

## PARAWISE REPLIES TO THE QUERIES RAISED

Queries raised	Replies by User Agency
<b>1. A-3(i) to (vi) Details of Person Making Application A-3(xvii) making this application to make application on behalf of the</b> <p>The Applicant in Item A-3(i) to (vi) is different from the one authorized in Item A-3(xvii).</p> <p><b>1. Please ensure that the Applicant is duly authorized to file this application.</b></p> <p><b>2. In case of any difficulty in editing because of technical restrictions on FC web portal, you may choose to submit a fresh application (new proposal Number) with the correct name.</b></p>	<b>Copy of documents in support of the competence/authority of the person User Agency</b> <p>We have changed the applicant name from Mr. Binay Prakash Pandey to Mr. Sunil Kumar Singh. The name change was carried out in online FC Portal under “My Profile” section. But, it seems to have some sort of technical error as it shows Mr. Sunil Kumar Singh as the applicant while the form is in draft but it shows Mr. Binay Kumar Pandey when it is submitted. We seek your guidance and intervention for the permanent change in the applicant name with the following details:</p> <ol style="list-style-type: none"> <li>1. First Name: Sunil</li> <li>2. Middle Name: Kumar</li> <li>3. Last Name: Singh</li> <li>4. Gender: Male</li> <li>5. Designation: General Manager – Mines</li> <li>6. Address-1: JSW Mining Office, Near Talur Cross, Toranagallu, Sandur Taluk, Ballari District, Karnataka</li> <li>7. Address-2: NIL</li> <li>8. State: Karnataka</li> <li>9. District: Bellary</li> <li>10. Tehsil: Sandur</li> <li>11. Pin: 583275</li> <li>12. Landmark: Next to Inspire Institute of Sports (IIS)</li> <li>13. Email Address: nandan.bhandary@jsw.in</li> <li>14. Landline Telephone No.: 08395-245975</li> <li>15. Fax No.: 08395243550</li> <li>16. Mobile No.: 9449598135</li> </ol>
<b>2. B-2.4 Component wise breakup</b> <ul style="list-style-type: none"> <li>• Most of the components are named as 'Existing ....' or 'Existing land use'.</li> <li>• Conveyor System requirement is not included in the proposal and the transportation outside the Mining Lease area is being proposed by road, despite orders of Hon'ble Supreme Court to switch over to Conveyor System instead of road.</li> </ul> <p><b>1. Please note that the components should be as per the proposed Land use in the approved Mining Plan (and not as per existing Land use by present Lessee) and that, the components and the Land Use Plan once approved by GOI in the present proposal, cannot be changed without prior approval of the GOI under FC Act. Such a proposal later may involve procedural delays.</b></p> <p><b>2. It is therefore advised to name the components carefully as per approved Mining Plan and requirement in future, when the mine becomes functional.</b></p> <p><b>3. It is also advised to include the Conveyor System for transportation of ore beyond the Mining Lease Area or water Pipeline/Transmission Line, etc., if warranted.</b></p>	<ol style="list-style-type: none"> <li>1. The existing land use components have been replaced by Proposed Conceptual land use as mentioned in the IBM approved mine plan. There are 8 land use components in conceptual plan.</li> <li>2. The names of the components have been revised carefully as per the approved mining plan.</li> <li>3. The Pipe/Belt Conveyor system throughout the distance from the mine location in Chitradurga to JSW Steel Plant in Ballari is not economically feasible/Viable. The transportation of Iron ore through train rakes is another environmental friendly system next to the conveyor. A railway siding is located very close to the mine, which will be utilized for the transportation of ore from the mine to our steel plant. A transmission line proposal from BESCOM has already been uploaded with proposal no. FP/KA/TRANS/42633/2019 and we intend to utilize the same after taking due permission from concerned authority. Other infrastructures are already in place in Statutory Building Areas.</li> </ol>
<b>3. C(ii)(b) KML file of proposed land</b> <ul style="list-style-type: none"> <li>• As against 16 components given in Item B-2.4, only seven KML files are uploaded.</li> <li>• There are gaps in between KML Polygons.</li> <li>• KML file of non-forest land is not uploaded. It is also needed to examine the entire project in a holistic manner.</li> </ul> <p><b>1. Please retain/ upload the following KML Files/ Sub-files with 'Polygon' feature, inbuilt 'measurement' option, identifiable File Name and correct extent.</b></p> <p>a. KML of outer boundary of forest area involved in Mining Lease [already uploaded]</p> <p>b. KML files/sub-files of all components in forest land as given in Item B-2.4 [already uploaded, but need corrections]</p>	<p>There are total 8 Major components in forestland and 1 for non-forest land. In mining lease, there are total 8 sub-components. The details of all the components are as below:</p> <p><b>a. 5 Existing Roads:</b> Five separate KML files have been uploaded. Three of these roads are passing through the Statutory Building 1 &amp; 2. Therefore, KML files of R-3, R-4 &amp; R-5 are broken to eliminate the twice diversion of area caused by overlapping among these roads and the said building areas.</p> <p>Moreover, the KML file for non-forest land cannot be uploaded separately as the total area (100.282+0.157 = 100.439 Ha.) become greater than the proposed area for diversion i.e. 100.282 ha. On this, a system pop-up prohibits the user agency to upload the same.</p>

<p>c. <b>KML file/sub file of non-forest land involved in a different but prominent color.</b></p> <p>2. <b>Please ensure that the KML Polygons match exactly with the corresponding GPS readings and ground features as seen in satellite imagery.</b></p>	<p>Therefore, we have provided the polygon of non-forest land (in different color) with KML file of Road R-3.</p> <p><b>b. 2 Statutory Buildings:</b> A combined KML file was uploaded earlier with 2 polygon sub-files for both the statutory buildings. Therefore, now two separate KML files have been uploaded.</p> <p><b>c. 1 Mining Lease:</b> Earlier, we had uploaded only one KML file for the mining lease area. As per the instructions, one KML file has been uploaded with 8 sub-files/polygons of conceptual land use. Therefore, we have uploaded 8 KML files for the entire project keeping the mining lease as a single intact block with 8 sub files.</p> <p>The KML files and their sub-files are uploaded in polygon format with in-built measurement option, identifiable file name and correct extent. We have ensured that KML polygons match exactly with the corresponding GPS readings and ground features as seen in satellite imagery.</p> <p><i>Note: The polygon area increases by 0.4 % when exported from AutoCAD to KML File. The fact may be considered while processing the application.</i></p>
<p><b>4. C(iv) Scanned copy of the Geo-referenced map of the forest land proposed to be diverted prepared by using GPS or Total Station</b></p> <p>A Mosaic map of five villages is uploaded. There is lack of clarity on the Survey Numbers and their boundaries involved.</p> <p>1. <b>Please upload the following types of Geo-referenced Maps (all merged sequentially into a single PDF File) showing the outer boundary of forest area proposed for diversion as well as non-forest area (in two different colors) within given village limits.</b></p> <p>a. <b>MAP-I: Mosaic Map on appropriate scale (entire project area in all villages) with forest and non-forest blocks shown in two different colors [already uploaded]</b></p> <p>b. <b>Map-II: Ordinary Village Map scale (1:7920)- one set for each Village [required]</b></p> <p>c. <b>Map-III: At much larger scale (with greater zoom) for a detailed view of the forest area - one set for each village [required]</b></p> <p>2. <b>Please ensure that the above maps:</b></p> <p>a. <b>Are original</b> (and not photocopy);</p> <p>b. <b>Have proper Map Index and Map Title;</b></p> <p>c. <b>Are duly ink-signed by User Agency;</b></p> <p>d. <b>Show all Survey numbers and their boundaries in and around the project area clearly;</b></p> <p>e. <b>Have a Village-wise, Survey Number-wise and Component-wise extent Statement of forest land requirement in given village;</b></p> <p>f. <b>Have a list of GPS readings (Datum: WGS-84; in Degree decimals) of all corners/ turning points of the forest area proposed for diversion. [Note: After Stage-I approval, RCC pillars will have to be provided at all these GPS points. However, temporary stone pillars are sufficient for field verification at present.]</b></p> <p>g. <b>Have the GPS points (Serial numbers) distinctly marked on corresponding points on maps.</b></p>	<p>1. As per the instructions we have uploaded the following maps:</p> <p><b>a) Map-I:</b> Mosaic Map on appropriate scale (entire project area in all villages) with forest and non-forest blocks shown in two different colors [already uploaded]</p> <p><b>b) Map-II:</b> One set for each village in 1:7920 scale merged in the single PDF file and uploaded in the additional information section.</p> <p><b>c) Map-III:</b> One set for each village in 1:3960 scale merged in the single PDF file and uploaded in the additional information section.</p> <p>2. The required maps are printed through AutoCAD and were scanned after signing. These maps are original and have proper map index and title. The individual village maps are prepared to show all Sy. No. and their boundaries in and around the project area clearly. In each village map, forest land requirement is shown component wise and Sy. No. wise. Also a combined statement mentioning the village wise, Sy. No. wise and component wise details, is uploaded in the additional information section. All the GPS readings were already incorporated in Map-I. However, respective GPS readings for the corresponding points are provided in each village map.</p>
<p><b>5. K(i) Whether the process for settlement of Rights under the Forest Rights Acts 2006 on the forest land proposed to be diverted has been completed?</b></p> <p><i>No'</i> option is selected. Please note that FRA Compliance Certificate in FORM-II (for Nonlinear/ Hybrid projects) issued by Deputy Commissioner as per guidelines issued by GOI, MOEF&amp;CC, New Delhi vide F. No. 5-2/217-FC dated 28-03-2019 will have to be submitted before final approval under FC Act.</p>	<p>Since the process for settlement of Rights under the Forest Rights Acts 2006 on the forest land proposed to be diverted has not been completed for the whole forest area in Chitradurga district, we the user agency are supposed to submit the application at concerned office. We can only submit the application for FRA Form-II, once this initial online application is accepted from your good office. Therefore, we have selected “No” option. However, after submission of the application, the process will be completed within the time period stipulated for compliance of stage-I conditions and we will submit the FRA Form-II certificate to all the concerned forest dept. offices.</p>

<b>6. L. Details of land identified for Compensatory Afforestation:</b> <b>(i) Whether non-forest or Revenue forest land is required to be provided by User Agency?</b> <b>(ii) Reason for not providing Non-Forest Land</b>	
<p>No' option is selected in Item L(i) and the text 'Renewal of lease where compensatory afforestation had been stipulated and done in respect of the applied area at the time of grant/renewal of lease earlier.' is given as the reasons for not proposing CA land.</p> <p>1. <b>Please note that there is no exemption from CA for the present proposal, as the CA provisions are equally applicable to all FC proposals. The instant project requires an equivalent non-forest land to be identified (now) and provided (only after Stage-I approval) for compensatory afforestation (CA) in accordance with Para 2.1 &amp; 2.3 of the FC Guidelines and also the Government of Karnataka Order FEE 88 FLL 2016 dated 31-08-2016 (which mandates providing private land either as forest enclosure or adjoining forest area in man-animal conflict zone). However, the Government of India decision on above stand will be final.</b></p> <p>2. <b>Please select 'Yes' option in Item L(i) and provide the CA land details (KML file with inbuilt 'measurement option, Topo Map &amp; Geo-referenced Maps, GPS readings (Datum: WGS 84;p in Degree decimals) of all corners, etc.) in relevant Sub-Items.</b></p> <p>3. <b>It is advised to consult the jurisdictional Deputy Conservator of Forests and obtain CA land Suitability Certificate (in prescribed format) in order to avoid delays in processing at later stage. However, with regard to the CA Land Suitability of the proposed land, the decision of the Head office / Government will be final and binding.</b></p> <p>4. <b>Please also note that mutation and transfer of CA land will be required only after Stage-I approval and not before that.</b></p>	<p>1. This is in reference to Site Inspection Report letter no. 4-KRA 979/2013-BAN/5052 dated 28.03.2014 from Regional Office (Southern Zone), MoEF&amp;CC, Bangalore and attached Part-II &amp; Part-III with SIR states, “<i>Out of 105 ha. diverted forestland, 85.95 ha. was broken up prior to 1980 and remaining 19.05 ha. was unbroken. In lieu of this unbroken area, 20 ha. of non-forest land in Sy. No. 62 of Yalladakere Village of Hiriur Taluk, Chitradurga District has been planted under Compensatory Afforestation during 2010-11. In this regard, the user agency has paid an amount of Rs. 5 lakhs dated 23.8.1995.</i>”</p> <p>The area in question for diversion in our proposal is already broken up by the erstwhile lease holder including all the existing approach roads and Statutory buildings areas. We as another user agency are seeking for the same forestland wherein mining lease area is as per CEC Sketch and other components are for existing approach road and buildings.</p> <p>Therefore, we had chosen “No” option as it is the case where area is already broken up for mining purpose and Compensatory Afforestation was done for unbroken area in non-forest lands provided by erstwhile lessee.</p> <p>Moreover, it is a time taking process to identify the suitable non-forest private lands in times when we are struggling with the Covid-19 Pandemic. Also, there are certain issues being faced by user agencies like us. To file the application, sale for agreement is required and being a time taking process to obtain Stage-I clearance, these private land owners refuse to sell before registering the same land. This leads the user agency to change the CA Land and the previously uploaded lands in forms becomes irrelevant.</p> <p>However, we hereby undertake to provide suitable non-forest land for the instructed extent, if such a condition is imposed by Head Office, MoEF&amp;CC, Govt. of India for the instant proposal before the Stage-II approval. It is requested to give relaxation in providing the non-forest land for time-being and to process the proposal to avoid the delays. This relaxation would give us required time to identify the suitable non-forest land and to register the same for mutation in favor of forest dept., upon instructions from Head Office.</p>
<b>7. Additional Information Details/ General</b>	
<p>1. There is undue fragmentation of forest land outside the Mining Lease boundary in the proposal. A number of components are being proposed, leaving many irregular shaped fragments, some as small as 9 meter wide strips of forest land sandwiched between the two parallel roads of 12 meter width each or other portions of the proposed lease area. Similarly, Two parallel approach roads (R1-about 10 meter wide and R2- about 5 meter wide) leaving about 7 meter wide forest strip sandwiched between proposed lease area are being proposed. Such a situation is not desirable from forest protection and management point of view and also from the view of User Agency. <b>It is thus advised to rationalize the boundary of proposed lease (outside Mining Lease area) to avoid multiplicity of proposed roads and fragmentation of forest land.</b></p> <p>2. <b>Please upload the following documents.</b></p> <p>a. <b>A single consolidated Undertaking (on official letterhead) to pay Net Present Value (NPV), Compensatory Afforestation (CA) charges and other stipulated charges as per applicability and norms;</b></p>	<p>1. The forest land in question for diversion in our proposal was thoroughly examined before applying. The components including the mining lease area were utilized earlier by the erstwhile lessee. The components outside the mining lease are Road 1 to 5 and Statutory Buildings, which are applied as they exist in the field leaving the strips between these segments and patches. It would simply increase the forest area required for diversion and in future we will not use such sandwiched forestland as we intent to use only existing and broken up forest land.</p> <p>2. We have uploaded the following documents in additional information section:</p> <p>a) A single consolidated undertaking for payment of NPV, CA Charges and other stipulated charges as per applicability and norms.</p> <p>b) Cross-section showing the Carriageway, Shoulders, Drains in entire width of the forest strip proposed for diversion for different roads and their relative width;</p> <p>c) Tabular statement showing the individual Length and Width of forest land proposed for different road segments.</p> <p>d) Undertaking to provide the NoC/Consent letter from the user agency with proposal no. FP/KA/MIN/34838/2018 for using the overlapping area.</p>

<p>b. <b>Cross-section showing the Carriageway, Shoulders, Drains in entire width of the forest strip proposed for diversion for different roads and their relative width;</b></p> <p>c. <b>Tabular statement showing the individual Length and Width of forest land proposed for different road segments</b> <i>[Note: Uniformity of proposed road width needs to be maintained for different roads];</i></p> <p>d. <b>Consent/ NOC from the User Agency Stage-I approved proposal No. FP/KA/MIN/34838/2018 for using the overlapping area</b> <i>[Note: Present proposal (outside Mining Lease area) overlaps with Stage-I approved proposal No. FP/KA/MIN/34838/2018]</i></p> <p>e. <b>Following Undertakings (on official letterhead) to the effect that:</b></p> <p>(i) <b>The User Agency will take full responsibility if there is any overlap with any other FC proposal - either Stage-I/II approved or under process- and will also provide the Right of Way, if it is necessary to share part of (to be) leased land (outside Mining Lease Area) with any other User Agency.</b></p> <p>(ii) <b>All corner points of forest land proposed for diversion will be physically marked on the ground with the help of temporary stone pillars / other appropriate means for verification by Forest officers before submitting the hard copy of the proposal to jurisdictional Deputy Conservator of Forests</b> <i>[Note: After Stage-I approval, RCC pillars will have to be provided at all corner points and at every 20 meter interval. However, temporary stone pillars are sufficient for field verification at present.]</i></p> <p>3. <b>Please provide the following information through email to 'gis3ictc@aranya.gov.in' marking copy to 'rfo5ictc@aranya.gov.in' and 'apccffc@gmail.com'.</b></p> <p>a. <b>A list of GPS readings (Datum: WGS 84; in Degree decimals) of all corners (and at every 20 meter interval along the curves) of forest land proposed for diversion in MS Excel Sheet.</b></p> <p>4. <b>As the FC proposals involve processing / scrutiny by the Government of India, all uploaded documents should be ink-signed by the User Agency and also need to be in English. In case of non-English documents, please also upload an English translation duly authenticated/attested by the Competent Authority/ User Agency (merged with the original document into a single PDF file).</b></p> <p>5. <b>Please ensure that:</b></p> <p>a. <b>Each issue mentioned above is carefully addressed before re-submission of application;</b></p> <p>b. <b>Other crucial information not pointed out above does not get deleted/ altered while submitting the application online again;</b></p> <p>c. <b>No work is undertaken in forest land without FC clearance.</b></p>	<p>e) Following undertakings have been uploaded on official letterhead:</p> <p>i. Undertaking for taking full responsibility if there is any overlap with any other FC proposal - either Stage-I/II approved or under process- and will also provide the Right of Way, if it is necessary to share part of (to be) leased land (outside Mining Lease Area) with any other User Agency.</p> <p>ii. Undertaking to mark all the corner points of forestland proposed for diversion, physically on the ground using Temporary Stone Pillars/other appropriate means for verification by forest officers before submitting the hardcopy of the proposal to jurisdictional Deputy Conservator of Forests.</p> <p>3. We have sent all the sought information through email to given mail id's.</p> <p>4. All the uploaded documents are ink signed and are in English.</p> <p>5. We have ensured that:</p> <p>a) We have addressed each issue mentioned above carefully before re-submission of application;</p> <p>b) We have not deleted any other crucial information which are not pointed out above, while submitting the application online again;</p> <p>c) We will not carry out any work in forest land without permission of concerned authority, as per the prevailing guidelines.</p>
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