

PART-III

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

**Fresh proposal for diversion of 6.35 ha of forest land in favour of Sri. D.Ramesh,
Bellary, R.M. Block of Sandur North Range, Sandur taluk, Bellary District.
Online application No.FP/KA/MIN/15687/2015.**

1	Whether site, where the forest land involved is located has been inspected by concerned Chief Conservator of Forests (Yes/No). If yes, the date of inspection and observations made in the form of inspection note to be enclosed.	No. (As the diversion sought is less than 40 Ha)
2	Whether the concerned Chief Conservator of Forests agree with the information given in Part-II and the recommendations of Deputy Conservator of Forests.	I agree with the recommendations of the Deputy Conservator of Forests, Ballari Division, Ballari and information provided in Part-II.
3	Specific recommendation of concerned Chief Conservator of Forests for acceptance or otherwise of the proposal with detailed reasons.	<p>Forwarding the diversion proposal with following observations made by the DCF, Ballari:</p> <ol style="list-style-type: none">1) The production capacity of all the existing mines (59 '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 Judgment 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, which would lead to severe soil erosion and serious environmental damages. Therefore, approval of new mining lease in the fresh forest area would negatively affect the local flora, fauna and other environmental resources.</i>

		<p>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></p> <p>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></p>
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Place: Ballari

Date:01-08-2019.

Signature:

Name : (Lingaraja S.S)

Seal : Chief Conservator of Forests,
Ballari Circle, Ballari.