

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: 24th March, 2022

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

Sub: Proposal for diversion of 12.4724 hectare of forest land (**Revised area 6.6978 hectare**) near Dharmapura village, Sandur Taluk, Ballari District for establishing Closed Pipe Conveyor System from Ramanadurga Iron Ore Mine (RIOM ML No. 2141) in favour of M/s Sri Kumaraswamy Mineral Exports Private Limited, Ballari. (Online proposal No. FP/KA/MIN/1247/2004). -regarding.

Sir/Madam,

I am directed to refer to the Government of Karnataka's letter No. FEE 07 FFM 2020 dated 15.07.2020 and 21.01.2022 on the above mentioned subject, seeking prior approval of Central Government under Section-2 (ii) of the Forest (Conservation) Act, 1980, and to say that the said proposal has been examined by the Forest Advisory Committee constituted by the Central Government under Section-3 of the aforesaid Act.

2. After careful consideration of the proposal of the Government of Karnataka and on the basis of the recommendations of the Forest Advisory Committee, the Central Government hereby agrees to *accord Stage-I / In-principle* approval under the Forest (Conservation) Act, 1980 for diversion of 12.4724 hectare of forest land (**Revised area 6.6978 hectare**) near Dharmapura village, Sandur Taluk, Ballari District for establishing Closed Pipe Conveyor System from Ramanadurga Iron Ore Mine (RIOM ML No. 2141) in favour of M/s Sri Kumaraswamy Mineral Exports Private Limited, Ballari, subject to the following conditions:-

A: Conditions which need to be complied prior to handing over of forest land by the State Forest Department and compliance is to be submitted prior to Stage-II approval:

- i. The User Agency shall transfer online, the Net Present Value (NPV) of the forest land being diverted under this proposal, as per the guidelines issued by this Ministry vide its letters No. 5-3/2011-FC (Vol.) dated 06.01.2022 and 19.01.2022. The requisite funds shall be transferred through online portal into Ad-hoc CAMPA account of the State Concerned;
- ii. *The State Government shall declare the CA area identified against the present proposal for diversion as forest area under section 29 of Indian Forest Act*

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1927 prior to Stage-II approval to the present proposal;

- iii. *The State Government shall ensure that the user agency prepares the soil moisture conservation plan, duly approved by the competent authority in the State, and deposit the amount for implementation of the plan in CAMPA account prior to Stage-II;*
- iv. The land identified for the purpose of CA shall be clearly depicted on a Survey of India topo sheet of 1:50,000 scale;
- v. The cost of compensatory afforestation at the prevailing wage rates as per compensatory afforestation scheme and the cost of survey, demarcation and erection of permanent pillars if required on the CA land shall be deposited through online e-portal into the CAMPA account in advance with the Forest Department by the project authority. The CA will be maintained for 10 years. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years;
- vi. All the funds received from the user agency under the project shall be transferred/deposited in CAMPA account only through e-portal (<https://parivesh.nic.in/>). Amount deposited through other mode will not be accepted as compliance of the Stage-I clearance.
- vii. The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>).
- viii. State Government shall complete the settlement of rights, in term of the Scheduled Tribes and Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, if any, on the forest land to be diverted and submit the documentary evidence, as prescribed by this Ministry's letter No. 11-9/1998-FC (Pt.) dated 03.08.2009 read with 05.07.2013, in support thereof;
- ix. Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as prescribed in para 1.21 of Chapter 1 of the Handbook of comprehensive guidelines of Forest (Conservation) Act, 1980 as issued by this Ministry's letter No. 5-2/2017-FC dated 28.03.2019; and
- x. The correct and complete KML files of area to be diverted and the CA areas shall be uploaded on the E-green watch portal with all requisite details;

B: Conditions which need to be complied on field after handing over of forest land to the user agency by the State Forest Department and undertaking in this respect shall be submitted prior to Stage-II approval:

- i. Legal status of the diverted forest land shall remain unchanged;
- ii. The Forest land will be handed over only after required non forest land for the project is handed over by the user agency;
- iii. The Compensatory Afforestation shall be taken up by the Forest Department over 12.4724 ha. non-forest land at the cost of the user agency. As far as possible, a mixture of local indigenous species shall be planted and monoculture of any species may be avoided. With provision for ten years on subsequent maintenance;
- iv. Additional amount of the NPV of the diverted forest land, if any, becoming due after finalization of the same by the Hon'ble Supreme Court of India on receipt of the report from the Expert Committee, shall be charged by the State Government from the User Agency. The User Agency shall furnish an

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- undertaking to this effect;
- v. User agency shall restrict the felling of trees to minimum number in the diverted forest land and the trees shall be felled under the strict supervision of the State Forest Department and the cost of felling of trees shall be deposited by the User Agency with the State Forest Department;
 - vi. Period of diversion of the said forest land under this approval shall be for a period co-terminus with the period of the mining lease granted under the Mines and Minerals (Development and Regulation) Act, 1957, as amended and the Rules framed there-under;
 - vii. The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required;
 - viii. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of project work;
 - ix. No labour camp shall be established on the forest land and the User Agency shall provide fuels preferably alternate fuels to the labourers and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas;
 - x. The boundary of the diverted forest land, mining lease and safety zone, as applicable, shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, distance from pillar to pillar and GPS co-ordinates;
 - xi. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work;
 - xii. The forest land shall not be used for any purpose other than that specified in the project proposal;
 - xiii. The forest land proposed to be diverted shall under no circumstances be transferred to any other agency, department or person without prior approval of the Central Government;
 - xiv. No damage to the flora and fauna of the adjoining area shall be cause;
 - xv. The layout plan of the mining plan/proposal shall not be changed without the prior approval of the Central Government;
 - xvi. The concerned Divisional Forest Officer, will monitor and take necessary mitigative/Safeguard measures to ensure that there is no adverse impact on the forests in the surrounding area;
 - xvii. The user agency shall explore the possibility of translocation of maximum number of trees identified to be felled and shall ensure that any tree felling shall be done only when it is unavoidable and that too under strict supervision of the State Forest Department;
 - xviii. 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 forests & wildlife shall be carried with by the State Government and user agency;
 - xix. The User Agency shall submit the annual self-compliance report in respect of the above stated conditions to the State Government, concerned Regional Office and to this Ministry by the end of March every year regularly; and
 - xx. The user agency shall comply all the provisions of the all Acts, Rules, Regulations, 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

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project.

After receipt of compliance report on fulfilment of the conditions mentioned above, the proposal shall be considered for final approval under Section-2 of the Forest (Conservation) Act, 1980. Transfer of forest land shall not be affected till final approval is granted by the Central Government in this regard.

Yours faithfully,


(Rinku Kumari) 24/03/22

Assistant Inspector General of Forests

Copy to: -

1. The Principal Chief Conservator of Forests (HoFF), Government of Karnataka, Bengaluru.
2. The Regional Officer, Integrated Regional Office, MoEF&CC, Bengaluru.
3. The Nodal Office (FCA), Forest Department, Government of Karnataka, Bengaluru.
4. User Agency.
5. Monitoring Cell, FC Division, MoEF & CC, New Delhi, for uploading.