

**GOVERNMENT OF KARNATAKA**

**No. CI 60 MMM 2020**

**Karnataka Government Secretariat,  
Vikasa Soudha,  
Bengaluru, dated: 01.07.2020**

**VESTING ORDER**

**Sub:** Issuance of vesting order under section 8B of MMDR Amendment Act,2020 in respect of auctioned mining lease No: **2346 (M/s Mineral Enterprises Limited)** expired under Section 8A (6) of the MMDR Act, 1957.

**Read:** 1. Government Notification No. E- CI 31 MMM 2020 Dated: 02.04.2020.  
2. Proceedings of the meeting held on 07.04.2020 under the chairmanship of the Principal Secretary to Government (MSME and Mines) and Nodal Officer under Rule 9A(1) of the Minerals (Other than Atomic and Hydro Carbons Energy Minerals) Concession (Amendment) Rules,2020.

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The Ministry of Mines, Government of India has amended the MMDR Act, 1957 and introduced Section 8B which provides for *deemed extension of all valid rights, approvals, clearances, licenses and the like vested with the previous lessee for a period of two years to the new lessee and new lessee shall apply and obtain all necessary rights, approvals, clearances, licenses and the like within a period of two years from the date of grant of new lease.*

In order to extend the clearance, the Nodal Officer, Nominated under Rule 9A(1) of the Minerals (Other than Atomic and Hydro Carbons Energy Minerals) Concession (Amendment) Rules, 2020 shall issue Vesting Order in favour of the new lessee along with the Letter of Intent in order to facilitate the Preferred Bidder to get the lease executed and commence mining operations as per law.

In this regard, the Government vide Notification No: E- CI 31 MMM 2020 Dated:02.04.2020 has nominated the Principal Secretary (MSME and Mines) as a Nodal Officer to collect all the valid rights, approvals, clearances, licenses and the like vesting with the previous lessee and issue Vesting Order in favour of new lessee.

Whereas, the mining lease held by **M/s Mineral Enterprises Limited, ML No. 2346** in, Bedarabommanahalli, Hirekandavadi and other villages, Chitradurga and Holalkere Taluk, Chitradurga District over an extent of **93.60 Hectare** area of Forest Land expired on 31.03.2020 under Section 8A(6). The said block was subjected for



auction under NIT on 08.03.2019 and M/s JSW Steel Ltd was declared as the “Preferred Bidder” in accordance with Rule 9(9)(iii) of the Mineral (Auction) Rules, 2015 on 26.07.2019.

Thereafter, upon compliance of Rule 10(2) of the Mineral (Auction) Rules, 2015 **Letter of Intent** was issued on **13.08.2019** in favour of **M/s JSW Steel Limited**.

Whereas, the respective Agencies/Department have submitted the following approval/clearances to this authority through the Department of mines and Geology.

1. Name of the Erstwhile lessee, ML No and Location: **M/s Mineral Enterprises Limited, ML No. 2346**, Villages: Bedarabommanahalli, Hirekandavadi and others, Taluk: Chitradurga and Holalkere and District: Chitradurga.  
Extent/ Area: **93.60 Ha**, Area breakup (Forest/ Govt/ Other land): **Forest Land**
2. IBM letter No. **279/346/92/BNG/1217 Dated: 02.07.2018** for approval of Mining Plan.
3. Forest Clearance No. **FEE 23 FFM 2013 Bangalore** Dated: **21.11.2016** and extent: **103.73 Ha**
4. Environment Clearance No. **J-11015/109/2018.IA.II(M) Date: 28.01.2019** and extent: **102.53 Ha**
5. KSPCB CTO (Consent to operate) No: **AW-302438 dated: 11.04.2017**
6. CEC approved letter No: **2-61/CEC/SC/2012 Dated 04.07.2012** for R&R plan.

Further, Ministry of Environment, Forest and Climate Change (Forest Conservation Division) vide letter No: F.No.11-97/2018-FC Dated:31.03.2020 has issued guidelines wherein it was clearly mentioned that validity of FC shall be extended in favour of new lessee for a period of two years in respect of auctioned blocks whose lease expired under Section 8A(5) and (6) of the MMDR Act, 1957 subject to realization of a lump sum amount at the rate of Rs 7.50



lakh per Ha (for the total forest area within the mining lease) from the new LoI holder into the account of CAMPA to the State Government.

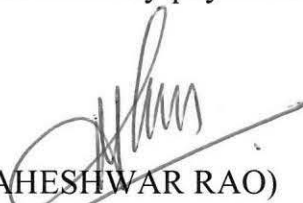
In the present case, the Successful bidder has paid the NPV amount **Rs. 7,02,00,000 through RTGS (UTR No. IBKL200626229355) on 26.06.2020** and submitted the acknowledgment on 29.06.2020 to this authority.

In lieu of the proposals and the observations/views submitted by the concerned Department and pursuant to the Notification E - CI 31 MMM 2020 Dated: 02.04.2020 and in exercise of the powers conferred under Rule 9(A)(2) of the Minerals (Other than Atomic and Hydro Carbons Energy Minerals) Concession (Amendment) Rules, 2020, I hereby order that all the valid rights, approval clearances, licenses and like vested with the previous lessee in respect of **M/s Mineral Enterprises Limited** ML No: 2346 are deemed to have vested in favour of the Successful Bidder i.e **M/s JSW Steel Limited** on the same terms and conditions of every rights, approvals clearances, licenses and like which vested with previous lessee with following conditions:

1. **M/s JSW Steel Limited** being Successful Bidder upon execution of mining lease deed, the Successful Bidder shall immediately, but not **later than one hundred twenty days** from the date of execution of mining lease, apply afresh for all necessary rights, approvals, clearances, licenses and the like under the applicable statutes, rules or regulations, as the case may be, for obtaining the necessary clearances to enable further continuance of the mining operations beyond two years, in accordance with the proviso to sub-section (2) of section 8B of the Act.
2. The Successful Bidder shall inform the nodal officer about the submission of application in accordance with Rule 9A (6) of the Minerals (Other than Atomic and Hydro Carbons Energy Minerals) Concession (Amendment) Rules, 2020 along with copies of such application.
3. This vesting order shall be valid for a period of two years from the date of execution of new lease deed or till the date of getting all fresh approvals, clearances, licenses, permits, and the like, whichever is earlier.
4. The Maximum Permissible Annual Production and Dispatch shall be strictly as per Mine Development Agreement and as approved by CEC time to time.



5. This order is issued subject to the orders which will be passed by the Hon'ble Supreme Court and Hon'ble High Court of Karnataka in SLP No. 15852/2019, connected IAs and WP No. 24316/2019 respectively.
6. The Director, Mines and Geology shall execute the Mine Development Agreement and Mining Lease Deed upon payment of statutory payments within 15 days from the receipt of this order.

  
(M. MAHESHWAR RAO)  
Nodal Officer and  
Principal Secretary to Government  
Commerce and Industries Department.  
(MSME and Mines)

To  
**M/s JSW Steel Limited,  
JSW Centre,  
Bandra Kurla Complex,  
Bandra (East), Mumbai – 400 051.**

**Copies for kind information 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, Forest, Environment and Ecology, Bengaluru.
4. The Director, Department of Mines and Geology, Bengaluru with a direction to execute the mining lease.
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. Master file/Office copy.