

ಕರ್ನಾಟಕ ಸರ್ಕಾರ

GOVERNMENT OF KARNATAKA

ಪ್ರಧಾನ ಮುಖ್ಯ ಅರಣ್ಯ ಸಂರಕ್ಷಣಾಧಿಕಾರಿ
(ಅರಣ್ಯ ಪಡೆ ಮುಖ್ಯಸ್ಥರು) ರವರ ಕಛೇರಿ

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



ಅರಣ್ಯ ಭವನ, 18ನೇ ಅಡ್ಡರಸ್ತೆ

ಮಲ್ಲೇಶ್ವರಂ, ಬೆಂಗಳೂರು-560 003

Aranya Bhavan, 18th Cross,
Malleshwaram, Bengaluru-560 003

Telephone : 080 2334 6472

Email : apccffc@gmail.com

Old File No:A5(1).MNG.CR-7/2014-15

E-office File No. KFD/HOFF/A5-1(MNG)/26/2018-FC

Encl.....Pages 3 sets

E-63744

Date 29-01-2021

To,

Additional Chief Secretary to Government
Department of Forests, Ecology and Environment
M. S. Building, Bengaluru

Sir,

Sub: Diversion of 5.71 ha of forest land for widening of existing approach road for ML No. 1111 of Swami Malai (SM) Forest Block, Sandur Taluk, Ballari District in favour of M/s NMDC Limited, Donimalai Township, Ballari District

Proposal No. FP/KA/ROAD/8506/2014 [Stage-I approved]

Ref:

1. Government of India, Ministry of Environment, Forests & Climate Change (Forest Conservation Division), New Delhi letter F. No. 8-27/2005-FC(Vol.) dated 27-09-2017 [Stage-I approval]
2. Government of Karnataka letter No. FEE 41 FFM 2016 dated 08/11/2017 [communication of Stage-I approval]
3. This office letter of even number dated 27/10/2017 [communication of Stage-I approval to User Agency and field officers], 13-05-2019 and 13-11-2020 [communication of shortcomings in Compliance Report]
4. M/s NMDC Limited letter No.DNM/ENV/102(M)/5.71/2016/2115 dated 12-09-2018 addressed to Deputy Conservator of Forests, Ballari Division Ballari [Compliance Report in respect of conditions of Stage-I approval] and 10-12-2020 [additional information]
5. Deputy Conservator of Forests, Ballari letter No. M1/MNG/NMDC/M.L. No.1111/2018-19(ROAD) dated 19/02/2019 [Compliance Report in respect of conditions of Stage-I approval], 18/08/2020 [Revised Compliance Report], 18-08-2020 and 14-12-2020 [additional information]
6. Chief Conservator of Forests, Ballari circle, Ballari letter No. M1.MNG/Road/ML-1111 CR- /2016-17 (NMDC) 3680 dated

14/03/2019 [Compliance Report in respect of conditions of Stage-I approval], 03/09/2020 [Revised Compliance Report], 03-09-2020 and 04-01-2021 [additional information]

The Government of India, Ministry of Environment, Forests & Climate Change, New Delhi Ref (1) has accorded in-principle (Stage-I) approval for diversion of 5.71 ha of forest land for widening of existing approach road for ML No. 1111 of Swami Malai (SM) Forest Block, Sandur Taluk, Ballari District in favour of M/s NMDC Limited, Donimalai Township, Ballari District under Section 2 of the Forest (Conservation) Act 1980 subject to certain conditions stipulated therein. The same was communicated by the Government of Karnataka vide Ref (2) to this office.

Accordingly, this office vide Ref (3) informed the User Agency and field officers to submit the compliance report in respect of conditions of Stage-I approval.

In response, the User Agency vide Ref (4) letter dated 12/09/2018 has submitted the condition-wise Compliance Report to the Deputy Conservator of Forests, Ballari, who after verification has vide Ref (5) submitted the same to Chief Conservator of Forests, Ballari Circle, who has in turn submitted the same to this office vide Ref (6).

Base on the above reports, the status of compliance to the conditions of Stage-I approval is given below.

Conditions stipulated in Stage-I approval dated 27-09-2017		Status of Compliance
(i)	Legal status of the diverted forest land shall remain unchanged.	The legal status of the forest land will remain unchanged. It will be monitored by the Forest Department in future. Moreover the User Agency has agreed and submitted an Undertaking dated 12-02-2019 in this regard. ANNEXURE-1.
(ii)	Compensatory Afforestation, twice in extent to the area of forest land proposed on identified degraded forest land, shall be raised within a period of three years with effect from the date of issue of Stage-II clearance and maintained thereafter in accordance with the approved plan in consultation with the State Forest Department at the cost of the user agency. Further, at least 1000 saplings per hectares	The Deputy Conservator of Forests, Ballari Division has identified an extent of 11.42 ha (= 2 x 5.71 ha) of degraded forest land in Ankamanahalu Village Sy- No. 1, Sandur Taluk, Ballari District for raising Compensatory Afforestation. The following documents/information pertaining to Compensatory Afforestation land are enclosed herewith as ANNEXURES- 2a, 2b, 2c, 2d, 2e & 2f.

	<p>shall be planted over 11.42 ha (11420 plants), 25% of the proposed CA cost additionally will be spend towards soil and moisture conservation activity in the CA area as per site requirement and deposited in CAF</p>	<div><div><div><div>1. KML polygon of CA land (CD)</div><div>2. Topo Map-1:50,000 scale</div><div>3. Geo-referenced Map with GPS readings of all corners</div><div>4. Satellite imagery Map</div><div>5. CA Suitability Certificate in prescribed format</div><div>6. CA Scheme</div></div><div><div>The User Agency has deposited an amount of Rs. 62,98,130/- (Rs.50,38,504/- towards CA charges for 11.42 ha @ Rs.4.412 lakh per ha + Rs.12,59,626/- towards SMC charges @ 25% of CA cost) through e-payment module of FC web portal as follows.</div><table><thead><tr><th></th><th>Date of payment</th><th>Amount (Rs.)</th><th>Remarks</th></tr></thead><tbody><tr><td rowspan="2">CA</td><td>1st Instalment (on 30-08-2018)</td><td>Rs. 34,26,000</td><td>Included in Rs.1,41,72,317/-</td></tr><tr><td>2nd Instalment (on 15-01-2021)</td><td>Rs. 16,12,504</td><td>Included in Rs.28,21,882/-</td></tr><tr><td rowspan="2">SMC (25% of CA cost)</td><td>1st Instalment (on 30-08-2018)</td><td>Rs. 8,56,500</td><td>Included in Rs.1,41,72,317/-</td></tr><tr><td>2nd Instalment (on 15-01-2021)</td><td>Rs. 4,03,126</td><td>Included in total amount of Rs.28,21,882/-</td></tr><tr><td colspan="2">Total</td><td>Rs. 62,98,130</td><td></td></tr></tbody></table><div><div>Copy of Payment Page print taken from FC web-portal is enclosed as ANNEXURE-3.</div><div>Penal CA will be raised by the Forest Department in due course.</div></div></div></div></div>		Date of payment	Amount (Rs.)	Remarks	CA	1 st Instalment (on 30-08-2018)	Rs. 34,26,000	Included in Rs.1,41,72,317/-	2 nd Instalment (on 15-01-2021)	Rs. 16,12,504	Included in Rs.28,21,882/-	SMC (25% of CA cost)	1 st Instalment (on 30-08-2018)	Rs. 8,56,500	Included in Rs.1,41,72,317/-	2 nd Instalment (on 15-01-2021)	Rs. 4,03,126	Included in total amount of Rs.28,21,882/-	Total		Rs. 62,98,130	
	Date of payment	Amount (Rs.)	Remarks																					
CA	1 st Instalment (on 30-08-2018)	Rs. 34,26,000	Included in Rs.1,41,72,317/-																					
	2 nd Instalment (on 15-01-2021)	Rs. 16,12,504	Included in Rs.28,21,882/-																					
SMC (25% of CA cost)	1 st Instalment (on 30-08-2018)	Rs. 8,56,500	Included in Rs.1,41,72,317/-																					
	2 nd Instalment (on 15-01-2021)	Rs. 4,03,126	Included in total amount of Rs.28,21,882/-																					
Total		Rs. 62,98,130																						
(iii)	<p>The user agency shall pay NPV at the rate 20 per cent for the area under violation (5.71 ha), for each year since the violation of Forest (Conservation) Act 1980 has commenced;</p>	<div><div><div>The User Agency has remitted an amount of Rs.35,91,687/- @ 5.71 ha x Rs.8.03 lakh / ha x 20% of the area under violation (5.71 ha) each year vide UTR No. SBINR52018083000058745 dated: 30-08-2018.</div><div>The year wise breakup is given below:</div><table><thead><tr><th colspan="2">Year</th><th>Amount (Rs.)</th></tr></thead><tbody><tr><td>1</td><td>2014-15 (from Oct 2014 to March 2015)</td><td>4,58,514/-</td></tr><tr><td>2</td><td>2015-16</td><td>9,17,026/-</td></tr><tr><td>3</td><td>2016-17</td><td>9,17,026/-</td></tr></tbody></table></div></div>	Year		Amount (Rs.)	1	2014-15 (from Oct 2014 to March 2015)	4,58,514/-	2	2015-16	9,17,026/-	3	2016-17	9,17,026/-										
Year		Amount (Rs.)																						
1	2014-15 (from Oct 2014 to March 2015)	4,58,514/-																						
2	2015-16	9,17,026/-																						
3	2016-17	9,17,026/-																						

		<table border="1"> <tr> <td>4</td><td>2017-18</td><td>9,17,026/-</td></tr> <tr> <td>5</td><td>2018-19 (up to August 2018)</td><td>3,82,095/-</td></tr> <tr> <td colspan="2">Total</td><td>35,91,687/-</td></tr> </table> <p>[Included in total amount of Rs. 1,41,72,317/-]</p> <p>Copy of the Payment Page print taken from FC web-portal is already enclosed as ANNEXURE-3.</p>	4	2017-18	9,17,026/-	5	2018-19 (up to August 2018)	3,82,095/-	Total		35,91,687/-			
4	2017-18	9,17,026/-												
5	2018-19 (up to August 2018)	3,82,095/-												
Total		35,91,687/-												
(iv)	<p>User Agency shall raise penal CA on degraded forest land equivalent to the land (5.71 ha) utilized in violation of the provision of Forest (Conservation) Act 1980 within a period of three years with effect from the date of issue of Stage-II clearance and maintained thereafter in accordance with the approved Plan in consultation with the State Forest Department at the cost of the user agency;</p>	<p>The Deputy Conservator of Forests, Ballari Division has identified an extent of 5.71ha degraded forest land in Somalapura RF for Penal Compensatory Afforestation (PCA) in Sy No. 1/B of Ankamanahalu Village (1.61 ha) and Sy No. 165/B of Somalapura Village (4.10 ha), Sandur Taluk, Ballari District for raising Penal CA. Following documents with regard to the proposed Penal CA land are enclosed as ANNEXURES -4, 4A, 4B, 4C, 4D and 4E.</p> <ol style="list-style-type: none"> KML polygon of CA land (CD) Topo Map-1:50,000 scale Geo-referenced Map with GPS readings of all corners Satellite imagery Map CA Suitability Certificate in prescribed format CA Scheme <p>The User Agency has deposited an amount of Rs. 25,19,252/- towards PCA charges for 5.71 ha @ Rs.4.412 lakh per ha through e-payment module of FC web portal as follows.</p> <table border="1"> <thead> <tr> <th>Date of payment</th><th>Amount (Rs.)</th><th>Remarks</th></tr> </thead> <tbody> <tr> <td>1st Instalment (on 30-08-2018)</td><td>Rs. 17,13,000/-</td><td>Included in Rs.1,41,72,317/-</td></tr> <tr> <td>2nd Instalment 15-01-2021</td><td>Rs. 8,06,252/-</td><td>Included in Rs.28,21,882/-</td></tr> <tr> <td>Total</td><td>Rs. 25,19,252/-</td><td></td></tr> </tbody> </table> <p>Copy of the Payment Page print taken from FC web-portal is already enclosed as ANNEXURE-3.</p> <p>Penal CA will be raised by the Forest Department in due course.</p>	Date of payment	Amount (Rs.)	Remarks	1 st Instalment (on 30-08-2018)	Rs. 17,13,000/-	Included in Rs.1,41,72,317/-	2 nd Instalment 15-01-2021	Rs. 8,06,252/-	Included in Rs.28,21,882/-	Total	Rs. 25,19,252/-	
Date of payment	Amount (Rs.)	Remarks												
1 st Instalment (on 30-08-2018)	Rs. 17,13,000/-	Included in Rs.1,41,72,317/-												
2 nd Instalment 15-01-2021	Rs. 8,06,252/-	Included in Rs.28,21,882/-												
Total	Rs. 25,19,252/-													
(v)	The land identified for the	The forest land identified for the purpose												

	purpose of CA shall be clearly depicted on a Survey of India topo-sheet of 1:50,000 scale.	of CA has been depicted on Survey of India Topo sheet on 1:50,000 scale with proper map index showing the proposed CA land which is already enclosed as ANNEXURE-2A.
(vi)	The User Agency shall transfer the cost of raising and maintaining the compensatory afforestation at the current wage rate as directed and advised by State Forest Department in the Ad-hoc CAMPA Account of the State concern through online portal. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years;	Complied with by User Agency as stated in Condition No. (ii) & (iv) above.
(vii)	The User Agency shall transfer online, the Net Present Value (NPV) of the forest land being diverted under this proposal, as per the orders of the Hon'ble Supreme Court of India dated 28.03.2008, 24.04.2008 and 09.05.2008 in Writ Petition (Civil) No. 202/1995 and the guidelines issued by this Ministry vide its letter No. 5-3/2007-FC dated 05.02.2009. The requisite funds shall be transferred through online portal into Ad-hoc CAMPA account of the State concerned.	The User Agency has deposited NPV charges of Rs.45,85,130/- for 5.71 ha @ Rs.8.03 lakh per ha to CAMPA account through e-payment portal on 30-08-2018 <i>[Included in total amount of Rs.14172317/-]</i> . Copy of Payment Page print taken from FC web-portal is already enclosed as ANNEXURE-3.
(viii)	Any fund received from the user agency under the project and deposited in the State Forest Department account, except the funds realized for regeneration / demarcation of safety zone, shall be transferred through online portal into Ad-hoc CAMPA account of the State	All stipulated charges as per the Stage-I approval have been remitted by User Agency through online portal into Ad-hoc CAMPA account as stated above.

	concerned.	
(ix)	The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required.	Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986 has been granted to NMDC Ltd., Kumaraswamy Iron Ore Mine (M.L.No.1111). Copy of same is enclosed as ANNEXURE-5 .
(x)	No labour camp shall be established on the forest land.	The User Agency has agreed and has submitted an Undertaking in this regard. [ANNEXURE-6]
(xi)	The User Agency shall provide fuels preferably alternate fuels to the labourers and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas.	There are no labour camps in the forest area, as the project is for an existing approach road. Hence, there will be no damage and pressure on the nearby forest areas.
(xii)	The boundary of the diverted forest land, as applicable, shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, forward and back bearing, distance from pillar to pillar GPS Co-ordinates.	The User Agency has demarcated the forest area proposed for diversion by erecting 4 feet high cement concrete pillars duly numbered and depicting forward and backward bearings with GPS Co-ordinates. Photos of demarcated forest area are enclosed as ANNEXURE-7 .
(xiii)	The layout plan of the proposal shall not be changed without the prior approval of the Central Government.	The User Agency has agreed and has submitted an Undertaking dated 12-02-2019 in this regard. [ANNEXURE-8]
(xiv)	The forest land shall not be used for any purpose other than that specified in the proposal.	The User Agency has agreed and has submitted an Undertaking in this regard. [ANNEXURE-9]
(xv)	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 and has submitted an Undertaking dated 12-02-2019 in this regard. [ANNEXURE-10]
(xvi)	No damage to the flora and fauna of the adjoining area shall be caused.	The User Agency has agreed and has submitted an Undertaking in this regard. [ANNEXURE-11]
(xvii)	The user agency in	The User Agency has agreed and has

	consultation with the State Government shall create and maintain alternate habitat/home for the avifauna, whose nesting trees are to be cleared in this project. Birds, nests artificially made out of eco-friendly material shall be used in the area, including forest area and human settlements, adjoining the forest area being diverted for the project.	submitted an Undertaking dated 12-02-2019 in this regard. [ANNEXURE-12]
(xviii)	Felling of trees on the forest land being diverted shall be reduced to the bare minimum and the trees should be felled under strict supervision of the State Forest Department.	The User Agency has agreed and has submitted an Undertaking dated 12-02-2019 in this regard. [ANNEXURE-13]
(xix)	The User Agency shall raise strip plantation on either sides of the road and central verge at the project cost, as per IRC specification, with maintenance of 7-10 years. The User Agency shall also submit design of providing at least 2-3 rows of long rotation indigenous trees, as per provision of IRC-SP-21-2009 (Guidelines on landscaping & tree plantation), on either sides of the road before final clearance.	<p>The User Agency has agreed and has submitted an Undertaking dated 12-02-2019 in this regard. [ANNEXURE-14]</p> <p>The User Agency has submitted a Map showing the tree plantation along the existing approach road for the proposed diversion of 5.71 ha of forest land for planting of 6227 Nos. of plants [ANNEXURE-14A].</p> <p>Further, the User Agency has submitted the photographs of strip plantation of native species carried out all along the approach road vide letter dated 10-12-2020 addressed to the Deputy Conservator of Forests, Ballari Division. Copy of the same is enclosed as ANNEXURE-14B.</p>
(xx)	Wherever possible and technically feasible, the User Agency shall undertake afforestation measures along the roads within the area diverted under this approval, in consultation with the State Forest Department at the	<p>The User Agency has submitted an Undertaking wherein it is reported that till date 90,000 saplings covering an area of 36.00 ha along the proposed road as recommended by R&R Plan, ICFRE, Dehradun have been planted and the works are under progress.</p> <p>Further, the User Agency has agreed and</p>

	project cost.	has submitted an Undertaking in this regard. [ANNEUXRE-15]
(xxi)	Overburden shall not be dumped outside the width of the road. The muck generated in the earth cutting will be disposed-off at the designate dumping sites and in no case the muck/debris shall be allowed to roll down the hill slopes.	The User Agency has agreed and has submitted an Undertaking in this regard. [ANNEXURE-16]
(xxii)	The User Agency will provide retaining walls, breast wall and drainage as per requirement to make the slope stable.	The User Agency has agreed and has submitted an Undertaking dated 12-02-2019 in this regard. [ANNEXURE-17]
(xxiii)	The State Government shall complete settlement of rights, in terms of the Scheduled Tribes and Other traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, if any, on the forest land to be diverted and submit the documentary evidence as prescribed by this Ministry in its letter No.11-9/1998-FC (pt.) dated 03.08.2009, 5th February, 2013 and 05th July, 2013, in support thereof.	The User Agency has obtained the FRA Certificate in FORM-II (for Non-linear / Hybrid projects) issued by the Deputy Commissioner, Ballari District vide No. Rev/MIN/FRA/116/20 14-15 dated 05/02/2020. [ANNEXURE-18]
(xxiv)	The User Agency shall not collect any toll from the vehicles carrying forest officers on duty.	The User Agency has agreed and has submitted an Undertaking in this regard. [ANNEXURE-19]
(xxv)	The designing of culverts/bridges, if any, over the natural streams/ rivers/ canals should be done in such a manner that it does not hamper the natural course of water, does not give rise to water-logging, and also does not hamper movement of wild animals.	The User Agency has agreed and has submitted an Undertaking in this regard. [ANNEXURE-20]
(xxvi)	Proper drainage shall be built	The User Agency has already

	with engineering structures all along the road, as suggested in the inspection report.	constructed the drainage structures all along the road. The photographs are enclosed as ANNEXURE-21 .
(xxvii)	Avenue plantation shall be raised and maintained at the cost of user agency;	The User Agency has agreed and has submitted an Undertaking in this regard. [ANNEXURE-22]
(xxviii)	Fugitive dust emissions shall be controlled by making water spraying arrangements on the road.	The User Agency has agreed and has submitted an Undertaking in this regard. [ANNEXURE-23]
(xxix)	The user agency shall have only the right of way and the control over the road shall remain with the forest department.	The User Agency has agreed and has submitted an Undertaking in this regard. [ANNEXURE-24]
(xxx)	The User Agency shall submit the annual self- compliance report in respect of the above conditions to the State Government and to the concerned Regional Officer of the Ministry regularly.	The User Agency has agreed and has submitted an Undertaking in this regard. [ANNEXURE-25]
(xxxi)	Any other condition that the concerned Regional Office of this Ministry may stipulate, from time to time, in the interest of conservation, protection and development of forests & wild life; and	The User Agency has agreed and has submitted an Undertaking in this regard. [ANNEXURE-26]
(xxxii)	The State Government and User Agency shall ensure compliance to all conditions stipulated above and also the provisions of the all Acts, Rules, Regulations, Guidelines, Hon'ble Court Order (s) and National Green Tribunal Order(s) pertaining to this project, if any, for the time being in force, as applicable to the project.	The User Agency has agreed and has submitted an Undertaking in this regard. [ANNEXURE-27]

Under the above circumstances and agreeing with recommendation of field officers, it is requested to move the matter with the Government of India, Ministry of Environment, Forests & Climate Change, New Delhi to consider according the final (Stage-II) approval for diversion of 5.71 ha of forest land for

widening of existing approach road for ML No. 1111 of Swami Malai (SM) Forest Block, Sandur Taluk, Ballari District in favour of M/s NMDC Limited, Donimalai Township, Ballari District under Section 2 of the Forest (Conservation) Act, 1980 for a period co-terminus with the period of FC approval of the Mining Lease (ML No. 1111).

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

Yours Faithfully



(Rajiv Ranjan IFS)

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

Copy to the:

1. Chief Conservator of Forests, Ballari Circle, Ballari for information.
2. Deputy Conservator of Forests, Ballari Division, Ballari for information.
3. M/s NMDC Limited, Donimalai Township, Sandur Taluk, Ballari District – 583 118 for information.

2154106/2021/KFD-IN

67366

No:M1:MNG:Road:ML-1111:CR-/2016-17(NMDC)

(Enclosure: 04 sets, proposals
4, CD)

1526

Office of the
Chief Conservator of Forests,
Ballari Circle, Ballari.
Dated:04-01-2021.

To,

The Principal Chief Conservator of Forests
(Forest Conservation) and Nodal Officer(FCA),
Aranya Bhavan, Bengaluru.

Sir,

Sub:-Diversion of 5.71 ha for widening of existing approach road for
M.L.No.1111 of Swamy Malai(S.M) Forest Block, Sandur Taluk,
Ballari District in favour of M/s National Minerals Development
Corporation Ltd (NMDC), Donimalai Township, Ballari District – reg.Ref:-1)Government of India, MoEF & CC(Forest Conservation Division),
New Delhi, letter No.F.No.8-27/2005-FC(Vol.) dated:27-09-
2017.(Stage-I approval)2)Your letter No.A5(1):MNG:CR-7/2014-15 dated:13-11-2020.
Addressed to this office and copy marked to DCF, Ballari.3)This office letter of even No.dated:17/19-12-2020. (shortcomings
and clarifications sought for)4)Letter No.M1:MNG:NMDC:ML.No.1111/2018-19(ROAD)/1099
dated:14-12-2020 of the Deputy Conservator of Forests, Ballari
Division, Ballari. Addressed to this office(replies submitted).

* * * * *

In light of the directions issued by your goodself in the letter (2) cited above and having called for revised replies to the revised compliance report submitted in respect of diversion of 5.71 ha for widening of existing approach road for M.L.No.1111 of Swamy Malai(S.M) Forest Block, Sandur Taluk, Ballari District in favour of M/s National Minerals Development Corporation Ltd (NMDC), Donimalai Township, Ballari District, the Deputy Conservator of Forests, Ballari Division, Ballari has submitted the revised replies on the points as raised therein in respect of condition No.(ii), (iv) & (xix), duly issuing the supplementary demand notice for remitting the difference amount of CA charges and SMC (25% CA cost) and requisite documents in 3 ink signed sets, KML polygon of CA land, Topo Maps, Geo-referenced map, GPS readings etc., in the form of CDs, vide his letter (4) cited above for taking further course of action in the matter.

While agreeing with the revised replies to the revised compliance report as submitted by the Deputy Conservator of Forests, Ballari, I request your goodself to move the matter with the Government of Karnataka for according Stage-II approval in this instant proposal under section-2 of the Forest(Conservation) Act, 1980.

Yours faithfully,

Chief Conservator of Forests,
Ballari Circle, Ballari.

ಪ್ರಧಾನ ಮುಖ್ಯ ಅರಣ್ಯ
ಸಂರಕ್ಷಣಾಧಿಕಾರಿಯವರ ಕಛೇರಿ
ಬಳ್ಳಾರಿ ಅರಣ್ಯವೃದ್ಧಿ, ಕರ್ನಾಟಕ, ಬೆಂಗಳೂರು

16 JAN 2021

ಸಂಖ್ಯೆ:-



OFFICE OF THE DEPUTY CONSERVATOR OF FOREST
BALLARI DIVISION, BALLARI

No.M1/MNG/NMDC/ML.No.1111/2018-19(ROAD)

Dated:14.12.2020

Encl. 05 sets, proposals.
1099
To,
The Chief Conservator of Forests,
Ballari Circle, Ballari

Sir,

Sub: Diversion of 5.71 ha for widening of existing approach road for ML No. 1111 Swamy Malai (SM) Forest Block, Sandur taluk, Ballari District in favour of M/s. National Minerals Development Corporation Limited (NMDC), Donimalai Township, Sandur
Proposal No. FP/KA/ROAD/8506/2014 – Reg.,

ಮುಖ್ಯ ಅರಣ್ಯ ಸಂರಕ್ಷಣಾಧಿಕಾರಿ ಬಳ್ಳಾರಿ ವೃತ್ತ, ಬಳ್ಳಾರಿ	Ref: 1) Letter No. F.No.8-27/2005/FC(Vol) Dt.27.09.2017 of MoEFCC, Government of India 2) Letter No.A5(1):MNG:CR:7/2014-15 dated:27.10.2017 & 13.11.2020 of the Principal Chief Conservator of Forests (Forests Conservation) & Nodal Officer(FCA), Bengaluru, 3) This office even number letter / demand notice Dt.19.02.2019, 24.02.2020, 18.08.2020 & 01.12.2020. 4) M/s. NMDC Limited letter Dt.10.12.2020. 5) Letter No. ACF&TA/NMDC/2018-19 Dt.14.12.2020 of Assistant Conservator of Forests, Ballari.
16 DEC 2020	
ಅರಣ್ಯ ಸಂಸ್ಥೆ	
ಕಾಮ	

3694
16/12/20
With reference to the above subject, the Ministry of Environment, Forests and Climate Change, Bengaluru has accorded 'in-principle' approval (Stage-I) under Section-2 of Forest (Conservation), Act-1980 for diversion of 5.71 ha of forest land for widening of existing approach road in M.L.No.1111, S.M.Block Sandur in favour of M/s, National Minerals Development Corporation Limited, Donimalai, Sandur vide letter under reference(1). In this regard, the undersigned has already submitted the compliance report to conditions stipulated in the Stage-I approval accorded by the Government of India vide letters under Ref(3).

Further, Principal Chief Conservator of Forests (Forests Conservation) & Nodal Officer(FCA), Bengaluru has directed the undersigned with an instruction to submit the compliance to mentioned points and issue Supplementary Demand Notice for recovery of differential Compensatory Afforestation (CA) and Penal Compensatory Afforestation(PCA) charges vide letter under Ref(2). In pursuance of the above, the under signed has issued demand notice and instructed to submit clarification to the condition No.(xix) and also instructed the field officer to identify and submit CA & PCA land against this project vide letter Dt. 01.12.2020 under Ref(3). In this regard, the M/s. NMDC limited has submitted the clarification to the condition No.(xix) and field officer has submitted details of CA & PCA land vide letter under Ref(4) & (5).

As per directions of the Principal Chief Conservator of Forests (Forests Conservation) & Nodal Officer(FCA), Bengaluru, I am submitted herewith revised compliance report for condition N.(ii), (iv) & (xix) for the above referred proposal are calucalated as here under;

Sl. No.	Condition of Stage-I approval Dt. 27.09.2017	Status of compliance submitted/Remarks/ Action to be taken
(ii)	Compensatory Afforestation, twice in extent to the area of forest land proposed on identified degraded forest land, shall be	Twice the extent of degraded forest land (11.42 Ha) has been identified at Sy No.1 of Ankamanahalu Village, Sandur Taluk, Ballari

538
16/12/20

2154106/2021/KFD-IN

	<p>Done within a period of three years with effect from the date of issue of Stage-II clearance and maintained thereafter in accordance with the approved plan in consultation with the State Forest Department at the cost of the user agency. Further, at least 1000 saplings per hectares shall be planted over 11.42 ha (11420 plants), 25% of the proposed CA cost additionally will be spent towards soil and moisture conservation activity in the CA area as per site requirement and deposited CAF.</p>	<p>District for raising of Compensatory Afforestation (CA). Following documents with regard to the proposed CA land are enclosed as Annexure – 1a, 1b, 1c, 1d, 1e & 1f.</p> <ol style="list-style-type: none"> 1) KML Poygon of CA land (CD). 2) Top Map-1:50000 scale 3) Geo-referenced Map 4) GPS readings. 5) CA Suitability Certificate in prescribed format 6) CA Scheme. <p>The User Agency has remitted following charges.</p> <ol style="list-style-type: none"> 1) Rs. 34,26,000/- towards Compensatory Afforestation charges for 11.42 hectares (@ Rs. 3,00,000/- per hectares) vide UTR No. SBINR52018083000058745 dt.30.08.2018. 2) Rs. 8,56,500/- towards 25% of the CA cost additional for Soil and Moisture Conservation activities in the proposed CA area. (5.71 ha X 2 X 3,00,000 X 25%) (@ Rs. 3,00,000/- per hectares) vide UTR No. SBINR52018083000058745 dt.30.08.2018. <p>Further, the undersigned has issued Supplementary Demand Notice for remittance of differential amount for CA & SMC (25% of the CA cost) charges vide letter Dt.01.12.2020.</p>
(iv)	<p>User Agency shall raise penal CA on degraded forest land equivalent to the land (5.71 ha) utilised in violation of the provision of Forest (Conservation) Act 1980 within a period of three years with effect from the date of issue of Stage-II clearance and maintained thereafter in accordance with the approved Plan in consultation with the State Forest Department at the cost of the user agency.</p>	<p>Degraded forest land for Penal Compensatory Afforestation (PCA) has been identified at Sy No.1/B of Ankamanahalu Village (1.61 ha) and Sy.No. 165/B of Somalapura Village (4.10 ha), Sandur Taluk, Ballari District for raising of Penal Compensatory Afforestation (PCA) over an extent of 5.71 Ha. Following documents with regard to the proposed CA land are enclosed as Annexure – 2a, 2b, 2c, 2d, 2e & 2f.</p> <ol style="list-style-type: none"> 1) KML Poygon of CA land (CD). 2) Top Map-1:50000 scale 3) Geo-referenced Map 4) GPS readings. 5) CA Suitability Certificate in prescribed format 6) CA Scheme. <p>Further, the User Agency has remitted Penal Compensatory Afforestation charges for 5.71 hectares of Rs. 17,13,000/- (Rs. 3,00,000/- per hectares) vide UTR No. SBINR52018083000058745 dt.30.08.2018. Recently, the undersigned has issued Supplementary Demand Notice for remittance of differential amount for PCA charges vide letter Dt.01.12.2020.</p>

(ix)	The User Agency shall raise strip plantation on either sides of the road and central verge at the project cost, as per IRC specification, with maintenance of 7-10 years. The User Agency shall also submit design of providing at least 2-3 rows of long rotation indigenous trees, as per provision of IRC-SP-21-2009 (Guidelines on landscaping & tree plantation), on either sides of the road before final clearance.	The User Agency has submitted a brief note accompanied with a map detailing out the location for strip plantation to be taken up by them. Submitting a report along with photographs, the M/s NMDC Limited has submitted a clarification in this regard stating that the strip plantation of native species all along the KIOM Approach road has been carried out enclosed as Annexure-3).
-	General	Undersigned has issued Supplementary Demand Notice for remittance of differential amount for CA, SMC (25% of the CA cost) & PCA charges vide letter Dt.01.12.2020 (Annexure-4).

This is for your information and needful action.

Yours Faithfully,

Deputy Conservator of Forests
Bellary Division, Bellary