

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)



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Old file No.A5(2).GFL.CR-4/2018-19
E-office No.KFD/HOFF/A5-2(GFL)/30/2019-FC

E -74181

Date: 15-03-2019

Encl - 3 sets

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To,

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

Sir,

Sub: Diversion of 4.249 hectare of forest land in Sy. No. 283 of Kukkundoor village and Sy. No. 354 of Nitte village, Karkala Taluk, Udupi District for establishing a Cultural, Spiritual and Educational Theme Park and a Global Monument Complex on Swami Vivekananda in favour of Sri Ramakrishna Sharada Ashrama Trust, Bailur, Karkala Taluk, Udupi District-reg.
Proposal No. FP/KA/Others/33888/2018

- Ref:**
1. Online proposal [FORM-A PART-I] dated 19-09-2018 (re-submitted) of Sri Ramakrishna Sharada Ashrama Trust, Bailur, Karkala Taluk, Udupi District.
 2. This office online communication dated 12-10-2018 to Deputy Conservator of Forests, Kundapur Division, Kundapur.
 3. Online submission of PART-II by Deputy Conservator of Forests, Kundapur Division, Kundapur to Chief Conservator of Forests, Mangaluru Circle on 24-01-2019 [Letter No. DMN/Mis.16/FLD/2016-17 dated 24-01-2019].
 4. Online submission of PART-III by Chief Conservator of Forests, Mangaluru Circle, Mangaluru to Nodal Officer on 06-02-2019 [Letter No. A3/CR-24/Ramakrishna Sha Ashrama/2018-18 dated 30-01-2019].

1. Sri Ramakrishna Sharada Ashrama Trust, Bailur, Karkala Taluk, Udupi District [USER AGENCY] vide reference (1) has submitted an online proposal [FORM-A PART-I] through FC web portal for diversion of 4.249 hectare of forest land in Sy. No. 283 of Kukkundoor village and Sy. No. 354 of Nitte village, Karkala Taluk, Udupi District for establishing a Cultural, Spiritual and Educational Theme Park and a Global Monument Complex on

Swami Vivekananda seeking approval under Section 2 of the Forest (Conservation) Act, 1980. After uploading of Acknowledgement on 10-10-2018 by User Agency for having delivered the hard copies of the proposal to jurisdictional Deputy Conservator of Forests and Deputy Commissioner, an online communication was made by the Nodal Officer vide reference (2) to the Deputy Conservator of Forests, Kundapur Division, Kundapur to process the said proposal and to submit specific opinion / recommendation.

2. **Location and village wise break up:** Location of the forest land proposed for diversion is given below.

District, Taluk, Hobli	Village	Sy No.	Forest extent proposed for diversion (ha)	Legal Status of land
Udupi District, Karkala Taluk, Kasaba Hobli	Kukkundoor	283	1.926	Deemed Forest
	Nitte	354	2.323	
Total			4.249	

Component wise breakup of the project is given below.

Sl. No.	Component	Forest Land proposed for diversion (ha)
1	Area of approach Road in Forest Land	0.364
2	Gurukul Complex	0.1
3	Vedic Village Complex	0.15
4	Area of Monument	0.1
5	Area of Water Body	0.15
6	Area around water body	0.1
7	Area of Display Hall - 2 nos	0.1
8	Area of Vaulted Corridor	0.07
9	Area of Cultural Display	0.2
10	Area of Koti Chennaya Park	0.1
11	Area of Internal Path Way	0.36
12	Area of Forest, Flora, Fauna, Thematic and Herbal	2.455
Total forest land		4.249
Non-forest land required for the project		4.731

3. **Report of DCF, Kundapur Division, Kundapur:** The Deputy Conservator of Forests, Kundapur Division, Kundapur has inspected the project site on 16-01-2019 and vide reference (3) has submitted the Site Inspection Report along with other information in PART-II to the Chief Conservator of Forests, Mangaluru Circle, Mangaluru. In the said report, the DCF has recommended the proposal for consideration. Main features of the DCF report r/w with the reports of the CCF, Mangaluru Circle and ICT centre of the Forest Department are given below.

- a. The forest area proposed for diversion is in general landscape in Eco-class-I (Tropical Moist Deciduous Forest) with dense vegetation with rocky outcrop. [Note: Density entry in Item 4(i) of PART-II may be read accordingly.]

- b. Forest land proposed for diversion is not vulnerable to soil erosion.
 - c. As per Item 4(ii) of PART-II, there is **no tree felling required on the forest land proposed for diversion**.
 - d. The forest area proposed for diversion does not form part of any National Park, Wildlife Sanctuary, Biosphere Reserve, Tiger reserve or Elephant corridor/ wildlife migration corridor.
 - e. Wildlife present in and around the forest area includes Gaur, Wild pig, Fox, Peafowl, etc.
 - f. There are no other rare / endangered / unique species of flora and fauna in the proposed area.
 - g. There are no Protected/ Archeological/ Heritage Sites/ Defence establishments located in the proposed area.
 - h. The forest area proposed for diversion is the bare minimum and unavoidable.
 - i. There is no violation reported under Forest Conservation Act, 1980.
4. **Report of CCF, Mangaluru Circle:** The Chief Conservator of Forests, Mangaluru Circle has inspected the site on 29-01-2019 and has agreed with the recommendation made by the Deputy Conservator of Forests, Kundapur Division. He has recommended the project and submitted his opinion in PART-III uploaded online vide reference (4).
5. **Compensatory Afforestation:** The User Agency has identified non-forest land (patta land) in Sy No.137 of Nadpalu village, Ajekaru Hobli, Karkala Taluk (Hebri Range, Kundapura Division) measuring 10.57 Acre (4.278 ha) for Compensatory Afforestation. The Deputy Conservator of Forests, Kundapura Division has certified that the said land is suitable for Compensatory Afforestation purpose. **The User Agency is required to bear the cost of Compensatory Afforestation for this land and has submitted an Undertaking in this regard.**
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 conditions stipulated by Government of India, Ministry of Environment, Forests and Climate Change, New Delhi vide F.No. 11-9/98-FC dated 13-02-2014 and Orders dated 28-03-2008 and 09-05-2008 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 agreed to pay the charges towards Net Present Value (NPV) and has submitted an Undertaking to that effect.**
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 issued by the Deputy Commissioner, Udupi District as per the guidelines issued by the Government of India, Ministry of Environment, Forest and Climate Change, New Delhi vide F.No. 11-9/1198-FC(Pt) dated 03-08-2009/05-07-2013. The User Agency is being requested to submit the said certificate.
8. **Site specificity of the proposal:** In this regard, the User Agency has stated the following. *"For building this Global Monument of Swami Vivekananda we were in search of a stone in which single block of the size 120Feet X 25Feet X 35Feet can be got and after an extensive search we were able to find and locate one such stone at the Foot Hill of Nakre Hillock in*

adjoining boundaries of Svy No.283 of Kukkundoor Village and Svy No.354 of Nitte Village of Karkala Taluk and Udupi District. We had sought the Geological Report of the Stone from an expert geologist, Sri.B.N.Krishnamurthy MSc. (Geo) from Bangalore. We have attached a copy of the same for your kind perusal.

Sir, such stones deposits from which the single stone block of size 120Feet X 25Feet X35Feet can be got to carve and build the Global Monument are very rare and hard to find and in fact this is only one such stone we could identify and locate in Udupi district after a detailed and extensive search. On enquiry we came to know the said Svy No.283 of Kukkundoor Village and Svy No.354 of Nitte Village of Karkala Taluk and Udupi District are listed as deemed forest areas. Hence it is inevitable and unavoidable for us but to apply for the Diversion of Forest Land for Non-Forest Purposes in the adjoining boundaries of Svy No.283 of Kukkundoor Village and Svy No.354 of Nitte Village of Karkala Taluk and Udupi District to establish Viveka-Darshan and The Global Monument. Hence this is the prime and main reason that we need to apply for deemed forest land”.

9. Other facts of the proposal: The following other facts about the proposal are brought out.

- a) The area being sought by the User Agency falls under deemed forest category.
- b) This land parcel is at the edge of said deemed forest survey number making interface with private cultivated/habitation lands.
- c) The equal extent non-forest CA land parcel identified by the User Agency is a forest enclosure having very dense category canopy cover, which make high quality compensation for the deemed forest land proposed for diversion.
- d) CA plantation at the rate of 1000 plants per hectare needs to be undertaken as per the GOI FC guidelines dated 08-11-2017 over identified degraded forest land in proximity to the site of diversion.
- e) No trees are proposed to be felled for the executing this project.
- f) In addition to the forest land, the project also involves 4.731 hectare of non-forest land in continuity.

Under the above circumstances and agreeing with recommendation of the field officers, **it is requested to move the proposal with the Government of India for according ‘in-principle’ (Stage-I) approval under Section 2 of Forest (Conservation) Act, 1980 for diversion of 4.249 hectare of forest land in Sy. No. 283 of Kukkundoor village and Sy. No. 354 of Nitte village, Karkala Taluk, Udupi District for establishing a Cultural, Spiritual and Educational Theme Park and a Global Monument Complex on Swami Vivekananda in favour of Sri Ramakrishna Sharada Ashrama Trust, Bailur, Karkala Taluk, Udupi District for a period of 30 years, subject to production of RoFR Compliance Certificate by the User Agency in FORM-II (for Nonlinear/ Hybrid projects) issued by the Deputy Commissioner, Udupi District as per guidelines issued by Ministry of Environment and Forest, New Delhi vide letter No.11-9/1198-FC(Pt) dated 03-08-2009/05-07-2013 and also subject to the conditions appended in Annexure ‘A’.**

The proforma particulars along with the 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)

1. Copy to the Chief Conservator of Forests, Mangaluru Circle, Mangaluru for information.
2. Copy to the Deputy Commissioner, Udupi District for information and necessary action to issue the RoFR Compliance Certificate as mentioned above.
3. Copy to the Deputy Conservator of Forests, Kundapur Division, Kundapur for information and **with direction to identify degraded forest area for compensatory planting of 1000 plants per hectare as per the GOI FC guidelines dated 08-11-0217 and to submit CA scheme along with necessary maps.**
4. Copy to the President, Sri Ramakrishna Sharada Ashrama (R.), Swami Vivekananda marg, Village & Post Yerlapady, Bailur, Karkala Taluk, Udupi District for information **and further action to obtain the original Certificate of FRA Compliance as mentioned above and submit at the earliest.**

o/c


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19-3-2019.

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), cost of extraction of trees if any, 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 undertake avenue plantation along the proposed road at project cost.
5. The lessee shall not sub-lease, mortgage & 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 one year 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 leased forest land.
8. Only the buildings approved under FC Clearance 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 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. 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.



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>(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 4.249 hectare of forest land in Sy. No. 283 of Kukkundoor village and Sy. No. 354 of Nitte village, Karkala Taluk, Udupi District for establishing a Cultural, Spiritual and Educational Theme Park and a Global Monument Complex on Swami Vivekananda in favour of Sri Ramakrishna Sharada Ashrama Trust, Bailur, Karkala Taluk, Udupi District for a period of 30 years, subject to production of RoFR Compliance Certificate by the User Agency in FORM-II (Nonlinear/ Hybrid Projects) and also subject to the conditions appended in Annexure 'A'.</p> <p>[Proposal No. FP/KA/Others/33888/2018]</p>
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Signature:

Name:
Designation:



JAGMOHAN SHARMA IFS
Additional Principal Chief Conservator of Forests
(Forest Conservation)
and
Nodal Officer (FCA)

(Official Seal):

Counter signed by :
Name:
Designation:



PUNATI SRIDHAR IFS
Principal Chief Conservator of Forests
(Head of Forest Force)

(Official Seal):

N.D.O. No: 44/2018-19.

Date: 19-03-2019

