

ಕರ್ನಾಟಕ ಸರ್ಕಾರ

GOVERNMENT OF KARNATAKA

ಪ್ರಧಾನ ಮುಖ್ಯ ಅರಣ್ಯ ಸಂರಕ್ಷಣಾಧಿಕಾರಿ

(ಅರಣ್ಯಪಡೆ ಮುಖ್ಯಸ್ಥರು) ರವರ ಕಛೇರಿ

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



ಅರಣ್ಯಭವನ, 18ನೇ ಅಡ್ಡರಸ್ತೆ

ಮಲ್ಲೇಶ್ವರಂ, ಬೆಂಗಳೂರು-560 003

AranyaBhavan, 18th Cross,
Malleshwaram, Bengaluru-560 003

Telephone : 080 2334 6472

Email : apccffc@gmail.com

Old FileNo. A5(2).GFL.CR-35/2013-14

E-Office File No. KFD/HOFF/A5-2(GFL)/42/2020-FC

Encl: 3 sets of proposal

E - 316958

Date 28-01-2022

31/01/22

To,

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

Sir,

Sub: Diversion of 8.803 hectare of forest land in Arga Village F.Sy No. 52A, Bada Hobli, Karwar Taluk, Uttara Kannada District (Karwar Forest Division) for establishing stone quarry and its approach road, dumping yard in favour of M/s Ramshree Construction Company, Kodibag, Karwar, Uttara Kannada District.

Proposal No. FP/KA/QR/31539/2018/FORM A/

- Ref:**
1. Online proposal [FORM-A PART-I] dated 25/07/2021(re submitted) of M/s Ramshree Construction Company, Kodibag, Karwar, Uttara Kannada District r/w Acknowledgement uploaded online on 31-07-2021by User Agency for having delivered the hard copy proposal to jurisdictional Deputy Conservator of Forests and Deputy Commissioner.
 2. This office online communication dated 31-07-2021to Deputy Conservator of Forests, Karwar Division for further processing of proposal.
 3. Online submission of PART-II on 13-10-2021 by the Deputy Conservator of Forests, Karwar Division [letter No. B4/GFL/FCA/CR-12/2019-20 dated 11-10-2021]and 28-12-2021[submitted Field inspection report to CCF Kanara Circle]
 4. Online submission of PART-III on 21-10-2021 by the Chief Conservator of Forests, Kanara Circle [letter No.B2/GFL/Quarry/CR-17/2021-22 dated 18-10-2021]and 31-12-2021[submitted Field inspection report to this office]

1. M/s Ramshree Construction Company, Kodibag, Karwar, Uttara Kannada District [USER AGENCY] vide ref (1) has submitted an online proposal [FORM-A PART-I] under Section 2 of the Forest (Conservation) Act, 1980

through FC web portal seeking approval for diversion of 8.803 hectare of forest land in Arga Village F.Sy No. 52A, Bada Hobli, Karwar Taluk, Uttara Kannada District (Karwar Forest Division) for establishing stone quarry and its approach road, dumping yard. After uploading of acknowledgement on 31-07-2021 by User Agency for having delivered the hard copies of the proposal to jurisdictional DCF & DC, an online communication was made by the Nodal Officer (FCA) vide ref (2) to the Deputy Conservator of Forests, Karwar Division to process the said proposal and to submit specific opinion / recommendation.

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

District, Taluk, Hobli, Village	Village	Sy No.	Project component	Forest extent proposed for diversion (ha)	Legal status of land
Uttara Kannada District, Karwar Taluk, Bada Hobli	Arga	52A11	Stone Quarry	5.72072	Reserved Forest
			Approach Road 1	0.5048	
			Approach Road 2	0.1647	
			Approach Road 3	0.186	
			Approach Road 4	0.0657	
			Approach Road 5	0.00196	
			Dumping yard 1	0.6916	
			Dumping yard 2	1.3162	
			Labour shed	0.15219	
			Total	8.80388	

- 3. Report of DCF, Karwar Division:** The Deputy Conservator of Forests, Karwar Division has inspected the project site on 24-09-2021 and vide ref (3) has submitted the site inspection report along with other information in PART-II to the Chief Conservator of Forests, Kanara Circle, Sirsi. In the said report, the Deputy Conservator of Forests, Karwar has recommended the proposal for consideration. Main features of the forest land proposed for diversion based on the Deputy Conservator of Forests, Karwar Division report r/w with the reports of the Chief Conservator of Forests, Kanara Circle and that of ICT Centre of the Forest Department are given below.

- a. The forest land proposed for diversion is not vulnerable to soil erosion.

- b. The forest land proposed for diversion is in general landscape of Eco-class-I (Moist mixed Deciduous forest) with a canopy density of up to 25 (open forest).
- c. As per Item 4(ii) of PART-II of the proposal, there are no trees on the forest land proposed for diversion.
- d. As per Item 8 (i) of PART-II of the proposal, no major wild animals reported in and around the project area.
- e. As per Item 8 (V) of PART-II of the proposal, as per Deputy Conservator of Forests, Karwar Division report vide ANNEXURE I main endangered flora and fauna reported in and around the project area include *Bombax Ceiba*, *Terocorpus Marsupiam*, *Pterocarpus marsupium*, *Xylia Xylocarpa*, *Strychnos nux vomica*, *Caria arboria*, *Acacia catechu*, *Terminalia peniculata*, *Terminalia Tomentosa*, *Terminalia Belarica* etc.
Leopard both spotted and black, *Pangolin*, *Sloth Bear*, *Sambar*, *Spotted Deer*, *Jackal*, *Cobra*, *Russel viper*, *Saw scaled viper*, *Monitor Lizard*, *Reticulated Python*, *King Cobra* etc.
- f. The forest land proposed for diversion does not form part of any national park/ wildlife sanctuary/ biosphere reserve/ tiger reserve/ elephant corridor/ wildlife migration corridor, etc.
- g. There are no protected/ archaeological/ heritage sites or defence establishments or important monuments in the area.
- h. There is no violation reported under the Forest (Conservation) Act, 1980.
- i. The requirement of forest land for the project is bare minimum and unavoidable.

4. Report of CCF, Kanara Circle: The Chief Conservator of Forests, Kanara Circle has inspected the site on 14-10-2021 and has agreed with the report of Deputy Conservator of Forests, Karwar Division. The Chief Conservator of Forests, Kanara Circle vide ref (4) has submitted his report in PART-III and has also recommended the proposal.

5. Principal Chief Conservator of Forests (FC) and Nodal Officer (FCA) Field Inspection report: The project site was inspected by me along with the DCF Karwar and his staff on 17-12-2021 and representative of the User Agency. The project site is located on the Karwar Ankola Highway approximately 12 kms from the Karwar. It is on the left side of the National highway which is under construction. On the right side of the National highway is sea bird project. The project proponent is having one existing quarry near to the project site which is likely to be closed after National Highway become functional as Government guidelines does not allow stone quarry 200 meters from the National high way.

The User Agency has asked for 8.803 ha of forest land to initiate the quarrying activity in lieu of the exiting quarry which is likely to be closed in view of Govt. regulations. It is noted that the area asked for the quarrying activity is big in comparison to the existing quarry operated by the same user Agency.

Hence, it is proposed that we may consider the proposal for full but the quarrying activity may be restricted for 2 ha. excluding dumping site and other associated activities during the present lease period of 10 years. The quality of the forest is scrub jungle. We may impose the condition of proper R and R of old quarry and also phased rehabilitation of the proposed stone quarry area.

6. **Net Present Value (NPV):** The User Agency is required to pay the Net Present Value (NPV) of forest land proposed for diversion as per the revised FC Guidelines communicated by Government of India, Ministry of Environment, Forests and Climate Change, New Delhi vide 5-3/2011-FC(Vol-I) dated 06-01-2022. **The User Agency has submitted an Undertaking agreeing to pay the Net Present Value (NPV) of the forest land proposed for diversion.**
7. **Compensatory Afforestation (CA):** The User Agency is required to provide an equivalent extent of suitable non-forest land in accordance with FC guidelines. Further, as per Government of Karnataka Order No. FEE 88 FLL 2016 dated 31-08-2016 pertaining to FC proposals of private User Agencies, such CA land needs to be a private land either as forest enclosure or adjoining an existing forest area in man-animal conflict zone. In addition, the User Agency is also required to pay the CA charges as per prevailing rates. Accordingly, **the User Agency has identified an extent of 8.803 ha of non-forest (Private) land in two locations (0.969 ha in Sy No. 76A2 of Kadavada Village, and 7.834 ha in Sy No. 69 of Belur Village, Kinnara Hobli) Karwar Taluk, Uttara Kannada District.** The Deputy Conservator of Forests, Karwar Division has issued the Compensatory Afforestation land suitability certificate dated 16-12-2020 for the said lands. The details of CA land in form of topo map, geo-referenced map with GPS readings of all corners and KML file have already been uploaded by the User Agency in PART-I of the proposal. Further, the CA scheme and CA suitability certificate dated 16-12-2020 (also uploaded in additional information details of PART-I) of the Deputy Conservator of Forests, Karwar have also been submitted/uploaded online. As there are no trees for felling on forest land proposed for diversion. In addition, the User Agency is also required to pay the CA charges as per prevailing rates. However, the User Agency has agreed to pay the compensatory planting charges and has submitted an undertaking in this regard.
8. **Status of RoFR compliance:** With regard to compliance of the provisions of Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forests Rights) Act 2006 and Rules 2008, **the User Agency has already**

furnished the requisite certificate in FORM-II (Non-linear/Hybrid projects) issued by the Deputy Commissioner Karwar, vide No/RB/FOR/CR-6/2019-20 dated 24-02-2019 (copy enclosed). The same has been uploaded by User Agency in PART-I of the proposal.

9. **Additional information:** As per site inspection report of Deputy Conservator of Forests, Karwar Division it is reported that Arga Forest Sy No. 52A1A 0.494 ha was diverted to the same User Agency as per Government of India Stage-II order No: 4-KRB-754/2010-BAN/1531 dated 13-07-2012 and Government of Karnataka order No.FEE-160-FFM-2010 dated 13-08-2012 with the lease period from 2012-13 to 2022-23. There was a re-diversion of 0.051 ha for the expansion of National Highway-66(17) in Goa-Karnataka Border-Kundapura section as per Government of India order F.NO.4-KRB-973/2013-BAN/698 dated 07-10-2020 and Government of Karnataka order No APJ/37/GLL/2020 dated 07-11-2020. Because of re-diversion of forest land to NH-66 (17) there is an issue regarding safe distance from National Highway which may lead to closure of quarrying, even though lease period is valid till 2022-23.

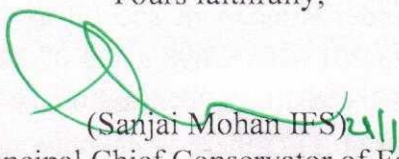
A report obtained from DR.V.R Sastry Professor of Mining Engineering national Institute of Technology (NIT), Karnataka, Surathkal, Government of India on the assessment of the impact of blasting operation carried out in proposed stone quarry area has been submitted by the User Agency. As per the report "the ground vibrations generated from blasting operations in the newly proposed stone quarry in forest Survey No.52A1A will not impact on the stability of rock slope towards the National Highway-66. Similarly, the ground vibrations generated due to blasting operations to be carried out in the newly proposed stone quarry will not have any effect on the stability on National Highway-66, as the intensity of ground vibrations is dying down to insignificant levels from 100 m distance from blast site. Also, there is a hard rock barrier of about 230m width between the newly proposed stone quarry and the National Highway-66. Moreover, the rock formation itself presents a favorable slope condition (from stone quarry side) due to the joint orientation favorable for stable slopes. The slope study analysis carried out with 32mm diameter blast holes of 1.5 m depth and electric short delay detonator system of imitation are quite safe. Blast results were good and very safe from point of view of ground vibrations, noise and fly rock, and will not cause any instability to the National Highway-66 and the adjoining rock slopes".

In light of the facts stated above, it is requested to move the proposal to Government of India for according 'in-principle' (Stage-I) approval under Section 2 of the Forest (Conservation) Act, 1980 for diversion of 8.803 hectare of forest land in Arga Village F.Sy No. 52A, Bada Hobli, Karwar Taluk, Uttara Kannada District (Karwar Forest Division) for establishing stone quarry over

2.00 ha of forest area only instead of 5.72 ha of forest area and its approach road, dumping yard in favour of M/s Ramshree Construction Company, Kodibag, Karwar, Uttara Kannada District as mentioned in proposal for a period of ten (10) years subject to the conditions appended in Annexure 'A'.

The hard copy of the proposal along with the relevant documents in 3 sets is submitted herewith for further needful. The present status of the proposal obtained from the web-portal is also appended for necessary action.

Yours faithfully,


(Sanjai Mohan IFS)
Principal Chief Conservator of Forests
(Head of Forest Force)

Copy to the:

1. Chief Conservator of Forests, Kanara Circle, Sirsi for information.
2. Deputy Conservator of Forests, Karwar Division, Karwar for information.
3. M/s Ramshree Construction Company, Engineers & Contractors, Shree Ram Complex, G. Floor, NH-17 Kodibag, Karwar -581 303 for information.

ANNEXURE - 'A'

1. The legal status of forest land shall remain unchanged and it shall continue to be the forest land.
2. The User Agency shall pay the applicable Net Present Value (NPV), Compensatory Afforestation (CA) charges, cost of extraction of trees (if required in future), land lease rent and any other levies as per the conditions of approval.
3. The User Agency shall demarcate the lease area in the manner specified at the time of approval at its own cost.
4. The User Agency shall provide the signages of appropriate dimensions and nature along the proposed Stone Quarry and its Approach Road within forest limits for sensitization of general public towards the forest, wildlife and environmental issues in consultation with the jurisdictional Deputy Conservator of Forests.
5. The lessee shall not sub-lease, mortgage and hypothecate the forest area.
6. The leased out area should be used for the purpose for which it is granted. In case, the land is not used for the stipulated purpose within two years or when it is no longer needed for the stipulated purpose, the area would stand resumed to the Forest Department.
7. The application for renewal of the lease in the prescribed form and manner shall be submitted at least six months prior to the expiry of forest lease. In case, no renewal is sought, the Lessee shall hand over the lease.
8. No residential or commercial buildings shall be permitted in the forest area proposed for diversion.
9. No crushing / breaking of stones or labour camp shall be allowed inside forest area and all waste / debris generated shall be scientifically disposed off outside the forest area.
10. Any damage to forest area because of implementation of the project shall be compensated by the Lessee. The extent of damage shall be assessed by the jurisdictional Deputy Conservator of Forests/ Conservator of Forests/ Chief Conservator of Forests.
11. The Lessee shall ensure that no avoidable harm is caused to the fauna and flora in and around the proposed area.
12. No change in Land Use Plan shall be done unless prior approval of Government of India under FC Act is obtained.
13. In case, any violation of the provisions of the Karnataka Forest Act, 1963 & Rules, 1969 or other relevant Acts/Rules is reported during the lease period, the lease will be liable for forfeiture under Section 82 of Karnataka Forest Act, 1963. The Chief Conservator of Forests and/or Deputy Conservator of Forests concerned are authorized to take necessary action in this regard.
14. The approval under the Forest (Conservation) Act, 1980 is subject to any other clearances necessary under the prevailing statutes.
15. The User Agency shall also abide by other conditions those may be imposed by the Government of India, Government of Karnataka and Principal Chief Conservator of Forests (Head of Forest Force) before or after the approval.

(Sanjai Mohan IFS) 29/1

Principal Chief Conservator of Forests
(Head of Forest Force)

PART – IV

(To be filled in by the Nodal Officer or Principal Chief Conservator of Forests or Head of Forest Department)

<p>Detailed opinion & specific recommendation of the State Forest Department for acceptance or otherwise of the proposal with remarks.</p> <p><i>(While giving opinion, the adverse comments made by concerned Conservator of Forests or Deputy Conservator of Forests should be categorically reviewed and critically commented upon.)</i></p>	<p>Recommended for moving the proposal to Government of India for according 'in-principle' (Stage-I) approval under Section 2 of the Forest (Conservation) Act, 1980 for diversion of 8.803 hectare of forest land in Arga Village F.Sy No. 52A, Bada Hobli, Karwar Taluk, Uttara Kannada District (Karwar Forest Division) for establishing stone quarry over 2.00 ha of forest area only instead of 5.72 ha of forest area and its approach road, dumping yard in favour of M/s Ramshree Construction Company, Kodibag, Karwar, Uttara Kannada District as mentioned in proposal for a period of ten (10) years subject to the conditions appended in Annexure 'A'.</p> <p>[Proposal No. FP/KA/QRY/31539/2018]</p>
---	--

Signature:

Name:

Designation:

RAJIV RANJAN IFS

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

(Official Seal):

Counter signed by :

Name:

Designation:

SANJAI MOHAN IFS

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

(Official Seal):

N.D.O. No: 46 /2021-22

Date: 31-01-2022