

FORM - 'A'

PART - II

(To be filled by the concerned Deputy Conservator of Forests)

State Serial No. of Proposal _____

1.	Location of the Project / Scheme: Diversion of 6.35 ha (14.50 acres) of forest land in favour of Sri. D. Ramesh, Bellary, R.M. Block of Sandur North Range, Sandur taluk, Bellary District - reg.		
i.	State/Union Territory	:	Karnataka
ii.	District.	:	Bellary
iii.	Forest Division	:	Bellary Forest Division
iv.	Area of forest land proposed for diversion (in ha.)	:	Diversion of 6.35 ha of forest land (Including of 0.45 hectares for approach road)
v.	Legal status of forest	:	Ramanamalai Forest Block, Section-4 Notified area vide Notification No. FFD-29, FAF-84, Dated: 28.02.1985.
vi	Density of vegetation.	:	Eco- class III, Southern Dry Deciduous Forest.
Vii	Species-wise (scientific names) and diameter class-wise enumeration of trees (to be enclosed. In case of irrigation / hydel projects enumeration at FRL, FRL-2 meter & FRL-4 meter also to be enclosed.)	:	Totally 745 trees counted in the proposed project area. Tree enumeration list is enclosed.
viii	Brief note on vulnerability of the forest area to erosion.	:	The proposed project area (forest area) is a hillock area having steep slope. Further, there are 745 trees counted from the proposed project area, which needs to be felled at various stages of project implementation. Thus the forest area is highly vulnerable for soil erosion. Therefore, the user agency is required to take-up construction of retaining wall or bund and mechanical vegetation and other methods to prevent / reduce soil erosion.
ix.	Approximate distance of proposed site for diversion from boundary of forest.	:	The proposed area comes under Forest land only.
x	Whether forms part of National Park, wildlife sanctuary, biosphere reserve, tiger reserve, elephant corridor, etc. (If so, the details of the area and comments of the Chief Wildlife Warden to be annexed)	:	The proposed forest land is not part of National Park, wildlife sanctuary, biosphere reserve, tiger reserve, elephant corridor, etc. However, proposed area is 11.80 km distance from the Daroji sloth Bear Sanctuary and 11.10 kms distance from Eco-sensitive zone area of Daroji sloth Bear Sanctuary and 28.30 kms distance from the Gudekote sloth Bear Sanctuary and 26.20 kms distance from Eco-sensitive zone area of Gudekote sloth Daroji Bear Sanctuary

xi	Whether any rare/endangered/unique species of flora and fauna found in the area- if so details thereof	The Flora and fauna observed in the proposed area includes, Flora: <i>Acacia catechu</i> , <i>Albizia amara</i> , <i>Anogeissus latifolia</i> , <i>Cassia fistula</i> , <i>Carissa carandus</i> , <i>Dodonia viscosa</i> , <i>Boxwellia serrata</i> , <i>Crotalaria sandurensis</i> , <i>Terminalia tomentosa</i> , <i>Randia uliginosa</i> , <i>Diospyros Montana</i> , <i>Grewia tilliaefolia</i> , <i>Syzygium cumini</i> , <i>Mallotus philippensis</i> , <i>Albizia odoratissima</i> and other local species etc., Fauna: Leopard, Sloth Bear, Jackal, Indian fox, Indian Grey wolf, Hares, Peafowl, Wild pig, Grey partridge, Indian porcupine, Monitor lizard, four-horned antelope and Pangolin etc.
xii	Whether any protected archaeological/heritage site/defence establishment or any other important monument is located in the area. If so, the details thereof with NOC from competent authority, if required.	-No-
2.	Whether the requirement of forest land as proposed by the user agency in col. 2 of Part-I is unavoidable and barest minimum for the project. If no, recommended area item-wise with details of alternatives examined.	The requirement of Forest land is proposed by the user agency in column No.2 of part-1 can be avoidable as, there are 67 different categories of existing mines (all broken up area) available for auctioning or allotment or resumption (in addition to 32 currently working mines). Therefore, allotment of fresh forest area for mining before expiry of all the broken up forest area (existing mines in the forest area) is not justifiable.
3.	Whether any work in violation of the Act has been carried out (Yes/No). If yes, details of the same including period of work done, action taken on erring officials. Whether work in violation is still in progress.	-NA-
4.	Details of compensatory afforestation scheme: i) Details of non forest area/degraded forest area identified for compensatory afforestation, its distance from adjoining forest, number of patches, size of each patch.	As per the Government of Karnataka order vide No. APAJI-88, FLL-2016, Bangalore Dated:31.08.2016, the user agency (Private agencies) has to identify & give the Patta land. Whereas, the user agency has identified the C & D land in Sy.No.1426 (8.76 acres) and in Sy.No. 1427 (13.74 acres) of Kottur Village, Kudligi taluk of Ballari District over total area of 22.50 acres (9.105 ha). Further, the same C & D lands was not yet mutated and transferred in favour of Karnataka Forest Department. In this regard, this office instructed the user agency to identify the Patta land as per the above Government order vide this office letter dated:25.10.2018.

ii)	Map showing non-forest/degraded forest area identified for compensatory afforestation and adjoining forest boundaries.	:	Yet to be submitted.
iii)	Detailed compensatory afforestation scheme including species to be planted, implementing agency, time schedule, cost structure, etc.	:	CAMPA Scheme guidelines will be implemented. The data sheet is enclosed.
iv)	Total financial outlay for compensatory afforestation scheme.	:	As per the area applied for diversion 6.35 ha, Rs.20,00,250 is the total financial outlay for the compensatory afforestation scheme. (Rs. 3,15,000 x 6.35 ha =Rs. 20,00,250/-)
v)	Certificates from competent authority regarding suitability of area identified for compensatory afforestation and from management point of view. (To be signed by the concerned Deputy Conservator of Forests).	:	As per the Government of Karnataka order vide No. APAJI-88., FLL-2016, Bangalore Dated:31.08.2016, the user agency (Private agencies) has to identify & give the Patta land. Whereas, the user agency has identified the C & D land in Sy.No.1426 (8.76 acres) and in Sy. No. 1427 (13.74 acres) of Kottur Village, Kudligi taluk of Ballari District over total area of 22.50 acres (9.105 ha). Further, the same C & D land was not yet mutated and transferred in favour of Forest Department. In this regard, this office instructed the user agency to identify the Patta land as per the above Government order vide this office letter dated:25.10.2018. Once, patta land is identified, suitability certificate will be issued from the competent authority.
5.	Site inspection report of the DCF (to be enclosed) especially highlighting facts asked in col. 7 (xi, xii), 8 and 9 above.	:	Site inspection report is enclosed.
6.	Division/District profile:		
i.	Geographical area of the district.	:	8420 Sq. Km
ii.	Forest area of the district.	:	1349.53 Sq. Km
iii.	Total forest area diverted since 1980 with number of cases.	:	6476.58 Ha and totally 91 cases covered
iv.	Total compensatory afforestation stipulated in the district/division since 1980 on (a) forest land including penal compensatory afforestation.	:	2342.49 Ha
	(b) Non-forest land.	:	4131.92 Ha
v.	Progress of compensatory afforestation as on (date) 31.03.2019 on (a) Forest land	:	2337.70 Ha
	(b) Non-forest land.	:	2728.00 Ha

7. Specific recommendations of the DCF for acceptance or otherwise of the proposal with reasons.	The specific recommendation with regard to the proposal for diversion of 6.35 ha under Forest (Conservation) Act, 1980, is as follows; 1) The production capacity of all the existing mines (S9 'A' & 'B' category mines, 26 'C' category mines and 14 mines whose 'R&R' plan is yet to be approved) is calculated as 53.599 MMT, which far exceeds the 28 MMT Maximum Permissible Annual Production (MPAP) limit fixed for the 'A' & 'B' category mines of Bellary district (According to Hon'ble Supreme Court of India Judgement dated 14.12.2017, in the Samaj Parivartana Samudaya & Ors. Vs State of Karnataka & Ors.,). <i>Therefore, recommending and approving new mining lease in the fresh forest area is not justifiable and cause irreparable damage to the forest and environment.</i> 2) As per the meeting held on 28-03-2016 under the Chairmanship of Principal Chief Conservator of Forests (HoFF), Bengaluru, it was decided not to grant approvals for mining in fresh forest areas. (Copy enclosed). <i>So, recommending for approval of mining in the fresh forest area would undermines the decision of Karnataka forest department.</i> 3) Since, it is a new mining lease application in the fresh/virgin forest area, <i>there is a need to cut about 745 trees (as per the enumeration list) of local species during various phases of the mining project, which would lead to severe soil erosion, serious environmental damage and thus negatively affect the local flora, fauna and other environmental resources.</i> 4) As per the field verification, out of 6.35 hectares applied by the user agency (Shri. D. Ramesh), 1.36 hectares overlapped with M/s. J.M. Vrushabendraiah, M.L.No.2173 (Category-C mines). The Hon'ble Supreme Court in its W.P.No.562/2009 has finalized the lease boundaries of J.M. Vrushabendraiah Mining lease (ML No.2173). <i>Since, the area overlaps with the Vrushabendraiah Mining, in case of acceptance of this application, there is need to delete about 1.36 hectares' area which overlapped with M/s. J.M. Vrushabendraiah, M.L.No.2173 (Category-C mines)</i> 5) Since the applicant Shri. D. Ramesh is a private agency, he has to identify Patta land for CA area as per the Government of Karnataka order vide No. APAJI-88, FLL-2016, Bangalore Dated:31.08.2016. Whereas, the user agency has identified the C & D land in Sy.No.1426 (8.76 acres) and in Sy. No. 1427 (13.74 acres) of Kottur Village, Kudligi taluk of Ballari District over an area of 22.50 acres (9.105 ha). <i>Therefore, in case of acceptance of this application, the user agency has to give patta land for CA purpose and already instruction was given to the user agency from this office vide letter dated 25.10.2018.</i>
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Date : 28.06.2019.
Place : Bellary


Deputy Conservator of Forests
Ballari Division, Ballari