

GOVERNMENT OF KARNATAKA

ಪ್ರಧಾನ ಮುಖ್ಯ ಅರಣ್ಯ ಸಂರಕ್ಷಣಾಧಿಕಾರಿ
(ಅರಣ್ಯ ಪಡೆ ಮುಖ್ಯಸ್ಥರು) ರವರ ಕಛೇರಿ
Office of the
Principal Chief Conservator of Forests
(Head of Forest Force)



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E-office File No. KFD/HOFF/A5-1(MNG)/65/2019-FC

E-120537

Date 21-08-2020

07-09-2020

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To,

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

Sir,

Sub: Diversion of 6.35 hectare of forest land for mining in Ramana Malai (RM) Block forest (Ramgad), Sandur Taluk, Ballari District [*proposed Ramgad Iron Ore Mine*] in favour of Sri D. Ramesh S/o Sri D. Pullaiah, City Press Compound, Ballari

Proposal No. FP/KA/MIN/15687/2015

- Ref:**
1. This office letter of even number dated 03-12-2019 [*proposal seeking Stage-I approval*] and 24-02-2020 [*seeking Site Suitability Certificate from Deputy Conservator of Forests*]
 2. Government of Karnataka letter No. FEE 44 FFM 2019 dated 16-01-2020 [*proposal seeking Stage-I approval*], 29-02-2020 [*communication of GOI letter dated 28-01-2020*] and 12-06-2020 [*communication of User Agency letter dated 06-05-2020*]
 3. Government of India, Ministry of Environment, Forests & Climate Change, Regional Office, Bengaluru letter F. No. 4-KRC1223 /2020-BAN/1545 dated 28-01-2020 [*seeking additional information / clarification through EDS query dated 30-01-2020*]
 4. Chief Conservator of Forests, Ballari Circle letter dated 09/07/2020 [*Site suitability Certificate*]

The abovementioned proposal seeking Stage-I approval under Section 2 (ii) of the Forest (Conservation) Act, 1980 has been submitted by this office vide Ref (1) and by Government of Karnataka vide Ref (2) to the Government of India.

In response, Government of India vide Ref (3) has sought certain information / clarification. The same was communicated by this office vide Ref (1) letter dated 24-02-2020 to the field officers seeking the Site Suitability Certificate for the proposed Compensatory Afforestation land.

Accordingly, the Field officers have vide Ref (3) & (4) submitted the Site Suitability Certificate for the proposed Compensatory Afforestation land. Further, the information / clarification for the observation raised by Government of India is as follows.

Information / clarification sought by GOI		Reply / Clarification
(i)	State Government's comments on the observation of DCF, Ballari and CCF, Ballari Circle that sanction of new mining lease in fresh forest area is not justifiable as the production capacity of existing mines exceeds the maximum permissible annual production fixed for the 'A' & 'B' Category mines of Ballari District, since this is a new lease.	<p>The Hon'ble Supreme Court through Judgment dated 14-12-2017 (Paragraph 12 & 18) has revised and enhanced the production ceiling (from 25 MMT) to 28 MMT in respect of the mining leases in the District Ballari and 07 MMT (from 5 MMT) in respect of the mining leases in Districts Tumkuru and Chitradurga and has taken out the Category 'C' mines from the District level ceiling and no separate cap for Category "C" mines has been stipulated. Further the Hon'ble Court directed that at an appropriate time, a separate cap for Category "C" mines may be worked out, independent of the cap revised by the Hon'ble Court, after considering the infrastructure and other relevant parameters for mining and evacuation of mine and mineral that may be ready at that relevant point of time. Presently, the total permissible production in respect of the three Districts is 35 MMT for Category "A" and "B" mining leases. There is no separate cap on production in respect of Category "C" mines sold through e-auction (copy of the Hon'ble Supreme Court Judgment dated 14-12-2017 is enclosed).</p> <p>The Hon'ble Supreme Court by order dated 02-11-2012 had directed that no new mining leases in Ballari, Tumkur and Chitradurga be granted without obtaining permission of the Hon'ble Court. The Hon'ble Court subsequently, by Judgment dated 18-04-2013 has lifted the embargo and directed that grant of fresh mining leases and consideration of pending application are to be dealt with in accordance with law, the directions contained in the order dated 18-04-2013, of the Hon'ble Court and the spirit thereof.</p> <p>The present FC proposal is a new mining</p>
(ii)	Overall carrying capacity of the area keeping in the mind the cap on production by the Hon'ble Supreme Court / Central Empowered Committee vis-à-vis A, B & C category mines and new leases of mines.	
(iii)	Views of the State Government on the opinion of Principal chief Conservator of Forests (Head of Forest Force), Karnataka regarding grant of fresh mining and mineral prospecting activity in unbroken forest area as forwarded vide letter No. A5(1)/MNG/CR-28/15-16 dated 13/08/2019.	

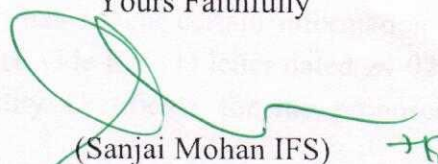
		<p>lease (pending application) neither falls in Category 'A' & 'B' nor Category 'C' mining lease.</p> <p>In light of the above facts, the cap on production is not applicable to this proposal and the proposals can be considered on case to case basis, as the Mines and Geology Department is also in the process of assigning the mining leases under MMDR Act for new areas taking into consideration the long term requirement of the Iron and Manganese Ores in the State of Karnataka.</p>
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It is also requested that information on the following points specific to the proposal under reference may also be furnished:-

(a)	Justification / Clarification regarding inclusion of overlapping area of 1.36 ha in the current proposal.	As per field verification and Joint Survey report of the Forest Department, Revenue Department and Mines & Geology Department, it was found that out of 6.35 hectare applied by the User Agency, 1.36 hectare overlapped with M/s J M Vrushabendraiah ML No. 2173 (Category 'C' mines). The Hon'ble Supreme Court in its WP No. 562/2009 has finalized the lease boundaries of J. M. Vrushabendraiah mining lease (ML No. 2173). Since the applied area overlaps with the finalized lease boundary of J.M. Vrushabendraiah Mines, the applied area needs to be deleted about 1.36 hectare. Thus, the lease area for mining is to be considered for 4.54 hectare (5.90 ha-1.36 ha) and 0.45 ha for approach road totaling to 4.99 ha only.
(b)	Site suitability of non-forest land proposed for Compensatory Afforestation.	The Chief Conservator of Forests, Ballari Circle, Ballari vide letter dated 09/07/2020 has submitted the Site Suitability Certificate issued by Deputy Conservator of Forests, Ballari Division, Ballari in Format-B (copy enclosed).

In view of the above, it is requested to submit the above information / clarification to Government of India for taking further action.

Yours Faithfully



(Sanjai Mohan IFS)

Principal Chief Conservator of Forests
(Head of Forest Force)

1. Copy to the Chief Conservator of Forests, Ballari Circle, Ballari for information.
2. Copy to the Deputy Conservator of Forests, Ballari Division, Ballari for information.
3. Copy to Sri D. Ramesh, S/o D. Pullaiah, City Press Compound, Ballari – 583 101 for information.

olc

RS
D. Ramesh
29.2.2023

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