

## ಕರ್ನಾಟಕ ಸರ್ಕಾರ

## GOVERNMENT OF KARNATAKA

ಪ್ರಧಾನ ಮುಖ್ಯ ಅರಣ್ಯಸಂರಕ್ಷಣಾಧಿಕಾರಿ  
(ಅರಣ್ಯ ಪಡೆಮುಖ್ಯಸ್ಥರು) ರವರ ಕಛೇರಿ

Office of the  
Principal Chief Conservator of  
Forests  
(Head of Forest Force)



ಅರಣ್ಯಭವನ, 18ನೇ ಅಡ್ಡರಸ್ತೆ  
ಮಲ್ಲೇಶ್ವರಂ, ಬೆಂಗಳೂರು - 560 003.  
Aranya Bhavan, 18th Cross  
Malleshwaram, Bengaluru-560 003  
Telephone: 080 2334 6472  
Email: apccffc@gmail.com

E-office File No. KFD/HOFF/A5-1(MNG)/2/2022-FC

**E-716440**

Date -03-2025

To,

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

Sir,

**Sub:** 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 [FORM-A]**

- Ref:**
1. Government of India, Ministry of Environment, Forests and Climate Change, Integrated Regional Office, Bengaluru letter F.No. 4-KRB 1442/2023-BAN dated 11-11-2024 *[Stage-I approval]*
  2. This office letter of even number dated 30-11-2024 *[seeking Condition-wise compliance from User Agency and Field officers]*
  3. M/s Marwa Mining Company, Kudligi letter dated: 11.03.2025 *[submission of compliance in respect of conditions of Stage-I approval to DCF, Ballari Division]*
  4. Deputy Conservator of Forests, Ballari Division letter No. M1/MNG/Marwa/2482/(Road)/2022-23 (No. 153210)/2022-23 dated 17-03-2025 *[Compliance Report in respect of conditions of Stage-I approval to CF, Ballari Circle]*
  5. Conservator of Forests, Ballari Circle letter No. M1/MNG/VNKM/RENEW/CR-6/2000-01(MARWA)(Road) dated 19-03-2025 *[Compliance Report in respect of conditions of Stage-I approval to this office]*

The Government of India, Ministry of Environment, Forests and Climate Change, Bengaluru vide Ref (1) has accorded 'in-principle' (Stage-I) approval 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 under Section 2 of the Forest (Conservation) Act, 1980 subject to certain conditions. Accordingly, the User Agency and field officers were directed by this office vide Ref (2) to submit the compliance.

In response, the User Agency vide Ref (3) has submitted the Compliance Report to the Deputy Conservator of Forests, Ballari Division, who after verification has vide Ref (4) submitted the condition wise Compliance Report to the Conservator of Forests, Ballari Circle who in turn has submitted the same to this office vide Ref (5).

Based on the reports received as above, the status of compliance to the conditions of Stage-I approval is as under.

<b>Conditions stipulated in Stage-I approval dated 11-11-2024 [Stage-I approval]</b>		<b>Compliance</b>
1	Legal status of the diverted forest land shall remain unchanged.	The User Agency has agreed to comply with the condition and has submitted an Consolidate Undertaking in this regard. which is enclosed as <b>Annexure-A.</b>
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.	The User Agency has paid an amount of Rs.37,20,171/- towards NPV charges for 3.028 ha @ Rs.12,28,590/ha to Ad-hoc CAMPA through e-office challan dated 10-03-2025 vide UTR No. UTIBH25069065301 dt. 10-03-2025 <i>[included in total amount of Rs.1,29,87,032/-]</i> . <b>Copies of Payment Page Print taken from FC Web portal is enclosed as Annexure-B.</b>
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.	The User Agency has agreed to comply with the condition and has submitted a Consolidated Undertaking in this regard. <b>Annexure-A.</b>
4	The non-forest land identified for the purpose of raising Compensatory in Sy. No.93 & 94,	Initially, User Agency has identified CA land in Sy. No. 93 & 94 of Tumati Village, Sandur Taluk, Ballari District over an extent of 3.034 hectares. Further, due to

	<p>Tumti village, Torangallu 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 Adhinyam. A copy of such notification shall be submitted along with compliance report and also uploaded in Parivesh portal</p>	<p>various reasons and local problem user agency could not purchase the identified CA land.</p> <p>Later on, User Agency has identified the alternate CA land in Sy No.1/1 of Tumati Village, Sandur Taluk, Ballari District over an extent of 3.028 hectares. The same land was transferred and mutated in favour of Forest Department vide Mutation No.MR T6/2024-25 dated: 07.12.2024.</p> <p>Further, the said non-forest land provided by the user agency for Compensatory Afforestation has been notified as 'Tumati Protected Forest Block-I' under Section-33 of Karnataka Forest Act, 1963 by the Government of Karnataka vide Notification No. FEE 34 FAF 2025 dated 21-03-2025</p> <p><b>Copy of documents related to CA land like Sale deed, RTC, Mutation copies, CA suitability certificate, identified CA land &amp; Degraded Forest land maps like Geo-reference Map, Topo-Map, Kml file (uploaded in parivesh web-portal), PF Notification (with also English translated version of the same) and undertaking are enclosed as Annexure-C.</b></p>
5	<p>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</p>	<p>Initially, M/s. Marwa Mining Company (ML No.2482) has identified CA land in Sy.No. 93 &amp; 94 of Tumati Village, Sandur Taluk, Ballari District over an extent of 3.034 hectares. Further, due to various reasons and local problem user agency could not purchase the identified CA land.</p> <p>Later on, M/s Marwa Mining Company, Kudligi has identified the alternate CA land in Sy.No.1/1 of Tumati Village, Sandur Taluk, Ballari District over an extent of 3.028 hectares.</p> <p>In this regard, the DCF Ballari Division has issued the CA Suitability Certificate vide letter dated: 10.07.2023 and mentioned as that <i>"the said land parcel has spars scrub jungle and abundance of</i></p>

	be maintained for 10 years	<i>grasses. Because of lack of top soil and undulating landscape, it is partially suitable for afforestation (i.e., only 400 seedlings are plantable per hectare)". Therefore, out of 3.028 ha, only 40% of the area (i.e., 1.2112 ha) in Sy No. 1/1 of Tumati Village, Sandur Taluk, Ballari District is fit for raising CA plantation and 60% is unfit for CA plantation.</i>
6	Compensatory Afforestation shall be raised over an extent of 3.043 ha of non-forest land identified in 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	<p><i>As per Rule -13(1) of the VSESA, 1980, i.e., "in case the non-forest land or portion thereof provided by the user agency is not fit for raising compensatory afforestation of a specified density, then additional compensatory afforestation shall be raised on a degraded notified or unclassed forest land under the management control of the Forest Department which is twice in size of such shortfall in the given compensatory afforestation land and the user agency shall also bear the additional cost on such account"</i></p> <p>Accordingly, the DCF Ballari Division has identified the degraded forest land of extent 3.6336 ha i.e., twice in size of such shortfall / unplantable area (<i>1.8168 ha X 2 = 3.6336 ha</i>) in Sy No. 9(part), 13B(part) &amp; 18(part) of Tonasigeri, Tonasigere Reserve Forest in Sandur Taluk, Ballari District.</p> <p>Thus, the user agency has to remit CA charges for an extent of 4.8448 ha (1.2112 ha + 3.6336 ha).</p> <p>Accordingly, as per the approved demand notice, the User Agency has paid an amount of Rs. 88,95,053/- for 4.8448 ha @ Rs.18,36,000/ha towards CA charges vide through e-office challan dated 10-03-2025 vide UTR No. UTIBH25069065301 dt. 10-03-2025 [<i>included in total amount of Rs.1,29,87,032/-</i>].</p> <p><b>Copies of Payment Page Print taken from FC Web portal is enclosed as Annexure-B.</b></p>
7	All the funds received from the	The User Agency has made all the above-mentioned payment towards

	user agency under the project shall be transferred/ deposited in CAMPA account only through e-portal ( <a href="https://parivesh.nic.in/">https://parivesh.nic.in/</a> ). Amount deposited through other mode will not be accepted as compliance of the Stage-I clearance	Compensatory levies to Ad-hoc CAMPA through e-payment portal ( <a href="https://parivesh.nic.in/">https://parivesh.nic.in/</a> ).  Copy of Status of Payment Page taken from FC Web Portal is enclosed as <b>Annexure-B.</b>
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	The User Agency has agreed to comply with the condition and has submitted a Consolidated Undertaking in this regard. <b>Annexure-A.</b>
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	The DCF, Ballari Division vide letter dated 17-03-2025 has specified that the KML file of the forest area to be diverted and the CA area provided by the user agency and which has been notified as 'Protected Forest' are uploaded on the e-green watch portal ( <i>Screenshot of the same is enclosed as Annexure-G</i> ).
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	The DCF, Ballari Division vide letter dated 17-03-2025 has mentioned that the User Agency has demarcate the diverted forest land on the ground at own cost using four feet high reinforced concrete pillars, with serial numbers, forward and back bearings and distance from pillar to pillar recorded on the pillars.  <b>Photography of the boundary pillars are enclosed as Annexure-D.</b>
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	The User Agency has agreed to comply with the condition and has submitted a Consolidated Undertaking in this regard. <b>Annexure-A.</b>
12	No labour camp shall be established on the forest land	The User Agency has agreed to comply with the condition and has submitted a Consolidated Undertaking in this regard. <b>Annexure-A.</b>

13	No additional or new paths will be constructed inside the forest area for transportation of construction materials for execution of the project work	The User Agency has agreed to comply with the condition and has submitted a Consolidated Undertaking in this regard. <b>Annexure-A.</b>
14	The forest land shall not be used for any purpose other than that specified in the project proposal	The User Agency has agreed to comply with the condition and has submitted a Consolidated Undertaking in this regard. <b>Annexure-A.</b>
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	The User Agency has agreed to comply with the condition and has submitted a Consolidated Undertaking in this regard. <b>Annexure-A.</b>
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.	The User Agency has agreed to comply with the condition and has submitted a Consolidated Undertaking in this regard. <b>Annexure-A.</b>
17	No damage to the flora and fauna of the adjoining area shall be caused	The User Agency has agreed to comply with the condition and has submitted a Consolidated Undertaking in this regard. <b>Annexure-A.</b>
18	User Agency shall obtain the Environmental Clearance as per the provisions of the Environment (Protection) Act, 1986, if applicable	The User Agency has obtained Environmental Clearance under the Environment (Protection) Act, 1986 vide SEIAA 655 MIN 2019 dated: 03.02.2013 for mining lease area over an extent of 22.45 hectares which is enclosed as <b>Annexure-E.</b>  However, the User Agency has also submitted a Consolidated Undertaking in this regard which is enclosed as <b>Annexure-A.</b>
19	The layout plan of the proposal shall not be changed without the prior approval of the Central Government	The User Agency has agreed to comply with the condition and has submitted a Consolidated Undertaking in this regard. <b>Annexure-A.</b>
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, Bangalore by the end of	The User Agency has agreed to comply with the condition and has submitted a Consolidated Undertaking in this regard. <b>Annexure-A.</b>

	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	<p>The Deputy Conservator of Forests, Ballari Division has raised the Demand Notice as per Para No. 1.22(i) of Chapter-1 of the Consolidated Guidelines and Clarification issued under Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for remittance of cost of implementation of the Wildlife Management Plan and the Soil and Moisture Conservation Plan.</p> <p>Accordingly, User Agency has paid an amount of Rs.2,97,446/- i.e., 2% of total project cost towards the cost of implementation of the Wildlife Management Plan and Rs.74,362/- i.e., 0.5% of the project cost towards the cost of implementation of Soil and Moisture Conservation Plan. Total Rs. 3,71,808/- vide e-office challan dated 10-03-2025 vide UTR No. UTIBH25069065301 dt. 10-03-2025 <i>[included in total amount of Rs.1,29,87,032/-]</i>.</p> <p><b>Copy of Payment Page Print taken from FC Web portal is enclosed as ANNEXURE-B.</b></p> <p>Further, user agency has submitted the copies of the Wildlife Management Plan and Soil &amp; Moisture Conservation Plan which are need to be approved by the Competent Authority. i.e., Wildlife Management Plan needs to be approved by PCCF (Wildlife) and SMC Plan by jurisdictional CCF/CF or PCCF (FC)/Nodal Officer.</p> <p>However, as per Para No. 1.22(i-v) of Chapter-1 of the Consolidated Guidelines and Clarification issued under Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980, the Stage-I compliance can be submitted after remittance of the above charges to the Central Government for Final Approval.</p>
22	The State Government and user	The User Agency has agreed to comply

	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.	with the condition and has submitted a Consolidated Undertaking in this regard. <b>Annexure-A.</b>
23	The compliance report shall be uploaded on e-portal ( <a href="https://parivesh.nic.in/">https://parivesh.nic.in/</a> ).	The User Agency has agreed to comply with the condition and has submitted a Consolidated Undertaking in this regard. <b>Annexure-A.</b>
24	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.	The User Agency has obtained FRA certificate in FORM-I (for Linear projects) under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 from the Deputy Commissioner, Ballari vide No. C.O.No.94354 FILE No. BLR-DC-33011/2021-BLRDC/FRA dated: 23.12.2023. The same is hereby enclosed with all its Annexures [1 to 3 of FRA certificate with also English translated version of the same] as <b>Annexure-F.</b>
25	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	The User Agency has agreed to comply with the condition and has submitted a Consolidated Undertaking in this regard. <b>Annexure-A.</b>
26	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.	The User Agency has agreed to comply with the condition and has submitted a Consolidated Undertaking in this regard. <b>Annexure-A.</b>

In view of the above-mentioned compliance to conditions of Stage-I approval as reported by the field officers, it is requested to move the matter to the Government of India for according the final (Stage-II) approval 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 for a period co-terminus with the mining lease granted under MMDR Act.*

The relevant documents in 3 sets are submitted here with for kind perusal and further action. The present status of the proposal obtained from the web-portal is also appended for necessary action.

Yours Faithfully,  
**Digitally signed by**  
**BRIJESH KUMAR**  
**Date: 29-03-2025**  
**19:05:24**

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

1. Copy to the Government of India, Ministry of Environment, Forest and Climate Change (Forest Conservation Division), Integrated Regional Office Kendriya Sadan, 4th Floor, E&F Wings, 17th Main Road, Koramangala II Block, Bangalore – 560 034 for information.
2. Copy to the Conservator of Forests, Ballari Circle, Ballari for information.
3. Copy to the Deputy Conservator of Forests, Ballari Division, Ballari for information.
4. Copy to M/s Marwa Mining Company, D.No.687, 13th Ward, “UMER MANZIL”, Kuligi Taluk, Vijayanagar District-583135 for information.