

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

Indira Paryavaran Bhawan,

Jor Bagh Road, Aliganj,

New Delhi 110003,

Dated: 22nd October, 2021

To

The Additional Chief Secretary to Government,

Forest, Ecology and Environment Deptt.,

Government of Karnataka,

Bangalore.

Sub: Proposal for diversion of 0.604 hectare of forest area proposed for Downhill Pipe Conveyor (DHPC) for Bhadra Iron Ore Mine (ML No. 2365) and Tunga iron Ore Mine M.L. No. 2366 in favour of M/s. JSW Steel Ltd in Ballari District of Karnataka (Proposal No. FP/KA/Others/27706/2017) - regarding.

Sir,

I am directed to refer to the Government of Karnataka's letter no. FEE 28 FFM2018 date 20.08.2018 on the above mentioned subject, wherein prior approval of the Central Government for diversion of 0.604 hectare of forest area proposed for Downhill Pipe Conveyor (DHPC) for Bhadra Iron Ore Mine (ML No. 2365) and Tunga iron Ore Mine M.L. No. 2366 in favour of M/s. JSW Steel Ltd in Ballari District of Karnataka, was sought in accordance with Section-2 (ii) of the Forest (Conservation) Act, 1980. After careful consideration of the proposal by the Forest Advisory Committee constituted under Section-3 of the said Act, *In-principle approval/Stage-I clearance* for diversion of the said forest land was accorded by the Ministry vide its letter of even number dated 31.12.2018 subject to fulfillment of certain conditions. The State Government has furnished compliance report in respect of the conditions stipulated in the Stage-I approval and has requested the Central Government to grant final approval.

2. In this connection, I am directed to say that on the basis of the compliance report furnished by the Government of Karnataka vide their letter No.FEE 28 FFM 2018 dated 18.11.2020 and letter No. FEE 28 FFM 2018 dated 24.06.2021 *Final approval/Stage - II Clearance* of the Central Government is hereby granted under Section-2 (ii) of the Forest (Conservation) Act, 1980 for diversion of 0.604 hectare of forest area proposed for Downhill Pipe Conveyor (DHPC) for Bhadra Iron Ore Mine (ML No. 2365) and Tunga iron Ore Mine M.L. No. 2366 in favour of M/s. JSW Steel Ltd in Ballari District of Karnataka, subject to the following conditions: -

A: Conditions which need to be complied prior to handing over of forest land to user agency by the State Govt.:

- i. The non-forest land to be transferred and mutated in favour of the State Forest Department for raising Compensatory Afforestation shall be notified as Reserved Forest under Section-4 or Protected Forest under Section-29 of the Indian Forest Act, 1927 or under the relevant Section (s) of the local Forest Act;
- ii. The State Govt. shall ensure the complete compliance on FRA, 2006; It should also be ensured that the FRA certificate issued by District collector is complete with letter number, date, name, signature and official seal, as required in the certificate;
- iii. The State Govt. shall ensure that the boundary of the diverted forest land, 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; and
- iv. The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required;
- v. The State Government shall upload the kml files of the area under diversion and the accepted Non-forest land and degraded forest land for raising compensatory afforestation in the E-Green Watch portal of FSI, before handing over forest land to the user agency;

B: Conditions which need to be complied after handing over of forest land to the user agency by the State Govt.:

- i. Legal status of the diverted forest land shall remain unchanged;
- ii. Compensatory afforestation shall be raised on identified land within a period of three years with effect from the date of issue of Stage-II clearance and maintained thereafter in accordance with the approved Plan by the State Forest Department at the project cost;
- iii. The user agency shall, after ceasing mining operations, undertake re-grassing the mining area, and any other areas which may have been disturbed due their mining activities and restore the land to a condition which is fit for growth of fodder, flora, fauna, etc.
- iv. The user agency shall pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India and transfer the same to the ad-hoc CAMPA under intimation to this Ministry;
- v. The 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 proposed to be granted under the Mines and Minerals (Development & Regulating) Act, 1957, as amended or Rules framed there under;
- vi. The State Govt. shall ensure that the forest land shall not be used for any

- purpose other than that specified in the proposal and under no circumstances be transferred to any other agency, department or person without obtaining prior approval of the Central Government;
- vii. The User Agency shall restrict the felling of trees to minimum numbers in the diverted forest land and trees shall be felled under strict supervision of the State Forest Department;
- viii. The layout plan of the proposal shall not be changed without prior approval of Central Government;
- ix. No labour camps shall be set up inside the forest area. Labour management plan should be implemented with emphasis that no labour camp be set up in the close vicinity of the eco-fragile and sensitive areas;
- x. The Sufficient firewood, preferably the alternate fuel, shall be provided by the User Agency to the labourer after purchasing the same from the State Forest Department or the Forest Development Corporation or any other legal source of alternate fuel;
- xi. The boundary of the diverted forest land shall be suitably demarcated on ground at the project cost, as per the directions of the concerned Divisional Forest Officer;
- xii. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work;
- xiii. No damage to the flora and fauna of the area shall be caused;
- xiv. The concerned Divisional Forest Officer, will monitor and take necessary mitigative measures to ensure that there is no adverse impact on the forests in the surrounding area;
- xv. 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;
- xvi. The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without prior approval of Govt. of India;
- xvii. The State Govt. shall ensure that the Compliance report of this approval is uploaded on e-portal (<https://parivesh.nic.in/>);
- xviii. The Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as per the para 1.21 of comprehensive guidelines issued vide this Ministry F. No.5-2/2017-FC dated 28th March, 2019;
- xix. Any other condition that the Ministry of Environment, Forests & 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; and
- xx. The State Government and user agency shall ensure compliance to all conditions stipulated in the Stage-I approval letter dated 31.12.2018 for which

undertakings have been obtained from the user agency and also the provisions of the all Acts, Rules, Regulations and Guidelines, relevant Hon'ble Court Order (S) and NGT Order (S), if any, pertaining to this project for the time being in force, as applicable to the project;

Yours faithfully,

Sd-

(Sandeep Sharma)

Assistant Inspector General of Forests

Copy to: -

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