



To,

✓ The Principal Chief Conservator of Forests
(Forest Conservation),
Aranya Bhavan, Malleshwaram,
BENGALURU.

Sir,

Sub: Diversion of *Ex-post facto* approval for 3.331 Ha (4.3013 Ha) under
Section-2 of FCA-1980 for approach road to ML No.2677 through Gate-3
project of Vedanta Ltd., in Megalahalli Village & Chitradurga Taluk,
Chitradurga District.

Proposal No. FP/KA/MIN/144881/2021

Ref: 1. Online communication Dated: 30-08-2023
2. Revised online proposal received to this office dated:02-12-2024.
3. Letter No. A6/FC/Vedanta/144881/CR-16/2023-24 dtd. 04-12-2024 of
the Deputy Conservator of Forests, Chitradurga Division, Chitradurga

With reference to the above cited subject, the Deputy Conservator of Forests, Chitradurga in his letter (3) cited above has submitted the revised proposal for *Ex-post facto* approval for approach road to ML No.2677 through gate-3 for 3.331 Ha. of Forest land in Sy No.20 of Megalahalli, Sy No.9 of Marijogihalli and Sy No.6 of Bedarbommenhalli village in Nirthadi State (Reserved) Forest, Hireguntanur Hobli, Chitradurga taluk, Holalkere Range, Chitradurga district under Section-2 of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 duly obtaining from the user agency. Further, it is reported that, the Deputy Conservator of Forests, Chitradurga has inspected the proposed site on 09-11-2024 and submitted the following report for further action.

Component wise breakup	Village	Sy No.	Extent (in Ha)	Status of Forest land
Diversion of <i>Ex-post facto</i> approval for approach road to ML No.2677 through gate-3 for 3.331 Ha of Forest land in Sy No.20 of Megalahalli, Sy No.9 of Marijogihalli and Sy No.6 of Bedarbommenhalli village in Nirthadi State (Reserved) Forest, Hireguntanur Hobli, Chitradurga taluk, Holalkere Range, Chitradurga district in favour of M/s Vedanta Ltd., Megalahalli office Complex, Bheemasamudra, Chitradurga.	Megalahalli	20	1.828	Recorded Forest
	Marijogihalli	9	0.174	Nirthadi RF
	Bedarabommea halli	6	1.329	Recorded Forest
Total			3.331	

- FC Violation
It is reported
later
1. Proposed area is the bare minimum and unavoidable.
 2. Proposed forest area falls under Eco-class-III. Southern tropical scrub Jungle.
 3. No tree is required to be felled.
 4. There are no rare/endangered/unique species of flora and fauna in the proposed area.
 5. The proposed area does not form part of any declared National Park, Wildlife Sanctuary, Biosphere Reserve and Tiger reserve or Elephant corridor.
 6. There are no protected/archaeological/heritage sites/defence/ establishment located in the proposed area.
 7. Major wild animals found in the area include Sloth bear, Leopard, Wild boar, Hare etc.,
 8. The forest area is open forest.
 9. Violation reported under Forest Conservation Act, 1980.

Status of FC Approval for ML No. 2677

- a) Status of FC approval for use of forest land for mining lease (161.54 ha) and Gate-2 Approach Road from ML No.2677 towards BBH/MEL Railway sidings (3.25ha)
 - i) Government of India vide F.No.8-81/1992-FC(Pt), dated:30-12-2014 (ANNEXURE-1) has accorded the final approval under Section-2 the Forest (Conservation) Act, 1980 for renewal of mining lease over 164.79 ha of forest land (161.54 ha for mining lease + 3.25 ha for approach road) in Nirthadi Reserved Forest in favour of M/s Sesa Sterlite Limited (formerly M/s Sesa Goa Limited) for a period co-terminus with the mining lease period under Mines and Minerals (Development and Regulation) Act 1957 subject to a maximum of 20 years.
 - ii) Accordingly, the State Government vide G.O. No.FEE 91 FFM 2012, dated:07-01-2015 (ANNEXURE-2) has accorded permission for diversion of the said 164.79 ha of forest land (161.54 ha for mining lease + 3.25 ha for approach road).
- b) **Status of FC approval for use to forest land for Gate-1 Approach Road Passing through Chowdenahalli village sy No. 1 and Tanigehalli village Sy No. 35 towards Sasalu Railway siding (1.35 km:2.025 Ha):**
 - i) The Government of India vide F.No.8-81/1992-FC-FC(pt) dated:17-01-2019 (ANNEXURE-3) has accorded In principle (Stage-I) approval subject to conditions, in response to the State Government letter No.FCF/11.1/123/KAR/6554 Date: 23-01-2015. The compliance report to the conditions of Stage-I approval seeking the final (Stage-II) approval has been submitted by field officers to the head office vide letter dated:09-01-2024. Thus, the final (Stage-II) Approval under Section-2 of the FC Act [Van (Sanrakshan Evam Samvardhan) Adhiniyam now], 1980 is still awaited.
 - ii) Meanwhile, the State Government vide letter No. FEE 40 FFM 2014, dated:09-01-2015 (ANNEXURE-4) has permitted the use of this road for transportation of iron ore from M/s Sesa Sterlite Limited mine pending FC clearance from Government of India. This permission was issued on the ground that this road was being used for transportation of iron ore.

FC Violation and connected issues.

It is reported that, the Range Forest Officer, Holalkere Range, Holalkere has written a letter to M/s Sesa Sterlite Ltd., (M/s Sesa Goa Limited) holder of the Mining License number 2236/2677 who were transporting the materials through road in Sy no 9 of Marijogihalli village without getting any prior permission under the Forest Conservation act and the company was asked to stop the transportation of material as per the letter dated 26.06.2018 (ANNEXURE-5).

It is reported that, in this regard a detailed letter along with the report was submitted by the Deputy Conservator of Forests, Chitradurga on 21.08.2018 to the higher authorities. (ANNEXURE-6).

Further, a detailed report in respect of the above road has been submitted by your good office on 30.08.2018 to the Additional Chief Secretary, Forests, Ecology and Environment department, Bengaluru.(ANNEXURE-7).

As per the report, the State Government in its order dated 01-10-2018 permitted for Transportation of Iron Ore by M/s Sesa Sterlite Limited having Mining License Number 2677 through Gate no 3 from Meghalahalli to Bheemasamudra via Marijogihalli in the existing road measuring 0.174 Ha falling in forest area without hindering transportation of the Ore from the Mines (ANNEXURE-8).

Bedarabommanahalli Village Sy. No.6: The entire survey number was recorded as 'Government Forest' in revenue records till 2004, when the then Deputy Commissioner, Chitradurga, order for change of the status from 'Government forest kharab' to 'Government Kharab'. Subsequent to the hearing held on 11-04-2022 in Supreme Court of India SLP NO.28583/2019, it was decided in the meeting held on 22-04-2022 (ANNEXURE-9) under the chairmanship of Chief Secretary GOK to treat the entire extent of 267.23 acres in Sy No. 6 of Bedara Bommanahalli Village as "forest land". Accordingly, the Deputy Commissioner, Chitradurga vide O.M. dated: 10-08-2022 has ordered the AC, Chitradurga and Tahsildar, Chitradurga to mention Bedara Bommanahalli village Sy No.6 as a "Forest Land" in revenue records (*Virtually reverting the land status to the original one*). However, the status change has not been effected in Col. 9 of the RTC of Bedara Bommanahalli village Sy No.6 (ANNEXURE-10). It is also to add that the copy of the said meeting proceedings dated:22-04-2022 as well as the O.M. dated:10-08-2022 of DC Chitradurga have not been marked to the forest department.

In this regard, the Range Forest Officer, Holalkere Range, Holalkere has registered an FOC No.18/2022-23, dated:01-10-2022 against the authorities of M/s Vedanta Limited for using

the forest portion of Gate-3 approach road and has also submitted the chargesheet to the Jurisdictional JMFC Court. This case is pending in JMFC Court. The transportation of M/s Vedanta ore has since been stopped, after registering FC No.18/2022-23 dated:01-10-2022.(ANNEXURE-11).

Net Present Value (NPV): The user agency has submitted an undertaking agreeing to pay the Net Present Value (NPV) of the forest land proposed for diversion.

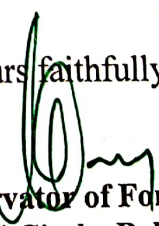
FRA Certificate: The user agency has submitted an undertaking to provide a No Objection certificate as per Form-II of the Scheduled Tribes and Other Forest Dwellers (Recognition of Forest Rights) Act, 2006 of the forest land proposed for diversion.

Compensatory Afforestation (CA): The User Agency has identified as extent of 6.069 ha non forest (Private) land in Sy No. 1191 (2.023 Ha), Sy No.1192 (2.023 ha) and Sy No.1193 (2.023 Ha) of Madduru Village, Agara Hobli, Yelandur Taluk, Chamarajanagara District for CA purpose.

Further, under the above circumstances the Deputy Conservator of Forests, Chitradurga has recommended the proposal to move with the Government of Karnataka and Government of India for 'in-principle' (Stage-I) approval under Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and Rules 2023 subject to conditions.

In view of the facts as categorically detailed above and while agreeing with the self contained detailed report of the Deputy Conservator of Forests, Chitradurga, I am of the opinion that the Ex-post facto approval for approach road to M L No.2677 through gate-3 for 3.331 Ha of Forest land in Sy No.20 of Megalahlli, Sy No.9 of Marijogihalli and Sy No.6 of Bedarbommenhalli village in Nirthadi State (Reserved) Forest, Hireguntanur Hobli, Chitradurga taluk, Holalkere Range, Chitradurga district may be considered under Section-2 of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and Rules 2023. The 4 sets of proposal are enclosed herewith for your kind perusal and further needful action in the matter.

Yours faithfully,


Conservator of Forests,
Ballari Circle, Ballari.