

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).	Recommended for diversion of 14.8457 hectare of forest land for establishing Downhill Pipe Conveyor Belt System for transportation of ore from Mining Lease No: 2296 to Sushilanagar railway siding in favour of M/s Veerabhadrapa Sangappa & Company (VESCO), Sandur Taluk, Ballari subject to the conditions specified in Annexure 'A' .
---	---

Signature:

Name:

JAGMOHAN SHARMA IFS

Designation:

Addl. Principal Chief Conservator of Forests
(Forest Conservation) and
Nodal Officer (FCA)

Countersigned by :

Name:

PUNATI SRIDHAR IFS

Designation:

Principal Chief Conservator of Forests
(Head of Forest Force)

(Official Seal)

N.D.O. No: 22/2018-19

Date: 23-11-2018



GOVERNMENT OF KARNATAKA

ಪ್ರಧಾನಮುಖ್ಯ ಅರಣ್ಯ ಸಂರಕ್ಷಣಾಧಿಕಾರಿ

(ಅರಣ್ಯ ಪಡೆ ಮುಖ್ಯಸ್ಥರು) ರವರ ಕಚೇರಿ

Office of

Principal Chief Conservator of Forests
(Head of Forest Force)

ಅರಣ್ಯ ಭವನ, 18ನೇ ಅಡ್ಡ ರಸ್ತೆ,

ಮಲ್ಲೇಶ್ವರಂ, ಬೆಂಗಳೂರು-560 003.

Aranya Bhavan, 18th Cross

Malleshwaram, Bengaluru-560 003

Telephone : 080 2334 6472

Email : apccffc@gmail.com

No. A5(1).MNG.CR.9/2018-19 &
KFD/HOFF/A5-1(MNG)/1/2018-FC
Encl: 3 sets proposal

Date: 23-11-2018

To,

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

Sir,

Sub: Diversion of 14.8457 hectare of forest land for establishing Downhill Pipe Conveyor Belt System for transportation of ore from Mining Lease No: 2296 to Sushilanagar Railway Siding in favour of M/s Veerabhadrappe Sangappa & Company (VESCO), Sandur Taluk, Ballari-reg. [**Proposal No. FP/KA/MIN/35480/2018**]

- Ref: 1. Online proposal dated 05-09-2018 (resubmitted) of M/s Veerabhadrappe Sangappa & Company, Sandur.
2. This office online communication dated 20-09-2018 to Deputy Conservator of Forests, Ballari Division, Ballari.
3. Submission of PART-II (uploaded online on 20-11-2018) of Deputy Conservator of Forests, Ballari Division after receiving reply dated 14-11-2018 of User Agency to EDS [Letter No. M1/MNG/VESCO/Conveyor Belt/2018-19 dated 02-11-2018]
4. Submission of PART-III (uploaded online on 20-11-2018) of the Chief Conservator of Forests, Ballari Circle [Letter No. M1/MNG/CR-06/1994-95(VESCO) dated 14-11-2018]

1. The online proposal re-submitted on 05-09-2018 by the User Agency, viz., M/s Veerabhadrappe Sangappa & Company (VESCO), Sandur Taluk, Ballari District, for diversion of 14.8457 ha (revised from earlier 27.77 ha) of forest land for establishing Downhill Pipe Conveyor Belt System for transportation of ore from Mining Lease No: 2296 to Sushilanagar railway siding was accepted by Nodal Officer on 12-09-2018 and, after receiving

the acknowledgement of User Agency having delivered the hard copy to Deputy Conservator of Forests, Ballari Division & Deputy Commissioner, Ballari District on 19-09-2018, the online link was forwarded to the Deputy Conservator of Forests, Ballari Division on 20-09-2018 for field verification and further processing under Section 2 of the Forest (Conservation) Act 1980.

2. The location and component-wise details of forest land proposed for diversion are as given below.

District & Taluk	Village/Name of Forest Block	Component		Forest Land (ha)	Legal status of land
Ballari District, Sandur Taluk	Ramghad	1	Feeding / Hopper point	3.8977	Section 4 notified forest area [Government notification No. FFD 29 FAF 84 dated 28-02-1985]
		2	Service Road	6.51	
		3	Conveyor	4.438	
		Tota		14.8457	

[Note: Total requirement of the land for the project is 17.9097 hectare, out of which 14.8457 hectare is forest land and 3.064 hectare is non-forest government land.]

3. **DCF, Ballari Division Report:** The Deputy Conservator of Forests, Ballari Division, after obtaining additional information from the User Agency on 14-11-2018 through EDS has submitted the PART-II of the proposal to the Chief Conservator of Forests, Ballari Circle vide ref-3, duly recommending the proposal. The details of the proposal, as reported by the Deputy Conservator of Forests, Ballari, are following.

- A. The proposed area is prone to soil erosion because of slope and poor vegetation. Hence, the User Agency is required to take up Soil & Moisture Conservation works all along and around the Downhill Conveyor System.
- B. The forest area proposed for diversion is Eco-Class-III with a density of 10%. *[Note: Density is wrongly entered as 0.01 in Item 4(i) of PART-II and may be ignored].*
- C. As per Item 4(ii) in PART-II, there are 3511 trees in 31-60 cm and above girth classes in the forest land concerned. Major species include *Alstonia scholaris*, *Acacia catechu*, *Albizia amara*, *Anogeissus latifolia*, *Cassia siamea*, *Emblica officinalis*, *Mallotus philippensis* among others.
- D. Major wild animals found in and around the proposed area include Sloth bear, Leopard, Jackal, Wild boar, Peafowl, Grey partridge, Indian porcupine, Monitor lizard, etc. *[Note: The text entered erroneously in Item 8(i) of PART-I may be ignored.]*

- E. There are no protected / archaeological / heritage sites or defence establishments or important monuments in the area.
 - F. The proposed forest area does not form part of any Wildlife Sanctuary, National Park, Biosphere Reserve, Tiger Reserve or Elephant Corridor etc. It is 16.00 km away from the Daroji Bear sanctuary and 32 km away from the Gudekote Bear sanctuary.
 - G. There is no violation reported under Forest (Conservation) Act 1980.
4. **CCF, Ballari Circle Report:** The Chief Conservator of Forests, Ballari Circle has not inspected the site but agreeing with the recommendation of the Deputy Conservator of Forests, Ballari Division, he has vide Ref(4) recommended to consider the proposal. He has submitted his opinion in PART-III online.
 5. **Compensatory Afforestation (CA):** In lieu of diversion of forest land 14.8457 hectare, the User Agency is required to provide equivalent non-forest land. Further, the User Agency being a private entity, is required to provide equivalent private non-forest land located either as an enclosure or adjoining to a forest area in man-animal conflict as per Government of Karnataka Order No.. FEE 88 FLL 2016 Dated 31-08-2016. Therefore, **the CA land proposed by User Agency, being a government land cannot be accepted for CA purpose and the User agency is being informed to identify and provide the private non-forest land as per the aforesaid State Government order.** Further, the User Agency is required to pay the CA charges as per norms. **The User Agency has submitted an Undertaking in this regard.**
 6. **Net Present Value (NPV):** The User Agency is required to pay the Net Present Value (NPV) of forest land being diverted under this proposal as per conditions stipulated by Government of India, Ministry of Environment and Forests & Climate Change, New Delhi vide letter No. 11-9/98-FC dated 13-02-2014 and Orders dated 28-3-2008 and 9-5-2008 of the Hon'ble Supreme Court of India in I.A.No. 826 in I.A. 566 in WP(C) No. 202/1995. **The User Agency has submitted an Undertaking for payment of Net Present Value (NPV).**
 7. **RoFR Compliance:** The User Agency is required to obtain RoFR compliance certificate in FORM-I (for Linear Projects) / FORM-II (Hybrid Projects) under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 from the Jurisdictional Deputy Commissioner. **The User Agency has not enclosed the required certificate with the proposal.** However, it has submitted a request vide letter dated 12-10-2018 to the Deputy Commissioner, Ballari District.
 8. In order to facilitate the free movement of wild animals during the night hours, and to reduce the adverse impact of mining related activities in the

9. In order to comply with the order dated 07-12-2017 of Hon'ble Supreme Court in IA No. 247 in WP(Civil) No. 562/2009 regarding mandatory establishment of Conveyor Belt System for mining leases specified therein which includes the present one, the proposal is required to be processed expeditiously for Stage-I clearance pending the issue of CA land.

Hard copies of the proposal along with the relevant documents in 3 sets are being submitted herewith for further needful. The present status of the proposal obtained from the web-portal is also appended for necessary action.

Principal Chief Conservator of Forests
(Head of Forest Force)


1. Copy to the Chief Conservator of Forests, Ballari Circle for information.
2. Copy to the Deputy Conservator of Forests, Ballari Division for information.
3. Copy to the M/s Veerabhadrappe Sangappa & Company (VESCO), No.2/138, VESCO House, Ballari Road, Sandur Taluk, Ballari District – 583 119 for information and necessary action to provide CA land eligible under Government of Karnataka Order No. FEE 88 FLL 2016 Dated 31-08-2016 and original RoFR compliance certificate as mentioned above.

ರವಾನಿಸಲಾಗಿದೆ
23-11-18

ಅರ. ಜಿಲ್ಲಾ ಮಹಾಕವಿ ಮಂಟಪ, ಬೆಂಗಳೂರು
 (ಜಿಲ್ಲಾ ಮಹಾಕವಿ ಮಂಟಪ, ಬೆಂಗಳೂರು) ಶಾಖೆ
 ಬಹುಮಹಡಿಗರ ಕಟ್ಟಡ, ಬೆಂಗಳೂರು-1

ANNEXURE 'A'

1. The legal status of Forest land shall remain unchanged and it shall continue to be forest land.
2. The lessee shall pay lease rent as fixed by the Government from time to time.
3. The lease tenure is for a period of Co-terminus with the MMDR lease.
4. The User Agency has to pay the Net Present Value (NPV), Compensatory afforestation Charges, Lease Rent and other government dues as per norms and also provide equivalent CA land in accordance with Government of Karnataka Order No.. FEE 88 FLL 2016 Dated 31-08-2016.
5. The leased area should be used for the purpose for which it is granted. In case the land is not used for the stipulated purpose within one year or when it is no longer needed for the stipulated purpose, the area shall be resumed back. The Chief Conservator of Forests / Deputy Conservator of Forests concerned is authorized to take necessary action in this regard.
6. In case of any violations, the proposal Forest Land shall be liable for forfeiture under Section 82 of Karnataka Forest Act 1963.
7. No residential buildings shall be permitted in the proposed forest area.
8. The Karnataka Forest Act, 1963 and Rules, 1969 and other relevant Acts & Rules will be applicable for any violation.
9. In order to safeguard the wildlife interests and free movement of wild animals during night, transportation of ore through Conveyer Belt will be limited between sunrise and sunset.
10. The User Agency shall ensure that there should be no damage to the available fauna and other flora.
11. No labour camp shall be established on the forest land.
12. Any damage to forest area due to such works shall be compensated by the User Agency. The extent of damage shall be assessed by the concerned Deputy Conservator of Forests.
13. The lessee shall not sub-lease, mortgage or hypothecate the forest area.
14. The User Agency shall also abide by all the conditions imposed upon by Government of India, the Government of Karnataka and Principal Chief Conservator of Forests (Head of Forest Force).


Principal Chief Conservator of Forests
(Head of Forest Force)