

7. Specific recommendations of the DCF for acceptance or otherwise of the proposal with reasons.

The specific recommendation for diversion of 484.0733 ha of Reserved Forest area of Swamymalai Forest Block of Sandur South Range under Forest (Conservation) Act, 1980 is "Not to accept the proposal" because of the following reasons;

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 Judgement dated 14.12.2017, in the Samaj Parivartana Samudaya & Ors. Vs State of Karnataka & Ors.). *Therefore, before expiring the existing opened-up mining blocks, recommending and approving new mining lease in the fresh or virgin forest area is not justifiable and would cause serious and irreparable damage to the forest/nature/environment.*

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 new mining lease in the fresh forest areas. (Copy enclosed). *So, recommending / approval of mining in the fresh forest area would undermine the decision of Karnataka forest department.*

3) From the field verification and enumeration of trees, it was found that around **99,330 trees** which needs to be felled/cut for this mining activity. Felling of around **99,330 trees** would negatively affect the local flora, fauna and other environmental resources. *Therefore, FC approval for new mining activities in this 484.0733 ha fresh virgin forest area would leads to severe soil erosion, destruction of streams/water resources and thus causes serious environmental damages.*

4) This mining project in the **484.0733 ha fresh virgin forest area** would destroy the local streams, change the local weather pattern and may lead to ecosystem imbalance. *Therefore, this new mining proposal in the fresh forest area would ultimately endanger the water security and/or livelihood security of the local people.*

5) Therefore, this project should not be accepted or considered for approval under Forest Conservation Act 1980.

Dated : 10.10.2019.

Place : Ballari

  
Deputy Conservator of Forests  
Ballari Division, Ballari

## FORM - 'A'

PART - II  
(To be filled by the concerned Deputy Conservator of Forests)

State Serial No. of Proposal \_\_\_\_\_

1.		Location of the Project / Scheme: Diversion of 484.0733 ha of forest land in Swamymalai Forest Block of Sandur South Range, Sandur taluk, Bellary District in favour of M/s. Kudremukh Iron Ore Company limited (KIOCL) Limited, Bangalore.	
i.	State/Union Territory	:	Karnataka
ii.	District.	:	Bellary
iii.	Forest Division	:	Bellary Forest Division
iv.	Area of forest land proposed for diversion (in ha.)	:	484.0733 hectares (old 485.7725 Ha)
v	Legal status of forest	:	Swamymalai Forest Block, Section-4 Notified area vide Notification No. FFD-29, FAF-84, Dated: 28.02.1985.
vi	Density of vegetation.	:	Eco-class III, Southern Dry Deciduous Forest.
Vii	Species-wise (scientific names) and diameter class-wise enumeration of trees (to be enclosed. In case of irrigation / hydel projects enumeration at FRL, FRL-2 meter & FRL-4 meter also to be enclosed.)	:	We have surveyed 10% of the total proposed area (484.0733 ha), through 1 ha sample plot (48 sample plots) and enumerated <b>totally 9,930 trees in the 48 ha sample plots.</b> Therefore, if we extrapolate this data over 484.0733 hectares, then the tree numbers count would be <b>99,330 trees, which needs to be cut/felled for the mining and allied project of KIOCL.</b> Tree enumeration list is enclosed.
viii	Brief note on vulnerability of the forest area to erosion.	:	The proposed project area (forest area) is a hillock, having steep slope and very thick tree growth. Further, based on tree enumeration exercise, it was found that, about <b>99,330 trees</b> , which needs to be cut/felled during various stages of project implementation. Therefore, there is more probability and chances that the proposed forest area would face severe soil erosion/landslides.
ix.	Approximate distance of proposed site for diversion from boundary of forest.	:	The proposed project area located inside the Reserved Forest land (Swamymalai Forest Block of Sandur South Range).
x	Whether forms part of National Park, wildlife sanctuary, biosphere reserve, tiger reserve, elephant corridor, etc. (If so, the details of the area and comments of the Chief Wildlife Warden to be annexed)	:	The proposed forest land (proposed project area) is not part of National Park, wildlife sanctuary, biosphere reserve, tiger reserve, elephant corridor, etc. However, proposed project area is 19.22 km distance from the Daroji Sloth Bear Sanctuary and 17.52 kms distance from Eco-sensitive zone area of Daroji sloth Bear Sanctuary. Further, the proposed project area is 14.04 kms distance from the Gudekote sloth Bear Sanctuary and 10.29 kms distance from Eco-sensitive zone area of Gudekote Sloth Bear Sanctuary.

xi	<p>Whether any rare/ endangered/ unique species of flora and fauna found in the area- if so details thereof</p>	<p>The proposed mining area is having very good floral and faunal biodiversity. The area is having very good number of tree species with closed canopy cover. Further, the area has good number of Sandal wood trees, Bamboo, shrubs, climbers and other types of plants etc.</p> <p>Some of the floral and faunal species observed in the proposed mining area (sample plot area) includes,</p> <p><b>Flora:</b> <i>Santalum album</i> (sanfdal/Srigandhaga), <i>Tectona grandis</i> (Tega), <i>Stereospermum chelonoides</i> (Udedu), <i>Soymida febrifuga</i> (Soma), <i>Feronia elephantum</i> (Bela), <i>Anogeissus latifolia</i> (Dindalu), <i>Cochlospermum religiosum</i>, <i>Buchnania latifolia</i> (Murike), <i>Pterocarpus marsupium</i> (Honne), <i>Dalbergia paniculata</i> (Paccheri), <i>Terminalia tomentosa</i> (Budure), <i>Elaeodendron glaucum</i> (Mukarti), <i>Boswellia serrata</i> (Dhupa), <i>Diospyros melanoxylon</i> (Tumbre), <i>Grewia tiliaefolia</i> (lane), <i>Maduca longifolia</i> (Hippe), <i>Lagerstoemia parviflora</i> (Channangi), <i>Sterculia urens</i> (Raktabootala), <i>Gardenia latifolia</i> (Kallubikke), <i>Gardenia gummifera</i> (Bikke), <i>Givotia rottaleriformis</i> (Palike), <i>Gardenia latifolia</i> (Kallubikke), <i>Sapindus trifoliatius</i> (Antavala), <i>Aegle marmelos</i> (Bilvapatre), <i>Gymnosporia montana</i> (Thondarasi), <i>Erythrina indica</i> (Aluvana), <i>Strychnus potatorum</i> (Chillada), <i>Ailangium lamarckii</i> (Kallumavu), <i>Albizzia lebbek</i> (Sirasa), <i>Zizyphus jujuba</i> (Kadu bare), <i>Emblia officinalis</i> (Nelli), <i>Ficus religiosa</i> (Arali), <i>Ficus infectoria</i> (Basire), <i>Ficus glomerata</i> (Attimara), <i>Hardwickia binata</i> (Kamara), <i>Bauhinia variegata</i> (Kogile), <i>Prosopis cineraria</i> (Kadu banni), <i>Acacia catechu</i> (Kaggali mara), <i>Holeoptelia inegerifolia</i> (Tapasi), <i>Syzygium cumini</i> (Nerale), <i>Tamarindus indica</i> (Hunase), <i>Azadiracta indica</i> (Neem), <i>Bombax malsbaricum</i> (Buirge), <i>Acacia cocinna</i> (Sige), <i>Albizia amara</i> (Chujjallu/Kaadu sege), <i>Bassia longifolia</i> (Hippe), <i>Wrightia tinctoria</i> (Neeli), <i>Cassia fistula</i> (Kakke), <i>Carissa carandus</i> (Kavale), <i>Dodonia viscosa</i> (Bandarike), <i>Crotalaria sandurensis</i> (Guhguluppahalli), <i>Sorghum vulgare</i> (Bilijola) etc.,</p> <p><b>Fauna:</b> Leopard, Sloth Bear, Jackal, four-horned antelope, Hares, Wild pig, Indian porcupine, Monitor lizard, Star Tortoise, Pangolin, Grey partridge, painted bush quail and Peafowl etc.</p>
xii	<p>Whether any protected archaeological/heritage site/defence establishment or any other important monument is located in the area. If so, the details thereof with NOC from competent authority, if required.</p>	<p>-No-</p>

2.	Whether the requirement of forest land as proposed by the user agency in col. 2 of Part-I is unavoidable and barest minimum for the project. If no, recommended area item-wise with details of alternatives examined.	No. The requirement of Forest land is proposed by the user agency in column No.2 of part-1 can be avoidable as, there are <b>67 different categories of existing mines</b> (all broken up area) available for auctioning or allotment or resumption (in addition to <b>32 currently working mines</b> ). Any of the existing but non-working mining areas can be allotted to KIOCL through necessary change in the guidelines or rules, after following due process of law. Further, this project necessitates felling/cutting of about <b>99,330 trees</b> , which is a real or imminent threat to the nature / environment and that may ultimately leads to eco-system in balance and also endangers the livelihood security of the local people. Therefore, allotment of <b>484.0733 ha fresh/virgin forest area for mining before expiry of all the broken up forest area (existing mines in the forest area) is not justifiable and thus can be avoidable.</b>
3.	Whether any work in violation of the Act has been carried out (Yes/No). If yes, details of the same including period of work done, action taken on erring officials. Whether work in violation is still in progress.	No
4.	Details of compensatory afforestation scheme: i) Details of non forest area/degraded forest area identified for compensatory afforestation, its distance from adjoining forest, number of patches, size of each patch.	As per guidelines in Para No.2.5 (i) (f) of Chapter-2 of Government of India, Ministry of Environment, Forests and Climate Change, (FC Division), Bangalore vide dated:28.03.2019, there is special provisions for Compensatory Afforestation (CA) for certain categories of projects. For project implemented by the central government / PSUs institutes, Compensatory Afforestation (CA) shall be raised and maintained at the cost of the user agency on degraded forest land twice in extent of the forest area diverted. As per the above mentioned guidelines, this office has identified degraded forest land twice in extent (484.0733 ha area diversion X 2 times = 968.1466 hectares) in various Reserve Forests of Kudligi Range (439 hectares) and Hadagali Range (530 hectares) of Ballari Division. As per the above guidelines, CA land suitability certificate, Google map, Toposheet, GPS readings map, RTC, KML file and Shape file are enclosed.

	ii) Map showing non-forest/degraded forest area identified for compensatory afforestation and adjoining forest boundaries.	Submitted.
	iii) Detailed compensatory afforestation scheme including species to be planted, implementing agency, time schedule, cost structure, etc.	CAMPA Scheme guidelines will be implemented. The data sheet is enclosed:
	iv) Total financial outlay for compensatory afforestation scheme.	As per the area applied for diversion 484.0733 ha X 2 times =968.1466 hectares, Rs.11,60,000/- per hectare is the total financial outlay for the compensatory afforestation scheme. (Rs. 11,60,000 x 968.1466 ha =Rs. 112,30,50,056/-).  In this regard, the user agency has submitted the undertaking.
	v) Certificates from competent authority regarding suitability of area identified for compensatory afforestation and from management point of view. (To be signed by the concerned Deputy Conservator of Forests).	As per the MoEF guidelines dated : 28.03.2019, CA land suitability certificate is enclosed.
5.	Site inspection report of the DCF (to be enclosed) especially highlighting facts asked in col. 7 (xi, xii), 8 and 9 above.	Site inspection report is enclosed.
6.	Division/District profile:	
i.	Geographical area of the district.	8420 Sq. Km
ii.	Forest area of the district.	1349.53 Sq. Km
iii.	Total forest area diverted since 1980 with number of cases.	6476.58 Ha and totally 91 cases covered
iv.	Total compensatory afforestation stipulated in the district/division since 1980 on (a) forest land including penal compensatory afforestation, (b) Non-forest land.	2342.49 Ha
v.	Progress of compensatory afforestation as on (date) 31.03.2019 on (a) Forest land	4131.92 Ha
	(b) Non-forest land	2337.70 Ha
		2728.00 Ha