

**PART – IV**

(To be filled in by the Nodal Officer or Principal Chief Conservator of Forests or Head of Forest Department)

<p>Detailed opinion &amp; 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 according 'in-principle' (Stage-I) approval for <b>diversion of 4.85 hectare of forest land in North Eastern Block (NEB) Forest (near Karadikolla village), Sandur Taluk, Ballari District for Approach Road to Mining Lease [ML] No. 2487 [an e-auctioned C-category mine of erstwhile FC holder M/s Lakshmi Narayana Mining Company] in favour of the successful bidder, i.e., M/s MSPL Ltd, Hosapete for a period up to 20-05-2023 co-terminus with the FC approval for the connected mining lease and subject to the conditions specified in Annexure 'A'.</b></p> <p><b>Proposal No. FP/KA/MIN/37101/2018</b></p>
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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 SRIDHAR IFS**

Designation:

Principal Chief Conservator of Forests  
(Head of Forest Force)

N.D.O. No: **24**/2019-20

(Official Seal)

Date: **26**-12-2019





ಕರ್ನಾಟಕ ಸರ್ಕಾರ

GOVERNMENT OF KARNATAKA

ಪ್ರಧಾನ ಮುಖ್ಯ ಅರಣ್ಯ ಸಂರಕ್ಷಣಾಧಿಕಾರಿ  
(ಅರಣ್ಯ ಪಡೆ ಮುಖ್ಯಸ್ಥರು) ರವರ ಕಚೇರಿ

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



ಅರಣ್ಯ ಭವನ, 18ನೇ ಅಡ್ಡರಸ್ತೆ

ಮಲ್ಲೇಶ್ವರಂ, ಬೆಂಗಳೂರು-560 003

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E-office File No. KFD/HOFF/A5-1(MNG)/43/2018-FC

*Enr 2 sets*

E-65892

Date 19-12-2019

To,

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

Sir,

**Sub:** Diversion of 4.845 hectare of forest land in North Eastern Block (NEB) Forest (near Karadikolla village), Sandur Taluk, Ballari District for Approach Road to Mining Lease [ML] No. 2487 [an e-auctioned C-category mine of erstwhile FC holder M/s Lakshmi Narayana Mining Company] in favour of the successful bidder, i.e., M/s MSPL Ltd, Hosapete

**Proposal No. FP/KA/MIN/37101/2018**

- Ref:**
1. Online proposal [FORM-A (PART-I)] dated 19-11-2018 of M/s MSPL Ltd, Hosapete r/w uploading of Acknowledgement on 11-12-2018 for having delivered hard copies of proposal to jurisdictional Deputy Conservator of Forests and Deputy Commissioner
  2. This office online communication dated 12-12-2018 to Deputy Conservator of Forests, Ballari Division, Ballari [for processing of proposal]
  3. Online submission of PART-II on 08-08-2019 by Deputy Conservator of Forests, Ballari Division [Letter No. M1/MNG/MSPL/2487/AR/ 2018-19/578 dated 05-08-2019]
  4. Online submission of PART-III on 23-09-2019 by Chief Conservator of Forests, Ballari Circle [Letter No. M1/MNG/LMC/TRF/ ML.No.2487/CR-6/2018-19(MSPL) dated 17-09-2019]
  5. Chief Conservator of Forests, Belagavi Circle submitting CA Suitability Certificate and CA Scheme [Letter No. A7/LND/MSPL/Pa.Ne/BGM/2019-20 dated 30-11-2019]



1. M/s MSPL Ltd, Hosapete [USER AGENCY] had submitted an online proposal [FORM-A (PART-I)] seeking approval under Section 2(ii) of the Forest (Conservation) Act, 1980 for diversion of 4.85 hectare of forest land in North Eastern Block (NEB) Forest (near Karadikolla village), Sandur Taluk, Ballari District for Approach Road to Mining Lease [ML] No. 2487 [an e-auctioned C-category mine of erstwhile FC holder M/s Lakshmi Narayana Mining Company] in its favor as the successful bidder in e-auction. The same was accepted by Nodal Officer (FCA) on 28-11-2018 for further processing. After receiving the Acknowledgement online from the User Agency for having delivered the hard copies to the Deputy Conservator of Forests, Ballari Division & Deputy Commissioner, Ballari District on 11-12-2018, the 'online link' was forwarded to the Deputy Conservator of Forests, Ballari Division on 12-12-2018 for field verification and processing under Section 2 of the Forest (Conservation) Act, 1980.
2. **Location and component wise details of the project:** The location and component wise details of the proposal are given below.

District, Taluk, Name of Forest	Village	Sy No.	Project component	Forest extent proposed for diversion (ha)***	Status of forest land
Ballari District, Sandur Taluk, North Eastern Block (NEB) Forest	Karadikolla	-	Approach Road*	4.845	Section 4 notified**
<b>Total (ha)</b>				<b>4.845</b>	

\*From ML boundary to forest boundary (R1) as shown on the Geo reference Map uploaded in Item C(iv) of PART-I of the proposal.

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

\*\*\*The forest extent mentioned in Item A-I(viii) and some other relevant item of PART-I is a little different because of decimals and may be read accordingly.

3. **DCF, Ballari Division Report:** The Deputy Conservator of Forests, Ballari Division has inspected the site on 03-08-2019. He has submitted his report in PART-II of the proposal to the Chief Conservator of Forests, Ballari Circle vide his letter dated 05-08-2019 (ref-3) duly recommending the proposal. The details 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 of ICT Centre of Forest Department are as follows.



- a. The forest land proposed for diversion is in general landscape under Eco-class-III (Tropical Dry Deciduous Forests) with up to 10% canopy density [Open forest].
  - b. There are 748 trees of various girth classes in the forest land proposed for diversion. The main species include *Terminalia tomentosa*, *Chloroxylon swietenia*, *Cassia siamea*, *Acacia chundra / catechu*, *Albizia lebbek*, etc.
  - c. The forest land proposed for diversion being in hilly terrain is prone to soil erosion and the User Agency is required to take up soil and moisture conservation works all along the road and adjoining areas.
  - d. Major wild animals found in the area include Leopard, Sloth Bear, Four-horned antelope, Wild pig, Jackal, Hare, Pangolin, Porcupine, Monitor lizard, 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, etc.
  - 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. The forest land proposed for diversion is not located within one kilometre distance of any National Park, Wildlife Sanctuary, Biosphere Reserve, Tiger Reserve, Elephant Corridor, Wildlife Migration Corridor, etc.
  - 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 by the User Agency is unavoidable and bare minimum for the project.
4. **CCF Ballari Circle Report:** The Chief Conservator of Forests, Ballari Circle has inspected the site on 12-09-2019 and has agreed with the report of Deputy Conservator of Forests, Ballar Division. The Chief Conservator of Forests, Ballari Circle vide Ref (4) has submitted his report in PART-III and has recommended the proposal.
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 3.4 of the FC Guidelines communicated by Government of India, Ministry of Environment, Forests and Climate Change, New Delhi vide F.No. 5-2/2017-FC dated 28-03-



2019. **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 is required to provide an equivalent extent of suitable non forest land in accordance with FC guidelines. Further, as per Government of Karnataka Order No. FEE 88 FLL 2016 dated 31-08-2016 pertaining to FC proposals of private User Agencies, such CA land needs to be a private land either as forest enclosure or adjoining an existing forest area in man-animal conflict zone. In addition, the User Agency is also required to pay the CA charges as per prevailing rates. Accordingly, **the User Agency has identified an extent of 4.85 hectare (12.00 Acre) of non-forest (Private) land in Amagaon village, Jamboti Hobli, Khanapura Taluk, Belagavi District. The Topo Map, Geo-referenced Map, KML file and GPS readings of the proposed CA land have already been uploaded / submitted by the User Agency in PART-I of the proposal.** The Chief Conservator of Forests, Belagavi Circle vide Ref(5) has submitted the CA Suitability Certificate dated 16-11-2019 and the CA scheme issued / prepared by Deputy Conservator of Forests, Belgavi Division. **The same are enclosed herewith. In addition, the User Agency has also given an Undertaking to pay the CA charges.**
7. **Status of RoFR compliance:** With regard to 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 obtained and furnished the requisite Certificate in FORM-I (for Linear projects) issued by the Deputy Commissioner, Ballari District, vide No. Rev/Mining/F.R.A/121/2017-18 dated 13-09-2019 as per Annexure II of the FC Guidelines communicated by Government of India, Ministry of Environment, Forests and Climate Change, New Delhi vide F.No. 5-2/2017-FC dated 28-03-2019.**

8. **Status of FC of the connected Mining Lease [ML No. 2487]:** The mining lease is an e-auctioned C-category mine, the Forest Clearance for which has already been transferred from M/s Lakshmi Narayana Mining Company (the erstwhile FC lease holder) to the present User Agency (MSPL Ltd, Hosapete) vide Government of Karnataka Order No. FEE 57 FMM 2018 dated 12-11-2019 in pursuance of the Government of India approval vide letter F. No. 8-39/2003-FC dated 25-10-2019. The previous FC lease was in respect of the mining area only and the approach road was not included. And hence the User Agency has submitted this proposal.

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 4.85 hectare of forest land in North Eastern Block (NEB) Forest (near Karadikolla village), Sandur Taluk, Ballari District for Approach Road



to Mining Lease [ML] No. 2487 [an e-auctioned C-category mine of erstwhile FC holder M/s Lakshmi Narayana Mining Company] in favour of the successful bidder, i.e., M/s MSPL Ltd, Hosapete for a period up to 20-05-2023 co-terminus with the FC approval for the connected mining lease and subject to 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



Principal Chief Conservator of Forests  
(Head of Forest Force)

**Copy to the:**

1. Chief Conservator of Forests, Ballari Circle, Ballari for information.
2. Deputy Conservator of Forests, Ballari Division, Ballari for information.
3. MSPL Limited, Baldota Enclave, Abheraj Baldota Road, Hosapete, Ballari – 583 203 for information and with a request to obtain and submit the RoFR Compliance Certificate (in original) in prescribed format as mentioned above at the earliest.

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ದಿನಾಂಕ 26-12-19



### 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)