICE BOY	HONNAVAR	<i>Diya</i>
23		MR.RAGHAVENDRA SALEHITAL	ELECTRICIAN	HONNAVAR	<i>Diya</i>
24		MR.PAVAN KUMAR	WEIGHBRIDGE OPERATOR	HONNAVAR	<i>Diya</i>
25		SUBRAMANIYA GANAPATHI NAYAK	DRIVER	HONNAVAR	<i>Diya</i>
26		SHANKAR GOVIND GOWDA	DRIVER	HONNAVAR	<i>Diya</i>

