



भारत सरकार
GOVERNMENT OF INDIA
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE
CHANGE

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BY SPEED POST

F.No.4-KRB 1442/2023-BAN

Dated the 11th November, 2024

To

The Additional Chief Secretary to Government of Karnataka,
Forest, Ecology & Environment Department,
M.S. Building, Dr. Ambedkar Veedhi,
Bangalore – 560 001

Subject: Diversion of 3.028 ha. of forest land in Tumbaraguddi RF.Sy No 1A/1 of Jiganahalli village, Choranuru Hobli, Sandur Taluk, Ballari District for approach road (Connecting from main road to mining area ML No. 2482 passing through forest and Revenue land) in favour of M/s. Marwa Mining Company, Kudligi. (Proposal No. FP/KA/MIN/153210/2022)

Sir,

Please refer to the State Government's letter No. FEE 06 FFM 2023 (e) dated 16/03/202 and 20/05/2024 seeking prior approval of the Central Government under Section '2(1)' of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for the above project. The additional information sought by Regional Office has been received from PCCF (FC) & Nodal Officer vide dated 25/06/2024.

After careful examination of the proposal of the State Government, I am directed to convey the Central Government's in-principle approval (Stage-I clearance) under section 2(1)' of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for diversion of 3.028 ha. of forest land in Tumbaraguddi RF.Sy No 1A/1 of Jiganahalli village, Choranuru Hobli, Sandur Taluk, Ballari District for approach road (Connecting from main road to mining area ML No. 2482 passing through forest and Revenue land) in favour of M/s. Marwa Mining Company, Kudligi, subject to the following conditions:-

1. Legal status of the diverted forest land shall remain unchanged.
2. The User Agency shall transfer online, the Net Present Value (NPV) of the forest land being diverted under this proposal as per the guideline issued by Ministry vide letter No.5-3/2011-FC (Vol-I) dated 06/01/2022 and **as per the provision of Chapter 3 of the consolidated Guidelines and Clarification issued vide MoEF&CC order dated 29.12.2023.**

3. At the time of payment of the Net Present Value (NPV) at the then prevailing rate, the User Agency shall furnish an undertaking to pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India.
4. The non-forest land identified for the purpose of raising Compensatory in Sy. No.93 & 94, Tumti village, Torangal Hobli, Sandur Taluk, Ballari District shall be transferred and mutated in favour of Forest Department. The State Government shall notify such mutated area into RF/PF under relevant act / rules before grant of final/Stage-II approval under Adhiniyam. A copy of such notification shall be submitted along with compliance report and also uploaded in Parivesh portal
5. The User Agency shall transfer the cost of raising and maintaining the compensatory afforestation over an extent 3.034 ha of non forest land at the current wage rate in consultation with State Forest Department in the account of CAMPA of the concerned State through online portal. The scheme shall include demarcation of CA area using appropriate fencing, provision for planting of suitable species for better survival and SMC works and appropriate provision for anticipated cost escalation for the works scheduled for subsequent years. The CA will be maintained for 10 years.
6. Compensatory Afforestation shall be raised over an extent of 3.043 ha of non forest land identified in Sy. No.93 & 94, Tumti village, Torangal Hobli, Sandur Taluk, Ballari District **within two years from the date of Stage –II Clearance** and maintained thereafter by the State Forest Department at the cost of the User Agency. The CA will be maintained for 10 years.
7. All the funds received from the user agency under the project shall be transferred/deposited in CAMPA account only through e-portal (<https://parivesh.nic.in/>). Amount deposited through other mode will not be accepted as compliance of the Stage-I clearance.
8. The User Agency shall restrict the felling of trees to minimum number in the diverted forest land and the trees shall be felled under the strict supervision of the State Forest Department and the cost of felling of trees shall be deposited by the User Agency with the State Forest Department.
9. The KML file of the forest area to be diverted and CA area shall be uploaded on the e-green watch portal with all requisite details and same shall be submitted along with compliance report including GPS ids.
10. The boundary of the diverted forest land shall be suitably demarcated on ground at the project cost as per the directions of concerned Divisional Forest Officer.
11. The period of diversion under this approval shall be co-terminus with the period of lease to be granted in favour of the user agency or the project life, whichever is less.
12. No labour camp shall be established on the forest land.
13. No additional or new paths will be constructed inside the forest area for transportation of construction materials for execution of the project work.
14. The forest land shall not be used for any purpose other than that specified in the project proposal.
15. The total forest area utilized for the project shall not exceed 3.028 ha. **The user agency shall furnish the undertaking to this effect.**
16. The forest land proposed to be diverted shall under no circumstances be

transferred to any other agency, department or person without prior approval of the Central Government;

17. No damage to the flora and fauna of the adjoining area shall be caused.
18. User Agency shall obtain the Environmental Clearance as per the provisions of the Environment (Protection) Act, 1986, if applicable.
19. The layout plan of the proposal shall not be changed without the prior approval of the Central Government.
20. The User Agency shall submit the annual self-compliance report in respect of the above stated conditions to the State Government and Integrated Regional Office, Bangalore by the end of March every year.
21. The concerned Divisional Forest Officer will monitor and take necessary mitigative measures to ensure that there is no adverse impact on the forests in the surrounding area.
22. The State Government and user agency shall comply the provisions of the all Acts, Rules, Regulations, Guidelines, NGT order & Hon'ble Court Order (s) pertaining to this project, if any, for the time being in force, as applicable to the project.
23. The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>).
22. The State Government, after receiving the 'Final' approval of the Central Government under sub-section (1) of section 2 of the Adhiniyam, and after fulfillment and compliance of the provisions of all other Acts and rules made there under, as applicable including ensuring settlement of rights under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (2 of 2007), shall issue order for diversion.
23. Any other condition that the Central Government may stipulate from time to time in the interest of conservation, protection and development of Forest and Wildlife.
24. Violation of any of these conditions will amount to violation of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and action would be taken as prescribed under the Act, Rules and Guidelines relevant.

After receipt of compliance report on fulfilment of the conditions mentioned above, the proposal shall be considered for final approval under Section-2 (1) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam 1980. Transfer of forest land shall not be effected till final approval is granted by the Central Government in this regard.

Further, it may also be noted that this in-principle approval shall be valid for a period of 2 years from the date of issue of this letter. In the event of non-compliance of the above conditions within 2 years, the in-principle approval shall be deemed to be null and void.

Yours faithfully,

(Praneetha Paul)

Deputy Inspector General of Forests (Central)

Copy to:-

1. The Chief Executive Officer, National Compensatory Afforestation Fund Management and Planning Authority, 4th Floor, Block No.3, CGO Complex,

New Delhi – 110 003.

2. The Inspector General of Forests (ROHQ), Govt. of India, Ministry of Environment, Forests and Climate Change, Indira Paryavaran Bhavan, Agni Wing, Aliganj, Jor Bagh Road, New Delhi – 110 003
 3. The Principal Chief Conservator of Forests (HoFF), Forests Department, Govt. of Karnataka, Aranya Bhavan, 18th Cross, Malleswaram, Bangalore – 560 003.
 4. The Principal Chief Conservator of Forests (FC) /Nodal Officer (FCA), Office of the Principal Chief Conservator of Forests, Forests Department, Govt. of Karnataka, Aranya Bhavan, 18th Cross, Malleswaram, Bangalore – 560 003.
 5. M/s. Marwa Mining Company, Door No. 687, 13th Ward, Umer Manzil, Kudligi, Vijayanagara District -583 135.
2. Guard file.

(Praneetha Paul)
Deputy Inspector General of Forests (Central)