

ಕರ್ನಾಟಕ ಸರ್ಕಾರ

GOVERNMENT OF KARNATAKA

ಪ್ರಧಾನ ಮುಖ್ಯ ಅರಣ್ಯ ಸಂರಕ್ಷಣಾಧಿಕಾರಿ

(ಅರಣ್ಯ ಪಡೆ ಮುಖ್ಯಸ್ಥರು) ರವರ ಕಛೇರಿ

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



ಅರಣ್ಯ ಭವನ, 18ನೇ ಅಡ್ಡರಸ್ತೆ

ಮಲ್ಲೇಶ್ವರಂ, ಬೆಂಗಳೂರು-560 003

Aranya Bhavan, 18th Cross
Malleswaram, Bengaluru-560 003

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Email:apccffc@gmail.com

Old File No:A5(1).MNG.CR-15/2015-16

E-office File No. KFD/HOFF/A5-1(MNG)/31/2019-FC

E-79014

Date 09-08-2021

To,

The Chief Conservator of Forests
Ballari Circle, Ballari

Sub: Proposal for diversion of 75.92 ha of forest land (near M.L. No.2396 of NMDC) in Donimalai (DM) forest Block, Sandur, Taluk, Ballari District for construction of new Screening Plant-II, Two Tailing dams (I & II) and laying of Water pipeline in favour of NMDC limited. Donimalai Township, Sandur, Taluk, Ballari District

[Online Proposal No.FP/KA/Others/14576/2015]

- Ref:**
1. This office letter of even number dated 11-002-2021 [seeking for Stage-I approval] and 27-04-2021 [additional information]
 2. Government of Karnataka letter No. FEE 16 FFM 20219(e) dated 25-06-2021 to Government of India [proposal seeking Stage-I approval]
 3. Government of India, Ministry of Environment, Forest & Climate Change (Forest Conservation Division), New Delhi letter F.No. 8-17/2021-FC dated 06-08-2021 [Sought additional information]

The above mentioned proposal seeking Stage-I approval has been submitted by this office vide Ref (1) and by Government of Karnataka vide Ref (2) to the Government of India.

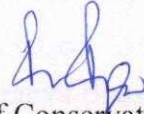
In response, Government of India vide Ref (3) has sought certain information as detailed below.

- i. The User Agency has applied the instant proposal under the Others category in PARIVESH portal instead of Mining category. The components mentioned for diversion seems to be the ancillary activities of Mining. In this regard the State govt. may provide its Justification.
- ii. From the documents submitted by the State Government it is not clear that whether these activities were already part of the earlier approved Mining Plan (ML 2396).
- iii. The State Govt. is requested to submit the detail of total Mining Lease of the entire Area.
- iv. The State Govt. is requested to submit the details of total Forest land

involved in the entire Mining Lease and the details regarding how much Forest area has already been diverted.

- v. The State Government is requested to submit the approved mining plan and valid lease documents including the lease period.
- vi. The State Government may clarify whether the instant proposal is a part of the old proposal which was granted stage-II approval vide this Ministry's letter no. 8-107/91- FC dt 06.02.2009. KML file for the entire area of lease along with separate files of non- forest and forest area with in lease shall be provided.
- vii. The Cost Benefit (CB) ratio uploaded by the User Agency has not been verified/signed by the competent authority in the forest department. Moreover, it shows higher value and shall be re-verified by the State Government. In this regard the State Govt. is requested to submit the revised CB ratio approved as per latest guidelines.
- viii. The CA Scheme for 12 years is uploaded in the PARIVESH portal and the same is not legible In this regard a legible copy of CA scheme may be uploaded in PARIVESH by the State Government.
- ix. The present status and KML file of the CA areas w.r.t. the earlier granted stage-II approval vide this Ministry's letter no. 8-107/1991-FC dt 06.02.2009 may be forwarded to the Ministry.
- x. The complete compliance of the earlier diverted area i.e. 608 ha which was granted Stage-II/final approval vide this Ministry's letter no. dt. 8-107/91-FC dt 06.02.2009 may be submitted by the State Government.
- xi. The Compensatory afforestation has been proposed over C&D class over Non-forest/ Revenue land equal in extent to the forest land being diverted. But the proposed CA land is reported to be not suitable for carrying out plantation. As per the existing Rules and Guidelines number of plants to be planted over Non-Forest land identified for CA shall be at least 1000 plants per hectare. In this regard, the State Govt. is requested to identify the degraded forest land where the balance seedlings can be planted and forward the kml files of the site to this Ministry with the revised CA Scheme.
- xii. The Site suitability certificate submitted by the concerned DFO mentions about an area of 451.228 ha., but the area requirement for CA in instant proposal is 75.92 ha. In this regard, a revised site suitability may be submitted and clear recommendation for the CA area over non forest land may be provided. From the perusal of documents it is not understood that why the CA suitability certificate of 451.228 ha has been submitted.
- xiii. The proposal is not site specific and it is requested to explore non forest area for establishing the proposed structures. The details about the alternate sites explored and identified for the instant proposal by the State Government shall be submitted.

A copy of the said letter is enclosed herewith. You are directed to get the information / documents from the Deputy Conservator of Forests Ballari Division and submit the same to this office with your specific opinion on the same.



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

Copy along with copy of GOI and GOK letter communicated to:

1. The Deputy Conservator of Forests, Ballari Division, Ballari for information and necessary action.
2. M/s NMDC Limited, Donimalai Township, Sandur Taluk, Ballari District – 583 118 for information.



GOVERNMENT OF KARNATAKA

R.P.A.D

No. FEE 16 FFM 2021 (e)

Karnataka Government Secretariat

Multistoried Buildings,

Bengaluru, Date:25-06-2021

From:

The Additional Chief Secretary to Government,
Forest, Ecology and Environment Department,
Bengaluru-560001.

To:

The Secretary to Government of India,
Ministry of Environment, Forest and Climate Change,
Paryavaran Bhawan, CGO Complex, Lodhi Road,
New Delhi-11003.

Sir,

Sub: Diversion of 75.92 hectare of forest land (near ML.No.2396 of NMDC) in Donimalai (DM) Forest Block, Sandur Taluk, Ballari District, for construction of new Screening Plant-II, Two Tailing dams (I & II) and laying of water pipeline in favour of NMDC Limited, Donimalai Township, Sandur Taluk, Ballari District.

Ref: The Principal Chief Conservator of Forest (Head of Forest Force), Bengaluru letter No. KFD/HOFF/A5-1(MNG)/31/2019-FC, Dated : 11-02-2021 and Dated: 27-04-2021

With reference to the above subject, the proposal submitted by the Principal Chief Conservator of Forests (HoFF), Bengaluru vide letter referred at above and recommendation of the State Government (Part-V) are herewith enclosed.

I am directed to request you to convey **'in-principle' (Stage-I) approval** under Section 2 of the Forest (Conservation) Act, 1980 for Diversion of 75.92 hectare of forest land (near ML.No.2396 of NMDC) in Donimalai (DM) Forest Block, Sandur Taluk, Ballari District, for construction of new Screening Plant-II, Two Tailing dams (I & II) and laying of water pipeline in favour of NMDC Limited, Donimalai Township, Sandur Taluk, Ballari District.

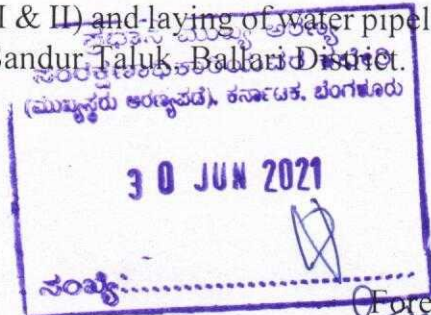
Yours faithfully

(S. SRINIVASA)

Under Secretary to Government
Forest, Ecology and Environment Department (Forest-C)

Copy to:

1. The Principal Chief Conservator of Forests (HoFF), Aranya Bhavan, Malleshwaram, Bengaluru-560003.
2. Spare Copies/SGF.



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15/06/2021

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

Indira Paryavaran Bhawan,
Aliganj, Jor Bagh Road,
New Delhi: 1100 03,
Dated: 6th August, 2021

To,
The Additional Chief Secretary (Forests),
Department of Forests & Environment,
Government of Karnataka,
Bangalore.

Sub:-Proposal for diversion of 75.92 ha. of forest land (near M.L. No.2396 of NMDC) in Donimalai (DM) forest Block, Sandur, Taluk, Ballari District for construction of new Screening Plant-II, Two Tailing dams (I & II) and laying of Water pipeline in favour of NMDC limited. Donimalai Township, Sandur, Taluk, Ballari District. (Online Proposal No.FP/KA/Others/14576/2015).-regarding.

Sir/Madam

I am directed to refer to the Government of Karnataka's letter No. FEE 16 FFM 2021 (e) dated 25.06.2021 on the above mentioned subject seeking prior approval of the Central Government in accordance with Section-2 (ii) of the Forest (Conservation) Act, 1980. After preliminary scrutiny of the proposal the Ministry revealed the following shortcomings:

- i. The User Agency has applied the instant proposal under the Others category in PARIVESH portal instead of Mining category. The components mentioned for diversion seems to the ancillary activities of Mining. In this regard the State govt. may provide its Justification.
- ii. From the documents submitted by the State Govt it is not clear that whether these activities were already part of the earlier approved Mining Plan (ML 2396).
- iii. The State Govt. is requested to submit the detail of total Mining Lease of the entire Area.
- iv. The State Govt. is requested to submit the details of total Forest land involved in the entire Mining Lease and the details regarding how much Forest area has already been diverted.
- v. The State Government is requested to submit the approved mining plan and valid lease documents including the lease period.
- vi. The State Government may clarify whether the instant proposal is a part of the old proposal which was granted stage-II approval vide this Ministry's letter no. 8-107/91-FC dt 06.02.2009. KML file for the entire area of lease along with separate files of non forest and forest area with in lease shall be provided.
- vii. The CB ratio uploaded by the User Agency has not been verified/signed by the

competent authority in the forest department. Moreover, it shows higher value and shall be re-verified by the State Government. In this regard the State Govt. is requested to submit the revised CB ratio approved as per latest guidelines

- viii. The CA Scheme for 12 years is uploaded in the PARIVESH portal and the same is not legible. In this regard a legible copy of CA scheme may be uploaded in PARIVESH by the State Government.
- ix. The present status and KML file of the CA areas w.r.t. the earlier granted stage-II approval vide this Ministry's letter no. 8-107/1991-FC dt 06.02.2009 may be forwarded to the Ministry.
- x. The complete compliance of the earlier diverted area i.e. 608 ha which was granted Stage-II/final approval vide this Ministry's letter no. dt. 8-107/91-FC dt 06.02.2009. may be submitted by the State Government.
- xi. The Compensatory afforestation has been proposed over C&D class over Non-forest/ Revenue land equal in extent to the forest land being diverted. But the proposed CA land is reported to be not suitable for carrying out plantation. As per the existing Rules and Guidelines number of plants to be planted over Non-Forest land identified for CA shall be at least 1000 plants per hectare. In this regard, the State Govt. is requested to identify the degraded forest land where the balanced seedling can be planted and forward the kml files of the site to this Ministry with the revised CA Scheme.
- xii. The Site suitability certificate submitted by the concerned DFO mentions about an area of 451.228 ha., but the area requirement for CA is instant proposal is 75.92 ha. In this regard, a revised site suitability may be submitted and clear recommendation for the CA area over non forest land may be provided. From the perusal of documents it is not understood that why the CA suitability certificate of 451.228 ha has been submitted.
- xiii. The proposal is not site specific and it is requested to explore non forest area for establishing the proposed structures. The details about the alternate sites explored and identified for the instant proposal by the State Government shall be submitted.

In this regard, the State Government is requested to submit the information/clarification/documents as indicated above, to this Ministry for further consideration of the proposal.

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 Department, 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.