



OFFICE OF THE DEPTUTY CONSERVATOR OF FOREST
BALLARI DIVISION, BALLARI

No.M1/MNG/MSPL/2559/2018-19

Dated: 27.08.2020

To,

The Chief Conservator of Forests,
Ballari Circle, Ballari

Sir,

Sub : Diversion of 28.299 ha of forest land (26.699 ha for mining and 1.60 ha for approach road) for mining purpose in favour the successful bidder i.e. M/s. MSPL Ltd, Hosapete, Ballari District (erstwhile 'C' Category, M.L.No.2559 of M/s. Karthikeyas Manganese & Iron Ore Pvt Ltd) in Subbarayanahalli Village, Sandur South Range, Ballari District - reg.,

- Ref : 1) Letter No. F.No.4-KRC1203/2019-BAN Dt. 08.08.2019 & 21.01.2020 of Ministry of Environment, Forest and Climate Change, Gol New Delhi.
2) Letter No. KFD/HOFF/A5-1/(MNG)/16/2018-FC Dt. 04/10.02.2020 of the Additional Principal Chief Conservator of Forests (Forest Conservation), Bengaluru.
3) Letter No.M1/MNG/TRF/ML.No.2559/CR-11/2018-19 Dt. 03.03.2020 of the Chief Conservator of Forests, Ballari Circle, Ballari
4) This office letters Dt.09.03.2020 & 15.06.2020.
5) M/s. MSPL Limited, Hospet letters Dt. 22.05.2020, 10.07.2020, 30.07.2020 & 29.07.2020

With reference to the above subject, the Ministry of Environment, Forests and Climate Change, Government of India has sought certain information for above proposal seeking Stage-I approval under Forest (Conservation) Act, 1980 vide letter under Ref (1). The Additional Principal Chief Conservator of Forests (Forest Conservation), Bengaluru and the Chief Conservator of Forests, Ballari Circle, Ballari have directed the undersigned to submit following information as sought by the Government of India vide letters under Ref (2) & (3).

In this regard, following observations are submitted for consideration upon perusal of information/compliance submitted by the User Agency (M/s. MSPL Limited, Hospet) vide letter under Ref (5);

Sl. No.	Particulars	Information
(i)	CCF, Ballari in his letter Dt. 14-03-2019 has reported several Schedule-I species viz. Pangolin, bear, Leopard, Peafowl, Wolf, Monitor Lizard, etc., in and around the forest land proposed for non-forestry use. However, comments of Chief Wildlife Warden on the possible impact of the mining on the fauna and mitigating measures, if any required to be taken have not been submitted along with the proposal.	The User Agency has prepared the Wildlife Management Plan for the proposed project site and submitted to the Principal Chief Conservator of Forests (Wildlife), Bengaluru vide their letter Dt.30.07.2020 (Copy of the Wildlife Management Plan enclosed as Annexure-1).

(ii)	As per the lease sketch, prepared on the basis of joint verification of Forest, Revenue and Mining Department of the State, the area of the lease is 26.699 while the Mining Plan has been approved for 26.71 ha. Therefore, discrepancy in the lease area (forest area) and area approved in the Mining Plan needs to be rectified by the State Government.	The extant of lease as per the CEC digitization sketch is 26.71 Ha. The User Agency has agreed to reduce area to an extant of 0.011 Ha as there is an overlapping with M/s. Mysore Minerals Limited. The actual area thus available for mining lease is 26.699 hectares. Further, the UA has submitted a proposal for the approach road for 1.60 Ha. Hence, the Forest Clearance may be proposed over an extant 28.299 Ha (26.699 ha for mining and 1.60 ha for approach road) (Copy of the undertaking to this effect is enclosed as Annexure-2).												
(iii)	All parameters, as stipulated in the guidelines Dt. 01.05.2017 incorporated at Annexure-III of the Handbook of the Forest (Conservation) Act, 1980 have not been accounted for while estimating the benefits and loss of the project. Revised Cost-Benefit Analysis needs to be submitted by accounting for all the parameters stipulated in the guidelines	The revised cost benefit analysis as submitted by the User Agency (vide their letter Dt. 30.07.2020) is enclosed as Annexure-3 .												
(iv)	As the extant mine is a C-category mine wherein violation of the Forest (Conservation) Act, 1980 have been committed by carrying out mining without obtaining prior approval of the Central Government. Details of penalties levied on the erstwhile User Agency and penal payments made, if any, on account of violation of the Forest (Conservation) Act, 1980 has not been mentioned in the proposal.	As per the directions of the Hon'ble Supreme Court of India in WP No. 562/2009, the Central Empowered Committee conducted a Joint Survey of the M/s. Karthikeyas Manganese & Iron Ore Pvt Ltd. (ML No. 2559) and confirmed the following encroachments. <table border="1"> <tr> <td>1)</td><td>Mining Pit</td><td>-</td></tr> <tr> <td>2)</td><td>OB Dumps</td><td>0.87 ha</td></tr> <tr> <td>3)</td><td>Other encroachments</td><td>23.48 ha</td></tr> <tr> <td></td><td>Total</td><td>24.35 ha</td></tr> </table> A forest offence case (FOC No. 13/2012-13 Dt. 03-10-2012) has been booked against M/s. Karthikeyas Manganese & Iron Ore Pvt Ltd, ML No. 2559 for the said violations. The charge sheet in this case is yet to be filed. [The undersigned has directed the Range Forest officer, Sandur South Range, Sandur to file the charge-sheet at JMFC, Sandur vide letter No. A6/FOC/SS/2019-20 Dt.02.03.2020]. Copy of the letter and Form-24 (Rule 72) is enclosed herewith as Annexure-4.	1)	Mining Pit	-	2)	OB Dumps	0.87 ha	3)	Other encroachments	23.48 ha		Total	24.35 ha
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2)	OB Dumps	0.87 ha												
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	Total	24.35 ha												

This is for your kind information and needful action.

Yours Faithfully,

Sd/-

Deputy Conservator of Forests
Ballari Division, Ballari

- 1) Copy submitted to the Principal Chief Conservator of Forests (Wildlife), Bangalore for kind information.
- 2) Copy submitted to the Principal Chief Conservator of Forests (Forest Conservation), Bangalore for kind information.
- 3) Copy to M/s. MSPL Limited, ML No. 2559, Baldota Enclave, Abheraj Baldota, Hospete for information.

Deputy Conservator of Forests,
Ballari Division, Ballari

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28/08/2020
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