

No. A5(2).GFL.CR.20/2014-15

Office of the
Principal Chief Conservator of Forests
(Head of Forest Force),
Aranya Bhavan, Malleswaram,
Bangalore-560 003, dated: 02-12-2016.
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To

The Additional Chief Secretary to Government,
Forest, Ecology and Environment Department,
M.S. Building,
Bangalore - 560001.

Sir,

Sub: Diversion of 0.081 ha of forest land in F.Sy.No. 146 of Tattisar village, Sirsi Taluk for approach road to stone crushing unit in Malki Sy.No. 35 of Tattisar in favour of the Raghavendra Stone Crushing works, Tattisar.

Online Proposal No. FP/KA/ROAD/10844/2015.

- Ref: 1. Letter dated 19-06-2014 of Nagaraj Dattatreya Vittlakar, Shri Raghavendra Stone Crushing works, Hulekal road, Hutgar, Sirsi.
2. Letter No.B2/GFL/CR-31/2015-16 dated: 28-12-2015 of the Chief Conservator of Forests, Kanara Circle, Sirsi.

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The Chief Conservator of Forests, Kanara Circle, Sirsi after duly processing the diversion proposal received from the Deputy Conservator of Forests, Sirsi for Diversion of 0.081ha of forest land in F.Sy.No. 146 of Tattisar village, Sirsi Taluk for approach road to stone crushing unit in Malki Sy.No. 35 of Tattisar in favour of the Raghavendra Stone Crushing works, Tattisar under the Forest (Conservation) Act, 1980 has submitted the proposal vide letter dated 28-12-2015 cited under reference (2) above.

The details of the forest land required for the project is as under:

| Sl. No. | Name of the | | | F.Sy.No. | Extent in Ha. | Type of Forest |
|---------|---------------|--------------|----------|----------|---------------|----------------|
| | District | Taluk/Range | Village | | | |
| 1 | Uttar Kannada | Sirsi | Tattisar | 146 | 0.081 | Reserve Forest |
| | | Total | | | 0.081 | |

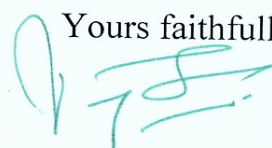
The Deputy Conservator of Forests, Sirsi Division has inspected the site on 25.06.2015 and furnished the details in Form-A Part-II. The Chief Conservator of Forests, Kanara Circle, Sirsi has also inspected the site on 28-09-2015 and 23-11-2015, and has agreed with the recommendation of the Deputy Conservator of Forests, Sirsi Division for diversion of the above proposal under the Forest (Conservation) Act, 1980 and furnished the details in Form-A Part-III. The details furnished by the Chief Conservator of Forests and the Deputy Conservator of Forests includes the following:

1. The User Agency has submitted the online application in Form 'A' Part-I. The User Agency requires 0.081 Ha. of forest land for above purpose. It is barest minimum.
2. Undertaking for payment of the Net Present Value and Compensatory Afforestation charges has furnished by the user agency.
3. The Deputy Commissioner, Uttar Kannada, Karwar has given certificate for non-availability of non-forest land for above purpose.
4. In the proposed area 130 Acacia trees are there, part of plantation was raised during the year 2013 in 20.00 Ha. For planting Acacia plants in the diversion area, the amount spent for raising of plantation and management work amounts to Rs. 6996/-. Besides these 7 naturally grown old Acacia, 1 Honne & 3 other jungle trees are there.
5. Map clearly showing the forest boundary is enclosed.
6. Deputy Commissioner, Uttar Kannada District, Karwar has issued certificate as required under Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Act-2006 and Rules, 2008 the same are enclosed herewith.
7. The density of the forest vegetation is 0.25 and coming under Eco class-I (Dense forest).
8. In the proposed forest area rare endangered and unique species of flora and fauna are not found.
9. There are no protected archaeological, heritage sites/ Defence establishments or any other important monument located in the area.

The User Agency has to pay the Net Present Value (NPV) of forest land being diverted under this proposal as per orders dated 28-3-2008 and 9-5-2008 of the Hon'ble Supreme Court of India in I.A.No.826 in I.A.566 in WP(C)No. 202/1995. The User Agency has given an undertaking to pay the Net Present Value for the proposed area for diversion.

The area proposed for diversion comprises of forests of Eco-class-I with varying densities, however since it is a single linear project passing through similar forest areas, it is felt that the category of Eco-Class-I with very dense forest may be considered for calculating NPV.

Under the above circumstances, while agreeing with recommendation of the field officers it is requested to move the matter with the Government of India for approval in-principle (Stage-I) under Section-2 of Forest (Conservation) Act, 1980, proposal for diversion of 0.081 ha of forest land in F.Sy.No. 146 of Tattisar village, Sirsi Taluk for approach road to stone crushing unit in Malki Sy.No. 35 of Tattisar in favour of the Raghavendra Stone Crushing works, Tattisar as per guidelines issued by Government of India, Ministry of Environment and Forest, subject to the conditions appended in **Annexure -'A'**. The proforma particulars along with relevant documents in 3 sets are submitted herewith for kind perusal and further action.

Yours faithfully,


Principal Chief Conservator of Forests
(Head of Forest Force), Bangalore.

Copy to the Chief Conservator of Forests, Kanara Circle, Sirsi for information and necessary action.

Copy to the Deputy Conservator of Forests, Sirsi Division, Sirsi for information and necessary action.

Copy to the M/s. Shri Raghavendra Stone Crushing works, Hulekal road, Hutgar, Sirsi- 581402 for information necessary action.

ANNEXURE 'A'

1. The legal status of Forest land shall remain unchanged and it shall continue to be as forest land.
2. The lessee shall pay lease rent as fixed by the Government from time to time.
3. The lease tenure is 5 years.
4. 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 year or when it is no longer needed for the stipulated purpose, the area should be resumed to the Forest Department and the concerned Deputy Conservator of Forests is authorized to take necessary action in this regard.
5. In case of any violations of stipulations/agreed conditions reported during the lease period, the lease shall be liable for forfeiture under sec 82 of KFA, 1963.
6. No residential buildings shall be permitted in the proposed forest area.
7. The Karnataka Forest Act, 1963 and Rules, 1969 and other relevant Acts & Rules will be applicable for any violation.
8. The User Agency shall pay the Net Present Value (NPV) of forest land diverted under this proposal as per Orders dated 28-3-2008 and 9-5-2008 of the Hon'ble Supreme Court of India, for assessment of NPV the ecological class of the said forest shall be the Eco-Class-I, 0.25 density.
9. The User Agency has to pay the cost for raising plantation at 10 times of the trees to be felled i.e., 89 trees X 10 times = 890 nos.
10. Avenue plantation shall be taken up by User Agency along the road on either side at the project cost. The plantation shall be maintained at the project cost for 7 years.
11. The User Agency shall pay the extraction and transportation charges of the tree to be felled in proposed area for diversion.
12. The User Agency shall ensure that there shall be no damage to the available fauna and flora.
13. No labour camp shall be established on the forest lands.
14. Any damage to forest area due to such works shall be compensated by the User Agency. The extent of damage shall be assessed by the concerned Deputy Conservator of Forests.
15. The User Agency shall not sub-lease, mortgage and hypothecate the forest area.
16. The User Agency shall abide by all the conditions imposed upon by Government of India, the Government of Karnataka and Principal Chief Conservator of Forests (Head of Forest Force).


Principal Chief Conservator of Forests
(Head of Forest Force), Bangalore.

PART - IV

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

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| <p>Detailed opinion & specific recommendation of the State Forest Department for acceptance or otherwise of the proposal with remarks.</p> <p>(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).</p> | <p>Recommended for diversion of 0.081 ha of forest land in F.Sy.No. 146 of Tattisar village, Sirsi Taluk for approach road to stone crushing unit in Malki Sy.No. 35 of Tattisar in favour of the Raghavendra Stone Crushing works, Tattisar.</p> |
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Signature:



(P. ANUR REDDY, I.F.S.,)

Nodal Officer and

Additional Principal Chief Conservator of Forests
(Forest Conservation), Bangalore.

Counter signed by:



Name:

(VINAY LUTHRA, I.F.S.,)

Designation:

Principal Chief Conservator of Forests
(Head of Forest Force), Bangalore.

N.D.O. No.38 /2015-16

(Official Seal)

Date: 02-12-2016.
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