

CHIEF CONSERVATOR OF FORESTS
HASSAN CIRCLE, HASSAN - 573 201



Karnataka
Forest
Department

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No:A8/Land/ FC/KSHIP\CR-34/2023-24

Date: 30 December -2024

To,

Principal Chief Conservator of Forests,
(Forest Conservation) & Nodal Officer (FCA)
Aranya Bhavan, Malleshwaram
Bengaluru.

Sir,

Sub: Diversion 48.20 Ha of forest land for Mining Purpose (37.45 Ha) and Approach Road (10.75 Ha) in Sy. No. 11, 12, 10 & 8 of Gollarahalli, Sy. No. 33, 34 of Thonalapura, Sy. No. 55 of Lakmenhalli Sy. No. 64 of Hoshalli, Sy. No. 48 & 49 of Kodihalli village, Chikkanayakanhalli Taluk, Tumakuru District.

Ref: 1) Online application No. FP/KA/MIN/154749/2022.
2) Letter No: A5/Land/Survey/CR-205/2023-24 dated: 13-12-2024 from Deputy Conservator of Forests, Tumkuru Division, Tumkuru

With reference to the above cited subject, M/s Mineral Enterprises Private Limited, Bengaluru has submitted proposal for diversion of forest land vide ref (1) and vide ref (2) Deputy Conservator of Forests, Tumkur Division, Tumkur has forwarded online application No. FP/KA/MIN/154749/2022 Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for diversion of 48.20 Ha of forest land for Mining Purpose (37.45 Ha) and Approach Road (10.75 Ha) in Sy. No. 11, 12, 130 & 8 of Gollarahalli, Sy. No. 33, 34 of Thonalapura, Sy. No. 55 of Lakmenhalli, Sy. No. 64 of Hoshalli, Sy. No. 48 & 49 of Kodihalli village, Chikkanayakanhalli Taluk, Tumakuru District in the State of Karnataka.

The proposal was verified by the Deputy Conservator of Forests, Tumkuru and instructed to revise the proposal by reducing the width of the road and it was also suggested to include both existing and proposed road in the proposed project. Accordingly user agency has reduce the proposal extent from 53.52 Ha. to presently 48.20 Ha.

Further I have visited the spot along with the field staff and verified the proposed area for diversion on 18-12-2024. The proposed land measuring 48.20 ha of forest land (Mining Purpose 37.45 Ha and Approach Road 10.75 Ha) is located in Sy. No. 11, 12, 130 & 8 of Gollarahalli, Sy. No. 33, 34 of Thonalapura, Sy. No. 55 of Lakmenhalli, Sy. No. 64 of Hoshalli, Sy. No. 48 & 49 of Kodihalli village, Chikkanayakanhalli Taluk, Tumakuru District in the State of Karnataka. Deputy Conservator of Forests, Tumkur Division, Tumakuru has recommended for approval of the proposed area under Sec-2 of Forest (Conservation) Act-1980.

It is observed that the user Agency has submitted the proposal for diversion 48.20 Ha of forest land for Mining Purpose (37.45 Ha) and Approach Road (10.75 Ha) in Sy. No. 11, 12, 130 & 8 of Gollarahalli, Sy.No. 33, 34 of Thonalapura, Sy.No. 55 of Lakmenhalli, Sy.No. 64 of Hoshalli, Sy.No. 48 & 49 of Kodihalli village, Chikkanayakanhalli Taluk, Tumakuru District which are having Southern Dry Deciduous Type of Forest (Eco- class III). Further, Deputy Conservator of forests, Tumkur Division, Tumkur has elucidated here under are the important facts & details about the Lease and the proposal.

Details of Forest Clearance for the said Mining Lease:

- a) The present application seeking permission is being sought because the land in question was mined since 1950 when the original lease measuring 2427-00 acres was leased to Sri. Sarangapani Mudaliar. (The proposed area granted to mining is part of this original area, pertinently, the leased land to Sri. Sarangapani Mudaliar was never treated as Forest Land but was treated as Revenue Land).
- b) Thereafter, in 1999 on account of prior termination / surrender of the said mining Lease, the Government of Karnataka offered for re-grant a portion of the original leased area (admeasuring 1275 acres (515.98 Ha)) to various parties through a public advertisement on 15-09-1999. This was also done on the basis that the said land was Revenue Land and not Forest Land.
- c) Few aggrieved parties approached the Hon'ble High Court and based on the decision of the Hon'ble High Court the area notified during the year 1999 was re-granted to the following;

Sl.No.	Mining Lease
1	Sri Praveen Chandra
2	M/s. Mineral Enterprises Pvt Ltd
3	M/s. Milan Minerals Enterprises (P) Ltd
4	Sri R.N.Ashok
5	M/s. Banashankari Mining Corporation
6	Sri M Babanna

- d) The Government of Karnataka issued notification bearing No. DMG/MLS/ADV/04-05 notifying an area of 466.21 Hectares (1152 acres) for re-grant of surrendered area of mining lease No.1234 comprising land in Hombalghatta, Hosahalli, Katarikahalli villages and Yerakatte village of Chikkanayakanahalli Taluk, Tumkur District on 20-07-2004.
- e) Pursuant to above notification, Government of Karnataka recommended grant of mining lease over an area of 466.21 Hectares (1152 acres) as below;

Sl.No.	Applicants
1	M/s. Goa Minerals
2	Smt. Prema Chanappa
3	M/s. Kudremukh Iron Ore Co.
4	M/s. Dhruvadesh Metasteels (P) Ltd.,

- f) The Central Government accorded its approval for grant of mining lease through letter bearing No. 5/184/2007-M.IV in favor of Mineral Enterprises Pvt Ltd for 178-30 A-G (72.16 hectares) on 17-03-2008.

- g) Government of Karnataka issued notification bearing No. CI.37:MMM.2001 granting the mining lease in favor of M/s Mineral Enterprises Pvt Ltd for Iron Ore and Manganese Ore over an area of 178.30 Acres in Sy. No. 11 and 12 and other survey No's of Gollarhalli Village of Chikkanayakanhalli Taluk, Tumkur District on 19-03-2009.
- h) M/s Mineral Enterprises Private Limited, Bengaluru filed representation requesting early execution of lease deed with respect to area granted as it has obtained all statutory clearances i.e., IBM Mining Plan, Environment Clearance and Consent for establishment issued by KSPCB on 23-06-2011.
- i) Corrigendum notification No. FEE 188 FAF 2014 dated 04-09-2014 was issued by the Karnataka Forest Department to the Janeru Block Reserve Forest Notification of 1994 (Section 4 of Karnataka Forest Act-1963). This corrigendum was challenged by some third parties in the Hon'ble High Court. Based on the High Court direction, the then Additional Chief Secretary set aside the said corrigendum of 2014 and also the 1994 notification vide his order dated 21-12-2015.
- j) In view of the amendments to the MMDR Act in 2015, M/s Mineral Enterprises Private Limited, Bengaluru filed WP No.43690/2016 before the Hon'ble High Court seeking execution of lease for a period of 50 Years. The Hon'ble High Court directed execution of the lease on or before 31/12/2016.
- k) The order of the above mentioned Additional Chief Secretary FEE order (21-12-2015) was reviewed and recalled by the then Additional Chief Secretary. The said order was under challenge by third parties before the High Court of Karnataka and then before the Hon'ble Supreme Court of India.
- l) State has not executed mining lease as per the aforesaid order of the high court in WP 43690/2016, MEL filed contempt petition CCC (Civil) 1829-2017 before the Hon'ble High Court. The government took contention for the first time in the said contempt that this area is forest as per 1994 notification and 2014 corrigendum. Therefore, MEPL filed an undertaking before the Hon'ble High Court wherein it undertook that even if a lease deed were to be executed in its favor, it would not operate the mine in any manner, whatsoever, till such time the issue whether the land is a forest land or not, is decided by the Courts. MEPL further undertook that in case the Courts were to opine that the land in question is, indeed, a forest land, it shall seek the necessary prior approval under the Forest Conservation Act, 1980, and shall comply with such conditions as are currently applicable before operating the mine.
- m) The State, belatedly, filed the SLP Diary No. 1663/2019 before the Supreme Court challenging the high court order dated 21-11-2016 in WP No. 43690/2016 during 2019 for execution of lease in favour of MEL. However, there is no interim order.
- n) MEPL Placed the undertaking furnished before the Hon'ble High Court to the Hon'ble Supreme Court in the above mentioned SLP Diary No.1663/2019. The Hon'ble Supreme Court has also recognized and taken cognizance of the said undertaking, that if the area is forest, MEPL should obtain Forest clearance before commencing operations, on 01-02-2019.
- o) The Hon'ble Supreme Court, in a proceeding initiated by the third parties, finally held that the area notified under Sec-4 in 1994 and corrigendum of 2014 (Janeeru Block) is

forest land (the sanctioned re-grant leased area of MEPL is also part of the said Sec-4 Janeeru notification and Corrigendum) on 16-11-2021.

- p) Since the land in question is held as forest land and as per the undertaking of MEPL before the courts(High Court & Supreme Court), MEPL filed an application for Forest clearance under Section 2 (ii) of the FC Act 1980 on 22-04-2022 for diversion of forest land, over an extent 37.45 Hectares (as per Joint Survey and demarcation during 2017). for mining and 16.07 Hectares for road, total 53.52 hectares on 22-04-2022.
- q) MEPL filed an affidavit before the Hon'ble Supreme Court bringing the fact on record that MEPL has applied for FC with a prayer for execution of the lease on 05-05-2022.
- r) Nodal officer and Principal Chief Conservator of Forests (FCA) Aranya Bhavan, Bengaluru found that the said proposal (MEPL's FC Application) is complete in all respect and forwarded to Deputy Conservator of Forest, Tumukuru office on 30-06-2022.
- s) After receiving the Forest Clearance (FC) application, tree enumeration was conducted by the staff of Chikkanayakanhalli Range simultaneously the user agency has identified the CA Land and suitability certificate is obtained from the Deputy Conservator of Forests and Director, BRT Tiger Reserve, Chamarajanagara and Deputy Conservator of Forests, Malai Mahadeswara Wildlife, Kollegal.
- t) EDS was raised to the user agency by the DCF, Tumukuru by the Deputy Conservator of Forests, Tumkur as follows:-
1. The area being asked is rich in Wildlife and forests what is the justification for asking this forest area.
 2. Why alternate revenue road available is not being utilised.
- u) The user agency has submitted clarification for EDS on 18-10-2024.
- v) Further user agency has revised the proposal over an extent of 37.45 Ha for Mining and 10.75 Ha for Approach Road total 48.20 Ha, proposal was uploaded in the parvesh portal.

Compensatory Afforestation (CA):

The User Agency has identified 106.50 acre non forest land in Chamarajanagara District, Malai Mahadeswara Wildlife, Kollegal sy. no, village, hobli, taluk is as follows;

Sl. No.	District	Taluk	Hobli	Village	Sy. No.	Extent proposed (in acre)
1	2	3	4	5	6	7
1	Chamarajanagara	Hanur	Ramapura	Ponnachi	96/A3	80-30
2	Chamarajanagara	Hanur	Ramapura	Ponnachi	96/AP2	5-90
3	Chamarajanagara	Hanur	Ramapura	Ponnachi	436/2	4-97
4	Chamarajanagara	Hanur	Ramapura	Ponnachi	437/2B	5-00
5	Chamarajanagara	Hanur	Ramapura	Ponnachi	439	4-46
6	Chamarajanagara	Hanur	Ramapura	Ponnachi	440	4-84
7	Chamarajanagara	Hanur	Ramapura	Ponnachi	441/3	1-03
Total Acre						106-50 (43.10 Ha)

Deputy Conservator of Forests, Malai Mahadeswara Wildlife, Kollegal Division issued a CA land suitability certificate in Format-A and stated that proposed land is adjacent to

Madeswaran Malai Reserve Forest. The above identified CA land for this instant proposal is suitable for afforestation.

And also user agency has identified 5.15 Ha non-forest land in Chamarajanagara District, BRT Tiger Reserve, Chamarajanagara, sy. no, village, hobli, taluk as follows;

Sl. No.	District	Taluk	Hobli	Village	Sy. No.	Extent proposed (in Ha)
1	2	3	4	5	6	7
1.	Chamarajanagara	Yalandur	Agara	Gowdahalli	53	1.87
2.	Chamarajanagara	Yalandur	Agara	Gowdahalli	59/1	0.28
3.	Chamarajanagara	Yalandur	Agara	Gowdahalli	59/2	0.14
4.	Chamarajanagara	Yalandur	Agara	Gowdahalli	59/5	0.15
5.	Chamarajanagara	Yalandur	Agara	Gowdahalli	59/5	0.05
6.	Chamarajanagara	Yalandur	Agara	Gowdahalli	59/6A	0.71
7.	Chamarajanagara	Yalandur	Agara	Maddhur	957	0.44
8.	Chamarajanagara	Yalandur	Agara	Maddhur	960	0.94
9.	Chamarajanagara	Yalandur	Agara	Maddhur	961	0.57
					Total	5.15

Deputy Conservator of Forests and Director, BRT Tiger Reserve, Chamarajanagara issued a CA land suitability certificate in Format-B and stated that "These areas are having good vegetation with some blank patches, but the areas are having wild animals movement. Survival of planted seedlings is doubtful. So instead of planting it is better to use these blank areas as grasslands for herbivores such as Elephants, Sambar deer, Spotted deer" and land identified is attached to the Tiger Reserve.

Therefore 11.00 Ha of degraded forest land is identified in Sy. No. 109 of Kenglapura village, Handanakere Hobli, Chikkanayakanahalli Taluk, Tumakuru District for CA. The area is suitable for the compensatory afforestation. CA suitability certificate has been issued in Format-B.

The User agency has to prepare wildlife mitigation plan in consultation with Forest Department and obtain prior approval from the Principal Chief Conservator of Forests and (Wildlife) and Chief Wildlife Warden, Bengaluru.

The proposed land is not part of any National Park, Wildlife Sanctuary, Biosphere Reserve, Tiger Reserve, Elephant Corridor etc. (The proposed mining area is 7.53 km and approach road is 7.70 km away from the Bukkapatna Chinkara Wildlife Sanctuary located in Tumkur Division.

But the proposed mining area and approach road falls within the eco sensitive zone of Bukkapatna Chinkara Wildlife Sanctuary (default 10 km eco sensitive zone is existing until notified).

Draft eco sensitive zone of Bukkapatna Chinkara Wildlife Sanctuary has got in-principal approval from Cabinet Sub Committee, Government of Karnataka. The proposed width of eco sensitive zone from the boundaries of the sanctuary varies from 1 km to 3.80 km in the draft eco sensitive zone notification and Forest Clearance proposed area is outside this described boundaries of the draft Eco sensitive zone notification.

Accordingly the User Agency has to obtain prior recommendation of Standing Committee of NBWL under the provision of Wildlife (protection) Act, 1972.

 The proposal for diversion of 48.20 Ha forest land for Mining Purpose (37.45 ha) and Approach Road (10.75 Ha) in Sy. No. 11, 12, 130 & 8 of Gollarahalli, Sy.No. 33, 34 of Thonalapura, Sy.No. 55 of Lakmenhalli, Sy.No. 64 of Hoshalli, Sy. No. 48 & 49 of Kodihalli village, Chikkanayakanhalli Taluk, Tumakuru District and Division, Karnataka State in favour of M/s Mineral Enterprises Private Limited, Bengaluru is forwarded for further consideration.

The above proposal under section-2 of Forest (Conservation) Act 1980 is forwarded with required information/documents in 4 sets are here with enclosed for your kind perusal and further needful action.

Your's Sincerely,



Chief Conservator of Forests,
Hassan Circle, Hassan.

- 1) Copy Forwarded to Deputy Conservator of Forests, Territorial Division, Tumkuru for Information.
- 2) Copy to M/s Mineral Enterprises Private Limited, #2 Berlie Street, Langford Town, Bengaluru-560 025 for kind information.

PART – III

(To be filled by concered by the Conservator of Forest)

01.	Whether site, where the forest land involved is located has been inspected by the concerned Conservator of Forests (Yes/No). If yes, date of inspection & observations made in the form of inspection note to be enclosed.	Yes, site inspection report enclosed
02.	Whether the concerned Conservator of Forests agree with the information given in Part-II and recommendations of Deputy Conservator Forests.	I agree with the information given in Part-II and recommendations of the Deputy Conservator of Forests, Tumukuru.
03.	Specific recommendation of concerned Conservator of Forests for acceptance or otherwise of the proposal with the detailed resason. 	The Diversion of 48.20 Ha forest land for Mining Purpose (37.45 Ha) and Approach Road (10.75 Ha) in Sy. No. 11, 12, 130 & 8 of Gollarahalli, Sy. No. 33, 34 of Thonalapura, Sy. No. 55 of Lakmenhalli, Sy. No. 64 of Hoshalli, Sy. No. 48 & 49 of Kodihalli village, Chikkanayakanhalli Taluk, Tumakuru District, in favour of M/s Mineral Enterprises Private Limited, Bengaluru, is recommended as per the provisons of Forest Conservation Act - 1980.

Date: 30-12-2024

Place: Hassan


Chief Conservator of Forests,
Hassan Circle, Hassan

RECOMMENDATION

 The M/s Mineral Enterprises Private Limited, #2 Berlie Street, Langford Town, Bengaluru has applied for diversion of 48.20 Ha of forest land for Mining Purpose(37.45 Ha) and Approach Road (10.75 Ha) in Sy. No. 11, 12, ¹⁰~~130~~ & 8 of Gollarahalli, Sy. No. 33, 34 of Thonalapura, Sy. No. 55 of Lakmenhalli, Sy. No. 64 of Hoshalli, Sy. No. 48 & 49 of Kodihalli village, Chikkanayakanhalli Taluk, Tumakuru District. The subject envisages the use of forest land for mining is submitted for further consideration.

Date: 30-12-2024

Place: Hassan


Chief Conservator of Forests,
Hassan Circle, Hassan

OFFICE OF THE CHIEF CONSERVATOR OF FOREST
HASSAN CIRCLE, HASSAN
SITE INSPECTION REPORT

The Proposed site for Diversion 48.20 Ha of forest land for Mining Purpose(37.45 Ha) and Approach Road (10.75 Ha) in Sy. No. 11, 12, ¹⁰~~130~~ & 8 of Gollarahalli, Sy. No. 33, 34 of Thonalapura, Sy. No. 55 of Lakmenhalli, Sy. No. 64 of Hoshalli, Sy. No. 48 & 49 of Kodihalli village, Chikkanayakanhalli Taluk, Tumakuru District, Karanataka was inspected personally by me on 18-12-2024.

The proposed unit of land measuring 48.20 Ha of forest land for Mining Purpose (37.45 Ha) and Approach Road (10.75 Ha) in Sy. No. 11, 12, ¹⁰~~130~~ & 8 of Gollarahalli, Sy.No.33, 34 of Thonalapura, Sy. No. 55 of Lakmenhalli, Sy. No. 64 of Hoshalli, Sy.No.48 & 49 of Kodihalli village, Chikkanayakanhalli Taluk, Tumakuru District. There are 17206 trees like *Acacia auriculiformis*, *Anogeissus latifolia*, *Grewia bicolor*, *Dalbergia lanceolaria*, *Eucalyptus obliqua*, *Acacia chundra*, *Dolichandrone atrovirens*, *Terminalia chebula*, *Dalbergia sisso*, *Anogeissus latifolia*, *Bridelia retusa*, *Bridelia crenulata*, *Buchanania angustifolia*, *Wrightia tinctoria*, *Terminalia alata heyne ex roth*, *Eleodendron glaucum*, *Leucaena leucocephala*, *Calophyllum inophyllum*, *Albizia amara* etc., in the proposed area.

Details of area requisitioned for diversion of proposal are tabulated as following;

Sl No.	Taluk	Hobli	Village	Sy No.	Extent (Ha)	Status of Land
Mining Area						
1	Chikkanayakanahalli	Kasaba	Gollarahalli	11 (part)	09.63	Deemed Forest
2				12 (part)	27.82	
				Total	37.45	
Approach road						
3	Chikkanayakanahalli	Kasaba	Gollarahalli	11	1.30	See-4 Reserve Forest
4				12	0.362	
5				¹⁰ 130	0.211	
6				8	0.128	
7	Chikkanayakanahalli		Thonalapura	33	2.00	Reserve Forest
8				34	0.670	
9			Lakmenahalli	55	0.354	Deemed Forest
10			Hosahalli	64	2.843 ^{2.483}	Reserve Forest
11			Kodihalli	48	1.606	
12				49	1.632	
				Total	10.746	
				Grand Total	48.20	

The proposed land is not part of any National Park, Wildlife Sanctuary, Biosphere Reserve, Tiger Reserve, Elephant Corridor etc. (The proposed mining area is 7.53 km and approach road is 7.70 km away from the Bukkapatna Chinkara Wildlife Sanctuary).

But the proposed mining area and approach road falls within the eco sensitive zone of Bukkapatna Chinkara Wildlife Sanctuary (default 10 km if eco sensitive zone is not notified).

Draft eco sensitive zone of Bukkapatna Chinkara Wildlife Sanctuary has got in- principal approval from Cabinet Sub Committee, Government of Karnataka. The proposed width of eco sensitive zone from the boundaries of the sanctuary varies from 1 km to 3.80 km in the draft eco sensitive zone notification and this proposed area is outside the described boundaries.

Accordingly the User Agency has to obtain prior recommendation of Standing Committee of NBWL under the provision of Wildlife (protection) Act, 1972.

The proposal for diversion of forest land is for Mining Purpose and Approach Road. It may be essential and required to be commissioned, agreeing with the report of Deputy Conservator of Forests, Tumukuru, the proposal is recommended for approval.

Date: 30-12-2024

Place: Hassan



Chief Conservator of Forests,
Hassan Circle, Hassan