



## Proceedings of the Government of Karnataka

**Subject:** Transfer of Forest Clearance for diversion of renewal of 21.03 ha (originally 21.11 ha) of Forest land in respect of Category 'C' Mining Lease No. 2313 from erstwhile lessee M/s. Hothur Traders, M.L.No.2313 to the successful bidder i.e. M/s. JSW Steel Ltd.

**Read:** 1) Principal Chief Conservator of Forests (Head of Forest Force), Bangalore Letter No. A5(1).MNG.CR.48/2016-17, dt:06.05.2017.  
2) Government of Karnataka Letter No. FEE 38 FFM 2017, dt:09.06.2017.  
3) Government of India, Ministry of Environment and Forests and Climate Change Letter No. F.No.8-323/1989-FC. dt. 12.09.2017.

### Preamble:

The Principal Chief Conservator of Forests (Head of Forest Force), Bangalore vide their letter read at (1) had submitted a proposal for Transfer of Forest Clearance of 21.03 ha (originally 21.11 ha) of Forest land in respect of Category 'C' Mining Lease No. 2313 from erstwhile lessee M/s. Hothur Traders, M.L.No.2313 to the successful bidder i.e. M/s. JSW Steel Ltd. subject to certain conditions.

After verification and examination, the proposal was recommended by Government of Karnataka and it was forwarded to Government of India, vide Government of Karnataka letter dated: 09.06.2017 read at (2) above.

After careful examination of the proposal in accordance with para 2.8 of the Guidelines of the transfer of lease read with the Guidelines dated 03.05.2010 and 03.05.2017 under the Forest (Conservation) Act, 1980 for transfer of approval granted by the Central Government. The Central Government has conveyed its approval for Transfer of Forest Clearance for diversion of 21.03 ha (originally 21.11 ha) of Forest land in respect of Category 'C' Mining Lease No. 2313 from erstwhile lessee

M/s. Hothur Traders, M.L.No.2313 to the successful bidder i.e. M/s. JSW Steel Ltd.  
subject to certain conditions:

**Government Order No. FEE 38 FFM 2017, Bengaluru,**

**Dated: 10/10/2017**

In the circumstances as explained in the preamble above, Government is pleased to accord approval as per para 2.8 of the Guidelines read with the Guidelines dated 03.05.2010 and 03.05.2017 under the Forest (Conservation) Act, 1980 for the transfer of Forest Clearance for 21.03 ha (originally 21.11 ha) of Forest land in respect of Category 'C' Mining Lease No. 2313 from erstwhile lessee M/s. Hothur Traders, M.L.No.2313 to the successful bidder i.e. M/s. JSW Steel Ltd.

- i) Legal status of the diverted forest land shall remain unchanged.
- ii) The State Govt. shall ensure that the compensatory afforestation over the non-forest land equal in extent to the non-broken up forest land being diverted shall be raised by the State Forest Department within a period of three years with effect from the date of issue of transfer of Stage-II Clearance and maintained thereafter in accordance with the approved Plan from the funds provided by the user agency.
- iii) The State Govt. may note that this Ministry will not be liable to pay any compensation or refund compensatory levies deposited in Adhoc CAMPA fund to the erstwhile lease holder in category 'C' mine.
- iv) The State Govt. of Karnataka shall constitute a committee immediately for assessment on the impact of mining in the whole or part of the Concession Area i.e. within 1 km of Archeological of survey of India protected monument Sri Kumarasamy and Sri Parvathi Temple, as per direction of the Hon'ble Supreme Court in this regard, and the project proponent shall carry out mining operations as per assessment report of the said committee.
- v) The State Govt. shall ensure that the excess area of 0.50 hectares may be surrendered to State Forest Department.
- vi) The State Govt. shall take necessary action as per the extant rules of Govt. of India including Forest (Conservation) Act, 1980 and Govt. of Karnataka for encroachment to an extent of 14.51 hectares as done by the old user agency outside the lease area.



- vii) Following activities shall be undertaken by the User Agency under the supervision of the State Forest Department:-
- a) Mitigative measures to minimize soil erosion and choking of stream shall be implemented within a period of three year with effect from the transfer of Stage-II Clearance in consultation with the State Forest Department.
  - b) Planting of adequate drought hardy plant species and sowing of seeds, in the appropriate area within the mining lease to arrest soil erosion in accordance with the approved scheme.
  - c) Construction of check dams, retention / toe walls to arrest sliding down of the excavated material along the contour in accordance with the approved scheme.
  - d) Stabilize the overburden dumps by appropriate grading/benching, in accordance with the approved scheme, so as to ensure that angles of repose at any given place is less than 28 degree and
  - e) No damage shall be caused to the top-soil and the user agency will follow the top soil management plan.
- viii) The non-forest land identified for raising compensatory afforestation shall be transferred and mutated in favour of the State Forest Department.
- ix) The non-forest land identified for raising Compensatory Afforestation shall be notified by the State Government as RF under Section-4 or PF under Section-20 of the Indian Forest Act, 1927. or under the relevant Section (s) of local Forest Act, as the case may be, within a period of six months. The Nodal Officer (Forest Conservation) shall report compliance in this regard.
- x) The User Agency shall furnish an undertaking to pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India.
- xi) Fencing, protection and regeneration of the safety zone area [7.5 meters strip shall be kept within the mining lease boundary and area of the safety zone shall be part of the total area of mining lease boundary and area of the safety zone shall be part of the total area of mining lease boundary and area of the safety zone shall be part of the total area of mining lease as per the Ministry's guidelines dated 27.05.2015] shall be done within three years at the project cost as per approved scheme. Besides this afforestation on degraded forest land to be selected elsewhere measuring one & a half times the area under safety zone shall also be done at the project cost.

- xii) 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 and Regulation) Act, 1957, as amended and the Rules framed there-under.
- xiii) The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required.
- xiv) No labour camp shall be established on the forest land.
- xv) 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.
- xvi) The boundary of the diverted forest land, mining lease and safety zone, 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, distance from pillar to pillar and GPS co-ordinates.
- xvii) The State Govt. ensure that the successful bidder /lessee shall implement the prescriptions /provisions of the approved Reclamation and Rehabilitation Plan in accordance with the guidelines approved by Hon'ble Supreme Court. Thus, the State Govt, ensure that the user agency shall implement the R&R Plan as per the direction of Hon'ble Supreme Court, R&R Policy of State Government in Consonance with National R&R Policy, Government of India before the commencement of the project work. 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.
- xviii) 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 area satisfactorily executed.



- xix) The layout plan of the mining plan/ proposal shall not be changed without the prior approval of the Central Government.
- xx) The forest land shall not be used for any purpose other than that specified in the proposal.
- xxi) 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.
- xxii) No damage to the flora and fauna of the adjoining area shall be caused.
- xxiii) Any tree felling shall be done only in a phased manner to coincide with the phasing of area to be put to mining with a view to minimizing clear felling. The felling will always be carried out under strict supervision of State Forest Department, when it is unavoidable and that too under strict supervision of the State Forest Department.
- xxiv) The user agency will abide by the applicable recommendations of the State Government.
- xxv) 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. The plan for plantation and SMC activities will be prepared and submitted to MoEF & CC.
- xxvi) The User Agency shall prepare a list of existing village tanks and other water bodies with GPS co-ordinates located within five km. from the mine lease boundary. This list is to be duly verified by the concerned Divisional Forest Officer. The User Agency shall regularly undertake desilting of these village tanks and other water bodies so as to mitigate the impact of siltation of such tanks /water bodies. A detailed plan for desilting of identified ponds and water bodies to be prepared in consultation with forest department and shall be submitted to MoEF & CC.
- xxvii) The User Agency shall submit the annual self- compliance report in respect of the above stated conditions to the State Government, concerned Regional Office and to this Ministry by the end of March every year.
- xxviii) Any other condition that the concerned Regional Office of the Ministry may stipulate, from time to time, in the interest of conservation, protection and development of forest & wildlife.

xxix) The user agency shall comply all the provisions of the all Acts, Rules, Regulations, Guidelines, Hon'ble Court Order (s) and NGT orders pertaining to this project, if any, for the time being in force, as applicable to the project.

By order and in the name of the  
Governor of Karnataka

*Narayana* 10/10.  
(NARAYANA)

Under Secretary to Govt.,  
Forest, Ecology and Environment Dept.

To:

The Compiler, Karnataka Gazette, Bangalore for publication in the next issue of the Gazette and request to supply 50 copies to State Govt. and 50 copies to Principal Chief Conservator of Forests (HoFF), Bengaluru.

Copy to:

1. The Director General of Forests & Special Secretary to Govt. of India, M/o Environment, Forest and Climate Change, 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 (WL), Aranya Bhavan, Malleshwaram, Bengaluru.
4. The Additional Principal Chief Conservator of Forests (Central), Govt. of India, M/o Environment and Forests and Climate Change, Regional Office (South Zone), Kendriya Sadana, 4<sup>th</sup> Floor, E and F Wing, 17<sup>th</sup> Main, Koramangala, Bengaluru.-34.
5. The Additional Principal Chief Conservator of Forests/Nodal Officer, O/o the Principal Chief Conservator of Forests (HoFF), Aranya Bhavan, Malleshwaram, Bengaluru.
6. The Chief Conservator of Forests, Bellary Circle, Bellary.
7. The Dy. Conservator of Forests, Bellary Division, Bellary.
8. M/s JSW Steel Ltd, P.O. Vidyanagar, Toranagallu, Ballari District-283 275.