

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

Indira Paryavaran Bhawan,
Jor Bagh Road, Aliganj
New Delhi: 1100 03,
Dated: March, 2024

To
The Additional Chief Secretary (Forests)
Forest, Ecology & Environment Department,
Government of Karnataka,
Bengaluru

Sub: Proposal for diversion of 43.58 hectare of forest land in Ramanamalai (RM) Block Forest, Near Ramgad Village, Sandur Taluk, Ballari District for Dharmapura Iron Ore Mine (expired ML No. 2239 of M/s Zeenath Transport Company) in favour of M/s JSW Steel Limited (New ML No. 0013), Vidyanagar, Sandur Taluk, Ballari District, Karnataka (the Successful Bidder in e-auction), (Online proposal No. FP/KA/MIN/44852/2020)-regarding

Madam/Sir

I am directed to refer to the Government of Karnataka letter No.No. FEE 17 FFM 2021 (e) dated 31st May, 2021 and additional information submitted vide letter FEE 17 FFM 2021 (E) dated 19.02.2022 uploaded by the State Secretary on PARIVESH on 12.03.2024. It is to be noted that the PCCF (HoFF), Government of Karnataka vide letter dated 16.02.2021 had earlier opined wrt CA and safety zone that:-

(a) the User Agency is required to provide an equivalent extent of suitable non-forest land in accordance with Para 2.3 (i) of the FC guidelines. Further, as per Government of Karnataka Order No. FEE 88 FLL 2016 dated 31-08-2016 pertaining to FC proposals of Private Party 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. However, an appropriate decision on the requirement of the CA land in the instant proposal may be taken by the Government of India.

(b) The new User Agency may be liable to take up fencing regeneration of safety zone area at its own cost. However, an appropriate decision may be taken by the Government of India whether the new User Agency is liable to pay the charges towards Afforestation in degraded forest area 1 1/2 times of safety zone area or not.

The Ministry vide letter dated 23.08.2021 had requested the State Govt. to submit the certain information. Now the Govt. of Karnataka vide letter No. FEE 17 FFM 2021 (E) dated 19.02.2022 uploaded by the State Secretary on PARIVESH on 12.03.2024 and forwarded the PCCF (HoFF) and Nodal Officer letter dated 29.01.2022. After the examination of reply submitted by the State Government (SG) it has been observed that the following information/documents are required to

be submitted by the SG for further perusal in the matter:

- i. The State Government has uploaded the letter dated 19.02.2022 on the portal on 12.03.2024 after lapse of more than 2 years which is extraordinary delay. It is clarified that the said letter was not received in the Ministry. The cogent reason/ justification for the delay shall be provided.
- ii. It is to be noted that in the Part II, Column No. 13 the requisite CA details have not been filled by the DFO. The NFL for CA is required as per guidelines. In addition, it has been noticed that the State Govt. has charged CA levies from the present UA of ₹8,00,12,080/- without providing/uploading details of NFL for CA and respective CA scheme, KML file, site suitability certificate etc. The same shall be submitted along-with the justification that how the amount has been deposited by the present UA without providing the CA land (NFL) and required CA scheme as per the extent guidelines issued on 29.12.2023 under Para 2.2 (vii) of Chapter 2. Further, it is to be noted that approval of NFL identified for CA is required from the Govt. of India.
- iii. Further, the details and status of old CA and penal CA carried out by the State Govt for which the earlier lessee has paid levies are not provided by the SG. The same shall be provided along with respective KML files of the DFL land on which the same was carried. It is stated by the SG that there is no information available regarding raising of CA and there is no fund utilized against the CA plantation, in this regard, it may be clarified by the SG that why this shall not be considered as non-compliance of the stipulated condition of the earlier approval and the same is not to be considered as violation.
- iv. The validity of Lol issued by the Director Mines dated 13.08.2019 was valid for 30 months. The State Govt. may clarify whether the Lol has been extended or not. If yes, the extension letter/the renewed Lol or lease deed document shall be provided.
- v. It has been noticed that the DFO vide demand letter dated 20.04.2020 has raised the demand for 43.58 ha and vide demand letter 17.10.2016 has raised demand for NPV payment of 44.13 ha. In this regard it is to be clarified that whether there is any change in the existing land use pattern and the proposed land use? In this regard the SG may offer comments.
- vi. Further, the SG shall clarify whether the safety zone has been maintained as per the extent guidelines of the Ministry and the required NPV for the same has been paid?
- vii. The Ministry has issued the Consolidated Guidelines and Clarifications under Van (Sanrakshan Evam Samvardhan) Adhinyam, 1980 and Van (Sanrakshan Evam Samvardhan) Rules, 2023 on 29th December 2023, wherein under Para 7.4 (iv) of Chapter 7 stipulates conditions. In this regard, the SG is requested to submit compliance as these guidelines are applicable in the instant proposal.
- viii. Present status of the mining operations is required. It is to be clarified that there is no mining after the expiry of the currency of the FC approval and mining lease validity.
- ix. The State Govt shall offer comments on the evacuation plan and provision for electric and water supply if required in the instant case and whether for the

same no further diversion is being sought by the user agency.

Yours faithfully,

(Dr. Dheeraj Mittal)
Assistant Inspector General of Forests

Copy to:

1. PCCF (HoFF), Government of Karnataka, Bengaluru.
2. DDGF (C) Regional Office, MoEF&CC, Bengaluru-
3. APCCF cum Nodal Officer (VSESA), 1980, Forest Department, Government of Karnataka, Bengaluru.
4. User Agency.
5. Monitoring Cell, FC Division, MoEF&CC, New Delhi.