

GOVERNMENT OF KARNATAKA

ಪ್ರಧಾನ ಮಂತ್ರಿ, ಭರಣ್ಯ, ಸುರಕ್ಷಣಾಧಿಕಾರಿ
(ಅರಣ್ಯ ಪದ ಮುಖ್ಯಸ್ಥರು) ರವರ ಕಛೇರಿ

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



ಅರಣ್ಯ ಭವನ, 18ನೇ ಅಡ್ಡರಸ್ತೆ

ಮಲ್ಲೇಶ್ವರಂ, ಬೆಂಗಳೂರು-560 003

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E-office File No. KFD/HOFF/A5-1(MNG)/33/2020-FC

E-356401

Date 04-06-2022

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To,

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

Sir,

Sub: Renewal of 10.00 hectares of forest land for approach road from Muraripura village (Ingress) and Krishna Nagar village in North Eastern (NE) Block, Sandur North Range and Taluk, Ballari District for Timmappanagundi Iron Ore Mines ML No. 2605 in favour of M/s Karnataka State Mineral Corporation Limited (Erstwhile Mysore Minerals Ltd)

Proposal No. FP/KA/MIN/51647/2020 [FORM-B]

- Ref:**
1. Online proposal [FORM-A (PART-I)] dated 15-06-2021 of M/s Karnataka State Mineral Corporation Limited (formerly known as Mysore Minerals Ltd r/w uploading of Acknowledgement on 30-11-2020 for having delivered hard copies of proposal to jurisdictional Deputy Conservator of Forests and Deputy Commissioner
 2. This office online communication dated 30-11-2020 to Deputy Conservator of Forests, Ballari Division, Ballari [for processing of proposal]
 3. Online submission of PART-II on 13-02-2022 by Deputy Conservator of Forests, Ballari Division [Letter No. M1/MNG/KSPCL/ML No.2605/Road/2020-21/2179 dated 29-12-2021]
 4. Online submission of PART-III on 24-03-2022 by Chief Conservator of Forests, Ballari Circle [Letter No. M1:MNG:MML:CR-14/2021-22 (KSMCL)/2152 dated 23-03-2022]

1. M/s Karnataka State Mineral Corporation Limited, Bengaluru [USER AGENCY] had submitted an online proposal [FORM-B (PART-I)] seeking approval under Section 2(ii) of the Forest (Conservation) Act, 1980 for diversion of 10.00 hectares of forest land for approach road from Muraripura village (Ingress) and Krishna Nagar village in North Eastern (NE) Block, Sandur North Range and Taluk, Ballari District for Timmappanagundi Iron Ore Mines ML No. 2605. The same

was accepted by Nodal Officer (FCA) on 20-11-2020 for further processing. After receiving the Acknowledgement online from the User Agency for having delivered the hard copies to the Deputy Conservator of Forests, Ballari Division & Deputy Commissioner, Ballari District on 30-11-2020, the 'online link' was forwarded to the Deputy Conservator of Forests, Ballari Division on 30-11-2020 for field verification and processing under Section 2 of the Forest (Conservation) Act, 1980.

2. **Location and component wise details of the project:** The location and component wise details of the proposal are given below.

District, Taluk, Name of Forest	Village	Project component		Forest extent proposed for diversion (ha)	Status of forest land
Ballari District, Sandur Taluk, North Eastern Block (NEB) Forest	North Eastern Block	Approach Road	Segment-1	0.614946	Section-4 Notified
			Segment-2	0.217899	
			Segment-3	0.733781	
			Segment-4	4.948718	
			Segment-5	3.48466	
Total				10.00	

3. **DCF, Ballari Division Report:** The Deputy Conservator of Forests, Ballari Division has inspected the site on 15-07-2021. He has submitted his report in PART-II of the proposal to the Chief Conservator of Forests, Ballari Circle vide his letter dated 29-12-2021 (ref-3) duly recommending the proposal. The details of the proposal as reported by the Deputy Conservator of Forests, Ballari Division r/w the reports of Chief Conservator of Forests, Ballari Circle

- The forest land proposed for diversion is in general landscape under Eco-class-III (Tropical Dry Deciduous Forests) with up to 10 canopy 0.01 density [Open forest].
- There are no tree felling in the proposed area.
- The forest land proposed for diversion is Situated on a ridge and the proposed area is having steep slope. Hence User Agency is required to take up soil and moisture conservation works all along the road and adjoining areas.
- Major wild animals found in the area include *Leopard, Sloth Bear, four-horned, antelope, Wild Boar, Jackal, Hares, Pangolin Indian Porcupine, Monitor lizard, Peafowl, Grey Partridge* etc.

- e. There are other rare/endangered/unique species of flora and fauna reported in the area.
 - f. The proposed forest land is not a part of National Park, Wildlife Sanctuary, Biosphere Reserve, Tiger Reserve, Elephant Corridor, etc. However, the proposed area is 10.90 Kms away from the Daroji Sloth Bear Sanctuary and 9.73 Kms distance away from Eco-Sensitive zone of Daroji Bear Sanctuary and 21.87 Kms away from the Gudekote Sloth Bear Sanctuary and 21.87 Kms away from the Eco-Sensitive Zone of Gudekote Sloth Bear Sanctuary.
 - g. The forest land proposed for diversion is not located within the Eco-sensitive Zone (ESZ) of any Protected Area notified under Wildlife (Protection) Act, 1972.
 - h. 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.
 - i. There are no protected archaeological/ heritage site/defence establishment or any other important monument located in the area.
 - j. The requirement of forest land as proposed by the User Agency is unavoidable and bare minimum for the project.
4. **CCF Ballari Circle Report:** The Chief Conservator of Forests, Ballari Circle has agreed with the report of Deputy Conservator of Forests, Ballar Division. The Chief Conservator of Forests, Ballari Circle vide Ref (4) has submitted his report in PART-III and has 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 revised rates of Net Present Value communicated by Government of India, Ministry of Environment, Forests and Climate Change, New Delhi vide F.No. 5-3/2011-FC dated 06-01-2022. **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):** In view of diversion of 10.00 ha of forest land involved in the proposal the User Agency is required to provide equivalent non-forest land for CA purpose **the User Agency has identified C & D land in Sy. No.1251(p) of Kuduthini village, Ballari Taluk & District over an extent of 10.00 ha for raising of Compensatory Afforestation. The said land has been transferred and mutated (vide Mutation No. MR H117/2013-14 dated 31-05-2014) in favour of Forest Department vide Section-4 Notification letter No.**

A7/land/section-4/bly/KR/CR-12/2018-19 dated 23-05-2018 over an extent of 371.56 ha. The Deputy Conservator of Forests, Ballari Division has submitted the CA Suitability Certificate dated 18-01-2022 and the CA scheme issued / prepared by Deputy Conservator of Forests, Ballari Division. **The same are enclosed herewith. In addition, the User Agency has also given an Undertaking to pay the CA charges.**

7. **Status of RoFR compliance:** With regard to compliance of the provisions of Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forests Rights) Act 2006 and Rules 2008, **the User Agency has requested Deputy Commissioner, Ballari vide letter dated 23-11-2020 to issue Certificate in FORM-I the copy of the request letter is enclosed.**
8. **Mining lease under MMDR:** ML No.2002 (new 2605) was accorded mining lease area over an extent of 1536 acres or 621.59 ha by the Commerce and Industries Department, Government of Karnataka under MM (Regulation and Development) Act 1957 for a period of 20 years with effect from 27-12-1985. Later on, the Commerce and industries Department, Government of Karnataka had accorded sanction (vide letter No. CI 14 MMM 2006 dated 17-02-2007) for renewal of mining lease in favour of M/s Mysore Minerals Limited (ML No. 2002) for a period 20 years with effect from 27-12-2005 under MMDR Act, 1957 to an extent of 621.59 hectares in Thimmappanagudi Village, Sandur Taluk, Ballari District. Further, the Director, Mines & Geology Department Bengaluru had executed the lease deed on 28-05-2009 for renewal of mining lease (ML No.2605) over an extent of 621.59 ha with the lessee for a period of 20 years w.e.f., 27-12-2005, thus making it valid up to 26-12-2025. The Department of Commerce and Industries, Government of Karnataka had accorded sanction (vide letter No. E-CI 33 MMM 2019 dated 17-06-2020) for mining lease over an extent of 621.59 ha in Thimmappanagudi village of NEB Range, Sandur Taluk, Ballari District in favour of M/s Karnataka State Mineral Corporation Limited ML No.2605 (erstwhile M/s Mysore Minerals Limited; ML No.2002) for a period 50 years from the date of grant of such lease (i.e. **up to 26-12-2035**) under MMDR Act, 1957. Further, the Director, Mines & Geology Department, Bengaluru had executed the supplementary mining lease deed on 09-07-2020 for mining lease (ML No.2605) over an area of 136.94 ha (CEC finalized area) with the lessee. The lease period is valid up to 26-12-2035. It is thus evident that, as against mining lease area 621.59

ha, the instant mining lease deed is only for the area finalized by the CEC which is 136.94 ha.

- 9. Forest clearance for the said mining lease:** The Government of India, MoEF & CC, New Delhi had initially accorded forest clearance over an extent of 176.724 ha in two stages i.e., 78.50 ha of forest land was accorded forest clearance vide Stage-II approval No.8-28/2000-FC dated 18-04-2001 and subsequently, 98.224 ha of forest land was accorded vide Stage-II approval No.8-28/2000-FC dated 05/08-11-2004, which includes 10.00 ha approach road also under the provisions of Section-2 of Forest (Conservation) Act, 1980 for mining in favour of M/s Mysore Minerals Limited (Mining Lease No.2002) for a period co-terminus with the current lease granted under MMDR Act, 1957.

Out of 78.50 ha of forest land an extent of 29.784 ha was surrendered by the User Agency to the Forest Department. As such, the FC clearance was 146.94 ha which includes 10.00 ha of approach road. Further, the Government of Karnataka in its G.O. No.FEE:52:FFM:2020(e) Bengaluru dated 01-10-2020 had accorded extension of period of validity of two proposals under the Forest (Conservation) Act, 1980. Co-terminus with the mining lease ML No.2605 (old ML No.2002) in Thimmappanagudi iron ore mines over extent of 136.94 ha of forest land only in NE Block at Thimmappangudi village, Sandur Taluk, Ballari District duly excluding 10.00 ha of approach road in favour of M/s Karnataka State Minerals Corporation Limited (erstwhile M/s Mysore Minerals Limited: change in name in FC is under process) on par with the MMDR Amended Act, 2015.

Further, the FC accorded over an extent of 98.224 ha which includes 10.00 ha of approach road. Lease period has already expired on 26-09-2020, the above User Agency has to seek renewal for 10.00 ha of approach road, because deemed extension in MMDR Amended Act, 2015 was given only to the extent of 136.94 ha duly excluding the 10.00 ha of approach road.

- 10. Details of this instant proposal for approach road:** It is reported that as per the joint survey report, the forest area proposed for diversion is 10.00 ha (Total length of road is 12179.11 meters and average width is 8.2107 mts). Complete stretch of the proposed forest area is in use as approach road for ML No.2605. The User Agency is currently using the said approach road with temporary permission from the Government of Karnataka vide letter No.APAJI 58 FFM 2020 (e) dated 27-07-2021. The User Agency has remitted as sum of Rs.50,00,000/- (vide DD

No.817060, 817143 & 817186 dated 21-06-2021, 24-08-2021 & 24-09-2021) for use of the said road under the authorization of Government of Karnataka.


11. Change of Name: Government of India sought additional information vide letter No. F.No.11/86/2021-FC dated 16-07-2021 same has been submitted to Government of Karnataka this office letter No. KFD/HIOFF/A5-1(MNG)/44/2019-FC (E-81928) dated 04-06-2022 to move the matter with the Government of India, MOEF & CC for change of name in the FC approval from M/s Mysore Minerals Limited, Bengaluru to M/s Karnataka State Minerals Corporation Limited, Bengaluru.

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 Renewal of 10.00 hectares of forest land for approach road from Muraripura village (Ingress) and Krishna Nagar village in North Eastern (NE) Block, Sandur North Range and Taluk, Ballari District for Timmappanagundi Iron Ore Mines ML No. 2605 in favour of M/s Karnataka State Mineral Corporation Limited (Erstwhile Mysore Minerals Ltd) for a period up to 26-12-2035 co-terminus with the FC approval for the connected mining lease and subject to 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,


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7.6.22


(Raj Kishore Singh, IFS)
Principal Chief Conservator of Forests
(Head of Forest Force)

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 Karnataka State Minerals Corporation Limited (Erstwhile Mysore Minerals Limited) TTMC "A" Block, 5th Floor, BMTC Building, KH Road, Shanthinagar, Bengaluru – 560 002 for information and necessary action.

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.


Principal Chief Conservator of Forests
(Head of Forest Force)

PART – IV

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

<p>Detailed opinion & specific recommendation of the State Forest Department for acceptance or otherwise of the proposal with remarks</p> <p><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></p>	<p>Recommended for according 'in-principle' (Stage-I) approval for Renewal of 10.00 hectares of forest land for approach road from Muraripura village and Krishna Nagar village in North Eastern (NE) Block. Sandur North Range and Taluk, Ballari District for Timmappanagundi Iron Ore Mines ML No. 2605 in favour of M/s Karnataka State Mineral Corporation Limited (Erstwhile Mysore Minerals Ltd) for a period up to 26-12-2035 co-terminus with the FC approval for the connected mining lease and subject to the conditions specified in Annexure 'A'.</p> <p>Proposal No. FP/KA/MIN/51647/2020 [FORM-B]</p>
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Signature:

Name:

Designation:


VIJAY SHARMA, IFS

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

Countersigned by :

Name:

Designation:


RAJ KISHORE SINGH, IFS 7.6.22

Principal Chief Conservator of Forests
(Head of Forest Force)

N.D.O. No: 14/2022-23

(Official Seal)

Date: 07-06-2022