

Reminder-1

**Government of India
Ministry of Environment, Forest and Climate Change
(Forest Conservation Division)**

Indira Paryavaran Bhawan
Aliganj, Jorbagh Road
New Delhi – 110 003
Dated: 23rd March, 2022

To,
The Additional Chief Secretary (Forests)
Ecology and Environment Department,
Government of Karnataka,
Bengaluru.

Sub: Request to extend the Validity of transfer of Forest Clearance for 50 years with reference to the letter vide No.FC-11/136/2021-FC dated 27/04/2022 and MoEF Guidelines dated 07.07.2021.

Reference: Transfer of FC of Mining Lease of MSPL Limited (ML. No.0010) from erstwhile lessee M/s. Lakshmi Narayana Mining Company No.2487, FC File No.8-39/2003-FC dated 25.10.2019 .

Sir

I am directed to refer to this Ministry's letter dt 05.07.2022 (copy enclosed) vide which a copy of the letter dated 14.05.2022 received from MSPL Limited, Baldota Enclave, Abheraj Baldota Road, Hostapete, Karnataka, on the above mentioned subject was forwarded seeking comments from the State Government. The reply for which is still awaited.

In view of the above the Government of Karnataka is once again requested to furnish the comments to this Ministry at the earliest.

Signed by Dheeraj Mittal

Date: 23-03-2023 18:17:59

Yours faithfully,

(Dr. Dheeraj Mittal)

Assistant Inspector General of Forests

Copy to: -

1. The Principal Chief Conservator of Forests (HoFF), Government of Karnataka, Bengaluru.
2. The Regional Officer, Integrated Regional Office, MoEF&CC, Bengaluru.
3. The Nodal Office (FCA), Forest Department, Government of Karnataka, Bengaluru.
4. User Agency.
5. Monitoring Cell, FC Division, MoEF & CC, New Delhi.

Government of India
Ministry of Environment, Forest and Climate Change
(Forest Conservation Division)

Indira Paryavaran Bhawan,
Jor Bagh Road, Aliganj
New Delhi-1100 03
Dated: 05th July, 2022

To

The Addl. Chief Secretary (Forests),
Department of Environment & Forests,
Government of Karnataka,
Bangalore.

Sub: Request to extend the Validity of transfer of Forest Clearance for 50 years with reference to the letter vide No.FC-11/136/2021-FC dated 27/04/2022 and MoEF Guidelines dated 07.07.2021.

Reference: Transfer of FC of Mining Lease of MSPL Limited (ML. No.0010) from erstwhile lessee M/s. Lakshmi Narayana Mining Company No.2487, FC File No.8-39/2003-FC dated 25.10.2019.

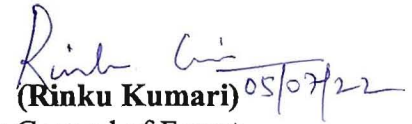
Sir,

I am directed to enclose herewith a copy of the letter dated 14.05.2022 received from MSPL Limited, Baldota Enclave, Abheraj Baldota Road, Hostapete, Karnataka, on the above mentioned subject.

In view of the above the Government of Karnataka is requested to furnish their comments to this Ministry.

Encl.: As above

Yours faithfully,


(Rinku Kumari) 05/07/22

Asstt. Inspector General of Forest

Copy to:

1. The PCCF (HoFF), Government of Karnataka, Bangalore.
2. The Nodal Officer (FCA) Government of Karnataka, Bangalore.
3. The Regional Officer, Integrated Regional Office of MoEF&CC, Bangalore .
4. User agency.
5. Monitoring cell of MoEF&CC, New Delhi.

7670384/2022/MO

BALDOTA
WE ARE LIFE**MSPL LIMITED**

Corp. Office : Baldota Enclave, Abheraj Baldota Road, Hosapete - 583203 , Karnataka, India.
Office : +91 8394 232002, 232003, Fax : +91 8394 232444
Email : email@mspllimited.com url : www.baldota.co.in

Reg. Office : Baldota Bhavan, 117, Maharshi Karve Road, Mumbai - 400020. India.
Tel : +91 22 22030989 Fax : +91 22 22019762 Email : mspl.mum@mspllimited.com
CIN UI3100MH1961PLCO12160

Ref:: MSPL/LMC/MOEF/TFR/2022-23

Date: May 14, 2022

The Inspector General of Forests,
Ministry of Environment, Forest & Climate Change,
Government of India, India Paryavaran Bhavan
Aliganj, Jor Bagh Road
New Delhi – 110 003.

Dear Sir,

- Subject** : Request to extend the Validity of transfer of Forest Clearance for 50 years with reference to the letter vide No. FC - 11/136/2021-FC dated 27/04/2022 and MOEF Guidelines dated 07.07.2021
- Reference** : 1. Transfer of FC of Mining Lease of MSPL Ltd (ML. NO. 0010) from erstwhile lessee M/s. Lakshmi Narayana Mining Company No. 2487, FC File no.8-39/2003-FC dated 25.10.2019
2. State Govt Order No. FEE 57 FFM 2018 dated 12.11.2019.
3. Our Request letter no. MSPL/KIOM/FC dated :02.09.2021

The Director, Department of Mines and Geology, Karnataka, pursuant to the Supreme Court judgments and order in Samaj Parivartana Samudaya and Ors Vs State of Karnataka and Ors in W.P (C) 562 of 2009 (the Judgement), the Mines and Minerals (Development and Regulation) Act, 1957 and its amendments (the Act) and the Mineral (Auction) Rules, 2015 including its amendments (the Rules), issued the notification and notice inviting tender dated 3rd October 2016 for grant of Mining Lease for M/s. Lakshmi Narayana Mining Company, ML No. 2487 located in Block in Karadikolla Village, Sandur taluk, Bellary District, Karnataka.

MSPL Limited has been declared as a successful bidder and LOI was issued on 02/01/2018 & 26/10/2016. Subsequently the Company obtained all approvals and commenced the mining operations on 12/03/2020. Chronological history of all approvals is as below.

FC Transfer Details	Date
Transfer of FC	25/10/2019
Transfer of FC Order from Govt of Karnataka	12/11/2019
Execution of MDPA	27/01/2020
Execution of Mining Lease Deed	01/02/2020
Registration of ML deed	03/02/2020
Execution of Forest Agreement	13/02/2020
Commencement of Mining Operations	12/03/2020
Application for Renewal of FC	02/04/2021
Request to MOEF to transfer the FC for 50 years	02/09/2021

RF
15/5/2021
7/15/22

767038/1/2022/MO

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WE ARE LIFE**MSPL LIMITED**

Corp. Office : Baldota Enclave, Abheraj Baldota Road, Hosapete - 583203, Karnataka, India.

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CIN UI3100MH1961PLCO12160

We draw your kind attention with reference to the Section 8B of the Mines and Minerals (Development and Regulation) Amendment Act, 2021 which states as below:

“provided that even after expiry or termination of the lease and such rights, approvals, clearances, licenses and the like shall be transferred to, and vested; subject to the conditions provided under such laws; in the successful bidder of the mining lease selected through auction under the said Act. It has also been provided in the amendment Act that it shall be lawful for the new lessee to continue mining operations on the land till expiry or termination of mining lease granted to it, in which mining operations were being carried out by the previous lessee.”

The above matter is related to the validity of the approvals granted under the Forest (Conservation) Act, 1980 (FCA-1980). It shall be lawful for the new lessee to continue mining operations on the land till expiry or termination of mining lease granted to the new Lessee. **Accordingly, MoEF&CC has issued guideline File No.FC-11/112/2020-FC(Pt) dated:07/07/2021. As per these guidelines, the transfer of Validity of FC stands for 50 Years. Hence, our FC transferred File no.8-39/2003-FC dated 25.10.2019 is stands valid for 50 years instead of Limited Validity till 20.05.2023.**

We also draw your kind attention to the recent communication made with the Additional Chief Secretary (Forests), Ecology & Environment department, Government of Karnataka vide letter No. FC – 11 / 136 / 2021 – FC dated 27/04/2022 stating ***“FC proposals of the new lessee, in respect of cancelled leases which are currently under consideration in the State and Central Government, may be dealt as a transfer of lease case, at Ministry level at New Delhi, with condition as applicable or reported by the State Government. The Guidelines dated 07/07/2021 issued by the Ministry stands modified to the above extent”***.

In this regard, we wish to state that, the auctioned Mining Lease No. 0010 (Old ML No. 2487) was a terminated / cancelled lease and has been won in auction by the MSPL Limited who is a new lessee and the proposal for transfer of forest clearance was accorded before the expiry of forest clearance and is currently under consideration at State Government for renewal of Forest Clearance.

We undertake that, we shall comply with the terms and conditions as may be applicable to us, under the existing approvals granted to the previous lessee under the FC Act 1980 and also submit necessary undertaking to comply with further guidelines if any issued and applicable to the such extension of validity coterminal with our lease.

7670384/2022/AMO

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CIN UI3100MH1961PLCO12160

In this regard, Request to consider **our** FC transferred File no.8-39/2003-FC dated 25.10.2019, under MOEF Guidelines dated 07.07.2021 & letter No. FC – 11 / 136 / 2021 – FC dated 27/04/2022 and accord the validity of transfer of forest clearance for 50 years at the earliest.

Thanking You,

With Regards,

For MSPL Limited,

Authorized Signatory