

PART - IV

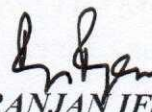
(To be filled in by the Nodal Officer or Principal Chief Conservator of Forests or Head of Forest Department)

Detailed opinion & specific recommendation of the State Forest Department for acceptance or otherwise of the proposal with remarks <i>(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.)</i>	Recommended for diversion of 12.4724 hectare of forest land in Ramanamalai (RM) Block Forest (6.6978 ha) and Swamimalai (SM) Block Forest (5.7746 ha), Near Dhamapura village, Sandur Taluk, Ballari District for establishing Closed Pipe Conveyor System from Ramanadurga Iron Ore Mine (RIOM ML No. 2141) in favour of M/s Sri Kumaraswamy Mineral Exports Private Limited, Ballari subject to pending of RoFR Compliance Certificate in the prescribed FORM-I (for Linear Projects) and the conditions specified in Annexure 'A'. Proposal No. FP/KA/MIN/39394/2019
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Signature:

Name:

Designation:



RAJIV RANJAN IFS

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

Countersigned by :

Name:

Designation:



PUNATI SRIVIDHAR IFS

Principal Chief Conservator of Forests
(Head of Forest Force)

N.D.O. No: 34/2019-20

(Official Seal)

Date: 10-02-2020

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GOVERNMENT OF KARNATAKA

ಪ್ರಧಾನಮುಖ್ಯ ಅರಣ್ಯ ಸಂರಕ್ಷಣಾಧಿಕಾರಿ
(ಅರಣ್ಯ ಪಡೆ ಮುಖ್ಯಸ್ಥರು) ರವರ ಕಛೇರಿ

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



ಅರಣ್ಯ ಭವನ, 18 ನೇ ಅಡ್ಡ ರಸ್ತೆ
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E-office File No. KFD/HOFF/A5-1(MNG)/30/2019-FC

E-78813

Encl: 3 sets of proposal

Date 01-02-2020

To,

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

Sir,

Sub: Diversion of 12.4724 hectare of forest land in Ramanamalai (RM) Block Forest (6.6978 ha) and Swamimalai (SM) Block Forest (5.7746 ha), Near Dhamapura village, Sandur Taluk, Ballari District for establishing Closed Pipe Conveyor System from Ramanadurga Iron Ore Mine (RIOM ML No. 2141) in favour of M/s Sri Kumaraswamy Mineral Exports Private Limited, Ballari

Proposal No. FP/KA/MIN/39394/2019 [FORM-A]

- Ref:**
1. Online proposal [FORM-A (PART-I)] dated 10-07-2019 (resubmitted) of M/s Sri Kumaraswamy Mineral Exports Private Limited, Ballari r/w uploading of Acknowledgement on 23-08-2019 for having delivered hard copies of proposal to jurisdictional Deputy Conservator of Forests and Deputy Commissioner
 2. This office online communication dated 26-08-2019 to Deputy Conservator of Forests, Ballari Division, Ballari for further processing of proposal
 3. Online submission of PART-II on 15-12-2019 by Deputy Conservator of Forests, Ballari Division [Letter No. M1/MNG/SKME/Conveyor belt/2019-20/556 dated 27-12-2019]
 4. Online submission of PART-III on 02-01-2020 by Chief Conservator of Forests, Ballari Circle [Letter No. M1/MNG/CR-19/2010-11(SKME)/2024 dated 02-01-2020]

1. M/s Sri Kumaraswamy Mineral Exports Private Limited, Ballari [USER AGENCY] has (re)submitted an online proposal (FORM A PART-I) on 10-07-2019 seeking approval under Section 2 (ii) of the Forest (Conservation) Act, 1980, for diversion of 12.4724 hectare of forest land in Ramanamalai (RM) Block Forest (6.6978 ha) and Swamimalai (SM) Block Forest (5.7746 ha), Near Dhamapura village, Sandur Taluk, Ballari District for establishing Closed Pipe Conveyor System from Ramanadurga Iron Ore Mine (RIOM ML No. 2141). The same was accepted by Nodal Officer (FCA) on 08-08-2019 for further processing. After

receiving the online Acknowledgement by the User Agency on 23-08-2019 for having delivered the hard copies of proposal to the Deputy Conservator of Forests, Ballari Division and Deputy Commissioner, Ballari District, the online link was forwarded to the Deputy Conservator of Forests, Ballari Division on 26-08-2019 for field verification and further processing under the Forest (Conservation) Act, 1980.

- 2. Location details and component wise breakup:** The location details and the component wise breakup of the forest land required for the project are given below.

District, Taluk, Name of Forest	Village	Sy No.	Project component	Forest extent proposed for diversion (ha)	Legal status of land
Ballari District, Sandur Taluk, Ramanamalai (RM) & Swamimalai (S.M.) Block Forest	*	*	Service Road 1	0.994	Section 4 Notified Forest**
			Service Road 2	0.6371	
			Service Road 3	1.4404	
			Feeding Point	0.9644	
			Railway Siding	5.7746	
			Downhill Conveyor with Overlapped areas	2.6619	
Total (ha)				12.4724	

*The forest area in question has not been assigned any village survey number.

** Government of Karnataka Notification No. FFD 29 FAF 84 dated 28-02-1985.

- 3. DCF, Ballari Division Report:** The Deputy Conservator of Forests, Ballari Division has inspected the site on 08-12-2019 and vide Ref (3) has submitted the Site Inspection Report along with other details in PART-II of the proposal to the Chief Conservator of Forests, Ballari Circle duly recommending the proposal. Main features of the proposal as reported by the Deputy Conservator of Forests, Ballari Division r/w the report of Chief Conservator of Forests, Ballari Circle and also that of the ICT Centre of Forest Department are as follows.

- The forest land proposed for diversion is in general landscape of Eco-class-III (Tropical Dry Deciduous Forests) with up to 0.1 canopy density (Open forest).
- As per Item 4(ii) of PART-II, there are 1759 trees of various girth classes in the forest land proposed for diversion. Main tree species include *Grewia tiliaefolia*, *Terminalia tomentosa*, *Azadirachta indica*, *Wrightia tinctoria*, *Cassia fistula*, *Albizia lebeck*, *Ficus* sps, *Dendrocalamus strictus*, *Lagerstroemia parviflora* among others.
- The forest land proposed for diversion is prone to soil erosion because of steep slopes and poor vegetation. Hence, the User Agency may be asked to take up Soil & Moisture Conservation works all along and around the Downhill Conveyor System.

- a. Major wild animals found in the area include Leopard, Sloth Bear, Jackal, Hares, Peafowl and Wild pig, Partridge etc.
 - b. The forest land proposed for diversion does not form part of any National Park, Wildlife Sanctuary, Biosphere Reserve, Tiger Reserve, Elephant Corridor, Wildlife Migration Corridor, etc.
 - c. The forest land proposed for diversion is not located within Eco-sensitive Zone (ESZ) of any Protected Area notified under Wildlife (Protection) Act, 1972.
 - d. The forest land proposed for diversion is not located within one kilometre distance of any National Park, Wildlife Sanctuary, Biosphere Reserve, Tiger Reserve, Elephant Corridor, Wildlife Migration Corridor, etc.
 - e. There are rare/ endangered/ unique species of flora and fauna reported in the area.
 - f. There are no protected Archaeological/ Heritage Site/ Defence Establishment or any other important monument located in the area.
 - g. The requirement of forest land as proposed for diversion is the bare minimum and unavoidable for the project.
 - h. There is no violation reported under Forest (Conservation) Act 1980.
4. **CCF, Ballari Circle Report:** The Chief Conservator of Forests, Ballari Circle has inspected the site on 17-12-2019 and vide Ref (4) has submitted the opinion in Item No. 16 of PART-II/III of the proposal. Agreeing with the recommendation of the Deputy Conservator of Forests, Ballari Division, he has also recommended the proposal.
 5. **Net Present Value (NPV):** The User Agency is required to pay the Net Present Value (NPV) of forest land proposed for diversion as per Para 3.1 to 3.4 of the FC Guidelines communicated by Government of India, Ministry of Environment, Forests and Climate Change, New Delhi vide F.No. 5-2/2017-FC dated 28-03-2019. **The User Agency has submitted an Undertaking to pay the charges towards Net Present Value (NPV) of the forest land proposed for diversion.**
 6. **Compensatory Afforestation (CA):** The User Agency is required to provide an equivalent extent of suitable non forest land in accordance with FC guidelines. Further, as per Government of Karnataka Order No. FEE 88 FLL 2016 dated 31-08-2016 pertaining to FC proposals of private User Agencies, such CA land needs to be a private land either as forest enclosure or adjoining an existing forest area in man-animal conflict zone. In addition, the User Agency is also required to pay the CA charges as per prevailing rates. Accordingly, **the User Agency has identified an extent of 12.981 ha of non-forest (Private) land in Mughavade Village, Jamboti Hobli, Khanapur Taluk, Belagavi District.** The details are given below.

District, Taluk, Hobli	Village	Sy No.	Extent proposed for Compensatory Afforestation		
			Acre	Gunte	Ha
Belagavi District, Khanapur Taluk, Jamboti Hobli	Mughavade	40	2	8	0.890
		56	8	13	3.369
		69	1	17	0.577
		70/1	3	32	1.538
		70/2	1	12	0.526
		75	0	26	0.263
		79	2	18	0.992
		82	9	21	3.855
		83	2	16	0.971
Total (ha)					12.981

The Topo Map, Geo-referenced Map along with GPS readings and KML file of the proposed CA land have already been uploaded / submitted by the User Agency in PART-I of the proposal. The Deputy Conservator of Forests, Belgaum has issued the CA Suitability Certificate dated 29-08-2019 and has also enclosed a CA scheme. The same are enclosed herewith. In addition, the User Agency has also given an Undertaking to pay the CA charges.

7. **RoFR Compliance:** The User Agency is required to obtain RoFR Compliance Certificate in FORM-I (for Linear Projects) under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 and Rules 2008 from the jurisdictional Deputy Commissioner. The User Agency has not furnished the copy of required certificate with the proposal. However, it has submitted a request vide letter dated 17-08-2019 to the Deputy Commissioner, Ballari District in this regard. Further, **the User Agency is being informed to obtain and submit the required RoFR Compliance Certificate.**
8. **Status of FC of the connected Mining Lease [ML No. 2141]:** The presently proposed Closed Pipe Conveyor System will connect Ramanadurga Iron Ore Mine (RIOM ML No. 2141), for which the Government of Karnataka vide Order No. FEE 25 FFM 2013 dated 23-01-2017 has accorded approval for extension of FC lease period up to 23-01-2042 making it co-terminus with the mining lease extended under the MMDR Act. Thus, the connected mining lease has a valid FC. The User Agency has also submitted the condition-wise present status of compliance of the conditions of the above Government Order with the hard copy of present proposal received through the Field officers.
9. **Additional information:** In order to facilitate the free movement of wild animals during the night hours and to reduce the adverse impact of mining related activities in the area, it is suggested to limit the operational time of the conveyor belt system only to day hours, i.e., sunrise to sunset. It is also in tune with the Condition No. 6

of the Government of Karnataka Order No. FEE 25 FFM 2013 dated 23-01-2017 for the extension of FC lease period of the connected mine, that limits the period of mining operations to the day hours (from 6 AM to 7 PM).

In light of the facts stated above, it is requested to move the proposal with the Government of India **for according 'in-principle' (Stage-I) approval for diversion of 12.4724 hectare of forest land in Ramanamalai (RM) Block Forest (6.6978 ha) and Swamimalai (SM) Block Forest (5.7746 ha), Near Dhamapura village, Sandur Taluk, Ballari District for establishing Closed Pipe Conveyor System from Ramanadurga Iron Ore Mine (RIOM ML No. 2141) in favour of M/s Sri Kumaraswamy Mineral Exports Private Limited, Ballari subject to pending of RoFR Compliance Certificate in the prescribed FORM-I (for Linear Projects) and the conditions specified in Annexure 'A'.**

The hard copy of the proposal along with the relevant documents in 3 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


(PUNATI SRIDHAR IFS)

Principal Chief Conservator of Forests
(Head of Forest Force)

Copy to:

1. The Chief Conservator of Forests, Ballari Circle for information.
2. The Deputy Conservator of Forests, Ballari Division for information.
3. Sri Kumaraswamy Mineral Exports Private Limited, No. 462, 14th Ward, SMIORE Colony, Near Fire Station, Sandur Taluk, Ballari District - 583 119 for information and with a request to obtain and submit an authenticated copy of RoFR Compliance Certificate **in the prescribed FORM-I (for Linear Projects)** as mentioned above.


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11-2-2020

ANNEXURE - 'A'

1. The legal status of forest land shall remain unchanged and it shall continue to be forest land.
2. The User Agency shall pay the applicable Net Present Value (NPV), Compensatory, Plantation cost of extraction of trees, Land lease rent and any other levies as per the conditions of approval.
3. The User Agency shall demarcate the lease area in the manner specified at the time of approval at its own cost.
4. The road shall be used for transportation of ore between sunrise and sunset only.
5. The lessee shall not sub-lease, mortgage & hypothecate the forest area.
6. The leased out area should be used for the purpose for which it is granted. In case the land is not used for the stipulated purpose within two years or when it is no longer needed for the stipulated purpose, the area would stand resumed to the Forest Department.
7. No change in Land Use Plan on forest land shall be done except with prior approval of Government of India under FC Act 1980.
8. The application for renewal of the lease in the prescribed form and manner shall be submitted at least six months prior to the expiry of forest lease. In case no renewal is sought, the Lessee shall hand over the lease.
9. No residential or commercial buildings shall be permitted in the forest area proposed for diversion.
10. No crushing / breaking of stones or labour camp shall be allowed on forest land and all waste / debris generated shall be scientifically disposed off outside the forest area.
11. Any damage to forest area because of implementation of the proposal shall be compensated by the Lessee. The extent of damage shall be assessed by the jurisdictional Deputy Conservator of Forests/ Conservator of Forests/ Chief Conservator of Forests.
12. The Lessee shall ensure that no avoidable harm is caused to the fauna and flora in and around the proposed area.
13. In case, any violation of the provisions of the Karnataka Forest Act, 1963 & Rules, 1969 or other relevant Acts/Rules is reported during the lease period, the lease will be liable for forfeiture under Section 82 of Karnataka Forest Act, 1963. The Chief Conservator of Forests / Deputy Conservator of Forests concerned are authorized to take necessary action in this regard.
14. The approval under the Forest (Conservation) Act, 1980 is subject to any other clearances necessary under the prevailing statutes.
15. The User Agency shall also abide by other conditions those may be imposed by the Government of India, Government of Karnataka and Principal Chief Conservator of Forests (Head of Forest Force) before or after the approval.



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