

ಕರ್ನಾಟಕ ಸರ್ಕಾರ

GOVERNMENT OF KARNATAKA

ಪ್ರಧಾನ ಮುಖ್ಯ ಅರಣ್ಯ ಸಂರಕ್ಷಣಾಧಿಕಾರಿ
(ಅರಣ್ಯ ಪಡೆ ಮುಖ್ಯಸ್ಥರು) ರವರ ಕಛೇರಿ

Office of
Principal Chief Conservator of Forests
(Head of Forest Force)



ಅರಣ್ಯ ಭವನ, 18ನೇ ಅಡ್ಡರಸ್ತೆ,
ಮಲ್ಲೇಶ್ವರಂ, ಬೆಂಗಳೂರು-560 003

AranyaBhavan, 18th Cross,
Malleshwaram, Bengaluru-560 003
Telephone : 080 2334 6472
Email : apceffc@gmail.com

Old File No: A5(1).MISC.CR.18/2017-18
E-office File No. KFD/HOFF/A5-1(MISC)/8/2018-FC

E-64808
Date:19-06-2019

To,

The Additional Chief Secretary to Government
Department of Forest, Ecology and Environment
M. S. Building, Bengaluru

Sir,

Sub: Proposal for prospecting of minerals (exploration) over an extent of 325.74 hectare of forest land in erstwhile 'C' category mining lease (ML No. 2010) of RMML, NEB Range, Sandur Taluk, Ballari District by Mineral Exploration Corporation Limited (MECL), Nagpur-reg.

Proposal No. FP/KA/MRL/9/2017 [FORM-C]

- Ref:**
1. Government of India, Ministry of Environment, Forests & Climate Change (FC Division), New Delhi letter F.No.8-37/2018-FC dated 22-06-2018 [Stage-I approval].
 2. This office letter of even number dated:30-07-2018.
 3. Deputy Conservator of Forests, Ballari Division, Ballari letter No. M1/MNG/MECL/Survey/2017-18/96 dated 29-04-2019 [Compliance Report].
 4. Chief Conservator of Forests, Ballari Circle, Ballari letter No. M1:MNG:MECL:Survey:CR-9/2017-18 dated 18-05-2019 [Compliance Report].

Government of India, Ministry of Environment, Forests and Climate Change, New Delhi vide Ref (1) has accorded 'in-principle' (Stage-I) approval for the proposal for prospecting of mineral (exploration) over an extent of 325.74 hectare of forest land in erstwhile 'C' category mining lease (ML No. 2010) of RMML, NEB Range, Sandur Taluk, Ballari District by Mineral Exploration Corporation Limited (MECL), Nagpur 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 (2) to submit the compliance to the conditions of Stage-I approval.

The condition-wise compliance in respect of the conditions stipulated in the 'in-principle' (Stage-I) approval after verification has been received from the field officers (Ref - 3 & 4). Based on the reports received as above, the condition wise compliance to the conditions of Stage-I approval is as follows.

Conditions stipulated in Stage-I approval dated 22-06-2018 in Form-C		Status of Compliance
(i)	The User Agency shall intimate the maximum number of exploratory drilling/boreholes to be allowed in the proposed forest land of 325.74 ha;	The User Agency has submitted an 'Undertaking' in this regard. [ANNEXURE-I]
(ii)	State Government shall calculate compensatory levies and NPV for the prospecting proposal as per MoEF&CC guidelines no. 5-3/2007-FC dated 09/05/2018. The amount shall be deposited in Adhoc CAMPA account, prior to stage-II approval.	The User Agency has paid an amount of Rs. 52,31,384/- towards NPV charges for 2% of the forest land involved in total prospecting area of 325.74 ha @ Rs.8.03 lakh/ha to Ad-hoc CAMPA through e-payment portal

		vide UTR No. SBINR52019030800100536 dated 08-03-2019 [included in total amount of Rs.64,92,644]. Payment Page Print taken from FC Web portal is enclosed as ANNEXURE-II.
(iii)	Permission granted for prospecting under the provisions of FCA 1980 shall not confer any right of User Agency to get permission for extraction of mineral and diversion of Forest land under section 2(ii) of FCA 1980.	The User Agency has submitted an 'Undertaking' in this regard. [ANNEXURE-III]
(iv)	No tree felling, permanent change in land use of forest land and construction of new road shall be allowed. User Agency can utilize existing forest roads and paths without felling and damage to trees.	The User Agency has submitted an 'Undertaking' in this regard. [ANNEXURE-IV]
(v)	User Agency shall engage ICFRE to conduct study on the impact of number of bore holes for prospecting over forest and Wildlife of the area and suggest mitigation measures. The design of study shall be approved by MoEF&CC. All the mitigation measures shall be implemented by the User Agency at their own cost under supervision of Forest Department.	The User Agency has submitted an 'Undertaking' in this regard. [ANNEXURE-IVA]
(vi)	User Agency shall prepare a plan to plant 20 tall trees per bore hole area. The cost of preparation of the plan and plantation shall be borne by the User Agency. State Government shall ensure that plants are planted on abandoned bore hole area and degraded forest land as per prescription of working plan in a contiguous patch.	The User Agency has paid an amount of Rs. 12,61,260/- towards the cost of plantation of 20 tall trees per borehole i.e., 33 bore holes X 20 tall trees = 660 plants @ Rs.1,911/- per plant as per O.M No. B7/BUD/CR-14/2015-16 dated 26-10-2015 to Ad-hoc CAMPA through e-payment portal vide UTR No. SBINR520190308001 00536 dated 08-03-2019 [included in total amount of Rs. 64,92,644]. Payment Page Print taken from FC Web portal is already enclosed as ANNEXURE-II.
(vii)	No civil structures (temporary or permanent) shall be erected in the proposed area.	The User Agency has submitted an 'Undertaking' in this regard. [ANNEXURE-V]
(viii)	Exploration inside forest land shall be limited to the period from sunrise to sunset only.	The User Agency has submitted an 'Undertaking' in this regard. [ANNEXURE-VI]
(ix)	User Agency shall not sublease the exploration work.	The User Agency has submitted an 'Undertaking' in this regard. [ANNEXURE-VII]
(x)	No fire will be kindled inside and in the vicinity of the forest area.	The User Agency has submitted an 'Undertaking' in this regard. [ANNEXURE-VIII]
(xi)	User Agency shall follow the forest transit regulations while transporting the forest produce (excavated sample material) from the site.	The User Agency has submitted an 'Undertaking' in this regard. [ANNEXURE-IX]

(xii)	User Agency shall be liable for any violations under Karnataka Forests Act, 1963 and Rules, 1969 in addition to other relevant laws in and around the forest area concerned.	The User Agency has submitted an 'Undertaking' in this regard. [ANNEXURE-X]
(xiii)	User Agency has to pay the Net Present Value of forest land diverted under this proposal as per orders 28-03-2008 and 09-05-2008 of the Hon'ble Supreme Court.	Complied in Condition No. (ii) above
(xiv)	User Agency shall undertake appropriate measures at its own cost to appropriately restore Trenches/Pits dug for prospecting, wherever required, in consultation with the jurisdictional Deputy Conservator of Forests.	The User Agency has submitted an 'Undertaking' in this regard. [ANNEXURE-XI]
(xv)	Boreholes shall be capped by User Agency at own cost, once the exploration is over.	The User Agency has submitted an 'Undertaking' in this regard. [ANNEXURE-XII]
(xvi)	User Agency shall provide a list of authorized officials/ workers engaged in exploration to the forest department before commencing the work and also provide the Identity Cards/ Documents to each such official/ worker, to be produced when demanded by the Forest Department.	The User Agency has submitted an 'Undertaking' in this regard. [ANNEXURE-XIII]
(xvii)	User Agency shall be solely responsible for any injury/death/ disability, damage etc, caused or occurred during the exploration work under the relevant laws.	The User Agency has submitted an 'Undertaking' in this regard. [ANNEXURE-XIV]
(xviii)	User Agency shall make available a copy of its exploration findings, as soon as finalized, to the Forest Department.	The User Agency has submitted an 'Undertaking' in this regard. [ANNEXURE-XV]
(xix)	All other conditions imposed by the PCCF in their letter No. A5(1).MISC.CR.18/2017-18 dated 20.03.2018 shall be complied by the User Agency.	The User Agency has submitted an 'Undertaking' in this regard. [ANNEXURE-XVI]
(xx)	In case of violations of conditions by the User Agency, the permission for prospecting of minerals shall be suspended by the DFO and enquired by the Nodal Officer (FCA) of the State Government and report submitted to the Regional Office for appropriate action.	The User Agency has submitted an 'Undertaking' in this regard. [ANNEXURE-XVII]
(xxi)	The User Agency shall transfer the cost of raising and maintaining the compensatory afforestation at the current wage rate in consultation with State Forest Department in the account of Ad-hoc CAMPA of the concerned State through online portal. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years.	The latest FC guidelines do not stipulate CA charges in case of Survey and Prospecting proposals. As per para (ii) of the GOI FC Guidelines F.No. 11-96/2009-FC dated 04.07.2014, the area which is likely to experience temporary change in land use is exempted from requirement of Compensatory Afforestation. Further, the total extent of forest land undergoing permanent change in the instant case being less than one hectare, no CA charges are to be recovered in the present case as per the earlier FC guidelines.

(xxii)	The samples collected during the prospecting shall be used purely for investigation purpose and shall in no case be used for trade or commerce purpose;	The User Agency has submitted an 'Undertaking' in this regard. [ANNEXURE-XVIII]
(xxiii)	To minimize disturbance to the wildlife, user agency shall take all possible measures to minimize noise during prospecting operation and halt the prospecting activities during night and during such periods in the day as may be advised by the concerned Chief Wildlife Warden, concern State Forest Department;	The User Agency has submitted an 'Undertaking' in this regard. [ANNEXURE-XIX]
(xxiv)	The State Forest Department shall deploy adequate staff to supervise the activities to be undertaken by the User Agency to prevent any damage to the flora (especially the fresh regeneration), fauna and also to prevent felling of trees during drilling of holes and movement of equipment;	Forest Department will deploy adequate staffs to supervise the activities to be undertaken by the User Agency.
(xxv)	After completion of the prospecting all bore holes shall be completely filled up and the ground restored back to its original position;	The User Agency has submitted an 'Undertaking' in this regard. [ANNEXURE-XX]
(xxvi)	During transportation of Bore drilling Machine/ rigs, no new road / permanent path in the forest area will be constructed.	The User Agency has submitted an 'Undertaking' in this regard. [ANNEXURE-XXA]
(xxvii)	The State Government and the User Agency shall comply with any other condition that the concern Regional Office of this Ministry may stipulate, from time to time, in the interest of conservation, protection and development of forests & Wildlife; and	The User Agency has submitted an 'Undertaking' in this regard. [ANNEXURE-XXI]
(xxviii)	The State Government and User Agency shall comply the provisions of the all Acts, Rules, Regulations, Guidelines, NGT order & Hon'ble Court Order (s) pertaining to this project, if any, for the time being in force, as applicable to the project; and	The User Agency has submitted an 'Undertaking' in this regard. [ANNEXURE-XXII]

Under the above circumstances, it is requested to move the matter with the Government of India, Ministry of Environment, Forests and Climate Change for according the final (Stage-II) approval for the proposal for prospecting of mineral (exploration) over an extent of 325.74 hectare of forest land in erstwhile 'C' category mining lease (ML No. 2010) of RMML, NEB Range, Sandur Taluk in Ballari District by Mineral Exploration Corporation Limited (MECL), Nagpur under Section 2 of Forest (Conservation) Act, 1980.

Yours Faithfully

Additional Principal Chief Conservator of Forests (Forest Conservation) & Node Officer (FCA)

Copy to:

1. The Chief Conservator of Forests, Ballari Circle, Ballari for information.
2. The Deputy Conservator of Forests, Ballari Division, Ballari for information.
3. The Deputy General Manager & HOD, (Business Development & Commercial), Mineral Exploration Corporation Limited, Dr. Babasaheb Ambedkar Bhawan, Seminary Hills, Nagpur - 440 006, Maharashtra for information.

ರವಾನಿಸಲಾಗಿದೆ
ದಿನಾಂಕ 19/6/19
4.00 PM