

I/606511/2024

ಕರ್ನಾಟಕ ಸರ್ಕಾರ

## GOVERNMENT OF KARNATAKA

ಪ್ರಧಾನಮುಖ್ಯಅರಣ್ಯಸಂರಕ್ಷಣಾಧಿಕಾರಿ  
(ಅರಣ್ಯಪಡೆಮುಖ್ಯಸ್ಥರು) ರವರ ಕಛೇರಿ  
Office of the  
Principal Chief Conservator of Forests  
(Head of Forest Force)



ಅರಣ್ಯಭವನ, 18ನೇಅಡ್ಡರಸ್ತೆ  
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E-office File No. KFD/HOFF/A5-1(MNG)/20/2020-FC

E-296924

Enclosure:

Date 16-05-2024

To,

The Additional Chief Secretary to Government  
Forests, Environment and Ecology Department  
M.S. Building, Bengaluru - 560 001

Sir,

**Sub:** Diversion of 3.862 hectares of Forest land in Swamymalai (SM) Block, Near Ranjithpura, Sandur Taluk, Ballari District for Approach Road to mining lease No. 2245 [*e-auctioned C-category mine*] in favour of M/s Kirloskar Ferrous Industries Limited, Pune

**Proposal No. FP/KA/MIN/44719/2020 [Form-A, Stage-I approved]**

- Ref:**
1. Government of India, Ministry of Environment, Forests and Climate Change, Integrated Regional Office, Bengaluru letter F.No. 4-KRB 1483/2024-BAN/564 dated 03-04-2024 [*Stage-I approval*]
  2. Government of Karnataka letter No. FEE 15 FLL 2024 (e) dated 05-04-2024 [*communication of Stage-I approval*]
  3. This office even letter dated 08-04-2024 [*addressed to UA and field officers reg communication of Stage-I Approval*] and letter 03-05-2024 [*addressed to DCF, Ballari Division directing to raise demand notice to UA w.r.t payment of differential CA Charges*]
  4. M/s Kirloskar Ferrous Industries Limited, Pune letter dated 15-04-2023 [*submission of compliance to stipulated Stage-I conditions*] and letter dated 07-05-2024 [*submission of compliance w.r.t payment of the differential CA Charges*]
  5. Deputy Conservator of Forests, Ballari Division letter No. M1/MNG/Kirloskar/2245/2020-21(Road) dated 18-04-2024 [*addressed to CCF, Ballari Circle reg submission of Compliance Report in respect of conditions of Stage-I approval*] and letter dated 03-05-2024 [*demand notice to UA w.r.t payment of differential CA Charges*]
  6. Conservation of Forests, Ballari Circle, Ballari letter No.

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M1/MNG/Kirloskar Approach Road/CR-15/2023-24/130 dated  
19-04-2024 [communication of Compliance Report submitted by  
DCF, Ballari]

The Government of India, Ministry of Environment, Forests and Climate Change, Bengaluru vide Ref (1) has accorded 'in-principle' (Stage-I) approval for diversion of 3.862 hectares of Forest land in Swamymalai (SM) Block, Near Ranjithpura, Sandur Taluk, Ballari District for Approach Road to mining lease No. 2245 [e-auctioned C-category mine] in favour of M/s Kirloskar Ferrous Industries Limited, Pune under Section 2 of the Forest (Conservation) Act, 1980 subject to certain conditions. Accordingly, the User Agency and field officers were directed by this office vide Ref (3) to submit the compliance.

In response, M/s Kirloskar Ferrous Industries Limited, Pune vide Ref (4) letter dated 15-04-2024 has submitted the Compliance Report to the Deputy Conservator of Forests, Ballari Division, who after verification vide Ref (5) letter dated 18-04-2024 has submitted the conditions wise Compliance Report to Chief Conservator of Forests, Ballari Circle who in turn has submitted the same to this office vide Ref (6) letter dated 19-04-2024.

Based on the above reports, the status of condition-wise compliance to the conditions of Stage-I approval is given below.

<b>Conditions stipulated in Stage-I approval dated 03-04-2024</b>		<b>Compliance</b>
1	Legal status of the diverted forest land shall remain unchanged;	The legal status of diverted forest area remains unchanged.  Further, The User Agency has agreed to comply with the condition and has submitted an Undertaking in this regard. which is enclosed as <b>Annexure-1</b> .
<b>2</b>	<b>Compensatory Afforestation</b>	
a	The Government of Karnataka has proposed Compensatory Afforestation in non-forest land identified in Sy No. 45/B4A of Metri (0.5 ha) village, Hospete Taluk, Vijayanagar District and in Sy No. 67/1 (3.5 ha) of Bailgudda Village, Maski Taluk, Raichur District which was already transferred, mutated and notified as Protected Forest in lieu of proposal for diversion of 11.178 ha. of forest land (7.57	<b>The acceptance of proposed CA land</b> (which was previously provided in lieu of the Mining proposal i.e., Proposal No. FP/KA/MIN/41916/2019, which has been notified as "Uttaregudda Wildlife Sanctuary" by the Government of Karnataka vide Notification No. FEE 138 FWL 2022 dated 31-12-2022) <b>mentioned below is subject to acceptance of Cancellation / Withdrawal of the In-principle approval / Stage-I accorded for the proposal No. FP/KA/MIN/41916/2019 by the competent authority in the Ministry of Environment,</b>

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<p>ha. for mining and 3.608 ha. for approach road) in Sy No. 109, Lakkihalli village, Sy No. 64, Kenkere village and Sy No. 70, 87 and 71, Madadakere village, Madadakere Hobli, Hosadurga Taluk, Chitradurga District for ML No. 2566 (an auctioned "C" Category mine, erstwhile lessee Channakeshava Reddy (M/s Sri Lakshminarasimha Mining Company) in favour of M/s. Kirloskar Ferrous Industries Ltd, Pune (LOI Holder), for which now State Government vide its letter No. FEE 33 FFM 2020 (e) dated 18/03/2024 has proposed for withdrawal / cancellation of Stage-I approval. The request of the State Government is under consideration. <b>Therefore, acceptance of the proposed CA land is subject to acceptance of Cancellation / withdrawal of the in-principle approval / Stage-I accorded for the proposal related to diversion of 11.178 ha by the competent authority in the Ministry of Environment, and Climate Change, New Delhi.</b></p>	<p><b>and Climate Change, New Delhi.</b></p> <p><b>Hence, the proposed CA land may be considered for acceptance after acceptance of Cancellation / Withdrawal of the In-principle approval by the competent authority.</b></p> <table><tr><th>Sl. No.</th><th>District, Taluk</th><th>Village</th><th>Sy No</th><th>Extent in Ha</th></tr><tr><td>1</td><td>Ballari Kampli*</td><td>Metri</td><td>45/B4A</td><td>0.50</td></tr><tr><td>2</td><td>Raichur Maski</td><td>Bailgudda</td><td>67/1</td><td>3.50</td></tr><tr><td colspan="4"><b>Total</b></td><td><b>4.00</b></td></tr></table> <p>[Note: *while sending proposal it was mentioned as The CA land of 0.5 Ha is located in Metri village, Kampli Hobli, Hospet Taluk. But after recent bifurcation of Ballari district into Ballari and Vijayanagara, Kmapli has become a new Taluk of Ballari district. So as on today Metri Village is located in Kampli Taluk of Ballari District.</p> <p>In this regard the relevant portion of this condition w.r.t CA land in Metri Village has to be changed from “The Government of Karnataka has proposed Compensatory Afforestation in non-forest land identified in Sy. No. 45/B4A of Metri (0.5 ha) village, <b>Hospete Taluk, Vijayanagar District</b>” to “The Government of Karnataka has proposed Compensatory Afforestation in non-forest land identified in Sy. No. 45/B4A of Metri (0.5 ha) village, <b>Kampli Taluk, Ballari District</b>”. This land has been notified as ‘Protected Forest’ and in PF notification also it is mentioned as Sy. No. 45/B4A of Metri (0.5 ha) village, Kampli Taluk, Ballari District.]</p> <p><b>The proposed CA lands are transferred and mutated in favour of Forest Department and notified as ‘Protected Forest’ under Section-33 of Karnataka Forest Act, 1963 vide Notification No. APAJI 06 FAF 2023 dated. 07.02.2023 &amp; No. APAJI 04 FAF 2023 dated. 07.02.2023. Documents related CA land like Sale deeds, RTC, Mutation, PF Notification and Maps are enclosed in Annexure-2</b></p>	Sl. No.	District, Taluk	Village	Sy No	Extent in Ha	1	Ballari Kampli*	Metri	45/B4A	0.50	2	Raichur Maski	Bailgudda	67/1	3.50	<b>Total</b>				<b>4.00</b>
Sl. No.	District, Taluk	Village	Sy No	Extent in Ha																	
1	Ballari Kampli*	Metri	45/B4A	0.50																	
2	Raichur Maski	Bailgudda	67/1	3.50																	
<b>Total</b>				<b>4.00</b>																	

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b	<p>Compensatory Afforestation shall be raised over the equal extent of non-forest land identified in Sy No. 45/BA of Metri village, Hospete Taluk, Vijayanagar District and in Sy No. 67/1 of Bailgudda Village, Maski Taluk, Raichur District <b>within two years from the date of Stage -11 Clearance</b> and maintained thereafter by the State Forest Department at the cost of the User Agency. If the identified non-forest land is not fit for raising Compensatory Afforestation of specified density, then then additional compensatory afforestation shall be raised on a degraded forest land which is twice in size of such shortfall in the given compensatory afforestation land and the user agency shall also bear the additional cost on such account. The details of such degraded forest land if any may be furnished.</p>	<p>Out of 4.00 hectare of the proposed CA land, 3.50 hectare (<i>i.e., non-forest land in Sy No. 67/1 of Bailgudda Village, Maski Taluk, Raichur District</i>) is not fit for raising compensatory afforestation of a specified density. In this regard, as per Van (Sanrakshan Evam Samvardhan) Rules, 2023, Para 13 (1) for the user agency needs to pay CA charges twice the extent of such not plant able area (<i>i.e., in this case 3.50 ha x 2 = 7.0 ha</i>), which shall be raised in the degraded notified or unclassed forest land under the management control of the Forest Department.</p> <p>Accordingly, the User Agency has paid the cost of raising Compensatory Afforestation.</p> <ol style="list-style-type: none"> <li>1. of Rs. 9,18,000/- @ 18,36,000/ha to raise the CA in proposed CA land (<i>i.e., in 0.5 ha of non-forest land in Sy No. 45/B4A of Metri village, Kampli Taluk, Ballari District</i>) to Ad-hoc CAMPA through e-office challan dated 12-04-2024 vide UTR No. UTIBR52024041200370989 dated. 12.04-2024 [<i>included in total amount of Rs.1,80,08,079/-</i>].</li> <li>2. of Rs. 1,28,52,000/- @ 18,36,000/ha to raise the CA plantation in 7.00 ha of degraded forest land (<i>i.e., in Sy No. 70 &amp; 158, Guntagola Village, Gurugunta Hobli, Lingasugur, Raichur District, which has been identified by the DCF, Raichur Division.</i>) to Ad-hoc CAMPA in two instalments. <ol style="list-style-type: none"> <li>a. Rs. 1,23,45,264/- through e-office challan dated 12-04-2024 vide UTR No. UTIBR52024041200370989 dated. 12.04-2024 [<i>included in total amount of Rs.1,80,08,079/-</i>].</li> <li>b. Rs. 5,06,736/- through e-office challan dated 06-05-2024 vide UTR No. UTIBR52024050600366613 dated. 06-05-2024.</li> </ol> </li> </ol> <p><b>Copies of Payment Page Print taken from FC Web portal is enclosed as Annexure-3.</b></p>
c	<p>The Compensatory Afforestation scheme shall include demarcation of CA area using concrete pillars of suitable size, provision for planting, SMC</p>	<p>The DCF, Ballari Division vide Ref (5) has stated that the Compensatory Afforestation scheme <b>is enclosed as Annexure-3(A).</b></p>

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	works and appropriate provision for anticipated cost escalation for the works scheduled for subsequent years. The CA will be maintained for 10 years.	
d	Compensatory Afforestation (CA) shall be carried out as per the time line provided under Van (Sanrakshan Evam Samvardhan) Rules 2023.	The DCF, Ballari Division vide Ref (5) has stated that the Compensatory Afforestation will be carried out as per the time line provided under Van (Sanrakshan Evam Samvardhan) Rules 2023 by the concerned divisions.
3	The User Agency shall transfer online, the Net Present Value (NPV) of the forest land being diverted under this proposal as per the guideline issued by Ministry vide letter No.5-3/2011-FC (Vol-I) dated 06/01/2022 and as per the provision of Chapter 3 of the consolidated Guidelines and Clarification issued vide MoEF&CC order dated 29.12.2023.	The User Agency has paid an amount of Rs.47,44,815/- towards NPV charges for 3.862 ha @ Rs.12,28,590/ha to Ad-hoc CAMPA through e-office challan dated 12-04-2024 vide UTR No. UTIBR52024041200370989 dated. 12.04-2024 <i>[included in total amount of Rs.1,80,08,079/-]</i> . <b>Copies of Payment Page Print taken from FC Web portal is enclosed as Annexure-3.</b>
4	At the time of payment of the Net Present Value (NPV) at the then prevailing rate, the User Agency shall furnish an undertaking to pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India.	The User Agency has agreed to comply with the condition and has submitted an Undertaking in this regard. which is enclosed as <b>Annexure-4.</b>
5	All the funds received from the user agency under the project shall be transferred/deposited in CAMPA account only through e-portal ( <a href="https://parivesh.nic.in/">https://parivesh.nic.in/</a> ). Amount deposited through other mode will not be accepted as compliance of the Stage-I clearance.	The User Agency has remitted all the funds through e-portal ( <a href="https://parivesh.nic.in/">https://parivesh.nic.in/</a> ) to Ad-hoc CAMPA through e-payment Challan vide UTR No. UTIBR52024041200370989 dated. 12.04-2024 and UTR No. UTIBR52024050600366613 dated. 06-05-2024. <b>Copy of Status of Payment Page taken from FC Web Portal is enclosed as Annexure-3.</b>
6	The KML file of the forest area to be diverted and CA area shall	The DCF, Ballari Division vide Ref (5) has stated that there is no provision to upload the

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	be uploaded on the e-green watch portal with all requisite details and same shall be submitted along with compliance report including GPS ids.	KML files of diverted area and the CA areas in e-green watch portal before Stage-II approval. However, the User Agency has uploaded the both KML files in Parivesh portal. <b>Hence, the said kml files will be uploaded after the Stage-II approval on the E-green watch portal with all the requisite details</b>
7	The boundary of the diverted forest land shall be suitably demarcated on ground at the project cost as per the directions of concerned Divisional Forest Officer.	The User Agency has demarcated the boundary of diverted forest land on ground by erecting cement concrete pillars. <b>The photographs of boundary pillars are attached in Annexure-5.</b>
8	The compliance report shall be uploaded on e-portal ( <a href="https://parivesh.nic.in/">https://parivesh.nic.in/</a> ).	The complete compliance report is uploaded along with all the supporting documents & undertakings on e-portal ( <a href="https://parivesh.nic.in/">https://parivesh.nic.in/</a> ) by the User Agency.
9	The period of diversion under this approval shall be co-terminus with the period of lease to be granted in favour of the user agency or the project life, whichever is less.	The Mining Lease is granted for 50 years w.e.f 08.03.2021. In this regard, The User Agency has agreed to comply with the condition and has submitted an Undertaking in this regard. which is enclosed as <b>Annexure-6.</b>
10	No Labour camp shall be established on the forest land.	The User Agency has agreed to comply with the condition and has submitted an Undertaking in this regard. which is enclosed as <b>Annexure-7.</b>
11	No additional or new paths will be constructed inside the forest area for transportation of construction materials for execution of the project work.	The User Agency has agreed to comply with the condition and has submitted an Undertaking in this regard. which is enclosed as <b>Annexure-8.</b>
12	The forest land shall not be used for any purpose other than that specified in the project proposal.	The User Agency has agreed to comply with the condition and has submitted an Undertaking in this regard. which is enclosed as <b>Annexure-9.</b>
13	The total forest area utilized for the project shall not exceed 3.862 ha. <b>The user agency shall furnish the undertaking to this effect.</b>	The User Agency has agreed to comply with the condition and has submitted an Undertaking in this regard. which is enclosed as <b>Annexure-10.</b>
14	The forest land proposed to be diverted shall under no	The User Agency has agreed to comply with the condition and has submitted an

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	circumstances be transferred to any other agency, department or person without prior approval of the Central Government.	Undertaking in this regard. which is enclosed as <b>Annexure-11.</b>
15	No damage to the flora and fauna of the adjoining area shall be caused.	The User Agency has agreed to comply with the condition and has submitted an Undertaking in this regard. which is enclosed as <b>Annexure-12.</b>
16	User Agency shall obtain the Environmental Clearance as per the provisions of the Environmental Protection Act, 1986, if applicable.	As per compliance report submitted by the User Agency, the Provision for obtaining Environmental Clearance is not applicable for the approach road proposal. However, Environmental Clearance has been obtained for the mining lease area and a copy of the same is enclosed as <b>Annexure-13.</b>
17	The layout plan of the proposal shall not be changed without the prior approval of the Central Government.	The User Agency has agreed to comply with the condition and has submitted an Undertaking in this regard. which is enclosed as <b>Annexure-14.</b>
18	The User Agency shall submit the annual self-compliance report in respect of the above stated conditions to the State Government and Integrated Regional Office, Bengaluru by the end of March every year.	The User Agency has agreed to comply with the condition and has submitted an Undertaking in this regard. which is enclosed as <b>Annexure-15.</b>
19	The State Government, after receiving the 'Final' approval of the Central Government under sub-section (1) of Section 2 of the Adhiniyam, and after fulfillment and compliance of the provisions of all the other Acts and rules made there under, as applicable including ensuring settlement of rights under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (2 of 2007), shall issue order for diversion;	The User Agency has obtained FRA Certificate in Form-I (for linear Projects) with all annexures under Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act 2006 from the Deputy Commissioner, Ballari vide File No.BLR – DC – 33011 / 15 / 2020 BLRDC – FOREST – BALLARI - DC dated. 18.10.2021. <b>Copy of the FRA certificate enclosed as Annexure-16.</b>
20	The user agency shall comply with all the provisions of the all Acts, Rules, Regulations,	The User Agency has agreed to comply with the condition and has submitted an Undertaking in this regard. which is enclosed

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	Guidelines, Hon'ble Court Order (s) and NGT Order (s) pertaining to this project, if any, for the time being in force, as applicable to the project.	as <b>Annexure-17.</b>
21	Any other condition that the Ministry of Environment, Forest and Climate Change may stipulate from time to time in the interest of conservation, protection and development of Forest and Wildlife.	The User Agency has agreed to comply with the condition and has submitted an Undertaking in this regard. which is enclosed as <b>Annexure-18.</b>
22	Violation of any of these conditions will amount to violation of VAN (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 to and action would taken as prescribed under the Act, Rules and Guidelines relevant.	The User Agency has agreed to comply with the condition and has submitted an Undertaking in this regard. which is enclosed as <b>Annexure-19.</b>

Under the above circumstances, **it is requested to move the matter with the Government of India, Ministry of Environment, Forests and Climate Change, Integrated Regional Office, Bengaluru to consider according the final (Stage-II) approval for diversion of 3.862 hectares of Forest land in Swamymalai (SM) Block, Near Ranjithpura, Sandur Taluk, Ballari District for Approach Road to mining lease No. 2245 [e-auctioned C-category mine] in favour of M/s Kirloskar Ferrous Industries Limited, Pune with the condition that the non forest land provided for C.A should be declared as RF / PF before handing over the area for mining.**

The relevant documents in 3 sets are submitted here with for kind perusal and further action. The present status of the proposal obtained from the web-portal is also appended for necessary action.

Yours Faithfully,

Signed by

Brijesh Kumar

Date: 16-05-2024 12:28:47

(Brijesh Kumar) (FC)  
Principal Chief Conservator of Forests  
(Forest Conservation)

1. Copy to the Chief Conservator of Forests, Ballari Circle, Ballari for information and necessary action.



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2. Copy to the Deputy Conservator of Forests, Ballari Division, Ballari for information.
3. Copy to the Deputy Conservator of Forests, Raichur Division, Raichur for information.
4. Copy to M/s Kirloskar Ferrous Industries Limited, Laxmanaro Kirloskar Road, Khadki, Pune, Maharashtra – 411 for information.