

ಕರ್ನಾಟಕ ಸರ್ಕಾರ

GOVERNMENT OF KARNATAKA

ಪ್ರಧಾನ ಮುಖ್ಯ ಅರಣ್ಯ ಸಂರಕ್ಷಣಾಧಿಕಾರಿ  
(ಅರಣ್ಯ ಪಡೆ ಮುಖ್ಯಸ್ಥರು) ರವರ ಕಛೇರಿ

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



ಅರಣ್ಯ ಭವನ, 18 ನೇ ಅಡ್ಡರಸ್ತೆ  
ಮಲ್ಲೇಶ್ವರಂ, ಬೆಂಗಳೂರು-560 003  
Aranya Bhavan, 18<sup>th</sup> Cross  
Malleshwaram, Bengaluru-560 003  
Telephone : 080 2334 6472  
Email : apccffc@gmail.com

Old File No. A5(1).MNG.CR.21/2017-18  
E-office File No. KFD/HOFF/A5-1(MNG)/17/2019-FC

E-75021

Date 13-02-2020

18

To,

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

Sir,

**Sub:** Diversion of 484.0733 hectare [including 470.40 ha for mining lease and the remaining for ancillary purposes like conveyor corridor, Transmission Line, Service Roads outside mining lease, etc.] of forest land in Swamimalai (SM) Block Forest, Sandur Taluk, Ballari District for Iron Ore and Manganese ore mining in Devadari Hill Range in favour of M/s KIOCL Ltd (formerly Kudremukh Iron Ore Company Limited), Bengaluru

**Proposal No. FP/KA/MIN/32568/2018**

- Ref:**
1. Online proposal [FORM-A (PART-I)] dated 27-07-2018 (resubmitted) of M/s KIOCL Ltd, Bengaluru r/w uploading of Acknowledgement on 29-08-2018 by User Agency for having delivered the hard copies of proposal to jurisdictional Deputy Conservator of Forests and Deputy Commissioner
  2. This office online communication dated 30-08-2018 to Deputy Conservator of Forests, Ballari Division for further processing of proposal
  3. Online submission of PART-II on 13-11-2019 by Deputy Conservator of Forests, Ballari Division r/w online reply dated 26-04-2019 of User Agency for the latest EDS query [Letter No. M1/MNG/KIOCL/BLY/CR- /2017-18 dated 10-10-2019]
  4. Online submission of PART-III on 07-12-2019 by Chief Conservator of Forests, Ballari Circle [Letter No. M1/MNG/KIOCL/FLD/CR-6/2019-20 dated 07-12-2019]
  5. M/s KIOCL Ltd, Bengaluru letter No. D(P&P)/DIOM/FC/354 dated 28-10-2019 [representation letter on the opinion of the Field officers in PART-II & III]

1. M/s KIOCL Ltd (formerly Kudremukh Iron Ore Company Limited), Bengaluru [USER AGENCY] vide Ref (1) has submitted the above mentioned online proposal in FORM-A PART-I seeking approval under Section 2(ii) of the Forest (Conservation) Act for Diversion of 484.0733 hectare [including 470.40 ha for mining lease and the remaining for ancillary purposes like conveyor corridor, Transmission Line, Service Roads outside mining lease, etc.] of forest land in Swamimalai (SM) Block Forest, Sandur Taluk, Ballari District for Iron Ore and Manganese ore mining. The same was accepted by Nodal Officer (FCA) for further processing under FC Act, and the User Agency was informed online to deliver the hard copies of the proposal to jurisdictional DCF & DC. After uploading of the Acknowledgement online on 29-08-2018 by the User Agency for having done the same, the proposal was transferred to

the Deputy Conservator of Forests, Ballari Division for field verification and further processing under the Forest (Conservation) Act, 1980.

2. **Location details and Component wise break up:** Location details of the forest land proposed for diversion 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, Swamimalai (SM) Block Forest (South)	-	-	Area under mining	285.2314	Section 4 Notified Forest **
			Waste dump site	91.4911	
			Tailing pond	33.6341	
			Mineral separation plant	11.5887	
			Green belt	37.423	
			Safety Zone	11.0317	
			Conveyor Corridor/ Loading facilities/ Railway siding ( <i>outside ML Area</i> )	10.4727	
			Power transmission line, Water Pipe line ( <i>outside ML area</i> )	2.375	
			Service road (west) ( <i>outside ML area</i> )	0.0972	
			Service road (east) ( <i>outside ML area</i> )***	0.7284	
<b>Total (ha)</b>				<b>484.0733</b>	

\*Village and Survey number have not been assigned to the forest land in question.

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

\*\*\*The service road proposed by the User Agency connects to the Approach road of the C-category mine which is surrounded on three sides by the presently proposed mining lease and therefore, the present User Agency, before making this service road functional, will have to share the aforementioned Approach road with the lease holder of this C-category mine.

3. **DCF, Ballari Division Report:** The Deputy Conservator of Forests, Ballari Division has inspected the project site on 29-06-2019 and again on 25-09-2019. He has vide Ref (3) submitted the Site Inspection Report along with other details in PART-II of the proposal to the Chief Conservator of Forests, Ballari Circle. The Deputy Conservator of Forests has not recommended the proposal on account of ecological consideration. Main features of the proposal as reported by the Deputy Conservator of Forests, Ballari Division r/w the reports of Chief Conservator of Forests, Ballari Circle and also that of ICT Centre of Forest Department are as follows.

- a. The forest land proposed for diversion is a hilly terrain with steep slope and thick growth. The User Agency will be required to take up Soil & Moisture Conservation works in the area, if mining is permitted in the area.

- b. The forest land proposed for diversion is in general landscape of Eco-class-III (Tropical Dry Deciduous Forests) with 0.3 Canopy Density.
- c. Total enumeration of trees within the forest land proposed for diversion has not been done. However, Sample Plot method (48 Sample Plots of one hectare each) has been used to estimate the number of trees in the forest land in question. As per the sample survey, there are totally 9933 trees in different girth classes in the sampled area. On extrapolation, it amounts to 99,330 trees in the entire 484.0733 ha of forest land proposed for diversion. Major tree species include *Anogeissus latifolia*, *Chloroxylon swietenia*, *Terminalia tomentosa*, *Pterocarpus marsupium*, *Langerstromea paviflora*, *Grewia tiliaefolia*, *Boswellia serrata*, *Madhuca latifolia*, *Acacia catechu*, *Azadirachta indica*, *Albizia lebbek*, *Cassia fistula*, *Vetara indica*, etc.
- d. Major wild animals found in the area include Leopard, Sloth bear, Four-horned antelope, Jackal, Hare, Wild pig, Indian Porcupine, Indian Pangolin, Monitor lizard, Star tortoise, Peafowl, etc.
- e. There are no other rare/endangered/unique species of flora and fauna reported in the area.
- f. 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.
- g. The forest land proposed for diversion is not located within Eco-Sensitive Zone (ESZ) of any Protected Area notified under Wildlife (Protection) Act, 1972.
- h. There are no National Park/ Wildlife Sanctuary/ Biosphere Reserve/ Tiger Reserve/ Elephant Corridor/ Wildlife Migration Corridor within one kilometer from the boundary of the forest land proposed for diversion.
- i. There are no Protected/ Archeological/ Heritage Sites/ Defence establishments located in the proposed area.
- j. The forest area proposed for diversion is unavoidable and the bare minimum for the project.
- k. There is no violation reported under Forest (Conservation) Act, 1980.

The Deputy Conservator of Forests, Ballari Division has opined that the felling of around 99330 trees in the area would lead to severe soil erosion, destruction the local streams /water resources and thus cause serious environmental damages. This new mining project in 484.0733 hectare of fresh virgin forest area may change the local weather pattern and may lead to ecosystem imbalance and would ultimately endanger the water security and/or lively hood security of the local people.

4. **CCF Ballari Circle Report:** The Chief Conservator of Forests, Ballari Circle has inspected the site on 06-12-2019 and vide Ref (4) has submitted / uploaded the Site Inspection Report along with the final opinion in Item No. 16 of PART-II/III of the proposal. The Chief Conservator of Forests, Ballari Circle has observed that most of these areas are pure patches of *Anogeissus* and *Boswellia* forests. Agreeing with the opinion of DCF, Ballari Division, the Chief Conservator of Forests, Ballari Circle has also not recommended the proposal in the

interest of forest, wildlife, water security and soil health of this landscape, as it is already subjected to severe damage by existing mines.

**5. Status of Mining Lease:** The Government of Karnataka, Commerce and Industries Department (Mines) vide Notification No. CI 294 MMM 2015 dated 23-01-2017 has reserved an area of 470.40 hectare in favour of M/s KIOCL Limited for Iron and Manganese Ore mining in Devadari hill range of Sandur Taluk, Ballari District. The said reservation is subject to provisions of Sub-Sections (2A), (2B), (2C) of Section 17A of the MMRD Act, 1957 as amended through the MMDR (Amendment) Act, 2015.

**6. APCCF (FC) & Nodal Officer (FCA):** The Additional Principal Chief Conservator of Forests (Forest Conservation) & Nodal Officer (FCA) has inspected the site on 16-01-2020.

*“Inspected the 482.367 ha of forest land in Swamymalai Forest Block on 16-01-2020. During inspection I was accompanied by CCF, Ballari, DCF, Ballari and officials of KIOCL and other field staff of Sandur range. The Forest land is located in villages namely Nandihalli and Ranajipura and Narasapura of Sandur Range of Ballari Division. The forest land proposed for diversion for mining purpose is hilly in nature and is having good growth of Anogeissus, Boswellia, Albizzia and other dry deciduous species. Top of the hill is flat and either side of hillock are having steep slopes. As we climb to the top of the hill there is a one non-working mine which was given earlier to M/s Bharath Mines and Minerals Limited.*

*I concur with the inspection report of DCF Ballari and CCF Ballari that this area need not be recommended for mining purpose because it is having very good dry deciduous forest. With the opening of these type of forest areas for mining purpose the soil erosion from the hillocks will be very high which will effect the drainage system down below and ultimately effect the health of local habitants living in the vicinity. Loss of such a good dry deciduous forest will be for forever and such a forest can't be recreated. The diversion of forest land for mining purpose will adversely affect the eco-system of the area. Hence, the 482.367 ha of forest land in swamymalai Forest Block of Sandur Range is not recommended for diversion for mining purpose to /s KIOCL.”*

**7. Desirability of forest diversion proposed by User Agency:** The forest land proposed for diversion is a fresh virgin forest area on a hilly terrain with steep slopes. The site has southern tropical dry mixed deciduous forest vegetation with a large number of trees in this dry region. The Deputy Conservator of Forests, Ballari Division as well as the Chief Conservator of Forests, Ballari Circle, the Additional Principal Chief Conservator of Forests (Forest Conservation) after inspection have all recommended not to divert the said forest land on ecological grounds. This office vide its latest letter File No. KFD/HOFF/A5-1(MNG)/59/2019-FC dated 13-08-2019 (copy enclosed) has recommended to the Government not to consider fresh forest areas for mining purpose till a detailed exercise is undertaken in the State for mapping the mineral resources within and outside forest area and a decision is taken to priorities exploitation of minerals available outside forest area. There are a large number of broken up areas in the form of A, B and C–category mines, many of which are in the process of auction by Department of Mines & Geology on account of expiry of the

existing mining leases. Some of these leases are not working and thus could be considered for allotment / sale to the present User Agency which is a Government of India Undertaking.

The forest area in question is with excellent bio diversity with about 300 types of Medicinal Plants and well ground trees with rare endangered and threatened Wildlife like the four Horned antelope, Sloth bears, Leopard, Wolf, Pangolin, Star tortoise, Hare and variety of birds. Such quality of forests are not available in the Eastern plains till one reaches the eastern foot hills of Western Ghats or up in the north Konchavaram Forests of Chincholi in Kalburgi District several hundreds of Km away. Thus, these are unique and rare in best quality forests in the eastern plains, which area otherwise in very dry barren and very hot and which have bearing significantly on the rain fall received in surrounding areas and the climate of the region. In fact the rain fall in sandur forest areas is found to be higher than the surrounding plains on account of very good forests.

Now a days the climate change has become a reality. The monsoon onset has been delayed by a couple of months past two years and subsequently there was a spell of deluge causing severe floods. The receding monsoon in 2018 had almost failed, incidents of long dry spells and sudden cloud burst or intense cyclones / hurricanes had increased. All these are happening primarily due to deforestation / tree felling in addition to release of greenhouse gases in to atmosphere, which has negative bearing on climate and food production. Hence, it would be worthwhile in the interest of welfare of our people to postpone the diversion of such forest areas till a strong need arises i.e., after the exhaustion of the already broken up mines of their iron ore reserves in Sandur both inside and outside forest areas.

Further, the selected site is on a hill ridge with steep slopes on both sides with about 90,000 trees which will have to be cut in stages, which if opened up would cause severe erosion of soil and its consequent negative effect locally and in the lands located below and far off. Removal of 90,000 trees could have negative repercurious on environment and land. Further, mining in the proposed area and transportation along roads in forests would cause severe dust, vehicle exhaust and noise pollution which will have its negative bearing on the flora and fauna with layers of dust settling on them and destroying them.

However, since these hills are rich in Iron ore and till date about 8,000 hectare of the 32,000 hectare of the sandur forest area have already been leased out and broken open for iron ore mining and ore being mined and can cover to the present and future demand of ore, it may not be advisable for the time being to approve for diversion of such forest lands for mining. It is estimated that the already broken up mine areas of sandur can yield over 50 MMT of Iron ore for the next 40-50 years, even if the capping in production is raise by the Hon'ble Supreme Court from present 35 MMT to 50 MMT or above, which means that exploitation of fresh well forested areas can be deferred till existing broken up mines are exploited fully for the ore reserves, which will give a window period of 30-50 years for the proposed fresh forest areas by which time massive efforts to combat climate change would have been successfully made and also the fully exhausted mines would have been surrendered and afforested, giving scope for such diversion on a future date.

Further, it being a Government of India public sector undertaking, there is no scope for getting the CA lands in lieu of land lost.

In light of the facts stated above, and in conformity with the latest stand taken by the Forest Department in respect of opening fresh (unbroken) forest areas for mining activities, for the reasons mentioned there in letter No. KFD/HOFF/A5-1(MNG)/59/2019-FC dated 13-08-2019 and in view of the opinion of Deputy Conservator of Forests, Ballari, Chief Conservator of Forests, Ballari Circle and Additional Principal Chief Conservator of Forests (Forest Conservation) & Nodal Officer (FCA) not to recommended for the diversion, **it is requested not to consider the proposal for seeking 'in-principle' (Stage-I) approval under the Forest (Conservation) Act, 1980 for diversion of 484.0733 hectare [including 470.40 ha for mining lease and the remaining for ancillary purposes like conveyor corridor, Transmission Line, Service Roads outside mining lease, etc.] of forest land in Swamimalai (SM) Block Forest, Sandur Taluk, Ballari District for Iron Ore and Manganese ore mining in Devadari Hill Range in favour of M/s KIOCL Ltd (formerly Kudremukh Iron Ore Company Limited), Bengaluru.**

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



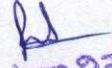
(Punati Sridhar IFS)

Principal Chief Conservator of Forests  
(Head of Forest Force)



**Copy to:**

1. The Chief Conservator of Forests, Ballari Circle, Ballari for information.
2. The Deputy Conservator of Forests, Ballari Division, Ballari for information.
3. M/s KIOCL Ltd (formerly Kudremukh Iron Ore Company Limited), IInd Block, Koramangala, Bengaluru – 560 034 for information.

  
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ದಿನಾಂಕ 18-2-2020

41-00pm

**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.)	<b>Recommended not to consider the proposal for seeking 'in-principle' (Stage-I) approval under the Forest (Conservation) Act, 1980 for diversion of 484.0733 hectare [including 470.40 ha for mining lease and the remaining for ancillary purposes like conveyor corridor, Transmission Line, Service Roads outside mining lease, etc.] of forest land in Swamimalai (SM) Block Forest, Sandur Taluk, Ballari District for Iron Ore and Manganese ore mining in Devadari Hill Range in favour of M/s KIOCL Ltd (formerly Kudremukh Iron Ore Company Limited), Bengaluru.</b>  <b>Proposal No. FP/KA/MIN/32568/2018</b>
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Signature:

Name:

**RAJIV RANJAN IFS**

Designation:

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

Countersigned by :

Name:

**PUNATI SRIVIDHAR IFS**

Designation:

Principal Chief Conservator of Forests  
(Head of Forest Force)

N.D.O. No: 37/2019-20

(Official Seal)

Date: 13-02-2020