

ಕರ್ನಾಟಕ ಸರ್ಕಾರ
GOVERNMENT OF KARNATAKA

ಪ್ರಧಾನಮುಖ್ಯ ಅರಣ್ಯ ಸಂರಕ್ಷಣಾಧಿಕಾರಿ
(ಅರಣ್ಯ ಪಡೆ ಮುಖ್ಯಸ್ಥರು) ರವರ ಕಚೇರಿ

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



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

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E-office File No. KFD/HOFF/A5-1(MNG)/11/2018-FC

E-62504

Encl: sets of proposal

Date 11-01-2024

To,

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

Sir,

Sub: Diversion of 22.2887 hectares (Revised from 23.863Ha.) of forest land in Swamymalai Block, Sandur South Range, Sandur Taluka, Ballari District for pipeline Conveyor belt at Subbarayanahalli Iron Ore Mine M.L.No. 2629 in favour of M/s Karnataka State Mineral Corporation Limited (erstwhile Mysore Minerals Ltd.) Bengaluru

Proposal No. FP/KA/MIN/48923/2020 [FORM-A]

- Ref:** 1. Online proposal [FORM-A (PART-I)] dated 22-09-2020(resubmitted) of M/s Karnataka State Mineral Corporation Limited (erstwhile Mysore Minerals Ltd.) Bengaluru r/w uploading of Acknowledgement on 04-11-2020 for having delivered the hard copies of the proposal to the jurisdictional Deputy Conservator of Forests and the Deputy Commissioner
2. This office online communication dated 06-11-2020 to Deputy Conservator of Forests, Ballari Division, Ballari for further processing of the proposal
3. Online submission of PART-II on 20-07-2022 by the Deputy Conservator of Forests, Ballari Division [Letter No. M1/MNG/KSPCL(MML)/ML No. 2629/2021-22/188 dated 12/18-07-2023]
4. Online submission of PART-III on 19/25-07-2023 by the Chief Conservator of Forests, Ballari Circle [Letter No. M1/MNG/KSMCL/Conveyor/22.2887Ha./CT-19/2022-23 dated 19/25-07-2023]

(Handwritten signature)
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1. M/s Karnataka State Mineral Corporation Limited (erstwhile Mysore Minerals Ltd.) Bengaluru[**USER AGENCY**] has(re)submitted an online proposal (FORM A PART-I) on 10-07-2019 seeking approval under the Section 2 (ii) Van (Sanrakshana Evam Samvardhan) Adhiniyam, 1980 and Van (Sanrakshan Evam Samvardhan) Rules, 2023 for diversion of 22.2887 hectares (Revised from 23.863Ha.) of forest land in Swamymalai Block, Sandur South Range, Sandur Taluka, Ballari District for pipeline Conveyor belt at Subbarayanahalli Iron Ore Mine M.L.No. 2629. The same was accepted by the Nodal Officer (FCA) on 12-10-2020 for further processing. After receiving the online Acknowledgement by the User Agency on 04-11-2020 for having delivered the hard copies of the proposal to the Deputy Conservator of Forests, Ballari Division and the Deputy Commissioner, Ballari District, the online link was forwarded to the Deputy Conservator of Forests, Ballari Division on 06-11-2020 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	Villa ge and Sy No.	Project component	length (In mts)	Width (In mts)	extent (In ha)	Legal status of land
Ballari District, Sandur Taluk, Swamimalai (S.M.) Block Forest	*	Downhill pipe conveyor	4970.388	20	9.9407	Section 4 Notified Forest**
		Service Road	5213.979	15	7.8209	
		Transfer point	-	-	0.9974	
		Discharge Area	-	-	3.5297	
Total (ha)					22.2887	

**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 13-04-2022 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 the Chief Conservator of Forests, Ballari Circle and also that of the ICT Centre of Forest Department are as follows:-

- a. 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).

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- b. As per Item 4(ii) of PART-II, there are 127 trees of various girth classes in the forest land proposed for diversion. Main tree species include *Hardwiekiabinnata*, *Delonix regia*, *Lagerstroemia parviflora*, *Pterocarpus marsupium*, *Ficus benghalensis*, *Cassia fistula*, *Ficus infectoria*, *Ficus religiosa* and *Dalbergia latifolia* among others.
 - c. 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.
 - d. Major wild animals found in the area include Leopard, Sloth Bear, Jackal, Hares, Peafowl, Wild Boar, Grey partridge, Indian porcupine, Monitor lizard, four-horned antelope and Pangolin etc.
 - e. 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.
 - f. The forest land proposed for diversion is not located within the Eco-sensitive Zone (ESZ) of any Protected Area notified under the Wildlife (Protection) Act, 1972.
 - g. The forest land proposed for diversion is not located within one kilometre of any National Park, Wildlife Sanctuary, Biosphere Reserve, Tiger Reserve, Elephant Corridor, Wildlife Migration Corridor, etc.
 - h. There are rare/endangered/unique species of flora and fauna reported in the area.
 - 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 for diversion is the bare minimum and unavoidable for the project.
 - k. There is no violation reported under the Forest (Conservation) Act 1980.
4. **CCF, Ballari Circle Report:** The Chief Conservator of Forests, Ballari Circle has not inspected the site personally. However, agreeing with the recommendation made by the DCF, Ballari Division, the Chief Conservator of Forests, Ballari Circle has also recommended the proposal. Specific comments of the Chief Conservator of Forests, Ballari Circle are mentioned in Item 15 & 16 of PART-II/III of the proposal cited at Ref (4) above.
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 3.9 of the FC Guidelines communicated by Government of India, Ministry of Environment,

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Forests and Climate Change, New Delhi dated 29-12-2023. **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 being a State Government Agency is required to provide an equivalent extent of non-forest land towards Compensatory Afforestation as per Para 2.2 of the latest FC Guidelines of Government of India communicated vide letter dated 29-12-2023. Accordingly, **the User Agency has identified C & D land in Sy. No.1251(p) of Kuduthini village, Ballari Taluk & District over an extent of 22.2887 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 the Forest Department over an extent of 371.56 ha and the process for RF/PF is underway.** The CA related documents (Topo Map (without 1:50000 scale), Geo-referenced Map (google image has been uploaded instead of Geo-reference map) along with GPS readings of all corners, CA Suitability Certificate and CA Scheme are enclosed herewith. **The same are enclosed herewith. In addition, the User Agency has also given an Undertaking to pay the CA charges.**
7. **RoFR Compliance:** With regard to the 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 not furnished the requisite Certificate in FORM-I (for Linear projects) issued by the jurisdictional Deputy Commissioner as per Annexure II of the FC Guidelines communicated by the Government of India, Ministry of Environment, Forests and Climate Change, New Delhi vide dated 29-12-2023. Accordingly, the User Agency is being informed again to obtain the said certificate in prescribed format and submit a copy.**
8. **Additional information:**

a) M/s. Karnataka State Minerals Corporation Limited (formerly known as M/s. Mysore Minerals Limited, Bangalore) was granted lease vide CI.70 MMM.2006 dated: 27.11.2007 (M.L.No.2629) w.e.f. 13-04-1999 to 12-04-2019 for a period of 20 years to an extent of 80.93 hectares for mining of iron ore. Further, the Commerce and Industries Department, Government of Karnataka has extended the lease period as per the MMDR (Amendment) Act, 2015, imposing certain conditions vide No. CI-120 MMM-2016 dated: 07.02.2019. The New MMDR lease deed has been signed between lessee and the Director, Department of Mines & Geology, Bengaluru on 20.05.2019 over an extent of 80.06 hectares (as finalized by CEC) **valid up to 12.04.2049.**

b) **Details of the Forest Clearance for the said Lease:** The user agency was given approval under Section-2 of the Forest (Conservation) Act, 1980 for diversion of 80.93 ha of forest land vide letter No.8-114/92-FC dated: 20-11-2000 of the Ministry of Environment and Forests, Government of India, FC Division and the Government of Karnataka vide G.O. FEE 16 FFM 92, Bengaluru Dated: 28-11-2000 has also accorded

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FC approval co-terminus with the period of mining lease. Accordingly, the lease period of M.L.No.2629, **expired on 12.04.2019.**

The Government of Karnataka vides G.O. No. FEE-45 FFM-2019 dated: 13.01.2020 has accorded approval for extension of FC period co-terminus with the period of mining lease in accordance with the MMDR Act, 2015 (**i.e., up to 12.04.2049**) in respect of M.L No.2629 in favour of M/s. Karnataka State Minerals Corporation Limited (formerly known as M/s. Mysore Minerals Limited, Bangalore).

9. Details of this instant proposal; M/s. Karnataka State Minerals Corporation Limited [erstwhile M/s. Mysore Minerals Limited] (ML No. 2629) has initiated the proposal in response to the Hon'ble Supreme Court of India (order dated .21.03.2017 in its WP No. 562/2009) stated that (In page No.19 & 21);

(x) The closed pipe downhill conveyer systems will be installed at their cost by:

(a) Each one of the Category-A / Category-B leases with MPAP of 1 MMT and above and balance lease period of 8 years and above (six leases in District Ballari and one in District Chitradurga identified);

It is reported that, the Hon'ble Supreme Court of India has passed the order dated.13.09.2017 (In page No.5) & 07.12.2017 (In page No.7) in its WP No. 562/2009 and says that, in the first instance, the following six mines / leases conveyor belt system should be set up by the lessees themselves;

SI No	User Agency	ML No.	MPAP	Division
1	M/s SMIORE,	2580	1.60 MMT	Ballari
2	M/s VESCO	2296	1.10 MMT	Ballari
3	M/s B.Kumaragowda	2516	1.26 MMT	Ballari
4	KSMCL(MML)	2605	0.65 MMT	Ballari
5	KSMCL (MML)	2629	3.00 MMT	Ballari
6	M/s Vedanta Ltd	2677	2.29 MMT	Chitradurga

Therefore, M/s. Karnataka State Minerals Corporation Limited; ML No. 2629 (erstwhile M/s. Mysore Minerals Limited) has submitted an online application for diversion of 22.2887 hectares (Revised from 23.863 hectares) of forest land in Swamymalai Block, Sandur South Range, Sandur taluk, Ballari District for pipeline Conveyor belt at Subbarayanahalli Iron Ore Mine ML No.2629 in favour of M/s. Karnataka State Mineral Corporation Limited (Erstwhile Mysore Minerals Ltd) under Forest (Conservation) Act, 1980.

(A) **Extent of Pipe Conveyor Belt proposal:** Total area of proposal is 29.5848 hectares. Out of this 7.2961 hectares comes under revenue land and 22.2887

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hectares comes under the forest land. The user agency has submitted the downhill proposal for diversion **22.287 hectares** of Forest land at Swamymalai Block, Sandur South Range, Sandur for Pipe Conveyor Belt at Subbarayanahalli Iron Ore Mine ML No.2629. Details of the area south are as follows:-

Sl. No.	Area applied for Forest Clearance	Length (meters)	Width (meters)	Area	
				(in Sqm)	(In ha)
1	Downhill Pipe Conveyor	4970.388	20	99407.786	9.9407
2	Service Road	5213.979	15	78209.688	7.8209
3	Transfer point	-	-	-	0.9974
4	Discharge Area	-	-	-	3.5297
Total					22.2887

The proposed area is situated on a ridge and is having steep slope. Hence, the proposed project may lead to high soil erosion along the slope, impacting the entire watershed. In this regard, the Deputy Conservator of Forests, Ballari Division, Ballari has suggested to the user Agency to prepare Catchment Area Treatment Plan(CATP) to take necessary steps to prevent soil erosion and related impact on the proposed site. Further to this, the User Agency has prepared and submitted the Catchment Area Treatment Plan(CATP) with the proposal. The same has been submitted for approval.

It is felt that the proposed width of the planned Conveyor belt (20m) and Service Roads (15m) were on higher side and thus clarification was sought from the project proponent about the same Vide letter dated.16.04.2022 by the DCF, Ballari. Giving the details of dimensions/width required for various components of the said project, the proponents/User Agency has justified the planned width Conveyor Belt (20m) and Service Roads (15m) vide letter dated.23.05.2022.

The User agency proposes to build loading point within the existing lease Area for which they have to obtain approval for change in Mining Plan from the concerned Authorities

10. As per the directions issued by the Hon'ble Supreme Court in its W.P.No.562/2009 and guidelines issued by the Central Empowered Committee (CEC), the transportation of minerals needs to be made through conveyor belt to the railway sidings.

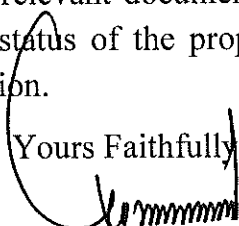
In light of the facts stated above, it is requested to move the proposal with the Government of India for **according 'in-principle' (Stage-I) approval for diversion of 22.2887 hectares (Revised from 23.863Ha.) of forest land in Swamymalai Block, Sandur South Range, Sandur Taluka, Ballari District for pipeline Conveyor belt at Subbarayanahalli Iron Ore Mine M.L.No. 2629 in favour of M/s**

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Karnataka State Mineral Corporation Limited (erstwhile Mysore Minerals Ltd.)
Bengaluru subject to 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,



(Brijesh Kumar Dikshit, IFS)

Principal Chief Conservator of Forests
(Head of Forest Force)

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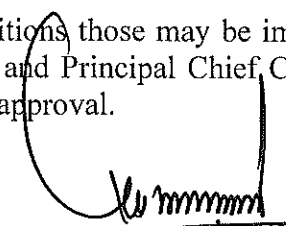
O/C

1. The Chief Conservator of Forests, Ballari Circle for information.
2. The Deputy Conservator of Forests, Ballari Division 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 – 560 027 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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ದಿನಾಂಕ: 12-1-2024

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 diversion of 22.2887 hectares (Revised from 23.863Ha.) of forest land in Swamymalai Block, Sandur South Range, Sandur Taluka, Ballari District for pipeline Conveyor belt at Subbarayanahalli Iron Ore Mine M.L.No. 2629 in favour of M/s Karnataka State Mineral Corporation Limited (erstwhile Mysore Minerals Ltd.) Bengaluru subject to RoFR Compliance Certificate in the prescribed FORM-I (for Linear Projects) and the conditions specified in Annexure 'A'.</p> <p>Proposal No. FP/KA/MIN/48923/2020 [FORM-A]</p>
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Signature:

Name:

Designation:



VIJAY SHARMA IFS

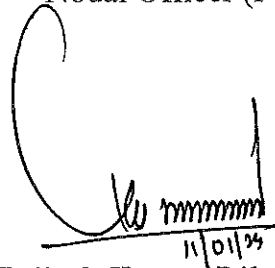
Principal Chief Conservator of Forests
(Forest Conservation) AND
Nodal Officer (FCA)

(Official Seal);

Countersigned by:

Name:

Designation:



Brijesh Kumar Dikshit, IFS

Principal Chief Conservator of Forests
(Head of Forest Force)

(Official Seal);

N.D.O. No: 278/2023-24

Date: 11-01-2024

