

## ಕರ್ನಾಟಕ ಸರ್ಕಾರ

## GOVERNMENT OF KARNATAKA

ಪ್ರಧಾನ ಮುಖ್ಯ ಅರಣ್ಯ ಸಂರಕ್ಷಣಾಧಿಕಾರಿ

(ಅರಣ್ಯ ಪಡೆ ಮುಖ್ಯಸ್ಥರು) ರವರ ಕಛೇರಿ

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

ಅರಣ್ಯ ಭವನ, 18ನೇ ಅಡ್ಡರಸ್ತೆ,

ಮಲ್ಲೇಶ್ವರಂ, ಬೆಂಗಳೂರು-560003

Aranya Bhavan, 18<sup>th</sup> Cross,

Malleshwaram, Bengaluru- 03

Telephone : 080 2334 6472

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E-office File No. KFD/HOFF/A5-1(MNG)/21/2018-FC

E-63659

Date -02-2025

To,

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

Sir,

**Sub:** Ex post facto approval for diversion of 3.331 Ha (*revised from 4.3013 Ha*) of forest land in Sy No. 20 Megalahalli Village, Sy No. 9 Marijogihalli Village and Sy No. 6 Bedarabommanahalli Village in Nirthadi State (Reserved) Forest, Hireguntanuru Hobli, Chitradurga Taluk and District for approach road to ML No. 2677 through Gate-3 in favour of M/s Vedanta limited, Chitradurga District

**Proposal No. FP/KA/MIN/144881/2021 [Form-A]**

**Ref:** 1. This office even letter dated 03-01-2025  
2. Government of Karnataka letter No. FEE 07 FFM 2025 (e) letter 07-02-2025

In response to proposal submitted by this office vide Ref (1), the Government of Karnataka vide Ref (2) has directed to furnish certain information/clarification for further consideration of the above-mentioned proposal. Hence, the information/documents/clarification for the points sought by Government of Karnataka are hereby submitted as follows.

Sl. No.	Observation	Information																				
1.	M/s Vedanta Limited, ಇವರ ಗಣಿ ಗುತ್ತಿಗೆ ಸಂಖ್ಯೆ:2677 ವಾರ್ಷಿಕ ಎಷ್ಟು ಪ್ರಮಾಣದಲ್ಲಿ ಅದಿರನ್ನು ಹೊರತೆಗೆಯಲು ಕೇಂದ್ರ ಸರ್ಕಾರದ ಇಲಾಖೆಯು ಅನುಮತಿ ನೀಡಲಾಗಿರುತ್ತದೆ ಹಾಗೂ ಈ ಸಂಸ್ಥೆಯೂ ಇದುವರೆವಿಗೂ ವಾರ್ಷಿಕವಾಗಿ ಎಷ್ಟು ಪ್ರಮಾಣದಲ್ಲಿ ಅದಿರನ್ನು ಹೊರತೆಗೆದು ಸಾಗಿಸಲಾಗಿದೆ.	<ul style="list-style-type: none"> <li>As per latest order of the Monitoring Committee dated 29-03-2023, the maximum permissible annual production limit is 5.89 MTPA.</li> <li>Further, the year wise details of iron ore transported by user agency are mentioned as blow.</li> </ul> <p><b>Monthly details are mentioned below.</b></p> <table> <tr> <th>Year wise</th> <th>Production (in tonne)</th> <th>Available Stock at Mine</th> <th>Dispatch (in tonne)</th> </tr> <tr> <td>2021-22</td> <td>5589610</td> <td>708580.730</td> <td>6240282</td> </tr> <tr> <td>2022-23</td> <td>5889615</td> <td>380161.980</td> <td>5440187</td> </tr> <tr> <td>2023-24</td> <td>5889615</td> <td>690969.910</td> <td>6642749.38</td> </tr> <tr> <td><b>Total</b></td> <td><b>17368868.76</b></td> <td><b>1779712.62</b></td> <td><b>18323218.38</b></td> </tr> </table>	Year wise	Production (in tonne)	Available Stock at Mine	Dispatch (in tonne)	2021-22	5589610	708580.730	6240282	2022-23	5889615	380161.980	5440187	2023-24	5889615	690969.910	6642749.38	<b>Total</b>	<b>17368868.76</b>	<b>1779712.62</b>	<b>18323218.38</b>
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2.	The Vedanta mines in Holalkere taluk of Chitradurga District has got FC approval for Gate-2 approach road (Pl Verify).	The Government of India has accorded Stage-II approval on 30-12-2014 and Government of Karnataka has issued Government Order vide letter dated 07-01-2015 for 161.54 ha for mining and 3.25 ha for approach road (i.e., Gate-2). Enclosed as Annexure-1 & 2.																																
3.	The present proposal is for Gate-3 (Megalally side approach road 3.331 Ha) which was stopped due to court cases related to forest status of Bedarbommanhalli examine are (case pending is SLP in Hon'ble Supreme Court- pl verify). For which specific justification may be obtained.	<p>There was an issue regarding Sy No. 6 Bedarbommanhalli Village. Initially it was recorded in Revenue Records as 'Government Forest' in revenue records till 2004. Subsequently, Revenue Authorities has changed the status from 'Government Forest kharab' to 'Government Kharab'. In view of SLP NO.28583/2019, the Chief Secretary GOK resolved the matter by ordering the entire extent of 267.23 acres in Sy No. 6 of Bedara Bommanahalli Village as "forest land", Mutation in favour of Forest Department is yet to be effected.</p> <p>However, this proposal has been constructed presuming that Sy No. 6 of Bedarbommanhalli Village (extent of 267.23 acres) is entirely 'forest'.</p>																																
4.	But of Gate-1 (Saasalu-Gate) approach road 2.025 Ha. GoK permission for use of the road for transportation of iron ore was given, as per the recommendation of the Monitoring Committee letter dated 24.05.2014 and PCCF letter dated 19.06.2014, pending Fc clearance From MoEF, but without any conditions and validity period, (pl attach both MoEF Stage-I approval & GOK permission).	<ul style="list-style-type: none"><li>• The Stage-I approval by the Government of India for Gate-1 (2.025 Ha) is hereby enclosed as <b>Annexure-3</b>.</li><li>• The Government of Karnataka permission vide letter dated 09-01-2015 for usage of the said approach road is enclosed as <b>Annexure-4</b>.</li></ul>																																

5.	But Hon'ble Supreme Court order dated 20.05.2022 doing away with arrangement of e-auction by Monitoring Committee, the validity of GOK permission for approach road dated 09/01/2015 should cease.	There is an existing Government direction (dated 09-01-2015) to permit transportation of Ore. Any modification of the directions dated 09-01-2015 by the State Government shall be complied.
6.	In PCCF(FC) present proposal dated 03-01-2025, at Sr.No. 8B b) i), it is mentioned that the compliance report to the condition of Stage-I approval seeking the final (Stage-II) approval has been submitted by field officers to the head office vide letter dated 09-01-2025 and the final (Stage-II) approval is still pending	<ul style="list-style-type: none"> <li>• The Government of Karnataka has submitted the compliance report to the stipulated conditions mentioned in the Stage-I approval.</li> <li>• In response, the Government of India vide letter dated 04-12-2024 has raised some additional information.</li> <li>• The same has been communicated to the DCF, Chitradurga Division on 07-01-2025. Further, the DCF, Chitradurga Division vide letter dated 30-01-2025 addressed to CF, Ballari Circle has submitted replies to the query sought by the Government of India. Pending with the CF Ballari Circle for submission of the same to this office.</li> </ul>

**The facts are hereby submitted for kind information and requested to move to the Government of India for seeking in-principle Stage-I approval under Forest (Conservation) Act, 1980.**

Yours faithfully,  
Digitally signed by  
**BRIJESH KUMAR**  
Date: 12-02-2025  
19:53:46  
Principal Chief Conservator of Forests  
(Forest Conservation) and Nodal Officer (FCA)

**Copy to:**

1. The Chief Conservator of Forests, Ballari Circle, Ballari for information.
2. The Deputy Conservator of Forests, Chitradurga Division, Chitradurga for information.
3. M/s Vedanta Limited Iron Ore Karnataka, Vedanta Sesa Goa Iron ore, Megalahalli Office Complex, Megalahalli Village, Bheemasamudra Post, Chitradurga District – 577 520 for information.

ANNEXURE - 1 & 2

Stage - I & II

⑦  
P. 31/1992-FC

F. No. 3-31/1992 - FC (P)  
Government of India  
Ministry of Environment, Forests and Climate Change.  
(Forest Conservation Division)  
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Indira Paryavaran Bhawan,  
Alignaj, Jorbagh Road,  
New Delhi - 110003  
Date: 36<sup>th</sup> December, 2014

To

The Principal Secretary (Forests),  
Government of Karnataka,  
Bangalore.

Sub: Renewal of mining lease over an area of 164.79 ha (161.54 ha for renewal of mining lease and 3.25 ha for approach road) of forest land in favour of M/s Sesa Sterlite Limited (Earlier known as M/s Sesa Goa Limited), Chitradurga in Nirthadi Reserve Forest, Holalkere Range, Chitradurga, Karnataka - regarding.

Sir,

I am directed to refer to the Government of Karnataka's letter no. No. FEE 91 FFM 2012 dated 23.02.2013 on above mentioned subject seeking prior approval of the Central Government under Section-2 of the Forest (Conservation) Act, 1980. After careful consideration of the proposal by the Forest Advisory Committee constituted under section-3 of the said Act, 'in-principle' approval was granted vide this Ministry's letter of even number dated 31.07.2013 subject to fulfilment of certain conditions prescribed therein. The State Government has furnished compliance report in respect of the conditions stipulated in the 'in-principle' approval and has requested the Central Government to grant final approval.

In this connection, I am directed to say that on the basis of the compliance report furnished by the State Government, vide letter no. no. FEE 91 FFM 2012 dated 4.08.2012 'final approval' of the Central Government is hereby granted under section-2 of the Forest (Conservation) Act, 1980 for renewal of mining lease over an area of 164.79 ha of forest land (161.54 ha for renewal of mining lease and 3.25 ha for approach road) in favour of Sesa Sterlite Limited (Earlier known as M/s Sesa Goa Limited), Chitradurga in Nirthadi Reserve Forest, Holalkere Range, Chitradurga, Karnataka subject to fulfilment of the following conditions:

1. Legal status of the diverted forest land shall remain unchanged.
2. All conditions imposed by Hon'ble SC in W.P.(C No.562/2009 (Samaj Parivartana & others vs. State of Karnataka & others) including R&R Plan prepared by ICFRE, Safety Zone Plan, Other conditions imposed for re-opening of the mine, etc. shall be complied with.
3. The User Agency shall pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India.
4. Wherever possible and technically feasible, the User Agency shall undertake by involving local community, the afforestation measures in the blanks within the lease area, as well as along the roads outside the lease area diverted under this approval, in consultation with the State Forest Department at the project cost.



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5. The period of diversion of the said forest land under this approval shall be for a period co-terminus with the period of the mining lease proposed to be granted under the Mines and Minerals (Development & Regulating) Act, 1957, or Rules framed there under, subject to a maximum period of 20 years.
6. User Agency either himself or through the State Forest Department shall undertake gap planting and soil & moisture conservation activities to restock and rejuvenate the degraded open forests (having crown density less than 0.40), if any, located in the area within 100m. from outer perimeter of the mining lease.
7. The User Agency shall undertake mining in a phased manner after taking due care for reclamation of the mined over area. The concurrent reclamation plan as per the approved mining plan shall be executed by the User Agency from the very first year, and an annual report on implementation thereof shall be submitted to the Nodal Officer, Forest (Conservation) Act, 1980, in the concerned State Government and the concerned Regional Office of the Ministry. If it is found from the annual report that the activities indicated in the concurrent reclamation plan are not being executed by the User Agency, the Nodal Officer or the Chief Conservator of Forests (Central) may direct that the mining activities shall remain suspended till such time, such reclamation activities are satisfactorily executed.
8. Following activities shall be undertaken by the user agency for the management of safety zone:
  - (a) User agency shall ensure demarcation of boundary of safety zone (7.5 meter strip all along the outer boundary of the mining lease area), and its protection by erecting adequate number of 4 feet high RCC boundary pillars inscribed with DGPS coordinates and deploying adequate number of watchers under the supervision of the State Forest Department.
  - (b) In case of the mining leases adjoining the habitation stretch of the boundary of the safety zone of the lease adjacent to the habitation/roads should be properly fenced by the user agency at the project cost to protect the vegetation /regeneration activities in the safety zone.
  - (c) Safety zone shall be maintained as green belt around the mining lease and to ensure dense canopy cover in the area, regeneration shall be taken in this area by the user agency at the project cost under the supervision of the State Forest Department.
  - (d) Afforestation on degraded forest land, to be selected elsewhere, measuring one and a half times the area under safety zone shall also be done by the user agency at the project cost under the supervision of the State Forest Department.
9. The User Agency shall implement the Resettlement and Rehabilitation Plan in case of displacement if any as per the Resettlement and Rehabilitation Policy of State Government in consonance with National R&R Policy, Government of India before the commencement of the project work and implementation. The said R&R Plan will be monitored by the State Government/Regional Office of MoEF&CC along with indicators for monitoring and expected observable milestones.
10. The User Agency shall undertake de-silting of the village tanks and other water bodies located within five km. from the mine lease boundary so as to mitigate the impact of siltation of such tanks/water bodies, whenever required.



11. Following activities shall be undertaken by the User Agency at the project cost:

- (a) Preparation and implementation of a plan containing appropriate mitigate measures to minimize soil erosion and choking of streams.
- (b) Planting of adequate drought hardy plant species and sowing of seeds in the appropriate area within the mining lease to arrest soil erosion.
- (c) Construction of check dams, retention/toe walls along the contour to arrest sliding down of the excavated material.
- (d) Stabilize the overburden dumps by appropriate grading/benching so as to ensure that the angles of repose/angle of waste dump at any given place is as per the R R plan approved by Hon'ble Supreme Court and its orders in WP(C) No. 562 of 2009, and
- (e) Strict adherence to the prescribed top soil management.
- (f) Ample care shall be taken while reclaiming the mined area by employing suitable top soil management scheme and ensuring plantation of native species of the area
- (g) Stabilize the overburden dumps by appropriate grading/benching so as to ensure the angle of repose at any given place is less than 28 degrees

These activities shall be undertaken in consonance with the R&R Plan prepared by the ICFRE in WP(C) No. 562/2009 & approved by CEC, by the user agency under the supervision of the State Forest Department.

- 12. The User Agency shall provide fuels preferably alternate fuels to the labourers and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas.
- 13. The boundary of the diverted forest land shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, forward and back bearing and distance from pillar to pillar in consonance with the orders / judgment passed in WP(C) No. 562/2009.
- 14. The layout plan of the proposal shall not be changed without the prior approval of the Central Government.
- 15. The forest land shall not be used for any purpose other than that specified in the proposal.
- 16. The forest land proposed to be diverted shall under no circumstances be transferred to any other agency, department or person without prior approval of the Central Government.
- 17. No damage to the flora and fauna of the adjoining area shall be caused
- 18. Any tree felling shall be done only when it is unavoidable and that too under strict supervision of the State Forest Department.



19. The user agency in consultation with the State Government shall create and maintain alternate habitat/home for the avifauna, whose nesting trees are to be cleared in this project. Birds nests artificially made out of eco-friendly material shall be used in the area, including forest area and human settlements, adjoining the forest area being diverted for the project."
20. All other conditions stipulated in the Stage-I approval for which the user agency has submitted undertakings shall be complied with.
21. The User Agency shall submit the annual self compliance report in respect of the above conditions to the State Government and to the concerned Regional Office of the Ministry regularly.
22. Any other condition that the concerned Regional Office of this Ministry may stipulate, from time to time, in the interest of conservation, protection and development of forests and wildlife.
23. The User Agency and the State Government shall ensure compliance to provisions of the all Acts, Rules, Regulations and Guidelines, for the time being in force, as applicable to the project.
24. Stage - II approval shall be subject to in principle decision of the authority in the State Government in terms of Section 8 (3) of MMDR Act-1957 that in the interest of Mineral Development, it is necessary to renew the lease.

Yours faithfully

(M. Rajkumar)

Assistant Inspector General of Forests (FC)

Copy for favour of information to:

1. The Principal Chief Conservator of Forest, Government of Karnataka, Bangalore.
2. The Addl. PCCF (Central), Regional Office Bangalore.
3. The Nodal Officer (FCA), O/o the PCCF, Government of Karnataka, Bangalore.
4. The User Agency (Sesa Sterlite limited, PB-43, Megalahalli office complex, Near Bheemasamudra Chitradurga, Karnataka-577501).
5. Monitoring Cell, FC Division, MoEF&CC, New Delhi.
6. Guard File.

(M. Rajkumar)

Assistant Inspector General of Forests (FC)

ANNEXURE - NO. 1  
Corr - 45166

PROCEEDINGS OF THE GOVERNMENT OF KARNATAKA

**Sub:** Diversion of 161.54 ha. of forest land for renewal of Mining No.2236 and 3.25 ha. for approach road i.e. for a total area of 164.79 ha. in Nirthadi Reserve Forest Holalkere Range Chitradurga Division in favour of M/s Sesa Sterlite Limited (Earlier known as M/s Sesa Goa Limited), Chitradurga.

**READ:** 1) Letter No. A5 (1) MNG.CR.6/11-12, dated: 31-01-2013 of the Principal Chief Conservator of Forests (Head of Forest Force), Bengaluru.

2) State Government letter No.FEE 91 FFM 2012, dated: 23-02-2013.

3) Government of India Ministry of Environment and Forests, New Delhi letter No.F.No.8-81/1992-FC(Pt), dated: 31-07-2013.

4) Letter No. A5 (1) MNG.CR.6/2011-12, dated: 17-09-2014 of the Principal Chief Conservator of Forests (Head of Forest Force), Bengaluru.

5) State Government letter No.FEE.91 FFM.2012, dated 08-12-2014.

6) Government of India Ministry of Environment and Forests, New Delhi letter No.F.No.8-81/1992-FC(Pt), dated: 30-12-2014.

PREAMBLE:-

The Principal Chief Conservator of Forests had sent proposal vide letter read at (1) above for diversion of 161.54 ha. of forest land for renewal of Mining No.2236 and 3.25 ha. for approach road i.e. for a total area of 164.79 ha. in Nirthadi Reserve Forest Holalkere Range Chitradurga Division in favour of M/s Sesa Sterlite Limited (Earlier known as M/s Sesa Goa Limited), Chitradurga subject to certain conditions.

The proposal of the Principal Chief Conservator of Forest (Head of Forest Force) was recommended to Government of India, Ministry of Environment and Forests, New Delhi vide State Government letter read at (2) above seeking prior approval of Government of India under section 2 of The Forest (Conservation) Act, 1980.

After careful consideration of the proposal of the State Government, Government of India vide its letter read at (3) above has accorded in-principle approval (Stage-I) subject to the fulfillment of certain conditions.

In compliance of the conditions stipulated by Government of India vide letter dated: 31-07-2013 the Principal Chief Conservator of Forests (Head of Forest Force) vide letter read at (4) above has sent compliance report. This compliance report was forwarded to Government of India vide State Government letter read at (5) above.

Government of India vide its letter read at (6) above has conveyed its final approval (Stage-II) under Section 2 of the Forest (Conservation) Act, 1980 for diversion 164.79 ha. (161.54 ha. for renewal of mining lease and 3.25 ha. for approach road) of forest land in favour of M/s Sesa Sterlite Limited (Earlier known as M/s Sesa Goa Limited), Chitradurga subject to certain conditions.

Hence the order.

**GOVT. ORDER NO. FEE 91 FEM 2012, BENGALURU**  
**DATED: 07/01/2015**

In the circumstances explained above, Government is pleased to accord sanction under Section 2 of the Forest (Conservation) Act, 1980 for diversion of 161.54 ha. of forest land for renewal of Mining No.2236 and 3.25 ha. for approach road i.e. for a total area of 164.79 ha. in Nirthadi Reserve Forest Holalkere Range Chitradurga Division in favour of M/s Sesa Sterlite Limited (Earlier known as M/s Sesa Goa Limited), Chitradurga subject to the following conditions.

1. Legal status of forest land shall remain unchanged.
2. All conditions imposed by Hon'ble Supreme Court of India in W.P. (C) No.562/2009 (Samaj Parivartana & others Vs. State of Karnataka and others) including R&R Plan prepared by ICFRE, Safety Zone Plan, other conditions imposed for re-opening of the mine, etc. shall be complied with.
3. The user agency shall pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India.
4. Wherever possible and technically feasible, the user agency shall undertake by involving local community, the afforestation measures in the blanks within the lease area, as well as along the roads outside the lease area diverted under this approval, in consultation with the State Forest Department at the project cost.
5. The period of diversion of the said forest land under this approval shall be for a period co-terminus with the period of the mining lease proposed to be granted under the Mines and Minerals (Development & Regulating) Act, 1957 or Rules framed thereunder, subject to a maximum period of 20 years.

6. User Agency either himself or through the State Forest Department shall undertake gap planting and soil moisture conservation activities to restock and rejuvenate the degraded open forests (having crown density less than 0.40), if any, located in the area within 100 m. from outer perimeter of the mining lease.
7. The user agency shall undertake mining in a phased manner after taking due care for reclamation of the mined over area. The concurrent reclamation plan as per the approved mining plan shall be executed by the user agency from the very first year and an annual report on implementation thereof shall be submitted to the Nodal Officer, Forest (Conservation) Act, 1980, in the concerned State Government and the concerned Regional Office of the MoEF. If it is found from the annual report that the activities indicated in the concurrent reclamation plan are not being executed by the user agency the Nodal Officer or the Chief Conservator of Forest (Central) may direct that the mining activities shall remain suspended till such time such reclamation activities are satisfactorily executed.
8. Following activities shall be undertaken by the user agency for the management of safety zone:
  - a) User agency shall ensure demarcation of boundary of safety zone (7.5 meter strip all along the outer boundary of the mining lease area), and its protection by erecting adequate number of 4 feet high RCC boundary pillars inscribed with DGPS coordinates and deploying adequate number of watchers under the supervision of the State Forest Department.
  - b) In case of the mining leases adjoining the habitation stretch of the boundary of the safety zone of the lease adjacent to the habitation/roads should be properly fenced by the user agency at the project cost to protect the vegetation/regeneration activities in the safety zone.
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- e) Strict adherence to the prescribed top soil management.
- f) Ample care shall be taken while reclaiming the mined area by employing suitable top soil management scheme and ensuring plantation of native species of the area.
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These activities shall be undertaken in consonance with the R&R Plan prepared by the ICFRE in W.P.(C) No.562/2009 & approved by CEC by the user agency under the supervision of the State Forest Department.

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14. The layout plan of the proposal shall not be changed without the prior approval of the Central Government.
15. The forest land shall not be used for any purpose other than that specified in the proposal.
16. The forest land proposed to be diverted shall under no circumstances be transferred to any other agency, department or person without prior approval of the Central Government.
17. No damage to the flora and fauna of the adjoining area shall be caused.
18. Any tree felling shall be done only when it is unavoidable and that too under strict supervision of the State Forest Department.
19. The user agency in consultation with the State Government shall create and maintain alternate habitat/home for the avifauna, whose nesting trees are to be cleared in this project. Birds nests artificially made out of eco-friendly material shall be used in the area including forest area and human settlements, adjoining the forest area being diverted for the project.
20. All other conditions stipulated in the Stage-I approval for which the user agency has submitted undertakings shall be complied with.
21. The user agency shall submit the annual self compliance report in respect of the above conditions to the State Government and to the concerned Regional Office of the Ministry regularly.
22. Any other condition that the concerned Regional Office, Ministry of Environment and Forests, Bengaluru may stipulate from time to time, in the interest of conservation protection and development of forests and wildlife.
23. The User Agency and the State Government shall ensure compliance to provisions of the all Acts, Rules, Regulations and Guidelines, for the time being in force, as applicable to the project.
24. Stage-II approval shall be subject to in principle decision of the authority in the State Government in terms of Section 8(3) of MMDR Act-1957 that in the interest of Mineral Development, it is necessary to renew the lease.
25. The user agency shall pay the Net Present Value (NPV) and two times the cost of compensatory afforestation with regard to already used section of road (R1A to R1B). Further, with regard to this violation it is stated that the Ministry of Environment and

- Forests Government of India may take any additional necessary action it deems fit in accordance with the Forest (Conservation) Act, 1980, which the user agency shall also comply with. The user agency shall also carry out repair and rehabilitation work of the above stated section of road to the satisfaction of the Chief Conservator of Forests/Deputy Conservator of Forests.
26. The user agency shall pay all the outstanding dues, as applicable and stated herein, regarding lease rent, supervision charges, Forest Development Tax and others.
  27. The user agency shall submit the requisite consent letter from all concerned Grama Sabhas as per the prevailing the FRA & FRR provisions and the MOEF guidelines.
  28. The user agency shall submit the requisite Notification as per the provisions of the MMRD or the Letter of Intent from the concerned authorities regarding renewal of Mining Lease.
  29. The user agency shall comply with the stipulated conditions Nos. 6, 7, 14, 16, 17 & 18, which were stated in the Order No. FEE-77 FFM/2006, dated 09-10-2006 of the Government of Karnataka to the satisfaction of the concerned Chief Conservator of Forests/Deputy Conservator of Forests. The user agency shall also fully implement the approved conservation plan for wildlife, as stipulated in the specific condition No. (vi) of the environment clearance recorded by the Ministry of Environment and Forests vide letter No. I-11015/1167/2007-TA-II(M), dated 05/02/2009, to the satisfaction of the concerned Chief Conservator of Forests/Deputy Conservator of Forests. The Government of India may take necessary action as deemed fit for non-compliance/violations of the conditions stipulated earlier as stated above.
  30. The user agency shall demarcate, fence and protect the safety zone area. The user agency shall also regenerate and develop the safety zone area as prescribed in the approved R&R in accordance with the Greenbelt Development Plan.
  31. With regard to the safety zone, the user agency shall pay the cost of afforestation charges in degraded forest as directed by the Ministry of Environment and Forests, Government of India.
  32. Any other condition arising out of the subject matter, if any.
  33. The forest land as scheduled as diverted for mining purpose under the Forest (Conservation) Act, 1980 for a period co-terminus with lease under the MMRD Act, 1957.
  34. Reclamation of mined area will be done at the cost of the user agency.

35. The project authority shall not be allowed to take up construction of any new infrastructural facilities like building etc., on forest land.
36. The approved IBM plan shall be strictly complied with.
37. The conditions imposed in the environment clearance issued by the Ministry of Environment and Forests, Government of India or SEIAA shall be strictly complied with.
38. The check dams, gully checks, settling ponds, etc., shall be constructed by the project authority to arrest the flow of suspended solids. The project proponents shall provide for adequate arrangements for removing the accumulated material from behind these dams.
39. The quality of water finally discharged into the main water course from the tailing dam should conform to the prescribed standard.
40. No waste material should be allowed to roll down over the hill slopes (if any). The control measures for preventing for rolling down of debris over the hill slope should be provided.
41. Effective steps for control of air pollution causing dust should be taken. No sorting and crushing facilities should be provided at the project site.
42. All the noise producing sources should be provided in-built control measures to reduce the noise level. The noise level should not exceed 40 dBA at a distance of 100 m. from the source.
43. No change of methodology of working and scope of working should be made without prior approval of the Ministry.
44. The Lessee/user agency shall pay to the Forest Department the lease rent and supervision charges at prevailing rates (subject to revision from time to time) per year per ha. without fail and shall abide by the orders issued by the State Government in this regard from time to time. In case this condition is not complied with by the user agency, the concerned Deputy Conservator of Forests has the right to cancel the lease.
45. The Lessee/user agency shall pay to the Forest Department, Forest Development Tax (FDT) in accordance with the orders issued by the State Government. In case this condition is not complied with by the user agency, the concerned Deputy Conservator of Forests has the right to cancel the lease.
46. The Lessee shall carry out the rigid soil and water conservation measures including contour trenches, gully checks, percolation



ANNEXURE - 3

Stage - I

F. No. 8-81/1992-FC(pt.)  
Government of India  
Ministry of Environment, Forests and Climate Change  
(Forest Conservation Division)  
\*\*\*

Indira Paryavaran Bhawan,  
Aliganj, Jorbagh Road,  
New Delhi - 110003  
Dated: 17<sup>th</sup> January, 2019

To,

The Principal Secretary (Forests),  
Government of Karnataka,  
Bangalore.

**Sub: Proposal for *ex-post-facto* approval for diversion of 2.025 ha forest land in Nithadi RF, Holalkere Range, Chitradurga Division in favour of M/s Sesa Sterlite Ltd., Bheemasamudra, Chitradurga, Karnataka.**


Sir,

I am directed to refer to the State Government's letter No. FCA/11.1/124/KAR/6554 dated 23.01.2015 on the subject mentioned above seeking prior approval of the Central Government under Section-2 of the Forest (Conservation) Act, 1980 and to say that the proposal has been examined by the Forest Advisory Committee constituted by the Central Government under Section-3 of the aforesaid Act.

After careful examination of the proposal of the State Government and on the basis of the recommendations of the Forest Advisory Committee, *In-principle approval/Stage-I Clearance* of the Central Government is hereby granted for diversion of 2.025 ha forest land in Nithadi RF, Holalkere Range, Chitradurga Division in favour of M/s Sesa Sterlite Ltd., Bheemasamudra, Chitradurga, Karnataka subject to the following conditions:

- (i) Legal status of the diverted forest land shall remain unchanged
- (ii) Compensatory afforestation over the non-forest land, equal in extent to the forest land being diverted, shall be raised within a period of three years with effect from the date of issue of Stage-II clearance and maintained thereafter in accordance with the approved Plan in consultation with the State Forest Department at the cost of the user agency;
- (iii) The User agency shall pay NPV and Penal NPV as per Ministry's guideline dated 29.01.2018.
- (iv) User agency shall provide penal CA on degraded forest land equivalent to the land (2.025 ha) utilized in violation of the provision of Forest (Conservation) Act 1980.
- (v) State Government shall submit the action taken report against the officials who had allowed the usage of 2.025 ha of forest land as road without prior approval of MOEF&CC as per the provisions of FCA 1980.
- (vi) The land identified for the purpose of CA shall be clearly depicted on a Survey of India topo-sheet of 1:50,000 scale.
- (vii) The non-forest land identified for raising compensatory afforestation shall be transferred and mutated in favour of the State Forest Department before issue of the Stage-II clearance.
- (viii) The non-forest land transferred so mutated in favour of the State Forest Department shall be notified by the State Government as RF under Section-4 or PF under Section-29 of the Indian Forest Act, 1927 or under the relevant Section(s) of the local Forest Act, 1927 latest within a period of six months from the date of issue of Stage--II approval.
- (ix) The User Agency shall transfer the cost of raising and maintaining the compensatory afforestation at the current wage rate as directed and advised by State Forest Department in the Ad-hoc CAMPA Account of the State concern through online portal. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years.

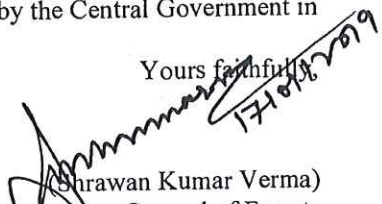
- (x) The User Agency shall transfer **online**, the Net Present Value (NPV) of the forest land being diverted under this proposal, as per the orders of the Hon'ble Supreme Court of India dated 28.03.2008, 24.04.2008 and 09.05.2008 in Writ Petition (Civil) No. 202/1995 and the guidelines issued by this Ministry vide its letter No. 5-3/2007-FC dated 05.02.2009. The requisite funds shall be transferred through online portal into Ad-hoc CAMPA account of the State Concerned.
- (xi) The user agency should ensure that the compensatory levies (CA cost, NPV, etc.) are deposited through challan generated **online** on web portal and deposited in appropriate bank online only. Amount deposited through other mode will not be accepted as compliance of the Stage- I clearance.
- (xii) The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required.
- (xiii) No labour camp shall be established on the forest land.
- (xiv) The User Agency shall provide fuels preferably alternate fuels to the labourers and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas.
- (xv) The boundary of the diverted forest land, as applicable, shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, forward and back bearing, distance from pillar to pillar and GPS Co-ordinates.
- (xvi) The layout plan of the proposal shall not be changed without the prior approval of the Central Government.
- (xvii) The forest land shall not be used for any purpose other than that specified in the proposal.
- (xviii) The forest land proposed to be diverted shall under no circumstances be transferred to any other agency, department or person without prior approval of the Central Government.
- (xix) No damage to the flora and fauna of the adjoining area shall be caused.
- (xx) Felling of trees on the forest land being diverted shall be reduced to the bare minimum and the trees should be felled under strict supervision of the State Forest Department.
- (xxi) The User Agency shall raise strip plantation on either sides of the road and central verge at the project cost, as per IRC specification, with maintenance of 7-10 years. The User Agency shall also submit design of providing at least 2-3 rows of long rotation indigenous trees, as per provision of IRC-SP-21-2009 (Guidelines on landscaping & tree plantation), on either sides of the road before final clearance.
- (xxii) Wherever possible and technically feasible, the User Agency shall undertake afforestation measures along the roads within the area diverted under this approval, in consultation with the State Forest Department at the project cost.
- (xxiii) Overburden shall not be dumped outside the width of the road. The muck generated in the earth cutting will be disposed off at the designate dumping sites and in no case the muck/debris shall be allowed to roll down the hill slopes.
- (xxiv) The User Agency will provide retaining walls, breast wall and drainage as per requirement to make the slope stable.
- (xxv) The User Agency will undertake comprehensive soil conservation measures at the project cost in consultation with the State Forest Department.
- (xxvi) The State Government shall complete settlement of rights, in terms of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, if any, on the forest land to be diverted and submit the documentary evidence as prescribed by this Ministry in its letter No. 11-9/1998-FC (pt.) dated 03.08.2009, 05th February, 2013 and 05th July, 2013, in support thereof;
- (xxvii) The User Agency shall not collect any toll from the vehicles carrying forest officers on duty;
- (xxviii) The designing of culverts/bridges, if any, over the natural streams/rivers/canals should be done in such a manner that it does not hamper the natural course of water, does not give rise to water-logging, and also does not hamper movement of wild animals;
- (xxix) Proper drainage shall be built with engineering structures all along the road, as suggested in the inspection report;
- (xxx) Avenue plantation shall be raised and maintained at the cost of user agency;
- (xxxi) Fugitive dust emissions shall be controlled by making water spraying arrangements on the road;



- (xxxii) The user agency shall have only the right of way and the control over the road shall remain with the forest department;
- (xxxiii) The User Agency shall submit the annual self-compliance report in respect of the above conditions to the State Government and to the concerned Regional Officer of the Ministry regularly;
- (xxxiv) Any other condition that the concerned Regional Office of this Ministry with the approval of competent authority may stipulate, from time to time, in the interest of conservation, protection and development of forests & wildlife; and
- (xxxv) The user agency shall comply all the provisions of the all Acts, Rules, Regulations, Guidelines, Hon'ble Court Order (s) and National Green Tribunal Order(s) pertaining to this project, if any, for the time being in force, as applicable to the project.

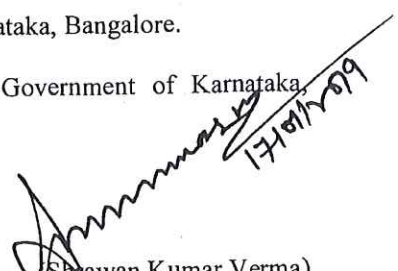
After receipt of compliance report on fulfilment of the conditions mentioned above, the proposal shall be considered for final approval under Section-2 of the Forest (Conservation) Act, 1980. Transfer of forest land shall not be affected till final approval is granted by the Central Government in this regard.

Yours faithfully,

  
(Shrawan Kumar Verma)  
Dy. Inspector General of Forests

**Copy to:**

1. The Principal Chief Conservator of Forests, Government of Karnataka, Bangalore.
2. The Addl. PCCF (Central), Regional Office, Bangalore.
3. The Nodal Officer (FCA), O/o PCCF, Forest Department, Government of Karnataka, Bangalore.
4. User Agency
5. Monitoring Cell of FC Division, MoEF & CC, New Delhi.
6. Guard File.

  
(Shrawan Kumar Verma)  
Dy. Inspector General of Forests



ANNEXURE-4

ANNEXURE-4  
GOK-#15380

## GOVERNMENT OF KARNATAKA

No. FEE 40 FFM 2014

Karnataka Government Secretariat  
M.S. Building

Bangalore, Dated: 09/01/2015.

From:

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

To:

Principal Chief Conservator of Forests  
(Head of Forests Force)  
Aranya Bhavan, Bangalore - 560 034.

Sir,

Sub: Movement of E-auctioned Iron Ore From Sesa Sterlite  
Limited (ML No. 2236) to Sasalu Railway Siding.Ref: 1. Letter A5(1)MNG CR 10/2013-14 dt. 19.06.2014 office  
of Principal Chief Conservator of Bengaluru.  
2. Letter No MC/R&R-VOL-III/2013-14  
dt. 24.05.2014, Monitoring Committee.  
3. This office letter NO. FEE 73 FFM 2013 dt. 31.12.2014.

It is requested to go through the above referred letter No.3, where in a proposal for diversion for 2.025ha. of Forest land used as road for mining by M/s Sesa Sterlite Limited, is recommended for approval to regional office, MoEF, Government of India, for clearance under FC Act, 1980.

The instant road in the forest area has been used for transportation of Iron Ore previously. Now it is processed under FC act as per the recent stand of MoEF. Earlier such provision for use of existing road in forest for Iron Ore transport was issued by the state Government only.

Now, Chairman, Monitoring Committee (set up by Hon'ble Supreme Court) and Principal Chief Conservator of Forest have opined that this road may be allowed for transportation of Iron Ore, as the Ore Purchased in E-auction from M/s Sesa Sterlite Limited needs to go by this road only as the User agency has moved FC proposal already vide above referred No.3.

Under the circumstances as per the recommendations of PCCF and Chairman, monitoring Committee vide reference No. 1&2 it is permitted to the use of this road for transportation of Iron Ore from M/s Sesa Sterlite Limited Mine (from R1A to R1B as pr the map send to Government vide reference (1) above) pending FC Clearance from MoEF Government of India.

Yours faithfully,



(G.S. Gurusiddiah)  
Deputy Secretary to Government,  
Forest, Ecology and Environment Department.

