

PART - IV


(To be filled in by the Nodal Officer or Principal Chief Conservator of Forests or Head of Forest Department)

Detailed opinion & specific recommendation of the State Forest Department for acceptance or otherwise of the proposal with remarks. (While giving opinion, the adverse comments made by concerned Conservator of Forests or Deputy Conservator of Forests should be categorically reviewed and critically commented upon).	Recommended for diversion of 15.981 hectare of forest land in RM Block & other villages in Ballari District for approach road, Downhill Pipe Conveyer and Feed & Transfer Point area for Rama iron ore mine (ML No. 2621) in favour of M/s JSW Steel Ltd., Vijayanagar works, Ballari subject to the conditions specified in Annexure 'A' .
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Signature:

Name:


Designation:


JAGMOHAN SHARMA IFS
Additional Principal Chief Conservator of Forests
(Forest Conservation)
AND
Nodal Officer (FCA)

Countersigned by :

Name:

Designation:


PUNATI SRIDHAR IFS
Principal Chief Conservator of Forests
(Head of Forest Force)

(Official Seal)

N.D.O. No: 03/2018-19

Date: 9-05-2018



GOVERNMENT OF KARNATAKA

ಪ್ರಧಾನ ಮುಖ್ಯ ಅರಣ್ಯ ಸಂರಕ್ಷಣಾಧಿಕಾರಿ
(ಅರಣ್ಯ ಪಡೆ ಮುಖ್ಯಸ್ಥರು) ರವರ ಕಛೇರಿ

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



ಅರಣ್ಯ ಭವನ, 18ನೇ ಅಡ್ಡ ರಸ್ತೆ,
ಮಲ್ಲೇಶ್ವರಂ ಬೆಂಗಳೂರು-560 003.

Aranya Bhavan, 18th Cross
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No. A5(1).MNG.CR.10/2017-18

Date: 9-05-2018

Encl: -3 sets

To,

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

Madam,

Sub: Diversion of 15.981 hectare of forest land in RM Block & other villages in Ballari District for approach road, Downhill Pipe Conveyer and Feed & Transfer point area for Rama iron ore mine (ML No. 2621) in favour of M/s JSW Steel Ltd., Vijayanagar works, Ballari.

Online proposal No. FP/KA/Others/27780/2017

- Ref: 1. Online proposal dated 08-08-2017
2. This office online communication dated 23-09-2017 to the Deputy Conservator of Forests, Ballari Division, Ballari.
3. Letter No. M1/MNG/JSW/RAMA/Conveyor/2017-18 dated 21-03-2018 of the Deputy Conservator of Forests, Ballari Division (uploaded online on 30-03-2018).
4. Letter No. M1/MNG/R.Poal/TRF/M.L.2621/CR-6/2017-18 dated 06-04-2018 of the Chief Conservator of Forests, Ballari Circle (uploaded online on 12-04-2018).

1. The online proposal submitted on 08-08-2017 (ref-1) by the User Agency, viz., M/s JSW Steel Ltd, Vijayanagar works, Ballari District for diversion of 15.981 hectare of forest land for approach road, Downhill Pipe Conveyor and feed & transfer point area in RM Block & other villages, Sandur North Range, Sandur Taluk, Ballari District was forwarded to the Deputy Conservator of Forests, Ballari Division through online mode on 23-09-2017(ref-2) for further processing under Section 2 of the Forest (Conservation) Act, 1980.
2. **DCF, Ballari Division Report:** In response, the Deputy Conservator of Forests, Ballari Division, after receiving additional information from User Agency on 26-02-2018 has submitted the proposal to the Chief Conservator of Forests, Ballari Circle vide his letter dated 21-03-2018 (ref-3) duly recommending the proposal for diversion of 15.981 hectare. Further, the Chief Conservator of Forests, Ballari Circle, vide his letter dated 06-04-2018 (ref-4) has submitted the proposal to this office. The

details of the proposal as reported by the Deputy Conservator of Forests, Ballari Division are as follows.

- i. The proposed forest area falls under Eco-Class-III (Southern Tropical Dry deciduous forest).
- ii. The Flora and fauna observed in proposed area are:
Flora: Acacia catechu, Albizzia amara, Anogeissus latifolia, Cassia fistula, Carissa Carandus and Dodonia viscosa
Fauna: Hare, Peafowl, Sloth bear, Wild boar, Leopard, Indian Porcupine, Grey partridge.
- iii. There are 1108 trees (31 cm & above GBH) in the proposed forest land as per Part-II.
- iv. The proposed area is having steep slope with vegetation, however due to project activities there are chances of vulnerability of the forest area to erosion. Hence, the User Agency is required to take-up soil and moisture conservation works all along the approach road, Downhill Pipe Conveyor and Feed & Transfer Point area.
- v. There are no protected / archaeological / heritage sites or defence establishments or important monuments located inside the proposed project area.
- vi. The proposed forest land is not part of National Park, Wildlife Sanctuary, Biosphere Reserve, Tiger Reserve, elephant corridor. The proposed project area is 26.36 km away from Eco-sensitive zone of Gudekote Bear Sanctuary and 11.58 km away from Eco-sensitive zone of Daroji Bear Sanctuary.
- vii. There is no violation reported under Forest (Conservation) Act 1980.
- viii. The proposed area required for this project is 15.981 hectare, which is unavoidable and bare minimum.

The details of forest land proposed for diversion are as below.

Sl No.	Purpose of diversion of forest land	Length in meter	Width in meter	Total area		Status of land
				in Sqm	in ha	
1	RD-1 proposed approach road	3025	12	36300	3.630	Section 4 Notified land
2	SG-1 proposed Downhill pipe conveyor	1350	12	16200	1.620	
3	SG-2 proposed Downhill pipe conveyor	2350	12	25200	2.820	
4	SG-3 Proposed Downhill pipe conveyor	300	12	3600	0.360	
5	FP-1 proposed Feeding point of Downhill pipe conveyor	199.45	85.78	17109	1.710	

6	TP-1 proposed Transfer point of Downhill pipe conveyor	191.01	94.09	17972	1.797	
7	TP-2 proposed Transfer point of Downhill pipe conveyor	381.55	105.99	40440	4.044	
Total					15.981	

- ix. The User Agency has identified non-forest land in Sy.No. 137, 138 & 140P of Halabhavi village, Lingasuguru Taluk, Raichur District over an extent of 15.981 hectare and the same is yet to be transferred and mutated in favour of Forest Department. Further, they have also agreed to pay the CA charges towards raising of Compensatory Afforestation.
- x. Certificate in Form-I under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 from the Deputy Commissioner, Ballari District is not yet submitted to this office.
- xi. M/s JSW Steel Ltd. Toranagallu has submitted an undertaking for payment of Net Present Value (NPV) applicable.

3. CCF, Ballari Circle Report: Agreeing with the recommendation of the Deputy Conservator of Forests, Ballari Division, the Chief Conservator of Forests, Ballari Circle has recommended for diversion of forest land under Forest (Conservation) Act, 1980. However, it has been suggested that since the proposed forest area for approach road, Downhill Pipe Conveyor and Feed and Transfer Point area is running along steep slope of hillock, it is vulnerable to soil erosion and loss of vegetation. Hence, the User Agency may be instructed to take up Soil and Moisture Conservation works and afforestation in consultation with the Forest Department.

4. Compensatory Afforestation: The User Agency has identified non-forest land in Sy No. 137, 138 & 140p of Halabhavi village, Lingasuguru Taluk, Raichur District over an extent of 15.981 ha for raising Compensatory Afforestation. The non-forest land is yet to be mutated and transferred in favour of Forest Department. However, agreement has been made between JSW and Sri Hanumappa S/o Thimmanna, Sharana Basappa S/o Late Amarappa & Sangappa S/o Thimmanna (land owners). Deputy Conservator of Forests, Raichur has reported suitability of this land parcel for raising Compensatory Afforestation. The User Agency has given undertaking to pay Compensatory Afforestation charges. The details of proposed CA land are given below.

Blocks	Sy.No.	Extent (in ha.)
Block – I	137	2.18
	138	11.10
Block – II	140	2.72
Total		16.00

5. **RoFR Compliance:** With reference to the certificate in Form-I under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, it is reported by Chief Conservator of Forests, Ballari that the User Agency has already requested the Deputy Commissioner in his letter dated 16-09-2017 to issue the same. The same is under consideration with the Deputy Commissioner, Ballari.
6. **Net Present Value (NPV):** M/s JSW Steel Ltd. Toranagallu has submitted an Undertaking for payment of Net Present Value (NPV) over an extent of 15.981 hectare.
7. It is reported that the proposed pipe conveyor belt, which is to be erected will be on columnar structures. **However, it is suggested to fix the limitation of the time to operate the conveyor belt, in order to facilitate free movement and use of habitat of wild animals in the landscape particularly from sound and other disturbance during the night time.**
8. Further, it is to submit that the Hon'ble Supreme Court in judgment dated 21-03-2017 (copy enclosed) passed in IA No. 247 & other IAs in Writ Petition Civil No. 562/2009 have approved construction of conveyor belt system, railway sidings and railway sub-lines as the most significant step towards controlling the environmental pollution that has persisted on account of open movement of iron ore by road.


In light of the facts stated above, it is requested to move this online proposal with the Government of India for according 'in-principle' (Stage-I) approval for diversion of 15.981 hectare of forest land in RM Block & other villages of Ballari District for approach road, Downhill Pipe Conveyor and Feed & Transfer Point area for Rama iron ore mine (ML No. 2621) in favour of M/s JSW Steel Ltd. Vijayanagar works, Ballari subject to the conditions specified in Annexure 'A'.

The hard copy of the proposal along with the relevant documents in 2 sets is submitted herewith for further needful. The present status of the proposal obtained from the web-portal is also appended for necessary action.

Yours faithfully


Principal Chief Conservator of Forests
(Head of Forest Force)

1. Copy to the Chief Conservator of Forests, Ballari Circle for information.
2. Copy to the Deputy Conservator of Forests, Ballari Division for information.
3. Copy to M/s JSW Steel Ltd. Vijayanagara works, P.O. Vidyanagar, Toranagallu – 583 275, Sandur Taluk, Ballari District for information. You are required to submit RTC and Mutation copy of the non-forest land proposed for Compensatory Afforestation, ensuring that the legal status of the said land is mentioned as 'Forest' in column no. 9 of RTC and Mutation at the earliest. Further, RoFR compliance may be obtained from the Deputy Commissioner Ballari and submitted to this office for necessary action.


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ದಿನಾಂಕ: 09/05/12

ANNEXURE 'A'

1. The legal status of forest land shall remain unchanged and it shall continue to be forest land.
2. The lessee shall pay lease rent as fixed by the Government from time to time.
3. The lease tenure will be co-terminus with the lease under MMDR Act.
4. The User Agency has to pay the Net Present Value (NPV) of forest land diverted under this proposal as per Orders dated 28-3-2008 and 9-5-2008 of the Hon'ble Supreme Court of India.
5. The User Agency shall get 15.981 hectare compensatory afforestation land mutated as 'Forest' and transferred to the Forest Department and shall pay CA charges.
6. The leased area should be used for the purpose for which it is granted. In case the land is not used for the stipulated purpose within one year or when it is no longer needed for the stipulated purpose, the area shall be resumed back. The Chief Conservator of Forests / Deputy Conservator of Forests concerned is authorized to take necessary action in this regard.
7. In case of any violations, the Forest lease shall be liable for forfeiture under Section 82 of Karnataka Forest Act 1963.
8. No residential buildings shall be permitted in the leased forest area.
9. The Karnataka Forest Act, 1963 and Rules, 1969 and other relevant Acts & Rules and guidelines will be applicable for any violation.
10. In order to safeguard the wildlife interests and free movement of wild animals during night, transportation of ore through Conveyer Belt will be limited between sunrise and sunset.
11. The User Agency shall ensure that there should be no damage to the available fauna and other flora.
12. No labour camp shall be established on the forest land.
13. Any damage to forest area due to such works shall be compensated by the User Agency. The extent of damage shall be assessed by the concerned Deputy Conservator of Forests.
14. The lessee shall not sub-lease, mortgage or hypothecate the forest area.
15. The User Agency shall also abide by the conditions imposed by Government of India, the Government of Karnataka and Principal Chief Conservator of Forests (Head of Forest Force).


Principal Chief Conservator of Forests
(Head of Forest Force)