



Letter NO- HIL/SEM/MOEF- 17/2024-25

Date: 05.03.2024

The Additional Director & Member Secretary

IA Division (Non-Coal Mining)

Ministry of Environment, Forest & Climate Change

Indira Paryavaran Bhawan

Jor Bagh Road, Aliganj, New Delhi

Sub: ADS dated 17.01.2024 regarding the Stay order imposed on SoP dated 07.07.2021 & 28th January, 2022

Ref: Proposal No. IA/OR/MIN/250275/2020 & F. No. J-11015/79/2020-IA II (M)

Respected Sir,

This has reference to our Proposal No. IA/OR/MIN/250275/2020 & F. No. J-11015/79/2020-IA II (M) and MoM of 49th EAC (Non-coal mining) meeting held during 19th to 21st April, 2022, wherein EAC recommended our proposal for grant of EC for Maliparbat Bauxite mine in Koraput District, Odisha with certain specific conditions which we have complied with, also we have complied all ADS received before this fresh ADS dated 17.01.2024 in line with SoP dated 07.07.2021.

Please find the attached letter submitted to your good office on dated 29.03.2024 and kindly consider this letter towards compliance of ADS raised dated 17.01.2024

Our submission:

Sir, in view of the above, we request your goodself to consider our submission for issuance of EC

With Thanks.

Yours sincerely,

For **Hindalco Industries Ltd.**

(Pratap Patra)

Authorized signatory



29.02.2024

**The Additional Director & Member Secretary
IA Division (Non-Coal Mining)**

Ministry of Environment, Forest & Climate Change
Indira Paryavaran Bhawan
Jor Bagh Road, Aliganj, New Delhi

Sub: ADS dated 17.01.2024 regarding the Stay order imposed on SoP dated 07.07.2021 & 28th January 2022-Hon'ble SC order does not appear to have any negative impact on our project.

Ref: Proposal No. IA/OR/MIN/250275/2020 & F. No. J-11015/79/2020-IA II (M)

Dear Sir,

This has reference to our Proposal No. IA/OR/MIN/250275/2020 & F. No. J-11015/79/2020-IA II (M) and MoM of 49th EAC (Non-coal mining) meeting held during 19th to 21st April, 2022, wherein EAC recommended our proposal for grant of EC for Maliparbat Bauxite mine in Koraput District, Odisha with certain specific conditions which we have complied with also **we have complied all ADS received before this fresh ADS dated 17.01.2024 in line with SoP dated 07.07.2021.**

ADS dated 17.01.2024 stated as "The Hon'ble Supreme Court vide its order dated 02.01.2024 in Writ Petition(s) (Civil) No(s). 1394/2023 in the matter of Vanashakti versus Union of India directed that "Until further orders, there shall be stay of operation of the Office Memoranda dated 7th July, 2021 and 28th January, 2022 issued by the Ministry of Environment, Forest and Climate Change". The Ministry also issued an Office Memorandum dated 08.01.2024 regarding the stay imposed by the Hon'ble Supreme Court with reference to the SOP dated 7th July, 2021 and OM dated 28.01.2022"

It appears from the ADS that it is an information towards stay of operation of the Office Memorandum dated 7th July, 2021 and 28th January, 2022 issued by the Ministry of Environment, Forest and Climate Change.

From bare perusal of the order passed by the Hon'ble the Supreme Court in Writ Petition(s) (Civil) No(s). 1394/2023, we got know that hearing held on 02.02.2024 and the Hon'ble Supreme Court has clarified / modified the order dated 02.01.2024 by saying that:

"5. We clarify that our order dated 02.01.2024 would not come in the way of the competent authorities in considering the proposals

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for modifications / alterations in the EC if area of such projects had any valid EC prior to 07.07.2021.

In para 6. Needless to state that such applications for modifications / alterations would be considered by the competent authorities strictly in accordance with law as it existed to 07.07.2021.”

As our proposal considered under violation case and accordingly, we have complied all conditions as per SoP dated 07.07.2021 issued by MoEF&CC details of compliance in terms of the SOP are as follows:

Para 11 -SOP dealing with Violation Cases

Step 1: Closer or Revision

Sl. No.	Status of EC	Actions	Compliance/Remarks
1	If no prior EC has been taken	Order to close its operation	<ul style="list-style-type: none"> • EC (for production of 0.6 MTPA bauxite) issued on 07.09.2006 under EIA Notification 1994. • Validity of the EC was for 5 years i.e. upto 06.09.2011. • Total production during the validity period was only 66,684 MT. • EC expired on 06.09.2011. • Mining operation continued till 2014 without EC and total production during violation period (2011- 2014) was 900 MT. • No operations were carried out from 2014 till date.

Step 2: Action under Environment (Protection) Act, 1986

Sr.no	Action	Status	Remarks
1	Action under Section 15 read with Section 19 of Environment (Protection) Act, 1986.	Case filed by State Pollution Control Board, Bhubaneswar against us on 24.09.2022 under	Case disposed on 04.09.2023 with a penalty of Rs.20000.00 which

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		Section 15 read with Section 19 of Environment (Protection) Act, 1986 Which we have intimated your good office in ADS reply dated 24.09.2022.	we deposited at Hon'ble Court
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Step: 3: Appraisal under EIA Notification, 2006

B. If permissible:

Sr.no	Budget Provision	Status
1	EAC recommended the proposal in 49 th EAC meeting held on 19 th – 21 st Apr 2022 with the condition to submit Bank Guarantee (BG) of Rs. 2,79,99,000/- with OSPCB on account total Budget Provision w.r.t Remediation Plan and Natural & community Resource Augmentation Plan	As per the recommendations of the EAC, we have submitted a BG of Rs. 2,79,99,000/- dated 11.05.2022 with OSPCB, Bhubaneswar towards budgetary provision with respect to Remediation Plan and Natural & Community Resource Augmentation Plan for Maliparbat Bauxite mine which we have intimated to your good office on 21.06.2022 in response to ADS raised dated 30.05.2022.

Para 12 - Penalty provisions for Violation cases and applications

a. For new projects

ii. Where operations have commenced without EC:

Sr.no	Penalty provisions	Status
1	Dy. Director of Mines, Koraput circle raised Demand Notice No. 34/Mines dated 03 rd Jan 2022 for Rs. 15,32,216/- under MMDR Act, 1957 for production to 900 MT of bauxite without a valid EC	Accordingly, in compliance of the Demand Note, we have paid Rs. 15,32,216/- through SBI net banking on 10.01.2022 to Dy. Director of Mines, Koraput circle, Odisha. We have intimated the same to your good office on 21.06.2022 in

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		reply of ADS raised dated 30.05.2022.
2	<p>a. Proposal was considered as a new project. Total project cost is Rs. 23.72 Cr. (Say Rs. 24 Cr.). Therefore, @1% of project cost, Rs. 24 Lakh will be applicable to us.</p> <p>b. 0.25% of the total turnover of Rs. 15,32,216/- towards production to 900 MT of Bauxite without a valid EC as per the SoP which works out to be Rs. Rs.3831.00</p>	<p>We have deposited Rs.24.03 lakh at OSPCB, Bhubaneswar dated 10.07.2023 as per MoM of 53rd EAC (Non-Coal). The Same has been intimated to your good office on 11.07.2023 in response to the ADS dated 28.06.2023.</p>

Our submission:

Sir, in view of the above, we request your good self to consider our submission for issuance of Environmental Clearance. As in terms of SOP dated 07.07.2021 28.01.2022 certain conditions were imposed, and we have complied with all those conditions with respect to violation and penalty under EP Act. Hence order of the Hon'ble Supreme Court, the Competent Authorities are free to consider proposals for modification/alterations in the Environmental Clearances, if the area of the concerned project had any Environmental Clearance prior to 07 July 2021.

The order passed by the Hon'ble Supreme Court does not appear to have any negative consequence on our proposal and may not come on the way to grant EC as consideration of proposal for EC may not kept pending for indefinite period.

Thanking you in anticipation

Yours sincerely
For **Hindalco Industries Ltd.**

Dr Vinod K Verma
Sr. Vice President & Head - Regulatory Affairs (HIL)
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