

PROCEEDINGS OF THE GOVERNMENT OF KARNATAKA

Sub:- Renewal of mining lease No.2245 in favour of M/s. Bharath Mines and Minerals, Bellary for Iron Ore Mines over an area of 26.20 ha. in Nandihally Village, Sandur Taluk, Bellary District.

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READ:

- 1) Letter No.A5(B1)MNG.CR.1/2000-2001, dated 12-5-2000 of the Principal Chief Conservator of Forests, Bangalore
- 2) Letter No.A5(B1)MNG.CR.11/2000-2001, dated 11-7-2000 of the Principal Chief Conservator of Forests, Bangalore.
- 3) Letter No.A5(B1)MNG.CR.13/92-93, dated 19-8-2000 of the Principal Chief Conservator of Forests, Bangalore.
- 4) Letter No.A5(B1) MNG.CR.13/92-93(II), dated 20-10-2000 of the Principal Chief Conservator of Forests, Bangalore.
- 5) Letter No.A5(B1)MNG.CR.13/92-93, dated 3-1-2001 of the Principal Chief Conservator of Forests, Bangalore.
- 6) State Government letter No. even number dated 24-6-2000, 14-8-2000, 30-8-2000, 19-9-2000, 24-10-2000 and 24-1-2001.
- 7) Government of India, Regional Office, Bangalore letter No.F(C)A/11.1/105/KAR/MIN dated 26-4-2000 and 5-10-2000.
- 8) Government of India letter No.8-63/2000, dated 24-8-2000 and 20-3-2001.

PREAMBLE:

The Principal Chief Conservator of Forests, Bangalore had sent proposal vide his letter dated 12-5-2000 read at (1) above for diversion of forest land over an area of 26.20 ha. in Nandihally Village of Sandur Taluk of Bellary District in favour of M/s. Bharat Mines and Minerals, Bellary for a period of 10 years with effect from 6-4-2001, in accordance with Forest (Conservation) Act, 1980 subject to certain conditions.

The Proposal of Principal Chief Conservator of Forests was recommended to Government of India, Ministry of Environment and Forests, New Delhi vide letter of even number dated 24-6-2000 read at (6) above and its approval was sought under section (2) of the Forest (Conservation) Act, 1980 for the renewal of mining lease No.2245 Nandihally village, Sandur Taluk, Bellary District.

The Government of India, Regional Office, Bangalore vide its letter dated 26-4-2000 and 5-10-2000 read at (7) above had sought certain clarifications and additional information on the proposal. They were also sent through subsequent letter dated 30-8-2000 and 24-1-2001 read at (6) above.

The Principal Chief Conservator of Forests had again submitted proposal for the surrendered area of 13.86 hectare in Nandihally Village, S.M. Block, Sandur Taluk, Bellary District in favour of M/s. Bharat Mines and Minerals, Bellary under the

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Forest (Conservation) Act, 1980 with certain terms and conditions for a period of 10 years with effect from 7-4-2001. This was also recommended to Government of India by Government of Karnataka vide letter of even number dated 14-8-2000 read at (6) above.

The Principal Chief Conservator of Forests vide his letter dated 20-10-2000 and 3-1-2001 read at (4) and (5) respectively has informed Government that the User agency has remitted a sum of Rs.4,13,700/- through D.D.No.202612 dated 26-9-2000 being penalty amount imposed for 2.10 ha. X 4 times Rs.49,250/- per hectare for having encroached the Forest area of 2.10 ha. outside the leased area. This report of the Principal Chief Conservator of Forests was forwarded to Government of India on 24-10-2000 by the State Government read at (6) above.

After careful consideration of the proposal of the State Government and on the recommendation of the Advisory Committee constituted by the Central Government under section 2 of the Forest (Conservation) Act, 1980 for renewal of mining lease No.2245 in favour of M/s. Bharat Mines and Minerals over 26.20 ha. of forest land in Bellary District i.e. the forest land which was granted approval earlier under Forest (Conservation) Act, 1980 in 1997 subject to certain conditions.

GOVERNMENT ORDER NO.FBE 32 FPM 2000, BANGALORE, DATED:4-4-2001

After examining all aspects of the matter and in view of the approval accorded to the proposal by the Ministry of Environment and Forests, Government of India, New Delhi, Government are pleased to accord its approval (under section 2 of the Forests Conservation Act, 1980) for the renewal of mining lease No.2245 in favour of M/s. Bharat Mines and Minerals, Bellary over an area of 26.20 hectare of forest land in Nandihally village of Sandur Taluk of Bellary District i.e. the forest land which was granted approval earlier under Forest (Conservation) Act, 1980 in 1997 and has since been totally broken up subject to following conditions:-

1. Legal status of forest land shall remain unchanged.
2. Lease period shall be for 20 years with effect from 6-4-2001.

3. The User agency will be allowed use of 0.30 ha. forest land (road) which is the only route to access the mining lease area subject to condition that the User agency gives a commitment to maintain the road.
4. Phased reclamation plan will be implemented by the User agency at their cost.
5. The forest land shall not be used for any purpose other than that specified in the proposal.
6. Fencing, protection and regeneration of the safety zone area will be done at the project cost. Besides this, afforestation over one and a half times of safety zone area in degraded forest elsewhere will be done at the project cost.
7. Demarcation of mining lease area will be done on the ground using four feet high reinforced concrete pillars with serial numbers, forward and back bearings and distance from pillar to pillar at project cost.
8. The approval under the Forest (Conservation) Act, 1980 is subject to the clearance under the Environmental protection Act, 1986, if required.
9. Any other condition that the State Government or the Chief Conservator of Forests (Central), Regional Office, Bangalore may impose from time to time in the interest of conservation, protection or development of forests.
10. The lessee shall pay usual lease rent and supervision charges as prescribed by the Government from time to time.
11. The lessee shall open a firewood depot to supply firewood to the employees and labourers at the subsidised rates and the quantity to be prescribed by the Deputy Conservator of Forests concerned.
12. The lessee shall undertake the afforestation measures in vacant area of the leased area.
13. The lessee shall carry out soil and water conservation measures and other necessary measures as advised by the Forest Department.
14. The lessee shall undertake to protect rigidly the leased area and forest area surrounding the area upto one Km. from the leased area.

15. The lessee shall not cut any trees without prior permission of the Forest Department and all produce of permitted fellings shall be handed over to Forest Department under cover of receipt.
16. The lessee shall abide by all the conditions prescribed by Government of India and Government of Karnataka.
17. The lessee shall execute an agreement with the Forest Department binding himself to abide by all usual conditions and terms as per orders of the Government as well as Principal Chief Conservator of Forests.
18. In case of violation of agreement condition of Forest Department shall have right to suspend the mining activities.
19. The lessee shall take-up the planting work on the static dumps during the advance mining operations.

BY ORDER AND IN THE NAME OF THE
GOVERNOR OF KARNATAKA,

K. T. Vijayaraj Urs
(K. T. VIJAYARAJ URS)
Under Secretary to Government
Forest, Environment & Ecology Dept

To

The Compiler, State Gazettee with a request to publish the government order and to send 50 copies to the Government and also to the Principal Chief Conservator of Forests and others.

Copy to:

1. Accountant General (Audit and Accounts), Karnataka, Bangalore.
2. The Secretary to Government of India, Ministry of Environment and Forests, C.G.O. Complex, Lodhi Road, New Delhi.
3. The Chief Conservator of Forests (C), Regional Office, Southern Zone, Kendriya Sadana, II Block, 4th Floor, C & F Wing, 17th Main, Koramangala, Bangalore.
4. The Principal Secretary to Government, Commerce and Industries Department.
5. The Secretary to Government-II, Commerce and Industries.
6. Principal Chief Conservator of Forests, Aranya Bhavan, Bangalore.
7. The Director, Mines and Geology Department, Bangalore.
8. The Chairman, Karnataka State Pollution Control Board, B.
9. The Conservator of Forests, Bellary Circle, Bellary.
10. The Deputy Conservator of Forests, Bellary.
11. The Deputy Commissioner, Chitradurga.
12. The Deputy Conservator of Forests, Bellary Division, Bellary.
13. The Under Secretary to Government, Forest, Environment and Ecology Department (E & F).
14. M/s. Bharat Mines and Minerals, Bellary District (Pannara Compound, Fort, Bellary-583102).
15. Spare copies/ Section Guard File.