

No.MI/MNG/Bhadra/M.L.2365/2016-17

Office of the
Deputy Conservator of Forests,
Bellary Division, Bellary.
Dated :17.10.2017.

To,

The Chief Conservator of Forests,
Ballari Circle, Ballari

Sir,

Sub : Renewal of Mining lease M.L.No.2365 of C-Category mines,
recently allocated to M/s. JSW Steel Ltd, Toranagallu over an extent
of 130.53ha & approach road 3.05 ha Total 133.58 hectares in Donimalai
Block, Sandur Taluk, Ballari District.

Ref : 1) Letter No. DMG/MLS/CCA/12/2365/2016-17 Dated: 26.10.2016
of the Commissioner and Director, Department of Mines & Geology,
Bengaluru.
2) The Hon'ble Supreme Court order dated: 30.07.2015
3) Online Application No. FP/KA/MIN/25219/2017
Dated: 06.04.2017
4) M/s. JSW Steel Limited, Toranagallu letter dated: 20.07.2017.
5) This office even number dated: 27.05.2017.
6) Letter No. ACF/TA/RFO(S)/TML-2365/JS/17-18 dated: 02.08.17 of
The Assistant Conservator of Forests, Ballari Sub-Division, Ballari.
7) This office even number dated: 27.09.2017
8) Your office letter No. MI/MNG/TML/TRF/M.L.No.2365/CR-3/17-18
Dated : 04.10.2017

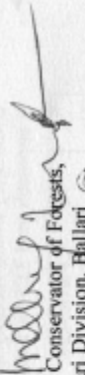
With reference to the above subject, as per the clarification for objections raised by your
office vide letter cited above reference (8), I am submitting clarification for the proposal No..
FP/KA/MIN/25219/2017 Dated: 06.04.2017 for Renewal of Mining lease M.L.No.2365 of
C-Category mines recently allocated to M/s. JSW Steel Ltd, Toranagallu over an extent of 130.53ha
& approach road 3.05 ha Total 133.58 hectares in Donimalai Block, Sandur Taluk, Ballari District.

Sl. No.	Particulars	Information.
1	It is reported that the currency of Forest clearance period has expired long back i.e. on 08.06.2009 and simultaneously the mining lease period has also expired on 29.07.2008. Hence, please clarify whether this lease can be treated as a renewal or a fresh case.	In case of M.L.No.2365 i.e. C-Category mine Forest Clearance is granted by Government of India, Ministry of Environment and Forests, New Delhi vide its letter No. 8-46/1996-FC, dated : 24.04.1999 and also by Government of Karnataka in its order No. FEE-38 FFM-98, dated: 09.06.1999 for a period of 10 years with effect from the date of issue of this order (i.e.09.06.1999) over an extent of 125.58 hectares imposing certain conditions. The M/s JSW Steel Ltd has been declared as successful bidder of M.L.No.2365 (C-category mine) through e-auction over an extent of 130.53 ha (as per CEC sketch) further, the Commissioner, Department of Mines & Geology, Bangalore and has issued a Letter of Intent over an extent of 130.53 hectares for a period of 50 years lease period. The said proposal has been submitted by the User Agency (UA) in Form-B under Rule 6 of the Forest (Conservation) Act, 1980 and, it is in order as per the said rules. It may please be noted that Form-B is "Form seeking prior approval under Section-2 of the proposals by the State Governments and other authorities in respect of renewal of leases, which have been earlier granted clearance under Forest (Conservation) Act, 1980".

2	Since this instant case is being recommended for both transfer and renewal in favour of M/s. JSW Steel Ltd, without getting the non-forest land transferred and mutated in favour of the Forest Department, the proposal cannot be recommended under Forest (Conservation) Act, 1980.	In this connection, the direction of Government of India in their Letter No. F. No. 11-306/2014-FC dated 07-10-2014 issued under Forest (Conservation) Act, 1980 may please be referred. The said direction says "..... I am directed to say that in cases where land proposed to be utilized for CA is proposed to be acquired by the project proponent himself through outright purchase from the individual owners, at the time of submission of application for grant of stage-I approval under the FC Act, uploading/submission of a copy of letter from each of present owners of the land identified for compensatory afforestation (CA) stating their willingness to sell the land to the user agency for its transfer and mutation in favour of the State Forest Department for creation of CA will only be sufficient." (Enclosed as Annexure-A). In view of above guidelines the UA has submitted an under taking that, the CA land will be mutated and transferred in favour of Forest Department after getting the Stage-I approval.
3	It is also reported that M/s. JSW Steel Ltd, Torangallu, has not yet submitted the Form-II under the Forest Rights Act, 2006 from the concerned Deputy Commissioner.	As per letter No. F. No. 11-179/2012-FC dated 20-12-2013 at Stage-I approval under Forest (Conservation) Act, 1980, initiation of Certificate under Forest Rights Act, 2006 is sufficient to consider the documentary evidence as stipulated in the MoEF letter with Competent authority, as per above guidelines the user agency has submitted documentary evidence from competent authority. The same is enclosed as Annexure-B.

Herewith, I am re-submitting the proposal with duly clarifications along with 4 sets of copies.
This is your kind perusal.

Yours faithfully


Deputy Conservator of Forests,
Ballari Division, Ballari

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19/10/2017
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