

ಕರ್ನಾಟಕ ಸರ್ಕಾರ

GOVERNMENT OF KARNATAKA

ಪ್ರಧಾನ ಮುಖ್ಯ ಅರಣ್ಯ ಸಂರಕ್ಷಣಾಧಿಕಾರಿ

(ಅರಣ್ಯ ಪಡೆ 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 : apceffc@gmail.com

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E-office File No.KFD/HOFF/A5-2(QRY)/5/2020-FC

E - 293081

Date 13-08-2021

To,

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

Sir,

Sub: Diversion of 0.4928 hectare of forest land in Arav village Sy. No. 215A1A, Savanthawada Hobli, Karwar Taluk, Uttara Kannada District for establishment of Building Stone Quarry and its Approach Road in favour of M/s Sai Ram Enterprises, Gaonger, Majali, Karwar.

Proposal No. FP/KA/QRY/46423/2020 [FORM A]

- Ref:**
1. Online proposal [FORM-A PART-I] dated 04-07-2020 (re submitted) of M/s Sai Ram Enterprises, Gaonger, Majali, Karwar, Uttara kannada District r/w Acknowledgement uploaded online on 03-08-2020 by User Agency for having delivered the hard copy proposal to jurisdictional Deputy Conservator of Forests and Deputy Commissioner.
 2. This office online communication dated 07-08-2020 to Deputy Conservator of Forests, Karwar Division for further processing of proposal.
 3. Online submission of PART-II on 19-05-2021 by the Deputy Conservator of Forests, Karwar Division [letter No. B4/FCA/QRY/CR-25/2017-18 dated 19-05-2021]
 4. Online submission of PART-III on 19-07-2021 by the Chief Conservator of Forests, Kanara Circle [letter No.B2/GFL/CR-4/2021-22 dated 15-07-2021]

1. M/s Sai Ram Enterprises, Gaonger, Majali, Karwar [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 0.4928 hectare of forest land in Arava village Sy. No. 215A1A, Savanthawada Hobli, Karwar Taluk, Uttara Kannada District for establishment of Building Stone Quarry and its Approach Road. After uploading of Acknowledgement on 03-08-2020 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, Savanthawada Hobli	Arav	215/A/1A	Building Stone Quarry	0.3368	Reserved Forest
			Approach Road 400 meter length & 4 meter Width	0.156	
Total				0.4928	

3. Report of DCF, Karwar Division: The Deputy Conservator of Forests, Karwar Division has inspected the project site on 29-08-2020 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.

- The forest land proposed for diversion is not vulnerable to soil erosion.
- The forest land proposed for diversion is in general landscape of Eco-class-I (Tropical Moist Deciduous forest) with a Canopy Density of up to 0.25 (Open Forest).
- As per Item 4(ii) of PART-II, there are 8 trees in different girth classes. Main tree species include *Acacia Auricuiformis*.
- Main wild animals reported in and around the project area include *Leopard, Sloth bear, Mouse deer, Fishing Cat, Gaur, Pangolin, Sambar, Spotted deer, Jungle cat, King Cobra etc.*
- There are some rare / endangered / unique species of flora and fauna reported in and around the forest land proposed for diversion are *Ochlandra rheedii, Garcinia indica, Hopea Wightiana, Nothapodytes nimmoniana, Rauwolfia Serpentine, Oxytenanthera, nonostigma, Coscinium fenestratum, Khema attenuate and Dellimia Pentagyna.*

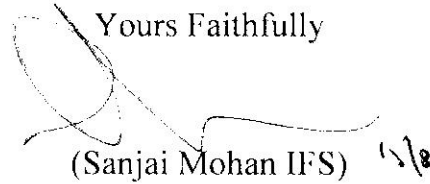
- f. The forest land proposed for diversion does not form part of any National Park/ Wildlife Sanctuary/ Biosphere Reserve/ Tiger Reserve/ Elephant Corridor/ Wildlife Migration Corridor, etc.
 - g. There are no Protected/ Archaeological/ Heritage sites or Defence establishments or important monuments 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 08-07-2021 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. **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 agreeing to pay the Net Present Value (NPV) of the forest land proposed for diversion.**
 6. **Compensatory Afforestation (CA):** Present proposal involves diversion of within one hectare of forest land. The latest FC Guidelines are silent on the requirement of equivalent extent of non-forest land for the FC proposals involving diversion of forest land up to one hectare. However, Para 3.2(viii) of the immediately previous FC Guidelines exempted such proposals from requirement of raising CA. Therefore, the present FC proposal may also be exempted from the requirement of raising CA. However, Para 2.6(i) of the latest FC guidelines mentioned above mandates that the cost of plantation (including ten years maintenance) of ten times the number of trees likely to be felled or specified number of trees as may be specified in the order for diversion of forest land (subject to a minimum number of 100 plants) shall be levied from the User Agency towards Compensatory planting. **As there are only 8 trees are felling on forest land proposed for diversion the User Agency is required to pay the Compensatory Planting charges in accordance with the PCCF (HoFF) O.M. KFD/HOFF/A5-3(GFL)/34/2019-FC [E-88289] dated 19-04-2021. The User Agency has agreed to pay the Compensatory Planting charges and has submitted an Undertaking in this regard.**
 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 not furnished the requisite Certificate in FORM-II (Non-linear/Hybrid projects) issued by the**

jurisdictional Deputy Commissioner as per Annexure II 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 being requested to obtain the said Certificate and submit a copy to this office.**

Under the above circumstances and agreeing with recommendation of the field officers, it is requested to move to the Government of Karnataka seeking in-principle (Stage-I) approval under Section 2 of Forest (Conservation) Act, 1980 for diversion of 0.4928 hectare of forest land in Arav village Sy. No. 215A1A, Savanthawada Hobli, Karwar Taluk, Uttara Kannada District for establishment of Building Stone Quarry and its Approach Road in favour of M/s Sai Ram Enterprises, Gaonger, Majali, Karwar for a period of fifteen (15) years co-terminus with the quarry lease and subject to 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



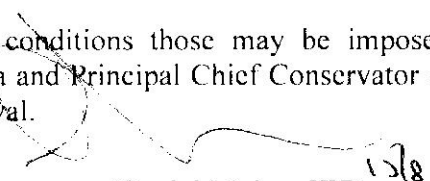
(Sanjai Mohan IFS)
Principal Chief Conservator of Forests
(Head of Forest Force)

Copy to

1. Chief Conservator of Forests, Kanara Circle, Sirsi for information.
2. Deputy Conservator of Forests, Karwar Division, Karwar for information.
3. M/s Sai Ram Enterprises, Gaonger, Majali, Karwar for information and further action **to obtain the original Certificate of RoFR Compliance in FORM-II (Non-linear/Hybrid projects)** issued by the jurisdictional Deputy Commissioner as per Annexure II 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 **and submit the attested / authenticated copy at the earliest.**

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 Building 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)
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)

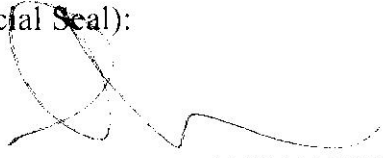
<p>Detailed opinion & specific recommendation of the State Forest Department for acceptance or otherwise of the proposal with remarks.</p> <p><i>(While giving opinion, the adverse comments made by concerned Conservator of Forests or Deputy Conservator of Forests should be categorically reviewed and critically 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 0.4928 hectare of forest land in Arav village Sy. No. 215/A/1A, Savanthawada Hobli, Karwar Taluk, Uttara Kannada District for establishment of Building Stone Quarry and its Approach Road in favour of M/s Sai Ram Enterprises, Gaonger, Majali, Karwar for a period of fifteen (15) years subject to submission of RoFR Compliance Certificate in FORM-II (for Non Linear/Hybrid projects) and the conditions listed in Annexure 'A'.</p> <p>[Proposal No. FP/KA/QRY/46423/2020]</p>
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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: 22/2021-22

Date: 16-08-2021