



ಕರ್ನಾಟಕ ವಿಧಾನ ಪರಿಷತ್ತು

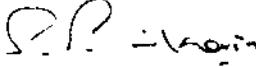
- 1 ಚುಕ್ಕೆ ಗುರುತಿನ ಪ್ರಶ್ನೆ ಸಂಖ್ಯೆ : 1495
- 2 ಸದಸ್ಯರ ಹೆಸರು : ಶ್ರೀ ಸಿ.ಟಿ ರವಿ (ವಿಧಾನ ಸಭಾ ಕ್ಷೇತ್ರ)
- 3 ಉತ್ತರಿಸಬೇಕಾದ ದಿನಾಂಕ : 17.03.2026
- 4 ಉತ್ತರಿಸುವವರು : ಮಾನ್ಯ ಗಣಿ ಮತ್ತು ಭೂವಿಜ್ಞಾನ ಹಾಗೂ ತೋಟಗಾರಿಕೆ ಸಚಿವರು

ಕ್ರ.ಸಂ	ಪ್ರಶ್ನೆ	ಉತ್ತರ
(ಅ)	ರಾಜ್ಯದಲ್ಲಿ ಎಷ್ಟು ಕಡೆ ಗಣಿಗಾರಿಕೆ ನಡೆಸಲು ಯಾವ ಕಂಪನಿಗೆ ಅನುಮತಿ ನೀಡಲಾಗಿದೆ; ಸರ್ಕಾರ ಅನುಮತಿ ನೀಡಿರುವ ಪ್ರದೇಶ ಹೊರತುಪಡಿಸಿ ಅಕ್ರಮವಾಗಿ ಗಣಿಗಾರಿಕೆ ನಡೆದಿದೆಯೇ; (ಸಮಗ್ರ ವಿವರ ನೀಡುವುದು)	ಮುಖ್ಯ ಖನಿಜಗಳಿಗೆ ಸಂಬಂಧಿಸಿದಂತೆ ಕಳೆದ ಎರಡು ವರ್ಷಗಳಲ್ಲಿ ಅನುಮತಿ ನೀಡಲಾಗಿರುವ ವಿವರಗಳ ಪಟ್ಟಿಯನ್ನು ಅನುಬಂಧ-01 ರಲ್ಲಿ ಒದಗಿಸಿದೆ ಮುಖ್ಯ ಖನಿಜಗಳಿಗೆ ಸಂಬಂಧಿಸಿದಂತೆ ಸರ್ಕಾರ ಅನುಮತಿ ನೀಡಿರುವ ಪ್ರದೇಶ ಹೊರತುಪಡಿಸಿ ಅಕ್ರಮವಾಗಿ ಗಣಿಗಾರಿಕೆ ನಡೆದಿರುವ ಪ್ರಕರಣಗಳ ವಿವರಗಳ ಪಟ್ಟಿಯನ್ನು ಅನುಬಂಧ-02 ರಲ್ಲಿ ಒದಗಿಸಿದೆ
(ಆ)	ಕಳೆದ 2 ವರ್ಷದಿಂದ ಯಾವ ಯಾವ ಗಣಿಗಾರಿಕೆಗೆ ಹೊಸದಾಗಿ ಅನುಮತಿ ನೀಡಲಾಗಿದೆ ಮತ್ತು ಇದೇ ಅವಧಿಯಲ್ಲಿ ಯಾವ ಯಾವ ಗಣಿ ಗುತ್ತಿಗೆಯನ್ನು ನವೀಕರಣ ಮಾಡಲಾಗಿದೆ; (ಜಿಲ್ಲಾವಾರು ವಿವರ ನೀಡುವುದು)	ಕಳೆದ 2 ವರ್ಷದಿಂದ ಗಣಿಗಾರಿಕೆಗೆ ಅನುಮತಿ ನೀಡಲಾಗಿರುವ ವಿವರಗಳು ಮೇಲಿನಂತೆ ಅನುಬಂಧ-01 ರಲ್ಲಿ ಒದಗಿಸಿದೆ. ಕೇಂದ್ರ ಸರ್ಕಾರವು ಮುಖ್ಯ ಖನಿಜಗಳಿಗೆ ಸಂಬಂಧಿಸಿದಂತೆ MMDR ಕಾಯ್ದೆ 1957 ಕ್ಕೆ 2015 ರಲ್ಲಿ ತಿದ್ದುಪಡಿ ಮಾಡಿದ್ದು ಇದರ ಅನ್ವಯ ಗಣಿಗುತ್ತಿಗೆ ನವೀಕರಣ ಮಾಡುವ ಪ್ರಕ್ರಿಯೆಯನ್ನು ಕೈಬಿಡಲಾಗಿರುವುದರಿಂದ ಯಾವುದೇ ಗಣಿ ಗುತ್ತಿಗೆಯನ್ನು ನವೀಕರಣ ಮಾಡಲಾಗಿರುವುದಿಲ್ಲ. MMDR ತಿದ್ದುಪಡಿ ಕಾಯ್ದೆ 2015 ರಲ್ಲಿ ನವೀಕರಣ ಬದಲಾಗಿ ಗಣಿಗುತ್ತಿಗೆ ಅವಧಿ ವಿಸ್ತರಿಸಲು ನಿಯಮಗಳಲ್ಲಿ ಅವಕಾಶ ಕಲ್ಪಿಸಲಾಗಿದೆ. ಅದರಂತೆ ಜಿಲ್ಲಾವಾರು ವಿವರಗಳನ್ನು ಅನುಬಂಧ-03 ರಲ್ಲಿ ಒದಗಿಸಿದೆ.
(ಇ)	ಗಣಿ ಗುತ್ತಿಗೆ ನವೀಕರಣಕ್ಕೆ ಅನುಸರಿಸುತ್ತಿರುವ ಮಾನದಂಡಗಳೇನು; ಗುತ್ತಿಗೆ ನವೀಕರಣ ಮಾಡುವಾಗ ಎಷ್ಟು ಪ್ರಕರಣಗಳಲ್ಲಿ ಕಾನೂನು ಇಲಾಖೆಯ ಅಭಿಪ್ರಾಯ ಪಡೆಯಲಾಗಿದೆ; ಕಾನೂನು ಇಲಾಖೆ ನೀಡಿರುವ ಅಭಿಪ್ರಾಯಗಳೇನು;	ಕೇಂದ್ರ ಸರ್ಕಾರವು ಮುಖ್ಯ ಖನಿಜಗಳಿಗೆ ಸಂಬಂಧಿಸಿದಂತೆ MMDR ಕಾಯ್ದೆ 1957 ಕ್ಕೆ 2015 ರಲ್ಲಿ ತಿದ್ದುಪಡಿ ಮಾಡಿದ್ದು ಇದರ ಅನ್ವಯ ಗಣಿಗುತ್ತಿಗೆ ನವೀಕರಣ ಮಾಡುವ ಪ್ರಕ್ರಿಯೆಯನ್ನು ಸದರಿ ಕಾಯ್ದೆಯಿಂದ ಕೈಬಿಡಲಾಗಿರುವುದರಿಂದ ಯಾವುದೇ ಗಣಿ ಗುತ್ತಿಗೆಯನ್ನು ನವೀಕರಣ ಮಾಡಲಾಗಿರುವುದಿಲ್ಲ. M.M.D.R ತಿದ್ದುಪಡಿ ಕಾಯ್ದೆ 2015 ರಲ್ಲಿ ನವೀಕರಣ ಬದಲಾಗಿ ಗಣಿಗುತ್ತಿಗೆ ಅವಧಿ ವಿಸ್ತರಿಸಲು ನಿಯಮಗಳಲ್ಲಿ ಅವಕಾಶ ಕಲ್ಪಿಸಲಾಗಿದೆ. MMDR Act,2015 ರ ತಿದ್ದುಪಡಿ ಕಾಯ್ದೆ ಕಲಂ 8A(3) r/v 8A(5) ಮತ್ತು 8A(6) ರನ್ವಯ ಗಣಿಗುತ್ತಿಗೆ ಪರಿಭಾವಿತ ಅವಧಿಯನ್ನು ವಿಸ್ತರಿಸಲು ಸರ್ಕಾರದ ಆದೇಶದಂತೆ, Standard Operating Procedure ರೂಪಿಸಿ ಅದರಡಿ ರಚಿತವಾದ Checklist ರಂತೆ ಪ್ರಸ್ತಾವನೆಯನ್ನು ನಿರ್ದೇಶಕರು, ಗಣಿ ಮತ್ತು ಭೂ ವಿಜ್ಞಾನ ಇಲಾಖೆಯಿಂದ ಪಡೆಯಲಾಗುತ್ತದೆ.

		<p>ಕಳೆದ ಒಂದು ವರ್ಷದಲ್ಲಿ ಹರಾಜಾದ ಕಣ್ಣುರು ವಾಡಿ ಸುಣ್ಣದಕಲ್ಲು ಬ್ಲಾಕ್ ನ 01 ಪ್ರಕರಣದಲ್ಲಿ Letter of Intent ಅವಧಿ ವಿಸ್ತರಣೆ ಕುರಿತು ಅಡ್ವೋಕೇಟ್ ಜನರಲ್‌ರವರಿಂದ ಮತ್ತು ಕಾನೂನು ಇಲಾಖೆಯಿಂದ ಅಭಿಪ್ರಾಯವನ್ನು ಪಡೆಯಲಾಗಿದ್ದು, ಸದರಿ ಪ್ರಕರಣದಲ್ಲಿ ಅಡ್ವೋಕೇಟ್ ಜನರಲ್‌ರವರಿಂದ ಮತ್ತು ಕಾನೂನು ಇಲಾಖೆಯಿಂದ ಪಡೆದ ಅಭಿಪ್ರಾಯದ ಪ್ರತಿಗಳನ್ನು ಅನುಬಂಧ-4 ರಲ್ಲಿ ಒದಗಿಸಿದೆ.</p>
<p>(ಈ) ಎಷ್ಟು ಪ್ರಕರಣಗಳಲ್ಲಿ ಕಾನೂನು ಇಲಾಖೆ ವಿರುದ್ಧ ಅಭಿಪ್ರಾಯ ನೀಡಿದೆ; ಕಾನೂನು ಇಲಾಖೆಯ ಅಭಿಪ್ರಾಯವನ್ನು ಒದಗಿಸಿರಿ ಗಣಿ ಗುತ್ತಿಗೆ ನವೀಕರಣ ಮಾಡಿರುವ ಪ್ರಕರಣಗಳಲ್ಲಿ ಸರ್ಕಾರ ಯಾರ ವಿರುದ್ಧ ಏನು ಕ್ರಮ ಕೈಗೊಂಡಿದೆ;</p>		<p>ಭಾರತ ಸರ್ಕಾರದ ಎಂಎಂಡಿಆರ್ ಕಾಯ್ದೆ ಮತ್ತು Mineral (Auction) Rules-2015 ರಂತೆ ಗಣಿ ಪ್ರದೇಶಗಳ ಹರಾಜು ಪ್ರಕ್ರಿಯೆ ಕೈಗೊಳ್ಳಲಾಗಿರುತ್ತದೆ. ಅದರಂತೆ, ಹರಾಜಾದ ಕಣ್ಣುರುವಾಡಿ ಸುಣ್ಣದ ಕಲ್ಲಿನ ಬ್ಲಾಕ್ ನ ಪ್ರಕರಣದಲ್ಲಿ ಸರ್ಕಾರವು ಕಾನೂನು ಇಲಾಖೆ ಅಭಿಪ್ರಾಯ ಪಡೆದಿರುತ್ತದೆ. ಸದರಿ ಪ್ರಕರಣಕ್ಕೆ ಸಂಬಂಧಿಸಿದಂತೆ ಸಂಕ್ಷಿಪ್ತ ಮಾಹಿತಿ ಈ ಕೆಳಕಂಡಂತಿದೆ.</p> <p>ಗುಲಬರ್ಗ ಜಿಲ್ಲೆ, ಚಿತ್ತಾಪುರ ತಾಲ್ಲೂಕು, ಕಣ್ಣುರುವಾಡಿ ಮತ್ತು ಬೊಮ್ಮನಹಳ್ಳಿ ಗ್ರಾಮಗಳಲ್ಲಿ ಸುಣ್ಣದ ಕಲ್ಲಿನ ಬ್ಲಾಕ್ ನ್ನು ದಿನಾಂಕ:05.10.2020 ರ Notification and Notice Inviting Tender ರಡಿ ದಿನಾಂಕ:19.12.2020 ರಂದು ನಡೆದ ಇ-ಹರಾಜಿನಲ್ಲಿ ಮೈ ಎಸಿಸಿ ಲಿಮಿಟೆಡ್ ರವರು 35.15 % ಅತೀ ಹೆಚ್ಚು ಬಿಡ್ ಮೊತ್ತಕ್ಕೆ ಪಡೆದಿರುತ್ತಾರೆ. ಅದರಂತೆ, ದಿನಾಂಕ:19.12.2020 ರಂದು ನಿಯಮಾನುಸಾರ Preferred Bidder ಎಂದು ಘೋಷಿಸಲಾಗಿರುತ್ತದೆ. Mineral (Auction) Rules-2015 ರಂತೆ ಆಗ್ಯೆ ಜಾಲ್ತಿಯಿದ್ದ ನಿಯಮಾವಳಿಗಳಂತೆ ಸದರಿ ಬಿಡ್ಡುದಾರರು ಹರಾಜಾದ ಪ್ರದೇಶದ upfront payment ಮೂರು ಕಂತುಗಳಲ್ಲಿ (10%, 10% 80% of upfront payment) ಪಾವತಿಸಬೇಕಾಗಿರುತ್ತದೆ. ಈ ಪ್ರಕರಣದಲ್ಲಿ ರೂ.78.59 ಕೋಟಿ Upfront Payment ರ ಮೊದಲನೇ ಕಂತನ್ನು ದಿನಾಂಕ: 28.12.2020 ರಂದು ಪಾವತಿಸಲಾಗಿರುತ್ತದೆ. Letter of Intent ವಿತರಿಸಲು ಬಿಡ್ಡುದಾರರು upfront payment ನ ಮೊದಲ ಕಂತು ಪಾವತಿಸಿದ ನಂತರ Letter of Intent ಜಾರಿ ಮಾಡುವುದು ನಿಯಮಾನುಸಾರ ಕಡ್ಡಾಯವಾಗಿರುತ್ತದೆ. ಅದರಂತೆ, ಬಿಡ್ಡುದಾರರಿಗೆ ದಿನಾಂಕ: 04.01.2021 ರಂದು Letter of Intent ಜಾರಿ ಮಾಡಲಾಗಿರುತ್ತದೆ. ಸದರಿ Letter of Intent ಅವಧಿ 03 ವರ್ಷ ಮಾತ್ರವಿದ್ದು, ಮತ್ತೆ 02 ವರ್ಷಗಳ ಅವಧಿಗೆ ವಿಸ್ತರಿಸಲು ನಿಯಮ 10(6)ರಡಿ ಅವಕಾಶವಿರುತ್ತದೆ. ಸದರಿ ನಿಯಮದ ಉದ್ಯತ ಭಾಗ ಈ ಕೆಳಕಂಡಂತಿದೆ:</p> <p>Provided further that the State Government may allow a further period of two years for execution of the Mining Lease Deed if the reasons for delay were beyond the control of the preferred bidder.</p>

		<p>ಕಣ್ಣೂರು ವಾಡಿ ಸುಣ್ಣದ ಕಲ್ಕುಬ್ಲಾಕ್ Letter of Intent ಅವಧಿಯು ಮೂಲತಃ ದಿನಾಂಕ: 03.01.2024ಕ್ಕೆ ಅಂತ್ಯಗೊಂಡಿರುತ್ತದೆ. ಪುನಃ 02 ವರ್ಷ ಅವಧಿ ವಿಸ್ತರಿಸಲು ರಾಜ್ಯ ಸರ್ಕಾರಕ್ಕೆ ಮೇಲ್ಕಂಡ ನಿಯಮಗಳಲ್ಲಿ ಅವಕಾಶ ಕಲ್ಪಿಸಲಾಗಿರುತ್ತದೆ. ತದನಂತರ ಅವಧಿ ವಿಸ್ತರಿಸಲು ರಾಜ್ಯ ಸರ್ಕಾರಕ್ಕೆ ಅಧಿಕಾರವಿರುವುದಿಲ್ಲ.</p> <p>ಮುಂದುವರೆದು, ನಂತರದ ದಿನಗಳಲ್ಲಿ ಕಂಪನಿಯು ಬಾಕಿ ಮೊತ್ತ ಮತ್ತು ದಂಡಪಾವತಿಸದೇ ಇರುವ ಕಾರಣ ಕರಾರು ಒಪ್ಪಂದ ಜಾರಿಯಾಗಿರುವುದಿಲ್ಲ. MMDR ಕಾಯ್ದೆ ಮತ್ತು Mineral (Auction) Rules-2015ರ ನಿಯಮಗಳನ್ನು ಕೇಂದ್ರ ಸರ್ಕಾರವು ರೂಪಿಸುವ ಅಧಿಕಾರ ಹೊಂದಿರುವುದರಿಂದ ಹಾಗೂ ಪ್ರಸ್ತುತ Letter of Intent ಅವಧಿ ಮುಕ್ತಾಯವಾಗಿರುವುದರಿಂದ, ಈ ಪ್ರಕರಣದಲ್ಲಿ ಕಂಪನಿಯು ಮನವಿ ಸಲ್ಲಿಸಿ, ಗಣಿಗುತ್ತಿಗೆ ಕಾರ್ಯಗತಗೊಳಿಸಲು ವಿನಂತಿಸಿದ್ದು Letter of Intent ಅವಧಿ ಮುಕ್ತಾಯವಾದ ಕಾರಣ ಮತ್ತು ಈ ಕಂಪನಿಯ ಮತ್ತೊಂದು ಗಣಿ ಗುತ್ತಿಗೆ ಪ್ರಕರಣದಲ್ಲಿ ಸರ್ಕಾರಕ್ಕೆ ಬಾಕಿ ಹಾಗೂ ಉಚ್ಚನ್ಯಾಯಾಲಯದಲ್ಲಿ ಪ್ರಕರಣಗಳು ಬಾಕಿ ಇರುವುದರಿಂದ ಕೇಂದ್ರ ಸರ್ಕಾರಕ್ಕೆ ವಿವರವಾದ ಅಂಶಗಳನ್ನು ಉಲ್ಲೇಖಿಸಿ ಪತ್ರ ಬರೆಯಲಾಗಿರುತ್ತದೆ. ಕಾನೂನು ಇಲಾಖೆಯ ಅಭಿಪ್ರಾಯದ ಪ್ರತಿಯನ್ನು ಅನುಬಂಧ-4ರಲ್ಲಿ ಒದಗಿಸಿದೆ.</p>
(೮೦)	ಹೊಸದಾಗಿ ಗಣಿಗಾರಿಕೆಗೆ ಅನುಮತಿ ನೀಡುವಲ್ಲಿ ಮತ್ತು ಗಣಿಗುತ್ತಿಗೆ ನವೀಕರಣದಲ್ಲಿ ಅಕ್ರಮಗಳು ನಡೆದಿರುವ ಕುರಿತು ಆರೋಪಗಳಿರುವುದು ಸರ್ಕಾರದ ಗಮನಕ್ಕೆ ಬಂದಿದೆಯೇ; ಈ ಕುರಿತು ಸರ್ಕಾರದ ಅಭಿಪ್ರಾಯವೇನು?	ಹೊಸದಾಗಿ ಗಣಿಗಾರಿಕೆಗೆ ಅನುಮತಿ ನೀಡುವಲ್ಲಿ ಅಕ್ರಮಗಳು ನಡೆದಿರುವ ಕುರಿತು ಯಾವುದೇ ಆರೋಪಗಳು ಸರ್ಕಾರದ ಗಮನಕ್ಕೆ ಬಂದಿರುವುದಿಲ್ಲ. ಎಂಎಂಡಿಆರ್ ತಿದ್ದುಪಡಿ ಕಾಯ್ದೆಯಂತೆ 2015 ರಿಂದ ನವೀಕರಣ ಮಾಡುವ ಪದ್ಧತಿಯನ್ನು ತೆಗೆದುಹಾಕಲಾಗಿದೆ.

ಸಂಖ್ಯೆ:ಸಿಐ 67 ಎಂಎಂಎಂ 2026


(ಎಸ್.ಎಸ್. ಮಲ್ಲಿಕಾರ್ಜುನ್)
ಗಣಿ ಮತ್ತು ಭೂ ವಿಜ್ಞಾನ ಹಾಗೂ
ತೋಟಗಾರಿಕೆ ಸಚಿವರು

List of Mining Leases granted from 2023-24 to till date

Sl. No	Name of the mining lease holder/address	ML No.	Mineral	District	Taluk	Village	Total Extent (in Ha)	Area in Forest	Original Execution Date	Expiry date as per 8A of MMDR 20.09.2073
1	Smt B L Ranisamyuktha	21	Iron Ore	Chitradurga	Hosadurga	Doddabyaladakere	60.92	0.00	01.08.2023	20.09.2073
2	Minera Power & Steel Pvt Ltd	22	Iron Ore	Ballari	Sandur	Ubbalagundi	29.49	29.49	05.10.2023	12.10.2073
3	MSP.L Limited, Baldota Bhavan, 117, Maharshi Karve Road, Mumbai-400 020.	23	Iron Ore	Ballari	Sandur	Dharmapura	60.66	60.66	02.04.2024	03.04.2074
4	MSP.L Limited, Baldota Bhavan, 117, Maharshi Karve Road, Mumbai-400 020.	24	Iron Ore	Ballari	Sandur	Ramanadurga	30.09	30.09	02.04.2024	03.04.2074
5	M/s GVPR Engineers Ltd	25	Iron Ore	Ballari	Ballari	Haraginadoni	190.77	0.00	02.05.2024	01.02.2074

No of Illegal cases: Major Minerals

Sl No.	Year		No. of cases identified	Penalty (Lakhs)	Cases Filed
1	2020-21	At the site of excavation	1	-	1
		At the site of Storage	NIL		
		During Transit	NIL		
2	2021-22	At the site of excavation	1	1.71	
		At the site of Storage	2	0	2
		During Transit	8	0	8
3	2022-23	At the site of excavation	NIL		
		At the site of Storage	NIL		
		During Transit	6	4.72	0
4	2023-24	At the site of excavation	NIL		
		At the site of Storage	2	0.07	1
		During Transit	8	7.8	1
5	2024-25	At the site of excavation	1 (Mining Machinery)	0.6	0
		At the site of Storage	2	0	2
		During Transit	6	2.71	6
6	2025-26 (April to September)	At the site of excavation	NIL		
		At the site of Storage	NIL		
		During Transit	1	0	1

2024-03

List of deemed extension execution cases as per Section 8A of MMDR Act, 1957 for the year 2023-24 to 2024-26 (February 2026)

Sl. No.	Name of the Lessee	ML No.	Mineral	District	Taluk	Village	Total Extent (Hec.)	Original Execution Date	Deemed extension order issued by Government	Supplementary Lease deed Execution date	Deemed extension upto
1	Smt Rajeshwari Murugaya Virakmath Lokapur Mudhol Bagalkote District	2425	Limestone & Dolomite	Bagalkote	Mudhol	Naganapur	2.78	29.09.2003	CI 48 CMC 2022 21.09.2023	26.09.2024	28.09.2053
2	M/s Malini Resources I.No-174, Gurudev Residency Budhwar Peth, Tilak Wadi, Belagavi,	2431	Aluminous Laterite	Belagavi	Belagavi	Belagundi	90.36	02.12.2003	CI 94 MMM 2023 21.11.2023	04.12.2024	01.12.2053
3	kashinath Gurusasappa Bolishetty Lokapur Mudhol Taluk Bagalkote district	2476	Limestone	Bagalkote	Mudhol	Lokapur	2.85	01.01.2005	CI 121 CMC 2022 16.11.2023	23.12.2024	31.12.2024
4	sri Tippanna Dundappa Kenchareddy Halki Village, Ningapur Post, Mudhol taluk, Bagalkote District.	2501	Limestone	Belagavi	Ranadurga	Kankeri	4.53	25.10.2005	CI 70 CMC 2024 09.10.2024	30.12.2024	25.10.2055
5	Sri Veerendra R Mathad M/s Shree Veerendra Minerals Lokapur Bagalkot 587122	2589	Limestone & Dolomite	Bagalkote	Mudhol	Muddapura	4.85	23.12.2008	CI 67 CMC 2021 19.05.2025	27.02.2026	22.12.2058
6	Sri Channabassappa A Patil Muddapura Mudhol Taluk Bagalkote-587313	2628	Limestone & Dolomite	Bagalkote	Mudhol	Muddapura	4.856	29.03.2010	CI 63 CMC 2021 12.06.2023	24.01.2024	28.03.2060
7	Sri PandappaBasappa Naik	2188	Limestone	Bagalkot	Mudhol	Hoskote	54.63	07.12.1994	CI 132 CMC 2021	Supplementary lease deed not executed as lessee has to submit statutory clearance/not cleared the due.	06.12.2044
8	Sri Ravi Gurusasappa Bolishetti.	2223	Limestone	Bagalkot	Mudhol	Lokapur	1.8	16.10.2001	CI 105 CMC 2022 01.07.2025		15.10.2051
9	Sri S N Hiremath	2310	Limestone	Bagalkot	Mudhol	chowdapur	4.86	08.06.2001	CI 126 CMC 2022 01.07.2025		07.06.2051

26(B)

OPINION

Re: [1] Whether the execution of Mine Development and Protection Agreement ('MDPA') in favour of ACC Limited in respect of Kannur Wadi Limestone Block during the pendency of W.P No. 25298/2024, W.P No. 18655/2025 & W.P No. 36850/2025 involving disputed statutory dues, is legally permissible without prejudicing the State's defence or giving rise to a plea of waiver, estoppel or condonation?

[2] If the State of Karnataka is to consider proceeding with the execution of the MDPA notwithstanding the pendency of the aforesaid writ petitions, whether any specific legal safeguards, conditions or protective clauses are required to be incorporated to safeguard the interest of the State?

The above queries have been examined in the background of the following facts in brief:

1. BACKGROUND OF FACTS:

1.1. M/s ACC Limited (for short 'ACC'), a company engaged in the manufacture of cement was initially granted mining Lease M.L No. 550 over an extent of **562.3 Hectares** of land situated in Ingalgi and Ravoor Villages of Chittapur Taluk, Kalburgi District for extraction of Limestone for captive purpose for a period of 20 years commencing from 19.02.1963 vide M.L No. 1853. Minor-Mineral Shale which is utilized for manufacturing of cement as an additive was found in the land and by including Shale as one of the minerals, the State Government executed another Mining Lease Deed dated 19.07.1984 in favour of ACC vide M.L 1949, which was co-terminus with M.L 1853. The mining lease M.L No. 1853 was further renewed for a further period of 20 years with effect from 19.02.2003 vide **M.L No. 2641**, which was valid till 18.02.2023.


Advocate General for Karnataka
Bangalore

1.2. During 1995-96, there was dispute in relation to the calculation of royalty which was based on notional Clinker to Limestone Conversion Ratio. At the meeting held on 31.03.2012 under the Chairmanship of the Principal Secretary, Department of Commerce and Industries, it was decided to compute the royalty based on 'Actual Production/weightment basis by including the previous year.

1.3. On 24.11.2018, the Deputy Director, Department of Mines and Geology ('DDGM') issued a Demand Notice calling upon ACC to pay royalty of Rs. 215,61,22,220 with interest. Against the said order, ACC filed a revision before the Ministry of Mines & Revisional Authority, Government of India ('Revisional Authority') and the Revisional Authority vide their order dated 06.05.2019 remanded the matter to the State Government for re-consideration of the demand in the light of decision taken at the meeting held on 31.03.2012. After remand, the State Government issued one more demand notice on 17.08.2019 to ACC for Rs. 267.10 Crores. ACC had filed a revision against the said order but later withdrew the same on 28.06.2021 as the subject matter of the revision was then under consideration before the State Government.

1.4. On 25.08.2022, the State Government acting under Section 8A(5) of the MMDR Act and Rule 8A(2) of the Karnataka Minor Mineral Concession Rules, 1994 directed the Director, Department of Mines and Geology ('DGM') to execute a supplementary Mining Lease Deed, subject to ACC paying the pending arrears to the State Government. Further, ACC was also informed to submit the requisite statutory clearances and No-Due Certificate but in the meantime, the mining lease under M.L No. 2641 expired on 18.02.2023 and the Integrated Lease Management System (ILMS) was locked.


Advocate General for Karnataka
Bangalore

- 1.5. On **10.04.2024**, the DGM issued a Royalty Assessment Order directing ACC to pay a sum of **Rs. 792.41 Crores** towards the differential Royalty Charges for the year 1995. Against the said order, ACC preferred a revision in Revision Application No. 13/02/2024/RC-1 before the Revisional Authority. The Revisional Authority passed an interim order on **31.07.2024** directing the State Government to resolve the problem relating to the ILMS.
- 1.6 On **12.07.2024**, DMG constituted a Technical Committee under the Chairmanship of the joint Director, Department of Mines and Geology to examine the Demand Notice dated **10.04.2024**. On the basis of the report dated **20.08.2024** submitted by the Technical Committee, the DDMG issued a revised Demand Notice dated **02.09.2024** for **Rs. 257.60 Crores** for the period 1995-96 to 2022-23.
- 1.7. ACC approached the High Court of Karnataka in **W.P No. 25298/2024** inter alia seeking direction to the State Government to unlock the ILMS portal pertaining to their mining lease incompliance with the interim directions issued by the Revisional Authority.
- 1.8. During the pendency of the above writ petition, the State Government constituted a High-Level Committee to look into the correctness of the two demand notices dated **10.04.2024** and **02.09.2024**. In the said Writ Petition, the High Court taking note of the constitution of the High-Level Committee passed an interim order on **29.10.2024** permitting ACC to continue the mining operations upon payment of **Rs.125.00 Crores**. This adhoc arrangement was made till the High-Level Committee submits its report.
- 1.9. On **21.03.2025**, the High-Level committee submitted its final report to the State Government and the Committee had determined that **Rs. 492,51,43,385** is due and payable by ACC towards the royalty charges

from the year 1995. On the basis of the Committee's report, the DMG passed a revised 'Royalty Assessment Order' calling upon ACC to pay a revised sum of **Rs.3,67,51,43,385** by deducting **Rs.125** Crores that was already paid by ACC in pursuance of the interim order passed by the High Court.

1.10. In view of the revised assessment order, ACC filed an amendment application before the Revisional Authority to challenge the revised demand order dated 22.04.2025.

1.11. As ACC was carrying on extraction and consumption of limestone without valid mining lease even after the expiry of the lease and without payment of royalty, the DMG issued a demand notice/order dated **05.06.2025** under Section 21 (5) of the MMDR Act, 1957 levying penalty of **Rs.482,69,65,137** for the violations committed by ACC for the period between 18.02.2023 till 18.08.2024. Challenging the penalty order, ACC approached the High Court of Karnataka in **W.P. No. 18655/2025**.

1.12. In the above writ petition, the High Court while observing that the principal question whether the lessee is required to execute a supplementary lease deed, if the lease is deemed to be extended by virtue of section 8A (5) of the Mines and Mineral (Development and Regulation) Act, 1957, is cogent upon the ACC's liability to pay royalty for the mining carried out during the lease period, requested the Revisional Authority to dispose the revision petition as expeditiously as possible. The writ petition in W.P No. 186545/2025 is pending as on date.

1.13. The Revisional Authority thereafter proceed to pass an order on **09.09.2025** remanding the case back to the State Government for suitable measures/fresh consideration as detailed by the Revisional Authority in

Paragraph 20(a) to 20(c) of its order dated 09.09.2025 and also by taking the views of an independent organization i.e Indian Bureau of Mines (IBM) in the matter.

1.14. Against the aforesaid order of the Revisional Authority dated 09.09.2025, the State Government had filed a W.P No. 36850/2025 before the High Court of Karnataka and the said writ petition is also pending as on date.

2. MINING LEASE AT KANNUR (WADIA):

2.1. On **05.10.2020**, the State Government had issued Notification inviting Tender for Auction of 2nd attempt annulled Auction in respect of Kannur (Wadi Area) Limestone Block in Kalburgi District over 533.65 Hectares of land was auctioned by the State Government and ACC participating in the said auction process had quoted 35.15% of the average IBM price above the reserve price i.e 35.05% and accordingly ACC was declared as Preferred Bidder and LOI was issued on 04.01.2021. ACC had thereafter paid the first installment of Rs. 7,85,96,463 on 05.01.2021; Rs. 7,85,96,463 as second instalment on 14.06.2021; Rs.18,63,300 towards the actual expenses incurred for the auction of mineral block on 02.03.2021, In addition, ACC had also furnished the approved mining plan on 17.05.2021 and had filed Affidavit/undertaking dated 18.06.2021.

2.2 The above proposal was taken up for discussion at the Meeting held on 09.07.2021 under the Chairmanship of the Secretary to Government (MSME & Mines) and the decision reads as under:

Decision : *After detailed discussion and deliberations, it was decided that since this is a disputed claim and there is nothing in the tender that bars the successful bidder, therefore there is no*

legal hurdle of successful bid declaration, Further, the tender condition provides for ACC to clear "all dues that the Government of Karnataka determines in future" Hence ACC can submit a declaration that it will pay once those dues become payable.

Based on the said decision, the DMG intimated ACC to submit declaration/undertaking and the ACC had furnished another Affidavit dated **28.09.2021** whereby ACC agreed to pay arrears of royalty in respect of M.L 2641 that was then pending before the DDMG.

2.3. ACC had thereafter requested for extension of LOI period for two years by assigning certain reasons and by considering the said request, the State Government had extended the period of LOI till 03.01.2025 vide Letter dated 30.10.2024 issued by the DMG, with all other conditions of LOI dated 05.01.2021 remaining the same.

3. **DISCUSSION & OPINION**

In the above factual background, the cited queries are considered for opinion as under:

- [1] *Whether the execution of Mine Development and Protection Agreement ('MDPA') in favour of ACC Limited in respect of Kannur Wadi Limestone Block during the pendency of W.P No. 25298/2024, W.P No.18655/2025 & W.P No. 36850/2025 involving disputed statutory dues, is legally permissible without prejudicing the State's defence or giving rise to a plea of waiver, estoppel or condonation?*

3.1. The three writ petitions relate to arrears of royalty and penalty in respect of mining lease in M.L No. 2641 that was granted to ACC in respect of mining area measuring **562.3 Hectares** of land situated in Ingalgi and

Ravoor Villages of Chittapur Taluk, Kalburgi District; whereas the mining area notified vide Tender Notice dated 05.10.2020 relates to an altogether different/distinct mining block located in an mining area measuring 533.65 Hectares in Kannur Wadi Area of Kalburgi District, in which ACC has emerged as the preferred Bidder through a tender process.

3.2. Out of the three writ petitions, [i] W.P No. 25298/2024 that was filed by ACC relates to unlocking of ILMS portal in respect of M.L No. 2641, in compliance with the interim directions issued by the Revisional Authority in Revision Application File No. 13/02/2024/RC-I, which revision petition is now disposed by an Order dated 09.09.2025; [ii] W.P No. 36850/2025 is filed by the State Government challenging the remand order dated 09.09.2025 passed in Revision Application File No. 13/02/2024/RC-I; and [iii] W.P. No. 18655/2025 is again filed by ACC challenging the penalty order dated 05.06.2025 levying penalty of **Rs.482,69,65,137** for the violations committed by ACC for transporting 78,33,415 tones of lime stone illegally and without valid mining lease i.e., much after the after the expiry of the mining lease (M.L No. 2641) on 18.02.2023.

3.3. It is clear from the above that all the three writ petitions are in relation to M.L No. 2641 and hence execution of 'MDPA' in favour of ACC Limited in respect of altogether a different (Kannur Wadi) Limestone Block during the pendency of W.P No. 25298/2024, W.P No. 18655/2025 & W.P No. 36850/2025 will not in any manner prejudice the interest of the State in recovering the said dues/arrears in accordance with law. Hence, it is my considered opinion that the execution of MDPA for Kannur Wadi Block is independent of Mining Lease granted under ML No.2641.


Advocate General, Karnataka
Bangalore.

3.4 In view of the above, it is advisable to take the concurrence of the Financial Department since the issue involves huge financial implications.

[2] **If the State of Karnataka is to consider proceeding with the execution of the MDPA notwithstanding the pendency of the aforesaid writ petitions, whether any specific legal safeguards, conditions or protective clauses are required to be incorporated to safeguard the interest of the State?**

3.5. In case the State Government decides to proceed with the execution of MDPA during the pendency of the writ petitions, the following aspects regarding the arrears/dues of Royalty and Penalty becomes relevant:

I. Arrears of Royalty:

It is seen that the terms and conditions of Tender Notification dated 05.10.2020 that a preferred bidder to be considered as a successful bidder is required to have cleared all determined dues in respect of the mining activities carried out by him in the past and furnish an undertaking that he shall clear the dues as determined by the State of Karnataka in future. Clause 10(f) of the Tender condition reads as under:

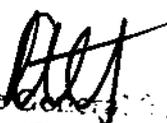
10 (f) having cleared all dues to the Government of Karnataka arising from mining activity that the Preferred Bidder has undertaken in Karnataka in the past, if such dues have been determined to be payable by him in terms of the extant provisions of the MMDR Act, 1957 and the rules framed there under, along with an undertaking that he shall also clear all dues that the Government of Karnataka determines in future, payable by him in terms of the extant provisions of the MMDR Act, 1957 and the rules framed there under, to the Government of Karnataka arising from mining activity undertaken by him in Karnataka in the past, if such dues have not been determined; and

3.6. In pursuance of the decision taken at the meeting on 09.07.2021, ACC has furnished an affidavit undertaking and the relevant portion of the Affidavit dated 18.06.2019 reads as under:

1. The Company also undertakes to abide by the final decision of the Government with regard to the areas due and presently the case is before the Director, Department of Mines and Geology.
2. The Company also undertake to pay dues in case the DGM, Government of Karnataka settles the above-mentioned disputed demands with respect to ML. No. 2641 and the same is acceptable to the company.
3. That the company undertakes to pay and clear any dues which are due and payable to the Government of Karnataka with respect to mining lease operated by the Company and in terms of the extent provisions of MMDR act, 1957 and the rules framed their render.

The above affidavit is filed in relation to the arrears of royalty arising out of Demand Notice dated 17.08.2019 that was then subject to challenge before the Revisional Authority and was also under consideration before the Government of Karnataka. In supersession of the said demand notice dated 17.08.2019, the State has issued Demand Notice dated 10.04.2024 demanding arrears of royalty and the Revisional Authority has remanded the said matter for fresh measures in terms of its order dated 09.09.2025. As stated earlier, the State Government has questioned the validity of the said remand order in W.P No. 36850/2025, which is pending before the Hon'ble High Court. Hence, the quantum of arrears of royalty is not finally determine as on date.

3.7. In view of the above, I am of the considered opinion that there is no impediment to execute the MDPA by securing a fresh Affidavit/undertaking from ACC that they shall pay arrears of royalty with interest in respect of


 Advocate General for Karnataka
 Bangalore-1

M.L. 2641, subject to the outcome of the decision in the pending writ petitions or as may be determined by the State Government in future regarding the arrears of royalty depending on the decision of the High Court in the pending writ petitions.

ii. **Penalty**

3.8. The affidavit/undertaking given by ACC on 18.06.2021 relates to arrears of royalty in respect of M.L No. 2461 and does not cover the penalty order that was subsequently levied by the State Government on **05.06.2025**. In the said order, penalty of **Rs. 482,69,65,137** was levied for the violations committed by ACC for transporting 78,33,415 tones of lime stone illegally and without valid mining lease for the period between 19.02.2023 and 18.08.2024. The said penalty order is now subject to challenge before the High Court in W.P No. 18655/2025. However, the operation of the said penalty order is not stayed by the High Court. In the situation, the terms and conditions of Clause 10(f) of the Tender Notification would be applicable to the penalty order, which amount is a determined as on date. Further, Clause v of the LOI dated 05.01.2021 as extended on 30.10.2024 also stipulates the very same condition as Clause 10(f) of the Tender Notification dated 05.10.2020. Since the said penalty order is subject to challenge before the High Court, I am of the considered opinion that MDPA can be executed in favour of ACC subject to ACC clearing the penalty of Rs. 482,69,65,137 in compliance with Tender Notification/LOI, subject to outcome of the Writ Petition 18655/2025;

4. **SUGGESTED COURSE OF ACTION**

In view of the foregoing, I am of the considered opinion that the State Government can consider executing MDPA in favour of ACC in respect of


Advocate General for Karnataka
Bangalore

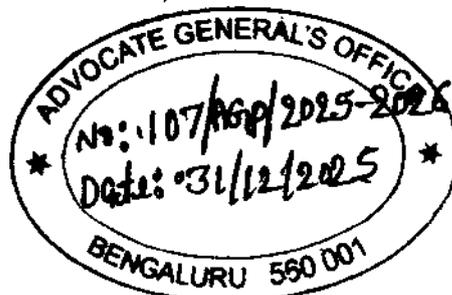
the Mining Block at Kannur (Wadia), Kalburgi subject to the following suggested course of action:

- i. In view of the huge financial implications involved in the pending writ petitions, it is advisable to secure the concurrence of the Financial Department before proceeding to execute the MDPA;
- ii. To obtain fresh undertaking by way of affidavit that ACC would pay arrears of royalty for M.L 2641 based on the Royalty Assessment Order dated 10.04.2024 or such other future order/s that may be passed depending on the outcome of writ petitions in W.P No. 25298/2024, W.P No. 18655/2025 & W.P No. 36850/2025 or any other future Assessment Order/s in relation to M.L No, 2641.
- iii. ACC clearing the entire penalty amount of Rs. 482,69,65,137, subject to outcome of the Writ Petition 18655/2025.


 (K. SHASHIKIRAN SHETTY)
 ADVOCATE GENERAL
 Advocate General for Karnataka
 Bangalore-1

31ST December, 2025

26(c) To ✓
 The Principal Secretary to Government,
 Law Department,
 Vidhana Soudha,
 Bengaluru - 560 001.



For approval of
Honorable Law Minister

Blair

1/01/16

(ನರಸಿಂಹ ಎರಡನೆಯ ಭಾವನೆ)
ಸರ್ಕಾರದ ಪ್ರಧಾನ ಕಾರ್ಯದರ್ಶಿ
ಬೆಂಗಳೂರು, ನ್ಯಾಯ ಮತ್ತು ಮಾನವ ಹಕ್ಕುಗಳ ಇಲಾಖೆ

26(D)

ಮಾನ್ಯ ಕಾನೂನು ವ್ಯಾಪ್ತಿ
ಮಂಡಳಿ ಮಾನವ ಹಕ್ಕುಗಳ
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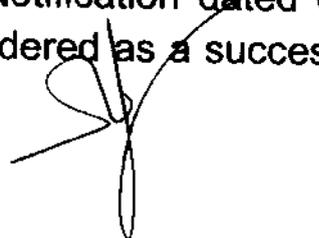
Subject: Execution of Mine Development and Protection agreement (MDPA) in favour of ACC Limited in respect of Kannuru Wadi Limestone Block – reg

CI 14 CMC 2024 (e-1313980)

1. A legal opinion has been sought on the permissibility of executing a Mine Development and Production Agreement (MDPA) in favour of M/s ACC Limited in respect of the Kannuru Wadi Limestone Block, without prejudicing the interests of the State, particularly in light of the pending writ proceedings before the Hon'ble High Court. The file and connected records submitted by the Department have been perused. In addition it is pertinent to note that;

As recorded in the note (#24) recommendations of Secretary to the Govt, Commerce & Industries(Mines) and Note (#25) of Hon'ble minister for Mines, Geology and Horticulture, M/s ACC Limited is presently, the company facing a statutory demands aggregation to ₹ 850.21 crores comprising of 492.51 crores towards royalty/interest, out of which the company had paid 125.00 crores, leaving a balance of ₹ 367.51 and ₹ 482.59 imposed as a penalty under Section 21(5) of the MMDR Act, 1957 for illegal mining after the expiry of lease between periods of 18.02.2023 to 18.08.2024 the said mining is done without valid lease.

2. On 05.10.2020, the State Government had issued a notification inviting tender for auction of Kannuru Wadi Limestone Block in Kalaburagi district, over 533.65 hectares of land was auctioned by the State Government and M/s ACC Limited was only one who applied for the above said notification and now wanted to issuance of order in favour of the M/s ACC Limited. As M/s ACC Limited participated and in the said auction process had quoted 35.15% of average IBM price above the reserve price of i. e., 35.05%. It is seen that the terms and conditions of Tender Notification dated 05.10.2020 that a preferred bidder to be considered as a successful bidder



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is required to have cleared all determined dues in respect of the mining activities carried out by him in the past and furnish an undertaking that he shall clear the dues as determined by the State of Karnataka in future. Clause 10(f) of the Tender condition reads as under:

“10 (f) having cleared all dues to the Government of Karnataka arising from mining activity that the Preferred Bidder has undertaken in Karnataka in the past, if such dues have been determined to be payable by him in terms of the extant provisions of the MMDR Act, 1957 and the rules framed there under, along with an undertaking that he shall also clear all dues that the Government of Karnataka determines in future, payable by him in terms of the extant provisions of the MMDR Act, 1957 and the rules framed there under, to the Government of Karnataka arising from mining activity undertaken by him in Karnataka in the past, if such dues have not been determined;”

3. As the company has not paid and settled all the dues as on today and without paying the same the petitioner has approached the Hon'ble High Court by filing writ petition, the said writ petition as follows:

1. W.P No. 25298/2024 that was filed by ACC relates to unlocking of ILMS portal in respect of M.L No. 2641, in compliance with the interim directions issued by the Revisional Authority in Revision Application File No.

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13/02/2024/RC-I, which revision petition is now disposed by an Order dated 09.09.2025;

and

2. W.P. No. 18655/2025 is again filed by ACC challenging the penalty order dated 05.06.2025 levying penalty of Rs.482,69,65,137 for the illegal mining after the expiry of lease between periods of 18.02.2023 to 18.08.2024 the said mining is done without valid lease.

One more writ petition in W.P No. 36850/2025 is filed by the State Government challenging the remand order dated 09.09.2025 passed in Revision Application File No. 13/02/2024/RC-I and the said writ petition is also pending for consideration.

4. The mining company (ACC) holding limestone mining lease in Chittapur Taluk, Kalaburagi District, has failed to remit royalty and statutory dues under the Mines and Minerals (Development and Regulation) Act, 1957 (MMDR Act) as per the note in (24) recommendations of Secretary to the Govt, Commerce & Industries(Mines). The accumulated liability stands at ₹850.21 crores, comprising: royalty, and Penalty for illegal mining.

5. As per Section 9 of the MMDR Act, it is the statutory obligation under MMDR Act and same is mandates the payment of royalty on minerals removed or consumed (natural resources). The Royalty is not contractual but a statutory levy, and its payment is mandatory and non-negotiable and Failure to pay royalty results in accrual of statutory interest and penal consequences, recoverable as arrears of land revenue. As the above three writ petitions are



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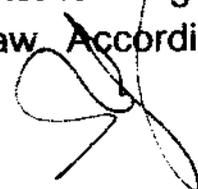
CI 14 CMC 2024 (e-1313980)

pending for consideration before the Hon'ble Court and Company had dues in respect of royalty and more importantly the para 10(f) of the notification had not complied, in view of the said circumstances, it is neither in the interest nor prudent for the state Government proceed with another 50 years lease to M/S ACC Ltd.

6. Apart from granting lease as per the notification dated 05.10.2020, the Company has excavated limestone illegally for nearly two years and no action is taken except penalty order. In Common Cause v. Union of India, (2017) 9 SCC 499, the Supreme Court held: Mining without lawful authority attracts Section 21(5) of the MMDR Act. The State is entitled to recover 100% of the price of the mineral illegally extracted, in addition to royalty, rent, and penalty. Such recovery is independent of criminal prosecution.

Therefore, recovery cannot be confined to the penalty figure alone; the entire ₹850.21 crores, being sovereign dues, must be recovered. The company continued mining operations for nearly two years without valid State authorization, squarely falling within the definition of "illegal mining" under the MMDR Act. The Hon'ble Supreme Court held In Jayant v. State of Madhya Pradesh, reported in (2020) 18 SCC 401, held that: Compounding of offences or payment of penalty does not bar criminal prosecution. Administrative penalties and criminal proceedings operate in distinct legal spheres.

Thus, the current departmental action limited to monetary penalty is legally insufficient and action needs to be taken under Section 21(1) & (2) of the MMDR Act for Illegal mining and repeated violations of provision of law. Accordingly, the



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Administrative Department shall immediately raise and enforce demands for recovery of 100% of the price of the mineral illegally extracted, royalty, interest, and penalty in accordance with law and initiate criminal proceedings under Sections 21(1) and 21(2) of the MMDR Act for illegal mining and repeated violations.

In view of the significant financial implications and bidding/Auctions procedures involved, the Finance Department may be consulted, and M/s ACC Limited shall be debarred from participation in future Government tenders, auctions, and mining-related processes until full compliance with statutory obligations is ensured.

(H. K. Patil)

H.K PATIL

Minister for Law, Justice, Human Rights and Parliamentary Affairs, Legislation and Tourism

26(E)

Principal Law Secretary

For further action

Blawar
9/1/26

ಇದರಲ್ಲಿ ಒಂದು ಸಹಿ: 09/01/26

26(F)

Secretary
C and L

for kind perusal to be put upon file

(ಸರ್ಕಾರದ ಅಧಿಕಾರಿಗಳಿಂದ ಸಹಿ)
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26(G)

JS, Minis

20/1/2026

26(H)

B. S. J.