

GOVERNMENT OF KARNATAKA

No. DMG/MLS/AUC/C/2313/2017-18

204

Office of the Director
Department of Mines and Geology
Khanija Bhavan, Race Course Road
Bangalore-1, dated. 17.03.2018

19 MAR 2018

GRANT OF MINING LEASE

[Under rule 10B(7) r/w Section 8A(2) of MMDR Act, 1957 and Rule 10(5) of the Mineral (Auction) Rules, 2015]

- Ref:1.** Notification and Notice Inviting Tender dated: 22.12.2015.
2. Government Order No. CI 409 MMM 2015 dated: 19.12.2015.
3. Government Order No. CI 409 MMM 2015 dated: 23.01.2016.
4. This office letter No. DMG/MLS/CCA/2016-17 dated: 26.09.2016.
5. Government letter No. CI 409 MMM 2015 dated: 21.10.2016.
6. This office letter No. DMG/MLS/AUC/'C' 2313/2017-18/723-730 dated: 06.05.2017.
7. M/s JSW Steel Limited letters dated: 14.07.2017, 16.09.2017, 17.10.2017, 25.10.2017 and 04.01.2018.
8. This office letter No. DMG/MLS/AUC/C/2366/2017-18 dated: 17.11.2017.
9. Government letter No. CI 176 MMM 2017 dated: 22.11.2017.
10. This office letter No. DMG/MLS/MDPA/2017-18/6042-53 dated: 26/28.02.2018.
11. Deputy Director, Hospet Joint Survey report dated: 16.03.2018 (received on 17.03.2018).

In pursuance of the Hon'ble Supreme Court order dated: 30.07.2015 and as per the decision of the State Empowered Committee meeting dated: 16.12.2015, the Notification and Notice Inviting Tender in respect of 14 'C' category mines was issued on 22.12.2015 as per the powers delegated vide Government orders cited at reference (2) & (3). Following due procedure M/s JSW Steel Ltd who has quoted highest final auction price of 100.10% for the block **M/s Hothur Traders, ML No. 2313 in Malgolla (S.M Block) village, Sandur taluk, Bellary district over an extent of 21.03 hectares [FC] area within the CEC finalized extent of 21.61 hectares** was selected as a **Preferred Bidder** on 06.10.2016 under clause 8.1B(c) of the Tender Document.

Since, Director, Department of Mines and Geology has invited the Tender, clarification was sought from the Government whether to further proceed to grant the lease as per Section 10B(7) of MMDR Amendment Act, 2015. In this regard Government clarified that vide notification cited at reference (2) & (3) has delegated the powers hence no need for further clarification.

Thereafter, M/s JSW Steel Limited has been declared as Successful Bidder vide reference (6) and Mine Development and Production Agreement (MDPA) has been executed on 26.02.2018 after compliance to all statutory provisions.

After declaring as a Successful Bidder, execution of MDPA, M/s JSW Steel Limited has paid remaining 80% of the upfront payment being **Rs. 4,45,58,534/-** (Rupees Four Crore Fourty Five Lakhs Fifty Eight Thousand Five Hundred and Thirty Four only) through DD No. 358579 dated: 26.02.2018 for Rs. 3,34,18,901/- and DD No. 358578 dated: 26.02.2018 for Rs. 1,11,39,634/- drawn from Vijaya Bank.

This office vide reference (8) has again sought clarification from Government with regard to grant and execution of mining lease in case of M/s Tungabhadra Minerals Pvt Ltd, ML No. 2366. In response, Government reiterated earlier clarification and directed this office to act as per the powers delegated vide order dated: 19.12.2015 & 23.01.2016 also clarified that Director, Department of Mines and Geology is a Chairman of Ore Evaluation Committee hence a decision is to be taken at the committee level accordingly this issue was discussed before the Ore Evaluation Committee on 30.12.2017 wherein it was decided that DMG may proceed with the execution of the lease deed after a) present surface levels, as per the Total Station Survey carried out by MECL/NITK, is verified in presence of all the stakeholders including erstwhile lessee, successful bidder, MECL/NITK, KRSRAC, Forest and the technical officers of the DMG and b) present surface levels of lease is also captured through a drone survey. This would ensure that the present surface

levels are recorded in the presence of all stakeholders before the area is disturbed. Accordingly this joint survey was conducted on 10.01.2018.

In the above backdrop, M/s JSW Steel Limited has fulfilled the conditions and is eligible for grant of a mining lease for **Iron Ore in Malgolla (S.M Block) village, Sandur taluk, Bellary district over an extent of 21.03 hectares [FC] area within the CEC finalized extent of 21.61 hectares in respect of auctioned block of M/s Hothur Traders, ML No. 2313** with the DGPS Coordinates as mentioned below and as per the sketch attached to this grant order under Section 10B(7) r/w Section 8A(2) of Mines and Minerals (Development and Regulation) Act, 2015 as amended on 12.01.2015 and Rule 10(5) of the Mineral (Auction) Rules, 2015 subject to compliance of the provision of the Mines and Minerals (Development and Regulation) Act, 1957, Minerals (OAHCEM) Concession Rules, 2016, terms and conditions of Tender Documents, MDPA/Lease Deed agreement and all applicable Acts/Rules including Forest (Conservation) Act, 1980, Environmental Protection Act, 1986, EIA Notification, 2006 as amended from time to time and Rules made there under. This is an intimation to the Successful Bidder and the final execution deed is to be followed by this order.

This grant is subject to the following:

- (i) All the directions/conditions imposed in WP No. 562/2009 filed by Samaja Parivartana Samudaya & Others.
- (ii) Findings of Special Investigation Team, CBI or any other investigating agencies in the cases entrusted to respective agencies by Any Courts/Government/Any authority.
- (iii) The grantee shall comply all statutory, legal and any other mandatory conditions imposed by the Central/State Government or by the Commissioner/Director of Mines and Geology during execution of lease deed or any time during the currency of the lease deed.

- (iv) The Government of Karnataka shall take all action against the grantee including withdrawal/cancellation of this grant order and cancellation of lease deed executed pursuant to this order once the investigating agencies submit its adverse report about the involvement of the present grantee and grantee shall not be entitled to claim any equity in view of this grant order.
- (v) Report to be submitted by the Expert Committee appointed by Hon'ble Supreme Court vide Order dated: 01.07.2013 in Civil Appeal No. 4823/2013 (SLP No. 20180/2010).
- (vi) As per the decision of Ore Evaluation Committee, joint survey was conducted by the joint team and the present levels and mine scenario has been captured by the drone survey and Mahazar was drawn. At the time of inspection it was found that there is a difference in RL level between earlier MECL data and present DGPS survey. MECL informed that this may be due to processing transformation of earlier survey data which was carried out in different datum. In this connection the captured data will be processed and will submit in due course before the authority.

The grantee shall at all times co-operate with the Ore Evaluation Committee for the purpose of determination of the ore that has been removed from the said area by the erstwhile lessee.

This block was auctioned pursuant to Hon'ble Supreme Court order dated: 30.07.2015 subject to the report of the Expert Committee appointed by Hon'ble Supreme Court in another order dated: 01.07.2013 in Civil Appeal No. 4823/2013 (SLP No. 20180/2010). Meetings have been conducted with the members of the Expert on 09.02.2018 and 20.02.2018 wherein the representative of Director General of Mines Safety has informed that impact of mining activities on any structure will depend upon the nature of blasting, intensity, frequency, drilling and distance from the structure. He further added that Director General of Mines Safety has powers to prohibit or issue directions for controlled blasting if necessary depending on the field conditions. He stressed upon the new/improved latest present day technology which could protect very important structures nearer to the blasting operations. He illustrated an example of the underground metro line being constructed/commissioned in all major cities of the country and more particularly near Vidhana Soudha in Bengaluru and

representative of ASI informed that act prescribes 300meters as the safety zone for any constructional activity and as regard to mining the safety distance has to be ascertained from a competent technical authority.

The grantee shall not carryout any mining activities within one kilometer from the Kumarswamy Temple till the submission of the report by the Expert Committee and abide by directives of the Supreme Court and the State Government and also comply with the conditions stipulated in the FC and EC Clearances.

The schedule of the area is hereunder:

DGPS CO ORDINATES OF SANCTIONED MINING LEASE AREA -
21.03HA TO M/S JSW STEEL LTD

PILLAR ID	DGPS Co Ordinates		GRID Co Ordinates (UTM)	
	Latitude	Longitude	Northing	Easting
	dd mm ss	dd mm ss	metres	metres
A	15°00'54.26212"	76°34'09.50631"	1660591.830	668718.820
B1	15°01'02.61563"	76°34'15.04286"	1660849.737	668882.377
B-2	15°01'03.46325"	76°34'19.60753"	1660876.757	669018.541
C1	15°00'55.44785"	76°34'31.44756"	1660632.932	669373.965
D1	15°00'47.83453"	76°34'26.42931"	1660397.880	669225.731
D	15°00'44.44304"	76°34'24.08135"	1660293.148	669156.337


Baran
DIRECTOR
17/3/2018

To,

The Compiler, Karnataka Gazette, is requested to publish this in Part IV Section of the Gazette and to supply 50 copies of Notification to this office.

Copy to:

1. The Secretary to Government of India, Ministry of Mines, New Delhi – 110001.
2. The Additional Chief Secretary to Government, Forest, Environment and Ecology, M.S Building, Bangalore.
3. The Secretary to Government, Commerce and Industries Department (MSME & Mines), Vikasa Soudha, Bengaluru.

4. The Secretary to Government, Forest, Environment and Ecology, Bengaluru.
5. The Chairman, Monitoring Committee, Bengaluru.
6. The Controller, Indian Bureau of Mines, Nagpur.
7. The Deputy Commissioner, Ballari District, Ballari.
8. The Chief Conservator of Forest (General) Bangalore.
9. The Regional Controller of Mines, Indian Bureau of Mines, Ministry of Mines, 29, Industrial Suburb 2nd Stage, Tumkur Road, Gorguntepalya, Yeshwantpur, Bengaluru 560 022.
10. The Deputy Conservator of Forest, Ballari District, Ballari.
11. The Deputy Director, Department of Mines and Geology, Hospet.
12. The Nodal Officer, e-cell, Head Office, Bengaluru.
13. M/s JSW Steel Limited, JSW Centre, Bandra Kurla Complex, Bandra (East), Mumbai-400051, India.
14. The Superintendent, DCB/Drawing Branch.
15. Master file/Office copy.