

## 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 the proposal for according 'in-principle' (Stage-I) approval for diversion of 5.71 ha. of forest land in SM Block, Sandur Taluk, Ballary Division for widening of existing approach road in favour of M/s. NMDC Ltd. under Section 2(ii) of the Forest (Conservation) Act, 1980 duly imposing suitable penalty for having attempted to widen approach road without prior approval, pending prosecution proceedings in FOC No. 6/2014-15 dated 29-10-2014 and subject to the conditions to be specified as in Annexure 'A'.

Signature:



Name:

**P. ANUR REDDY, IFS.,**

Designation:

**Nodal Officer &**

**Additional Principal Chief Conservator of Forests  
(Forest Conservation) Bengaluru.**

Counter signed by :



Name:

**R.S. SURESH, IFS.,**

Designation:

**Principal Chief Conservator of Forests  
(Head of Forest Force) Bengaluru.**

(Official Seal):

N.D.O. No: 09 /2016-17.

Date: 26 -08-2016.

No. A5(1).MNG.CR.7/2014-15

Office of the  
Principal Chief Conservator of Forests  
(Head of Forest Force),  
Aranya Bhavan, Malleshwaram,  
Bengaluru – 560 003, dated: 26-08-2016.

To

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

Sir,

Sub: Diversion of 5.71 ha. for widening of existing approach road for ML No. 1111 S.M. Block Forest in favour of M/s. National Mineral Development Corporation Ltd., Donimalai, Sandur.

- Ref: 1. Online proposal No. FP/KA/ROAD/5806/2014 dated: 08-12-2014 of M/s. NMDC Ltd., Sandur.  
2. Letter No. M1/MNG/BLY/NMDC/ML No.1111/2016-17/81 dated: 05-04-2016 of Deputy Conservator of Forests, Ballary Division, Ballary.  
3. Letter No. M1/MNG/Road/ML No.1111/CR-/2016-17 (NMDC) dated: 05-07-2016 of Chief Conservator of Forests, Ballary Circle, Ballary.

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M/s. NMDC Ltd., (M.L.No.1111) Donimalai, Sandur Taluk, Ballary district has submitted a proposal for seeking approval under section 2(ii) of Forest (Conservation) Act, 1980 for diversion of 5.71 ha. of forest land in SM Block, Sandur Taluk, Ballary for widening of existing approach road vide **online** proposal No. FP/KA/ROAD/ 5806/2014 dated 08-12-2014 cited at (1) above. The said online proposal has been accepted by this office on 22-01-2015 and communicated to the Deputy Conservator of Forests, Ballary Division for processing the proposal. In turn, the Deputy Conservator of Forests, Ballary Division, after processing the said proposal, submitted the same to the Chief Conservator of Forest, Ballary Circle on 05-04-2016 vide letter cited under reference (2) above for onward submission. The Chief Conservator of Forests, Ballary Circle, Ballary, after processing the said proposal, submitted to this office vide letter cited at (3) above.



The details of the land required for the above purpose is as under:-

Name of Village	Sy. No.	Name of Forest	Extent (in.ha)
Section 4 notified area	-	SM Block Forest	5.71

The Deputy Conservator of Forests, Ballary Division and Chief Conservator of Forests, Ballary Circle have inspected the site on 28-04-2016 and 22-06-2016 respectively and furnished the details in Form – A, Part – II & III along with their report. Further, they have reported that after conducting proposed survey of area the requirement of forest land been increased from 4.40 ha. to 5.71 ha. and the said forest land consists of dry deciduous forest with eco-class-III and dense type of forest and recommended for according approval under Forest (Conservation) Act, 1980 duly imposing suitable penalty for having attempted to widen approach road without prior approval, pending prosecution proceedings in FOC No.06/2014-15 dated 29-10-2014.

The details of the said proposal are as follows:

1. The mining lease falls in Category 'B' as categorized by Central Empowered Committee vide its report dated 3-2-2012 which was approved and accepted by the Hon'ble Supreme Court in its order dated: 18-4-2013.
2. The MoEF vide No. 8-27/2005-FC dated 24-07-2006 has accorded formal (Stage-II) approval for diversion of 341.20 ha. of forest land (324.70 ha. for mining, 11.24 ha. for conveyor belt, 4.553 ha. for approach road and 0.70 ha. for power line outside the lease area) for renewal of M.L.No.1111 in SM Block, Sandur Range, Ballary for Iron ore mines in favour of M/s. NMDC Ltd. for a period of 20 years w.e.f. 18-10-2002. Thus the approval is valid up to 17-10-2022. Now, the present proposal is for widening of existing approach road for which additional area of 5.71 ha. is required in addition to the already FC approved extent of 4.553 ha..
3. Identification of compensatory afforestation land: The user agency, though a Central PSU to whom non-forest CA land is not mandatory, has identified the non-forest land for compensatory afforestation to an extent of 5.71 ha. in Sy.No.908 of Gudekote Village, Kudlgi Taluk, Ballary District. The said land has been transferred to Karnataka Forest Department vide GO dated 08-02-2016. However, the process of mutation is under process.

Under the circumstances, it is requested to kindly move this proposal with the Government of India for according 'in-principle' (Stage-I) approval for diversion of 5.71 ha. of forest land in SM Block, Sandur Taluk, Ballary Division for widening of existing approach road in favour of M/s. NMDC Ltd. under Section

2(ii) of the Forest (Conservation) Act, 1980 duly imposing suitable penalty for having attempted to widen approach road without prior approval, pending prosecution proceedings in FOC No. 6/2014-15 dated 29-10-2014 and subject to the conditions to be specified as in **Annexure 'A'**.

The proforma particulars along with the relevant documents in 3 sets are submitted herewith for kind perusal and further action.

Yours faithfully,

  
Principal Chief Conservator of Forests  
(Head of Forest Force), Bengaluru.

Copy communicated to the Chief Conservator of Forests, Ballary Circle for information.

Copy communicated to the Deputy Conservator of Forests, Ballary Division for information.

Copy communicated to the General Manager, M/s. National Minerals Development Corporation Limited, Donimali Township, Sandur Taluk , Ballary District – 583 118 for information.

## ANNEXURE - 'A'

Enclosure to letter No. A5(1).MNG.CR.7/2014-15

dated: -08-2016

1. The legal status of Forest land shall remain unchanged and it shall continue to be as forest land.
2. The lessee shall pay lease rent as fixed by the Govt. from time to time.
3. The lease period shall be co-terminus with the period of the mining lease (ML No. 1111) approved under Forest (Conservation) Act, 1980.
4. 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 one year or when it is no longer needed for the stipulated purpose, the area shall be resumed to the Forest Department under Section 82 of Karnataka Forest Act, 1963. The concerned Chief Conservator of Forests / Deputy Conservator of Forests are authorized to take necessary action in this regard.
5. No residential buildings shall be permitted in the proposed forest area.
6. The Karnataka Forest Act, 1963 and Rules, 1969 and other relevant Acts & Rules will be applicable for any violation.
7. The User Agency shall pay the charges for raising compensatory afforestation (in 5.71 ha.), penal compensatory afforestation etc. as stipulated by MOEF and shall also get the identified non-forest land, to an extent of 5.71 ha., mutated in favour of Karnataka Forest Department for raising compensatory afforestation.
8. The User Agency shall pay the Net Present Value (NPV) for the extent of 5.71 ha. as per orders dated: 28-3-2008 and 9-5-2008 of the Hon'ble Supreme Court of India.
9. The User Agency shall ensure that there should be no damage to the available fauna and other flora in the project premises.
10. No crushing/breaking of stones shall be allowed inside forest area. Readymade material shall be used for improvement of such road.
11. No labour camp shall be established on the forest land.
12. The lessee shall not sub-lease, mortgage or hypothecate the forest area.
13. 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), Bengaluru.