

No.M1/MNG/MSPL(HGR)/ML.2148/CB/CR-16/2023-24
Enclosures:4 sets of proposal. / 2694

Office of the
Chief Conservator of Forests,
Ballari Circle, Ballari,
Dated: 19-01-2024

To,

✓ The Principal Chief Conservator of Forests
(Forest Conservation) & Nodal Officer (FCA),
Aranya Bhavan, Bengaluru.

Sir,

Sub: Diversion of 19.17 ha (revised from 13.98 ha) of forest land in Swamymalai Block, Sandur South Range, Sandur Taluk, Ballari district for Downhill Conveyor System which includes service road, approach road, & DHC infrastructure area from Narasimha Iron Ore Mine ML No.2148 to BP Plant area in favour of M/s MSPL Limited, Hospet.

Ref: 1)Online proposal No.FP/KA/MIN/144985/2021 (Form-A).
2)Letter No.M1/MNG/MSPL(HGR)/ML.No.2148/Conveyor Belt/2021-22 dated:03-01-2024 of the Deputy Conservator of Forests, Ballari Division, Ballari.

In light of the directions issued by your goodself through online portal (1) cited under reference supra, the Deputy Conservator of Forests, Ballari Division, Ballari in his letter (2) cited above has submitted the hard copy proposal for diversion of 19.17 ha (revised from 13.98 ha) of forest land in Swamymalai Block, Sandur South Range, Sandur Taluk, Ballari district for Downhill Conveyor System which includes service road, approach road, & DHC infrastructure area from Narasimha Iron Ore Mine ML No.2148 to BP Plant area in favour of M/s MSPL Limited, Hospet under section-2 of the Forest(Conservation) Act, 1980.

On going through the self contained report as submitted by the Deputy Conservator of Forests, Ballari and Form-A Part-II duly filled by him, the following salient features are forthcoming:

Gist about of the road involved in this proposal:

It is reported by the Deputy Conservator of Forests, Ballari and after his perusal of the records submitted by the user agency and his personal visit made to the proposed site on 26-05-2023 & 31-08-2023, it has been observed by him, that the user agency has submitted the proposal for diversion of 19.17 hectares [Revised from 13.98 Ha] Forest land in Swamymalai Block, Sandur South Range, Sandur Taluk, Ballari District for Downhill Conveyor System which includes Service Road, Approach Road & DHC infrastructure area from Narasimha Iron ore Mine

ML No.2148 to BP Plant area in favour of M/s. MSPL Limited, Hospet. The said area falls in Swamymalai Block which is having Southern Dry Deciduous Type of Forest (Eco- class III).

a) **Details of the Mining Lease:** The Mining Lease No.2148 was categorized as C-category and cancelled as per the Hon'ble Supreme Court order. Later on, the mining lease area has been e-auctioned by the Department of Mines & Geology as per the directions of the Hon'ble Supreme Court vide its order dated: 18.04.2013. The M/s. MSPL Limited, Hospet has been declared as successful bidder of MLNo.2148 (C-category mine) through e-auction over an extent of 60.66 ha. Further, the Commissioner, Department of Mines & Geology, Bangalore and has issued Letter of Intent for an extent of 60.66 hectares. However, Mining lease is yet to be executed.

b) **Details of the Forest Clearance for the Mining Lease No.2148:** The Government of India, Ministry of Environment, Forest and Climate Change, New Delhi and Government of Karnataka have accorded transfer of the FC approval for diversion of 64.86 hectare of forest land (60.66 ha for mining + 4.20 ha for approach road) in Dharmapura Village, Sandur Taluk, Ballari District for Narasimha Iron Ore Mine ML No.2148 (C-category mines; erstwhile lessee Sri. H.G.Ranganagouda) in favour of M/s. MSPL Limited, Hospete, Ballari District (LoI holder) which will be now co-terminus with validity of lease granted under the MMDR Act, 1957, subject to certain conditions.

Details of this instant proposal;

- (i) **Extent of Pipe Conveyor Belt proposal:** Total area of proposal is 19.95 hectares. Out of this 0.78 hectares falls in revenue land and 19.17 hectares falls in forest land. The user agency has submitted the Downhill conveyor proposal for diversion **19.17 hectares** of Forest land at Swamymalai Block, Sandur South Range, Sandur for Pipe Conveyor Belt at Mining Lease No.2148. Component wise area breakup is mentioned below;

I. About Forest land;

Sl. No.	Area applied for Forest Clearance	Length (meters)	Width (meters)	Area (In ha)	Remarks
1	DHPC infrastructure	50.00	50.00	0.250	This proposed area falls in Swamymalai
2	DHPC Corridor, which includes	640.00	30.00	1.920	

	approach road (C1 to A)				Forest block of Section-04 notified area vide Notification No. FFD-29, FAF-84, Dated: 28.02.1985
3	DHPC Corridor, which includes approach road (B to C2)	1990.00	30.00	5.970	
4	Road – S10	440.00	15.00	0.660	
5	Road – S11	1060.00	15.00	1.590	
6	Road – S12	200.00	15.00	0.300	
7	Road – S13	20.00	15.00	0.030	
8	Road – S14	60.00	15.00	0.090	
	Sub total			10.810	
9	DHPC Corridor, which includes approach road (A to B)	1310.00	30.00	3.930	This proposed area falls in Swamymalai Forest block of Section-04 notified area vide Notification No. FFD-29, FAF-84, Dated: 28.02.1985 which falls in M/s.SMIORE MMDR lease area and FC not obtained by M/s. SMIORE
10	Road – S1	353.33	15.00	0.530	
11	Road – S2	380.00	15.00	0.570	
12	Road – S3	546.67	15.00	0.820	
13	Road – S4	386.67	15.00	0.580	
14	Road – S5	660.00	15.00	0.990	
15	Road – S6	373.33	15.00	0.560	
16	Road – S7	180.00	15.00	0.270	
17	Road – S8	62.00	15.00	0.093	
18	Road – S9	11.00	15.00	0.017	
	Sub total			8.360	
	Grand total			19.170	

The proposed area is situated on a ridge and is having steep slope. Hence, the proposal project may lead to high Soil erosion along the slope, impacting the entire watershed. In this regard, the Deputy Conservator of Forests, Ballari has suggested 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.

II. About Revenue land;

Proposed DHPC Passes through Revenue land over an extent 0.78 ha in Sy.No.110B of Somalapura Village, Sandur Taluk. In this regard, M/s. Resources pellets concentrates Private Limited(RPCL) has submitted the objection and requested not to process this FC proposal as proposed non-forest area belongs to them in Sy.No.110B of Somalapura Village, Sandur Taluk. Further to this, the undersigned has raised the EDS vide letter Dt.29.05.2023 to M/s. MSPL Limited to clarify this issue. In their reply to

this EDS, the User Agency (M/s. MSPL Limited) mentioned that, these proposed non-forest land belongs to Government land and not private or patta land.

However, in the light of above mentioned circumstances, the legality of the status of revenue /patta land has to be clarified by the Revenue authorities. In this regard, the user agency (M/s. MSPL limited) may be directed to obtain necessary clarification or NOCs from Revenue authorities before approval of FC clearance.

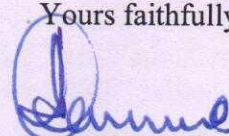
In this regard, the User Agency (M/s. MSPL Limited) has submitted the undertaking mentioning that, *"M/s. MSPL Limited hereby undertakes to carry out DHPC works only after getting clearance from the Revenue Department in Non-Forest area (in Sy.No.110B of Somalapura Village, Sandur Taluk) even though we get FC of the proposed 19.17 Ha area."*

- (ii) **Net Present Value (NPV):** The NPV amount has been revised as per the orders of the Hon'ble Supreme Court of India Dt: 28.03.2008, 24.04.2008 and 09.05.2008 in Writ Petition (Civil) No. 202/1995 and the guidelines issued by this Ministry vide its letter No. 5-3/2007-FC dated 05.02.2009, 06.01.2022, 19.01.2022 & 23.02.2022. (i.e.Rs.12,28,590/- per hectares). In this regard, M/s. MSPL Limited, Hospet has submitted an undertaking for remittance of Net Present Value (NPV) over an extent of 19.17 hectares.
- (iii) **Compensatory Afforestation (CA):** The user agency has identified CA land in Sy.No.72/18 (15.157 hectare) and Sy.No.72/16 (part) (4.013 hectare) total 19.17 hectare in Gavali Village, Khanapura Taluk, Belagavi District for raising of Compensatory Afforestation. In this regard, the User Agency has requested the Deputy Conservator of Forests, Belagavi Division, Belagavi to issue of suitability certificate. (Copy enclosed with the proposal).
- (iv) Certificate in Form-I under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, from the Deputy Commissioner, Ballari has not been issued yet. In this regard, M/s. MSPL Limited, Hospet has submitted request letter to Deputy Commissioner, Ballari vide letter Dt:20.03.2023. (Copy enclosed with the proposal).

(v) The proposed forest land is not a part of any National Park, Wildlife Sanctuary, Biosphere Reserve, Tiger reserve, Elephant Corridor, etc. Further, the proposed area is 21.76 km away from the Daroji Sloth Bear Sanctuary and 20.39 kms away from Eco-sensitive zone of Daroji Sloth Bear Sanctuary. It is 14.62 km away from the Gudekote Sloth Bear Sanctuary and 13.20 kms away from Eco-sensitive zone of Gudekote Sloth Bear Sanctuary.

In view of the facts as categorically narrated above, the aforesaid proposed forest land for diversion of 19.17 ha in Swamymalai Block, Sandur South Range, Sandur Taluk, Ballari district for Downhill Conveyor System which includes service road, approach road, & DHC infrastructure area from Narasimha Iron ore Mine ML No.2148 to BP Plant area in favour of M/s. MSPL Limited, Hospet is recommended for further approval under Van (Sanrakshana Evam Samvardhan) Adhiniyam, 1980 subject to the condition (1) The user agency has to obtain necessary clarification or NOCs from Revenue authorities in respect of the proposed non forest land i.e. Sy.No.110B of Somalapura Village, Sandur Taluk, Ballari District. (2) Since the proposed land having steep slope, the proposed project may lead to high soil erosion, impacting the watershed, hence user agency has to prepare CATP to prevent soil erosion and other impact on the proposed and adjacent areas. The copy of the letter dated:03-01-2024 of the Deputy Conservator of Forests, Ballari division, Ballari alongwith the 4 sets of the conveyor belt proposal is submitted herewith for your kind perusal and further needful action in the matter.

Yours faithfully,



**Chief Conservator of Forests,
Ballari Circle, Ballari.**

PART-III

(To be filled by the concerned Chief Conservator of Forests)

1	Whether site, where the forest land involved is located has been inspected by concerned Conservator of Forests (Yes/No). If yes, the date of inspection and observations made in the form of inspection note to be enclosed.	Yes, I have inspected the proposed forest land on 19-01-2024. During my field inspection, I have noticed that the forest proposed land having steep slope, it may lead to high soil erosion, may impact the watershed, hence user the agency has to prepare CATP to prevent soil erosion and other impact on the proposed and adjacent areas. On this condition the proposal may be considered.
2	Whether the concerned Conservator of Forests agree with the information given in Part-II and the recommendations of Deputy Conservator of Forests.	I agree with the information given in Part-II and the recommendations of Deputy Conservator of Forests, Ballari.
3	Specific recommendation of concerned Conservator of Forests for acceptance of otherwise of the proposal with detailed reasons.	The diversion of forest land to the tune of 19.17 ha (revised from 13.98 ha) of forest land in Swamymalai Block, Sandur South Range, Sandur Taluk, Ballari district for Downhill Conveyor System which includes service road, approach road, & DHC infrastructure area from Narasimha Iron Ore Mine ML No.2148 to BP Plant area in favour of M/s MSPL Limited, Hospet may be considered for further approval under Van (Sanrakshana Evam Samvardhan) Adhiniyam, 1980 subject to the condition that, (1) The user agency has to obtain necessary clarification or NOCs from Revenue authorities in respect of the proposed non forest land i.e. Sy.No.110B of Somalapura Village, Sandur Taluk, Ballari District. (2) Since the proposed land having steep slope, the proposed project may lead to high soil erosion, may impact the watershed, hence the user agency has to prepare CATP to prevent soil erosion and other impact on the proposed and adjacent areas.

Place: Ballari
Date: 19-01-2024

Signature: 
Seal : (T. Heeralal)
Chief Conservator of Forests