

Government of India
Ministry of Environment, Forest and Climate Change
(Forest Conservation Division)

Indira Paryavaran Bhawan
Aliganj, Jor Bagh Road,
New Delhi - 110003

Dated: 23rd December, 2020

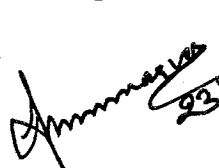
To,
The Additional Chief Secretary (Forests),
Department of Forests & Environment,
Government of Karnataka
Bangalore.

Sub: Proposal for diversion of 64.86 hectare of forest land (60.66 ha. for mining + 4.2 ha. for approach road) in Swamimalai (SM) Block Forest, near Dharmapura village, Sandur Taluk, Ballari District for Narsimha Iron Ore Mine ML No.2148 [an auctioned C-category mine] erstwhile Lessee Sri H.G. Rangangouda] in favour of M/s MSPL Limited, Hosapete, Ballari District (LoI holder).-regarding (Online Proposal No. FP/KA/MIN/39986/2019) - reg.

Madam/Sir,

I am directed to refer to the Government of Karnataka's letter No. FEE 39 FFM 2020 (e) dated 30th September, 2020 on the above mentioned subject seeking prior approval of the Central Government in accordance with Section-2 (ii) of the Forest (Conservation) Act, 1980. After preliminary examination of the proposal the Ministry revealed the following shortcomings:

- i. a. Previous lessee was having valid lease for the period from 21.07.1992 to 20.07.2012. The State Government has not clarified the status of FC approval during the said period along with relevant documents. A detail chronology shall be submitted.
b. This information has not been provided by the user agency in Part I (B-1) of the proposal.
- ii. The State Government shall submit the approval details and status of compliance with respect to the forest area diverted in favour of previous lessees.
- iii. As per DSS analysis report it is learnt through time series satellite imagery available on the Google earth that the Non- Forestry activity has been done outside the lease boundary and the area of Non-forestry activity outside lease had continuously increased during the period 28.10.2003 to 20.12.2012. Moreover, as per the DSS, the legal status of the land where the Non-forestry activity outside lease was done in the past is a Reserved Forest land (RF) named Kumarasvamy Betta RF. Prima facie the matter appears to be violations of the FCA-1980 and details of actions initiated in this regard by the concerned authorities need submission.
- iv. Issue of encroachment outside the lease area having extent 21.61 hectares as reported by DFO in Part II, details shall be submitted with action taken in the matter.
- v. It has been reported that the proposed area for diversion has steep slope and thus prone to soil erosion. The State Government shall submit its comments and if necessary a proposal to address the possible impact due to the proposed activity.


23/12/2020

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- vi. It has been mentioned in online Part-II that there is no requirement of Environmental Clearance. The State Government shall provide comments regarding non-applicability of Environmental Clearance in the instant mining proposal.
- vii. Approved copy of the land use plan and Mining plan shall be submitted.
- viii.
- a. As per the DSS analysis of compensatory afforestation patches, it has been found that out of 4.18 ha area of CA land identified in Revenue land, approx. 2.03 ha of this land is falling in the Reserve Forest (RF).
- b. Furthermore, the instant proposal is being treated as altogether a fresh proposal. Hence, the User Agency shall submit CA on Non-Forest Land over an area of 64.86 ha.
- c. As per DSS analysis and overlay of .kml files on time series data available on the Google earth, it is learnt that the identified 4.18 ha area of CA land is having dense tree cover and scope of further plantation is not perceptible in the identified CA site. Therefore, an additional CA site in the degraded forest land may be identified by the State Govt. of Karnataka so as to accommodate the balance plantation to fulfil norm of planting 1000 saplings per ha.
- ix. Validity of the Letter of Intent dated 06.10.2018 is for 30 months which will expire on 05/04/2021. This issue needs comment of the State Government.
- x. The State Government shall upload the copies of certified SoI Toposheets and geo-referenced maps of proposed forest land for diversion and compensatory afforestation sites.
- xi. With respect to the violation mentioned the State Government may furnish details on action taken on the matter.

In view of the above, the State Government is requested to submit the information/clarification/documents as indicated above, to this Ministry for further consideration of the proposal.

Yours faithfully,


(Shrawan Kumar Verma)

Dy. Inspector General of Forests

Copy to:-

1. The Principal Chief Conservator of Forests (HoFF), Government of Karnataka, Bangalore.
2. The Nodal Officer (FCA), Forest Department, Government of Karnataka, Bangalore.
3. The Regional Officer, Integrated Regional Office (Southern Zone), Bangalore **with a request to carry out a site inspection of proposed diversion and CA land as the details available online lack details.**
4. User Agency.
5. Monitoring Cell, FC Division, MoEF & CC, New Delhi.