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ಕರ್ನಾಟಕ ಸರ್ಕಾರ

GOVERNMENT OF KARNATAKA

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



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Old File No. A5(1)/MNG/CR-9/2018-19

E-61838

E-office File No. KFD/HOFF/A5-1(MNG)/1/2018-FC

Date -12-2024

Enclosure:

To,

The Additional Chief Secretary to Government
Forests, Environment and Ecology Department
M.S. Building, Bengaluru - 560 001

Sir,

Sub: Diversion of 14.8457 hectare of forest land for Downhill Pipe Conveyor Belt (from ML No.2296 to Sushilanagar system railway siding) of Ramanamalai Iron Ores Mine in favour of M/s. Veerabhadrappe & Sangappa and Company (VESCO) in RM Block, Sandur Taluk, Ballari District in the State of Karnataka.

Proposal No. FP/KA/MIN/35480/2018

- Ref:** 1. Government of India, Ministry of Environment, Forest & Climate Change, Integrated Regional Office, Bengaluru letter F.No. 8-95/1994FC(VOL.) dated 15-10-2019 [*Stage-I approval*]
2. Government of Karnataka letter No. FEE 54 FMM 2018 dated 19-11-2019 [*communication of Stage-I approval*]
3. This office letter of even number dated 20-11-2019 [*seeking Condition-wise compliance from User Agency and Field officers*] r/w letter dated 07-12-2023 [*communication of in-complete compliance*]
4. M/s Veerabhadrappe & Sangappa and Company, Ballari District letter dated 21-12-2020 [*change of CA land of Ballari District*], 24-06-2021, 04-08-2021 [*Change of CA land of Raichur District*], 11-10-2023 [*compliance*] & 27-11-2024 [*compliance w.r.t payment towards WL management plan and SMC plan*]
5. Deputy Conservator of Forests, Ballari Division letter No.M1/MNG/VESCO/Conveyor Belt/2018-19/163 dated 11-10-2023 [*addressed to CCF, Ballari reg submission of Compliance Report in respect of conditions of Stage-I approval*] r/w letter dated 08-07-2024 [*submission of point wise information sought by this office vide letter dated 07-12-2023*]
6. Chief Conservator of Forests, Ballari Circle letter No.

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M1/MNG/CR-6/1995-96(VESCO)/2026 dated 18-10-2023
*[Compliance Report in respect of conditions of Stage-I approval]
 r/w letter dated 14-08-2024 [submission of point wise
 information sought by this office vide letter dated 07-12-2023]*

The Government of India, Ministry of Environment, Forests and Climate Change, Bengaluru vide Ref (1) has accorded 'in-principle' (Stage-I) approval for diversion of 14.8457 hectare of forest land for Downhill Pipe Conveyor Belt (from ML No.2296 to Sushilanagar system railway siding) of Ramanamalai Iron Ores Mine in favour of M/s. Veerabhadrappe & Sangappa and Company (VESCO) in RM Block, Sandur Taluk, Ballari District in the State of Karnataka under Section 2 of the Forest (Conservation) Act, 1980 subject to certain conditions. Accordingly, the User Agency and field officers were directed by this office vide Ref (3) to submit the compliance.

In response, the User Agency vide Ref (4) has submitted the Compliance Report to the Deputy Conservator of Forests, Ballari Division, who after verification has vide Ref (5) submitted the conditions wise Compliance Report to Chief Conservator of Forests, Ballari Circle who in turn has submitted the same to this office vide Ref (6).

Based on the above reports, the status of condition-wise compliance to the conditions of Stage-I approval is given below.

Conditions stipulated in Stage-I approval dated 15-10-2019		Compliance
i	Legal status of the diverted forest land shall remain unchanged.	Legal status of the diverted forest land remains unchanged. In this regard, the User Agency has submitted the undertaking to this effect is enclosed as Annexure- 1.
ii	Forest land will be handed over only after required non-forest land for the project is handed over by the user agency.	<ul style="list-style-type: none"> The user agency previously identified non-forest land over an extent of 22.508 ha in various Sy. Nos. of Bandralu Village, Sandur Taluk, Ballari District, which has been accepted through web portal by this office on 02-06-2020 and intimated to go ahead seeking the CA Suitability Certificate from the Jurisdictional Deputy Conservator of Forests. Further, the user agency has submitted a letter dated 21-12-2020 stating that due to local problem they could not purchase the CA land identified in the Bandralu Village, Sandur Taluk, Ballari District and proposed new CA land at Mullur Village, Sindhanur/Maski Taluk, Raichur District for consider the said land for CA purpose. Which was accepted by this office vide letter dated 24-02-2021 and requested to provide documents such as KML

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file, Geo-reference map, Topo-map, CA suitability certificate and CA Scheme.

- Again, the user agency has submitted a letter dated 04-08-2021 stating that due to local problems with the land owner, the proposed CA land could not be purchased in Raichur District and once again proposed new land at Appalapura village in Sy Nos. 2, 3, 4, 6/1, 6/2, 6/3, 6/4, 7/1, 7/2, 7/3, 7/4, 8/1, 8/2 and 8/3 Torangallur Hobli, Sandur Taluk, Ballari District over an extent of 15.79 ha (39-04 acres) and at Malapura village in Sy Nos. 10/B, 10/1 & 11/A 3 Toranagallu Hobli, Sandur Taluk, Ballari District over an extent of 8.66 ha (21-42 acres) for Compensatory Afforestation with regard to the said proposal. Which was accepted by this office vide letter dated 12-08-2021 and requested to provide documents such as KML file, Geo-reference map, Topo-map, CA suitability certificate and CA Scheme.
- However, as per the Deputy Conservator of Forests, Ballari Division letter dated 11-10-2023, the User Agency has identified CA land in following locations in Sandur Taluk Ballari District;

District/Taluk/ Village	Sy.No.	Extent (In Ha)
Ballari/ Sandur/ Appalapura	2	1.990
	3	2.040
	4/1	1.821
	4/2	1.214
	4/3	1.214
	6/1	0.490
	6/2	0.490
	6/3	0.500
	6/4	0.490
	7/1	0.960
	7/2	0.970
	7/3	0.970
	7/4	0.960
	8/1	0.560
	8/2	0.560
	8/3	0.560
Total		15.789

And has been transferred and mutated in the name of Forest Department and further declared

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		<p>as 'Protected Forest' under Section-33 of Karnataka Forest Act, 1963 vide Notification No. FEE 02 FAF 2023 dated. 07-02-2023.</p> <p>Copy of documents related to CA land like Geo-reference Map, Topo-Map, Kml file (in CD), CA Suitability, CA Scheme, RTC, Mutation and PF Notification are enclosed in Annexure-2 to 7.</p>
iii	Compensatory afforestation over the non-forest land equal in extent to the forest land being diverted shall be raised by the Forest Department within a period of three years with effect from the date of issue of Stage-II clearance and maintained thereafter as per approved plan by the State Forest Department at the cost of the user agency.	<p>The User Agency has paid an amount of Rs. 2,72,56,705/- for 14.8457 ha @ Rs.18,36,000/ha towards CA charges in three installments as follows.</p> <ol style="list-style-type: none"> 1. vide e-office challan dated 06-03-2022 for Rs. 1,72,21,012/- [<i>Included in total amount of Rs. 2,91,42,109/-</i>]. 2. vide e-office challan dated 17-08-2020 for Rs. 64,28,188/-. 3. vide e-office challan dated 09-05-2022 for Rs.17,07,256/- [<i>Included in total amount of Rs. 80,25,438/-</i>] 4. vide e-office challan dated 09-10-2023 for Rs.19,00,249/-. <p>Copy of Payment Page Print taken from FC Web portal is enclosed as Annexure-8a, 8b, 8c and 8d.</p>
iv	State Government shall submit the complete reply on the shortcomings prior to Stage-II approval.	Compliance report for all the conditions stipulated in Stage-I approval is submitting herewith.
v	State Govt shall submit the complete CA Scheme duly approved by the competent authority in the State Govt. and commensurate funds shall be deposited in CAMPA account.	<p>CA Scheme is enclosed as Annexure-6.</p> <p>Further, the User Agency has made above mentioned payment towards Compensatory levies to Ad-hoc CAMPA, Copies of Payment Page Print taken from FC Web portal is enclosed as Annexure-8a, 8b, 8c and 8d.</p>
vi	The land identified for the purpose of CA shall be clearly depicted on a Survey of India topo sheet of 1:50000 scale.	The land identified for the purpose of CA has been clearly depicted on a Survey of India toposheet in 1:50,000 scale. Copy enclosed as Annexure-2 .
vii	The non-forest land identified for raising compensatory afforestation shall be transferred and mutated in the name of forest department and notified as RF/PF prior to Stage II approval.	Complied as mention in the condition number (ii).
viii	The cost of Compensatory afforestation at the	Payments towards CA has been complied as mention in the condition number (iii).

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	prevailing wage rates as per compensatory afforestation scheme and the cost of survey, demarcation and erection of permanent pillars if required on the CA land shall be deposited in advance with the Forest Department by the project authority. The CA shall be maintained for 10 years. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years.	
ix	The State Government shall charge the Net Present Value (NPV) for the forest area to be diverted under this proposal from the User Agency as per the orders of the Hon'ble Supreme Court of India dated 30/10/2002, 01/08/2003, 28/03/2008, 24/04/2008 and 09/05/2008 in IA No. 566 in WP (C) No. 202/1995 and as per the guidelines issued by the Ministry vide letters No. 5-1/1998-FC (Pt.II) dated 18/09/2003, as well as letter No. 5-2/2006-FC dated 03/10/2006 and 5-3/2007-FC dated 05/02/2009 in this regard.	<p>The UA has paid an amount of Rs.1,82,39,279/- towards NPV charges for 14.8457 ha @ Rs.12,28,590/ha in two instalments as follows.</p> <ol style="list-style-type: none"> 1. vide e-office challan dated 06-03-2022 for Rs. 1,19,21,097/- <i>[Included in total amount of Rs. 2,91,42,109/-]</i>. 2. vide e-office challan dated 09-05-2022 for Rs.63,18,182/- <i>[Included in total amount of Rs. 80,25,438/-]</i> <p>Copy of Payment Page Print taken from FC Web portal is enclosed ANNEXURE-8a and 8c.</p>
x	Additional amount of the NPV of the diverted forest land, if any, becoming due after finalization of the same by the Hon'ble Supreme Court of India on receipt of the report from the Expert Committee, shall be charged by the State Government from the User Agency. The User Agency shall furnish an undertaking to this effect.	The User Agency has agreed to comply with the condition and has submitted an Undertaking in this regard. [Annexure- 1]

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xi	User agency shall restrict the felling of trees to minimum number in the diverted forest land and the trees shall be felled under the strict supervision of the State Forest Department and the cost of felling of trees shall be deposited by the User agency with the State Forest Department.	The User Agency has agreed to comply with the condition and has submitted an Undertaking in this regard. [Annexure- 1]
xii	No damage to the flora and fauna of the adjoining area shall be caused.	The User Agency has agreed to comply with the condition and has submitted an Undertaking in this regard. [Annexure- 1]
xiii	All the funds received from the user agency under the project shall be transferred/deposited to CAMPA fund only through e-portal (http://parivesh.nic.in/)	<p>All the funds under this project has been transferred/deposited to CAMPA fund through e-portal generated NEFT Challan vide https://parivesh.nic.in portal <i>[Payment receipt enclosed as Annexure-8a, 8b, 8c and 8d].</i></p> <p>Further, the Deputy Conservator of Forests, Ballari Division has raised the Demand Notice as per Para No. 1.22(i) of Chapter-1 of the Consolidated Guidelines and Clarification issued under Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for remittance of cost of implementation of the Wildlife Management Plan and the Soil and Moisture Conservation Plan.</p> <p>Accordingly, User Agency has paid an amount of Rs.99,47,035/- i.e., 2% of total project cost towards the cost of implementation of the Wildlife Management Plan and Rs.24,86,757/- i.e., 0.5% of the project cost towards the cost of implementation of Soil and Moisture Conservation Plan. Total Rs. 1,24,33,792/- vide e-office challan dated 21-11-2024 and the payment details has been submitted by the user agency vide letter dated 27-11-2024.</p> <p>Copy of Payment Page Print taken from FC Web portal is enclosed as ANNEXURE-8e.</p> <p><i>[Note: The user agency has been directed by the DCF Ballari Division vide demand notice dated 15-10-2024 to submit the Wildlife Management Plan and Soil and Moisture Conservation Plan and to obtain approval for the same by the competent authority. However, the same has to be submitted by the user agency]</i></p>
xiv	The complete compliance of	The User Agency has obtained FRA Certificate in

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	the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector	FORM-I (for Linear projects) from the Deputy Commissioner, Ballari vide No. Rev/Mining/F.R. A/08/2018-19 dated 13-09-2019, Copy of the same is enclosed as Annexure-9 a & 9 d.
xv	User agency shall raise strip plantation on both sides of conveyor belt	The User Agency has agreed to comply with the condition and has submitted an Undertaking in this regard. [Annexure- 1]
xvi	User agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable.	The User Agency has agreed to comply with the condition and has submitted an Undertaking in this regard. [Annexure- 1]
xvii	The layout plan of the proposal shall not be changed without prior approval of Central Government	The User Agency has agreed to comply with the condition and has submitted an Undertaking in this regard. [Annexure- 1]
xviii	No labour camp shall be established on the forest land.	The User Agency has agreed to comply with the condition and has submitted an Undertaking in this regard. [Annexure- 1]
xix	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.	The User Agency has agreed to comply with the condition and has submitted an Undertaking in this regard. [Annexure- 1]
xx	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.	The Deputy Conservator of Forests, Ballari Division vide letter dated 11-10-2023 has stated that the User Agency has demarcated on ground by erecting pillar at their own cost and has enclosed the photographs as Annexure-10 .
xxi	The period of diversion under this approval shall be co-terminus with the period of lease to be granted in favour of the user agency or the project life, whichever is less.	The User Agency has agreed to comply with the condition and has submitted an Undertaking in this regard. [Annexure- 1]
xxii	The forest land shall not be used for any purpose other	The User Agency has agreed to comply with the condition and has submitted an Undertaking in this

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	than that specified in the project proposal	regard. [Annexure- 1].
xxiii	The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without prior approval of Government of India	The User Agency has agreed to comply with the condition and has submitted an Undertaking in this regard. [Annexure- 1].
xxiv	Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as per para 1.21 of Comprehensive Guidelines issued vide this Ministry's F. No. 5-2/2017 dated 28 March 2019	The User Agency has agreed to comply with the condition and has submitted an Undertaking in this regard. [Annexure- 1]
xxv	Any other condition that the MoEF&CC may stipulate from time to time in the interest of conservation, protection and development of forests & wildlife	The User Agency has agreed to comply with the condition and has submitted an Undertaking in this regard. [Annexure- 1]
xxvi	The compliance report shall be uploaded on e-portal (http://parivesh.nic.in/)	The User Agency has uploaded the compliance report on e-portal (https://parivesh.nic.in/).

Under the above circumstances, it is requested to move the matter with the Government of India, Ministry of Environment, Forests and Climate Change, New Delhi to consider according the final (Stage-II) approval for diversion of 14.8457 hectare of forest land for Downhill Pipe Conveyor Belt (from ML No.2296 to Sushilanagar system railway siding) of Ramanamalai Iron Ores Mine in favour of M/s. Veerabhadrappe & Sangappa and Company (VESCO) in RM Block, Sandur Taluk, Ballari District in the State of Karnataka, under Section 2 of the Forest (Conservation) Act, 1980 for a period co-terminus with the mining lease granted under MMDR Act.

The relevant documents in 3 sets are submitted here with for kind perusal and further action. The present status of the proposal obtained from the web-portal is also appended for necessary action.

Yours sincerely

Principal Chief Conservator of Forests
(Head of Forest Force)

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1. Copy to the Chief Conservator of Forests, Ballari Circle, Ballari for information and necessary action.
2. Copy to the Deputy Conservator of Forests, Ballari Division, Ballari for information.
3. M/s Veerabhadrappe Sangappa & Company (VESCO), No.2/138, VESCO House, Ballari Road, Sandur Taluk, Ballari District – 583 119 for information.