



Proceedings of the Government of Karnataka

Sub: Extension of forest clearance period making it co-terminus with the mining lease period in respect of diversion 22.45 ha of forest land in Jegenahalli Village, Tumbaraguddi RF, Sandur Range, Sandur Taluk, Ballari District ML No. 2482 for manganese Ore Mines lease in favour of M/s Marwa Mining Company for manganese ore mines, Kudligi, Vijayanagar District.

Read: 1. The Ministry of Environment, Forests & Climate Change, Government of India, New Delhi Letter No: F.No. 11-51/2015-FC, dated:01-04-2015 and dated:01-05-2015
2. The Commerce and Industries Department(Mines) Letter No. CI 111 MMM 2015, dated:25-04-2015 & 10-12-2021.
3. The Principal Chief Conservator of Forests (Head of Forest Force), Bengaluru. Letter No.KFD/HOFF/A5-1(MNG)/27/2021-FC, dated: 16-03-2022.

Preamble:

Ministry of Environment, Forest and Climate Change, Government of India vide letter read at (1) above has issued guidelines regarding Extension of period of validity of approvals accorded under the Forest (Conservation) Act, 1980 for diversion of forest land for mining projects. The Para 7.3(iii) of the Chapter 7 of said guidelines deals with the Mining in respect of Minerals (other than coal, lignite and atomic minerals) regulated under MMDR Act and it inter-alia states that in case of existing mining leases, where approval under Section 2(ii) of the FC Act for the entire forest land in the mining lease has been obtained before 01.04.2015 the FC validity is deemed to have been extended co-terminus with ML in accordance of the provision of the MMDR Act. The extension of validity of FC is subjected realization of NPV before 31-03-2017, if not already realized earlier, failing which the Forest Clearance shall remain in abeyance till NPV is realized. Moreover, this deemed extension shall not apply to forest land falling in Mining Lease for which renewal has been rejected, or which has been determined or lapsed before 01-04-2015.

The Department of Commerce and Industries, Government of Karnataka has extended the validity of Mining lease No.2482 with validity up to 05-07-2030 vide Notification read at (2) above.

Principal Chief Conservator of Forest vide letter read at (3) above has submitted a proposal for the Extension of forest clearance period making it co-terminus with the

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mining lease period in respect of diversion 22.45 ha of forest land in Jegenahalli Village, Tumbaraguddi RF, Sandur Range, Sandur Taluk, Ballari District ML No. 2482 for manganese Ore Mines lease in favour of M/s Marwa Mining Company for manganese ore mines, Kudligi, Vijayanagar District. for mining purpose subject to the fulfilment of certain conditions.

The proposal has been examined in detail and hence the order.

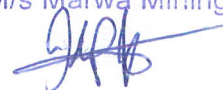
Government Order No. FEE 21 FFM 2022, Bengaluru,

Dated: 24-06-2022

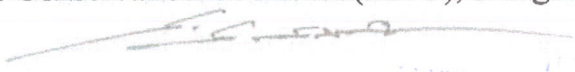
In the circumstances as explained in the preamble above, the Government is pleased to accord approval for Extension of forest clearance period making it co-terminus with the mining lease period in respect of diversion 22.45 ha of forest land in Jegenahalli Village, Tumbaraguddi RF, Sandur Range, Sandur Taluk, Ballari District ML No. 2482 for manganese Ore Mines lease in favour of M/s Marwa Mining Company for manganese ore mines, Kudligi, Vijayanagar District in accordance with guidelines of Ministry of Environment, Forest and Climate Change, Government of India, New Delhi issued vide letter No. F.No.5-2/2017-FC, dated:28-03-2019 subject to fulfilment of following conditions:-

01. Legal Status of the diverted Forest land shall remain unchanged.
02. The extension of validity of FC is subject to realization of NPV before 31.3.2017, if not already realized earlier, failing which the Forest Clearance shall remain in abeyance till NPV is realized.
03. The lessee has to comply and fulfil all the conditions which were referred at the time of earlier forest clearance sanctioned under section 2 of the Forest (Conservation) Act, 1980.
04. All the conditions stipulated in guidelines issued vide letter dated 28.3.2019 should be complied with.
05. The deemed extension is subject to any independent proceedings under Forest (Conservation) Act, 1980, including proceeding for violation of any provision of rules made there under.
06. The deemed extension shall not absolve the lessee from any action under Forest (Conservation) Act, 1980 and rules framed under for the Acts done prior to this approval.
07. No mining operation shall be undertaken in the lease hold area unless all statutory clearance under Environmental (Protection) Act, 1986, the Karnataka State Pollution Control Board consents, permission etc. under various legislation Acts, Rules, Regulations, Notifications as amended from time to time the satisfaction of concerned Authorities in any other conditions that the State Government or the Additional Chief Conservator of Forests (Central), Regional Office of the Principal Chief Conservation of Forests (HoFF), Bengaluru may

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- impose from time to time in the interest of conservation, protection and development of Forests.
08. **The forest land schedule has been extended only for mining purpose under the Forest(conservation)Act, 1980 with validity for a period co-terminus with lease under the MMDR Act, 1957 i.e., up to 05-07-2030 extended vide Notification No.CI 111 MMM 2015, Dated: 25-04-2015 and 10-12-2021 of the department of Commerce and Industries, Government of Karnataka.**
 09. The lessee is permitted to carry out mining activities between the hours of 6 A.M and 7 P.M. only.
 10. **The User Agency shall undertake mining and reclamation of the mined out area as per the approved mining plan and the directions of the concerned Deputy Conservator of Forests.**
 11. The lessee shall not be allowed to take up construction of any new infrastructural facilities like buildings etc., on forest land.
 12. The approved IBM plan shall be strictly complied with.
 13. The conditions in the environment clearance issued by the Ministry of Environment, Forests and Climate Change, Government of India of SEIAA shall be strictly complied with. Copy of EC should be submitted to the Deputy Conservation of Forests Before start of mining operations.
 14. The conditions imposed in the consent given by the Karnataka State Pollution Control Board under Air & Water Acts shall be strictly complied with.
 15. The Check Dams, Gully Checks, Setting 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.
 16. The quality of water finally discharged into the main water course from the tailing dam should confirm to the prescribed standard.
 17. No waste material should be allowed to roll down over the hill slopes (if any). The control measures for preventing for rolling down the debris over the hill slope should be provided.
 18. Effective steps for control of air pollution causing dust should be taken. Sorting and crushing facilities at the project site are subjected to conditions.
 19. All the noise producing sources should be provided in-built control measures to reduce the noise level. The noise level should not exceed 40 Db, at a distance of 100 m. from the source.
 20. No change of methodology of working and scope of working should be made without prior approval of the Ministry of Environment, Forest and Climate Change, Government of India.
 21. The lessee shall pay the Forest Department lease rent and supervision charges at prevailing rates (subject to revision from time to time) per year per hectare every year 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 Lessee, the concerned Deputy Conservator of Forests has the right to cancel the lease.

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22. The lessee shall pay the Forest Development Fee (FDF and FDT) to the Forest Department in accordance with the orders issued by the State Government subject to the final order in Civil Appeal No.3974-4068 of 2016 filed in Hon'ble Supreme Court of India.
23. The Lessee shall carry out the rigid soil and water conservation measures including contour trenches, gully checks, percolation ponds, masonry check dams, etc., and planning of gaps inside the lease area as well as in the adjoining forest area up to one km. from the lease boundary as suggested by the concerned Deputy Conservator of Forests, so that the flow of eroded soil and runoff do not pollute the neighbouring tanks.
24. The lessee shall protect and nurture, the natural tree growth in the area, leased out for mining as prescribed by the Forest Department.
25. The lessee shall not cut trees without prior permission of the Forest Officers and all permitted felling should be handed over to the forest Department under cover of receipt.
26. All the conditions stipulated in the Government of India's Letter No. F.No.8-52/94-FC dated: 13-05-1999 should be complied.
27. The User Agency shall obtain the Environment Clearance as per the provisions of the Environment (Protection) Act, 1986.
28. **The User Agency either itself or through the State Forest Department shall undertake fencing, protection and afforestation of the safety zone area (7.5 meter strip shall be kept within the mining lease or mining cluster, as applicable and such areas as specified in the approved in the mining plan) at the project cost. Area of safety zone of a mining lease shall be a part of the total area of the mining lease.**
29. No labour camp shall be established on the forest land.
30. The User Agency shall provide firewood preferably alternate fuels to the labours and the staff working at the site so as to avoid any damage and pressure on forest areas.
31. The boundary of the diverted forest land, mining lease area and safety zone shall be suitably demarcated on ground at the project cost as per the directions of concerned Deputy Conservator of Forests.
32. The forest land shall not be used for any purpose other than specified in the project proposal.
33. The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without prior approval of Central Government.
34. **The change in the layout plan of the mining lease, if required, shall be done as prescribed in the MoEF & CC Guideline F.No. 11-42/2017-FC, Dated 29-01-2018.**
35. **The concerned Deputy Conservator of Forests will monitor and take necessary mitigative measures to ensure that there is no adverse impact on the forests in the surrounding area.**

36. The User Agency and the State Government shall ensure compliance of all the Court orders, provisions, rules, regulations and guidelines for the time being in force as applicable to the project.
37. Violation of any these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as per the MoEF& CC Guideline F.No.11-42/2017-FC, dated: 29-01-2018.
38. Lessee should comply all other conditions imposed by the Ministry of Environment, Forest and Climate Change, Government of India; State Government and the Principal Conservator of Forests (HoFF) from time to time in the interest of conservation, protection and development of forests and wildlife. The State Government shall ensure compliance of all above conditions.

By order and in the name of the
Governor of Karnataka


(S. SRINIVASA)

Under Secretary to Government

 Forest, Ecology and Environment Department (Forest-C)

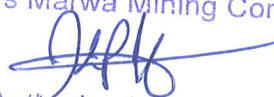
To.

Nodal officer, E-Gazette Forest, Ecology and Environment Department.

Copy to:

1. The Director General of Forests and Special Secretary to Government of India, Ministry of Environment, Forest and Climate Change, Agni Wing, Indira Paryavaran Bhavan Jor Bagh, Ali Ganj Road, New Delhi-110003.
2. The Accountant General (Audit I and II)/Accounts), Karnataka, Bengaluru.
3. The Principal Chief Conservator of Forests (Head of Forest Force), Aranya Bhavan, Malleshwaram, Bengaluru – 560 003.
4. The Deputy Director General of Forests(Central), Government of India, Ministry of Environment, Forest and Climate Change, Integrated Regional office, Kendriya Sadana, 4th floor, E and F Wing, 17th main, Koramangala, Bengaluru-560034.
5. The Principal Chief Conservator of Forests (Forest Conservation) and Nodal Officer (FCA), Aranya Bhavan, Malleshwaram, Bengaluru- 560 003.
6. The Chief Conservator of Forest, Ballari Circle, Ballari
- * 7. The Deputy Conservator of Forest, Ballari Division, Ballari.
8. ✓ M/s Marwa Mining Company, #687, 13th Ward, 'Umer Manil' Ballai District, Kudligi-583135
9. SGF/Spare Copies.

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