

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).QRY.CR-08/2019-20

E-188480

E-office File No. KFD/HOFF/A5-2(QRY)/22/2019-FC

Date 23-06-2020

To,

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

Sir,

Sub: Diversion of 10.0956 hectare of forest land in Sy No.1/A and 1/D of Uchangidurga Village, Arasikere Hobli, Harapanahalli Taluk, Davanagere District for establishing M-Sand Quarry and its Approach Road in favour of M/s ANNAPOORNA STONE CRUSHER (a Partnership Firm of Sri T. Basappa s/o T. Sidappa, Smt M.C. Poornima w/o Sri T. Basappa and Sri B. Nikhil, s/o Sri T. Basappa, #1120, 3rd Cross, Taralabalu Extension, Davanagere), Sy No.1D, Uchangidurga Village, Harapanahalli Taluk, Davanagere District

Proposal No. FP/KA/QRY/43207/2019

- Ref:**
1. Online proposal [FORM-A PART-I] dated 07-12-2019 of M/s ANNAPOORNA STONE CRUSHER, Uchangidurga Village, Harapanahalli Taluk, Davanagere District [USER AGENCY]r/w Acknowledgment uploaded online on 16-12-2019 by User Agency for having delivered the hard copy of proposal to jurisdictional Deputy Conservator of Forests and Deputy Commissioner
 2. This office online communication dated 23-12-2019 to Deputy Conservator of Forests, Davanagere Division for further processing of proposal
 3. Online submission of PART-II by Deputy Conservator of Forests, Davanagere Division on 05-02-2019 r/w online reply dated 02-06-2020 to EDS query [letter No.B4/Land/FC/CR- /2019-20 dated 23-01-2020]
 4. Online submission of PART-III by the Chief Conservator of Forests, Ballari Circle, on 05-02-2020r/w online reply dated 02-06-2020 to EDS query of Nodal Officer [letter No. M1:MNG:QRY-Road:CR:7/2019-20 dated 05-02-2020]

1. M/s ANNAPOORNA STONE CRUSHER (a Partnership Firm of Sri T. Basappa s/o T. Sidappa, Smt M.C. Poornima w/o Sri T. Basappa and Sri B. Nikhil, s/o Sri T. Basappa, #1120, 3rd Cross, Taralabalu Extension, Davanagere), Sy No.1D, Uchangidurga Village, Harapanahalli Taluk, Davanagere 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 10.0956 hectare of forest land in Sy No.1/A and 1/D of Uchangidurga Village, Arasikere Hobli, Harapanahalli Taluk, Davanagere District for establishing M-Sand Quarry and its Approach Road. After uploading of Acknowledgement on 16-12-2019 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, Davanagere Division to process the said proposal and to submit specific opinion / recommendation.
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
Davanagere District, Harapanahalli Taluk, Arasikere Hobli	Uchangidurga	1/A	4.2682	Reserved Forest
		1/D	3.3754	Section 4 area
			2.452	
Total			10.0956	

Component wise breakup: Details of requirement of the forest land for various components are given below.

Component		Forest Land requirement (ha)
1	For M Sand Quarry Area-1	3.238
2	For Approach Road Patch-1 (275.2 m x 5.0 m)	0.1374
3	For M Sand Quarry Area-2	2.305
4	For Approach Road Patch-2 (210.0 m x 7.0 m)	0.147
5	For M Sand Quarry Area-3	4.087
6	For Approach Road Patch-3 (298.5 m x 6.1 m)	0.1811
Total		10.0956

[Note: The instant proposal includes a total of three (3) Quarry Leases (shown as Area-1, 2 & 3 above) and corresponding three (3) Approach Roads in the location.]

3. **Report of DCF, Davanagere Division:** The Deputy Conservator of Forests, Davanagere Division has inspected the project site on 16-01-2020 and vide Ref (3) has submitted the Site Inspection Report along with other information in PART-II to the Chief Conservator of Forests, Ballari Circle, Ballari. In the said report, the Deputy Conservator of Forests, Davanagere has recommended the proposal for consideration. Main features of the forest land proposed for diversion based on the Deputy Conservator of Forests, Davanagere Division report r/w with the

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 22-11-2019 to pay the charges towards Net Present Value (NPV) of the forest land proposed for diversion.**
6. **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 10.0956 ha of non-forest (Private) land (16.00 acre in Sy No. 62/3 and 10.00 acres in Sy No. 62/5) in Mallapura Village, Thoranagallu Hobli, Sandur Taluk, Ballari District.** The Deputy Conservator of Forests, Ballari Division has issued the Compensatory Afforestation land suitability Certificate dated 30-07-2019 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 30-07-2019 (also uploaded in additional information details of PART-I) of the Deputy Conservator of Forests, Ballari have also been submitted/uploaded online.
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 10.0956 hectare of forest land in Sy No.1/A and 1/D of Ucchangidurga Village, Arasikere Hobli, Harapanahalli Taluk, Davanagere District for establishing M-Sand Quarry and its Approach Road in favour of M/s ANNAPOORNA STONE CRUSHER (a Partnership Firm of Sri T. Basappa s/o T.**

reports of the Chief Conservator of Forests, BallariCircle and that of ICT Centre of the Forest Department are given below.

- a. The forest land proposed for diversion is hilly, rocky and vulnerable to soil erosion. However, the soil erosion can be countered by taking up suitable Soil and Moisture Conservation works.
- b. The forest land proposed for diversion is in general landscape of Eco-class-IV (Tropical Thorn Forests) up to 0.1 Canopy Density (Open Forest).
- c. There are 60 trees in the forest land proposed for diversion and all of them being in 0-30 cm girth class. Major species include *Anogeisselatifolia*, *Sterospermumchelonoides*, *Gardiniagumifera*, *Eucalyptus* sps., *Acacia chundra*, *Dalbergiapaniculata*.
- d. There are no rare endangered / unique species of flora and fauna reported in the proposed area.
- e. 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.
- f. There is no National Park/ Wildlife Sanctuary/ Biosphere Reserve/ Tiger Reserve/ Elephant Corridor/ Wildlife Migration Corridor within one kilometer from the boundary of the forest land proposed for diversion.
- g. The forest land proposed for diversion is not located within Eco-Sensitive Zone (ESZ) of any Protected Area notified under the Wildlife (Protection) Act, 1972.
- h. There are no Protected/ Archeological/ Heritage Sites/ Defence establishments located in the proposed area. However, the Deputy Conservator of Forests has also reported in his letter dated 16-01-2020 to the Chief Conservator of Forests Ballari Circle that the proposed area is one kilometer away from the ancient Tempe of Goddess Ucchangamma Devi.
- i. The forest area proposed for diversion is the bare minimum and unavoidable.
- j. There is no violation reported under Forest (Conservation) Act, 1980.

4. Report of CCF, BallariCircle: The Chief Conservator of Forests, BallariCircle has not inspected the site personally. However, agreeing with the recommendation made by the Deputy Conservator of Forests, DavanagereDivision, the Chief Conservator of Forests, BallariCircle has also recommended the project and has submitted his opinion in PART-III online vide Ref (4).

Sidappa, Smt M.C. Poornima w/o Sri T.Basappa and Sri B.Nikhil, s/o Sri T.Basappa, #1120, 3rd Cross, Taralabalu Extension, Davanagere), Sy No.1D, Uchangidurga Village, Harapanahalli Taluk, Davanagere District for a period of ten (10) 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 the Chief Conservator of Forests, Ballari Circle, Ballari for information.

Copy to the Deputy Conservator of Forests, Davanagere Division, Davanagere for information.

Copy the Sri T. Basappa S/o T. Sidappa, partner in Annapurna Stone Crusher, #1120, 3rd Cross, Taralabalu Extension, Davanagere District 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 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 road shall be used for transportation of ore between sunrise and sunset only.
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 two years or when it is no longer needed for the stipulated purpose, the area would stand resumed to the Forest Department.
7. No change in Land Use Plan on forest land shall be done except with prior approval of Government of India under FC Act 1980.
8. 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.
9. No residential or commercial buildings shall be permitted in the forest area proposed for diversion.
10. 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.
11. 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.
12. The Lessee shall ensure that no avoidable harm is caused to the fauna and flora in and around the proposed area.
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 / 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)

Detailed opinion & specific recommendation of the State Forest Department for acceptance or otherwise of the proposal with remarks.

(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.)

Recommended for moving to the Government of Karnataka seeking in-principle (Stage-I) approval under Section 2 of Forest (Conservation) Act, 1980 for diversion of 10.0956 hectare of forest land in Sy No.1/A and 1/D of Uchangidurga Village, ArasikereHobli, HarapanahalliTaluk, Davanagere District for establishing M-Sand Quarry and its Approach Road in favour of M/s ANNAPOORNA STONE CRUSHER (a Partnership Firm of Sri T. Basappa s/o T. Sidappa, Smt M.C. Poornima w/o Sri T.Basappa and Sri B.Nikhil, s/o Sri T.Basappa, #1120, 3rd Cross, Taralabalu Extension, Davanagere), Sy No.1D, Uchangidurga Village, HarapanahalliTaluk, Davanagere District for a period of ten (10) years co-terminus with the quarry lease and subject to conditions appended in Annexure 'A'.
[Proposal No. FP/KA/QRY/43207/2019]

Signature:

Name:

RAJIV RANJAN IFS

Designation:

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

(Official Seal):

Counter signed by :

Name:

SANJAI MOHAN IFS

Designation:

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

(Official Seal):

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

Date: -06-2020

