

**Minutes of the meeting held under the chairmanship of the Hon'ble Oversight Authority on 16.04.2024 at Khanija Bhavan, Bengaluru.**

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List of Members present in the Meeting is enclosed.

The Director, Department of Mines and Geology welcomed the Hon'ble Oversight Authority, Chairman, CEC, Member Secretary and Members of CEC, Monitoring Committee Member, Principal Chief Conservator of Forest, and Advisor to the Hon'ble Oversight Authority to the meeting.

The Director, Department of Mines and Geology briefed the purpose of the meeting and also highlighted the Hon'ble Supreme Court order dated:14.03.2024 in W P NO;562/2009 wherein Hon'ble Apex Court directed to submit with the aid and advice of the Oversight Authority whether there is any need for (1) the removal of restrictions of maximum permissible annual production on mining leases (2) Requirement of e-auction of iron ore (3) implementation of Reclamation and Rehabilitation (R&R) in respect 23 "C" category mining leases.

The Director, Mines and Geology also briefed about the occurrences of iron ore in the State of Karnataka. He said that about 2200 MMT of iron ore resources available for extraction and about 7700 MMT of iron ore resources available in the Western Ghat regions. Due to the ban imposed by the Hon'ble Supreme Court of India, it cannot be exploited. Iron ore leases are concentrated in Ballari, Chitradurga and Tumkuru. The Hon'ble Supreme Court vide its order dated 18.04.2013 has categorized 166 iron ore leases of the above-mentioned districts into A, A1, B, B1, and C based on the degree of encroachment and other violations. The details are as under:

Category	No. of Mining leases	Total Extent in Ha.
A	22	4261.36
A1	24	1182.63
B	62	
B1	07	3663.12
C	51	2046.05
Total	166	11153.16

The Director submitted, as per the orders of the Hon'ble Supreme Court R & R plan preparation and implementation has been mandated for the 166 mining leases. As per the latest information, in respect of 10 Category A & B and 23 "C" category mining leases, R & R plans were not prepared as in respect of these mining, lessees are not available to provide relevant data and information to ICFRE for the preparation of R & R plans. In respect of seven B1 category leases, survey, and demarcation are yet to be conducted and thereafter categorization has to be finalized by CEC.

Further, he also informed that the Department has achieved a revenue collection of Rs.6948.66 Crores as against the target of Rs.9000 Crores for the year 2023-24 as fixed by the State Government. The same target is continued also for the current financial year. The Department will hopefully achieve the target by exploiting the mineral resources by keeping in mind the sustainability and environmental aspects. He also informed the meeting about the improvements achieved in the mining sector due to the intervention of the Hon'ble Supreme Court of India and CEC. With this background, the Director, Mines and Geology requested the Chairman, CEC to deliberate on the agenda.

The Chairman, CEC in his remarks stated that the mining leases of the 7 B1 category need to be surveyed. The Government of Karnataka has already concurred with the Inter-State Boundary demarcation on the ground. CEC can take the assistance of NITK-Suratkal for a joint survey of 7 B1 category mining leases.

In response, the Oversight Authority expressed that carrying out joint survey of 7 B1 category mining leases is the most important part of the Order.

The Chairman, CEC continued with the next agenda point on lifting of iron ore production cap as fixed by the Apex Court. Initially, the Hon'ble Supreme Court in its order dated 13.04.2012 fixed the iron ore production capping limit of A and B category mines to 30 Million Metric Tons (MMT). On 14.12.2017 the capping limit was increased to 35 MMT. On 26.08.2022 further, it has been enhanced to 50 MMT.

At this juncture, the Oversight Authority requested the views of the State Government.

In response thereto, the Director, Department of Mines and Geology brought to the notice of the meeting that the State Government had filed an Interlocutory Application before the Hon'ble Supreme Court for lifting of the ban as in the case of rest of the Country. At present no complaints are being received in respect of irregularities in mining activities. It has been mandated that every mine has to prepare R&R plan and implement it on the ground to prevent unscientific mining/dumping in the State.

The Chairman, CEC continued and stated that Monitoring Committee, Central Empowered Committee, and with the aid and advice of Oversight Authority are required to take into consideration of various facts for preparing a report on the aspect of capping and sub-capping of iron ore production. The report may have to be submitted before the Hon'ble Supreme Court of India within the stipulated time.

The next issue put forth before the meeting by the Chairman, CEC is about the e-auction of mined material. Monitoring Committee, Central Empowered Committee, and with the aid and advise of Oversight Authority to examine the issue related to royalty and other cesses which were collected during the Monitoring Committee e-auction regime and if required it can

also suggest any other forms of regulation and accordingly, a report is required to be submitted before the Hon'ble Apex Court within four months from the order dated 14-3-2024.

The Oversight Authority indicated that it requires technical opinion from the domain experts to decide whether e-auction to be proposed again or any other ameliorative measures to improve the present system to put things in order.

In furtherance, the Chairman, CEC continued and stated that R & R Plans for 23 category 'C' mines is to be prepared through the Principal Chief Conservator of Forest (PCCF). In this regard, PCCF can take assistance of any agencies nominated by them through an IA to be filed before the Hon'ble Supreme Court.

The Oversight Authority requested the views of PCCF with regard to R & R plans in respect of 23 'C' category mines.

The Principal Chief Conservator of Forest brought to the notice of the meeting the status of R & R plans.

### **Status of R&R plan:**

#### **(Category A&B):**

No. of R&R Plans submitted by ICFRE		No. of R&R Plans approved by CEC		No. of R&R Plans not yet approved by CEC		No. of R&R Plans to be submitted by ICFRE	
98		97		01		10	
A	B	A	B	A	B	A	B
39	59	39	58	00	01	07	03

**(Category C):**

No. of R&R Plans submitted by ICFRE	No. of R&R Plans approved by CEC	No. of R&R Plans not yet approved by CEC	No. of R&R Plans to be submitted by ICFRE
28	25	03	23

The Principal Chief Conservator of Forests stated that during 1<sup>st</sup> week of April 2024 a meeting was held with one of the Members of CEC, wherein the action plan for 17-18 category 'C' mines were discussed and it was decided to call for tenders for the preparation of R&R Plans enabling the interested organization's participation in the process.

The Oversight Authority, after the detailed discussions, felt that the matter is very important, and the Monitoring Committee may share its perspective on the aspects covered and dealt with by the Hon'ble Supreme Court vide its order dated 14.03.2024. He further stated that the Monitoring Committee, for future meetings to be held to share their experience. Further, the Hon'ble Oversight Authority requested Dr. U.V. Singh to express his views on the above subject.

Dr. U.V. Singh stated that the R & R plans are mainly comprised of two parts (1) left out area after mining and (2) proposed area for mining. Initially, R & R plans have to be prepared for 23 mines. Later on, its implementation will have to be carried out on ground. In respect of category 'C' mines there is no trace of mining lessees to provide information for the preparation of R & R plans. The lease for 9 mines pertaining to A and B category will be expiring soon and therefore these lessees are not showing any interest to complete the R & R Plans. Dr. U.V. Singh further said that initially ICFRE started the preparation of R & R plans without any basic information whereas now templates of R & R plans are readily available which may be used by the PCCF.

He further stated that removal of cap and continuation of e-auction in any other format requires further comprehensive studies.

The Oversight Authority, after the detailed discussions, stated that the stakeholders' opinion may have to be ascertained through deliberations and also a detailed study could be undertaken and thereafter an appropriate decision may have to be taken based on the outcome of the said discussion and the study.

The PCCF expressed his views that Tenders may be invited even now as it would not attract the Model Code of Conduct, and the exercise will be carried out as envisaged under the orders of the Hon'ble Supreme Court of India.

At this point the Director, Department of Mines and Geology expressed his views that if required approval of the Election Commission could be obtained.

Sri Chandra Prakash Goyal, Member CEC brought to the notice of the meeting that mining data for the preparation of R & R may be obtained through the Federation of Indian Mining Industry (FIMI). In response thereto, Sri Vijay Sharma APCCF informed that it is very difficult to get the data through FIMI.

With regard to the selection of an agency for the preparation of R&R, the Chairman, CEC informed that the QCBS system, with a ratio of 75:25 marks, can be considered for quality and cost for awarding L-1.

Sri Vijay Sharma, APCCF, suggested that awarding L1 is in place after considering the technical aspects of the tenders.

Sri Chandra Prakash Goyal, Member, CEC informed that the cost of preparation of the R&R plan will have to be borne by KMERC.

Hon'ble Oversight Authority stated that the Authority was appointed by the Hon'ble Supreme Court of India to oversee the approval and implementation of projects of the Comprehensive

Environmental Plan for Mining Impacted Zone (CEPMIZ), and prudent utilisation of the funds to effectively implement the plan. He said that the Oversight Authority will have to carry its functions and duties not only in terms of the letter but also the spirit of the orders of the Hon'ble Supreme Court of India.

The PCCF stated that any agency can participate in the tenders' process including ICFRE. The Director, Department of Mines and Geology added that PCCF has all the powers to call for tenders. In addition, the Chairman, CEC expressed that an attempt can be made to call for tenders within a time frame of one month.

The Oversight Authority opined that, in the background of the orders of the Hon'ble Supreme Court, discussions were held at length in this meeting which would pave the way for a road map for a further course of action. The Oversight Authority indicated that agenda item No.2, needs to be discussed relating to the meeting held between the Chairperson, KMERC, and one of the Members of CEC on 5.4.2024.

In response, Sri Chandra Prakash Goyal, Member, CEC informed that the Chairperson, KMERC asked for his suggestion on the physical progress, dashboard of KMERC Website, release of advance payment to the implementing department etc., and they were not at all relevant in whatsoever manner to the Hon'ble Supreme Court's order or jurisdiction of CEC. Further, it was a casual meeting, and the proceedings were not minuted. In view of these, he requested the Hon'ble Oversight Authority to ignore the discussion held with the Chairperson, KMERC and himself on 5.4.2024.

The Oversight Authority having noted the views expressed by the Member of CEC observed that there is no need to discuss this agenda item any further. The minutes of the meeting held by Sri Chandra Prakash Goyal, Member CEC and Chairperson KMERC may have to be ignored. The Oversight Authority further observed that funds at the disposals of KMERC shall be spent strictly in terms of the Orders of the Hon'ble Supreme Court of India passed from time to time in this regard. The functions and

duties of the CEC and the Oversight Authority are clearly demarcated by the orders of the Hon'ble Supreme Court of India. It is thus clear that CEC has no role to play in this regard.

Sri Chandra Prakash Goyal, Member CEC brought to the notice of the meeting that cases have been filed against the CEC and Monitoring Committee in the Hon'ble High Courts. He said the Court had clarified that the High Court shall not entertain cases against CEC, Monitoring Committee and Oversight Authority since the matter is seized by the Supreme Court. However, aggrieved parties may approach the Hon'ble Supreme Court of India.

Dr. U.V. Singh brought to the notice of the meeting that the Hon'ble Supreme Court in its order dated 14.03.2024 directed to continue the SPV amount as the CEPMIZ plan is at the initial stage. He said that the present cost of the project due to escalation may have to be reworked as per the present cost.

The Oversight Authority requested Dr. U.V. Singh to discuss the issue with KMERC.

Concluding, the Oversight Authority said that the subjects could be discussed in detail in the next meeting.

The meeting concluded with a vote of thanks to the Chair.



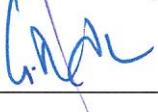
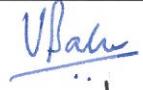
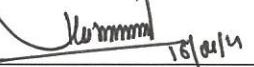
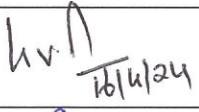
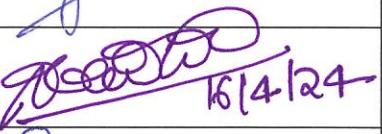
**(Justice Sudershan Reddy)**  
**Hon'ble Oversight Authority**

**KARNATAKA MINING ENVIRONMENT RESTORATION CORPORATION**

**MEETING ATTENDANCE**

**Sub: Oversight Authority Meeting with CEC & Monitoring Committee.**

Date: 16.04.2024 Time: 11.00 AM Venue: No.49, 5th Floor, Department of Mines & Geology, Khanija Bhavan, Bengaluru.

Sl.No	Name	Designation	Signature
1	Hon'ble Justice B. Sudershan Reddy	Hon'ble Oversight Authority	
2	Sri. Siddhanta Das	Chairman, CEC	
3	Sri. Chandra prakash Goyal	Member, CEC	
4	Sri. Sunil Limaye	Member, CEC	
5	Ms. Banumathi. G	Member Secretary CEC	
6	Dr. Shalini Rajneesh, IAS	ACS & DC, Chairman, KMERC	
7	Sri. Manjunath Prasad. IAS,	ACS, FEE	
8	Dr. V. Balasubramanian	Advisor to Oversight Authority	
9	Sri. Brijesh Kumar, <del>DRS</del> Dikshit, IFS	PCCF, Forest Department (Hoff)	
10	Sri. Deepak Sarmah	Chairman, Mon. Com.	
11	Dr. U. V. Singh	Member, Mon. Com.	
12	Sri. R. Girish	Director, DMG	
13	Sri. Guruprasad. M. P. IRS,	Managing Director, KMERC	
14	Vijay Sharma	Pcef (Legal) KFD	
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16			