

Annexure - 18

No:- A5(4)WP.CR-3/2012-13

Office of the
Principal Chief Conservator of Forests,
(Head of Forest Force)
Aranya Bhavan, Malleshwaram, 18th Cross
Bangalore-03, Dated: 04-05-2013.

To,

The Secretary to Government (Forest)
Forest, Environment and Ecology Department,
M.S Building.
Bangalore.

Sir,

Sub : Fact Finding Committee constituted by the National Green
Tribunal (South Zone), Chennai in Application Nos.6 and
12/2013.

Ref: Your letter No.FEE-31-Secy(F) 2013 dated 26-04-2013

With reference to the above I am attaching herewith the information called for by
the Fact Finding Committee for Sl.No.2 in the format given by them for your kind
information and further needful action.

Yours faithfully,


Additional Principal Chief Conservator of Forests,
(Forest Conservation), Bangalore.

*Sent by
e-mail.*

No:- A5(4)WP.CR-3/2012-13

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Office of the
Principal Chief Conservator of Forests,
(Head of Forest Force)
Aranya Bhavan, Malleshwaram, 18th Cross
Bangalore-03, Dated: 09-05-2013.

To,

The Secretary to Government (Forest)
Forest, Environment and Ecology Department,
M.S Building.
Bangalore.

Sir,

Sub : Fact Finding Committee constituted by the National
Green Tribunal (South Zone), Chennai in Application
Nos.6 and 12/2013.

Ref: 1) Your letter No.FEE-31-Secy(F) 2013 dated 26-04-
2013
2) This office letter of even number dated 04-05-2013

I am attaching herewith the revised and final replies to the
information sought by the fact finding committee for your kind
information and further needful.

Yours faithfully,

Additional Principal Chief Conservator of Forests,
(Forest Conservation), Bangalore.

Terms of reference for the Fact Finding Committee constituted by the Hon'ble National Green Tribunal, Southern Zone, Chennai in respect of Application No.s 6 and 12 of 2013

Sl. No.	Department/ Source	Information sought	Reply
1	Department of Animal Husbandry and Veterinary Services	<p>Historical Information in respect of the Amrit Mahal Kaval and Cattle</p> <p>Number of villages in the area.</p> <p>Main Occupation in the above villagers.</p> <p>Number of Families involved in sheep and cattle rearing.</p> <p>Number of sheep, goats and cattle in the study area:</p> <p>List of Sheep and Goat varieties reared in the region</p> <p>Number of Amrit Mahal Cattle</p> <p>Number of other indigenous cattle, characteristic features of each</p> <p>Number of families dependent on forest products for livelihood</p> <p>Government sponsored schemes, if any, for cattle and sheep rearing</p> <p>Beneficiaries of the proposed/ on-going development activities</p> <p>Proposal announced by the government for enhancing cattle and sheep rearing in recent times, Number of Goshalas in the region</p> <p>Have there been any efforts to preserve, project and increase the number of pure Amrit Mahal/ Hallikar or other indigenous</p>	<p align="center">Not Applicable</p>
2	Principal Secretary Forest Ecology and Environment	Ecological nature of the landscape	The area is characterized by stretches of undulating plains of gentle slope with intermittent chains of small hillocks mostly bare and stony with patchy shrubs/ small trees.

	Characteristics of the Biodiversity	No studies made by Forest Department for these areas. The information may be obtained from Biodiversity Board.								
Chief Conservator of Forests, Regional Office (South)	Dependence of the local communities on the grassland ecosystem sought to be diverted to non forest purpose?	Since this land belongs to the Animal Husbandry Department, the information may be obtained from them.								
	Likely impact of the proposed projects on human settlements in terms of loss/ gain of the following									
	displacement	No human habitats are found in these Kaval lands.								
	Livelihood. The area diverted will not be available for the local village for graging end the also will not have access to the fire wood in the area.	This information may be obtained from Animal Husbandry Department.								
	socio-cultural landscape	None.								
Principal Chief Conservator of Forests, Karnataka Forest Department	economic opportunities	Additional jobs may be available for locals.								
	fragmentation of communities	Not applicable								
	Environmental limiting factor to the activities proposed in respect of;									
	geology	The area is characterized by stretches of undulating plains of gentle slope with intermittent chains of small hillocks There may not be any environmental limiting factor on account of the proposed projects.								
	land availability	The GOK has constituted an Expert Committee to identify areas that could be categorized as forests in Karnataka State as per the directions of Hon'ble Supreme Court in WP (Civil) 202/1995. The Expert Committee has included 12272.04 ha of Amritmahal Kavals under the Category of Deemed Forests, in Chitradurga Diustrict. But, none of the granted lands, as presented in para (2) above, are included in the 12272.04 ha. of Amrit Mahal Kavals categorized as deemed forest in Chitradurga District, by the` Expert Committee. The table of Deemed Forests extract taken from the Expert committee I report is furnished below: <div>DEEMED FORESTS (Amruth Mahal Kaval)</div>								
9-II A										
		<table><tr><th>Sl. No.</th><th>Name of the Range</th><th>Particulars</th><th>Survey No.</th></tr><tr><td>1</td><td>Holalkere</td><td>Jajur Kaval</td><td></td></tr></table>	Sl. No.	Name of the Range	Particulars	Survey No.	1	Holalkere	Jajur Kaval	
Sl. No.	Name of the Range	Particulars	Survey No.							
1	Holalkere	Jajur Kaval								

2	Gunderi Kaval	271.09
3	Kadur Kaval	1154.04
4	Haragutti Kaval	815.74
5	Ramagiri Kaval	1366.02
6	Rangaiahnadurga Kaval	1689.25
7	Mallurahalli Kaval	85.94
8	Devapura Kaval	355.26
9	Vamanapura Kaval	72.23
10	Vanake Maradi Kaval	67.29
11	Hanumanahalli Kaval	98.48
	Total	6215.97
1	Hiriyur	814.74
2	Kyathagiri Kaval	887.00
3	Beerasamudra Kaval	942.00
4	Chikkatokalvadi Kaval	175.12
5	Bettasamudra Kaval	687.00
6	Kainadara Kaval	145.54
7	Eradugoddadasandiya Kaval	261.91
	Total	3913.31
3	Molkalmuru range	511.00
2	Bomunkunte Kaval	353.81
3	Gasikere Kaval	954.05
	Total	1818.86
	Parusharampura Kaval	323.90
1	Challakere	12272.04
	Total	12272.04

Varavu Kaval Village Sy.No.343

As per the RTC of 2012-13 Sy.No.343 of Varavu Kaval Village the total extent is 6,973 Acres 19 Guntas. It is mentioned in column No.9 of the RTC as "Sarkari" [Government]. Further the land is granted for Agriculture purpose and D.R.D.O. as per entries made in the RTC.

This survey number is not included in the list of notified forest areas such as Reserve Forests, Protected Forests, Minor Forests and Section-4 area.

Expert Committee has indicated 32449.08 ha. in Chitradurga District, under the category Deemed Forests (C&D land without any plantation, but with KDF) of the survey numbers under consideration in para (2), 1200 ha

of land in Sy. No.343 of Varavu Kaval is included in this 32449.08 ha of deemed forests listed by the Empowered Committee. However, the entire 32449.08 ha of C&D class shown as deemed forest by the Committee was transferred from Revenue to the Forest Department in the year 1995, to constitute a Land-bank, from which areas required for raising compensatory afforestation in lieu of forest areas diverted can be identified, with a clear stipulation that Revenue Department can take back land from the land-bank, if it is required for a public purpose. From the description of the purpose of Land Bank it is clear that these C&D class lands cannot be classified as forests, as per the conditions laid out by Hon'ble Supreme Court in WP (Civil) 202/1995.

However, the areas where plantations are raised by forest department cannot be granted or leased. It is learnt that the Revenue department is yet to physically handover the possession of 1000 acres of land leased in Sy No.343 of Varavu Kaval to M/s Sagitaur ventures India Pvt Ltd (Respondent 15). The matter is being moved with Revenue Department to exclude forest plantation, while handing over the area leased to M/s Sagitaur Ventures India Pvt Ltd.

Khudapura Village Sy.No.47

As per the RTC of 2012-13 of Sy.No.47 Khudapura Village the total extent is 2819 Acres 23 Guntas. It is mentioned in column No.9 of the RTC as "Sarkari Amrit Mahal Kaval." Further the land is granted to D.R.D.O., BARC and others as per entries made in the RTC.

This survey number is not included in the list of notified forest areas such as Reserve Forests, Protected Forests, Minor Forests and Section-4 area. And no land was transferred to Land Bank.

Ullarthi Kaval Village Sy.No.1

		<p>It is submitted that, as per the RTC of 2012-13, Sy.No.1 of Ullarthi Kaval Village the total extent is 2143 Acres 36 Guntas. It is mentioned in column No.9 of the RTC as "Amrit Mahal Kaval." Further the land is granted to Bhabha Atomic Research Centre (BARC) and others as per entries made in the RTC.</p> <p>This survey number is not included in the list of notified forest areas such as Reserve Forests, Protected Forests, Minor Forests and Section-4 area. And no land was transferred to Land Bank.</p> <p>Revenue Authorities have not obtained any opinion from this office before granting lands to various agencies.</p> <p>The revenue records are with the Revenue Department. Hence, the detail of land availability is not available with the Forest Department.</p> <p>The area is undulating plains with gentle slope.</p>
	landscape/ range	
	hydrology	This information may be obtained from the Hydrology wing of Mines & Geology Department.
	surface and ground water assessment	This information may be obtained from the Hydrology wing of Mines & Geology Department.
	water availability	This information may be obtained from the Mines & Geology Department.
	nature of human habitat	----
Department of Forest Ecology and Environment	Are there environmental studies undertaken for citing of the proposed activities in the land in question?	Forest Department has not taken up any such studies as the lands are not vested with the Forest Department.
Principal Secretary Forest Ecology and Environment	Projects proponent complies with the statutory requirement of the Environmental Protection Act 1986. Water Act 1974 (PCP) Air, 1981 (PCB), Forest Conservation Act 1980. Forest Right Act 2006, read with SC-ST with other Forest Dwellers Recognition of Forest	Since there are not forest lands, Forest (Conservation) Act, 1980 does not apply.
Principal Chief Conservator of Forests,		

	Karnataka Forest Department	Rights Act 2006 and Biological Diversity Act 2002 in particular the Mandatory provision of the following;	
		Environment impact Assessment Notification 2006-2009	-
		Hazardous waste (Management and Handling and Trans Boundary Movement) rules 2008 as amended by Act (Amendment) Rules 2010	-
		Consent from Forest Right Committees	These Amrit Mahal Kaval lands are under the control and Ownership of the Animal Husbandry Department and not included in the list of notified forests such as Reserve Forests, Protected Forests, Minor Forests and Section-4 areas. Hence, consent from FRC not required.
		Consent From Biodiversity Management Committees	-
		Demographic features of the land	No human settlements seen in these lands.
3	Deputy Commissioner/ Revenue Department, Chitradurga	Number of Taluks	Not applicable to Forest Department.
		Total Population	
		Literacy levels: Male: Female	
	Animal Husbandry Department and Veterinary Science Departments	Number of villages	Not applicable.
		Main Occupation in the above villages	
		Number of Families involved in sheep and cattle rearing, Number of Sheep, goats and cattle in the study area: list of sheep and goat varieties reared in the region	
	Directorate of Economics and Statistics	Number of Amrit Mahal Cattle	Not applicable.
		Number of other indigenous cattle, characteristic features of each	
	District Statistical Officer Chitradurga District	Number of families dependent on forest products for livelihood	Not applicable.
		Government sponsored schemes, if any, for cattle and sheep rearing	

	University of Agricultural Science, Krishi Vignaya Kendra, Chitradurga	Beneficiaries of the proposed/ on-going developmental activities	
		<p>Proposal announced by the government for enhancing cattle and sheep rearing in recent times, Number of Goshalas in the region</p> <p>Have there been any efforts to preserve, project and increase the number of pure Amrit / Hallikar or other indigenous breeds in the region?</p> <p>Dependence of the local communities on the grassland ecosystem sought to be diverted to non forest purpose?</p> <p>Justification on land allotment over and above the dependency for grazing of animals by the villagers. Density correlation to cattle, sheep, goat and animal. Pre and post sanction scenario and statistics.</p>	Not applicable.
Deputy Commissioner/ Revenue Department, Chitradurga	Department of Forests, Ecology and environment.	Environmental limiting factor to the activities proposed in respect of:	Forest Department : Same as in Si No. 2
		geology	
		land availability	
		landscape/ range	
		hydrology	
		surface and ground water assessment	
		water availability	
		nature of human habitat	
		Likely impact of the proposed projects on human settlements in terms of loss/ gain of the following	
		displacement	
		livelihood	
		socio-cultural landscape	
		economic opportunities	
		fragmentation of communities	
4	Karnataka State	Characteristics of the Biodiversity	

	Biodiversity Board	Project proponent complied with the statutory requirement of the Environmental Protection Act 1986, Water Act 1974 (PCP) Air, 1981 (PCP), Forest Conservation Act 1980, Forest Right Act 2006, read with SC-ST with other Forest Dwellers Recognition of Forest Rights Act 2006 and Biological Diversity Act 2002 in particular the Mandatory provision of the following:	
	Karnataka State Pollution Control Board	Environment impact Assessment Notification 2006-2009	
		Hazardous waste (Management and Handling and Trans Boundary Movement) rules 2008 as amended by Act (Amendment) Rules 2010	
		Consent from Forest Right Committees	
		Consent From Biodiversity Management Committees	
5	Institute for Social and Economic Change (ISEC)	Likely impact of the proposed projects on human settlements in terms of loss/ gain of the following	
		displacement	
		livelihood	
		socio-cultural landscape	
		economic opportunities	
		fragmentation of communities	
6	Department of Forest, Ecology & Environment	Are there environmental studies undertaken for citing of the proposed activities in the land in question?	
	Specific issue for Consideration		
I.	Socio-Economic Aspects Primary/ Secondary data collected from reliable Government agencies/ organizations with special reference to the area under question may be provided. Additionally, where found appropriate the study boundary may be extended up to the zone of environmental/ecological impact boundary.		
II.	Karnataka State Remote Sensing Application Centre Department of IT & BT District Geo-Informatics Cell Meteorological	Ecological Survey Topography of the region Total area of in the land under question Number of water bodies in the land under question Average precipitation received in the region Nature of Soil Soil Strata Absorption/ percolation capacity	

	Department	Any other?	
III.	Karnataka Bio-diversity Board (Forest, Ecology & Environment Department)	Biodiversity in and around the land under question List of flora, especially the list of specific grass that indigenous/ Amrit Mahal cattle feed in the lands under question List of Indigenous grass flora List of wild/ domesticated food crops List of economically useful flora List of medicinal plants List of fauna List of indigenous fauna List of Migratory fauna	
IV.	Department of Social Welfare	Socio-cultural scenario in and around the land	Not applicable.
V.	Department of Forest, Ecology and Environment	Environmental Suitability of the area for the proposed activities	-

Additional Principal Chief Conservator of Forests,
(Forest Conservation)