

ಕರ್ನಾಟಕ ಸರ್ಕಾರ

GOVERNMENT OF KARNATAKA

ಪ್ರಧಾನ ಮುಖ್ಯ ಅರಣ್ಯ ಸಂರಕ್ಷಣಾಧಿಕಾರಿ
(ಅರಣ್ಯಪಡೆ ಮುಖ್ಯಸ್ಥರು) ರವರ ಕಛೇರಿ

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



ಅರಣ್ಯ ಭವನ, 18ನೇ ಅಡ್ಡರಸ್ತೆ,

ಮಲ್ಲೇಶ್ವರಂ ಬೆಂಗಳೂರು-560 003

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E-73448

Date 06-11-2020

12

To,

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

Sir,

Sub: Diversion of 1.40 hectare of forest land in Ummachgi Village F.Sy No. 36B/1A & 36B/1B, Manchikeri Hobli, Yellapur Taluk, Uttara Kannada District (Yellapur Forest Division) for establishment of Sub-market Yard in favour of Secretary, Agricultural Produce Marketing Committee (APMC), Yellapur, Uttara Kannada District

Proposal No: FP/KA/Others/30144/2017

- Ref:**
1. Online Proposal [FORM-A PART-I] dated 19-08-2019 (resubmitted) of the Secretary, APMC, Yellapur, Uttara Kannada District r/w uploading of Acknowledgement on 16-10-2019 for having delivered the hard copies of the proposal to jurisdictional Deputy Conservator of Forests and Deputy Commissioner
 2. This office online communication dated 18-10-2019 to Deputy Conservator of Forests, Yellapura Division for further processing of the proposal
 3. Online submission of PART-II by Deputy Conservator of Forests, Yellapura Division on 11-06-2020 r/w online reply dated 03-06-2020 of User Agency to the latest EDS query [Letter No. A6/Bhoomi/Apmc/CR-13/2020-21 dated 16-06-2020]
 4. Online submission of PART-III by Chief Conservator of Forests, Kanara Circle on 02-07-2020 r/w online reply dated 18-06-2020 of DCF, Yellapur Division to the EDS query [Letter No. B2/GFL/FCA/APMC/CR-07/2019-20/823 dated

01-07-2020]

1. Secretary, Agricultural Produce Marketing Committee (APMC), Yellapur, Uttara Kannada District [USER AGENCY] vide Ref (1) has submitted an online proposal [FORM-A PART-I] through FC Web Portal seeking approval under Section 2 of the Forest (Conservation) Act, 1980 for diversion of 1.40 hectare of forest land in Ummachgi Village F.Sy No. 36B/1A & 36B/1B, Manchikeri Hobli, Yellapur Taluk, Uttara Kannada District (Yellapur Forest Division) for establishment of Sub-market Yard. After acceptance of the proposal by Nodal Officer (FCA) for further processing, the User Agency has delivered the hard copies of the proposal to Deputy Conservator of Forests, Yellapura Division and Deputy Commissioner, Uttara Kannada District and has uploaded the Acknowledgment on the web portal on 16-10-2019. Accordingly, an online communication was made by Nodal Officer (FCA) vide Ref (2) to the Deputy Conservator of Forests, Yellapura Division for further processing of the proposal under FC Act.
2. **Location details and Component wise break up:** Location details of the forest land proposed for diversion are given below.

District, Taluk, Hobli	Village	Sy No.	Forest extent proposed for diversion (ha)	Legal Status of Land
Uttara Kannada District, Yellapur Taluk, Manchikere Hobli	Ummachagi	36B/1A & 36B/1B	1.40	Reserved Forest
Total			1.40	

Component-wise breakup of the forest land required for the project is given below.

Component		Forest Land (ha)
1	Sundry Shops (20 no.)	0.26
2	Construction of Godowns (4 no.)	0.18
3	Rice Mill	0.12
4	Plots for Traders Constructions of Godowns/shops (8 no.)	0.26
5	Canteen	0.08
6	Administrative Office	0.04
7	Raita Bhavan	0.04
8	Toilet Block	0.01
9	Garden (2 no.)	0.05
10	Roads (Internal)	0.1
11	Farmers Online E-Market Platform	0.06
12	Agricultural Commodity Cleaning and Grading processing	0.2
Total		1.40

The User Agency has uploaded the Layout Plan of the project in Additional Information Details of the PART-I of the proposal.

3. DCF, Yellapura Division Report: The Deputy Conservator of Forests, Yellapura Division has inspected the proposed area on 05-06-2020 and vide Ref (3) has submitted his Site Inspection Report along with recommendation in PART-II to Chief Conservator of Forests, Kanara Circle. Main features of the proposal based up on the Deputy Conservator of Forests, Yellapura report r/w report of Chief Conservator of Forests, Kanara Circle and that of ICT Centre of Forest Department are summarized below.

- a. The forest land proposed for diversion is less prone to soil erosion.
- b. The forest land proposed for diversion is in general landscape of Eco-Class I (Topical Moist Deciduous Forests) with Dense Forest (Canopy density > 0.4. [Note: The entry made in Item 4(i) of PART-II of the proposal may be read accordingly].
- c. As per Item 4(ii) of PART-II, there are 227 trees in different girth classes in the forest land proposed for diversion. Main species include *Terminalia paniculata*, *Terminalia tomentosa*, *Xylia xylocarpa*, *Adina cordifolia*, *Ficus bengalensis*, *Madhuca indica*, *Terminalia bellerica*, *Mangifera indica*, *Lagerstroemia lanceolata*, *Syzigium cumini* and various other jungle wood species.
- d. As per the Item 8(ii) of Part-II, there are no major wild animals present in and around the forest land proposed for diversion.
- e. There are no other rare / endangered / unique species of flora and fauna reported in and around the forest land proposed for diversion.
- 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 National Park/ Wildlife Sanctuary/ Biosphere Reserve/ Tiger Reserve/ Elephant Corridor/ Wildlife Migration Corridor within one kilometre from the boundary of the forest land proposed for diversion.
- h. The forest land proposed for diversion is not located within Eco-Sensitive Zone (ESZ) of any Protected Area notified under Wildlife (Protection) Act, 1972.
- i. There are no Protected/ Archaeological/ Heritage Sites/ Defence establishments located in the proposed area.
- j. The forest area proposed for diversion is the bare minimum and unavoidable.
- k. There is no violation reported under Forest (Conservation) Act, 1980.

4. CCF, Kanara Circle Report: The Chief Conservator of Forests, Kanara Circle, Sirsi has inspected the project site on 30-06-2020 and vide Ref (4) has submitted

the Site Inspection Report in PART-III online. Agreeing with the recommendation made by the Deputy Conservator of Forests, Yellapura Division, the Chief Conservator of Forests, Kanara Circle has also recommended the proposal.

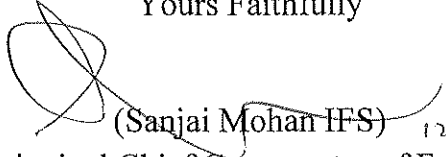
5. **Net Present Value (NPV):** The User Agency is required to pay the Net Present Value (NPV) of forest land proposed for diversion as per Para 3.1 to 3.4 of the FC Guidelines communicated by Government of India, Ministry of Environment, Forests and Climate Change, New Delhi vide F.No. 5-2/2017-FC dated 28-03-2019. **The User Agency has submitted an Undertaking dated 16-08-2017 to pay the charges towards Net Present Value (NPV) of the forest land proposed for diversion.**
6. **Compensatory Afforestation (CA):** In accordance with the provisions of Para 2.5(i)(g) of the FC Guidelines communicated by Government of India, Ministry of Environment, Forests and Climate Change, New Delhi vide F.No. 5-2/2017-FC dated 28-03-2019, the User Agency is exempted from the requirement of providing the non-forest land for Compensatory Afforestation purpose and the Compensatory Afforestation can be raised and maintained at the cost of User Agency on degraded forest land twice in extent of the forest area proposed for diversion. Accordingly, the Deputy Conservator of Forests, Yellapura Division has proposed an extent of 2.80 ha of degraded forest land in Hittalli Village F.Sy No. 198 Compartment No.XXIX-12 (Reserved Forest), Yellapura Taluk, Uttara Kannada District. **The CA details in the form the Topo Map, Geo-referenced Map along with GPS readings of all corners, KML file, CA Suitability Certificate dated 09-06-2020 and CA Scheme are uploaded in Item 13 of PART-II of the proposal and the hard copies for enclosed herewith. Further, the User Agency has also submitted an Undertaking dated 16-08-2017 to pay the Compensatory Afforestation charges in Additional Information Details of PART-I of the proposal.**
7. **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 obtained and uploaded /furnished the requisite FRA Certificate in FORM-II (for Non-Linear projects)** issued by the jurisdictional Deputy Commissioner, Uttara Kannada District, Karwar vide letter No.RB/FOR/CR-49/2014-15 dated 19-10-2016 as per the FC Guidelines.

In light of the facts stated above and agreeing with the recommendation need by the field officers, it is requested to move the proposal to Government of India for according 'in-principle' (Stage-I) approval for diversion of 1.40 hectare of forest land in Ummachgi Village F.Sy No. 36B/1A & 36B/1B, Manchikeri Hobli, Yellapur Taluk, Uttara Kannada District (Yellapur Forest Division) for establishment of Sub-market Yard in favour of Secretary, Agricultural Produce

Marketing Committee (APMC), Yellapur, Uttara Kannada District for a period of 20 years or the project life (whichever is shorter) 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 (Timeline) of the proposal obtained from the FC web portal is also appended for information.

Yours Faithfully


(Sanjai Mohan IFS) 12/11/20
Principal Chief Conservator of Forests
(Head of Forest Force)

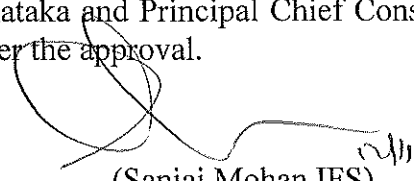
Copy to the:

1. Chief Conservator of Forests, Kanara Circle, Sirsi for information.
2. Deputy Conservator of Forests, Yellapura Division, Yellapura for information.
3. Secretary, Agricultural Produce Marketing Committee (APMC), Yellapur, Uttara Kannada District- 581 359 for information.

o/c

ANNEXURE 'A'

1. The legal status of forest land shall remain unchanged and it shall continue to be forest land.
2. The User Agency shall pay the applicable Net Present Value (NPV), Compensatory, Plantation cost of extraction of trees, 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 lessee shall not sub-lease, mortgage & hypothecate the forest area.
5. 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.
6. No change in Land Use Plan on forest land shall be done except with prior approval of Government of India under FC Act 1980.
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 on forest land 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 proposal 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. 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 / Deputy Conservator of Forests concerned are authorized to take necessary action in this regard.
13. The approval under the Forest (Conservation) Act, 1980 is subject to any other clearances necessary under the prevailing statutes.
14. 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.

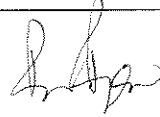

(Sanjai Mohan IFS)
Principal Chief Conservator of Forests
(Head of Forest Force)

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 to Government of India for according 'in-principle' (Stage-I) approval for diversion of 1.40 hectare of forest land in Ummachgi Village F.Sy No. 36B/1A & 36B/1B, Manchikeri Hobli, Yellapur Taluk, Uttara Kannada District (Yellapur Forest Division) for establishment of Sub-market Yard in favour of Secretary, Agricultural Produce Marketing Committee (APMC), Yellapur, Uttara Kannada District for a period of 20 years or the project life (whichever is shorter) subject to the conditions appended in Annexure 'A'.</p> <p>[Proposal No. FP/KA/Others/30144/2017]</p>
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Signature:



Name:

(Rajiv Ranjan IFS)

Designation:

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

(Official Seal)

Countersigned by:



Name:

(Sanjai Mohan IFS)

Designation:

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

(Official Seal)

N.D.O. No: 73/2020-21

Date: 12-11-2020

