

forest clearance (F.C)

PROCEEDINGS OF THE GOVERNMENT OF KARNATAKA

Sub: Diversion of forest land over an area of 36.42 ha. in Jaisinghpur Village of Sandur Taluk, Bellary District for extraction of iron ore in favour of M/s Lakshmi Minerals.

- READ: 1) Letter No. A5 (1) MNG.CR.28/05-06,
dated: 22-11-2005 of the Principal Chief Conservator of Forests, Bangalore.
- 2) State Government letter No.FEE 152 FFM 2005,
dated 19-01-2006.
- 3) Government of India Ministry of Environment and Forests, Regional Office, South Zone, Bangalore letter No.4-KRC161/2006-BAN/878, dated: 8th August 2006.
- 4) Letter No. A5 (1) MNG.CR.28(36.42 ha.)/05-06,
dated: 03-03-2007 of the Principal Chief Conservator of Forests, Bangalore.
- 5) State Government letter No.FEE 152 FFM 2005,
dated 06-03-2007.
- 6) Government of India Ministry of Environment and Forests, Regional Office, South Zone, Bangalore letter No. 4-KRC161/2006-BAN/2323, dated: 12th March 2007.

PREAMBLE:-

The Principal Chief Conservator of Forests had sent proposal vide his letter dated: 22-11-2005 read at (1) above for diversion of 36.42 ha. of forest land in Jaisinghpur Village of Sandur Taluk, Bellary District for extraction of iron ore in favour of M/s Lakshmi Minerals for a period of 20 years subject to certain conditions.

The proposal of the Principal Chief Conservator of Forest was recommended to Government of India, Ministry of Environment and Forests, Regional Office, South Zone, Bangalore vide State Government letter dated : 19-01-2006. read at (2) above seeking prior approval of Government of India under section 2 of Forest (Conservation) Act, 1980.

After careful consideration of the proposal of the State Government Government of India vide its letter dated: 8th August 2006 read at (3) above has agreed in-principle subject to the fulfillment of certain conditions.

In compliance of the conditions stipulated by Government of India vide its letter dated: 8th August 2006 the Principal Chief Conservator of Forests vide his letter dated: 03-03-2007 read at (4) above has sent his compliance report. This compliance report was forwarded to Government of India vide State Government letter dated: 06-03-2007 read at (5) above.

Finally Government of India vide its letter dated: 12th March 2007 read at (6) above has conveyed its final approval (Stage-II) under Section 2 of Forest (Conservation) Act, 1980 for diversion of 36.42 ha. of forest land in Jaisinghpur Village of Sandur Taluk, Bellary District for extraction of iron ore in favour of M/s Lakshmi Minerals for a period of 20 years subject to certain conditions. Hence the order.

GOVT. ORDER NO.FEE 152 FFM 2005. BANGALORE.

DATED: 23/03/2007

In the circumstances explained above, Government are pleased to accord sanction under Section 2 of Forest(Conservation)Act, 1980 for diversion of 36.42 ha. of forest land in Jaisinghpur Village of Sandur Taluk Bellary District for extraction of iron ore in favour of M/s Lakshmi Minerals for a period of 20 years subject to the following conditions.

1. Legal status of forest land shall remain unchanged.
2. The demarcation of mining lease area will be done on the ground at project cost using four feet high reinforced concrete pillars, with serial numbers, forward and back bearings and distance from pillar to pillar recorded on the pillars. GPS readings for the mine area shall be taken and recorded by the Forest Department.
3. Compensatory Afforestation(CA) shall be raised over 36.42 ha. of non-forest land at Sy.No.12 of Bukkalarahalli Village, Challakere Taluk of Chitradurga District at the cost of user agency. The State Government shall obtained prior permission of Central Government for change of location and schedule of compensatory afforestation, if any.
4. The Non-forest land for CA shall be notified by the State Government as RF/PF under Indian Forest Act, 1927 or the State Forest Act within a period of 6 months and Nodal Officer(FC) shall report the compliance within 6 months.

5. The State Government shall raise and maintain a safety zone and will also raise and maintain the plantation over an area, one and half times of the extent of the safety zone, of the degraded forest land, at the project cost.
6. No new construction of building for any purpose will be taken up in the forest area diverted for the project.
7. The funds received from the user agency towards NPV & CA, under this project shall be transferred to Ad-hoc CAMPA in account number CA 1582 of Corporation Bank, Block-II, CGO Complex, Phase-I, Lodhi Road, New Delhi-110 003 with an intimation to this office.
8. The mining activity in the forest area shall be carried out as per the approved mining plan from the IBM.
9. The user agency shall obtain Environmental Clearance under the E(P) Act, 1986.
10. The consent of State Pollution Control Board shall be obtained under Air and Water Act before the commencement of mining operation and it shall be renewed every year.
11. Trees shall be felled only when it becomes necessary and in the supervision of State Forest Department.
12. No labour camps shall be established on the forest land.
13. Sufficient firewood shall be provided by the user agency to the labourers at the project cost after purchase from the State Forest Development Corporation.
14. Reclamation plan shall be executed by the user agency from the very first year of mining and an annual report shall be sent to the Nodal Officer and the Regional Office, Bangalore.
15. The user agency shall protect the top soil at the project cost.
16. The user agency shall ensure that there should be no damage to the wildlife.
17. The forest land shall not be used for any purpose other than that specified in the proposal.
18. The total forest area utilized for the project shall not exceed 36.42 ha.
19. The forest land (as scheduled is diverted for mining purpose under Forest(Conservation) Act, 1980 for 20 years.
20. The lessee shall pay usual lease rent and other charges as prescribed by the Govt. from time to time.
21. The lessee shall open a firewood depot to supply firewood to the employees and labourers at the subsidized rates and the quantity to be prescribed by the Deputy Conservator of Forests concerned.
22. The lessee shall undertake the afforestation measures in the vacant area of the lease.

23. The lessee shall carryout soil and water conservation measures and other necessary measures as advised by the Forest Department from time to time.
24. The lessee shall undertake to protect rigidly the leased area and forest area surrounding the area up to one Km. from the leased area.
25. The lessee shall not cut any trees without prior permission of the Forest Department and all produce of permitted felling shall be handed over to Forest Department under cover of receipt.
26. The lessee shall abide by all the conditions prescribed by Govt. of India and Govt. of Karnataka.
27. The lessee shall execute an agreement with the Forest Dept. binding himself to abide by all usual conditions and terms as per orders of the Govt. as well as Principal Chief Conservator of Forests.
28. The lessee shall take-up the planting work on the static dumps during the advance mining operations.
29. In case of violation of agreement conditions, the State Government (Department of Forests, Ecology and Environment) shall have right to suspend the mining activities.
30. The lessee shall reclaim the area 36.42 ha. before handing over to Forest Department.
31. Lessee has to pay extraction cost to Forest Department for felling of trees in the fresh leased area.
32. The lessee has to pay all the dues against him before the end of lease period including reclamation and rehabilitation charges.
33. The user agency shall submit the reclamation and rehabilitation plan after in principal approval, if not submitted so with a undertaking that amount fixed by Forest Department/Director, Dept. of Mines and Geology/IBM shall be deposited to Forest Department on demand. Review for rehabilitation and reclamation will be carried out on 5th, 10th, 15th and 19th year and if found unsatisfactory then the permission granted under Forest(Conservation) Act 1980 will be revoked by the Government of Karnataka.
34. The lessee has to pay the Net Present Value (NPV) fixed by the Govt. Notification No.FEE 247 FGL 2002 dated 17/01/2004.

35. Any other condition that the State Government or the Chief Conservator of Forests (Central), Regional Office, Bangalore may impose from time to time in the interest of conservation, protection and development of forests.

By order and in the name of the
Governor of Karnataka,

P.R. Kalavathi
(P.R. KALAVATHI)

Under Secretary to Govt.

Forests, Ecology and Environment Department.

To
The Compiler, State Gazette with a request to publish the Government Order and to send 50 copies to the Government and also the principal Chief Conservator of Forests and others.

Copy to:

1. Accountant General (Audit and Accounts), Karnataka, Bangalore.
2. The Secretary to Government of India, Ministry of Environment and Forests, CGO Complex, Lodhi Road, New Delhi.
3. The Chief Conservator of Forests (Central), Regional Office, South Zone, Kendriya Sadana, II Block, 4th Floor, E & F Wing, 17th Main, Koramangala, Bangalore.
4. Principal Chief Conservator of Forests, Aranya Bhavan, Bangalore.
5. The Conservator of Forests/Nodal Officers Office of the Principal Chief Conservator of Forests, Aranya Bhavan, Bangalore.
6. Conservator of Forests, Bellary Circle, Bellary.
7. Deputy Conservator of Forests, Bellary Division, Bellary.
8. Sri.M/s Lakshmi Minerals, D.No.216, Near 100 Bed Hospital, M.J.Nagar, Hospet(Karnataka).
9. Section Guard File.