

EAC OBSERVATIONS AND RESPONSE

FOR

THE MALIPARBAT BAUXITE MINE OF M/S HINDALCO INDUSTRIES LTD
FOR A PRODUCTION CAPACITY OF 0.6 MTPA OVER A MINING LEASE
AREA OF 268.110 HA AT ALIGAON, KANKARAMBA, SORISHPADAR
VILLAGE, POTTANGI TEHSIL, KORAPUT DISTRICT, ODISHA

Environmental Consultant:



Vimta Labs Ltd.

Hyderabad-500051, Telangana State

QCI/ NABET Accredited EIA Consultant Organization.

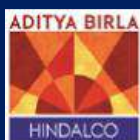
NABL (ISO 17025) Certified

and MoEF&CC Recognized Laboratory



(Approved Consultant)

Project Proponent :



M/s. Hindalco Industries Limited (HIL)
Aligaon, Kankaramba, Sorishpadar Village,
Pottangi Tehsil, Koraput District, Odisha

March, 2022

Response to the EAC Observations

Response to Observations of Committee of 46th EAC (Non-Coal Mining) Meeting held during on 17th February, 2022

(Maliparbat Bauxite Mine with Production Capacity of 0.6 MTPA of Bauxite in the ML Area of 268.110 ha, located at Aligaon, Kankaramba, Sorishpadar Village, Pottangi Tehsil, Koraput District, Odisha)

Sr.No	Observations of the EAC Committee	Response to the EAC Observations																																																		
1	The Project Proponent should submit the action plan for strengthening of road for transportation i.e., upto highway 7.5km and from highway to railway siding – 1.0km by creating a road of 10m width including the shoulder for facilitating two-way risk free and environment friendly transportation.	<p>Action plan for strengthening of road for transportation i.e., upto highway 7.5 km and from highway to railway siding – 1.0 km is given below and location map showing approach road & road design drawing is attached as Annexure-I (A) & Annexure-I (B).</p> <table><tr><th>Sr.No</th><th>Description of Work</th><th>Place of Work</th><th>Length</th><th>In Rs</th></tr><tr><td>1</td><td>Development of existing Ghat road to CC road</td><td>From hill bottom to mines top</td><td>4.2 km x 10 m</td><td>12,91,12,000</td></tr><tr><td>2</td><td>Construction of storm water drain along hill side at Ghat road</td><td>From hill bottom to mines top</td><td>4.2 km</td><td>4,71,20,000</td></tr><tr><td>3</td><td>Construction of RCC retaining wall at Ghat road</td><td>From hill bottom to mines top</td><td>Length: 150 RMT</td><td>1,42,65,000</td></tr><tr><td>4</td><td>Development of existing Panchayat Road (WBM road to BT road including Construction of Hume pipe culvert)</td><td>From NH - 26 to end of WBM</td><td>Road length 1.8 km</td><td>1,64,25,550</td></tr><tr><td>5</td><td>Development of existing 0.7 km road from Church To Hill Bottom (WBM to BT road)</td><td>From Church to hill bottom - 0.7 km</td><td>0.7 km</td><td>54,02,250</td></tr><tr><td>6</td><td>Parapet wall</td><td>Along Ghat road</td><td>4200 RMT</td><td>3,72,12,000</td></tr><tr><td>7</td><td>1000 mm Dia NP-3 Class Hume Pipe Culvert 7.5m Length (Single Row)</td><td>At Ghat road</td><td>7.5 m Length (Single row) x 2</td><td>8,19,400</td></tr><tr><td>8</td><td>600 mm Dia NP-3 Class Hume Pipe Culvert 7.5m Length (Single Row)</td><td>At Ghat road</td><td>7.5 m Length x 2 (Single row)</td><td>6,20,250</td></tr><tr><td>9</td><td>Development of existing 1.0 km WBM road to BTroad from NH-26 To Dumriput railway siding</td><td>From NH-26 to Dumriput railway siding</td><td>1 km x 10 m</td><td>86,25,000</td></tr></table> <p>The time period of development of road is 10 months from starting of the road construction.</p>	Sr.No	Description of Work	Place of Work	Length	In Rs	1	Development of existing Ghat road to CC road	From hill bottom to mines top	4.2 km x 10 m	12,91,12,000	2	Construction of storm water drain along hill side at Ghat road	From hill bottom to mines top	4.2 km	4,71,20,000	3	Construction of RCC retaining wall at Ghat road	From hill bottom to mines top	Length: 150 RMT	1,42,65,000	4	Development of existing Panchayat Road (WBM road to BT road including Construction of Hume pipe culvert)	From NH - 26 to end of WBM	Road length 1.8 km	1,64,25,550	5	Development of existing 0.7 km road from Church To Hill Bottom (WBM to BT road)	From Church to hill bottom - 0.7 km	0.7 km	54,02,250	6	Parapet wall	Along Ghat road	4200 RMT	3,72,12,000	7	1000 mm Dia NP-3 Class Hume Pipe Culvert 7.5m Length (Single Row)	At Ghat road	7.5 m Length (Single row) x 2	8,19,400	8	600 mm Dia NP-3 Class Hume Pipe Culvert 7.5m Length (Single Row)	At Ghat road	7.5 m Length x 2 (Single row)	6,20,250	9	Development of existing 1.0 km WBM road to BTroad from NH-26 To Dumriput railway siding	From NH-26 to Dumriput railway siding	1 km x 10 m	86,25,000
Sr.No	Description of Work	Place of Work	Length	In Rs																																																
1	Development of existing Ghat road to CC road	From hill bottom to mines top	4.2 km x 10 m	12,91,12,000																																																
2	Construction of storm water drain along hill side at Ghat road	From hill bottom to mines top	4.2 km	4,71,20,000																																																
3	Construction of RCC retaining wall at Ghat road	From hill bottom to mines top	Length: 150 RMT	1,42,65,000																																																
4	Development of existing Panchayat Road (WBM road to BT road including Construction of Hume pipe culvert)	From NH - 26 to end of WBM	Road length 1.8 km	1,64,25,550																																																
5	Development of existing 0.7 km road from Church To Hill Bottom (WBM to BT road)	From Church to hill bottom - 0.7 km	0.7 km	54,02,250																																																
6	Parapet wall	Along Ghat road	4200 RMT	3,72,12,000																																																
7	1000 mm Dia NP-3 Class Hume Pipe Culvert 7.5m Length (Single Row)	At Ghat road	7.5 m Length (Single row) x 2	8,19,400																																																
8	600 mm Dia NP-3 Class Hume Pipe Culvert 7.5m Length (Single Row)	At Ghat road	7.5 m Length x 2 (Single row)	6,20,250																																																
9	Development of existing 1.0 km WBM road to BTroad from NH-26 To Dumriput railway siding	From NH-26 to Dumriput railway siding	1 km x 10 m	86,25,000																																																
2	The 24m depth of excavation on the hill slope and its rehabilitation by plantation needs to be submitted by PP	No mining activity will be carried out on hill slope. Reclamation plan is attached as Annexure-II .																																																		

Response to Observations of Committee of 46th EAC (Non-Coal Mining) Meeting held during on 17th February, 2022

(Maliparbat Bauxite Mine with Production Capacity of 0.6 MTPA of Bauxite in the ML Area of 268.110 ha, located at Aligaon, Kankaramba, Sorishpadar Village, Pottangi Tehsil, Koraput District, Odisha)

3	An area of 141.760ha which will not be disturbed also needs to be included in the plantation at the conceptual stage. PP should also provide the budget for green belt, afforestation and plantation over backfilled areas along with the time schedule.	An amount of Rs 2.64 lakhs per hectare will be spent towards reclamation, restoration, greenbelt, afforestation and plantation over backfilled areas that is 117.35 ha (109 ha+8.35) ha from 6 th year of current plan period as per Mining scheme that is from 2023 onwards.				
		Amount to be spent towards reclamation, restoration and afforestation within the ML area during the life of mine.	@2.64 Lakhs per ha.	117.35	309.804	From 6 th year of current plan period as per Mining scheme that is from 2023 onwards
		The cost of Rs. 2 Lakhs/ha of land towards plantation over the undisturbed area with greenbelt area around the mine lease area	2 lakh per ha	141.760	283.52	After resuming the Mines. @ 7.008 ha per year.
4	The Project Proponent needs to revise the EMP budget for public hearing in light of the concerns raised by the people as follows:					
a	Action plan for protection of air and water environment along with the budget. PP should also include the provision of continuous air quality monitoring equipment as suggested by the EAC, Member.	Action plan for protection of air and water environment is given below:				
		<ul style="list-style-type: none">❖ Continuous Ambient Air Quality monitoring station will be installed and Air Quality level will be monitored as per CPCB/SPCB guideline.❖ Water sprinkling will be done at regular intervals to suppress emission and distribution of dust particles❖ Plantation will be undertaken along the plateau slopes as well as peripheral barrier around the mine to arrest the air borne dust❖ The machines will be well maintained and PUC certified to reduce emissions due to vehicular exhaust.❖ Sharp drill bits will be used for less generation of dust particles❖ Wet-drilling techniques / dust-collectors will be deployed to prevent generation of dust during drilling operations❖ Tarpaulin covered trucks will be deployed for transportation of bauxite ore from the mine head to railway siding to stop spillage on the way.❖ Trucks / tippers will ply within permissible speed limit.				

Response to Observations of Committee of 46th EAC (Non-Coal Mining) Meeting held during on 17th February, 2022

(Maliparbat Bauxite Mine with Production Capacity of 0.6 MTPA of Bauxite in the ML Area of 268.110 ha, located at Aligaon, Kankaramba, Sorishpadar Village, Pottangi Tehsil, Koraput District, Odisha)

		<p><u>Water Environment</u></p> <ul style="list-style-type: none"> ❖ It is a plateau top deposit. Measures proposed to arrest the wash-offs and prevent the possible siltation of surrounding area due to mining activity are as follows: ❖ Samples collected from the nearby surface water sources and tube wells will be analyzed for their pollutant levels. ❖ Rain water accumulated in the quarries will not be allowed to flow down the valley. ❖ Surface run-off water will be canalized through the seasonal water course to accumulate at the lowermost level, percolate down through the strata and enrich the ground water table. ❖ Peripheral barrier (7.5 m wide) will be left around the mine to stop the flow of water to flow down the valley. ❖ Check dams will be constructed across the seasonal nalas to control wash-offs as well as soil erosion one after another depending upon the progress of mining. ❖ Retaining wall, garland drain and settling tanks will be constructed around the OB dump to arrest the wash-off materials to settle the sediments and release clean water. <p>An amount of Rs 30.15 Lakhs is allocated towards air pollution & Rs.24.27 Lakhs is allocated towards water pollution. The revised EMP budget is given in Annexure-III (A).</p>
b	Action plan for protection of downhill land use due to soil erosion along with the budget.	<p>Action plan for protection of downhill land is given below:</p> <p>There is large variation in slope, gradient, topography, soil and vegetation along the downhill. Most open areas are devoid of any surface soil. The area had been subjected to rain and wind erosion for decades. Storm water channels are covered by large bare rocks. There are also isolated patches of croplands. Most of the areas were covered by invasive shrubs of Siam weed (<i>Chromolaena odorata</i>) and <i>Lantana camara</i>. There are also scattered dense patches of thorny shrubs. There are also barren rocky areas. In some areas the gradient is steep like a straight cut (almost 90°). Hence, a combination of pretreatment is required for different areas across the slope. The following strategies are going to be adopted:</p> <ol style="list-style-type: none"> 1. Existing vegetation will be retained to the extent possible. 2. Terrace cultivation is the proven practice for hill slopes. It shall be used for smooth barren areas with gentle slope. 3. Across the storm water drains, rock-fill check dams will be constructed to retard the flow of rain water. 4. Semilunar trenches and bunds shall be made towards the downward side of local species which are scattered in some areas. 5. Pelletized seeds of local forest species, minor fruit trees will be sown liberally on the slopes. 6. Invasive shrubs of Siam weed (<i>Chromolaena odorata</i>) and <i>Lantana camara</i> will be removed in a phased manner when other trees start growing.

Response to Observations of Committee of 46th EAC (Non-Coal Mining) Meeting held during on 17th February, 2022

(Maliparbat Bauxite Mine with Production Capacity of 0.6 MTPA of Bauxite in the ML Area of 268.110 ha, located at Aligaon, Kankaramba, Sorishpadar Village, Pottangi Tehsil, Koraput District, Odisha)

		<p>7. Aided natural regeneration practices shall be followed to stimulate forest regeneration.</p> <p>8. Adequate measures such as check dams, garland drains, siltation ponds etc. are proposed to check flow of any silt from the mine site & All efforts will be made to use rainwater harvested water for industrial use.</p> <p>9. For protection of downhill land use HIL will do plantation in the slope</p> <table><tr><th>Particulars</th><th>Unit Cost (Rs)</th><th>Total Units</th><th>Total Cost (Rs. In lakhs)</th></tr><tr><td>Silting Tanks</td><td>50,000 (approx.)</td><td>5</td><td>2.50</td></tr><tr><td>Septic tanks/soak pits</td><td>25,000 (approx.)</td><td>2</td><td>0.50</td></tr><tr><td>Garland drain in present plan period</td><td>900 m x 1 m x 1m</td><td>Lumsum</td><td>5.60</td></tr><tr><td>Retaining wall in present plan period</td><td>865 m x 2 m x 2 m</td><td>Lumsum</td><td>12.97</td></tr><tr><td>Check dam in present plan period</td><td>8 m x 1 m x 1m (10 No.s)</td><td>Lumsum</td><td>1.20</td></tr></table> <p>An amount of Rs 283.52 Lakhs towards plantation over the undisturbed area with greenbelt area around the mine lease area. The revised EMP budget is given in Annexure-III (A).</p>	Particulars	Unit Cost (Rs)	Total Units	Total Cost (Rs. In lakhs)	Silting Tanks	50,000 (approx.)	5	2.50	Septic tanks/soak pits	25,000 (approx.)	2	0.50	Garland drain in present plan period	900 m x 1 m x 1m	Lumsum	5.60	Retaining wall in present plan period	865 m x 2 m x 2 m	Lumsum	12.97	Check dam in present plan period	8 m x 1 m x 1m (10 No.s)	Lumsum	1.20
Particulars	Unit Cost (Rs)	Total Units	Total Cost (Rs. In lakhs)																							
Silting Tanks	50,000 (approx.)	5	2.50																							
Septic tanks/soak pits	25,000 (approx.)	2	0.50																							
Garland drain in present plan period	900 m x 1 m x 1m	Lumsum	5.60																							
Retaining wall in present plan period	865 m x 2 m x 2 m	Lumsum	12.97																							
Check dam in present plan period	8 m x 1 m x 1m (10 No.s)	Lumsum	1.20																							
c	Action plan for preservation of stream water for the use of agriculture purpose along with the budget.	<p>The mine lease is on top of the hill. Rain water from the mine lease area will be diverted to a number of scattered rainwaters harvesting ponds on hill top. On account of loose rocky terrain, water sinks and ultimately feeds the streams.</p> <p>HIL will construct check dam at the feasible location as per the feasibility of water source of natural nala out of mining lease area and will facilitate with the pipe system for the use of agriculture purpose. HIL has budget provision of Rs.20 Lakhs for this purpose.</p> <p>The revised budget for public hearing issues is given in Annexure-III(B).</p>																								
d	Action plan for development of artificial forest over barren hills with at least 20% fruit bearing trees along with the budget.	<p>HIL will plant maximum number of fruit bearing plant more than 20 % in the barren land with the help and consultation with Forest department. HIL will spend Rs.2 Lakhs per ha per year as per the availability of free barren land. The revised EMP budget is given in Annexure-III(A).</p>																								
e	Action plan for control of fugitive emission during transportation along with the budget.	<p>Action plan for control of fugitive emission during transportation is given below:</p> <ul style="list-style-type: none">❖ Maximum transportation road will be black top.❖ Truck mounted Water sprinkler will be engaged for water sprinkling on transportation road as per requirement.❖ Tarpaulin covered trucks will be deployed for transportation of bauxite ore from the																								

Response to Observations of Committee of 46th EAC (Non-Coal Mining) Meeting held during on 17th February, 2022

(Maliparbat Bauxite Mine with Production Capacity of 0.6 MTPA of Bauxite in the ML Area of 268.110 ha, located at Aligaon, Kankaramba, Sorishpadar Village, Pottangi Tehsil, Koraput District, Odisha)

		<p>mine head to railway siding to stop spillage on the way</p> <ul style="list-style-type: none">❖ Trucks / tippers will ply within permissible speed limit.❖ Year-wise peripheral greenbelt development is planned to control dust pollution beyond the mine lease boundary.																																			
f	Action plan for protection of agricultural land due to fugitive dust emission along with the budget.	Same as above																																			
	g. Action plan for development of health facilities as suggested by the EAC, Members including the revisit of provision of ambulance facilities and doctor.	<p>Action plan for Health Care Programme is divided in Phase wise over the period of 3 Years and details are given below</p> <table><tr><th>Sr No</th><th>Phase</th><th>Scope</th><th>Estimated Budget (InRs.)</th><th>REMARKS</th></tr><tr><td>1</td><td><u>Phase-I:</u> Focused approach to address immediate health priorities. (Curative Health Care)</td><td>a. Baseline study</td><td>2,00,000.00</td><td></td></tr><tr><td></td><td></td><td>b. Set-up of health / Covid Care Center</td><td>12,00,000.00</td><td></td></tr><tr><td></td><td></td><td>c. Providing ambulance facilities at the door step in the periphery villages.</td><td>12,00,000.00</td><td></td></tr><tr><td></td><td></td><td>d. Conduct health Intervention Projects – 1 Per Quarter.</td><td>6,00,000.00</td><td></td></tr><tr><td></td><td></td><td>e. Community mobilization & creation of digital health records.</td><td>90,000.00</td><td></td></tr><tr><td></td><td></td><td>f. Operation of Mobile Health Unit (MHU) (Health Cube and Portable X-Ray Machine) The MHU will be used for primary health care delivery and outreach programmes including:<ul style="list-style-type: none">• Consultation with Doctor hired by Hindalco.• General health check-up.• Point of lab-investigations.• Curative services for communicable and non-communicable diseases.• Maternal and child health services.• Health awareness & Counseling services.</td><td>31,00,000.00</td><td></td></tr></table>	Sr No	Phase	Scope	Estimated Budget (InRs.)	REMARKS	1	<u>Phase-I:</u> Focused approach to address immediate health priorities. (Curative Health Care)	a. Baseline study	2,00,000.00				b. Set-up of health / Covid Care Center	12,00,000.00				c. Providing ambulance facilities at the door step in the periphery villages.	12,00,000.00				d. Conduct health Intervention Projects – 1 Per Quarter.	6,00,000.00				e. Community mobilization & creation of digital health records.	90,000.00				f. Operation of Mobile Health Unit (MHU) (Health Cube and Portable X-Ray Machine) The MHU will be used for primary health care delivery and outreach programmes including: <ul style="list-style-type: none">• Consultation with Doctor hired by Hindalco.• General health check-up.• Point of lab-investigations.• Curative services for communicable and non-communicable diseases.• Maternal and child health services.• Health awareness & Counseling services.	31,00,000.00	
Sr No	Phase	Scope	Estimated Budget (InRs.)	REMARKS																																	
1	<u>Phase-I:</u> Focused approach to address immediate health priorities. (Curative Health Care)	a. Baseline study	2,00,000.00																																		
		b. Set-up of health / Covid Care Center	12,00,000.00																																		
		c. Providing ambulance facilities at the door step in the periphery villages.	12,00,000.00																																		
		d. Conduct health Intervention Projects – 1 Per Quarter.	6,00,000.00																																		
		e. Community mobilization & creation of digital health records.	90,000.00																																		
		f. Operation of Mobile Health Unit (MHU) (Health Cube and Portable X-Ray Machine) The MHU will be used for primary health care delivery and outreach programmes including: <ul style="list-style-type: none">• Consultation with Doctor hired by Hindalco.• General health check-up.• Point of lab-investigations.• Curative services for communicable and non-communicable diseases.• Maternal and child health services.• Health awareness & Counseling services.	31,00,000.00																																		

Response to Observations of Committee of 46th EAC (Non-Coal Mining) Meeting held during on 17th February, 2022

(Maliparbat Bauxite Mine with Production Capacity of 0.6 MTPA of Bauxite in the ML Area of 268.110 ha, located at Aligaon, Kankaramba, Sorishpadar Village, Pottangi Tehsil, Koraput District, Odisha)

			Phase- II : Set up a Model Health Centre.	Set-up PHC (Primary Health Centre) and establish system sustainability.	To Be Done	Proposal to establish MHC (1-3 Years).	
			Total			63,90,000.00	
		<u>Budget Allocated Towards CSR Activities for Public Hearing Issues</u>					
		Sr. No	Sector wise Activities	1 st Year (2022-2023)	2 nd Year (2023-2024)	3 rd Year (2024-2025)	TOTAL (IN LAKHS)
		Health & Family Welfare Activities					
			<ul style="list-style-type: none">Primary Health Care Center.Increase the awareness programme and counseling service to the community with focus on health & wellness.Capture health data of villagers and establish a foundation for a population health management system.Strengthening infrastructure catering to long-term illness.Establishing Model PHC (Public Health Care) Centre.	63.90	25.00	25.00	113.90
			Total	63.90	25.00	25.00	113.90
		The revised budget for public hearing issues is given in Annexure-III (B) .					
	h. Action plan for provision of pucca roads and construction of check dam at Pakjhola Village and how these activities will be undertaken in terms of target wise, location wise,	Action plan for provision of pucca roads and construction of check dam is given below: <ul style="list-style-type: none">❖ HIL will conduct survey the periphery villages for construction of pucca road. For this, an annual budgetary provision of Rs 20 lakhs is allocated.❖ There is an existing check dam at Pakjhola village constructed by District Soil conservation -Watershed mission. HIL will consult and request to concerned authority for capacity expansion of the said dam which will cater the water supply for more					

Response to Observations of Committee of 46th EAC (Non-Coal Mining) Meeting held during on 17th February, 2022

(Maliparbat Bauxite Mine with Production Capacity of 0.6 MTPA of Bauxite in the ML Area of 268.110 ha, located at Aligaon, Kankaramba, Sorishpadar Village, Pottangi Tehsil, Koraput District, Odisha)

	purpose wise and budget needs to be revised accordingly.	number of periphery villages. For this, HIL kept a budget provision of Rs. 20 Lakhs. The revised budget for public hearing issues is given in Annexure-III(B)
5	The Project Proponent needs to revise the EMP budget at the mine lease area by including plantation in the mine lease, dust control facilities in the mine lease and the cost of monitoring equipment's	An amount of 689.74Lakhs is allocated towards EMP budget. The revised EMP budget is given in Annexure-III (A) .
6	The Project Proponent shall give an undertaking that the EMP prepared under EC dated 07.09.2006 under the EIA Notification 1994 was still in operation during the violation period or not. In the instant case, if EMP was not operated, then the total cost of saving on EMP shall be added to Community Resource Augmentation Plan (CRAP).	An undertaking regarding implementation of EMP during violation period is given in Annexure-IV (A) . The environmental statement of Form-V is given in Annexure-IV (B) . The remaining unspent EMP budget has been added to Community Resource Augmentation Plan (CRAP) & details are given in Annexure-IV (C) .
7	The Project Proponent needs to submit the reclamation plan for mined out area of 109.0 ha and also the post mining land use. PP should also submit the plan for backfilling and OB management	The bauxite plateau is very much undulated in nature. There is a level difference from 1400 MSL to 1160 MSL. It comprises of three hillocks. Top RL and bottom RL of Hillock-1 is 1330 to 1160 MSL, Hillock-2 is 1280 to 1160 MSL and Hillock-3 is 1400 to 1280 MSL. Depth of bauxite occurrence varies from 10m to 24m from surface level. The surface profile after mining will be remain undulated due to variance in depth of bauxite occurrence. The total void created after mining could not be backfilled to its original position due to non-availability of OB as stripping ratio is very very less, i.e. 1 : 0.05 T/m ³ . Overburden removed from the area will be back-filled / spread over the infertile khondalite exposed mined out area and plantation will be carried out at a reduced level. Below bauxite, khondalite occurs which is infertile and porous in nature. There is no possibility of accumulation of water on the quarry floor due to undulated

Response to Observations of Committee of 46th EAC (Non-Coal Mining) Meeting held during on 17th February, 2022

(Maliparbat Bauxite Mine with Production Capacity of 0.6 MTPA of Bauxite in the ML Area of 268.110 ha, located at Aligaon, Kankaramba, Sorishpadar Village, Pottangi Tehsil, Koraput District, Odisha)

		and porous khondalite strata. A barrier of water garland will be constructed all around the proposed quarry / pit to stop the flow of water from quarry to outside mining lease during rain.																																																		
8	<p>The Project Proponent should revise the quantification of ecological damage assessment by considering the violation period from 2011-12 to 2013-14 on pro rata basis and also the damage due to the transportation of the mineral by road.</p> <p>PPshould also include the non-provision of rain water harvesting structure and garland drains in the ecological damage assessment and PP needs to rework on the damage assessed for water consumption by considering the CGWA rate.</p>	<p>The details of revised ecological damage assessment by considering the violation period from 2011-12 to 2013-14 on pro rata basis and also the damage due to the transportation of the mineral by road is given in Annexure-V.</p> <p>The details of revised ecological damage assessment by considering the violation period from 2011-12 to 2013-14 has been revised as under: (vide Table-13.11 of Chapter 13)</p> <p style="text-align: center;"><u>COST OF ECOLOGICAL DAMAGE AS ASSESSED</u></p> <table><tr><th>Activity /Parameters</th><th>Presumptive cost (Rs)</th><th>Amount Paid to Government</th><th>Amount to be carried forward</th><th>Net loss (-) / gain (+)</th></tr><tr><td>Economic benefits (1380 tons of bauxite @ 179 per ton</td><td>2,46,920</td><td>15,32,216</td><td>NIL</td><td>(-) 1285296</td></tr><tr><td>Cost of water used during violation period</td><td>23090</td><td>-</td><td>23090</td><td>(+) 23090</td></tr><tr><td>Presumptive cost of air pollution</td><td>798019</td><td>-</td><td>798019</td><td>(+)798019</td></tr><tr><td>Unspent balance from the earlier EMP (Vide Point No.6 of ADS)</td><td>15,00000 (Actual unspent balance in 2011-12)</td><td></td><td>Present value 25,84,239</td><td>(+)25,84,239 The amount is included in the CRAP budget.</td></tr><tr><td>Presumptive cost of crop damage</td><td>NIL</td><td>-</td><td>-</td><td></td></tr><tr><td>Presumptive cost of loss of soil</td><td>NIL</td><td>-</td><td>-</td><td></td></tr><tr><td>Presumptive cost of loss of Biodiversity</td><td></td><td>-</td><td>-</td><td></td></tr><tr><td colspan="4">Note: 6700 trees were planted in 2.5 Ha during the violation period using the amount allocated for EMP</td><td></td></tr><tr><td>Bank Guarantee to be given for</td><td></td><td>-</td><td></td><td>34,05,348</td></tr></table> <p>Operational Rainwater harvesting pond had been developed in an area of 0.138 ha as stated in Chapter 13. Garland drains were developed around the waste dump. Damage due to non-</p>	Activity /Parameters	Presumptive cost (Rs)	Amount Paid to Government	Amount to be carried forward	Net loss (-) / gain (+)	Economic benefits (1380 tons of bauxite @ 179 per ton	2,46,920	15,32,216	NIL	(-) 1285296	Cost of water used during violation period	23090	-	23090	(+) 23090	Presumptive cost of air pollution	798019	-	798019	(+)798019	Unspent balance from the earlier EMP (Vide Point No.6 of ADS)	15,00000 (Actual unspent balance in 2011-12)		Present value 25,84,239	(+)25,84,239 The amount is included in the CRAP budget.	Presumptive cost of crop damage	NIL	-	-		Presumptive cost of loss of soil	NIL	-	-		Presumptive cost of loss of Biodiversity		-	-		Note: 6700 trees were planted in 2.5 Ha during the violation period using the amount allocated for EMP					Bank Guarantee to be given for		-		34,05,348
Activity /Parameters	Presumptive cost (Rs)	Amount Paid to Government	Amount to be carried forward	Net loss (-) / gain (+)																																																
Economic benefits (1380 tons of bauxite @ 179 per ton	2,46,920	15,32,216	NIL	(-) 1285296																																																
Cost of water used during violation period	23090	-	23090	(+) 23090																																																
Presumptive cost of air pollution	798019	-	798019	(+)798019																																																
Unspent balance from the earlier EMP (Vide Point No.6 of ADS)	15,00000 (Actual unspent balance in 2011-12)		Present value 25,84,239	(+)25,84,239 The amount is included in the CRAP budget.																																																
Presumptive cost of crop damage	NIL	-	-																																																	
Presumptive cost of loss of soil	NIL	-	-																																																	
Presumptive cost of loss of Biodiversity		-	-																																																	
Note: 6700 trees were planted in 2.5 Ha during the violation period using the amount allocated for EMP																																																				
Bank Guarantee to be given for		-		34,05,348																																																

Response to Observations of Committee of 46th EAC (Non-Coal Mining) Meeting held during on 17thFebruary, 2022

(Maliparbat Bauxite Mine with Production Capacity of 0.6 MTPA of Bauxite in the ML Area of 268.110 ha, located at Aligaon, Kankaramba, Sorishpadar Village, Pottangi Tehsil, Koraput District, Odisha)

		<p>provision of garland drains has been included in the revised the ecological damage assessment. But damage assessment for water consumption by considering the CGWA rate has not been calculated and incorporated in ecological damage assessment for the following reasons:</p> <p>According to the Gazette of India Notification No. CG-DL-E-24092020-221952 dt. 24-9-2020, the highest rate applicable for a mining project which uses <100 m³ per day is Rs.4/- per m³ if it is located in an over-exploited area (Vide Table 5.4 A: Rates of ground water abstraction charges for mining (Rs. per m³) on pages 41&42 of the aforesaid notification). The CGWA rates are specifically for the groundwater. In the present case, the Odisha State Revised 2021 bulk supply rate of Rs.6.75/- per m³ for commercial use was considered</p> <p>Garland drains are primarily provided to divert the surface runoff away from the working pits and not to allow any surface runoff in the working pits. Mining activity was confined to a hill top and the activity was in the initial stages covering only 1.700 Ha. The area around mine pit has natural slope (hill slope) draining the surface runoff downwards.</p> <p>There was no damage to ecology, flora, fauna, soil and water regime on account of non-creation of a garland drain. In fact, a garland drain would have caused damage to the vegetation on account of excavation of a trench and bunding. However, in future if mining activity is resumed, the PP shall provide garland drains as per the approved mining plan besides providing a series of semilunar trenches along the hill slope to retard flow of rain water; to promote ground water recharge and to trap silt and debris carried by the rain water. Budget provision has been made under this head.</p>
9	The cost for Natural Resource Augmentation Plan (NRAP) calculation also needs to be revised by PP	The cost for Natural Resource Augmentation Plan (NRAP) is given in Annexure-VI .
10	The Project Proponent needs to submit the copy of demand deposition made to the State Government in the PARIVESH portal. PP should also submit the details of the credible action taken against the PP	An amount of Rs 15,32,216/- has deposited to Deputy Director of Mines, Koraput Circle and the same is enclosed as Annexure-VII .

Response to Observations of Committee of 46th EAC (Non-Coal Mining) Meeting held during on 17th February, 2022

(Maliparbat Bauxite Mine with Production Capacity of 0.6 MTPA of Bauxite in the ML Area of 268.110 ha, located at Aligaon, Kankaramba, Sorishpadar Village, Pottangi Tehsil, Koraput District, Odisha)

	with the supporting document.																																								
11	The Project Proponent needs to submit the authenticated past production details along with Annexure-III in the PARIVESH portal.	Authenticated past production details are given in Annexure-VIII .																																							
12	The Committee noted that the ToR dated 08.02.2021 granted for a production capacity of 0.6 MTPA of Bauxite, over an ML area of 268.110 Ha. Hence, the PP needs to clarify whether the proposal for inclusion of crusher with a capacity of 200 TPH was also a part of Terms of Reference accorded on 08.02.2021. PP also needs to submit the breakup of total excavation in tonnes.	<p>Yes, inclusion of crusher with a capacity of 200 TPH was also a part of Terms of Reference (TOR) accorded on 08.02.2021. The breakup of total excavation in tonnes is given below</p> <p style="text-align: center;"><u>Breakup of Total Excavation in Tones</u></p> <table><tr><th rowspan="2">Year</th><th rowspan="2">Name of Quarry</th><th rowspan="2">Total Excavation in (t)</th><th rowspan="2">Top Soil (t)</th><th rowspan="2">OB+SB +IB (t)</th><th colspan="3">ROM (t)</th><th rowspan="2">ROM / waste Ratio (t / t)</th></tr><tr><th>Ore (t)*</th><th>Mineral reject (t)</th><th>Total (t)</th></tr><tr><td>IV (2021-22)</td><td>Quarry-1</td><td>5,40,632</td><td>16,560</td><td>24072</td><td>454,591</td><td>45,409</td><td>500,000</td><td>1:0.048</td></tr><tr><td>V (2022-23)</td><td>-do-</td><td>6,21,768</td><td>1,980</td><td>19,788</td><td>545,509</td><td>54,491</td><td>600,000</td><td>1:0.033</td></tr><tr><td>Total</td><td>--</td><td>11,62,400</td><td>18,540</td><td>43,860</td><td>1,000,100</td><td>99,900</td><td>1,100,000</td><td>1:0.040</td></tr></table>	Year	Name of Quarry	Total Excavation in (t)	Top Soil (t)	OB+SB +IB (t)	ROM (t)			ROM / waste Ratio (t / t)	Ore (t)*	Mineral reject (t)	Total (t)	IV (2021-22)	Quarry-1	5,40,632	16,560	24072	454,591	45,409	500,000	1:0.048	V (2022-23)	-do-	6,21,768	1,980	19,788	545,509	54,491	600,000	1:0.033	Total	--	11,62,400	18,540	43,860	1,000,100	99,900	1,100,000	1:0.040
Year	Name of Quarry	Total Excavation in (t)						Top Soil (t)	OB+SB +IB (t)	ROM (t)			ROM / waste Ratio (t / t)																												
			Ore (t)*	Mineral reject (t)	Total (t)																																				
IV (2021-22)	Quarry-1	5,40,632	16,560	24072	454,591	45,409	500,000	1:0.048																																	
V (2022-23)	-do-	6,21,768	1,980	19,788	545,509	54,491	600,000	1:0.033																																	
Total	--	11,62,400	18,540	43,860	1,000,100	99,900	1,100,000	1:0.040																																	
13	The Project Proponent submitted that the one small dump exists on the mineralized area within the mine lease area spreading over an area of 1.42ha with dimension of 355m x 40m. Hence, PP shall explore the possibility of shifting the dump to the non-mineralized area and also needs to submit the map for the same.	Back filling &reclamation will start from 6 th year of current plan period so OB present in the existing dump will use for back filling. As OB generation is very less so we can accommodate the OB generation for backfilling and it is a continuous process. There will be no permanent dump within mineralized area. So there is no the possibility of shifting the dump to the non-mineralized area. Hence, there will be no change in the existing reclamation plan. The reclamation plan is attached as Annexure-II .																																							
14	The Project Proponent should submit the list of	There are no Schedule – I species present in the lease area, National Park/Sanctuary, Biosphere Reserve/Tiger Reserve/Elephant Reserve/any other Reserve, Habitat for migratory																																							

Response to Observations of Committee of 46th EAC (Non-Coal Mining) Meeting held during on 17th February, 2022

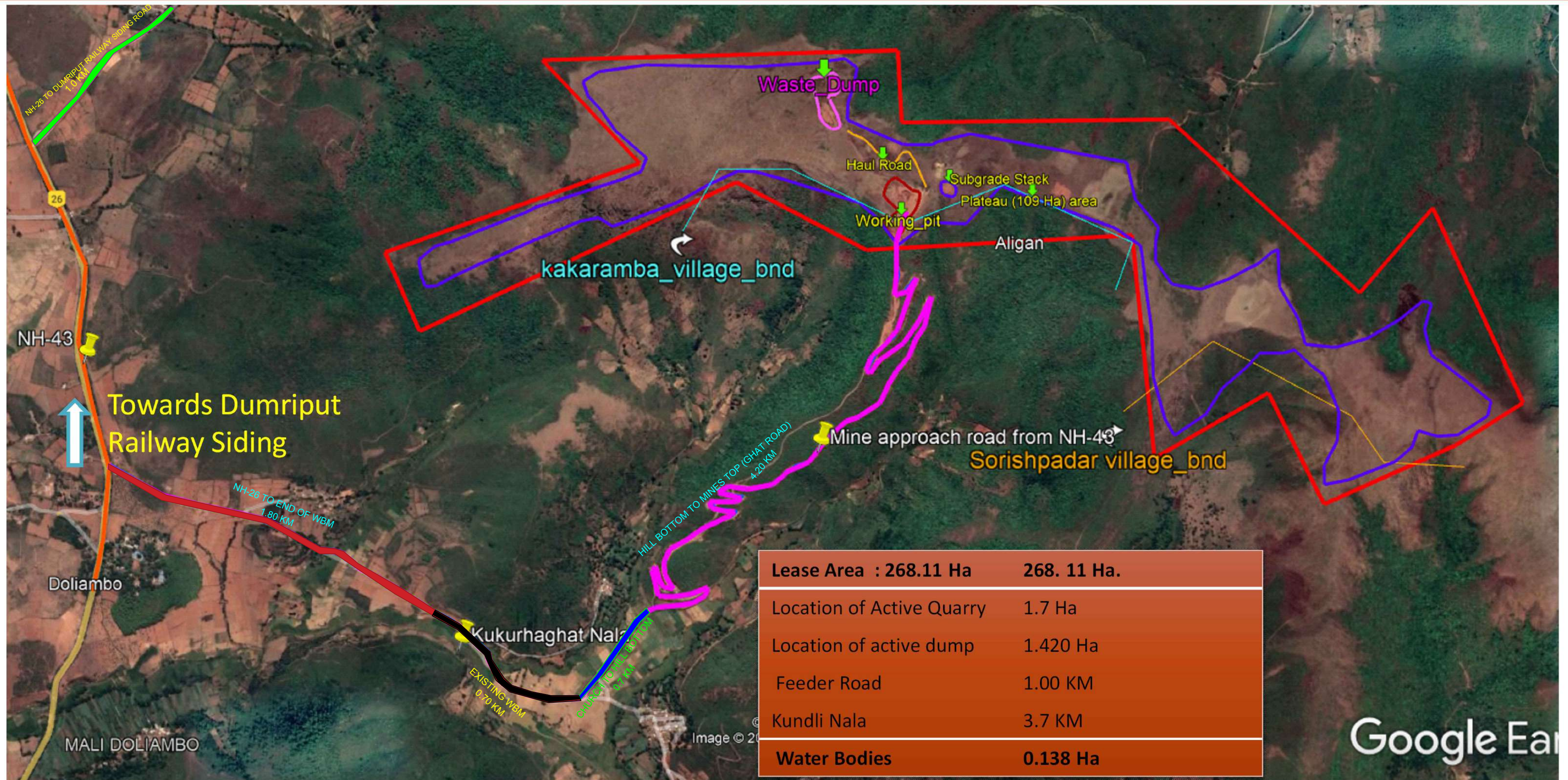
(Maliparbat Bauxite Mine with Production Capacity of 0.6 MTPA of Bauxite in the ML Area of 268.110 ha, located at Aligaon, Kankaramba, Sorishpadar Village, Pottangi Tehsil, Koraput District, Odisha)

	Schedule - I species present in the lease area authenticated by PCCF and the status of National Park/Sanctuary, Biosphere Reserve/Tiger Reserve/Elephant Reserve/any other Reserve, Habitat for migratory birds, Corridor for animals within 10 km of the lease area.	birds and Corridor for animals within 10 km of the lease area. The mine lease area is non-forest land. A letter to Principal Chief Conservator of Forest (PCCF), Wild Life, Bhubaneswar for authentication of flora & fauna has already been submitted.
15	The Project Proponent needs to submit the details of court case filed vide W.P.(C) No. 473 of 2022 before the Hon'ble High Court of Orissa regarding the challenge of the public hearing held on 22.11.2021 and its current status.	HIL received the court case vide W.P.(C) No. 473 of 2022 on dated 19.02.2022 just after our 46 th EAC meeting . HIL filed writ petition before Hon'ble High Court of Orissa on dated 07.03.2022. Copy of case is attached as Annexure-IX (A) . Counter Affidavit by HIL is attached as Annexure-IX(B) . Court order dated 10.03.2022 is attached as Annexure- IX(C) . Receipt of Court case is attached as Annexure-IX(D) .
16	The Project Proponent needs to upload all the supporting documents as Annexures in the PARIVESH portal. PP should not provide any link format to download the documents.	Noted. All the supporting documents as Annexures are uploaded in Parivesh Portal. All the documents are uploaded without any link format

Sr.No	List of Annexures for EAC Observations
IA	Location map showing approach road
IB	Road design drawing
II	Reclamation plan
III (A)	Revised EMP Budget
III (B)	Revised Budget for PH issues
IV (A)	Undertaking regarding implementation of EMP
IV (B)	Form-V
IV (C)	Budget Provisions of Remediation Plan, Natural Resource Augmentation Plan (NRAP) and Community Resource Augmentation Plan (CRAP)
V	Ecological Damage Assessment
VI	Cost for NRAP
VII	Demand Draft deposited to Deputy Director of Mines, Koraput Circle
VIII	Authenticated past production details
IX (A)	Copy of Writ Petition
IX (B)	Counter Affidavit by HIL
IX (C)	Court order dated 10.03.2022
IX (D)	Receipt of Court case

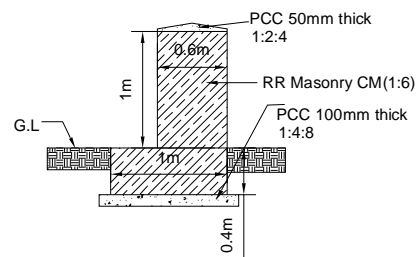
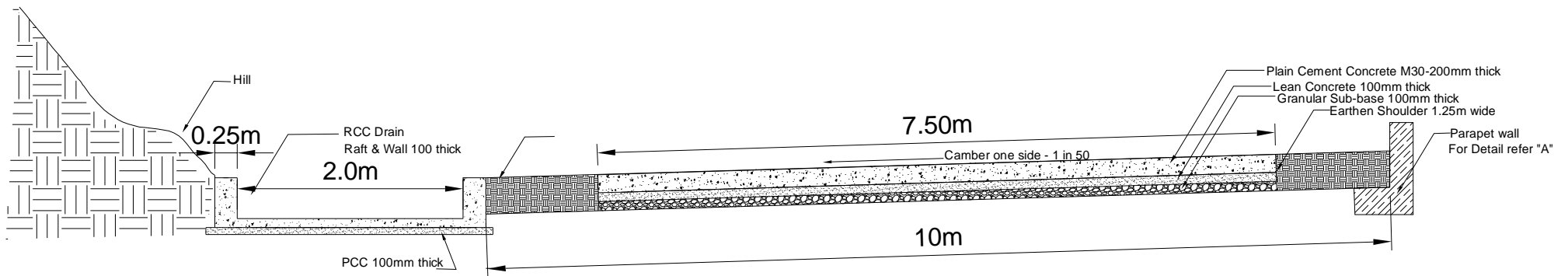
Annexure-I(A)
Location Map

Location of Maliparbat Mines

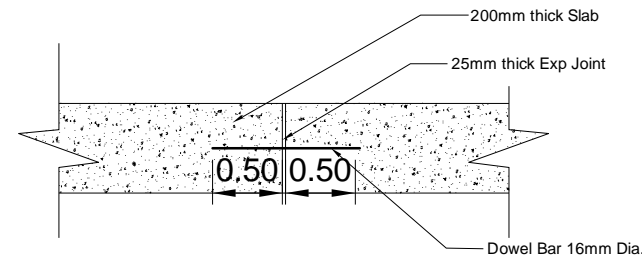


Annexure-I(B)
Road Design Drawing

GHAT ROAD : C C Road and Drain from Hill Bottom to Top of Mine



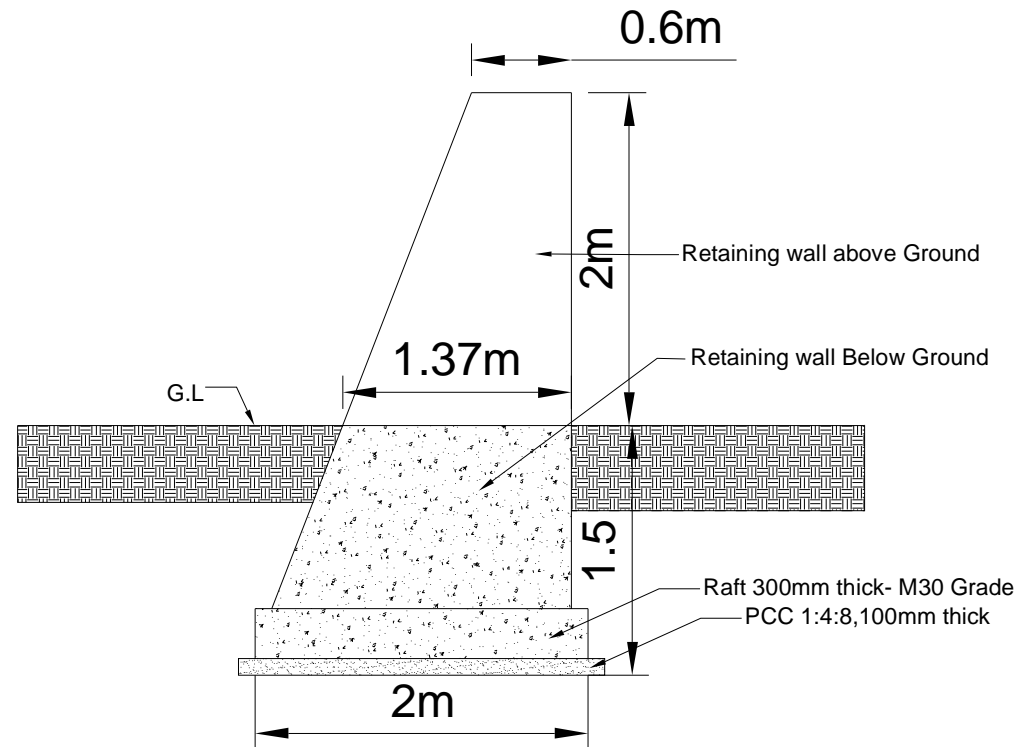
DETAIL "A"



TYPICAL CONSTRUCTION/EXPANSION JOINT DETAIL

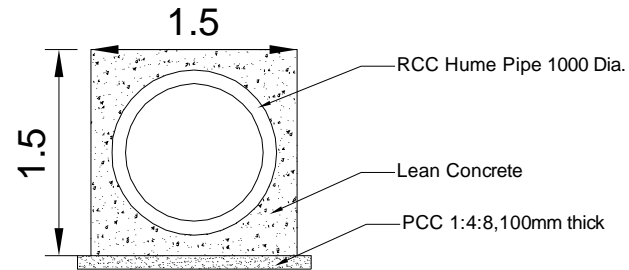
MALIPARBAT
BAUXITE MINES

Retaining Wall @ Ghat Road

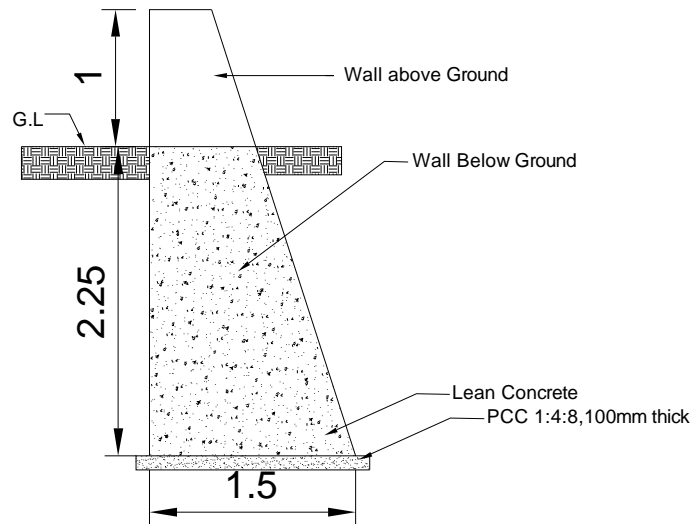


MALIPARBAT
BAUXITE MINES

PIPE CULVERT @ GHAT ROAD



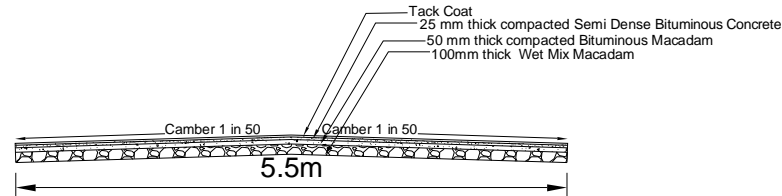
C/S FOR PIPE CULVERT



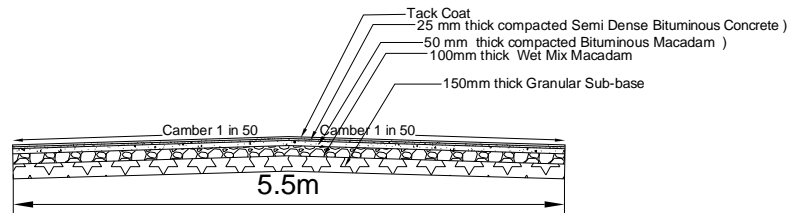
WING WALL SECTION FOR PIPE CULVERT

MALIPARBAT
BAUXITE MINES

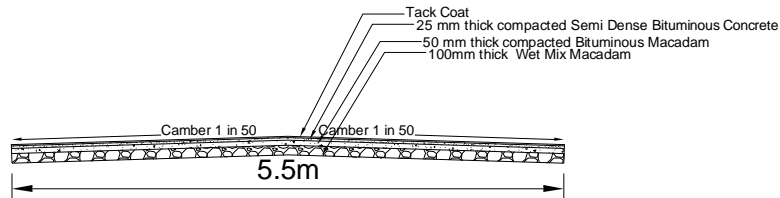
ROAD SECTIONS (PANCHAYAT ROAD & CHURCH ROAD)



Road Sectional Detail of Panchayat Road From NH-26 to end of WBM (Existing Road 1.8km length)

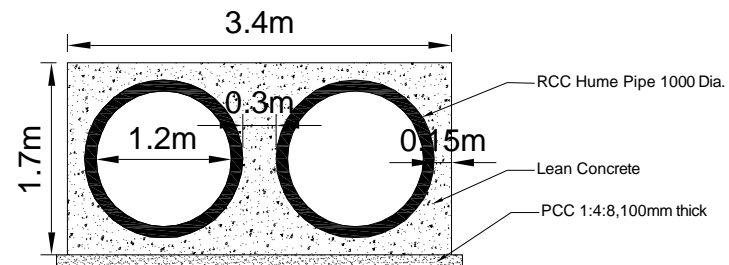


Road Sectional Details of Panchayat Road at Culvert Portion (New Road 100m length)

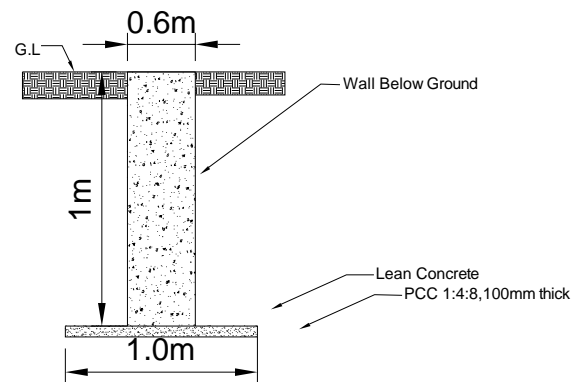


Road Sectional Details From Church to Hill Bottom(Existing road length of 700m)

PIPE CULVERT AT PANCHAYAT ROAD



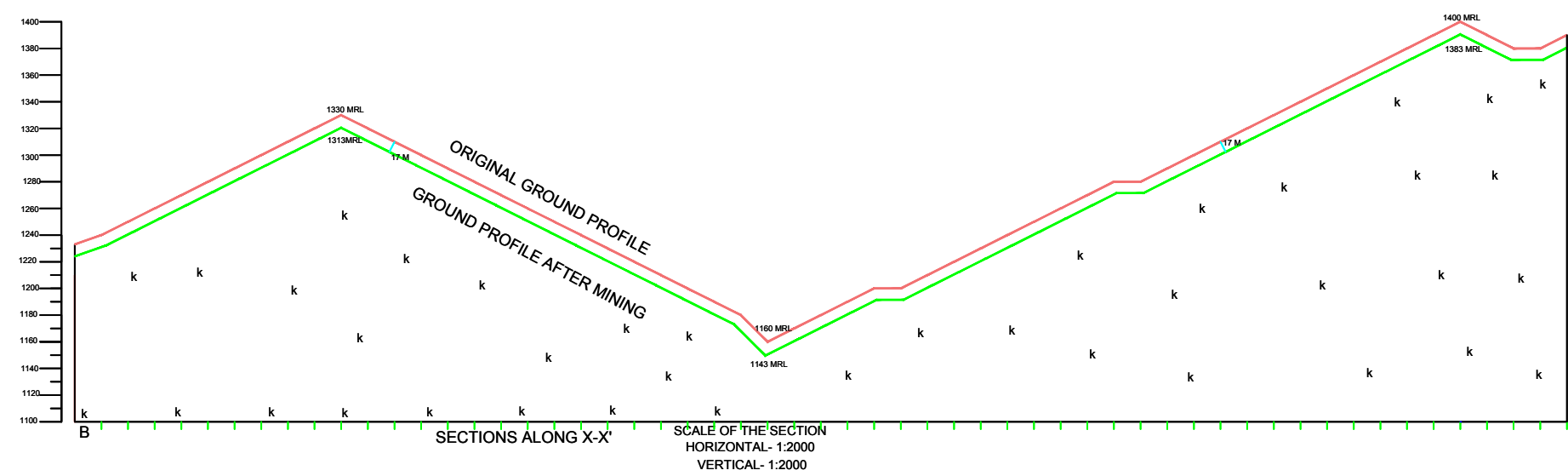
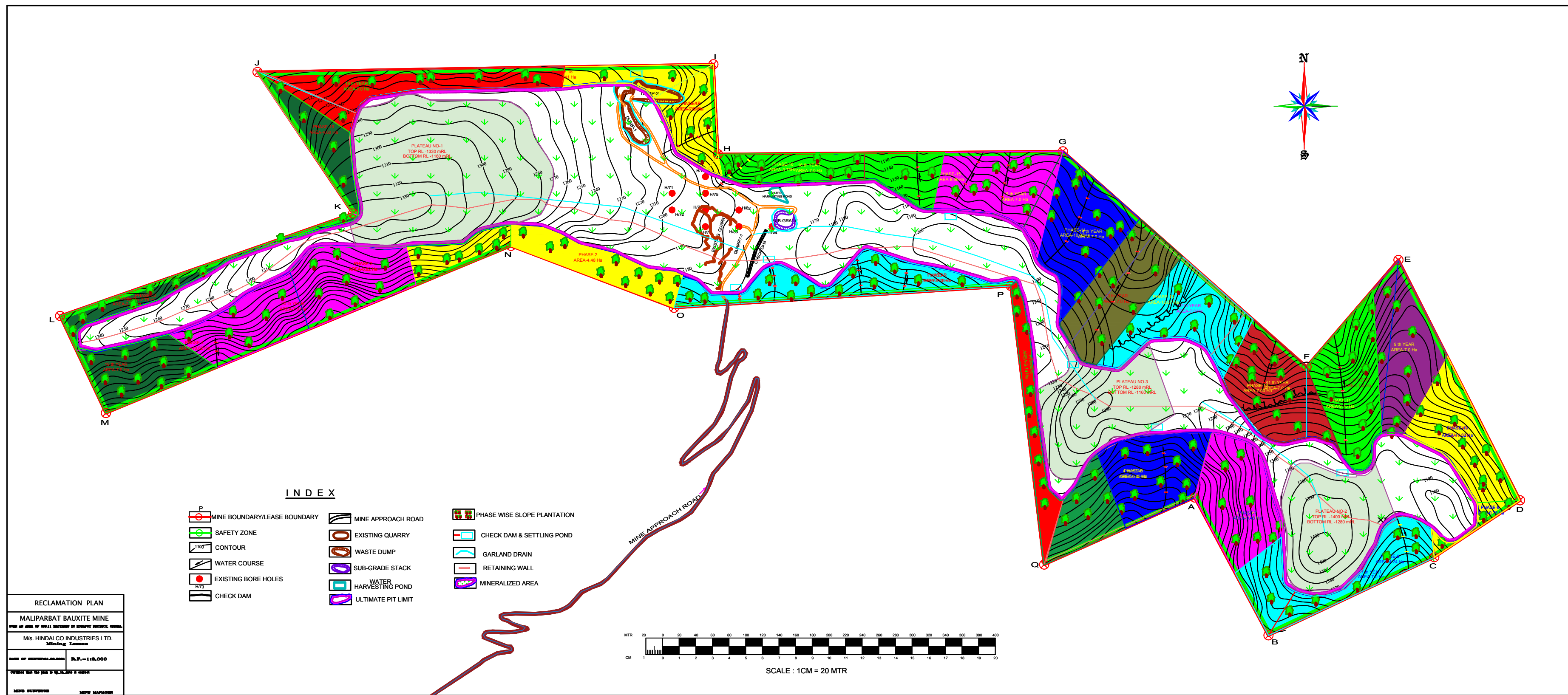
C/S FOR PIPE CULVERT



Retaining WALL SECTION FOR PIPE CULVERT

MALIPARBAT
BAUXITE MINES

Annexure-II
Reclamation Plan



Estimation of Proposed Plantation for the Maliparbat Bauxite Mines during the Life of Mine Period.

Sr.No	In the Time Period	Location	Year wise Plantation	Plantation Area	Amount (In Rs)
01	End of Plan Period	Plateau Slope & Safety zone area	1 st Year	7.0 + 1.0 = 8.0 Ha	1600000
02		Plateau Slope & Safety zone Area.	2 nd Year	7.0 + 1.0 = 8.0 Ha	1600000
03	Life of the Mine	Plateau Slope, Safety zone Area , Backfill Area	3 rd Year	7.0 +1.0 +1.0= 9.0 Ha	1800000
04		Plateau Slope, Safety zone Area , Backfill Area	4 th Year	7.0 +1.0 +1.0= 9.0 Ha	1800000
05		Plateau Slope, Safety zone Area, Backfill Area	5 th Year	7.0 +1.0 +1.0= 9.0 Ha	1800000
06		Plateau Slope, Safety zone Area, Backfill Area	6 th Year	7.0 +1.0 +2.0 = 10.0 Ha	2000000
07		Plateau Slope, Safety zone Area, Backfill Area	7 th Year	7.0 +1.0 +2.0 = 10.0 Ha	2000000
08		Plateau Slope, Safety zone Area, Backfill Area	8 th Year	7.0 +1.0 +2.0 = 10.0 Ha	2000000
09		Plateau Slope, Safety zone Area, Backfill Area	9 th Year	7.0 +1.0 +2.0 = 10.0 Ha	2000000
10		Plateau Slope, Backfill Area & Plateau Barrier	10 th Year	7.0 + 5.0 + 1.0= 13.0 Ha	2600000
11		Plateau Slope, Backfill Area & Plateau Barrier	11 th Year	7.0 + 5.0 + 1.0= 13.0 Ha	2600000
12		Plateau Slope, Backfill Area & Plateau Barrier	12 th Year	7.0 + 5.0 + 1.0= 13.0 Ha	2600000
13		Plateau Slope, Backfill Area & Plateau Barrier	13 th Year	7.0 + 5.0 + 1.0= 13.0 Ha	2600000
14		Plateau Slope, Backfill Area & Plateau Barrier	14 th Year	7.0 + 5.0 + 1.0= 13.0	2600000
15		Plateau Slope, Backfill Area & Plateau Barrier	15 th Year	7.0 + 5.0 + 1.0= 13.0 Ha	2600000
16		Plateau Slope, Backfill Area & Plateau Barrier	16 th Year	7.0 + 10.0 + 1.0= 18.0 Ha	3600000
17		Plateau Slope, Backfill Area & Plateau Barrier	17 th Year	7.0 + 10.0 + 1.0= 18.0 Ha	3600000
18		Plateau Slope, Backfill Area & Plateau Barrier	18 th Year	7.0 + 10.0 + 1.0= 18.0 Ha	3600000
19		Plateau Slope, & Backfill	19 th Year	7.0 + 12.0 = 19.0 Ha	3800000
20		Plateau Slope & Backfill area	20 th Year	9.0 + 12.0 = 21.0 Ha	4200000
21		Backfill Area	21 st Year	8.0 Ha	1600000
22		Backfill Area	22 nd Year	7.0 Ha	1400000
		Total		268.110 Ha	5,40,00000

Total Plantation Budget (Life of the Mine) - Five Crore Forty Lakh Only.

Annexure-III(A)
Revised EMP Budget

Annexure-III(A)
EMP Budget

Sr. No.	Particulars	Unit Cost (Rs)	Total Units	Total Cost (Rs. In lakhs)
I	Air Pollution Control Equipment			
1	Truck Mounted Sprinkler	8,00,000	2	16.00
2	Ambient Air monitoring station as per the CPC guide line	10,00,000	1	10.00
2	Weather station, (Automatic recording type)	1,50,000	1	1.50
3	High volume samplers	40,000	4	1.60
4	Spectrophotometer	40,000	1	0.40
5	Single pan balance	15,000	1	0.15
6	Relevant chemicals	50,000	Lumpsum	0.50
			Sub-total	30.15
II	Water and Wastewater Treatment			
1	Silting Tanks	50,000 (approx.)	5	2.50
2	Septic tanks/soak pits	25,000 (approx.)	2	0.50
3	Garland drain in present plan period	900mx1mx1m	Lumsump	5.60
4	Retaining wall in present plan period	865mx2mx2m	Lumsump	12.97
5	Check dam in present plan period	8 m x 1 m x 1m (10 No.s)	Lumsump	1.20
3	Equipment proposed for the laboratory	-	-	1.50
			Sub-total	24.27
III	Noise Control and Monitoring			
1	Noise level recording meter (Continuous integrating type)	1,50,000	1	1.50
2	Noise protective equipment such as ear muffs and enclosures	3,00,000	Lumpsum	3.00
			Sub-total	4.5
IV	Soil Sampling Equipment			
1	Augur, Spatula, and collecting trays	20,000	1 set	0.20
V	Ecological Restoration			
1	Plantation including provision of top soil	Lumpsum	-	37.50
2	Amount to be spent towards reclamation, restoration and afforestation within the ML area including green belt during the life of mine.	Lumpsum	117.35Ha	309.80
3	The cost of Rs. 2 Lakhs/hectare of land towards plantation over the undisturbed area with greenbelt area around the mine lease area	2 lakh per Hectare	141.760	283.52
			Sub-total	630.82
	Total Cost (Rs. Lakhs)			689.74

Annexure-III(B)

Revised Budget for Public Hearing Issues

ANNEXURE-III(B)
REVISED BUDGET FOR PUBLIC HEARING ISSUES

BUDGET ALLOCATED TOWARDS CSR ACTIVITIES FOR PUBLIC HEARING ISSUES

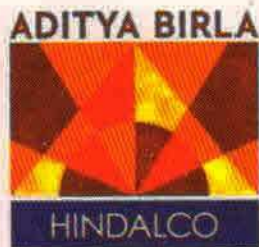
Sr. No	Sector wise Activities	1 st Year (2022-2023)	2 nd Year (2023-2024)	3 RD Year (2024-2025)	Total (In Lakhs)
Health & Family Welfare Activities					
1	<ul style="list-style-type: none"> Primary Health Care Center Increase the awareness programme and counseling service to the community with focus on health & wellness. Capture health data of villagers and establish a foundation for a population health management system. Strengthening infrastructure catering to long-term illness. Establishing Model PHC (Public Health Care) Centre. 	63.90	25.00	25.00	113.90
	Sub-total (A)	63.90	25.00	25.00	113.90
Vocational Skills & Employment					
2	<p>HIL will facilitate for vocational training programme for the unemployed youth of affected villages.</p> <p>HIL will also impart training both theoretically and practically to qualified youth for obtaining various competency certificates like Blaster, Mining Mate and Foreman that will create job opportunity for them. Besides this the ITI training in Fitter, Motor-Mechanic and Electrical will be given will be given for their employment opportunity.</p> <p>Preference will be given to local youth who are skilled and experienced as per requirement during mines operation.</p> <p>Local employment will be generated by various sustainability projects that would be undertaken during mining operations.</p>	10.00	10.00	10.00	30.00
	Sub-total (B)	10.00	10.00	10.00	30.00
Agriculture Practices & Animal Husbandry					
3	Training will be provided for Apiculture, Mushroom Farming, stitching ,Pisci culture, Poultry & Goat Farms etc. With proper survey and consultation with villagers /SHG group we will facilitate for the Provision of ponds for Pisci culture, Meeting rooms, Poultry & Goat Farms etc	8.00	8.00	8.00	24.00

	for mothers & sisters.				
4	Provisions has been made for training & technical support in terms of technical knowhow & best agriculture practices to Local farmers for up gradation of agriculture & irrigation facilities in consultation of local gram panchayat	3.00	3.00	3.00	9.00
	Sub -total (C)	11.00	11.00	11.00	33.00
	Education and Sports Promotion				
5	HIL will plan to develop and support educational facilities / infrastructure to the existing schools in consultation with District Authority and School Committee. We will sponsor ITI training to interested local students in existing ITC-Damanjodi.	10.00	10.00	10.00	30.00
6	Scholarships for poor students for higher education after conducting survey in peripheral villages of the nearby area	3.00	3.00	3.00	9.00
7	HIL will give training to the local sports youth for participating state level competition.	2.50	2.50	2.50	7.50
	Sub-total (D)	15.50	15.50	15.50	46.50
	Community Welfare & Infrastructure Development Projects				
8	HIL will supply drinking water, provide Street Light and make provision of pucca road in periphery villages in a phased manner.	50.60	50.60	50.60	151.80
9	HIL will explore the possibility of constructing a Check dam at Pakjhola Village with consultation with DRDA, Koraput.	20.00	-	-	20.00
10	HIL will be happy to extend our best possible support in sustaining the traditional culture during annual cultural programme for villages.	5.00	5.00	5.00	15.00
	Sub-total (E)	75.60	55.60	55.60	186.80
	Grand total (A + B + C + D + E)	176.00	117.10	117.10	410.20

Health Care Programme is divided in Phase wise over the period of 3 Years:

Sr No	Phase	Scope	Estimated Budget (In Rs.)	Remarks
1	Phase-I: Focused approach to address immediate health priorities. (Curative Health Care)	a. Baseline study	2,00,000.00	
		b. Set-up of health / Covid Care Center	12,00,000.00	
		c. Providing ambulance facilities at the door step in the periphery villages.	12,00,000.00	
		d. Conduct health Intervention Projects – 1 Per Quarter.	6,00,000.00	
		e. Community mobilization & creation of digital health records.	90,000.00	
		f. Operation of Mobile Health Unit (MHU) (Health Cube and Portable X-Ray Machine) The MHU will be used for primary health care delivery and outreach programmes including: <ul style="list-style-type: none"> • Consultation with doctor • General health check-up. • Point of lab-investigations. • Curative services for communicable and non-communicable diseases. • Maternal and child health services. • Health awareness & Counseling services. 	31,00,000.00	
	Phase- II : Set up a Model Health Centre.	Set-up PHC (Primary Health Centre) and establish system sustainability.	To Be Done	Proposal to establish MHC (1-3 Years).
	Total		63,90,000.00	

Annexure-IV(A)
Undertaking



UNDERTAKING BY PROJECT PROPONENT

M/s. Hindalco Industries Limited is hereby under take that, the EMP of Maliparbat Bauxite Mines for the EC dated: 07.09.2006 under the EIA Notification 1994 was in operation during the violation period. As the mine was not in operational to the full capacity during the violation period, some of the environmental norms could not be complied. Therefore, Rs.15 lakhs (Rupees fifteen lakhs) only could not be spent during the violation period which has been added in CRAP and the same has been incorporated in Additional Information Response.

For Hindalco Industries Limited (HIL)


(Pratap Kumar Patra)

AGENT-Maliparbat Bauxite Mines.

Annexure-IV (B)
Form-V



o/c

HIL/SEM/OSPCB/12-13/69
09.10.2012

To
The Regional Officer,
Odisha State Pollution control Board
4th Lane, Indira Nagar, Rayagda,
Odisha-765001

Sub: Environment Statement in Form V.


Sir,

Please find enclosed Environmental Statement in form V under Rule 14 of Environmental Protection Rules with respect to our Maliparbat Bauxite Mines for the financial year ending 31.03.2012 for your kind review and records.

Thanking you.

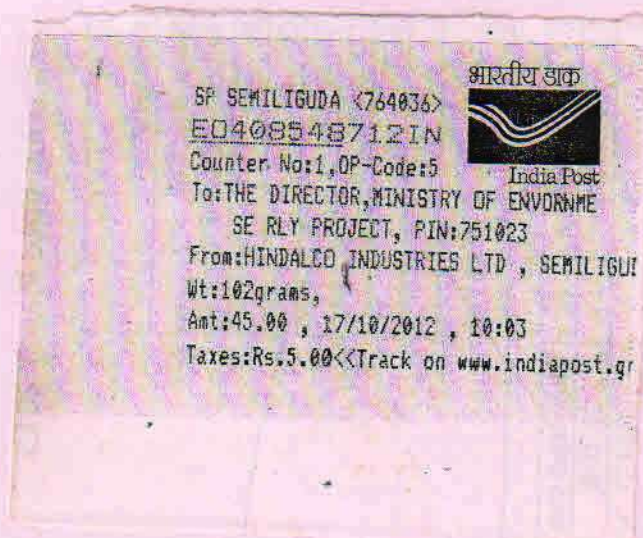
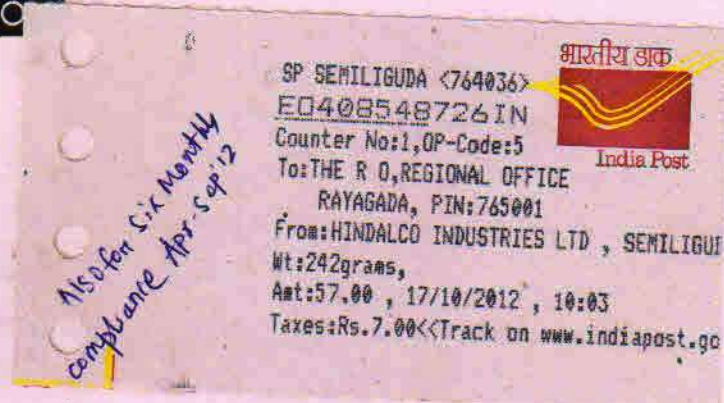
Yours Faithfully

For Hindalco Industries Limited


Mainak Chakraborty
AVP-Mines
Maliparbat Bauxite Mines
Semiliguda, Koraput

Cc: Director, MOEF, Bhubaneswar

Encl: As above



FORM - V

(See rule 14)

Environmental Statement for the financial year ending the 31st March 2012

PART - A

1. Name and address of the owner/ occupier of the industry operation	Maliparbat Bauxite Mines, Hindalco Industries Ltd, Satyanagar, College Road, Semiliguda, Koraput, Odisha-764036
Agent	Mr. Mainak Chakraborty
Nominated Owner	Mr. K.N. Bhandari
Manager	Mr. Vishwajeet Ghosh
2. Industry category	Major
3. Production capacity(Bauxite)	6,00,000MT/Year
4. Year of establishment	2008
5. Date of the last environmental statement submitted	September-2011

PART - B

Water and Raw Material Consumption

(A) Water consumption in m³/day under all the three heads for the assessment year as follows .

Industrial Use	: 60m ³
Process	: NA
Domestic	: 1m ³

Process water consumption per unit of product output:

Name of Products	During the previous financial Year	During the Current financial Year
Bauxite Ore	Nil	Nil

Bauxite ore is produced by mechanized mining method, which does not involve beneficiation and thus precludes the consumption of water. The industrial and domestic water requirement of the site office is met by drawing water from Kunduli Nallah, a perennial stream.

(B) Raw Material Consumption : NA

(As the mine is an opencast and producing Bauxite ore only).

In 2011-2012, the mine produced 480T bauxite.

PART – C

Pollution discharged to environment/unit of output

(Parameter as specified in the consent issued)

Water Pollution:

The process of bauxite ore production, which includes blasting, removal of OB, then transportation to the stacking yard does not require consumption of water and thus is no discharge from the mines.

1) Pollutants	Quantity of pollutants discharged (mass/day)	Concentrations of pollutants in discharges (mass/volume)	Percentage of variation from prescribed standards with reasons
Not Applicable as there is no discharge			

Air Pollution:

Details of Ambient Air Quality Monitoring

AMBIENT AIR QUALITY AVERAGES OF APRIL 2011-MARCH 2012

1 Mine Lease Area

Monthly Avg	Parameters				
	PM10(size<10µm) µg/m ³	PM2.5(size<2.5µm) µg/m ³	SO ₂ (µg/m ³)	NO _x (µg/m ³)	CO (µg/m ³)
April	48.25	23.56	4.11	11.56	0.1
May	49.26	24.35	4.29	11.80	0.11
June	49.25	24.48	4.38	12.02	0.1
July	49.24	24.50	4.66	12.02	0.1
August	50.26	26.56	4.80	12.14	0.1
September	50.88	27.65	5.20	13.58	0.12
October	51.32	30.01	4.98	13.25	0.15
November	51.44	30.16	5.02	13.72	0.15
December	55.44	32.09	5.47	14.33	0.15
January	49.67	30.32	4.80	13.08	0.13
February	58.13	33.69	5.04	13.89	0.14
March	43.89	23.73	4.24	10.62	0.11
Average	50.59	27.59	BDL	12.67	0.12

2 Doliamba

Monthly Avg	Parameters				
	PM10(size<10µm) µg/m ³	PM2.5(size<2.5µm) µg/m ³	SO ₂ (µg/m ³)	NO _x (µg/m ³)	CO (µg/m ³)
April	39.38	21.35	3.89	10.24	0.11
May	39.49	21.65	3.98	10.41	0.1
June	40.53	22.06	4.06	10.49	0.11
July	40.66	22.10	4.08	10.56	0.11
August	40.56	24.52	4.36	11.34	0.12
September	42.23	24.98	4.38	11.53	0.12
October	42.42	25.48	4.56	11.86	0.13
November	42.44	25.49	4.60	12.46	0.13
December	48.44	28.36	5.08	13.60	0.13
January	43.22	25.66	4.46	12.26	0.12
February	52.50	30.10	4.70	13.36	0.13
March	45.89	25.49	4.47	11.99	0.11
Average	43.15	24.77	BDL	11.67	0.12

3 Railway Siding

Monthly Avg	Parameters				
	PM10(size<10µm) µg/m ³	PM2.5(size<2.5µm) µg/m ³	SO ₂ (µg/m ³)	NOx (µg/m ³)	CO (µg/m ³)
April	42.66	25.36	4.60	12.36	0.12
May	42.44	25.49	4.60	12.46	0.13
June	48.44	28.35	5.07	13.60	0.13
July	52.64	30.85	5.22	12.54	0.11
August	54.89	31.05	5.33	13.69	0.11
September	56.32	32.03	5.38	14.25	0.15
October	57.56	34.03	5.26	14.25	0.18
November	58.67	34.01	5.46	14.37	0.19
December	62.44	36.60	5.92	15.48	0.18
January	57.11	30.70	5.19	13.89	0.15
February	64.38	37.90	5.43	14.31	0.16
March	52.56	30.31	4.82	12.54	0.13
Average	54.18	31.39	BDL	13.65	0.14

4 Kakadamba

Monthly Avg	Parameters				
	PM10(size<10µm) µg/m ³	PM2.5(size<2.5µm) µg/m ³	SO ₂ (µg/m ³)	NOx (µg/m ³)	CO (µg/m ³)
April	34.02	22.35	4.11	11.50	0.10
May	34.12	22.66	4.18	11.64	0.10
June	35.17	22.65	4.20	11.98	0.10
July	35.25	22.96	4.25	12.01	0.11
August	34.05	23.69	4.31	12.01	0.11
September	38.33	22.98	4.26	11.54	0.11
October	38.69	21.54	4.29	11.57	0.11
November	35.78	21.83	4.36	11.81	0.11
December	35.11	21.39	4.39	11.99	0.11
January	37.00	22.56	4.24	11.67	0.11
February	37.38	22.89	4.06	11.63	0.10
March	37.67	21.20	4.26	11.54	0.12
Average	36.05	22.39	BDL	11.74	0.11

5 Kakariguda

Monthly Avg	Parameters				
	PM10(size<10µm) µg/m ³	PM2.5(size<2.5µm) µg/m ³	SO ₂ (µg/m ³)	NO _x (µg/m ³)	CO (µg/m ³)
April	35.28	22.31	4.01	11.25	0.11
May	35.96	22.86	4.04	11.35	0.11
June	36.32	22.98	4.11	11.48	0.10
July	36.82	23.50	4.14	11.75	0.10
August	37.33	23.95	4.14	11.83	0.10
September	41.44	24.51	4.66	12.68	0.11
October	37.11	22.14	4.12	11.80	0.10
November	37.33	22.39	4.14	11.83	0.10
December	41.44	24.51	4.67	12.69	0.12
January	41.78	25.14	4.34	12.17	0.12
February	42.25	25.09	4.18	12.09	0.10
March	32.78	18.87	4.00	9.88	0.10
Average	37.99	23.19	BDL	11.73	0.11

6 Aligaon

Monthly Avg	Parameters				
	PM10(size<10µm) µg/m ³	PM2.5(size<2.5µm) µg/m ³	SO ₂ (µg/m ³)	NO _x (µg/m ³)	CO (µg/m ³)
April	30.89	19.23	4.03	10.65	0.13
May	31.65	19.35	4.05	10.71	0.12
June	32.01	19.41	4.08	10.78	0.13
July	32.23	19.51	4.12	11.01	0.13
August	32.67	19.88	4.14	11.01	0.10
September	31.55	19.63	4.14	11.02	0.10
October	32.25	19.45	4.12	11.01	0.11
November	32.67	19.88	4.14	11.01	0.11
December	31.56	19.63	4.14	11.02	0.11
January	28.51	18.11	4.09	10.81	0.10
February	31.13	19.48	4.08	10.66	0.11
March	32.67	18.59	4.00	10.10	0.11
Average	31.65	19.35	BDL	10.82	0.11

7 Bhitarikota

Monthly Avg	Parameters				
	PM10(size<10µm) µg/m ³	PM2.5(size<2.5µm) µg/m ³	SO ₂ (µg/m ³)	NO _x (µg/m ³)	CO (µg/m ³)
April	35.28	22.31	4.01	11.25	0.11
May	35.64	22.53	3.98	11.52	0.12
June	36.25	22.96	4.12	11.56	0.11
July	37.56	23.11	4.19	11.84	0.10
August	37.33	22.39	4.14	11.83	0.10
September	41.44	24.51	4.66	12.68	0.11
October	39.21	23.58	4.28	12.01	0.11
November	39.22	23.69	4.31	12.01	0.12
December	38.33	22.99	4.27	11.54	0.12
January	32.22	19.84	4.11	11.16	0.11
February	34.25	20.91	4.06	11.03	0.10
March	31.33	16.59	4.00	10.71	0.11
Average	36.51	22.12	BDL	11.59	0.11

8 Mohanpada

Monthly Avg	Parameters				
	PM10(size<10µm) µg/m ³	PM2.5(size<2.5µm) µg/m ³	SO ₂ (µg/m ³)	NO _x (µg/m ³)	CO (µg/m ³)
April	42.98	23.69	4.59	11.98	0.11
May	43.58	24.69	4.61	12.23	0.12
June	44.65	25.86	4.65	12.25	0.12
July	45.32	26.54	4.95	12.96	0.13
August	44.67	26.46	4.94	13.14	0.13
September	47.88	28.47	4.80	12.68	0.12
October	43.66	26.54	4.68	13.08	0.12
November	44.67	26.46	4.94	13.14	0.13
December	47.89	28.47	4.80	12.69	0.12
January	34.67	21.43	4.27	11.33	0.10
February	47.50	27.86	4.38	12.76	0.11
March	39.67	21.64	4.26	11.57	0.11
Average	43.93	25.68	BDL	12.48	0.12

Since this is an open cast mine, the dust generation is mainly due to the movement of vehicles in the haul roads, drilling activities etc, which is fugitive in and cannot be quantified. The above ambient air quality data shows that the concentrations of the pollutants are well within the permissible standards.

PART – D

Hazardous Wastes

(As specified under Hazardous Waste Management and Handling Rules, 1989 and amendment thereof)

Hazardous Wastes	Total Quantity during the previous year	Total Quantity current the previous year
From process		
Waste Oil	Nil	Nil
Waste Batteries	Nil	Nil
From pollution control facilities	NA	NA

PART – E

Solid Wastes

Sources	Total Quantity during the previous year	Total Quantity current the previous year
(a)From process mining (Over burden rejects)	8134MT	Nil
(b)From pollution control Facility	NA	NA
(c)(i)Quantity recycled or reused within the unit	Nil	Nil
(ii)Quantity sold		
(iii)Quantity disposed	Nil	Nil
	8134MT	Nil

PART - F

The composition of the solid wastes (OB rejects) contains morrum, shale and laterite.

Disposal Practice:

The overburden is systematically and scientifically dumped on a geologically barren area and the same will be back filled in mined out area and reclaimed by plantation.

PART - G

Impact of the pollution abatement measures taken on conservation of natural resources and on the cost of production.

- i. Water spraying on haul road & mine pit is done regularly except monsoon.
- ii. An amount of Rs. 24,78,800/- was incurred towards environment monitoring jobs carried out.

PART - H

Additional measures/investment proposal for environmental protection including abatement of pollution, prevention of pollution.

- i. Garland drains around the OB dumping shall be undertaken.
- ii. Settling ponds shall be built as requirement.

PART - I

Any other particulars for improving the quality of the environment

- i. Company awareness development programs on environmental protection are also undertaken through celebration of World Environment Day and showing films on environment protection in captive channel.
-

ADITYA BIRLA



o/c

HIL/SEM/OSPCB/13-14/41
20.08.2013

To
The Regional Officer,
Odisha State Pollution control Board
4th Lane, Indira Nagar, Rayagda,
Odisha-765001

Sub: Environment Statement in Form V.


Sir,

Please find enclosed Environmental Statement in form V under Rule 14 of Environmental Protection Rules with respect to our Maliparbat Bauxite Mines for the financial year ending 31.03.2013 for your kind review and records.

Thanking you.

Yours Faithfully

For **Hindalco Industries Limited**


Jayanta Bhattacharya
Agent
Maliparbat Bauxite Mines
Semiliguda, Koraput

Cc: Director, MOEF, Bhubaneswar
Sr. Env. Scientist, IPCB, Bhubaneswar
Encl: As above

Received
20/8/13

FORM – V

(See rule 14)

Environmental Statement for the financial year ending the 31st March 2013

PART – A

1. Name and address of the owner/ occupier of the industry operation	Maliparbat Bauxite Mines, Hindalco Industries Ltd, Satyanagar, College Road, Semiliguda, Koraput, Odisha-764036
Agent	Mr. Jayanta Bhattacharya
Nominated Owner	Mr. K.N. Bhandari
Manager	Mr. Jayanta Bhattacharya
2. Industry category	Major
3. Production capacity(Bauxite)	6,00,000MT/Year
4. Year of establishment	2008
5. Date of the last environmental statement submitted	September-2012

PART – B

Water and Raw Material Consumption

(A) Water consumption in m³/day under all the three heads for the assessment year as follows

Industrial Use	: 60m ³
Process	: NA
Domestic	: 1m ³

Process water consumption per unit of product output:

Name of Products	During the previous financial Year	During the Current financial Year
Bauxite Ore	Nil	Nil

Bauxite ore is produced by mechanized mining method, which does not involve beneficiation and thus precludes the consumption of water. The industrial and domestic water requirement of the site office is met by drawing water from Kunduli Nallah, a perennial stream.

(B) Raw Material Consumption : NA

(As the mine is an opencast and producing Bauxite ore only).

In 2012-2013, the mine produced 450 T bauxite.

PART – C

Pollution discharged to environment/unit of output
(Parameter as specified in the consent issued)

Water Pollution:

The process of bauxite ore production, which includes blasting, removal of OB, then transportation to the stacking yard does not require consumption of water and thus is no discharge from the mines.

1) Pollutants	Quantity of pollutants discharged (mass/day)	Concentrations of pollutants in discharges (mass/volume)	Percentage of variation from prescribed standards with reasons
Not Applicable as there is no discharge			

Air Pollution:

Details of Ambient Air Quality Monitoring

AMBIENT AIR QUALITY MONITORING ONE YEAR AVERAGES

April'12 - March'13

1. ML Area

Monthly Average	PM-10 ($\mu\text{g}/\text{m}^3$)	PM-2.5 ($\mu\text{g}/\text{m}^3$)	SO ₂ ($\mu\text{g}/\text{m}^3$)	NO _x ($\mu\text{g}/\text{m}^3$)	CO (mg/m^3)
Apr-12	45.13	27.08	4.16	10.44	0.12
May-12	50.22	29.42	5.14	10.63	0.12
Jun-12	40.33	24.26	4.39	10.51	0.11
Jul-12	41.78	24.88	4.30	11.18	0.13
Aug-12	46.56	27.07	4.43	12.19	0.13
Sep-12	41.63	24.79	4.58	11.85	0.13
Oct-12	44.50	26.16	4.18	10.86	0.12
Nov-12	47.88	27.69	4.65	11.81	0.16
Dec-12	48.68	28.29	4.46	11.35	0.16
Jan-13	50.25	29.00	4.43	11.13	0.16
Feb-13	55.88	31.84	4.66	11.56	0.18
Mar-13	49.67	28.56	4.27	11.41	0.16
AVERAGE	46.87	27.42	4.47	11.24	0.14

2. Doliamba

Monthly Average	PM-10 ($\mu\text{g}/\text{m}^3$)	PM-2.5 ($\mu\text{g}/\text{m}^3$)	SO ₂ ($\mu\text{g}/\text{m}^3$)	NO _x ($\mu\text{g}/\text{m}^3$)	CO (mg/m^3)
Apr-12	41.38	23.84	4.10	11.33	0.11
May-12	45.56	26.70	4.49	9.94	0.11
Jun-12	36.44	21.69	4.23	10.09	0.11
Jul-12	37.22	22.27	4.14	10.76	0.12
Aug-12	41.89	24.91	4.27	11.64	0.12
Sep-12	40.50	23.63	4.11	11.38	0.12
Oct-12	53.13	30.31	4.58	11.21	0.13
Nov-12	43.38	25.24	4.41	11.28	0.13
Dec-12	43.88	25.96	4.21	10.90	0.14
Jan-13	46.13	26.90	4.18	10.63	0.13
Feb-13	51.50	29.58	4.33	11.05	0.15
Mar-13	41.67	24.71	4.11	10.73	0.13

AVERAGE	43.55	25.48	4.26	10.91	0.12
----------------	--------------	--------------	-------------	--------------	-------------

3. Railway Siding

Monthly Average	PM-10 ($\mu\text{g}/\text{m}^3$)	PM-2.5 ($\mu\text{g}/\text{m}^3$)	SO ₂ ($\mu\text{g}/\text{m}^3$)	NO _x ($\mu\text{g}/\text{m}^3$)	CO (mg/m^3)
Apr-12	51.13	29.65	4.69	11.50	0.13
May-12	57.33	33.10	5.14	11.22	0.14
Jun-12	45.44	26.76	4.64	10.96	0.12
Jul-12	46.67	27.82	4.47	11.68	0.15
Aug-12	52.00	30.16	4.84	12.73	0.16
Sep-12	46.13	27.20	4.85	12.34	0.15
Oct-12	57.63	32.65	4.94	11.69	0.20
Nov-12	52.63	30.39	4.96	12.30	0.19
Dec-12	54.25	31.13	4.84	11.90	0.19
Jan-13	54.88	31.51	4.71	11.64	0.19
Feb-13	60.00	34.23	5.00	12.16	0.22
Mar-13	54.89	31.14	4.50	11.99	0.19
AVERAGE	52.75	30.48	4.80	11.84	0.17

4 Kakadamba

Monthly Average	PM-10 ($\mu\text{g}/\text{m}^3$)	PM-2.5 ($\mu\text{g}/\text{m}^3$)	SO ₂ ($\mu\text{g}/\text{m}^3$)	NO _x ($\mu\text{g}/\text{m}^3$)	CO (mg/m^3)
Apr-12	40.88	23.31	4.28	10.55	0.12
May-12	38.78	22.56	4.24	11.41	0.12
Jun-12	31.00	18.81	4.46	9.61	0.11
Jul-12	31.78	19.06	4.16	10.22	0.11
Aug-12	28.00	17.08	4.00	10.26	0.10
Sep-12	30.75	18.55	4.04	10.18	0.11
Oct-12	38.75	22.66	4.21	11.39	0.12
Nov-12	31.88	19.44	4.08	10.03	0.11
Dec-12	33.13	21.30	4.00	9.63	0.11
Jan-13	35.75	21.25	4.05	9.41	0.10
Feb-13	40.88	24.14	4.01	10.01	0.11
Mar-13	33.44	19.97	4.03	10.02	0.11
AVERAGE	34.58	20.68	4.13	10.23	0.11

5 Kakariguda

Monthly Average	PM-10 ($\mu\text{g}/\text{m}^3$)	PM-2.5 ($\mu\text{g}/\text{m}^3$)	SO ₂ ($\mu\text{g}/\text{m}^3$)	NO _x ($\mu\text{g}/\text{m}^3$)	CO (mg/m^3)
Apr-12	45.13	24.75	4.39	11.49	0.12
May-12	36.44	22.32	4.14	10.84	0.11
Jun-12	35.33	19.59	4.77	9.88	0.11

Jul-12	31.67	19.01	4.02	10.03	0.10
Aug-12	32.44	19.57	4.04	10.78	0.10
Sep-12	36.25	21.95	4.13	10.98	0.12
Oct-12	43.63	26.13	4.19	10.21	0.11
Nov-12	35.88	21.28	4.14	10.39	0.11
Dec-12	36.75	21.56	4.03	9.98	0.11
Jan-13	37.50	22.36	4.01	9.68	0.11
Feb-13	45.25	26.26	4.08	10.53	0.12
Mar-13	38.44	22.52	4.10	10.68	0.13
AVERAGE	37.89	22.27	4.17	10.45	0.11

6 Aligaon

Monthly Average	PM-10 ($\mu\text{g}/\text{m}^3$)	PM-2.5 ($\mu\text{g}/\text{m}^3$)	SO ₂ ($\mu\text{g}/\text{m}^3$)	NO _x ($\mu\text{g}/\text{m}^3$)	CO (mg/m^3)
Apr-12	37.63	22.23	4.20	10.91	0.12
May-12	39.00	23.13	4.24	11.26	0.12
Jun-12	50.22	29.42	5.14	10.63	0.12
Jul-12	25.44	15.76	4.00	9.46	0.10
Aug-12	26.78	16.40	4.00	9.56	0.11
Sep-12	35.88	21.51	4.28	11.11	0.11
Oct-12	40.13	23.96	4.19	11.53	0.12
Nov-12	30.38	18.39	4.09	10.23	0.11
Dec-12	32.25	18.99	4.08	9.70	0.11
Jan-13	29.88	17.78	4.00	9.31	0.12
Feb-13	37.50	21.99	4.04	9.30	0.11
Mar-13	25.67	16.02	4.00	9.41	0.11
AVERAGE	34.23	20.46	4.19	10.20	0.11

7 Bhitarkota

Monthly Average	PM-10 ($\mu\text{g}/\text{m}^3$)	PM-2.5 ($\mu\text{g}/\text{m}^3$)	SO ₂ ($\mu\text{g}/\text{m}^3$)	NO _x ($\mu\text{g}/\text{m}^3$)	CO (mg/m^3)
Apr-12	39.38	24.14	4.29	11.71	0.13
May-12	42.11	24.68	4.34	16.28	0.12
Jun-12	35.44	21.24	4.36	11.74	0.11
Jul-12	27.56	16.79	4.02	9.79	0.10
Aug-12	25.67	15.86	4.00	9.90	0.10
Sep-12	32.25	19.34	4.23	10.43	0.11
Oct-12	35.25	21.01	4.09	10.98	0.11
Nov-12	34.50	20.84	4.21	10.68	0.12
Dec-12	29.38	17.78	4.00	9.34	0.10
Jan-13	34.25	20.51	4.03	9.50	0.12
Feb-13	38.00	22.73	4.04	9.58	0.10
Mar-13	28.00	17.12	4.00	9.54	0.11

AVERAGE	33.48	20.17	4.13	10.79	0.11
8 Mohanpada					
Monthly Average	PM-10 ($\mu\text{g}/\text{m}^3$)	PM-2.5 ($\mu\text{g}/\text{m}^3$)	SO ₂ ($\mu\text{g}/\text{m}^3$)	NO _x ($\mu\text{g}/\text{m}^3$)	CO (mg/m^3)
Apr-12	36.63	21.89	4.11	11.10	0.11
May-12	40.22	24.12	4.19	10.46	0.11
Jun-12	39.78	24.03	4.77	10.10	0.11
Jul-12	33.89	20.74	4.07	10.38	0.11
Aug-12	37.22	22.03	4.12	11.16	0.11
Sep-12	40.88	24.38	4.21	11.83	0.13
Oct-12	46.88	27.84	4.36	10.85	0.12
Nov-12	39.50	23.43	4.25	10.84	0.12
Dec-12	40.25	23.74	4.08	10.46	0.12
Jan-13	41.63	24.79	4.04	10.08	0.12
Feb-13	47.88	27.93	4.18	10.74	0.13
Mar-13	35.33	21.36	4.03	10.17	0.12
AVERAGE	40.01	23.86	4.20	10.68	0.12

Since this is an open cast mine, the dust generation is mainly due to the movement of vehicles in the haul roads, drilling activities etc, which is fugitive in and cannot be quantified. The above ambient air quality data shows that the concentrations of the pollutants are well within the permissible standards.

PART - D

Hazardous Wastes

(As specified under Hazardous Waste Management and Handling Rules, 1989 and amendment thereof)

Hazardous Wastes	Total Quantity during the previous FY	Total Quantity during the current FY
From process		
Waste Oil	Nil	Nil

Waste Batteries	Nil	Nil
From pollution control facilities	NA	NA

PART – E

Solid Wastes

Sources	Total Quantity during the previous FY	Total Quantity during the current FY
(a) From process mining (Over burden rejects)	Nil	550 T
(b) From pollution control Facility	NA	NA
(c)(i) Quantity recycled or reused within the unit	Nil	Nil
(ii) Quantity sold	Nil	Nil
(iii) Quantity disposed	Nil	550 T

PART – F

The composition of the solid wastes (OB rejects) contains morrum, shale and laterite.

Disposal Practice:

The overburden is systematically and scientifically dumped on a geologically barren area and the same will be back filled in mined out area and reclaimed by plantation.

PART - G

Impact of the pollution abatement measures taken on conservation of natural resources and on the cost of production.

- i. Water spraying on haul road & mine pit is done regularly except monsoon.
- ii. An amount of Rs. 33,00,000/- was incurred towards environment monitoring jobs carried out.

PART - H

Additional measures/investment proposal for environmental protection including abatement of pollution, prevention of pollution.

- i. Garland drains around the OB dumping shall be undertaken.
- ii. Settling ponds shall be built as requirement.

PART - I

Any other particulars for improving the quality of the environment

- i. Company awareness development programs on environmental protection are also undertaken through celebration of World Environment Day and showing films on environment protection in captive channel.
-

o/c



HIL/SEM/OSPCB/14-15/09
18.04.2014

To
The Regional Officer,
Odisha State Pollution control Board
Rayagda,
Odisha-765001

Sub: Environment Statement in Form V.

Sir,

Please find enclosed Environmental Statement in form V under Rule 14 of Environmental Protection Rules with respect to our Maliparbat Bauxite Mines for the financial year ending 31.03.2014 for your kind review and records.

Thanking you.

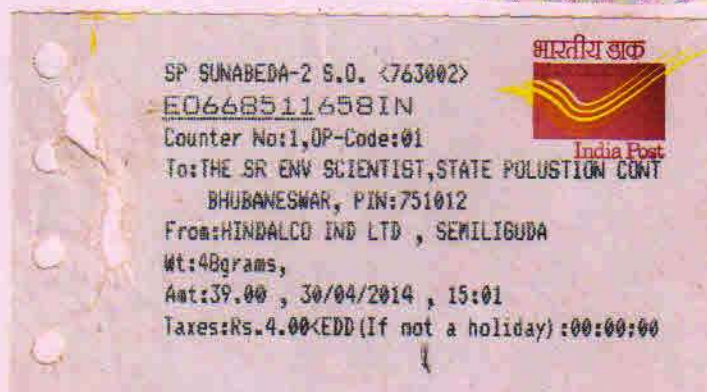
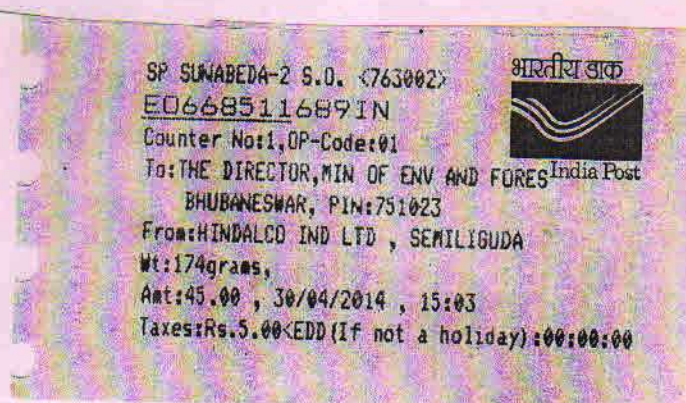
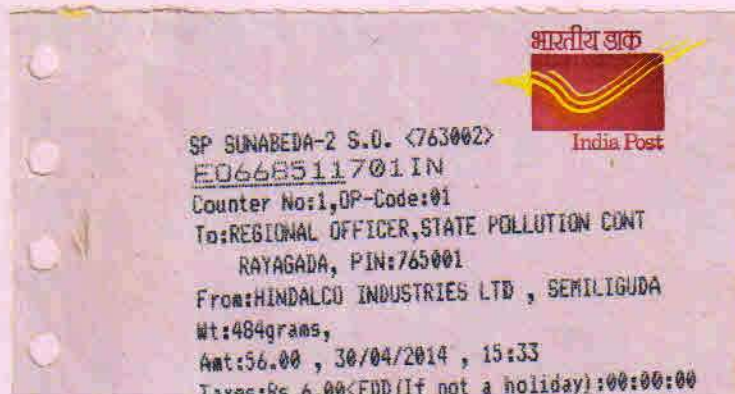
Yours Faithfully

For Hindalco Industries Limited

J. Bhattacharya
Jayanta Bhattacharya
Agent

Maliparbat Bauxite Mines
Semiliguda, Koraput

Cc: Director, MOEF, Bhubaneswar
Cc: SP CB, Bhubaneswar
Encl: As above



FORM - V

(See rule 14)

Environmental Statement for the financial year ending the 31st March 2014

PART - A

1. Name and address of the owner/ occupier of the industry operation	Maliparbat Bauxite Mines, Hindalco Industries Ltd, Satyanagar, College Road, Semiliguda, Koraput, Odisha-764036
Agent	Mr. Jayanta Bhattacharya
Nominated Owner	Mr. K.N. Bhandari
Manager	Mr. Jayanta Bhattacharya
2. Industry category	Major
3. Production capacity(Bauxite)	6,00,000MT/Year
4. Year of establishment	2008
5. Date of the last environmental statement submitted	August-2013

PART - B

Water and Raw Material Consumption

(A) Water consumption in m³/day under all the three heads for the assessment year as follows

Industrial Use	: 60m ³
Process	: NA
Domestic	: 1m ³

Process water consumption per unit of product output:

Name of Products	During the previous financial Year	During the Current financial Year
Bauxite Ore	Nil	Nil

Bauxite ore is produced by mechanized mining method, which does not involve beneficiation and thus precludes the consumption of water. The industrial and domestic water requirement of the site office is met by drawing water from Kunduli Nallah, a perennial stream.

(B) Raw Material Consumption : NA

(As the mine is an opencast and producing Bauxite ore only).

In 2013-2014, the mine produced 450 T bauxite.

PART – C

Pollution discharged to environment/unit of output

(Parameter as specified in the consent issued)

Water Pollution:

The process of bauxite ore production, which includes blasting, removal of OB, then transportation to the stacking yard does not require consumption of water and thus is no discharge from the mines.

1) Pollutants	Quantity of pollutants discharged (mass/day)	Concentrations of pollutants in discharges (mass/volume)	Percentage of variation from prescribed standards with reasons
Not Applicable as there is no discharge			

Air Pollution:

Details of Ambient Air Quality Monitoring

AMBIENT AIR QUALITY MONITORING Annual Averages

April'13 - March'14

I. ML Area

Month	PM-10 ($\mu\text{g}/\text{m}^3$)	PM-2.5 ($\mu\text{g}/\text{m}^3$)	SO ₂ ($\mu\text{g}/\text{m}^3$)	NO _x ($\mu\text{g}/\text{m}^3$)	CO (mg/m^3)
Apr-13	56.00	31.88	4.33	11.43	0.19
May-13	59.44	33.96	4.77	11.82	0.23
Jun-13	48.78	28.19	4.36	11.03	0.16
Jul-13	44.11	25.86	4.28	10.92	0.14
Aug-13	38.78	22.77	4.06	11.13	0.12
Sep-13	38.88	23.08	4.13	11.00	0.12
Oct-13	43.78	25.36	4.20	11.10	0.14
Nov-13	55.56	31.90	4.86	11.89	0.21
Dec-13	57.78	32.97	4.68	11.38	0.16
Jan-14	62.67	35.71	4.87	11.83	0.23
Feb-14	50.75	29.20	4.08	10.86	0.15
Mar-14	58.78	33.10	4.32	11.46	0.19
ANNUAL AVERAGE	51.27	29.50	4.41	11.32	0.17

2. Doliamba

Month	PM-10 ($\mu\text{g}/\text{m}^3$)	PM-2.5 ($\mu\text{g}/\text{m}^3$)	SO ₂ ($\mu\text{g}/\text{m}^3$)	NO _x ($\mu\text{g}/\text{m}^3$)	CO (mg/m^3)
Apr-13	50.25	29.14	4.18	10.90	0.17
May-13	54.44	31.20	4.46	11.32	0.20
Jun-13	44.11	25.61	4.18	10.46	0.14
Jul-13	39.78	23.26	4.13	10.36	0.12
Aug-13	34.89	20.48	4.01	10.77	0.11
Sep-13	34.88	20.45	4.05	10.65	0.11
Oct-13	39.22	23.12	4.07	10.66	0.13
Nov-13	50.89	29.47	4.58	11.47	0.18
Dec-13	52.89	30.33	4.37	10.96	0.14
Jan-14	56.56	30.56	4.49	11.27	0.20
Feb-14	46.63	27.38	4.04	10.43	0.13
Mar-14	54.89	31.27	4.14	11.08	0.15
ANNUAL AVERAGE	46.62	26.85	4.22	10.86	0.15

3. Railway Siding

Month	PM-10 ($\mu\text{g}/\text{m}^3$)	PM-2.5 ($\mu\text{g}/\text{m}^3$)	SO ₂ ($\mu\text{g}/\text{m}^3$)	NO _x ($\mu\text{g}/\text{m}^3$)	CO (mg/m^3)
Apr-13	59.63	33.85	4.58	11.84	0.23
May-13	64.67	37.10	5.08	12.29	0.26
Jun-13	53.89	31.19	4.59	11.58	0.19
Jul-13	49.33	28.48	4.51	11.53	0.17
Aug-13	41.78	24.40	4.13	11.44	0.14
Sep-13	43.25	25.71	4.23	11.50	0.14
Oct-13	47.56	27.41	4.42	11.48	0.16
Nov-13	61.11	34.66	5.23	12.32	0.24
Dec-13	63.67	35.20	5.00	11.84	0.20
Jan-14	67.33	38.06	5.27	12.34	0.27
Feb-14	57.00	32.60	4.19	11.25	0.18
Mar-14	62.67	35.71	4.87	11.83	0.23
ANNUAL AVERAGE	55.99	32.03	4.67	11.77	0.20

4 Kakadamba

Month	PM-10 ($\mu\text{g}/\text{m}^3$)	PM-2.5 ($\mu\text{g}/\text{m}^3$)	SO ₂ ($\mu\text{g}/\text{m}^3$)	NO _x ($\mu\text{g}/\text{m}^3$)	CO (mg/m^3)
Apr-13	38.38	22.88	4.00	9.60	0.11
May-13	40.22	23.63	4.07	10.03	0.13
Jun-13	31.78	19.00	4.00	9.40	0.11
Jul-13	29.78	17.91	4.00	9.28	0.11
Aug-13	26.33	17.12	4.00	9.83	0.10
Sep-13	25.38	15.61	4.00	9.53	0.10
Oct-13	30.22	18.40	4.02	9.59	0.10
Nov-13	37.33	22.19	4.02	10.29	0.13
Dec-13	43.00	25.40	4.00	9.98	0.11
Jan-14	46.78	27.43	4.11	10.23	0.11
Feb-14	36.63	21.86	4.00	9.45	0.11
Mar-14	44.11	25.83	4.00	9.93	0.11
ANNUAL AVERAGE	35.83	21.44	4.02	9.76	0.11

5 Kakariguda

Month	PM-10 ($\mu\text{g}/\text{m}^3$)	PM-2.5 ($\mu\text{g}/\text{m}^3$)	SO ₂ ($\mu\text{g}/\text{m}^3$)	NO _x ($\mu\text{g}/\text{m}^3$)	CO (mg/m^3)
Apr-13	42.25	24.80	4.01	10.00	0.12
May-13	44.89	26.79	4.13	10.43	0.14
Jun-13	35.89	21.56	4.02	9.72	0.11
Jul-13	33.44	20.44	4.00	9.56	0.11
Aug-13	29.67	17.82	4.00	10.17	0.10
Sep-13	28.13	17.31	4.01	9.94	0.10
Oct-13	32.89	19.66	4.02	9.91	0.11
Nov-13	41.78	24.23	4.11	10.69	0.14
Dec-13	47.00	27.22	4.03	10.37	0.12
Jan-14	50.22	28.60	4.20	10.58	0.12
Feb-14	39.63	23.38	4.00	9.76	0.11
Mar-14	48.11	28.96	4.00	10.30	0.12
ANNUAL AVERAGE	39.49	23.40	4.05	10.12	0.12

6 Aligaon

Month	PM-10 ($\mu\text{g}/\text{m}^3$)	PM-2.5 ($\mu\text{g}/\text{m}^3$)	SO ₂ ($\mu\text{g}/\text{m}^3$)	NO _x ($\mu\text{g}/\text{m}^3$)	CO (mg/m^3)
Apr-13	30.88	18.41	4.00	9.13	0.11
May-13	32.89	19.74	4.00	9.43	0.11
Jun-13	23.89	14.41	4.00	9.13	0.10
Jul-13	48.78	28.19	4.36	11.03	0.16
Aug-13	20.56	12.92	4.00	9.38	0.10
Sep-13	24.38	14.96	4.00	9.56	0.11
Oct-13	25.78	15.62	4.02	9.20	0.10
Nov-13	29.33	17.81	4.00	9.58	0.11
Dec-13	36.00	21.29	4.00	9.30	0.10
Jan-14	39.44	24.44	4.00	9.49	0.10
Feb-14	29.88	17.68	4.00	9.13	0.10
Mar-14	36.56	21.56	4.00	9.26	0.10
ANNUAL AVERAGE	31.53	18.92	4.03	9.47	0.11

7 Bhitarikota

Month	PM-10 ($\mu\text{g}/\text{m}^3$)	PM-2.5 ($\mu\text{g}/\text{m}^3$)	SO ₂ ($\mu\text{g}/\text{m}^3$)	NO _x ($\mu\text{g}/\text{m}^3$)	CO (mg/m^3)
Apr-13	34.63	20.81	4.00	9.31	0.11
May-13	36.89	22.10	4.02	9.67	0.12
Jun-13	28.33	16.73	4.00	9.23	0.10
Jul-13	27.00	16.84	4.00	9.14	0.11
Aug-13	24.44	14.89	4.00	9.60	0.10
Sep-13	23.00	14.30	4.00	9.30	0.10
Oct-13	29.11	17.66	4.02	9.38	0.10
Nov-13	33.67	19.70	4.00	9.92	0.12
Dec-13	40.11	23.63	4.00	9.61	0.10
Jan-14	43.22	25.21	4.02	9.86	0.10
Feb-14	33.50	20.09	4.00	9.25	0.10
Mar-14	40.44	23.66	4.00	9.50	0.10
ANNUAL AVERAGE	32.86	19.64	4.01	9.48	0.11

8 Mohanpada

Month	PM-10 ($\mu\text{g}/\text{m}^3$)	PM-2.5 ($\mu\text{g}/\text{m}^3$)	SO ₂ ($\mu\text{g}/\text{m}^3$)	NO _x ($\mu\text{g}/\text{m}^3$)	CO (mg/m^3)
Apr-13	46.75	27.36	4.09	10.46	0.14
May-13	49.67	29.06	4.23	10.81	0.17
Jun-13	40.22	23.67	4.07	10.06	0.12
Jul-13	27.00	16.16	4.00	9.04	0.10
Aug-13	32.22	19.32	4.00	10.46	0.11
Sep-13	31.75	19.14	4.04	10.33	0.11
Oct-13	36.00	21.79	4.02	10.29	0.12
Nov-13	46.33	26.80	4.33	11.09	0.16
Dec-13	49.78	28.97	4.14	10.67	0.13
Jan-14	53.89	30.69	4.38	10.94	0.14
Feb-14	42.63	24.94	4.00	10.06	0.12
Mar-14	51.56	30.07	4.06	10.72	0.13
ANNUAL AVERAGE	42.32	24.83	4.11	10.41	0.13

Since this is an open cast mine, the dust generation is mainly due to the movement of vehicles in the haul roads, drilling activities etc, which is fugitive in and cannot be quantified. The above ambient air quality data shows that the concentrations of the pollutants are well within the permissible standards.

PART - D

Hazardous Wastes

(As specified under Hazardous Waste Management and Handling Rules, 1989 and amendment thereof)

Hazardous Wastes	Total Quantity during the previous FY	Total Quantity during the current FY
From process		
Waste Oil	Nil	Nil
Waste Batteries	Nil	Nil
From pollution control facilities	NA	NA

PART – E

Solid Wastes

Sources	Total Quantity during the previous FY	Total Quantity during the current FY
(a) From process mining (Over burden rejects)	Nil	550 T
(b) From pollution control Facility	NA	NA
(c)(i) Quantity recycled or reused within the unit	Nil	Nil
(ii) Quantity sold	Nil	Nil
(iii) Quantity disposed	Nil	550 T

PART – F

The composition of the solid wastes (OB rejects) contains morrum, shale and laterite.

Disposal Practice:

The overburden is systematically and scientifically dumped on a geologically barren area and the same will be back filled in mined out area and reclaimed by plantation.

PART – G

Impact of the pollution abatement measures taken on conservation of natural resources and on the cost of production.

- i. Water spraying on haul road & mine pit is done regularly except monsoon.
- ii. An amount of Rs. 40,00,000/- was incurred towards environment monitoring jobs carried out.

PART - H

Additional measures/investment proposal for environmental protection including abatement of pollution, prevention of pollution.

- i. Garland drains around the OB dumping shall be undertaken.
- ii. Settling ponds shall be built as requirement.

PART - I

Any other particulars for improving the quality of the environment

- i. Company awareness development programs on environmental protection are also undertaken through celebration of World Environment Day and showing films on environment protection in captive channel.
-

Annexure-IV(C)

**Budget Provisions of Remediation Plan,
Natural Resource Augmentation Plan (NRAP)
and Community Resource Augmentation Plan
(CRAP)**

Budget Provisions of Remediation Plan, Natural Resource Augmentation Plan (NRAP) and Community Resource Augmentation Plan (CRAP)

The Budget Provisions of Remediation Plan, Natural Resource Augmentation Plan (NRAP) and Community Resource Augmentation Plan (CRAP) is given in **Table-1**, **Table-2** & **Table-3**.

TABLE-1
REMEDIATION PLAN

Remediation Plan										
S.No	Component	Proposed Activity	Description	Location	Unit Rate (lakh)	Total Quantity	Total Cost in Rs Lakh	Year 1	Year 2	Year 3
1	Remediation Plan: Air & Noise. Fugitive dust control	Fugitive dust control & Noise attenuation	Wet drilling; water spraying & Noise barriers	Mine lease area and haulage road	-	-	30	10	10	10
2	Remediation Plan-Biological Environment	Afforestation, shelterbelt, greenbelt and avenue plantations	Aided natural regeneration of forests along the slopes & unused mine lease area	Mine lease area and the adjacent hill slopes. Haulage road	2 per Ha	141.760 (for the life of the mine)	283.52	14.01	14.01	14.01
3	Remediation Plan-Water Environment	Rain water harvesting; ground water recharge	Rainwater harvesting pits; semilunar trenches along the slopes; garland drains	Mine lease area and the adjacent hill slopes	1	25	25	5	10	10
Total							338.52	29.01	34.01	34.01

TABLE-2
NATURAL RESOURCE AUGMENTATION PLAN (NRAP)

Natural Resource Augmentation Plan (NRAP)									
Sr. No	Proposed Activity	Description	Location	Unit Rate	Total Quantity	Total Cost in Rs Lakh	Year 1	Year 2	Year 3
1	Tree Plantation on barren hills	Fruit - trees at lower levels of barren hills	Hill top within the mine lease	500 per tree	1000	5.0	2	2	1
2.	Afforestation of barren hills	Broadcasting the pelletized seeds over the barren	Barren hills around the mine lease.	2,000 00 per ha	5 ha	10	2	3	5

Budget Provisions of Remediation Plan, Natural Resource Augmentation Plan (NRAP) and Community Resource Augmentation Plan (CRAP)

		hills & Plantation of fruit trees							
3	Avenue Plantation	Road side plantation	Enroute the transport	500 per tree	1000	5	2	2	1
4	Rain water harvesting	Construction and maintenance of rain water harvesting structures in villages	5 villages within the buffer zone	2	5	10	3	3	4
	Sub-total (b)					30	9	10	11

TABLE-3
COMMUNITY RESOURCE AUGMENTATION PLAN (CRAP)

Sl.No	Proposed Activity	Description	Location	Total Cost (in Lakh)	Year 1	Year 2	Year 3
1	Provision of solar lights	Installation of solar lighting in villages where there are no street lights	Villages of the buffer zone	30.00	10.00	10.00	10.00
2	Provision of solar powered bore-well	Community bore wells within the buffer zone	Villages of the buffer zone	30.00	6.00	12.00	12.00
3	Drinking water	RO plants within the schools	Schools in the buffer zone	3.00	1.00	1.00	1.00
4	Health facility (Curative Health Care)	Ambulance facility at the door step in Peripheral villages and MHU with Health cube & portable X-Ray machine including the specialized Medical Check-up camps	Villages of the buffer zone	113.90	63.90	25.00	25.00

Budget Provisions of Remediation Plan, Natural Resource Augmentation Plan (NRAP) and Community Resource Augmentation Plan (CRAP)


5	Agriculture	Agriculture & Animal Husbandry	Silting of streams	33.00	11.00	11.00	11.00
6	Infrastructure development	Construction of Community halls	Villages willing to donate plot	20.00	0.00	10.00	10.00
	Total (in Lakhs)			229.90	91.90	69.00	69.00
	As per the ADS point No.6, the unspent EMP amount of Rs 15,00,000 /- (present value of Rs.25,84,239) is carried forward and included in the above budget.						

Total Budget Provision for:

1. Remediation Plan : Rs. 33,852,000
2. Natural Resource Augmentation Plan: Rs. 30,00000
3. Community Resource Augmentation Plan (CRAP): Rs. 22,990,000 (Included unspent EMP)

Annexure-V

Revised Ecological Damage Assessment

	<p><i>Environmental Impact Assessment for the Maliparbat Bauxite Mines of M/s Hindalco Industries Ltd for a Production Capacity of 0.6 MTPA over an Mining Lease(ML) Area of 268.11 Ha at Aligaon, Kankaramba, Sorishpadar Village, Pottangi Tehsil, Koraput District, Odisha</i></p> <p style="text-align: right;">Chapter-13 <i>Ecological Damage Assessment</i></p>
---	---

13.0 ECOLOGICAL DAMAGE ASSESSMENT

13.1 Introduction

The Ministry of Environment and Forest & Climate Change (MoEF&CC) has issued a notification on the procedure to be adopted for dealing with the EC violation cases on 14.3.2017. The notification stipulated the procedure for consideration of such cases where production is done in excess of EC limit. Accordingly,

(a) The project proponent (PP) needs to develop a remediation action plan commensurate with the environmental damage assessed and also, the economic benefit derived due to violation of EC.


(b) The PP also needs to develop a Natural and Community Resource Augmentation Plan (NCRAP) along with the cost. This is not linked with the environmental damage or economic benefits occurred from violation.

(c) Both the remediation and NCRAP needs to be implemented by Project Proponent independently which needs to be verified by a regulatory authority. There is no time limit or verification methodology defined for such implementation.

The objective of damage assessment is to comply with violation notification No. S.O.804 (E), dated 14.03.2017 and prepare assessment chapter of environmental damage, remediation plan and natural & community resource augmentation plan. Thus, in this chapter data have been collected and analyzed for relevant environmental parameters. The identification of overall impact due to mining activity during operation, air, water, noise, soil, land environment and other relevant data has been assessed.

This chapter is organized in four parts for the sake of clarity and convenience. **Part-I** deals with the credible action and penalization of the PP for violation of the EC conditions. **Part-II** deals with the additional impacts on ecology, bio-diversity, air, water, soil and human health. These impacts are translated into damage to the different components of environment. **Part-III** provides information about the mitigation measures already launched for remediation and repair of the damage or loss. The **Part-IV** deals with the additional measures proposed to be taken towards natural and community resource augmentation.


The Maliparbat Bauxite mine was granted prior Environmental Clearance (EC) for a total mine lease area of 268.11 ha under the EIA Notification of 1994 (Vide Letter No. J-11015/ 411/2005-IA.II (M) dated 7th September, 2006 for the production of 0.6 MTPA of Bauxite Ore. According to the aforesaid EC, out of the Total mine lease area of 268.11 ha, mining shall be done only in 77.3 Ha. The EC also states that 2.0 ha shall be used for infrastructure; 3.0 ha for roads; and 15 ha for development of peripheral plantation/greenbelt. The PP obtained permission for use of 61 KLD of water from Kundli Nala. The SPCB granted Consent and it was valid till 31-3-2016. Mining was completely stopped from 2014-15 and the project proponent applied for grant of Environmental Clearance

	<p><i>Environmental Impact Assessment for the Maliparbat Bauxite Mines of M/s Hindalco Industries Ltd for a Production Capacity of 0.6 MTPA over an Mining Lease(ML) Area of 268.11 Ha at Aligaon, Kankaramba, Sorishpadar Village, Pottangi Tehsil, Koraput District, Odisha</i></p> <p style="text-align: right;"><i>Chapter-13</i> <i>Ecological Damage Assessment</i></p>
---	--

under the EIA Notification of 2006. The EAC, M.o.E.F&C.C granted T.o.R (Vide Lr No. J-110105/ 79/2020-IA.II (M) dated 8th February, 2021. In accordance with the T.o.R., an exercise for assessment of the Ecological damage; preparation of remediation action plan commensurate with the environmental damage assessed and Natural and Community Resource Augmentation plan (NCRAP) along with the cost has been made. The data is based on the records and documents of the mining company and the official records wherever available.

Maliparbat Bauxite Mine started mining operations during 2008 after execution of Lease deed on 8-11-2007. But the PP could not even attain at least 10% of the targets at any point of time. During 2008-09, it produced 33,784 Tons against the annual target of 423360 tons. It accounts for less than 8% of the target. During the next year (2009-10), there was no mining at all. In 2010-11, it produced 32,900 Tons against the annual target of 474320 tons. It works out to be 6.936% of target. Subsequently, there was nominal production of about 450 TPA. The PP was required to obtain fresh EC under the EIA Notification of 2006 in accordance with the MoEF&CC Guidelines (Vide Circular No. J-11013/41/2006-IA.II (I) dated 30.12.2010) but the PP failed to comply with the above and hence the validity of EC expired with effect from 7th September 2011. During the year 2011-12, 450 Tons of ore was produced before the expiry of the EC on 6th September 2011. Thus, no ore was produced during 2011-12 without valid EC. The violation period is limited to 2012-14 when a total of 900 tons of ore was produced at the rate of 450 TPA. This is the basis for subsequent calculations. As per rules, this case is treated under Violation of EIA Notification. Accordingly, the project proponent is required to submit a separate chapter dealing with the following:

- i. The State Government and the Odisha State PCB (OSPCB) to take credible Action against project proponent under the provisions of Environmental (Protection) Act, 1986;
- ii. PP is required to submit a Bank guarantee equivalent to the amount of remediation plan and Natural and Community Resource Augmentation Plan (NCRA) with the OSPCB prior to grant of EC;
- iii. Assessment of ecological damage with respect to air, water, land and other environmental attributes;
- iv. Detailed environmental management plan (EMP) to mitigate the environmental impacts which, should inter-alia include the occupational health impacts and also to focus on the dampening effect, noise or voice dampening effect with the revision of the capital cost and recurring cost; and
- v. Preparation of EMP comprising remediation plan and NCRA Plan corresponding to the Ecological damage assessed and economic benefits derived due to violation.

	Environmental Impact Assessment for the Maliparbat Bauxite Mines of M/s Hindalco Industries Ltd for a Production Capacity of 0.6 MTPA over an Mining Lease(ML) Area of 268.11 Ha at Aligaon, Kankaramba, Sorishpadar Village, Pottangi Tehsil, Koraput District, Odisha <p style="text-align: right;">Chapter-13 Ecological Damage Assessment</p>
---	---

PART-I

13.2 Details of Violation

Production and operation details as certified by DMG are furnished in **Table-13.1**. In accordance with the Prior EC obtained in 2006, the PP was entitled to produce 0.6 MTPA of Bauxite but the actual production never crossed 8% of the production estimates of the approved mining plan or 5.63% of the capacity permitted by the EC. Till 6th September 2011, there was no violation of any kind and the PP fully complied with all conditions.


TABLE-13.1
PRODUCTION AND OPERATION DETAILS FROM DAY 1
TILL CLOSURE OF MINING ACTIVITY

Financial Year	EC sanctioned capacity (TPA)	Actual production (TPA)	Excess production beyond the EC sanctioned capacity (TPA)
1993-94 to 2004-05	-	-	Nil
2005-06	N/A	N/A	Nil
2006-07	N/A	N/A	Nil
2007-08	N/A	N/A	Nil
2008-09	4,23,360	33,784	Nil
2009-10	4,31,200	Nil	Nil
2010-11	4,74,320	32,900	Nil
2011-12	5,51,250	480	Nil
2012-13	5,91,675	450	Nil
2013-14	7,50,006	450	Nil
2014-15	8,49,996	Nil	Nil
2015-16	9,00,000	Nil	Nil
2016-17	9,00,000	Nil	Nil
2017-18	9,00,000	Nil	Nil
2018-19	4,50,000	Nil	Nil
2019-20	4,50,000	Nil	Nil
2020-21	4,50,000	Nil	Nil

Source: Hindalco Industries Ltd.

13.2.1 Credible Action and Penalization:

Details of Action taken against project proponent under section 19 of Environment (Protection) Act, 1986: On account of the failure of the PP to obtain fresh EC under the EIA Notification of 2006, the production made and mining done from 7th September 2011 attracts Credible Action in accordance with the provisions of Sections 15 and 19 of the Environmental Protection Act, 1986. The action is pending from the State Government and the OSPCB. The economic gains made by the PP in violation of the EC is given in **Table-13.2**. In accordance with the demand note No.34 dt 3-1-2022 from the Deputy Director of mines. Koraput the production of 480 tons during 2011-12 was not considered under violation. Basing on the rate of sale at different points of time, the total market

	Environmental Impact Assessment for the Maliparbat Bauxite Mines of M/s Hindalco Industries Ltd for a Production Capacity of 0.6 MTPA over an Mining Lease (ML) Area of 268.11 Ha at Aligaon, Kankaramba, Sorishpadar Village, Pottangi Tehsil, Koraput District, Odisha Chapter-13 Ecological Damage Assessment
---	---

value of 900 MT was calculated as Rs.15,32,216/-. In compliance of the Demand note, the PP paid Rs.15,32,216/- through SBI net banking on 10-1-2022. Entire communication and payment details are submitted as **Annexure I**. Hence, the PP is not liable to pay any amount towards the cost of economic gain.

TABLE-13.2
ECONOMIC GAINS MADE BY THE PP

Year	Bauxite Produced in Violation of the EC	Cost per Ton (Rs)	Economic gain in IRs @ 179 per ton
2011-12	480 TPA	750 gross value & 179 Profit	85,920
2012-13	450 TPA		80,500
2013-14	450 TPA		80,500
Total	1380 Tons		2,46,920
The PP has already paid Rs. 15,32,216/- on 10-1-2022 as stated below. Hence, the PP is not liable to pay anything			15,32,216/- already paid
In accordance with the demand note No.34 dt 3-1-2022 from the Deputy Director of mines. Koraput the production of 480 tons during 2011-12 was not considered under violation. Basing on the rate of sale at different points of time, the total market value of 900 MT was calculated as Rs.15,32,216/- . In compliance of the Demand note, the PP paid Rs.15,32,216/- through SBI net banking on 10-1-2022. Entire communication and payment details are submitted as Annexure I. Hence, the PP is not liable to pay any amount towards the cost of economic gain.			

Source: Hindalco Industries Ltd and the demand note No.34 dt 3-1-2022 from the Deputy Director of mines. Koraput


PART-II

13.3 Assessment of Ecological and Environmental Damage

13.3.1 Introduction

Regarding the condition that the PP needs to include a separate Chapter in the EIA for a remediation plan, Natural resource augmentation plan to manage the ecology loss of environment for minor production after the expiry of Environmental clearance granted previously (under the EIA Notification of 1994), the following report is prepared as Chapter-13 and submitted.

Qualitative Assessment of damage to ecology and the environment is not a challenge but quantification is a challenge. Ecology and environment are invaluable and putting a price tag is not easy. When we try to measure the values in terms of money, the price tag we put on them is only subjective. The subject of assessment of ecological damage received considerable attention from economists and a new branch of economics known as "Ecologinomics" had emerged during the 1990s. The assessment of environmental impact is based on

	<p><i>Environmental Impact Assessment for the Maliparbat Bauxite Mines of M/s Hindalco Industries Ltd for a Production Capacity of 0.6 MTPA over an Mining Lease(ML) Area of 268.11 Ha at Aligaon, Kankaramba, Sorishpadar Village, Pottangi Tehsil, Koraput District, Odisha</i></p> <p style="text-align: right;"><i>Chapter-13</i> <i>Ecological Damage Assessment</i></p>
---	--

with and without project scenario but damage or the benefits estimated in terms of economic losses and gains. Hence, an impact of a project is measured based on the principle of additionality. If the change or impact or damage is due to many factors, it is important to measure the additional impacts due to the proposed project or activity. This is routinely done basing on impact prediction models and matrices.

In the case of Maliparbat Bauxite mine, the objective of damage assessment is to comply with the T.o.R and to prepare assessment chapter of environmental damage, remediation plan and natural & community resource augmentation plan. Thus, in this chapter, data have been collected and analysed for a relevant environmental parameter for identification and quantification of additional impact due to production after the expiry of validity of the EC. During operation, the air, water, noise, soil, land environment and other receptors including wildlife are taken into consideration.

Before any damage is assessed or calculated, it is proper to verify the statutory clearances on hand. The PP had taken the necessary clearances such as the EC and CTO but failed to obtain fresh EC under the EIA Notification of 2006 within the stipulated time and hence the EC lapsed with effect from 7th September 2011. That is the only violation in the present case.

Mining is completely stopped from 2014-15. The assessment of the additional damage to the different components of an environment due to marginal production of 1380 TPA after expiry of EC is detailed in the following sections.

13.3.2 Impact on Land use and Land cover

The actual land utilized at the start of FY 2011-12 was 5.098 ha and there was no horizontal or lateral expansion of mine lease. No new mine pit was opened and no expansion in the area under overburden dump. Hence, there was no change in land use and land cover during 2011-14. The only change was that an area of 2.5 ha was brought under greenbelt plantation with 6700 saplings. There was no change in the area used for the disposal of waste. It is apparent from the data that there was no horizontal expansion since the total production from the starting to stopping was not even equivalent to a year production of 0.6MT. The negligible production during 2011-14 was achieved only by mining in the pit that was opened in 2008-09. Hence, there was no damage to land and no loss of vegetation. Thus, the overall impact due to mining in violation of the EC was negligible by any standard. Land use and land cover from 2011-2014 is shown in **Table-13.3**. Details of top soil and over burden production during the violation period is shown in **Table-13.4**


	Environmental Impact Assessment for the Maliparbat Bauxite Mines of M/s Hindalco Industries Ltd for a Production Capacity of 0.6 MTPA over an Mining Lease(ML) Area of 268.11 Ha at Aligaon, Kankaramba, Sorishpadar Village, Pottangi Tehsil, Koraput District, Odisha Chapter-13 Ecological Damage Assessment
---	--

TABLE-13.3
CHANGES IN LAND USE AND LAND COVER
DURING THE PERIOD OF VIOLATION

Year	Area of the Mine Pit (ha)	Area used for Temporary Storage of			Area under Greenbelt (ha)	Roads in ha	Infra - structure (Ha)	Rain water Harvest Pond (ha)	Total (ha)
		Top Soil / OB (ha)	Subgrade Stack (ha)	Waste Dumps in ha					
2011-12	1.7	0.0	0.84	1.42	2.5	1.0	0.0	0.138	7.598
2012-13	1.7	0.0	0.84	1.42	2.5	1.0	0.0	0.138	7.598
2013-14	1.7	0.0	0.84	1.42	2.5	1.0	0.0	0.138	7.598
Total	1.7	0.0	0.84	1.42	2.5	1.0	0.0	0.138	7.598

TABLE 13.4
PRODUCTION AND MANAGEMENT OF WASTE
DURING THE PERIOD OF VIOLATION

Year	Production of ore (TPA)	Production of Top Soil (m ³)	Overburden dump (m ³)*	Extent of Additional Area used for dumping
2011-12	480	10.368	59.697	NIL
2012-13	450	9.72	59.697	NIL
2013-14	450	9.72	59.697	NIL
Total	1380 Tons	29.808	59.967*	NIL

No increase in area under of the overburden dump. Only the height of the dump increase

13.3.3 Impact on Water consumption, and water quality

There was no ground water and no ground water was used for any purpose during the entire period. The PP obtained permission for using 61 KLD of surface water from Kundli Nala for mining operations mainly for dust suppression, greenbelt / shelterbelt development and domestic use. No effluents except domestic sewage was generated. The sewage was treated in soak pit. Maximum quantity of water used for different applications was 1141.09 m³ during 2011-2012. It accounts for 5.125 % of the permitted water use. During 2011-12, a total of 480 Tons of bauxite was produced and during the next two years 900 tons was produced at the rate of 450 tons per year. Water was used mainly for dust suppression and greenbelt development. As shown in Table 13.5, Total surface water used during the period of violation was **3420.67 KL** and it costs **Rs. 23,090@** Rs.6.75/- per KL (Odisha State revised rates effective from 2021 <https://www.newindianexpress.com/states/odisha/2021/apr/11/water-to-cost-10-per-cent-more-in-odisha-from-this-month-2288623.html>)


	Environmental Impact Assessment for the Maliparbat Bauxite Mines of M/s Hindalco Industries Ltd for a Production Capacity of 0.6 MTPA over an Mining Lease(ML) Area of 268.11 Ha at Aligaon, Kankaramba, Sorishpadar Village, Pottangi Tehsil, Koraput District, Odisha Chapter-13 Ecological Damage Assessment
---	--

TABLE-13.5
WATER UTILIZATION

Financial year	Domestic Use	Wet drilling	Washing	Dust Suppression	Plantation 4KLD * 280	Total	Water Utilization	Permitted @ 61 KLD (m ³ /PA)	Percentage of Utilisation compared to permitted capacity
2008 to 2009	78.02	104.03	260.08	1040.3	1120	2602.44	In the period 2008 to 2011		
2009 to 2010	0.00	0.00	0.00	0	1120	1120			
2010 to 2011	75.98	101.31	253.27	1013.1	1120	2563.66			
							During the violation period (2011 to 2014)		
2011 to 2012	1.11	1.48	3.70	14.8	1120	1141.09	1141.09	22,265	5.125
2012 to 2013	1.04	1.39	3.46	13.9	1120	1139.79	1139.79	22,265	5.12
2013 to 2014	1.04	1.39	3.46	13.9	1120	1139.79	1139.79	22,265	5.12
Total							3420.67	66,795	5.12
Total quantity of water used after the expiry of EC							3420.67m³		
Cost of water used after the expiry of EC @ Rs.6.75 per KLD							Rs. 23090/-		

Impact on Groundwater: There was no ground water in the mine leased or mine pit. No ground water was used for any purpose during the mining. Hence, there was no chance for either depletion or pollution or contamination of groundwater either in the mine lease area or its surroundings.

Impact on Rainwater:


As the mine lease area is on the top of a hill, it has good natural drainage. The age-old natural drainage or discharge of rainwater from the mine lease was not altered except in case of the area under active mine pits and the active overburden dumps. Around the overburden dumps, garland drain was created and the rainwater was diverted to a temporary sedimentation pit and then into the mine pit, where it was allowed to sink and evaporate. That was how the rain water was harvested for recharge of groundwater.

Rainwater Harvesting

Operational Rainwater harvesting pond had been developed in an area of 0.138 Ha. Garland drains were developed around the waste dump. Damage due to non-provision of garland drains has been included in the revised ecological damage assessment report (Chapter 13)

Garland Drains

Garland drains are primarily provided to divert the surface runoff away from the working pits and not to allow any surface runoff in the working pits. Mining activity was confined to a hill top and the activity was in the initial stages

	Environmental Impact Assessment for the Maliparbat Bauxite Mines of M/s Hindalco Industries Ltd for a Production Capacity of 0.6 MTPA over an Mining Lease(ML) Area of 268.11 Ha at Aligaon, Kankaramba, Sorishpadar Village, Pottangi Tehsil, Koraput District, Odisha <div style="text-align: right;">Chapter-13 Ecological Damage Assessment</div>
---	---

covering only 1.700 Ha. The area around mine pit has natural slope (hill slop) draining the surface runoff downwards.

There was no damage to ecology, flora, fauna, soil and water regime on account of non-creation of a garland drain. In fact, a garland drain would have caused damage to the vegetation on account of excavation of a trench and bunding. However, in future if mining activity is resumed, the PP shall provide garland drains as per the approved mining plan besides providing a series of semilunar trenches along the hill slope to retard flow of rain water; to promote ground water recharge and to trap silt and debris carried by the rain water. Budget provision has been made under this head

13.3.4 Impact on Air


With respect to air quality, it is stipulated that the levels of PM_{2.5}, PM₁₀, SO₂ and NO₂ concentration should not exceed 60, 100, 80 and 80 µg/m³ for 24 hours and the annual average shall not exceed 40, 60, 50, 40 µg/m³ respectively at any observation point within the mining lease are. The emission of PM_{2.5}, PM₁₀, SO₂ and NO₂ should be within the prescribed limits by the competent authority. The measures suggested in the EMP for controlling the air quality levels should be strictly implemented for mining and allied activities including Drilling and Blasting, Loading & unloading of Ore, haulage and dozing of material, screening, crushing/processing, Stock pile etc.

Ambient air quality with respect to PM_{2.5}, PM₁₀, SO₂ and NO₂ within the mine lease area and other areas around the mine lease such as Doliamba, Railway Siding, Kakadamba, Rajanguda, Aligoan, Bhitarikota and Mohanpa for a period of six months from May to September 2015 are shown in Table 13.6. It is evident from the data that there was no residual adverse impact on Air quality and the air environment was perfectly normal. Hence, no measures for remediation of air quality are required until the mine is reopened.


Annual air quality results for eight different locations including one within the mining leasehold are shown in **Table-13.6**. The results clearly indicate that the PM_{2.5}, PM₁₀, SO₂ and NO₂ never crossed the permitted levels during the monitoring period 2015. The levels of air quality monitored at various locations during the period of 2015 is given in **Table-13.6**.

TABLE-13.6
AIR QUALITY WITHIN THE MINE LEASE AREA AND IN SURROUNDING
FROM APRIL' 2015 TO SEPT '2015

Location	Monthly Avg.	PM _{2.5} in µg/m ³ (NAAQ:60. µg/m3)	PM ₁₀ in µg/m ³ (NAAQ:100.µg /m3)	SO ₂ in µg/m ³ (NAAQ:80.0 µg/m3)	NO ₂ in µg/m ³ (NAAQ:80.0 µg/m3)
ML Area	April'15	53.11	30.28	4.20	11.60
	May'15	47.22	27.96	4.19	11.59
	June'15	41.89	24.49	4.10	9.90

	Environmental Impact Assessment for the Maliparbat Bauxite Mines of M/s Hindalco Industries Ltd for a Production Capacity of 0.6 MTPA over an Mining Lease(ML) Area of 268.11 Ha at Aligoan, Kankaramba, Sorishpadar Village, Pottangi Tehsil, Koraput District, Odisha Chapter-13 Ecological Damage Assessment
---	--

	July'15	44.11	25.96	4.04	10.88
	Aug'15	40.38	23.65	4.05	10.48
	Sept'15	43.63	25.64	4.00 1	11.09
	Avg. of Six Month	45.06	26.33	4.10	10.92
Doliamba	April'15	57.00	32.21	4.44	11.99
	May'15	51.78	29.48	4.43	12.02
	June'15	46.00	26.42	4.31	10.22
	July'15	39.00	22.84	4.00	10.44
	Aug'15	36.13	21.59	4.00	10.11
	Sept'15	39.25	23.28	4.00	10.69
	Avg. of Six Month	44.86	25.97	4.20	10.91
Railway Siding	April'15	61.67	34.64	4.79	12.46
	May'15	62.11	34.94	4.64	12.52
	June'15	53.67	30.96	4.53	10.67
	July'15	48.67	28.34	4.13	11.28
	Aug'15	44.50	26.00	4.09	10.89
	Sept'15	48.25	24.39	4.00	11.58
	Avg. of Six Month	53.14	29.88	4.36	11.56
Kakadamba	April'15	42.78	25.12	4.00	10.62
	May'15	43.56	25.16	4.04	10.43
	June'15	35.22	20.98	4.00	9.48
	July'15	29.22	17.40	4.00	9.49
	Aug'15	26.36	15.65	4.00	9.43
	Sept'15	30.50	17.63	4.00	9.60
	Avg. of Six Month	34.61	20.32	4.01	9.84
Rajanguda	April'15	46.33	27.06	4.00	11.02
	May'15	47.56	28.28	4.16	10.93
	June'15	37.44	22.31	4.00	9.62
	July'15	32.33	19.09	4.00	9.77
	Aug'15	29.38	17.23	4.00	9.61
	Sept'15	33.63	19.78	4.00	9.95
	Avg. of Six Month	37.78	22.29	4.03	10.15
Aligoan	April'15	33.65	22.03	4.00	9.74
	May'15	34.89	20.50	4.00	9.64
	June'15	29.78	17.99	4.00	9.10
	July'15	24.89	14.87	4.00	9.19
	Aug'15	22.00	13.00	4.00	9.21
	Sept'15	24.75	14.65	4.00	9.11
	Avg. of Six Month	28.33	17.17	4.00	9.33
Bhitarikota	April'15	38.78	22.93	4.00	10.21
	May'15	39.56	22.82	4.00	9.98

	Environmental Impact Assessment for the Maliparbat Bauxite Mines of M/s Hindalco Industries Ltd for a Production Capacity of 0.6 MTPA over an Mining Lease(ML) Area of 268.11 Ha at Aligaon, Kankaramba, Sorishpadar Village, Pottangi Tehsil, Koraput District, Odisha Chapter-13 Ecological Damage Assessment
---	--

	June'15	32.89	19.47	4.00	9.24
	July'15	27.00	16.17	4.00	9.32
	Aug'15	25.25	15.19	4.00	9.44
	Sept'15	28.25	16.80	4.00	9.26
	Avg. of Six Month	31.95	18.90	4.00	4.00
Mohanpada	April'15	49.44	28.96	4.08	11.26
	May'15	42.00	26.10	4.07	11.00
	June'15	39.33	23.29	4.00	9.77
	July'15	35.56	20.88	4.00	10.06
	Aug'15	32.75	19.59	4.00	9.86
	Sept'15	36.50	21.70	4.00	10.34
	Avg. of Six Month	39.26	23.76	4.03	10.38

Source: HIL

Standards: PM_{2.5}: 60 µg/m³; PM₁₀: 100 µg/m³; SO₂: 80 µg/m³; and NO_x: 80 µg/m³

Presumptive damage to Air quality due to Violation of permitted production capacity.

In bauxite Ore mining the major pollutants were PM_{2.5}, PM₁₀, SO₂ and NO₂ and CO were also reported. However, the source of CO and HC were observed to be minimal and not continuous in nature during the violation period. Therefore, pollution load has been considered for PM_{2.5}, PM₁₀, SO₂ and NO₂ only. The same has been calculated in monetary terms of damage cost in rupees for violation period 2011-12, 2012-13 to 2013-14 as included and shown in **Table-13.7**.

Based on the violated production quantity of 450 ton in each 2011-12, 2012-13 and 2013-14 three years during the violation period, the presumptive damage to air quality has been calculated to be total of **Rs. 798019.1** as shown in **Table-13.7**. The same has been calculated as damage cost for both mining and other activities. This damage cost in terms of rupees to the environment should be compensated by HIL.

The major activities involved in mining of bauxite ore are drilling and blasting, loading & unloading of Ore, haulage and dozing of material, screening, crushing/processing, Stock pile etc. Monetary value of air pollutants is shown in following **Table -13.7**.


	Environmental Impact Assessment for the Maliparbat Bauxite Mines of M/s Hindalco Industries Ltd for a Production Capacity of 0.6 MTPA over an Mining Lease(ML) Area of 268.11 Ha at Aligaon, Kankaramba, Sorishpadar Village, Pottangi Tehsil, Koraput District, Odisha Chapter-13 Ecological Damage Assessment
---	--

TABLE - 13.7
DAMAGE COST FOR EMISSION OF POLLUTANTS DURING EXCESS PRODUCTION

Year	Total Emission from Various Activities (Kg)				Cost per Kg of Emission (INR)				Conside red for Violatio n for Three Years	Total Damage Cost for Three Year of Violation as (INR)
	PM _{2.5}	PM ₁₀	SO ₂	NO _x	PM _{2.5}	PM ₁₀	SO _x	No _x		
Mining & Transportation										
2011-2012	161.34	536.58	0.45	91.70	524	340	165	96		275739.7
2012-2013	152.43	508.79	0.42	85.38						261139.7
2013-2014	152.43	508.79	0.42	85.38						261139.7
				Total						798019.1

*Cost is based on various Case studies

TABLE-13.8
YEAR WISE COST CALCULATION

Parameters	2011-2012	2012-2013	2013-2104	Total
PM ₁₀	182437.3	172991.7	172991.7	528420.8
PM _{2.5}	84424.61	79882.14	79882.14	244188.9
SO ₂	74.25	69.3	69.3	212.85
NO _x	8803.584	8196.48	8196.48	25196.54
Total	275739.7	261139.7	261139.7	798019

All units are measured in INR


TABLE-13.9
YEAR WISE EMISSION RATE

Parameters	2011-2012	2012-2013	2013-2104	Total
PM ₁₀	536.58	508.79	508.79	1554.16
PM _{2.5}	161.34	152.43	152.43	466.2
SO ₂	0.45	0.42	0.42	1.29
NO _x	91.7	85.38	85.38	262.46
Total	790.07	747.02	747.02	2284.11

All units are measured in Kg/day

This air quality damage cost in terms of rupees to the environment should be compensated by the Hindalco Industries Limited (HIL).

The mine lease is located on a plateau. The only chance for any kind of change in air quality was due to additional dust load on account of mining mainly during the dry period. Dust emission was suppressed by more than 70% by spraying water on haulage roads and by compressing the overburden dumps periodically. However, the mining activity has been performed for very short duration during the violation period of two years. Air quality during April'2015 to Sept'2015 is

	<p>Environmental Impact Assessment for the Maliparbat Bauxite Mines of M/s Hindalco Industries Ltd for a Production Capacity of 0.6 MTPA over an Mining Lease(ML) Area of 268.11 Ha at Aligaon, Kankaramba, Sorishpadar Village, Pottangi Tehsil, Koraput District, Odisha</p> <p style="text-align: right;">Chapter-13 Ecological Damage Assessment</p>
---	---

shown in **Table-13.6**. There was no damage to any of the components of the environment on account of the dust from the mine lease. There was no crop damage; no increase in respiratory ailments and no impacts on flora and fauna is expected as per the air quality modelling prediction included in Chapte-4 of EIA report. However, for the purpose of Natural and community Resource's augmentation purposes, presumptive damage to air was calculated and the details are given in **Table 13.7**.

13.3.5 Impact on Ecology and Biodiversity

The mine lease area is non-forest and non-agriculture land. There were no trees or plantations. The area was sparsely colonized by invasive shrubs of *Lantana camara*, *Chromolaena odorata* and *Hyptis suaveolens*. No new mine pit was opened after 2008-09. Mining was done in the pit opened during 2008-09 only. Neither the overburden dump nor the top soil dump was expanded after 2012-14. No tree was lost on account of mining. Only the most notorious invasive shrubs were lost from an area of 5.098 Ha on account of mining before the violation period. There was no damage to the flora and fauna around the mine lease either on account of mining or transport of ore etc.

13.3.6 Impact on crops and crop loss, if any

The mine lease area is located on the plateau of a hill. There was no cultivation within 500 m from the mining / dumping sites. If at all there was any slight air pollution, it was due to dust. Dust contains plant nutrients and during the rainy season, the dust gets washed down and the nutrients are available to the plants. During the dry period (Rabi season) cultivation was restricted to valleys where either water from the streams or ground water was available.

Air pollution modelling study reveals that the ambient air quality did not change on account of the mine under consideration. There was no complaint from any farmer from any side of the mine lease that his crop was damaged due to mining. Dispersion of vehicular emissions including fugitive emissions along the 25 km route of bauxite ore transports (**Figure-13.1** to **Figure-13.4**) reveal that the air quality on either side of the haulage road remained good throughout. From the foregoing account, it is clear that there was no damage to crops in any manner either in terms of the quality of produce or the crop yields.

13.3.7 Impact on plantations and forests around the mine lease

There are plantations or protected forests of *Eucalyptus*, Teak (*Tectona grandis*), *Syzygium heyneanum*, Silver Oak (*Grevillea robusta*) around the mine lease within 5 Km. There was no adverse impact of any kind on the vegetation in the reserve forests or protected forests. Hence, there was no damage to the forests and plantations.

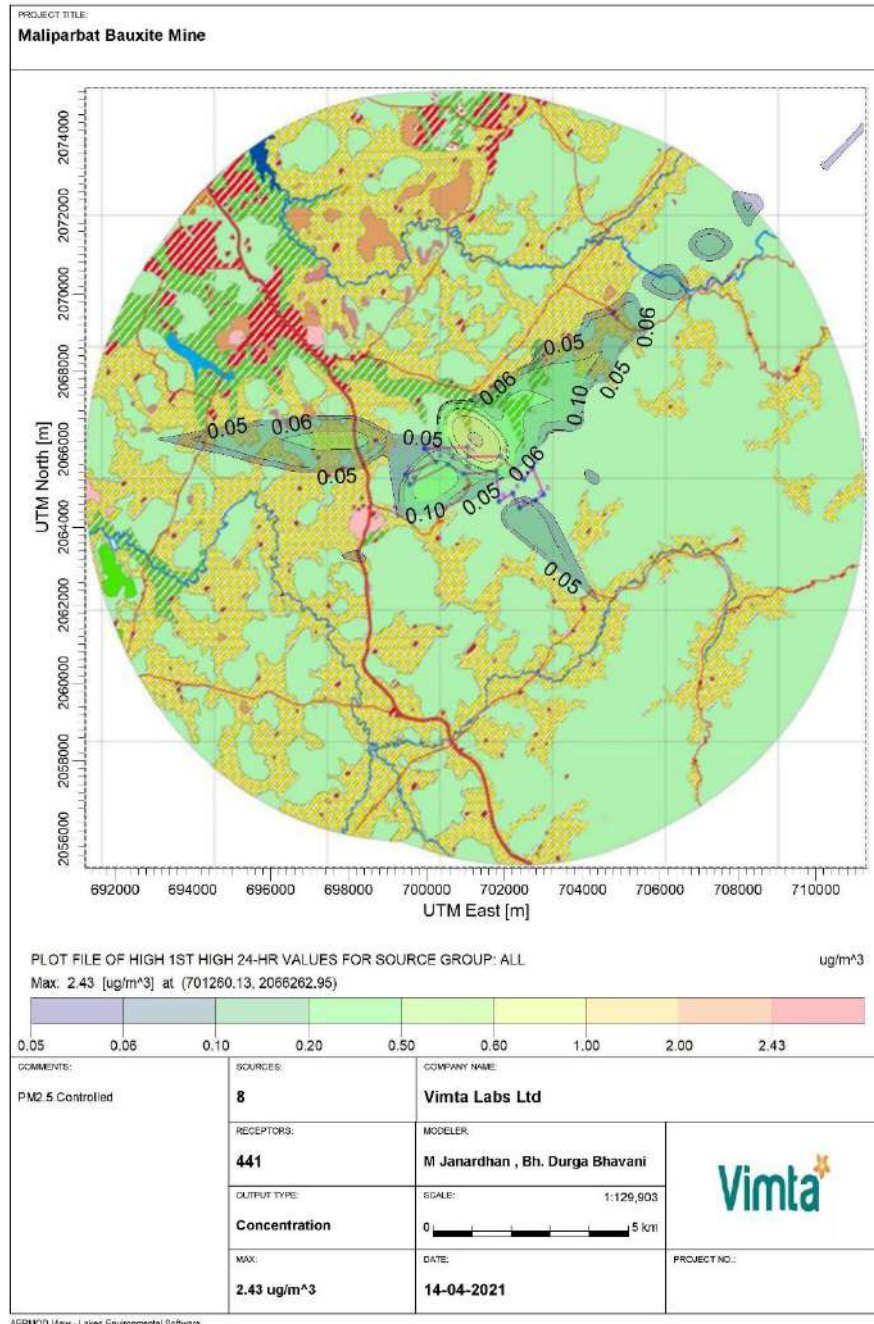


FIGURE-13.1
AIR DISPERSION MODEL RESULTS OF PM_{2.5} FROM ML AREA
SHOWN ON LAND USE MAP

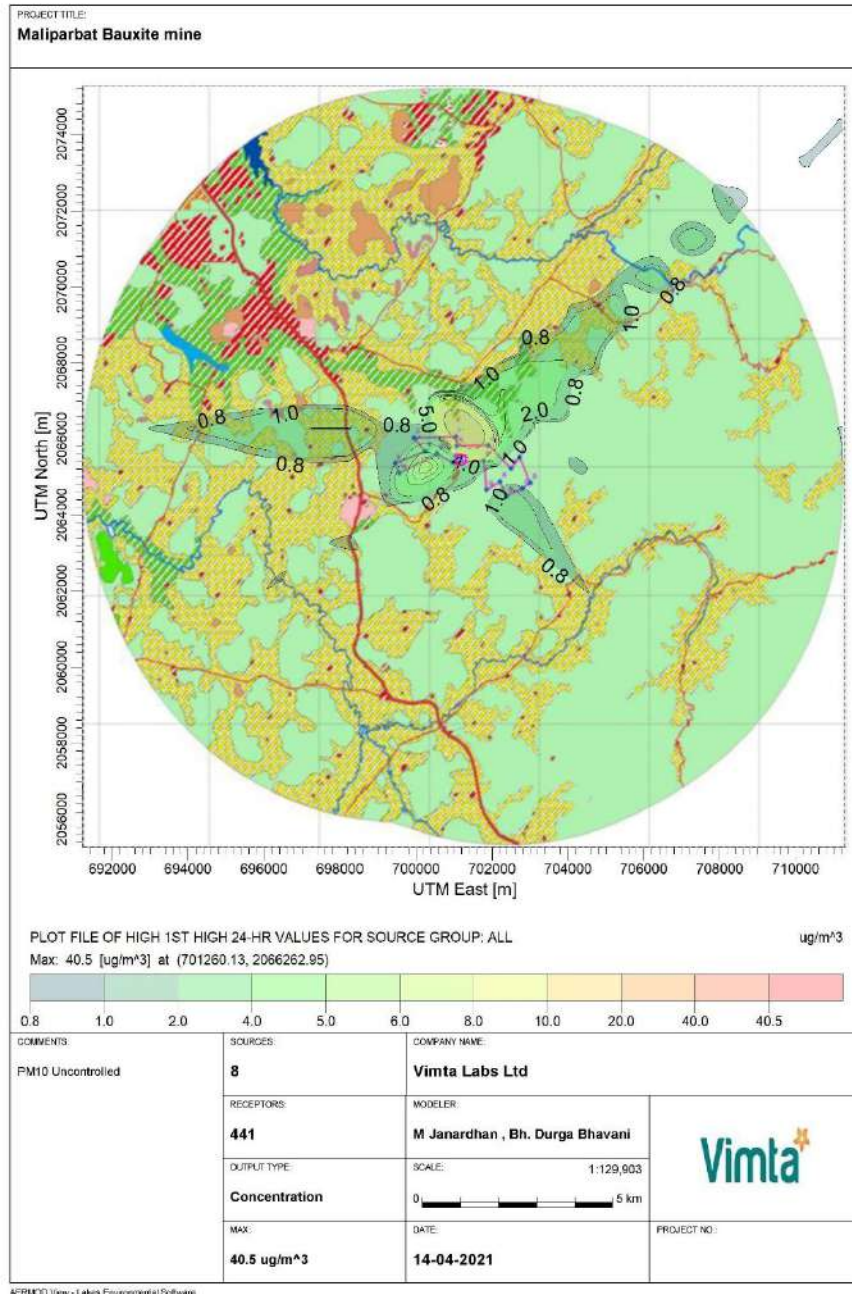


FIGURE-13.2
AIR DISPERSION MODEL RESULTS OF PM₁₀ FROM ML AREA
SHOWN ON LAND USE MAP

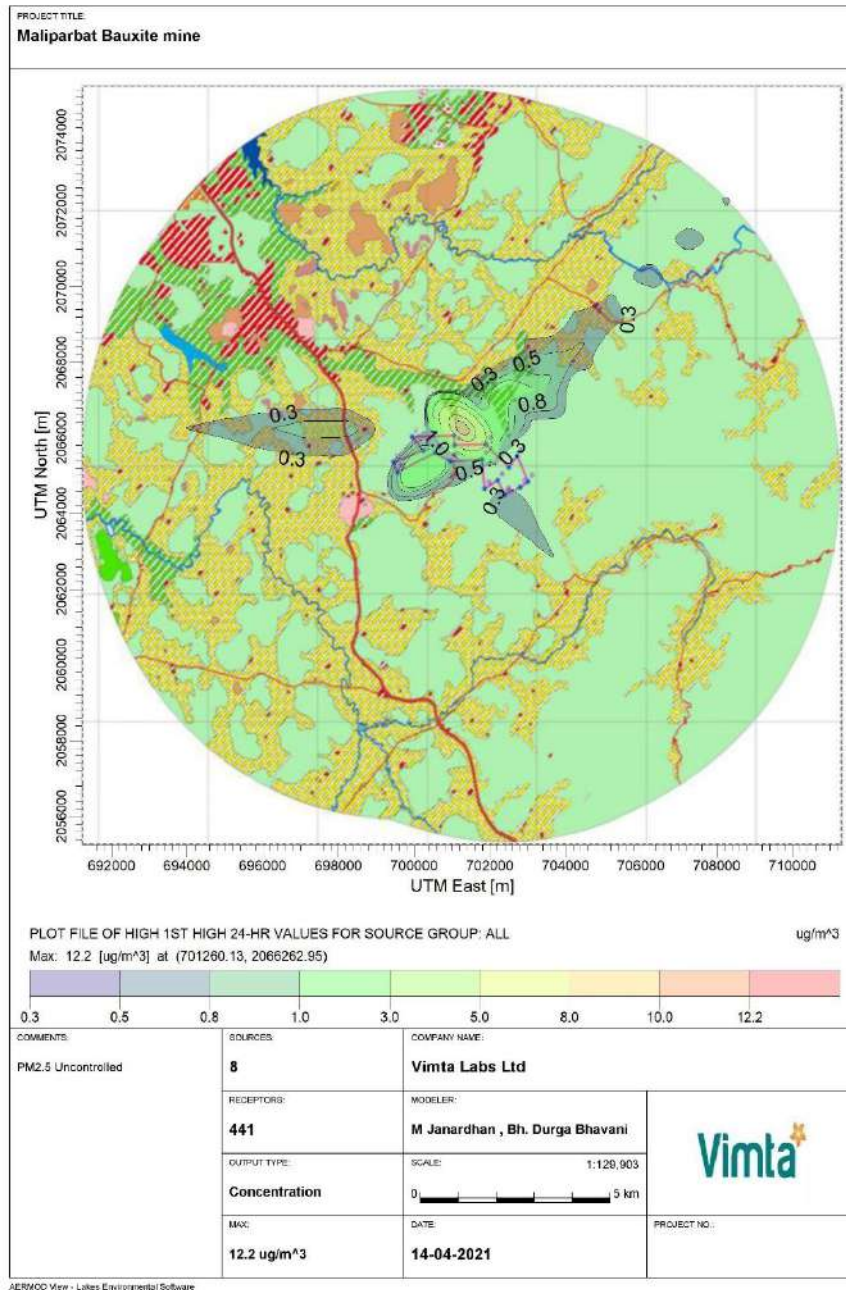


FIGURE-13.3
AIR DISPERSION MODEL RESULTS OF PM_{2.5} DUE TO MINERAL
TRANSPORTATION SHOWN ON LAND USE MAP

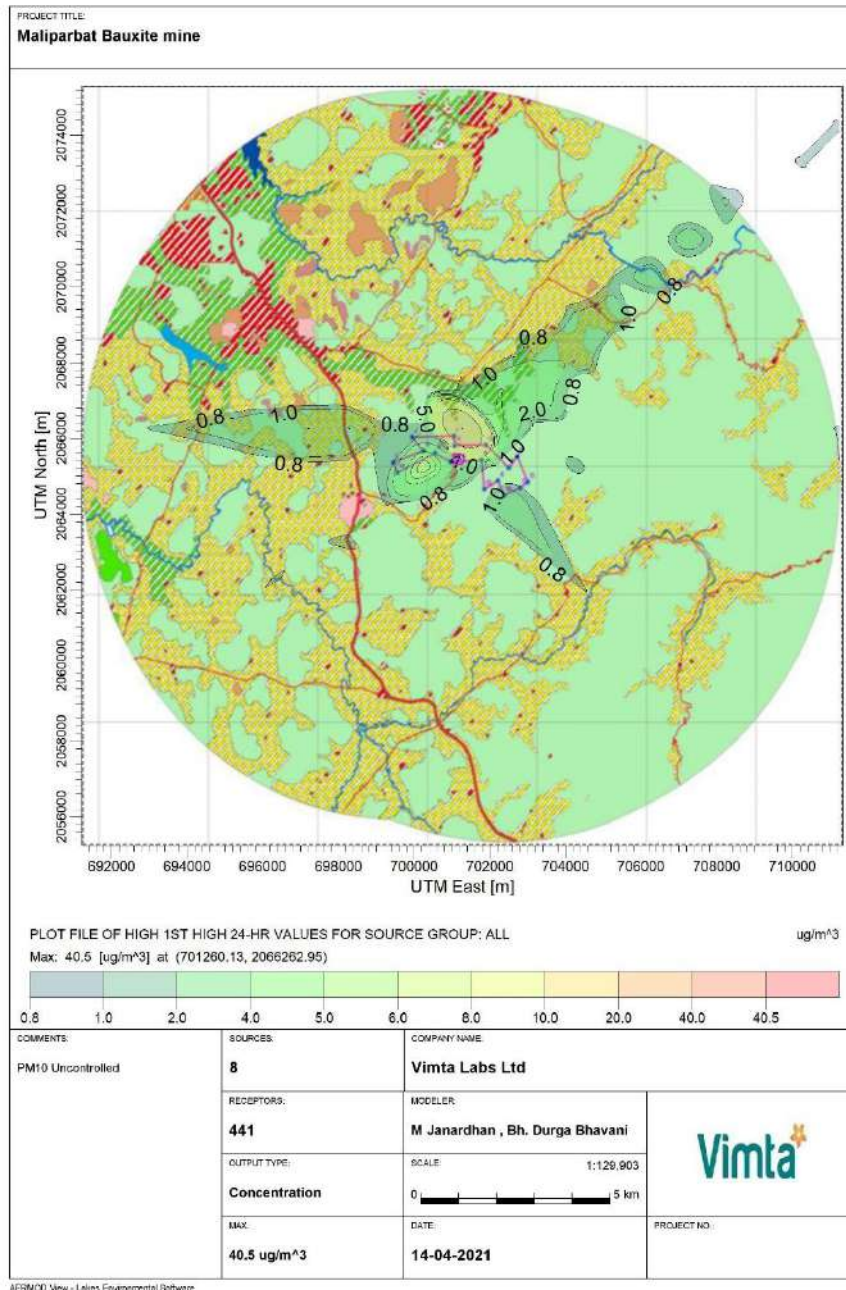



FIGURE-13.4
AIR DISPERSION MODEL RESULTS OF PM₁₀ DUE TO MINERAL TRANSPORTATION SHOWN ON LAND USE MAP

	Environmental Impact Assessment for the Maliparbat Bauxite Mines of M/s Hindalco Industries Ltd for a Production Capacity of 0.6 MTPA over an Mining Lease(ML) Area of 268.11 Ha at Aligaon, Kankaramba, Sorishpadar Village, Pottangi Tehsil, Koraput District, Odisha <div style="text-align: right;">Chapter-13 Ecological Damage Assessment</div>
---	---

PART-III


13.4 Measures Taken to Comply with the Conditions During the Mining Period

Mining operations were suspended during 2014 but other activities like peripheral development and compliances of general and specific conditions of EC along with environmental monitoring, plantations never stopped and they were continued according to the Compliance report submitted to the OSPCB in July 2016. They have planted 6700 saplings (of Jamun, Silver Oak, Karanja, Chakunda, Jafra, Neem, Arjun). CER and CSR activities were not stopped and the project proponent implemented the following programs (**Table-13.10**) under CER and CSR activities.

TABLE-13.8
CSR AND CER ACTIVITIES UNDERTAKEN FROM 2008

S. No.	Head	Amount Spent in Lakh Rupees			
		Year 2011-12	Year 2012-13	Year 2013-14	Total
1	Road infrastructures	0.00	0.00	0.00	0.00
2	Drainage & Sanitation	0.00	0.00	0.00	0.00
3	Education	1.00	0.60	0.45	2.05
4	Drinking water supply	0.00	8.26	0.00	8.26
5	Others	4.77	3.95	5.98	14.70
Total		5.77	12.81	6.43	25.01

Source: Hindalco Industries Ltd.

	<p><i>Environmental Impact Assessment for the Maliparbat Bauxite Mines of M/s Hindalco Industries Ltd for a Production Capacity of 0.6 MTPA over an Mining Lease(ML) Area of 268.11 Ha at Aligaon, Kankaramba, Sorishpadar Village, Pottangi Tehsil, Koraput District, Odisha</i></p> <p style="text-align: right;">Chapter-13 <i>Ecological Damage Assessment</i></p>
---	---

PART-IV

13.5 Remedial Measures Proposed

- i. The PP has already paid Rs. 15,32,216/- towards the market sale value of 900 tonnes of Bauxite extracted during 2012-14 to the department of Mines with compliance to Demand note of the Director of Mines, Koraput (Vide Annexure I)
- ii. Most of the trees planted and during 2008-2014 have been damaged and destroyed by cattle and due to lack of regular maintenance and protection. The 7.5 m wide safety zone round the mine shall be covered with trees at the rate of 1500 per (2 m x 3 m) ha in 5 ha during the first year after reopening of mine. On account of shortage of water and due to poor soil conditions, it is not possible to grow 2500 trees per a (2m x 2 m spacing).
- iii. Greenbelt around the overburden dumps and on the bunds of garland drains shall be done during the second year after reopening of mine.
- iv. Avenue trees along the road used for transport of ore from the foot of the hill to the top of the hill shall be grown at a gap of 5 m in one row on each side of the road during the third year after reopening of mine.
- v. Rain water from the mine lease shall be harvested and used for ground water recharge so that the flow into the streams from the Maliparbat hills is sustained to meet the local needs. It involves digging of trenches, recharge pits, silting and sedimentation ponds within the mine lease (over the hill top).
- vi. Aided Natural regeneration of forests shall be carried out covering the entire open area or area which is not going to be used for mining activities (178.8 Ha) using seed ball technology. This area includes the 500 m wide boundary where mining is prohibited by the orders of the District Magistrate Koraput under Cr.PC.144.

Budget and bank guarantee for implementation of remediation plan, nature and community resource augmentation plan are given in **Table-13.11**.



	Environmental Impact Assessment for the Maliparbat Bauxite Mines of M/s Hindalco Industries Ltd for a Production Capacity of 0.6 MTPA over an Mining Lease(ML) Area of 268.11 Ha at Aligaon, Kankaramba, Sorishpadar Village, Pottangi Tehsil, Koraput District, Odisha <div style="text-align: right;">Chapter-13 Ecological Damage Assessment</div>
---	---

TABLE-13.11
COST OF ECOLOGICAL DAMAGE AS ASSESSED

Activity /Parameters	Presumptive cost (Rs)	Amount Paid to Government	Amount to be carried forward	Net loss (-) / gain (+)
Economic benefits (1380 tons of bauxite @ 179 per ton)	2,46,920	15,32,216	NIL	(-) 1285296
Cost of water used during violation period	23090	-	23090	(+) 23090
Presumptive cost of air pollution	798019	-	798019	(+)798019
Unspent balance from the earlier EMP (Vide Point No.6 of ADS)	15,00000 (Actual unspent balance in 2011-12)		Present value 25,84,239	(+)25,84,239 The amount is included in the CRAP budget.
Presumptive cost of crop damage	NIL	-	-	
Presumptive cost of loss of soil	NIL	-	-	
Presumptive cost of loss of Biodiversity		-	-	
Note: 6700 trees were planted in 2.5 Ha during the violation period using the amount allocated for EMP				
Bank Guarantee to be given for		-		34,05,348

	Environmental Impact Assessment for the Maliparbat Bauxite Mines of M/s Hindalco Industries Ltd for a Production Capacity of 0.6 MTPA over an Mining Lease(ML) Area of 268.11 Ha at Aligaon, Kankaramba, Sorishpadar Village, Pottangi Tehsil, Koraput District, Odisha Chapter-13 Ecological Damage Assessment
---	--

13.6 Budget Provisions of Remediation Plan, Natural Resource Augmentation Plan (NRAP) and Community Resource Augmentation Plan (CRAP)

The Budget Provisions of Remediation Plan, Natural Resource Augmentation Plan (NRAP) and Community Resource Augmentation Plan (CRAP) is given in **Table-13.12, Table-13.13 & Table-13.14.**

TABLE-13.12
REMEDIATION PLAN

Remediation Plan										
S.No	Component	Proposed Activity	Description	Location	Unit Rate (lakh)	Total Quantity	Total Cost in Rs Lakh	Year 1	Year 2	Year 3
1	Remediation Plan: Air & Noise. Fugitive dust control	Fugitive dust control & Noise attenuation	Wet drilling; water spraying & Noise barriers	Mine lease area and haulage road	-	-	30	10	10	10
2	Remediation Plan-Biological Environment	Afforestation, shelterbelt, greenbelt and avenue plantations	Aided natural regeneration of forests along the slopes & unused mine lease area	Mine lease area and the adjacent hill slopes. Haulage road	2 per Ha	141.760 (for the life of the mine)	283.52	14.01	14.01	14.01
3	Remediation Plan-Water Environment	Rain water harvesting; ground water recharge	Rainwater harvesting pits; semilunar trenches along the slopes; garland drains	Mine lease area and the adjacent hill slopes	1	25	25	5	10	10
Total							338.52	29.01	34.01	34.01

	Environmental Impact Assessment for the Maliparbat Bauxite Mines of M/s Hindalco Industries Ltd for a Production Capacity of 0.6 MTPA over an Mining Lease(ML) Area of 268.11 Ha at Aligaon, Kankaramba, Sorishpadar Village, Pottangi Tehsil, Koraput District, Odisha Chapter-13 Ecological Damage Assessment
---	--

TABLE-13.13
NATURAL RESOURCE AUGMENTATION PLAN (NRAP)

Natural Resource Augmentation Plan (NRAP)									
Sr. No	Proposed Activity	Description	Location	Unit Rate	Total Quantity	Total Cost in Rs Lakh	Year 1	Year 2	Year 3
1	Tree Plantation on barren hills	Fruit - trees at lower levels of barren hills	Hill top within the mine lease	500 per tree	1000	5.0	2	2	1
2.	Afforestation of barren hills	Broadcasting the pelletized seeds over the barren hills & Plantation of fruit trees	Barren hills around the mine lease.	2,000 00 per ha	5 ha	10	2	3	5
3	Avenue Plantation	Road side plantation	Enroute the transport	500 per tree	1000	5	2	2	1
4	Rain water harvesting	Construction and maintenance of rain water harvesting structures in villages	5 villages within the buffer zone	2	5	10	3	3	4
Sub-total (b)						30	9	10	11



	Environmental Impact Assessment for the Maliparbat Bauxite Mines of M/s Hindalco Industries Ltd for a Production Capacity of 0.6 MTPA over an Mining Lease(ML) Area of 268.11 Ha at Aligaon, Kankaramba, Sorishpadar Village, Pottangi Tehsil, Koraput District, Odisha <p style="text-align: right;">Chapter-13 Ecological Damage Assessment</p>
---	---

TABLE-13.14
COMMUNITY RESOURCE AUGMENTATION PLAN (CRAP)

Sl.No	Proposed Activity	Description	Location	Total Cost (in Lakh)	Year 1	Year 2	Year 3
1	Provision of solar lights	Installation of solar lighting in villages where there are no street lights	Villages of the buffer zone	30.00	10.00	10.00	10.00
2	Provision of solar powered bore-well	Community bore wells within the buffer zone	Villages of the buffer zone	30.00	6.00	12.00	12.00
3	Drinking water	RO plants within the schools	Schools in the buffer zone	3.00	1.00	1.00	1.00
4	Health facility (Curative Health Care)	Ambulance facility at the door step in Peripheral villages and MHU with Health cube & portable X-Ray machine including the specialized Medical Check-up camps	Villages of the buffer zone	113.90	63.90	25.00	25.00
5	Agriculture	Agriculture & Animal Husbandry	Silting of streams	33.00	11.00	11.00	11.00
6	Infrastructure development	Construction of Community halls	Villages willing to donate plot	20.00	0.00	10.00	10.00
	Total (in Lakhs)			229.90	91.90	69.00	69.00
	As per the ADS point No.6, the unspent EMP amount of Rs 15,00,000 /- (present value of Rs.25,84,239) is carried forward and included in the above budget.						

	<p><i>Environmental Impact Assessment for the Maliparbat Bauxite Mines of M/s Hindalco Industries Ltd for a Production Capacity of 0.6 MTPA over an Mining Lease(ML) Area of 268.11 Ha at Aligaon, Kankaramba, Sorishpadar Village, Pottangi Tehsil, Koraput District, Odisha</i></p> <p style="text-align: right;">Chapter-13 <i>Ecological Damage Assessment</i></p>
---	---

Total Budget Provision for:

1. Remediation Plan : Rs. 33,852,000
2. Natural Resource Augmentation Plan: Rs. 30,00000
3. Community Resource Augmentation Plan (CRAP): Rs. 22,990,000 (Included unspent EMP)

References

Approach Paper-Final-18032019

1,An approach for assessment for environmental damage and estimation of Remediation Costs for Building Construction Projects initiated without obtaining mandatory Environmental clearance (Violation Cases) suggests the Assessment Prepared by OECD (Organization for Economic Co-Operation and Development)

<http://www.oecd.org/env/outreach/46959936.pdf>.

2. MoEF&CC Notification SO 804 (E) Dated 14.3.2017

3. MoEF&CC Notification SO 1030 (E) dated 8.3.2018

4 Indiana Department of Environmental Management Nonrule Policy Document, https://www.in.gov/idem/ctap/files/nrpd_enf-002.pdf

Annexure-VI

**Revised Cost for Natural
Resource Augmentation Plan (NRAP)**

Budget Provisions of Remediation Plan, Natural Resource Augmentation Plan (NRAP) and Community Resource Augmentation Plan (CRAP)

The Budget Provisions of Remediation Plan, Natural Resource Augmentation Plan (NRAP) and Community Resource Augmentation Plan (CRAP) is given in **Table-1**, **Table-2** & **Table-3**.

TABLE-1
REMEDIATION PLAN

Remediation Plan										
S.No	Component	Proposed Activity	Description	Location	Unit Rate (lakh)	Total Quantity	Total Cost in Rs Lakh	Year 1	Year 2	Year 3
1	Remediation Plan: Air & Noise. Fugitive dust control	Fugitive dust control & Noise attenuation	Wet drilling; water spraying & Noise barriers	Mine lease area and haulage road	-	-	30	10	10	10
2	Remediation Plan-Biological Environment	Afforestation, shelterbelt, greenbelt and avenue plantations	Aided natural regeneration of forests along the slopes & unused mine lease area	Mine lease area and the adjacent hill slopes. Haulage road	2 per Ha	141.760 (for the life of the mine)	283.52	14.01	14.01	14.01
3	Remediation Plan-Water Environment	Rain water harvesting; ground water recharge	Rainwater harvesting pits; semilunar trenches along the slopes; garland drains	Mine lease area and the adjacent hill slopes	1	25	25	5	10	10
Total							338.52	29.01	34.01	34.01

TABLE-2
NATURAL RESOURCE AUGMENTATION PLAN (NRAP)

Natural Resource Augmentation Plan (NRAP)									
Sr. No	Proposed Activity	Description	Location	Unit Rate	Total Quantity	Total Cost in Rs Lakh	Year 1	Year 2	Year 3
1	Tree Plantation on barren hills	Fruit - trees at lower levels of barren hills	Hill top within the mine lease	500 per tree	1000	5.0	2	2	1
2.	Afforestation of barren hills	Broadcasting the pelletized seeds over	Barren hills around the mine lease.	2,000 00 per ha	5 ha	10	2	3	5

Budget Provisions of Remediation Plan, Natural Resource Augmentation Plan (NRAP) and Community Resource Augmentation Plan (CRAP)

		the barren hills & Plantation of fruit trees							
3	Avenue Plantation	Road side plantation	Enroute the transport	500 per tree	1000	5	2	2	1
4	Rain water harvesting	Construction and maintenance of rain water harvesting structures in villages	5 villages within the buffer zone	2	5	10	3	3	4
	Sub-total (b)					30	9	10	11

TABLE-3
COMMUNITY RESOURCE AUGMENTATION PLAN (CRAP)

Sl.No	Proposed Activity	Description	Location	Total Cost (in Lakh)	Year 1	Year 2	Year 3
1	Provision of solar lights	Installation of solar lighting in villages where there are no street lights	Villages of the buffer zone	30.00	10.00	10.00	10.00
2	Provision of solar powered bore-well	Community bore wells within the buffer zone	Villages of the buffer zone	30.00	6.00	12.00	12.00
3	Drinking water	RO plants within the schools	Schools in the buffer zone	3.00	1.00	1.00	1.00
4	Health facility (Curative Health Care)	Ambulance facility at the door step in Peripheral villages and MHU with Health cube & portable X-Ray machine including the specialized Medical	Villages of the buffer zone	113.90	63.90	25.00	25.00

Budget Provisions of Remediation Plan, Natural Resource Augmentation Plan (NRAP) and Community Resource Augmentation Plan (CRAP)

		Check-up camps					
5	Agriculture	Agriculture & Animal Husbandry	Silting of streams	33.00	11.00	11.00	11.00
6	Infrastructure development	Construction of Community halls	Villages willing to donate plot	20.00	0.00	10.00	10.00
	Total (in Lakhs)			229.90	91.90	69.00	69.00
	As per the ADS point No.6, the unspent EMP amount of Rs 15,00,000 /- (present value of Rs.25,84,239) is carried forward and included in the above budget.						

Total Budget Provision for:

1. Remediation Plan : Rs. 33,852,000
2. Natural Resource Augmentation Plan: Rs. 30,00000
3. Community Resource Augmentation Plan (CRAP): Rs. 22,990,000 (Included unspent EMP)

Annexure-VII
DD to Deputy Director of Mines, Koraput Circle



Letter No: HIL/SEM/DDM/2021-22/05

Date: 10th January'2022

To

The Deputy Director Of mines
Koraput Circle
Dist: Koraput, Odisha

Ref: Your letter bearing No. 34/Mines dated: 03/01/2022.

Sir,

We are in receipt of your communication dated: 3/1/2022 whereby we have been directed to pay Rs.15,32,216/- (Rupees fifteen lakh thirty-two thousand two-hundred and sixteen) only towards compensation levied under Section 21(5) of MMDR Act, 1957. As per the direction of your good office, we deposited the above demanded amount of Rs. 15,32,216/- under protest and without prejudice to our rights and contentions in this regard.

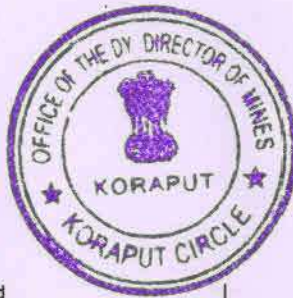
Please find enclosed herewith a copy of the echallan / documents in support of the said payment of Rs.15,32,216/- bearing the Reference id:333F96DED0 on dated:10.01.2022.

Thanks and Regards,

For Hindalco Industries Limited,

Pratap Kumar Patra

Encl: As above



11-01-2022



Government of Odisha
Cyber Treasury
eChallan



1.	Name of the Depositor	HINDALCO Industries Ltd.
2.	Depositor's Address	Maliparbat Odisha KORAPUT 111111
3.	District	KORAPUT
4.	e Challan Reference Id	333F96DED0
5.	Total Transaction Amount (In Rs.)	Rs. 1532216/- (echallan- Rs. 1532216/- + agency- Rs. 0/-)
6.	Amount (In words)	Fifteen Lakh Thirty Two Thousand Two Hundred Sixteen Only

Department specific information (If any)

Department Reference ID	ORDCN10012022153124361114
-------------------------	---------------------------

Head of Account

Description	Head Of Account	Amount	Challan Number & Date
Compensation Non-Iron and Mn	0853-00-102-0121-02021-000	Rs. 1532216/-	Not Generated
	Total Amount	Rs. 1532216/-	

Bank Details

Name of the Bank	STATE BANK OF INDIA
Mode of Transaction	Net Banking
Bank Transaction ID	CKS5088126
Bank Transaction Date & Time	10/01/2022 04:07:19 PM
Bank Transaction Status	Successful: Confirmation Received from Bank as Success

Payment Remarks

Compensation for Non Mining

* This is a computer generated challan and doesn't require any signature or stamp.

Generated on : 10/01/2022 04:20:58 PM

E-receipt

Odisha Govt

Name of the Depositor	: HINDALCO Industries Ltd
Purpose of Deposit	: 10-01-2022 15:01:04 PM
Challan Amount	: Rs. 1532216.00 /-
Treasury Challan Reference No	: 333F96DED0
Internet Banking Transaction Reference Number	: CKS5088126
Transaction Date and Time	: 10/01/2022 04:07:19 PM

(Note: This is a computer generated receipt and does not require any signature/stampPlease enclose this e-Receipt with e-Challan at the time of challan submission to the department)

OFFICE OF THE DEPUTY DIRECTOR OF MINES, KORAPUT CIRCLE,
KORAPUT.

No. 34 /Mines.

Date: 03.01.2022.

DEMAND NOTICE

To,

M/s.HINDALCO Industries Ltd,
42/1041, Satya Nagar, College Road,
Semiliguda, Dist.Koraput

Whereas, it has been observed that *M/s.Hindalco Industries Ltd.* the mining lease holder of *Maliparbat Bauxite* mines over an area of **268.011 Ha.** has undertaken production of *Bauxite* minerals from the above referred mining lease hold area without Environment Clearance during the year 2012 to 2014.

2. And whereas the proposal was considered in the 26th EAC meeting held during 11-13th January, 2021. Based on the documents submitted and presentation made by the Project Proponent and the Consultant the committee observed that the PP has obtained Environment Clearance on 07.09.2006 under the EIA Notification 1994 validity of the EC was only for 5 years i.e 06.09.2011 and the PP has operated the mines from 2012 to 2014 without obtaining Environment Clearance under EIA Notification 2006 hence the proposal falls under violation case. The Committee also noted that PP did not submitted the application as per notification No S.O 1530(E) dated 06.04.2018.

3. Whereas the Hon'ble Supreme Court in its judgment date 02.08.2017 in the W.P.(C) No.114 of 2014 in the matter of common cause Vs union of India has interpreted the section 21(5) of the mines and Minerals (Development and regulation) (MMDR) Act1957 and held that wherever violations were carried out with regard to the water (Prevention and Control of pollution) Act 1974 the Forest (Conservation) Act 1980 the Air(Prevention and Control of Pollution) Act 1981 and the Environment (Protection) Act 1986 100% cost/value of the illegally mined mineral needs to be compensated by the mining entity/project proponent.

4. In view of the above, as per monthly return submitted to this office, it reveals that you have produced 900.00 MT of Bauxite ore from your Maliparbat Bauxite Mines over 268.011 Hects during the year 2012 to 2014. So it is to initiate action under the provision of section 19 of the Environment (Protection) Act, 1986

5. Whereas considering the above excess production as production without lawful authority. Therefore calculation of 100% cost/value has been made as per Rule, 45 of Minerals (other than Atomic and Hydrocarbon Energy Minerals) Concession Rule, 2016 (Amendment 2019) and arrived to Rs. 15,32,216/- (*Rupees Fifteen Lakh(s) Thirty Two Thousand Two Hundred Sixteen*) only as detailed in Annexure-I. So you are liable to pay a sum of Rs. 15,32,216/- (*Rupees Fifteen Lakh(s) Thirty Two Thousand Two Hundred Sixteen*) only, being the price towards compensation under Section 21(5) of MMDR Act, 1957 for production without of the environmental clearance as rationalized the CEC, in pursuance to the judgment dt.02.08.2017 of Hon'ble Supreme Court in the matter of W.P.(C) No.114/14 Common Cause vrs. Union of India and Others.

Now therefore, you are hereby directed to pay the compensation of Rs. 15,32,216/- (*Rupees Fifteen Lakh(s) Thirty Two Thousand Two Hundred Sixteen*) only without delay.

Encl: As above.

thi
DEPUTY DIRECTOR OF MINES,
KORAPUT CIRCLE, KORAPUT.

Memo No. _____/Mines.

3.1.22
Date: .01.2022.

Copy forwarded Director of Mines, Odisha, Bhubaneswar for favour of kind information and necessary action with reference to Directorate letter No.10378/DM, dt.30.12.2021.

DEPUTY DIRECTOR OF MINES,
KORAPUT CIRCLE, KORAPUT.

ANNEXURE-I

STATEMENT SHOWING THE ILLEGALLY MINED MINERAL AND CALCULATION OF 100% COST/VALUE DURING THE YEAR 2012 TO 2014 FROM MALIPARBAT BAUXITE MINES OVER 268.011 HECTS IN KORAPUT DISTRICT

Year	Month	Production (in MT)	Despatch	52.90%	Al ₂ O ₃	IBM price (derived from monthly average LME price)	Conversion factor	Average sale price (per MT)	100% cost/value
2012	Jan	0.00	0.00	52.90%					
	Feb	0.00	0.00	52.90%					
	Mar	0.00	0.00	52.90%					
	Apr	0.00	0.00	52.90%					
	May	0.00	0.00	52.90%					
	Jun	0.00	0.00	52.90%					
	Jul	0.00	2581.00	52.90%					
	Aug	0.00	0.00	52.90%					
	Sept	0.00	0.00	52.90%					
	Oct	0.00	291.77	52.90%					
	Nov	0.00	27.98	52.90%					
	Dec	0.00	315.07	52.90%					
2013	Jan	0.00	183.10	52.90%					
	Feb	220.00	0.00	52.90%	46.57	111149.42	0.064	1752.46	385541
	Mar	230.00	0.00	52.90%	46.57	105195.87	0.064	1658.60	381478
	Apr	0.00	0.00	52.90%					
	May	250.00	0.00	52.90%	46.57	104312.07	0.064	1644.66	411165
	Jun	0.00	0.00	52.90%					
	Jul	0.00	0.00	52.90%					
	Aug	0.00	0.00	52.90%					
	Sept	0.00	0.00	52.90%					
	Oct	200.00	0.00	52.90%	46.57	112271.52	0.064	1770.16	354032
	Nov	0.00	0.00	52.90%					
	Dec	0.00	0.00	52.90%					
2014	Nil								
Total		900.00							15,32,216


 Deputy Director of Mines,
 Koraput Circle, Koraput.
 31.12.22

Annexure-VIII

Authenticated Past Production Details

ANNEXURE -III

Financial Year	Mining Lease Details (Initial, renewal, Transfer) with date and Validity	EC Capacity (Tonnes), date Letter No, Amendment etc	Details of FC	CTE	CTO under Air Act (Date, validity, Capacity)	CTO under Water act Date, validity, Capacity)	Mining Plan /Mining Scheme		DMG Certified Production (Tonne)	Remarks
							Proposed Production (Tonne)	Achieved Production (Tonne)		
1993-2005	NIL	NIL	NIL	NIL	NIL	NIL	NIL	NIL	NIL	
2005-06	Maliparbat Mines Lease deed executed ON 08.11.2007 (Copy attached)	No.J-11015/ 411 / 2005-IA.II(M) Dt : 07.09.2006 0.6 MTPA	N/A AS NO FORE ST LAND	1310/I ND-II- NOC- 3889 Dtd.24 /01/20 06/ For 0.6 MTPA						
2006-07			N/A		09/03/2007 to 31/03/2007 0.6MTPA	09/03/2007 to 31/03/2007 0.6MTPA				
2007-08			N/A		08/11/2007 to 31/03/2011 0.6MTPA	08/11/2007 to 31/03/2011 0.6MTPA				
2008-09			N/A		08/11/2007 to 31/03/2011 0.6MTPA	08/11/2007 to 31/03/2011 0.6MTPA	423,360 T	33,784 T	33,783.95 T	
2009-10			N/A		08/11/2007 to 31/03/2011 0.6 MTPA	08/11/2007 to 31/03/2011 0.6MTPA	431,200 T	Nil	Nil	
2010-11			N/A		08/11/2007 to 31/03/2011 0.6 MTPA	08/11/2007 to 31/03/2011 0.6MTPA	474,320 T	32,900 T	32,900.00 T	
2011-12			N/A				551,250 T	480 T	480.00 T	
2012-13			N/A				591,675 T	450 T	450.00 T	
2013-14			N/A				750,006 T	450 T	450.00 T	
2014-15			N/A				849,996 T	Nil	Nil	
2015-16			N/A		24/02/2016 to	24/02/2016 to	900,000 T	Nil	Nil	

ANNEXURE-I E
FORMAT OF ANNEXURE -III

Financial Year	Mining Lease Details (Initial.	EC Capacity (Tonnes). date	Details of	CTE	CTO under Air Act	CTO under Water act	Mining Plan / Mining Scheme		DMG Certified	Remarks
					31/03/2017 0.6 MTPA	31/03/2017 0.6 MTPA				
2016-17			N/A		24/02/2016 to 31/03/2017 0.6 MTPA	24/02/2016 to 31/03/2017 0.6 MTPA	900,000 T	Nil	Nil	
2017-18			N/A		01/03/2017 to 31/03/2018 0.6 MTPA	01/03/2017 to 31/03/2018 0.6MTPA	900,000 T	Nil	Nil	
2018-19			N/A		20/08/2018 to 31/03/2019 0.1 MTPA	20/08/2018 to 31/03/2019 0.1 MTPA	450,000 T	Nil	Nil	
2019-20			N/A		17/05/2019 to 31/03/2020 0.1MTPA	17/05/2019 to 31/03/2020 0.1 MTPA	450,000 T	Nil	Nil	


 (Pratap Kumar Patra)
 Agent of Maliparbat Mines
 Hindalco Industries Limited
Hindalco Industries Limited
 College Road, Satya Nagar
 Semilguda (Sunabeda)
 Koraput (Odisha)-764038

ANNEXURE -III

Financial Year	Mining Lease Details (Initial, renewal, Transfer) with date and Validity	EC Capacity (Tonnes), date Letter No, Amendment etc	Details of FC	CTE	CTO under Air Act (Date, validity, Capacity)	CTO under Water act Date, validity, Capacity)	Mining Plan /Mining Scheme		DMG Certified Production (Tonne)	Remarks
							Proposed Production (Tonne)	Achieved Production (Tonne)		
1993-2005	NIL	NIL	NIL	NIL	NIL	NIL	NIL	NIL	NIL	
2005-06	Maliparbat Mines Lease deed executed ON 08.11.2007 (Copy attached)	No.J-11015/ 411 / 2005-IA.II(M) Dt : 07.09.2006 0.6 MTPA	N/A AS NO FORE ST LAND	1310/I ND-II- NOC- 3889 Dtd.24 /01/20 06/ For 0.6 MTPA						
2006-07			N/A		09/03/2007 to 31/03/2007 0.6MTPA	09/03/2007 to 31/03/2007 0.6MTPA				
2007-08			N/A		08/11/2007 to 31/03/2011 0.6MTPA	08/11/2007 to 31/03/2011 0.6MTPA				
2008-09			N/A		08/11/2007 to 31/03/2011 0.6MTPA	08/11/2007 to 31/03/2011 0.6MTPA	423,360 T	33,784 T	33,783.95 T	
2009-10			N/A		08/11/2007 to 31/03/2011 0.6 MTPA	08/11/2007 to 31/03/2011 0.6MTPA	431,200 T	Nil	Nil	
2010-11			N/A		08/11/2007 to 31/03/2011 0.6 MTPA	08/11/2007 to 31/03/2011 0.6MTPA	474,320 T	32,900 T	32,900.00 T	
2011-12			N/A				551,250 T	480 T	480.00 T	
2012-13			N/A				591,675 T	450 T	450.00 T	
2013-14			N/A				750,006 T	450 T	450.00 T	
2014-15			N/A				849,996 T	Nil	Nil	
2015-16			N/A		24/02/2016 to	24/02/2016 to	900,000 T	Nil	Nil	

ANNEXURE-I E
FORMAT OF ANNEXURE -III

Financial Year	Mining Lease Details (Initial.	EC Capacity (Tonnes). date	Details of	CTE	CTO under Air Act	CTO under Water act	Mining Plan / Mining Scheme		DMG Certified	Remarks
					31/03/2017 0.6 MTPA	31/03/2017 0.6 MTPA				
2016-17			N/A		24/02/2016 to 31/03/2017 0.6 MTPA	24/02/2016 to 31/03/2017 0.6 MTPA	900,000 T	Nil	Nil	
2017-18			N/A		01/03/2017 to 31/03/2018 0.6 MTPA	01/03/2017 to 31/03/2018 0.6MTPA	900,000 T	Nil	Nil	
2018-19			N/A		20/08/2018 to 31/03/2019 0.1 MTPA	20/08/2018 to 31/03/2019 0.1 MTPA	450,000 T	Nil	Nil	
2019-20			N/A		17/05/2019 to 31/03/2020 0.1MTPA	17/05/2019 to 31/03/2020 0.1 MTPA	450,000 T	Nil	Nil	


 (Pratap Kumar Patra)
 Agent of Maliparbat Mines
 Hindalco Industries Limited
Hindalco Industries Limited
 College Road, Satya Nagar
 Semilguda (Sunabeda)
 Koraput (Odisha)-764038

**OFFICE OF THE DEPUTY DIRECTOR OF MINES, KORAPUT CIRCLE,
KORAPUT.**

From No. 826 /Mines.

Date. 17.07.2020

From

The Deputy Director of Mines,
Koraput Circle, Koraput.

To

The Director/Member Secretary,
IA Division-Non Coal Mining,
3rd floor, Vayu Block,
Indira Prayavaran Bhawan,
MOEF &CC, JorBhagALL Ganj,
New Delhi -110003.

Sub : Issue of Authenticated Certificate of Past production of Maliparbat Bauxite Mines over 268.11 Hects in village Aligaon etc under Koraput dikstrict.

Ref : Letter No.HIL/SEM/DDM/Prdn/2020-21/59, dt.17.07.2020 of M/s.Hindalco Industries Ltd.

Sir,

In inviting a reference to the letter cited above, I am to furnish herewith the past production of Maliparbat Bauxite Mines over 268.11 Hects in village Aligaon etc under Koraput district.

FINANCIAL YEAR WISE PRODUCTION OF MALIPARBAT BAUXITE MINES OVER 268.11 HECTS.

Sl.No.	Financial Year	Year wise production in MT.
1	2008-09	33,783.95
2	2009-10	Nil
3	2010-11	32,900.00
4	2011-12	480.00
5	2012-13	450.00
6	2013-14	450.00
	Total Production till date	68,063.95

This is for favour of your kind information and necessary action.

Yours faithfully,

[Signature]
Deputy Director of Mines(I/C),
Koraput Circle, Koraput.

17.7.20
Koraput Circle, Koraput

Contd.....P/2

Annexure-IX (A)
Copy of Writ Petition

Notice in Administrative IA matter
by Regd. Part with AD

IN THE HIGH COURT OF ORISSA

(Civil Appellate Jurisdiction)

W. P. (C) No. 473 of 20 22

Niranjan Khillu & others



Versus

State pollution control Board Odisha & others

In the matter of an application by the above named

Niranjan Khillu & others.

Petitioner

OP. No. - 8 M/s Hindalco Industries Limited,
Assistant General Manager, Mines division
New project - 42/1041, Satya Nagar,
College Road, Semi Uda, Koraput - 764036,
Odisha

Take notice that an application, a copy whereof is annexed herewith, has been made to this Court by the above named petitioner and you are hereby directed to appear before this Court in person or by Advocate on 07.03.2022 and show cause why the application should not be granted or such other order be passed as this Hon'ble Court may deem fit. Counter affidavit filed beyond the date mentioned above shall not be accepted without the leave of the Hon'ble Court.

ତୁମକୁ ଏତଦ୍ୱାରା ନୋଟିସ୍ ଦିଆଯାଇଅଛି ଯେ, ଉଲ୍ଲିଖିତ ଦରଖାସ୍ତକାରୀ ଏହି ଅଦାଲତରେ ଯେଉଁ ଦରଖାସ୍ତ କରିଅଛନ୍ତି, ତହିଁର ନକଲ ଏଥିସଙ୍ଗେ ସାମିଲ ଅଛି ।

କାର୍ଯ୍ୟକ୍ରିୟ ଦରଖାସ୍ତ ମଞ୍ଜୁର କରା ନ ଯିବ କିମ୍ବା ମହାମାନ୍ୟ ଅଦାଲତ ଯେପରି ଉପଯୁକ୍ତ ବିବେଚନା କରନ୍ତି ସେହିପରି ହୁକୁମ ଦିଆ ନ ଯିବ ତହିଁର କାରଣ ତା 07.03.2022ରେ ତୁମେ ନିଜେ କିମ୍ବା ତୁମର ଓକିଲଙ୍କ କ୍ରିଆରେ ଅନ୍ତ ଅଦାଲତରେ ହାଜର ହୋଇ ଦର୍ଶାଇବେ । ଜବାବ ଉପରୋକ୍ତ ଧାର୍ଯ୍ୟ ତାରିଖ ପରେ ଦାଖଲ କଲେ ମାହାମାନ୍ୟ ଅଦାଲତଙ୍କ ବିନା ଅନୁମତିରେ ଗ୍ରହଣ କରାଯିବ ନାହିଁ ।

The matter stands adjourned to 10.03.2022

High Court

By order of the Court

The

N. Khillu
11.02.2022

Superintendent



IN THE HIGH COURT OF ORISSA: CUTTACK

WP(C) (PIL) No. **473** OF 2022

Niranjan Khillo & Others

.... Petitioners

-Vrs-

State Pollution Control Board Odisha & Others

.... Opp.Parties

INDEX

Sl. No.	Description of documents	Pages
1.	Writ – Public Interest Litigation Petition	01-19
2.	<u>Annexure-1</u> True copy of letter dated 08.02.2021 of OP No. 6	20 - 33
3.	<u>Annexure-2</u> True copy of the notification dated 14.09.2006 of OP No. 6	34 - 54
4.	<u>Annexure-3</u> True copy of the notice dated 18.10.2021 of OP No. 1	55
5.	<u>Annexure-4 (series)</u> True Copies of the representation dated 17.11.2021, 15.11.2021 and 19.11.2021	56 - 81

6. Annexure-5

True copy of Joint Petition of under trail prisoners 82-84

7. Annexure-6

True copy of e-mail communication of petitioner No.5 85

8. Annexure-7 (series)

True copies of newspaper reports 86-91

9. Annexure-8

True copy of the p[roceedings of public hearing 92-105

dated 22.11.2021

106-108

10. Annexure-9 True copy of factfinding Report

11. VAKALATNAMA

CUTTACK

DATE- 5.01.22.

(PRASANTA KUMAR JENA)

Advocate

BCE No.O-137/88

Mob.No.9437311581

IN THE HIGH COURT OF ORISSA: CUTTACK

WP(C) (PIL) No. 473 OF 2022

Code No. 219900

In the matter of

**An application under Article 226 & 227 of the
Constitution of India.**

A N D

In the matter of

A Public Interest Litigation.

A N D

In the matter of

**The Orissa High Court Public Interest
Litigation Rules, 2010.**

A N D

In the matter of

**The Environment (Protection) Act, 1986 r/w
The Environment Protection Rules, 1986**

A N D

In the matter of

EIA notification S.O. 1533 (E) dated 14.09.2006 as amended from time to time;

A N D

In the matter of

Illegal public hearing dated 22.11.2021 in respect of Mali Parbat Bauxite Mine conducted by Odisha State Pollution Control Board in the district of Koraput, Odisha by M/s Hindalco Industries Limited;

A N D

In the matter of

- 1. Niranjan Khillo, aged about 28 years, Son of Debo Khillo, Village – Maliguda, PS – Semiliguda, District – Koraput.**
- 2. Lakshmi Khillo, aged about 35 years, Wife of Boloram Khillo, Village – Maliguda, PS – Semiliguda, District – Koraput.**
- 3. Abhi Sodapeli, aged about 32 years, Son of Amurui Sodapeli, Village – Kankadaambo, PS – Semiliguda, District – Koraput.**

4. Arjun Krishani, Aged about 28 years, S/o Naragi Krishani, Village- Kakriguda, P.S- Semiliguda, Dist- Koraput.

5. Prafulla Samantara, Aged about 70 years, S/o Dinabandhu Samantra, President, Lok Shakti Abhiyan A/3, Unit 9, Bhoinagar, Bhubneswar-751022. **Petitioners**

-Vrs-

1. State Pollution Control Board, Odisha, represented by its Member Secretary, having its office At- Paribesh Bhawan, A/118, Nilakntha Nagar, Unit-VIII, Bhubneswar-751012
2. Regional Officer, State Pollution Control Board, Koraput, At/PO- Koraput, Dist- Koraput-764020
3. District Magistrate cum Collector, Koraput, At/PO- Koraput, Dist- Koraput-764020
4. Additional District Magistrate Koraput, A/P.O- Koraput, Dist- Koraput-764020
5. Superintendent of Police, At/PO- Koraput, Dist- Koraput-764020
6. Ministry of Environment, Forest and Climate Change, Government of India, represented by

its secretary, 2nd floor, Prithvi Wing, Indira Paryavaran Bhavan, Jor Bagh Road, Aligani, New Delhi-110003

7. State of Odisha, represented by its Secretary to Government in the Department of Forest, Environment and Climate Change, At-Kharavel Bhavan, Bhubneswar-751001
8. M/S Hindalco Industries Limited, represented by its Assistant General Manager, Mines division, New Project-42/1041, Satya Nagar, College Road, Semiliguda, Koraput-764036, Odisha.

.... Opp. parties

The matter out of which this present application arises was not before this Hon'ble Court earlier as per the instruction of the petitioners.

To

Hon'ble Chief Justice of Odisha High Court and his companion Judges of the said Hon'ble Court.

Humble petition of the
petitioner named above

MOST RESPECTFULLY SHEWEATH:

1. The present petition under article 226 of the constitution of India is being filed by way of 'Public Interest Litigation' in the larger interest of the affected tribal people for mining operation of Bauxite on Mali Parbat in the District of Koraput, Odisha by M/s Hindalco Industries Limited (Opp. party NO. 8).

The petitioners seeks to challenge the legality and propriety of the so called public hearing dated 22.11.2021 in respect of Mali Parbat Bauxite Mines of M/S Hindalco Industries Limited in village Kankaramba under Semiliguda Tahasil of Koraput District, Odisha. The so called public hearing conveyed by the Odisha State Pollution Control Board (Opp. party No. 1) was held as an eye wash in presence of few henchmen and supporters of Opp. party No. 8 in tacit consent of the state government. The so called proceeding of public hearing was held by preventing the large affected tribal mass from reaching the spot and expressing their opinion opposing any such mines operation which will snatch away their source of livelihood. The barricades were made three k.m away from the spot with deployment of police force restricting the entry of the larger tribal mass to the spot who obviously were heading to oppose any such proposal for mining operation on Mali Parbat without their prior informed consent. Prior to the date fixed for such hearing, the local leaders and youths championing the cause of the affected people were

arrested, threatened by the police and they were illegally prevented from participating in the said public hearing. Such action of the Opp. parties No. 1 to 8 (except OP No. 6) defeats the very objective and purpose of 'Public Hearing' prior to getting the environmental clearance in favour of OP No. 8 Company.

2. That, the petitioners No. 1 to 4 belongs to the affected villages of such mining and petitioner No. 5 is a reputed Environmentalist and President of 'Lok Shakti Abhiyan', a people's forum working on Human Rights, Environment Protection and Rights of tribals over Natural Recourses. He is also recipient of 'International Green Award' named 'Goldman Environmental Prize (Green Nobel For Asia) 2017'. He is also a regular columnist in odia vernacular and editor of a fortnightly published magazine ' Manisara Bartabaha Swabhiman '.

3. The petitioners have earlier not filed any Public Interest Litigation challenging the issue of so called Public Hearing and the gross human rights violations of affected people caused in the process dated 22.11.2021 and no costs have been awarded against the petitioners for filing any other case. That the petitioners are filing the present petition on their own and not at the instance of some others. The litigation cost including the advocate's fee are borne by the petitioners themselves.

4. That the brief facts of the case is as follows:

4.1 That, on 07.09.2006 the Opp. party No. 8 Company managed to obtain environmental clearance from the OP No. 6 for Bauxite Mining Operation in Mali Parbat Koraput, Odisha for 5 years despite stiff opposition of the public. For the reason best known to OP No.8 during such 5 years no mining operation/ activity on Mali Parbat took place.

4.2 That, during 2012-2014, the OP No. 1 Company started some mining activity illegally without obtaining a valid environmental clearance for which vide letter dated 08.02.2021, OP No. 6 directed the OP No. 8 Company to submit EIA/ EMP report after incorporating the details of public hearing and to obtain environmental clearance, in accordance with the procedure prescribed under EIA notification.

True copy of letter dated 08.02.2021 of the OP No. 6 is annexed hereunto as **Annexure-1**.

4.3 That, as per EIA notification vide S.O No. 1533 (E) dated 14.09.2006, of OP No.6 prior to environmental clearance of a project, a public hearing relating to environmental aspect of the project was

required to be conducted and in the present case, OP No.1 State Pollution Control Board brought out a notice on 20.08,2021 in the newspaper ' The Times of India ' and ' The Samaj ' for conduct of Environmental Public Hearing on 22.09.2021 relating to project of 'Mali Parbat Bauxite Mines' concerning all the persons which include bonafide residents, environmental groups and others located likely to be affected. Though the timing for such Public Hearing was given at 11 A.M on 22.09.2021 at the venue Kankandamba but barricades were erected before three k.m from the spot with the oblique motive to prevent the villagers reaching the spot in time. On the same day when the villagers somehow rushed to the venue through alternate path and questioned about the public hearing, the authorities present there left the spot without answering the quires of the villagers and subsequently the public hearing was declared as postponed on the said day. Not only that the police - security forces and private militia of the OP No. 8 Company intimidated and threatened the concerned people-villagers on the said day who are to be affected by such project and who are expected to oppose the project on the date of hearing but also several persons were illegally arrested by the police force heavily deployed in and around the scheduled venue. It may kindly be noted that about 2000 villagers from 44 villages who are likely to be affected had arrived there on 22.09.2021 to express and protest against the bauxite mining operation on Mali Parbat by which they will loose their livelihood based on eco-friendly sustainable farming as perennial

streams originated from Mali Parbat would eventually dry up and there will be adverse impact on the environment because of deforestation. Thus, the protest was completely voluntary and spontaneous. Those protesters included sizeable number of tribal women from the nearby villages. It is pertinent to state that the Environment Impact Assessment report was not shared with the people likely to be affected by the Opp. parties.

True copy of the EIA notification dated 14.09.2006 of the OP No. 6 is annexed hereunto as Annexure-2.

4.4 That, on 22.09.2021 midnight the police started invading the houses of protesting villagers and took away 25 of them and sent them to Jail by implicating them in false charges.

4.5 That, the postponed Public Hearing of 22.09.2021 was rescheduled by OP No. 1 and another notice dated 18.10.2021 was published by OP No.1 in the daily newspaper fixing the new date of Public Hearing on 22.11.2021 at 10 A.M in village Kankaramba, under Semiliguda Tahasil of Koraput District, relating to Mali Parbat bauxite mining by OP No. 8. Unlike the earlier notice, the schedule time of public hearing was fixed to 10 AM by which it was difficult for the villagers to reach at the spot in time and the Opp. parties would take advantage of affected villagers. In the said notice suggestions, views, comments and objections on matters relating to environmental

aspect of the proposed project from all the persons including bonafide residents, environmental groups and others were invited.

True copy of the notice dated 18.10.2021 of the OP No. 1 is annexed hereunto as Annexure-3.

4.6 That, in response to such notice the villagers of the affected villages and the members and office bearers of 'Mali Parbat Surakhya Samiti' submitted their grievance/objection thereby requesting to cancel any such move for mining operation of bauxites on Mali Parbat on the ground that after the postponement of Public Hearing on 22.09.2021, the officers of Semiliguda and Patangi Police Stations along with the forces and Goons of OP No. 8 Company have been threatening and arresting the local people and the office bearers of 'Mali Parbat Surakhya Samiti'. They were also moving from village to village giving caution to the villagers not to oppose the mining operations of OP No. 8 at the public hearing. Though the matter has been informed to the SP and Collector, Koraput but no response was received. In such an atmosphere request was made that public hearing scheduled to be held on 22.11.2021 be cancelled as people are denied the free right of expression, a constitutional mandate.

True copies of representation dated 17.11.2021, 15.11.2021, 19.11.2021 of the petitioners and other villagers, office bearers of Mali Parbat Surakhya Samiti

given to the Opp. Parties No. 1, 3 & 5 are annexed hereunto as Annexure-4 (series).

4.7 That, Even the local residents, of affected villages who were arrested have submitted their representations from inside the Jail to the OP No. 2 through the senior superintended of Circle Jail to postpone the schedule Public Hearing on 22.11.2021 as atrocities on the villagers opposing the proposed mines operation on Mali Parbat are still continuing and people have been charged in false cases and put inside Jail.

True copy of the Joint Prisoners Petition of the UTP's to the Collector Koraput through the Senior Superintended of Circle Jail koraput is annexed hereunto as Annexure-5.

4.8 That, inspite of mass protest of the affected villagers and their organizations, the Opp. parties 1, 2, 3 and 6 went on holding the so called Public Hearing on 22.11.2021 and the same old tactics was followed to mislead the villagers. On the other hand the supporters of OP No. 6 were carried by police and company people in vehicle to the spot of Public Hearing. The so called Public Hearing in presence of handful supporters of mining started one hour before the scheduled time just to make sure that most villagers cannot reach the venue in time and the hearing will be concluded as desired by the Opp. parties at the earliest. The so called public hearing was closed within an hour

hastily. The EIA report was not shared and a fake hearing was conducted with help of police and no public hearing in its true sense was concluded on 22.11.2021. The so called public hearing was done without hearing the affected people and on the other hand the affected people suffer police atrocities in a most undemocratic and arbitrary manner with illegal detention and arrest of affected villagers.

4.9 That on 17.10.2021 more than 500 tribal women went in a rally to meet the District Magistrate and appealed him to conduct the public hearing in a free, fair and democratic atmosphere without unleashing repression on the dissenting voice but as appears the request of the people was totally ignored by the local administration who are bent upon to join hand in glove with OP No. 8 company for bauxite mining on Mali Parbat thereby ignoring the issue of life and livelihood of thousands of villagers of 44 villages under two Blocks of Semiliguda and Patangi in Koraput District.

4.10 That, on the very same day i.e on 22.11.2021 the petitioner No. 5 has also communicated by e-mail to the OP No. 3 about the undemocratic and illegal manner in which the public hearing was made, villagers were stopped by police on different ways and people were lifted on police vehicle and left in unknown places which in other words is murder of democracy and violation of rule of law by

the administrators against the rights of tribal communities for the interest of the corporate

A true copy of the e-mail communication on 22.11.2021 by petitioner No. 5 to the Op No. 3 is annexed hereunto as annexure-6.

4.11 That the illegal manner in which the so called public hearing was conducted on 22.11.2021 on environmental impact of the Mali Parbat bauxite mining has been reflected in many newspapers on the very next day and on subsequent dates.

True copies of the newspaper reports of the so called public hearing dated 22.11.2021 on Mali Parbat bauxite mains are annexed hereunto as Annexure-7 (series).

4.12 That ignoring all protest, dissenting voices of the affected people as well as the eminent environmentalist and social activists the Opp. parties more particularly Op No. 2 and 6 have jointly prepared a report on the proceeding of the 22.11.2021 public hearing on Mali Parbat mining which does not reflect the true state of affairs/voices of the affected people of the proposed bauxite mines operations on Mali Parbat.

A true copy of the proceeding of public hearing on Mali Parbat bauxite mining as prepared by OP No. 2 and OP No. 4 is annexed hereunto as Annexure-8.

4.13 That in the mean while several teams of media persons and activists visited the area and discovered that the grievances of the people-villagers who are going to be affected are genuine and sensitive.

True copy of one such report prepared by a voluntary organization GASS in annexed hereunto as **Annexure-9**.

4.14 That, in the above background of the case the extraordinary jurisdiction of the Hon'ble court invoked to save the life and livelihood of thousands of tribals who are going to be affected on the proposed bauxite mining operations on Mali Parbat by the OP No.8.

5. That the source of information of above fact pleaded is based on the personal knowledge and experience of the petitioners and the newspaper report as well as the documents available in the website.

6. That the petitioners have sent representations as has been indicated under annexure- 4 (series) of the preceeding paragraphs of the writ.

7. That, to the best of knowledge of the petitioners no Public Interest Petition on the issue of public hearing dated 22.11.2021 on the bauxite mining on Mali Parbat, Koraput has been filed.

8. That the present petition is filed on the following amongst other grounds.

GROUND

1) Denial of opportunity to large number of villagers in participating in the public hearing on 22.11.2021 is illegal and the so called public hearing on the said date and its proceeding is vitiated.

2) A proceeding culminated by public hearing of a handful of persons in support of approval of mining operation in Mali Parbat at the instance of Opp. party No. 8 company and the vested interest groups in collusion with local authorities cannot be termed as an impartial public hearing.

3) Ignoring the voice of affected people recording of the proceeding depicting the so called version of few people stage

managed in support of mining operation on Mali Parbat cannot be treated and accepted as public opinion in law.

4) Non-sharing of the Environmental Impact Assessment Report by the Opp. parties with the people prior to the Public Hearing renders the whole proceeding illegal.

5) Creating an atmosphere of threat and insecurity, foisting false cases implicating the local people, activist, group leaders and representatives of the affected people, making illegal detention, forcibly obstructing the path to reach the venue of Public Hearing, threatening for consequences of opposing mining operations prior to and on the date of Public Hearing thereby, denying the valuable right of the people to participate in an atmosphere free from fear renders the so called Public Hearing dated 22.11.2021 as a mockery of democracy and constitution.

6) Non-response of the administration and statutory authorities to the grievance letters, and representations of the people and other concerned organizations and individuals speaks about the arbitrariness of the authorities to somehow colour the Public Hearing in support of the company and thereby completely ignoring the issue of life and livelihood of the poor tribals is unsustainable in law.

7) Repression on the affected people is uncharacteristic in a welfare state which is undemocratic and violates the right of expression and right to life and liberty as guaranteed under the constitution.

9. That the petitioners most respectfully pray that the Hon'ble Court may be pleased to pass the following orders.

PRAYER

It is therefore prayed that the Hon'ble Court shall be pleased to admit the writ/Public Interest Litigation petition, issue RULE NISI calling upon the Opp. parties to show cause as to why the so called public hearing conducted on 22.11.2021 by the Opp. party No. 1 to 4 in pursuance of notice dated 18.10.2021 under annexure-3 shall not be declared as illegal and its proceeding so recorded on 22.11.2021 under annexure-8 shall not be quashed.

And as to why the Opp. parties more particularly the Opp. parties No. 1 and 2 shall not be directed to conduct a fresh public hearing on the issue of environment with regard to the proposed bauxite mining on Mali Parbat, Koraput in an impartial and peaceful manner making provisions for free access to villagers likely to be affected to reach the venue in time.

And if the Opp. parties or any of the Opp. party fail to show cause or show insufficient cause the said RULE NISI be made absolute and the writ be allowed accordingly.

And for the act of kindness, petitioners shall as in duty bound ever pray.

Cuttack
Dt.

By the petitioner through their
Advocate

(PRASANT KUMAR JENA)
ENRL. NO. O-137/1988
Mob- 832896576

AFFIDAVIT

I, Prafulla Samantara, Aged about 70 years, S/o Dinabandhu Samantra, President, Lok Shakti Abhiyan A/3, Unit 9, Bhoinagar, Bhubneswar-751022 do hereby solemnly affirm and state as follows.

1. That, I am the petitioner No 5 in the case and duly authorized by all other petitioners to swear this affidavit.

2. That, the facts stated above are true to my knowledge.

Identified by

Advocate

Deponent

CERTIFICATE

Due to non-availability of cartridge papers, this Writ Petition has been typed in thick white papers. and I under takes to give English Translation of Original document as and when in Hon'ble Court is Required.

Advocate

No. J-110105/79/2020-IA.II (M)
Government of India
Ministry of Environment, Forest and Climate Change
Impact Assessment Division

2nd Floor, Prithvi Wing,
Indira Paryavaran Bhavan,
Jor Bagh Road, Aliganj,
New Delhi-110 003

Dated: 8th February, 2024.

To,

M/s Hindalco Industries Limited,
Maliparbat Bauxite Mine, Mines Division,
42/1041, Satya Nagar, College Road,
Semiliguda, Koraput-764036,
Odisha.

Subject: - Maliparbat Bauxite Mine of M/s Hindalco Industries Limited for a production capacity of 0.6 MTPA over an ML area of 268.110 Ha at Aligaon, Kankaramba, Sorishpadar Village, Pottangi Tehsil, Koraput District, Odisha - [Proposal no: IA/OR/MIN/189627/2020; File No. J-11015/ 79/2020-IA-II(M)] -Terms of Reference regarding.

Sir,

This has reference to online proposal no. IA/OR/MIN/189627/2020 for grant of Term of Reference for a production capacity of 0.9 MTPA over an ML area of 268.110 Ha at Aligaon, Kankaramba, Sorishpadar Village, Pottangi Tehsil, Koraput District, Odisha. The mine is located between latitude 18° 39' 32.810" to 18° 40' 28.384" N & longitude of 82° 53' 22.815" to 82° 55' 50.244" E, and within survey of India Topo-sheet Nos. 65 J/13, J/14 and 65 N/2 and falls in seismic zone-II. The PP presented the KML file during the presentation to indicate the location of mine lease on Google Earth/ DSS.

2. As per EIA Notification dated 14th Sept, 2006 and its subsequent amendments, the project falls under Project Activity 1 (a) "Mining of Minerals" and is Category "A" project.
3. The Project Proponent earlier applied online for grant of Terms of Reference (ToR) vide proposal no. IA/OR/MIN/162409/2020 dated 05 Aug 2020 and the proposal was considered in the 23rd EAC meeting held on 24th September, 2020 wherein the committee observed that the "PP has operated the mines till 2013-14 without obtaining Environment Clearance under EIA Notification, 2006 and the PP did not submit the application as per notification no. S.O. 1530(E) dated 06.04.2018. The committee observed that the proposal falls under violation case and opined that this Committee is not empowered to consider violation proposals. The EAC returned

Paulraj M.

the proposal in present form and suggested the PP to take further directions of the Ministry regarding consideration of the proposal".

4. The Project Proponent again applied online for grant of fresh Terms of Reference (ToR) vide proposal no. IA/OR/MIN/189627/2020 dated 28.12.2020 and submitted Form-1 & Pre-Feasibility Report and the proposal was considered in the 26th EAC meeting held during 11-13th January, 2021.

5. The Project Proponent has submitted that the mining lease of Maliparbat was issued to Hindalco from Department of Steel and Mines (Government of Odisha) on 19.06.2007 and the mining lease was executed on 08.11.2007. Maliparbat Bauxite mine was registered on 14.11.2007 in favour of M/s HINDALCO Industries Ltd for the term of 20 years. In view of section 8A (3) of Mines and Minerals (Development and Regulation) Amendment Act, 2015, the period of lease is deemed to have been extended for a period of 50 years from 14.11.2007 to 14.11.2057. The Maliparbat bauxite mine obtained Environment Clearance for 0.6 MTPA vide No. J-11015/411/2005-IA.II (M) dated 07.09.2006.

6. The Project Proponent submitted the approval of Review of Mining Plan along with Progressive Mine Closure Plan issued by Regional Controller of Mines, Indian Bureau of Mines vide letter no MS/OTFM/22-ORI/BHU/2017-18 Dated 14.11.2017.

7. The Project Proponent submitted that the Bauxite production will be achieved by opencast mechanized mining method. The main operation shall include removal and stacking of top soil and Overburden by excavator cum loaders, exposing the bauxite zone which will be followed by Bauxite excavation through controlled drilling & blasting and sizing through crusher. The total geological resource/reserves are estimated approx. to 15.06 MT. The total mineable resource/ reserves is estimated approx. to 14.74 MT. Based on total mineable reserves and average waste to ore ratio of 1: 0.05 Ton/m³, it is estimated that about 7,37,060m³ of waste will be generated throughout the life of mine. About 1, 39,700 m³ of OB will be generated within the plan period based on planned exploration as per mine plan review. Dumping of over burden will be carried out in an area of 1.397 ha during plan period. The total area occupied at the end of plan period will be about 2.8 Ha. At the end of mine life there will be no external dump and entire OB dump will be rehandled in backfilled area. At the end of mine life, entire mined out area over 109 hectares will be back-filled and reclaimed / rehabilitated through backfilling and plantation from the end of existing plan period.

8. The Project Proponent submitted that nearest villages are Tentuliguda village (0.7 km, WSW) and Kakriguda (1.0 km, W). Primary School in Semiliguda village and Nearest Highway is NH-43 at 1.0 km, West.

9. The Project Proponent submitted that total water requirement is 61 KLD. The kundli nala is the source of water after treatment. The water permission to extract the water from kundli nala was granted by Irrigation dept. vide letter No. Irr-II. WRC45/06-13366/WR dated 21.04.2006 for drawal of 61m³/day. Effort will be made to avoid use of water from natural sources by creating rain water harvesting ponds with in mining lease area.

Signature

10. The Project Proponent submitted that the entire mined out area over 109 hectares will be reclaimed by way of concurrent back-filling and plantation. Area of 8.350 ha will be under green belt plantation. 12500 trees will be planted in about 5 ha during plan period @ 2500 plants/ha.

11. The Project Proponent submitted that the entire lease area falls in hilly area under the revenue class of "Pahad and Parbat". There is no forest land in the M.L area and Pitagurha PF (8.9 km, WSW) and Dushura RF (9.7 km, WSW) is present in the 10km radius. The project proponent also submitted that there are no Ecological Sensitive Areas (wild life sanctuaries, tiger reserves, elephant reserves, national parks and biosphere reserves etc.) present within 10 km radius.

12. The Project Proponent submitted the order sheet dictating restraining orders from 500 meters of the Mining Lease boundary (of the said mine) promulgated u/r of Cr. P. C 144 issued by the District Magistrate of Koraput stating sufficient evidence of public disorder and order to be enforced by Semiliguda Police Station.

13. The Project Proponent submitted that the total project cost is Rs. 24 crores and the funds allocated for EMP is 0.50 crores. The employment generated by this project is around 180 persons.

14. The proposal was considered in the 26th EAC meeting held during 11-13th January, 2021. Based on the documents submitted and presentation made by the Project Proponent and the Consultant, the committee observed that the PP has obtained Environment Clearance on 07.09.2006 under the EIA Notification, 1994; validity of the EC was only for 5 years i.e. 06.09.2011 and the PP has operated the mines from 2012 to 2014 without obtaining Environment Clearance under EIA Notification, 2006, hence the proposal falls under violation case. The Committee also noted that PP did not submitted the application as per notification no. S.O. 1530(E) dated 06.04.2018. The committee also observed that the project proponent could not able to achieve the production capacity of 0.6 MTPA of Bauxite of earlier EC dated 07.09.2006. The Committee was of the view that the proposal cannot be considered for 0.9 MTPA of Bauxite and the production capacity will be restricted to 0.6 MTPA of Bauxite. Therefore, the committee recommended the proposal for grant of Standard Terms of Reference for undertaking detailed EIA/EMP study for a production capacity of 0.6 MTPA of Bauxite, over an ML area of 268.110 Ha of Maliparbat Bauxite Mine of M/s Hindalco Industries Limited located at Aligaon, Kankaramba, Sorishpadar Village, Pottangi Tehsil, Koraput District, Odisha State along with the specific conditions.

15. The matter was examined in the Ministry and the undersigned is directed to say that the Ministry of Environment Forest & Climate Change after accepting the recommendation of EAC during its 26th EAC meeting held during 11-13th January, 2021 and in pursuant to Ministry's J.M. No.3-50/2017-IA.III (Pt.) dated 30.05.2018 & Z-11013/49/2018-IA. II (M) dated 18.06.2018 hereby accord Specific, Additional and Standard Terms of Reference (ToR) for a production capacity of 0.6 MTPA of Bauxite, over an ML area of 268.110 Ha of Maliparbat Bauxite Mine of M/s Hindalco Industries Limited located at Aligaon, Kankaramba, Sorishpadar Village, Pottangi Tehsil, Koraput District, Odisha. Accordingly, the Project Proponent is requested to prepare and submit Final EIA/EMP report based on the prescribed ToR which is as under:

SPECIFIC TERMS OF REFERENCE

23

- i. The State Government/SPCB to take action against the project proponent under the provisions of the Environment (Protection) Act, 1986.
- ii. The Project Proponent shall be required to submit a bank guarantee equivalent to the amount of remediation plan and natural and community resource augmentation plan with the SPCB prior to the grant of EC. The quantum shall be recommended by the EAC and finalized by the regulatory authority. The bank guarantee shall be released after successful implementation of the EMP, followed by recommendations of the EAC and approval of the regulatory authority.
- iii. Assessment of ecological damage with respect to air, water, land and other environmental attributes. The collection and analysis of data shall be done by an environmental laboratory duly notified under the Environment (Protection) Act, 1986, or an environmental laboratory accredited by NABL, or a laboratory of a Council of Scientific and Industrial Research (CSIR) institution working in the field of environment.
- iv. Preparation of EMP comprising remediation plan and natural and community resource augmentation plan corresponding to the ecological damage assessed and economic benefits derived due to violation.
- v. The remediation plan and the natural and community resource augmentation plan to be prepared as an independent chapter in the EIA report by the accredited consultants.
- vi. The Project Proponent needs to carry out the Public Hearing as per provisions of EIA Notification, 2006.
- vii. Cost of the CER calculated shall be utilized for the concerns of the people in terms of health, education, and infrastructure and environment protection. PP also shall include the budget for the betterment of schools nearby and to facilitate the online education system by providing Wi-Fi connectivity and desktops/tablets.

ADDITIONAL TOR'S:

- i. PP should provide in the EIA Report details of all the statutory clearances, permissions, no objection certificates, consents etc. required for this project under various Acts, Rules and regulations and their status or estimated timeline after grant of EC.
- ii. PP should submit the revenue plan for mining lease, revenue plan should be superimposed on the satellite imaginary clearly demarcate the Govt. land, private land, agricultural land etc.

- iii. PP should submit the real-time aerial footage & video of the mining lease area and of the transportation route. PP should submit the detailed plan in tabular format (year-wise for life of mine) for afforestation and green belt development in and around the mining lease. The PP should submit the number of saplings to be planted, area to be covered under afforestation & green belt, location of plantation, target for survival rate and budget earmarked for the afforestation & green belt development. In addition to this PP should show on a surface plan (5-year interval for life of mine) of suitable scale the area to be covered under afforestation & green belt clearly mentioning the latitude and longitude of the area to be covered during each 5 years. The capital and recurring expenditure to be incurred needs to be submitted. Presently in India there are many agencies which are developing forest in short interval of time. Thus, for the plantation activities details of the experts/agencies to be engaged needs to be provided with budgetary provisions.
- iv. PP should submit the quantity of surface or ground water to be used for this project. The complete water balance cycle need to be submitted. In addition to this PP should submit a detailed plan for rain water harvesting measures to be taken. PP should submit the year wise target for reduction in consumption of the ground/surface water by developing alternative source of water through rain water harvesting measures. The capital and recurring expenditure to be incurred needs to be submitted.
- v. PP should clearly bring out the details of the manpower to be engaged for this project with their roles /responsibilities/designations. In addition to this PP should mention the number and designation of person to be engaged for implementation of environmental management plan (EMP). The capital and recurring expenditure to be incurred needs to be submitted.
- vi. PP should submit the year-wise, activity wise and time bound budget earmarked for EMP, occupational health surveillance & Corporate Environmental Responsibility. The capital and recurring expenditure to be incurred needs to be submitted.
- vii. PP should submit the measures/technology to be adopted for prevention of illegal mining and pilferage of mineral. PP should submit the detailed mineralogical and chemical composition of the mineral and percentage of free silica from a NABL/MoEF&CC accredited laboratory.
- viii. PP should clearly show the transport route of the mineral and protection and mitigative measure to be adopted while transportation of the mineral. The impact from the center line of the road on either side should be clearly brought out supported with the line source modelling and isopleth. Further, frequency of testing of Poly Achromatic Hydrocarbon needs to be submitted along with budget. Based on the above study the compensation to be paid in the event of damage to the crop and land on the either side of the road needs to be mentioned. The PP should provide the source of equations used and complete calculations for computing the emission rate from the various sources.

harice

- ix. PP should clearly bring out that what is the specific diesel consumption and steps to be taken for reduction of the same. Year-wise target for reduction in the specific diesel consumption needs to be submitted.
- x. PP should bring out the awareness campaign to be carried out on various environmental issues, practical training facility to be provided to the environmental engineer/diploma holders, mining engineer/diploma holders, geologists, and other trades related to mining operations. Target for the same needs to be submitted.
- xi. The budget to be earmarked for the various activities shall be decided after perusal of the Standard EC Conditions published by the Ministry. After perusal of Standard EC conditions if agreed PP should also submit an undertaking by the way of affidavit for Compliance of Standard EC conditions already prescribed by the Ministry vide O.M. No and Specific condition if prescribed by the EAC/MoEF&CC.
- xii. The PP should ensure that only NABET accredited consultant shall be engaged for the preparation of EIA/EMP Reports. PP shall ensure that accreditation of consultant shall be valid during the collection of baseline data, preparation of EIA/EMP report and during the appraisal process. The PP and consultant should submit an undertaking the information and data provided in the EIA Report and submitted to the Ministry are factually correct and PP and consultant are fully accountable for the same.
- xiii. The PP should submit the photograph of monitoring stations & sampling locations. The photograph should bear the date, time, latitude & longitude of the monitoring station/sampling location. In addition to this PP should submit the original test reports and certificates of the labs which will analyze the samples.

STANDARD TOR FOR MINING PROJECT

- 1) Year-wise production details since 1994 should be given, clearly stating the highest production achieved in any one year prior to 1994. It may also be categorically informed whether there had been any increase in production after the EIA Notification 1994 came into force, w.r.t. the highest production achieved prior to 1994. The production details need to submit since inception of mine duly authenticated by Department of Mines & Geology, State Government.
- 2) A copy of the document in support of the fact that the Proponent is the rightful lessee of the mine should be given.
- 3) All documents including approved mine plan, EIA and Public Hearing should be compatible with one another in terms of the mine lease area, production levels, waste generation and its management, mining technology etc. and should be in the name of the lessee.
- 4) All corner coordinates of the mine lease area, superimposed on a High-Resolution Imagery/toposheet, topographic sheet, geomorphology and geology of the area should be provided. Such an Imagery of the proposed area should clearly show the land use

and other ecological features of the study area (core and buffer zone).

- 5) Information should be provided in Survey of India Toposheet in 1:50,000 scale indicating geological map of the area, geomorphology of land forms of the area, existing minerals and mining history of the area, important water bodies, streams and rivers and soil characteristics.
- 6) Details about the land proposed for mining activities should be given with information as to whether mining conforms to the land use policy of the State; land diversion for mining should have approval from State land use board or the concerned authority.
- 7) It should be clearly stated whether the proponent Company has a well laid down Environment Policy approved by its Board of Directors? If so, it may be spelt out in the EIA Report with description of the prescribed operating process/procedures to bring into focus any infringement/deviation/ violation of the environmental or forest norms/ conditions? The hierarchical system or administrative order of the Company to deal with the environmental issues and for ensuring compliance with the EC conditions may also be given. The system of reporting of non-compliances / violations of environmental norms to the Board of Directors of the Company and/or shareholders or stakeholders at large, may also be detailed in the proposed safeguard measures in each case should also be provided.
- 8) Issues relating to Mine Safety, including subsidence study in case of underground mining and slope study in case of open cast mining, blasting study etc. should be detailed. The proposed safeguard measures in each case should also be provided.
- 9) The study area will comprise of 10 km zone around the mine lease from lease periphery and the data contained in the EIA such as waste generation etc. should be for the life of the mine / lease period.
- 10) Land use of the study area delineating forest area, agricultural land, grazing land, wildlife sanctuary, national park, migratory routes of fauna, water bodies, human settlements and other ecological features should be indicated. Land use plan of the mine lease area should be prepared to encompass preoperational, operational and post operational phases and submitted. Impact, if any, of change of land use should be given.
- 11) Details of the land for any Over Burden Dumps outside the mine lease, such as extent of land area, distance from mine lease, its land use, R&R issues, if any, should be given.
- 12) A Certificate from the Competent Authority in the State Forest Department should be provided, confirming the involvement of forest land, if any, in the project area. In the event of any contrary claim by the Project Proponent regarding the status of forests, the site may be inspected by the State Forest Department along with the Regional Office of

the Ministry to ascertain the status of forests, based on which, the Certificate in this regard as mentioned above be issued. In all such cases, it would be desirable for representative of the State Forest Department to assist the Expert Appraisal Committees.

- 13) Status of forestry clearance for the broken-up area and virgin forestland involved in the Project including deposition of net present value (NPV) and compensatory afforestation (CA) should be indicated. A copy of the forestry clearance should also be furnished.
- 14) Implementation status of recognition of forest rights under the Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 should be indicated.
- 15) The vegetation in the RF / PF areas in the study area, with necessary details, should be given.
- 16) A study shall be got done to ascertain the impact of the Mining Project on wildlife of the study area and details furnished. Impact of the project on the wildlife in the surrounding and any other protected area and accordingly, detailed mitigative measures required, should be worked out with cost implications and submitted.
- 17) Location of National Parks, Sanctuaries, Biosphere Reserves, Wildlife Corridors, Ramsar site Tiger/Elephant Reserves/(existing as well as proposed), if any, within 10 km of the mine lease should be clearly indicated, supported by a location map duly authenticated by Chief Wildlife Warden. Necessary clearance, as may be applicable to such projects due to proximity of the ecologically sensitive areas as mentioned above, should be obtained from the Standing Committee of National Board of Wildlife and copy furnished.
- 18) A detailed biological study of the study area [core zone and buffer zone (10 km radius of the periphery of the mine lease)] shall be carried out. Details of flora and fauna, endangered, endemic and RET Species duly authenticated, separately for core and buffer zone should be furnished based on such primary field survey, clearly indicating the Schedule of the fauna present. In case of any scheduled-I fauna found in the study area, the necessary plan along with budgetary provisions for their conservation should be prepared in consultation with State Forest and Wildlife Department and details furnished. Necessary allocation of funds for implementing the same should be made as part of the project cost.
- 19) Proximity to Areas declared as 'Critically Polluted' or the Project areas likely to come under the 'Aravali Range', (attracting court restrictions for mining operations), should also be indicated and where so required, clearance certifications from the prescribed Authorities, such as the SPCB or State Mining Dept. Should be secured and furnished to the effect that the proposed mining activities could be considered.
- 20) Similarly, for coastal Projects, A CRZ map duly authenticated by one of the authorized

agencies demarcating LTL, HTL, CRZ area, location of the mine lease w.r.t CRZ, coastal features such as mangroves, if any, should be furnished. (Note: The Mining Projects falling under CRZ would also need to obtain approval of the concerned Coastal Zone Management Authority).

- 21) R&R Plan/compensation details for the Project Affected People (PAP) should be furnished. While preparing the R&R Plan, the relevant State/National Rehabilitation & Resettlement Policy should be kept in view. In respect of SCs /STs and other weaker sections of the society in the study area, a need-based sample survey, family-wise, should be undertaken to assess their requirements, and action programmes prepared and submitted accordingly, integrating the sectoral programmes of line departments of the State Government. It may be clearly brought out whether the village(s) located in the mine lease area will be shifted or not. The issues relating to shifting of village(s) including their R&R and socio-economic aspects should be discussed in the Report.
- 22) One season (non-monsoon) [i.e. March - May (Summer Season); October - December (post monsoon season); December - February (winter season)] primary baseline data on ambient air quality as per CPCB Notification of 2009, water quality, noise level, soil and flora and fauna shall be collected and the AAQ and other data so compiled presented date-wise in the EIA and EMP Report. Site-specific meteorological data should also be collected. The location of the monitoring stations should be such as to represent whole of the study area and justified keeping in view the pre-dominant downwind direction and location of sensitive receptors. There should be at least one monitoring station within 500 m of the mine lease in the pre-dominant downwind direction. The mineralogical composition of PM₁₀, particularly for free silica, should be given.
- 23) Air quality modelling should be carried out for prediction of impact of the project on the air quality of the area. It should also take into account the impact of movement of vehicles for transportation of mineral. The details of the model used and input parameters used for modelling should be provided. The air quality contours may be shown on a location map clearly indicating the location of the site, location of sensitive receptors, if any, and the habitation. The wind roses showing pre-dominant wind direction may also be indicated on the map.
- 24) The water requirement for the Project, its availability and source should be furnished. A detailed water balance should also be provided. Fresh water requirement for the Project should be indicated.
- 25) Necessary clearance from the Competent Authority for drawl of requisite quantity of water for the Project should be provided.
- 26) Description of water conservation measures proposed to be adopted in the Project should be given. Details of rainwater harvesting proposed in the Project, if any, should be provided.

- 27) Impact of the Project on the water quality, both surface and groundwater, should be assessed and necessary safeguard measures, if any required, should be provided.
- 28) Based on actual monitored data, it may clearly be shown whether working will intersect groundwater. Necessary data and documentation in this regard may be provided. In case the working will intersect groundwater table, a detailed Hydro Geological Study should be undertaken and Report furnished. The Report inter-alia, shall include details of the aquifers present and impact of mining activities on these aquifers. Necessary permission from Central Ground Water Authority for working below ground water and for pumping of ground water should also be obtained and copy furnished.
- 29) Details of any stream, seasonal or otherwise, passing through the lease area and modification / diversion proposed, if any, and the impact of the same on the hydrology should be.
- 30) Information on site elevation, working depth, groundwater table etc. Should be provided both in AMSL and BGL. A schematic diagram may also be provided for the same.
- 31) A time bound Progressive Greenbelt Development Plan shall be prepared in a tabular form (indicating the linear and quantitative coverage, plant species and time frame) and submitted, keeping in mind, the same will have to be executed up front on commencement of the Project. Phase-wise plan of plantation and compensatory afforestation should be charted clearly indicating the area to be covered under plantation and the species to be planted. The details of plantation already done should be given. The plant species selected for green belt should have greater ecological value and should be of good utility value to the local population with emphasis on local and native species and the species which are tolerant to pollution.
- 32) Impact on local transport infrastructure due to the Project should be indicated. Projected increase in truck traffic as a result of the Project in the present road network (including those outside the Project area) should be worked out, indicating whether it is capable of handling the incremental load. Arrangement for improving the infrastructure, if contemplated (including action to be taken by other agencies such as State Government) should be covered. Project Proponent shall conduct Impact of Transportation study as per Indian Road Congress Guidelines.
- 33) Details of the onsite shelter and facilities to be provided to the mine workers should be included in the EIA Report.
- 34) Conceptual post mining land use and Reclamation and Restoration of mined out areas

(with plans and with adequate number of sections) should be given in the EIA report.

- 35) Occupational Health impacts of the Project should be anticipated and the proposed preventive measures spelt out in detail. Details of pre-placement medical examination and periodical medical examination schedules should be incorporated in the EMP. The project specific occupational health mitigation measures with required facilities proposed in the mining area may be detailed.
- 36) Public health implications of the Project and related activities for the population in the impact zone should be systematically evaluated and the proposed remedial measures should be detailed along with budgetary allocations.
- 37) Measures of socio-economic significance and influence to the local community proposed to be provided by the Project Proponent should be indicated. As far as possible, quantitative dimensions may be given with time frames for implementation.
- 38) Detailed environmental management plan (EMP) to mitigate the environmental impacts which, should inter-alia include the impacts of change of land use, loss of agricultural and grazing land, if any, occupational health impacts besides other impacts specific to the proposed Project.
- 39) Public Hearing points raised and commitment of the Project Proponent on the same along with time bound Action Plan with budgetary provisions to implement the same should be provided and also incorporated in the final EIA/EMP Report of the Project.
- 40) Details of litigation pending against the project, if any, with direction /order passed by any Court of Law against the Project should be given.
- 41) The cost of the Project (capital cost and recurring cost) as well as the cost towards implementation of EMP should be clearly spelt out.
- 42) A Disaster Management Plan shall be prepared and included in the EIA/EMP Report.
- 43) Benefits of the Project if the Project is implemented should be spelt out. The benefits of the Project shall clearly indicate environmental, social, economic, employment potential, etc.
- 44) Activity-wise time-bound action plan on the issues raised and commitment made during public hearing to be submitted as part of the final EMP Report in compliance of the Ministry's OM F.No.22-65/2017-IA III dated 30th September, 2020.

16. Besides the above, the below mentioned general points are also to be followed: -

- a) All documents to be properly referenced with index and continuous page numbering.
- b) Where data are presented in the Report especially in Tables, the period in which the data were collected and the sources should be indicated.
- c) Project Proponent shall enclose all the analysis/testing reports of water, air, soil, noise etc. using the MoEF&CC/NABL accredited laboratories. All the original analysis/testing reports should be available during appraisal of the Project.
- d) Where the documents provided are in a language other than English, an English translation should be provided.
- e) The Questionnaire for environmental appraisal of mining projects as devised earlier by the Ministry shall also be filled and submitted.
- f) While preparing the EIA report, the instructions for the Proponents and instructions for the Consultants issued by MoEF vide O.M. No. J-11013/41/2006-IA.II (I) dated 4th August, 2009, which are available on the website of this Ministry, should be followed.
- g) Changes, if any made in the basic scope and project parameters (as submitted in Form-I and the PFR for securing the TOR) should be brought to the attention of MoEF&CC with reasons for such changes and permission should be sought, as the TOR may also have to be altered. Post Public Hearing changes in structure and content of the draft EIA/EMP (other than modifications arising out of the P.H. process) will entail conducting the PH again with the revised documentation.
- h) As per the circular no. J-11011/618/2010-IA.II (I) dated 30.5.2012, certified report of the status of compliance of the conditions stipulated in the environment clearance for the existing operations of the project, should be obtained from the Regional Office of Ministry of Environment, Forest and Climate Change, as may be applicable.
- i) The EIA report should also include (i) surface plan of the area indicating contours of main topographic features, drainage and mining area, (ii) geological maps and sections and (iii) sections of the mine pit and external dumps, if any, clearly showing the land features of the adjoining area.

17. The prescribed TOR would be valid for a period of three years for submission of the EIA/EMP report, as per the O.M. No. J-11013/41/2006-IA. II (I) (Part) dated 29.08.2017 and As

Rawat

per the notification S.O.751(E) 17th February,2020. The instant TOR is valid up to four years from the date of issuance of TOR.

18. The P should submit the EIA/EMP report as per the generic structure prescribed in Appendix- III of the EIA Notification, 2006, after incorporating the details of public hearing conducted and covering the above mentioned issues, to take further necessary action for obtaining environmental clearance in accordance with the procedure prescribed under the EIA Notification, 2006 and S.O. 804 (E) dated 14.03.2017.

19. The issues with the approval of the Competent Authority.

Yours faithfully,

Pankaj Verma

(Pankaj Verma)
Scientist 'E'

Email- pankaj.verma@nic.in

Tel./Fax- 011- 24695264

Copy to:

- 1). The Secretary, Ministry of Mines, Government of India Shastri Bhawan, New Delhi.
- 2). The Chief Secretary, Government of Odisha, Secretariat, Bhubaneswar.
- 3). The Secretary, Department of Environment, Government of Odisha, Secretariat, Bhubaneswar.
- 4). The Secretary, Department of Mines and Geology, Government of Odisha, Secretariat, Bhubaneswar.
- 5). The Secretary, Department of Forests, Government of Odisha, Secretariat, Bhubaneswar.
- 6). The Secretary, Department of Steel and Mines, Government of Odisha, Secretariat, Bhubaneswar.
- 7). The Member Secretary, Odisha State Pollution Control Board, Parivesh Bhawan, A/118 Nilakantha Nagar, Unit-VIII, Bhubaneswar-751012.
- 8). The Additional Principal Chief Conservator of Forests (C), Ministry of Environment, Forest and Climate Change, Regional Office (EZ), A/3, Chandrasekharapur, Bhubaneswar -751023.
- 9). The Chief Wildlife Warden, Prakurti Bhawan, 5th floor, BDA Apartment, Nilakanthanagar, Nayapalli, Bhubaneswar-751012, Odisha.
- 10). The Chairman, Central Pollution Control Board, Parivesh Bhawan, CBD-cum-Office Complex, East Arjun Nagar, Delhi-110032.
- 11). The Controller General, Indian Bureau of Mines, Indira Bhavan, Civil Lines, Nagpur-440001
- 12). The Member Secretary, Central Ground Water Board, Ministry of Agriculture and Irrigation, 12/1 Jam Nagar House, Shahjahan road, New Delhi 110011.
- 13). The District Collector, Koraput District, Govt. of Odisha.
- 14). Guard File.

Pankaj Verma
(Pankaj Verma)
Scientist 'E'

(Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii)
MINISTRY OF ENVIRONMENT AND FORESTS

New Delhi 14th September, 2006

Notification

S.O. 1533(E). - Whereas, a draft notification under sub-rule (3) of Rule 5 of the Environment (Protection) Rules, 1986 for imposing certain restrictions and prohibitions on new projects or activities, or on the expansion or modernization of existing projects or activities based on their potential environmental impacts as indicated in the Schedule to the notification, being undertaken in any part of India, unless prior environmental clearance has been accorded in accordance with the objectives of National Environment Policy as approved by the Union Cabinet on 18th May, 2006 and the procedure specified in the notification, by the Central Government or the State or Union territory Level Environment Impact Assessment Authority (SEIAA), to be constituted by the Central Government in consultation with the State Government or the Union territory Administration concerned under sub-section (3) of section 3 of the Environment (Protection) Act, 1986 for the purpose of this notification, was published in the Gazette of India, Extraordinary, Part II, section 3, sub-section (ii) vide number S.O. 1324 (E) dated the 15th September, 2005 inviting objections and suggestions from all persons likely to be affected thereby within a period of sixty days from the date on which copies of Gazette containing the said notification were made available to the public;

And whereas, copies of the said notification were made available to the public on 15th September, 2005;

And whereas, all objections and suggestions received in response to the above mentioned draft notification have been duly considered by the Central Government;

Now, therefore, in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986, read with clause (d) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986 and in supersession of the notification number S.O. 60 (E) dated the 27th January, 1994, except in respect of things done or omitted to be done before such supersession, the Central Government hereby directs that on and from the date of its publication the required construction of new projects or activities or the expansion or modernization of existing projects or activities listed in the Schedule to this notification entailing capacity addition with change in process and or technology shall be

I: II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

undertaken in any part of India only after the prior environmental clearance from the Central Government or as the case may be, by the State Level Environment

Impact Assessment Authority, duly constituted by the Central Government under sub-section (3) of section 3 of the said Act, in accordance with the procedure specified hereinafter in this notification.

includes the territorial waters

2. Requirements of prior Environmental Clearance (EC):- The following projects or activities shall require prior environmental clearance from the concerned regulatory authority, which shall hereinafter referred to be as the Central Government in the Ministry of Environment and Forests for matters falling under Category 'A' in the Schedule and at State level the State Environment Impact Assessment Authority (SEIAA) for matters falling under Category 'B' in the said Schedule, before any construction work, or preparation of land by the project management except for securing the land, is started on the project or activity:

- (i) All new projects or activities listed in the Schedule to this notification;
- (ii) Expansion and modernization of existing projects or activities listed in the Schedule to this notification with addition of capacity beyond the limits specified for the concerned sector, that is, projects or activities which cross the threshold limits given in the Schedule, after expansion or modernization;
- (iii) Any change in product - mix in an existing manufacturing unit included in Schedule beyond the specified range.

3. State Level Environment Impact Assessment Authority:- (1) A State Level Environment Impact Assessment Authority hereinafter referred to as the SEIAA shall be constituted by the Central Government under sub-section (3) of section 3 of the Environment (Protection) Act, 1986 comprising of three Members including a Chairman and a Member - Secretary to be nominated by the State Government or the Union territory Administration concerned.

- (2) The Member-Secretary shall be a serving officer of the concerned State Government or Union territory administration familiar with environmental laws.
- (3) The other two Members shall be either a professional or expert fulfilling the eligibility criteria given in Appendix VI to this notification.

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(F) dated 14.09.2006

- (4) One of the specified Members in sub-paragraph (3) above who is an expert in the Environmental Impact Assessment process shall be the Chairman of the SEIAA.
 - (5) The State Government or Union territory Administration shall forward the names of the Members and the Chairman referred in sub-paragraph 3 to 4 above to the Central Government and the Central Government shall constitute the SEIAA as an authority for the purposes of this notification within thirty days of the date of receipt of the names.
 - (6) The non-official Member and the Chairman shall have a fixed term of three years (from the date of the publication of the notification by the Central Government constituting the authority).
- “(7) All decisions of the SEIAA shall be taken in a meeting and shall ordinarily be unanimous:
Provided that, in case a decision is taken by majority, the details of views, for and against it, shall be clearly recorded in the minutes and copy thereof sent to MoEF.”

4. Categorization of projects and activities:-

- (i) All projects and activities are broadly categorized in to two categories - Category A and Category B, based on the spatial extent of potential impacts and potential impacts on human health and natural and man made resources.
- (ii) All projects or activities included as Category 'A' in the Schedule, including expansion and modernization of existing projects or activities and change in product mix, shall require prior environmental clearance from the Central Government in the Ministry of Environment and Forests (MoEF) on the recommendations of an Expert Appraisal Committee (EAC) to be constituted by the Central Government for the purposes of this notification;
- (iii) All projects or activities included as Category 'B' in the Schedule, including expansion and modernization of existing projects or activities as specified in sub paragraph (ii) of paragraph 2, or change in product mix as specified in sub paragraph (iii) of paragraph 2, but excluding those which fulfill the General Conditions (GC) stipulated in the Schedule, will require prior environmental clearance from the State/Union territory Environment Impact Assessment Authority (SEIAA). The SEIAA shall base its decision on the recommendations of a State or Union territory level Expert Appraisal Committee (SEAC) as to be constituted for in this notification. " "In the absence of a duly constituted SEIAA

I: II: III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi. Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

or SEAC, a Category 'B' project shall be considered at Central Level as a Category 'B' project;"

5. Screening, Scoping and Appraisal Committees:-

The same Expert Appraisal Committees (EACs) at the Central Government and SEACs (hereinafter referred to as the (EAC) and (SEAC) at the State or the Union territory level shall screen, scope and appraise projects or activities in Category 'A' and Category 'B' respectively. EAC and SEAC's shall meet at least once every month.

- (a) The composition of the EAC shall be as given in Appendix VI. The SEAC at the State or the Union territory level shall be constituted by the Central Government in consultation with the concerned State Government or the Union territory Administration with identical composition;
- (b) The Central Government may, with the prior concurrence of the concerned State Governments or the Union territory Administrations, constitutes one SEAC for more than one State or Union territory for reasons of administrative convenience and cost;
- (c) The EAC and SEAC shall be reconstituted after every three years;
- (d) The authorised members of the EAC and SEAC, concerned, may inspect any site(s) connected with the project or activity in respect of which the prior environmental clearance is sought, for the purposes of screening or scoping or appraisal, with prior notice of at least seven days to the applicant, who shall provide necessary facilities for the inspection;
- (e) The EAC and SEACs shall function on the principle of collective responsibility. The Chairperson shall endeavour to reach a consensus in each case, and if consensus cannot be reached, the view of the majority shall prevail.

6. Application for Prior Environmental Clearance (EC):-

An application seeking prior environmental clearance in all cases shall be made in the prescribed Form 1 annexed herewith and Supplementary Form 1A, if applicable, as given in Appendix II, after the identification of prospective site(s) for the project and/or activities to which the application relates, before commencing any construction activity, or preparation of land, at the site by the applicant. The applicant shall furnish, along with the application, a copy

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

of the pre-feasibility project report except that, in case of construction projects or activities (item 8 of the Schedule) in addition to Form 1 and the Supplementary Form 1A, a copy of the conceptual plan shall be provided, instead of the pre-feasibility report.

7. Stages in the Prior Environmental Clearance (EC) Process for New Projects:-

7(i) The environmental clearance process for new projects will comprise of a maximum of four stages, all of which may not apply to particular cases as set forth below in this notification. These four stages in sequential order are:-

- Stage (1) Screening (Only for Category 'B' projects and activities)
- Stage (2) Scoping
- Stage (3) Public Consultation
- Stage (4) Appraisal

I. Stage (1) - Screening:

In case of Category 'B' projects or activities, this stage will entail the scrutiny of an application seeking prior environmental clearance made in Form 1 by the concerned State level Expert Appraisal Committee (SEAC) for determining whether or not the project or activity requires further environmental studies for preparation of an Environmental Impact Assessment (EIA) for its appraisal prior to the grant of environmental clearance depending up on the nature and location specificity of the project. The projects requiring an Environmental Impact Assessment report shall be termed Category 'B1' and remaining projects shall be termed Category 'B2' and will not require an Environment Impact Assessment report. For categorization of projects into B1 or B2 except item 8 (b), the Ministry of Environment and Forests shall issue appropriate guidelines from time to time.

II. Stage (2) - Scoping:

- (i) "Scoping": refers to the process by which the Expert Appraisal Committee in the case of Category 'A' projects or activities, and State level Expert Appraisal Committee in the case of Category 'B1' projects or activities, including applications for expansion and/or modernization and/or change in product mix of existing projects or activities, determine detailed and comprehensive Terms Of Reference (TOR) addressing all relevant environmental concerns for the preparation of an Environment Impact Assessment (EIA) Report in respect of the project or activity for which prior environmental clearance is sought. The Expert Appraisal Committee or State level Expert Appraisal Committee

i; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

concerned shall determine the Terms of Reference on the basis of the information furnished in the prescribed application Form 1/Form 1A including Terms of Reference proposed by the applicant, a site visit by a sub-group of Expert Appraisal Committee or State level Expert Appraisal Committee concerned only if considered necessary by the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned, Terms of Reference suggested by the applicant if furnished and other information that may be available with the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned. All projects and activities listed as Category 'B' in Item 8 of the Schedule (Construction/Township/Commercial Complexes /Housing) shall not require Scoping and will be appraised on the basis of Form 1/ Form 1A and the conceptual plan.

(ii) The Terms of Reference (TOR) shall be conveyed to the applicant by the Expert Appraisal Committee or State Level Expert Appraisal Committee as concerned within sixty days of the receipt of Form 1. In the case of Category A Hydroelectric projects Item 1(c) (i) of the Schedule the Terms of Reference shall be conveyed along with the clearance for pre-construction activities. If the Terms of Reference are not finalized and conveyed to the applicant within sixty days of the receipt of Form 1, the Terms of Reference suggested by the applicant shall be deemed as the final Terms of Reference approved for the EIA studies. The approved Terms of Reference shall be displayed on the website of the Ministry of Environment and Forests and the concerned State Level Environment Impact Assessment Authority.

(iii) Applications for prior environmental clearance may be rejected by the regulatory authority concerned on the recommendation of the EAC or SEAC concerned at this stage itself. In case of such rejection, the decision together with reasons for the same shall be communicated to the applicant in writing within sixty days of the receipt of the application.

III. Stage (3) - Public Consultation:

(i) "Public Consultation" refers to the process by which the concerns of local affected persons and others who have plausible stake in the environmental impacts of the project or activity are ascertained with a view to taking into account all the material concerns in the project or activity design as appropriate. All Category 'A' and Category B1 projects or activities shall undertake Public Consultation, except the following:-

(a) modernization of irrigation projects (item 1(c) (ii) of the Schedule).

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

- (b) all projects or activities located within industrial estates or parks (item 7(c) of the Schedule) approved by the concerned authorities, and which are not disallowed in such approvals.
- (c) expansion of Roads and Highways (item 7 (f) of the Schedule) which do not involve any further acquisition of land.
- "(cc) maintenance dredging provided the dredged material shall be disposed within port limits.;"
- "(d) All Building or Construction projects or Area Development projects (which do not contain any category 'A' projects and activities) and Townships (item 8(a) and 8(b) in the Schedule to the notification)."
- e) all Category 'B2' projects and activities.
- f) all projects or activities concerning national defence and security or involving other strategic considerations as determined by the Central Government.
- (ii) The Public Consultation shall ordinarily have two components comprising of:-
 - (a) a public hearing at the site or in its close proximity- district wise, to be carried out in the manner prescribed in Appendix IV, for ascertaining concerns of local affected persons;
 - (b) obtain responses in writing from other concerned persons having a plausible stake in the environmental aspects of the project or activity.
- (iii) the public hearing at, or in close proximity to, the site(s) in all cases shall be conducted by the State Pollution Control Board (SPCB) or the Union territory Pollution Control Committee (UTPCC) concerned in the specified manner and forward the proceedings to the regulatory authority concerned within 45(forty five) of a request to the effect from the applicant.
- (iv) in case the State Pollution Control Board or the Union territory Pollution Control Committee concerned does not undertake and complete the public hearing within the specified period, and/or does not convey the proceedings of the public hearing within the prescribed period directly to the regulatory authority concerned as above, the regulatory

authority shall engage another public agency or authority which is not subordinate to the regulatory authority, to complete the process within a further period of forty five days..

- (v) If the public agency or authority nominated under the sub paragraph (iii) above reports to the regulatory authority concerned that owing to the local situation, it is not possible to conduct the public hearing in a manner which will enable the views of the concerned local persons to be freely expressed, it shall report the facts in detail to the concerned regulatory authority, which may, after due consideration of the report and other reliable information that it may have, decide that the public consultation in the case need not include the public hearing.
- (vi) For obtaining responses in writing from other concerned persons having a plausible stake in the environmental aspects of the project or activity, the concerned regulatory authority and the State Pollution Control Board (SPCB) or the Union territory Pollution Control Committee (UTPCC) shall invite responses from such concerned persons by placing on their website the Summary EIA report prepared in the format given in Appendix IIIA by the applicant along with a copy of the application in the prescribed form, within seven days of the receipt of a written request for arranging the public hearing. Confidential information including non-disclosable or legally privileged information involving Intellectual Property Right, source specified in the application shall not be placed on the web site. The regulatory authority concerned may also use other appropriate media for ensuring wide publicity about the project or activity. The regulatory authority shall, however, make available on a written request from any concerned person the Draft EIA report for inspection at a notified place during normal office hours till the date of the public hearing. All the responses received as part of this public consultation process shall be forwarded to the applicant through the quickest available means.
- (vii) After completion of the public consultation, the applicant shall address all the material environmental concerns expressed during this process, and make appropriate changes in the draft EIA and EMP. The final EIA report, so prepared, shall be submitted by the applicant to the concerned regulatory authority for appraisal. The applicant may alternatively submit a supplementary report to draft EIA and EMP addressing all the concerns expressed during the public consultation.

IV. Stage (4) - Appraisal:

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii). No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

- (i) Appraisal means the detailed scrutiny by the Expert Appraisal Committee or State Level Expert Appraisal Committee of the application and other documents like the Final EIA report, outcome of the public consultations including public hearing proceedings, submitted by the applicant to the regulatory authority concerned for grant of environmental clearance. This appraisal shall be made by Expert Appraisal Committee or State Level Expert Appraisal Committee concerned in a transparent manner in a proceeding to which the applicant shall be invited for furnishing necessary clarifications in person or through an authorized representative. On conclusion of this proceeding, the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned shall make categorical recommendations to the regulatory authority concerned either for grant of prior environmental clearance on stipulated terms and conditions, or rejection of the application for prior environmental clearance, together with reasons for the same.
- (ii) The appraisal of all projects or activities which are not required to undergo public consultation, or submit an Environment Impact Assessment report, shall be carried out on the basis of the prescribed application Form 1 and Form 1A as applicable, any other relevant validated information available and the site visit wherever the same is considered as necessary by the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned.
- (iii) The appraisal of an application shall be completed by the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned within sixty days of the receipt of the final Environment Impact Assessment report and other documents or the receipt of Form 1 and Form 1 A, where public consultation is not necessary and the recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee shall be placed before the competent authority for a final decision within the next fifteen days. The prescribed procedure for appraisal is given in Appendix V ;

7(ii). Prior Environmental Clearance (EC) process for Expansion or Modernization or Change of product mix in existing projects:

All applications seeking prior environmental clearance for expansion with increase in the production capacity beyond the capacity for which prior environmental clearance has been granted under this notification or with increase in either lease area or production capacity in the case of mining projects or for the modernization of an existing unit with increase in

I; II; III (a), (b); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b) . (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

the total production capacity beyond the threshold limit prescribed in the Schedule to this notification through change in process and or technology or involving a change in the product -mix shall be made in Form I and they shall be considered by the concerned Expert Appraisal Committee or State Level Expert Appraisal Committee within sixty days, who will decide on the due diligence necessary including preparation of EIA and public consultations and the application shall be appraised accordingly for grant of environmental clearance.

8. Grant or Rejection of Prior Environmental Clearance (EC):

- (i) The regulatory authority shall consider the recommendations of the EAC or SEAC concerned and convey its decision to the applicant within forty five days of the receipt of the recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned or in other words within one hundred and five days of the receipt of the final Environment Impact Assessment Report, and where Environment Impact Assessment is not required, within one hundred and five days of the receipt of the complete application with requisite documents, except as provided below.
- (ii) The regulatory authority shall normally accept the recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned. In cases where it disagrees with the recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned, the regulatory authority shall request reconsideration by the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned within forty five days of the receipt of the recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned while stating the reasons for the disagreement. An intimation of this decision shall be simultaneously conveyed to the applicant. The Expert Appraisal Committee or State Level Expert Appraisal Committee concerned, in turn, shall consider the observations of the regulatory authority and furnish its views on the same within a further period of sixty days. The decision of the regulatory authority after considering the views of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned shall be final and conveyed to the applicant by the regulatory authority concerned within the next thirty days.
- (iii) In the event that the decision of the regulatory authority is not communicated to the applicant within the period specified in sub-paragraphs (i) or (ii) above, as applicable, the

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

applicant may proceed as if the environment clearance sought for has been granted or denied by the regulatory authority in terms of the final recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned.

- (iv) On expiry of the period specified for decision by the regulatory authority under paragraph (i) and (ii) above, as applicable, the decision of the regulatory authority, and the final recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned shall be public documents.
- (v) Clearances from other regulatory bodies or authorities shall not be required prior to receipt of applications for prior environmental clearance of projects or activities, or screening, or scoping, or appraisal, or decision by the regulatory authority concerned, unless any of these is sequentially dependent on such clearance either due to a requirement of law, or for necessary technical reasons.
- (vi) Deliberate concealment and/or submission of false or misleading information or data which is material to screening or scoping or appraisal or decision on the application shall make the application liable for rejection, and cancellation of prior environmental clearance granted on that basis. Rejection of an application or cancellation of a prior environmental clearance already granted, on such ground, shall be decided by the regulatory authority, after giving a personal hearing to the applicant, and following the principles of natural justice.

9. Validity of Environmental Clearance (EC):

The "Validity of Environmental Clearance" is meant the period from which a prior environmental clearance is granted by the regulatory authority, or may be presumed by the applicant to have been granted under sub paragraph (iv) of paragraph 7 above, to the start of production operations by the project or activity, or completion of all construction operations in case of construction projects (item 8 of the Schedule), to which the application for prior environmental clearance refers. The prior environmental clearance granted for a project or activity shall be valid for a period of ten years in the case of River Valley projects (item 1(c) of the Schedule), project life as estimated by Expert Appraisal Committee or State Level Expert Appraisal Committee subject to a maximum of thirty years for mining projects and five years in the case of all other projects and activities. However, in the case of Area Development projects and Townships [item 8(b)], the validity

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi. Tuesday, November 1, 2009; an amendment to EC notification S.O 1533(E) dated 14.09.2006

period shall be limited only to such activities as may be the responsibility of the applicant as a developer. This period of validity may be extended by the regulatory authority concerned by a maximum period of five years provided an application is made to the regulatory authority by the applicant within the validity period, together with an updated Form 1, and Supplementary Form 1A, for Construction projects or activities (item 8 of the Schedule). In this regard the regulatory authority may also consult the Expert Appraisal Committee or State Level Expert Appraisal Committee as the case may be.

10. Post Environmental Clearance Monitoring:

- ^{iv} (i)(a) In respect of Category 'A' project, it shall be mandatory for the project proponent to make public the environment clearance granted for their project along with the environmental conditions and safeguards at their cost by prominently advertising it at least in two local newspapers of the district or State where the project is located and in addition, this shall also be displayed in the project proponent's website permanently.
- (b) In respect of Category 'B' projects, irrespective of its clearance by MoEF / SEIAA, the project proponent shall prominently advertise in the newspapers indicating that the project has been accorded environment clearance and the details of the MoEF website where it is displayed.
- (c) The Ministry of Environment and Forests and the State/Union Territory Level Environmental Impact Assessment Authorities (SEIAAs), as the case may be, shall also place the environmental clearance in the public domain on Governmental portal.
- (d) The copies of the environmental clearance shall be submitted by the project proponents to the Heads of local bodies, Panchayats and Municipal Bodies in addition to the relevant offices of the Government who in turn has to display the same for 30 days from the date of receipt.”;
- ^{iv} (ii) It shall be mandatory for the project management to submit half-yearly compliance reports in respect of the stipulated prior environmental clearance terms and conditions in hard and soft copies to the regulatory authority concerned, on 1st June and 1st December of each calendar year.
- ^{iv} (iii) All such compliance reports submitted by the project management shall be public documents. Copies of the same shall be given to any person on application to the

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002} New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

concerned regulatory authority. The latest such compliance report shall also be displayed on the web site of the concerned regulatory authority.

11. Transferability of Environmental Clearance (EC):

A prior environmental clearance granted for a specific project or activity to an applicant may be transferred during its validity to another legal person entitled to undertake the project or activity on application by the transferor, or by the transferee with a written "no objection" by the transferor, to, and by the regulatory authority concerned, on the same terms and conditions under which the prior environmental clearance was initially granted, and for the same validity period. No reference to the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned is necessary in such cases.

12. Operation of EIA Notification, 1994, till disposal of pending cases:

From the date of final publication of this notification the Environment Impact Assessment (EIA) notification number S.O.60 (E) dated 27th January, 1994 is hereby superseded, except in suppression of the things done or omitted to be done before such suppression to the extent that in case of all or some types of applications made for prior environmental clearance and pending on the date of final publication of this notification, the Central Government may relax any one or all provisions of this notification except the list of the projects or activities requiring prior environmental clearance in Schedule I, or continue operation of some or all provisions of the said notification, for a period not exceeding one year from the date of issue of this notification.

SCHEDULE

(See paragraph 2 and 7)

LIST OF PROJECTS OR ACTIVITIES REQUIRING PRIOR ENVIRONMENTAL CLEARANCE

Project or Activity		Category with threshold limit		Conditions if any
		A	B	
1		Mining, extraction of natural resources and power generation (for a specified production capacity)		
(1)	(2)	(3)	(4)	(5)
^v 1(a)	(i) Mining of minerals. (ii) Slurry pipelines (coal lignite and other ores) passing through national parks / sanctuaries / coral reefs, ecologically sensitive areas.	≥ 50 ha. of mining lease area in respect of non-coal mine lease. > 150 ha of mining lease area in respect of coal mine lease. Asbestos mining irrespective of mining area All projects.	<50 ha ≥ 5 ha .of mining lease area in respect of non-coal mine lease. ≤ 150 ha ≥ 5 ha of mining lease area in respect of coal mine lease.	General Condition shall apply Note: Mineral prospecting is exempted.”;
1(b)	Offshore and onshore oil and gas exploration, development & production	All projects		Note Exploration Surveys (not involving drilling) are exempted provided the concession areas have got previous clearance for physical survey
1(c)	River Valley projects	(i) ≥ 50 MW hydroelectric power generation; (ii) ≥ 10,000 ha. of culturable command area	(i) < 50 MW ≥ 25 MW hydroelectric power generation; (ii) < 10,000 ha. of culturable command area	^v “General Condition shall apply. Note: Irrigation projects not involving submergence or inter-state domain shall be appraised by the SEIAA as Category ‘B’ Projects.”;

I: II: III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

(1)	(2)	(3)	(4)	(5)
1(d)	Thermal Power Plants	" ≥ 500 MW (coal / lignite / naphtha & gas based); ≥ 50 MW (Pet coke diesel and all other fuels including refinery residual oil waste except biomass); ≥ 20 MW (based on biomass or non hazardous municipal waste as fuel).";	" < 500 MW (coal / lignite / naphtha & gas based); < 50 MW ≥ 5 MW (Pet coke, diesel and all other fuels including refinery residual oil waste except biomass); ≥ 20 MW > 15 MW (based on biomass or non hazardous municipal waste as fuel).";	"General Condition shall apply. Note: (i) Power plant up to 15 MW, based on biomass and using auxiliary fuel such as coal / lignite / petroleum products up to 15% are exempt. (ii) Power plant up to 15 MW, based on non-hazardous municipal waste and using auxiliary fuel such as coal / lignite / petroleum products up to 15% are exempt. (iii) Power plants using waste heat boiler without any auxiliary fuel are exempt.";
1(e)	Nuclear power projects and processing of nuclear fuel	All projects		
2		Primary Processing		
2(a)	Coal washeries	≥ 1 million ton/annum throughput of coal	< 1 million ton/annum throughput of coal	General Condition shall apply (If located within mining area the proposal shall be appraised together with the mining proposal)
2(b)	Mineral beneficiation	≥ 0.1 million ton/annum mineral throughput	< 0.1 million ton/annum mineral throughput	General Condition shall apply (Mining proposal with Mineral beneficiation shall be appraised together for grant of clearance)

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii) (a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII

of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O. 1533(E) dated 14.09.2006

3				
(1)	(2)	Materials Production		
(1)	(2)	(3)	(4)	(5)
3(a)	Metallurgical industries (ferrous & non ferrous)	<p>a) Primary metallurgical industry</p> <p>All projects</p> <p>b) Sponge iron manufacturing ≥ 200TPD</p> <p>c) Secondary metallurgical processing industry</p> <p>All toxic and heavy metal producing units $\geq 20,000$ tonnes /annum</p>	<p>Sponge iron manufacturing <200TPD</p> <p>Secondary metallurgical processing industry</p> <p>I.) All toxic and heavy metal producing units $<20,000$ tonnes /annum</p> <p>II.) All other non-toxic secondary metallurgical processing industries >5000 tonnes/annum</p>	<p>* "General condition shall apply.</p> <p>Note:</p> <p>(i) The recycling industrial units registered under the HSM Rules, are exempted.</p> <p>(ii) In case of secondary metallurgical processing industrial units, those projects involving operation of furnaces only such as induction and electrical arc furnace, submerged arc furnace, and cupola with capacity more than 30,000 tonnes per annum (TPA) would require environmental clearance.</p> <p>(iii) Plant / units other than power plants (given against entry no. 1(d) of the schedule), based on municipal solid waste (non-hazardous) are exempted."</p>
3(b)	Cement plants	≥ 1.0 million tonnes/annum production capacity	<1.0 million tonnes/annum production capacity. All Stand alone grinding units	General Condition shall apply
4				
(1)	(2)	(3)	(4)	(5)
4(a)	Petroleum refining industry	All projects	-	-
4(b)	Coke oven plants	$\geq 2,50,000$ tonnes/annum	$<2,50,000$ & $\geq 25,000$ tonnes/annum	* "General Condition shall apply."
4(c)	Asbestos milling and asbestos based products	All projects	-	-

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

(1)	(2)	(3)	(4)	(5)
4(d)	Chlor-alkali industry	≥300 TPD production Capacity or a unit located out side the notified industrial area/ estate	√ "(i) All projects irrespective of the size, if located in a Notified Industrial Area/ Estate. (ii) <300 tonnes per day (TPD) and located outside a Notified Industrial Area/ Estate."	√ "General as well as specific condition shall apply. No new Mercury Cell based plants will be permitted and existing units converting to membrane cell technology are exempted from this notification."
4(e)	Soda ash Industry	All projects	-	-
4(f)	Leather/skin/hide processing industry	New projects outside the industrial area or expansion of existing units out side the industrial area	All new or expansion of projects located within a notified industrial area/ estate	√ "General as well as specific condition shall apply."
5	Manufacturing / Fabrication			
5(a)	Chemical fertilizers	√ "All projects except Single Super Phosphate."	√ "Single Super Phosphate."	-
5(b)	Pesticides industry and pesticide specific intermediates (excluding formulations)	All units producing technical grade pesticides	-	-
5(c)	Petro-chemical complexes (industries based on processing of petroleum fractions & natural gas and/or reforming to aromatics)	All projects -	-	-
5(d)	Manmade fibers manufacturing	Rayon	Others	General Condition shall apply
5(e)	Petrochemical based processing (processes other than cracking & reformation and not covered under the complexes)	Located out side the notified industrial area/ estate -	Located in a notified industrial area/ estate	√ "General as well as specific condition shall apply."

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O 1533(F) dated 14.09.2006

(1)	(2)	(3)	(4)	(5)
5(f)	Synthetic organic chemicals industry (dyes & dye intermediates; bulk drugs and intermediates excluding drug formulations; synthetic rubbers; basic organic chemicals, other synthetic organic chemicals and chemical intermediates)	Located out side the notified industrial area/ estate	Located in a notified industrial area/ estate	"General as well as specific condition shall apply."
5(g)	Distilleries	(i) All Molasses based distilleries (ii) All Cane juice/ non-molasses based distilleries ≥ 30 KLD	All Cane juice / non-molasses based distilleries - < 30 KLD	General Condition shall apply
5(h)	Integrated paint industry	-	All projects	General Condition shall apply
5(i)	Pulp & paper industry excluding manufacturing of paper from waste paper and manufacture of paper from ready pulp with out bleaching	Pulp manufacturing and Pulp & Paper manufacturing industry	Paper manufacturing industry without pulp manufacturing	General Condition shall apply
5(j)	Sugar Industry	-	≥ 5000 tcd cane crushing capacity	General Condition shall apply
5(k)	Omitted			
6	Service Sectors			
6(a)	Oil & gas transportation pipe line (crude and refinery/ petrochemical products), passing through national parks / sanctuaries / coral reefs / ecologically sensitive areas including LNG Terminal	All projects		

I; II: III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

(1)	(2)	(3)	(4)	(5)
6(b)	Isolated storage & handling of hazardous chemicals (As per threshold planning quantity indicated in column 3 of schedule 2 & 3 of MSIH Rules 1989 amended 2000)	-	All projects	General Condition shall apply
7		Physical Infrastructure including Environmental Services		
7(a)	Air ports	"All projects including airstrips, which are for commercial use."	-	"Note: Air strips, which do not involve bunkering/ refueling facility and or Air Traffic Control, are exempted."
7(b)	All ship breaking yards including ship breaking units	All projects	-	-
7(c)	Industrial estates/ parks/ complexes/ areas, export processing Zones (EPZs), Special Economic Zones (SEZs), Biotech Parks, Leather Complexes.	If at least one industry in the proposed industrial estate falls under the Category A, entire industrial area shall be treated as Category A, irrespective of the area. Industrial estates with area greater than 500 ha. and housing at least one Category B industry.	Industrial estates housing at least one Category B industry and area <500 ha. Industrial estates of area > 500 ha. and not housing any industry belonging to Category A or B.	"General as well as special conditions shall apply. Note: 1. Industrial Estate of area below 500 ha. and not housing any industry of Category 'A' or 'B' does not require clearance. 2. If the area is less than 500 ha. but contains building and construction projects > 20,000 Sq. mts. And or development area more than 50 ha it will be treated as activity listed at serial no. 8(a) or 8(b) in the Schedule, as the case may be."
7(d)	Common hazardous waste treatment, storage and disposal facilities (TSDFs)	All integrated facilities having incineration & landfill or incineration alone	All facilities having land fill only	General Condition shall apply

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O 1533(E) dated 14.09.2006

(1)	(2)	(3)	(4)	(5)
7(e)	✓ "Ports, harbours, break waters, dredging."	≥ 5 million TPA of cargo handling capacity (excluding fishing harbours)	< 5 million TPA of cargo handling capacity and/or ports/ harbours ≥10,000 TPA of fish handling capacity	✓ "General Condition shall apply. Note: 1. Capital dredging inside and outside the ports or harbors and channels are included; 2. Maintenance dredging is exempt provided it formed part of the original proposal for which Environment Management Plan (EMP) was prepared and environmental clearance obtained."
7(f)	Highways	i) New National High ways; and ii) Expansion of National High ways greater than 30 KM, involving additional right of way greater than 20m involving land acquisition and passing through more than one State.	✓ " i) All State Highway Project; and ii) State Highway expansion projects in hilly terrain (above 1,000 m AMSL) and or ecologically sensitive areas."	General Condition shall apply. Note: Highways include expressways."
7(g)	Aerial ropeways	^(xviii) "(i) All projects located at altitude of 1,000 mtr. And above. (ii) All projects located in notified ecologically sensitive areas."	^(xviii) "All projects except those covered in column (3)."	General Condition shall apply
7(h)	Common Effluent Treatment Plants (CETPs)		All projects	General Condition shall apply
7(i)	Common Municipal Solid Waste Management Facility (CMSWMF)		All projects	General Condition shall apply
8		Building /Construction projects/Area Development projects and Townships		
8(a)	Building and Construction projects		≥20000 sq.mtrs and <1,50,000 sq.mtrs. of built-up area#	#(built up area for covered construction; in the case of facilities open to the sky, it will be the activity area)
8(b)	Townships and Area Development projects.		Covering an area ≥ 50 ha and or built up area ≥1,50,000 sq .mtrs ++	++All projects under Item 8(b) shall be appraised as Category B1

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

Note:-**V(xvii) "General Condition (GC):**

Any project or activity specified in Category 'B' will be treated as Category A, if located in whole or in part within 10 km from the boundary of: (i) Protected Areas notified under the Wild Life (Protection) Act, 1972, (ii) Critically Polluted areas as identified by the Central Pollution Control Board from time to time, (iii) Eco-sensitive areas as notified under section 3 of the Environment (Protection) Act, 1986, such as, Mahabaleshwar Panchgani, Matheran, Pachmarhi, Dahanu, Doon Valley, and (iv) inter-State boundaries and international boundaries:

Provided that the requirement regarding distance of 10 km of the inter-State boundaries can be reduced or completely done away with by an agreement between the respective States or U.Ts sharing the common boundary in case the activity does not fall within 10 kilometres of the areas mentioned at item (i), (ii) and (iii) above."

Specific Condition (SC):

If any Industrial Estate/Complex / Export processing Zones /Special Economic Zones/Biotech Parks / Leather Complex with homogeneous type of industries such as Items 4(d), 4(f), 5(e), 5(f), or those Industrial estates with pre -defined set of activities (not necessarily homogeneous, obtains prior environmental clearance, individual industries including proposed industrial housing within such estates /complexes will not be required to take prior environmental clearance, so long as the Terms and Conditions for the industrial estate/complex are complied with (Such estates/complexes must have a clearly identified management with the legal responsibility of ensuring adherence to the Terms and Conditions of prior environmental clearance, who may be held responsible for violation of the same throughout the life of the complex/estate).

[No. J-11013/56/2004-IA-II (I)]

(R.CHANDRAMOHAN)

JOINT SECRETARY TO THE GOVERNMENT OF INDIA

STATE POLLUTION CONTROL BOARD, ODISHA

(Department of Forest & Environment, Govt. of Odisha)
Paribesh Bhawan, A/118, Nilakanthanagar, Unit-VIII, Bhubaneswar-751012

No. 15977/

IND-II-PH-908

Date . 18.10.2021

NOTICE

It is brought to the notice of all concerned that the State Pollution Control Board, Odisha issued an advertisement in the newspapers "The Times of India" and "Samaj" on 20.08.2021 to conduct the public hearing in respect of Maliparbat Bauxite Mine of M/s Hindalco Industries Ltd. on 22.09.2021 at 11.00 A.M at khata No. 27, Plot No. 40(P) in village Kankaramba under Semilliguda tehsil of Koraput District for production capacity of 0.6 MTPA over a Mining Lease area of 268.110 Ha. in Allgaon, Kankaramba, Sorishpadar villages under Pottangi tehsil of Koraput district. But due to Law and Order situation the public hearing scheduled above has been postponed. The same public hearing is now rescheduled to be held on 22.11.2021 at 10.00 A.M at khata No. 27, Plot No. 40 (P) in village Kankaramba under Semilliguda tehsil of Koraput District.

By virtue of Ministry of Environment, Forests & Climate Change, Government of India Notification No. S.O. 1533 (E) Dtd. 14.09.2006, the Board has been authorized to conduct environmental public hearing and as such invites suggestions, views, comments and objections on matters relating to environmental aspects of the proposed project from all the persons including bonafide residents, environmental groups and others located at the proposed site/sites of displacement/sites likely to be affected.

For the above purpose, a person will only mean:

- A Any person who is likely to be affected by the grant of Environmental Clearance.
- B Any person who owns his control over the project with respect to which an application has been submitted for environmental clearance.
- C Any association of persons whether incorporated or likely to be affected by the project and / or functioning in the field of environment.
- D Any local authority within any part of whose local limits is within the neighborhood wherein the project is proposed to be located.

Persons as above who desire to submit their views, comments, objections etc. relevant to the project, may do so in writing within 30 days from the date of publication of this notice addressing the same to the Member Secretary, State Pollution Control Board, Odisha through Registered Post. Besides this, persons interested to submit their views relevant to the proposed project in writing or orally may also do so during the public hearing to be conducted on 22.11.2021 at 10.00 A.M at Khata No. 27, Plot No. 40(P) in village Kankaramba under Semilliguda tehsil of Koraput District. Public hearing shall be conducted strictly observing guidelines contained in COVID - 19 pandemic restrictions issued by the MoEF&CC, Govt. of India vide OM No. 22-25-IA.III, dated 09.06.2021 as well as Govt. of Odisha.

Persons desirous of participating in the public hearing may go through the Environmental Impact Assessment (EIA)/Environmental Management Plan (EMP) of the said project which will be available at the following offices. Copy of the Executive Summary both in English & Odia is also available in the following offices & the same can also be downloaded from the website www.ospcboard.org free of cost

- 1 District Collector's Office, Koraput
 - 2 District Industries Center, Koraput
 - 3 In the office of the Chief Executive Officer, Zilla Parishad, Koraput
 - 4 In the Head office of the State Pollution Control Board, Odisha, Paribesh Bhawan, A/118, Nilakanthanagar, Unit-VIII, Bhubaneswar-12
 - 5 Regional Office, State Pollution Control Board, Odisha, Koraput/Rayagada.
 - 6 Department of Forest & Environment (Environment), Govt. of Odisha, Bhubaneswar
- For any further clarification in the matter, the Regional Officer, State Pollution Control Board, Koraput/Rayagada or the Member Secretary, State Pollution Control Board, Odisha at Bhubaneswar may be contacted.

-56-

Annexure -4 series

Dated : 17th November 2021

To,

The District Collector
Collectorate Office
Koraput

Copy to : Member Secretary, Odisha State Pollution Control Board, Odisha

Subject : Appeal to cancel the Maliparbat bauxite mining environment public hearing of 22/11/2021

Dear Sir,

Ever since cancellation of the 22nd September 2021 environment public hearing for Maliparbat bauxite mines, several platoons of para military forces led by the Semiliguda and Porangi police personnel, allegedly accompanied by agents of Hindalco company, have been raiding villages in our Maliparbat region, threatening the leaders and members of Maliparbat Surakhya Samiti and general community members of Maliparbat and have already arrested 28 leaders from the region.

The company and police personnel as well as local district administration officials have also been going from village-to village warning women and men of Maliparbat region not to oppose the mining project at the upcoming second environment public hearing scheduled to be held on 22nd November 2021.


There is a fearful environment in all the 44 villages in and around Maliparbat region and the men are still not able to stay in their own homes for fear of being arrested or threatened by police, goons and officials. We have made several attempts to raise the issue with the local administration and police as well as with the SP and Collector at Koraput but all our pleas have fallen on deaf ears.

In such a situation of fear and repression, we seriously doubt that the upcoming public hearing will be a free and fair one because our members and community people will be afraid to openly express their opinions and views on the proposed bauxite mining at the public hearing. Besides that, our senior leaders and representatives are in jail and holding the public hearing in their absence is a gross violation of their constitutional rights to freedom of expression and speech as well as to their rights to life and livelihood since they are all dependent on Maliparbat for their life, livelihood, identity and dignity.

Therefore, we appeal to your honored self to use your conscience and order for the cancellation of the 22nd November 2021 environment public hearing in the interest of natural justice and rule of law.

With warm regards,


Dasa Khora
Vice President
Maliparbat Surakhya Samiti


Abhi Sadapelli
Secretary
Maliparbat Surakhya Samiti

and



Dated : 17th November 2021

To,

- 57 -

The Member Secretary
Odisha State Pollution Control Board
Deepak Road, Nilakantha Nagar
Unit VIII, Bhubaneswar
Odisha - 751012

Copy to : District Collector, Koraput

Subject : Appeal to cancel the Maliparbat bauxite mining environment public hearing of 22/11/2021

Dear Member Secretary,

Ever since cancellation of the 22nd September 2021 environment public hearing for Maliparbat bauxite mines, several platoons of para military forces led by the Semiliguda and Potangi police personnel, allegedly accompanied by agents of Hindalco company, have been raiding villages in our Maliparbat region, threatening the leaders and members of Maliparbat Surakhya Samiti and general community members of Maliparbat and have already arrested 28 leaders from the region.

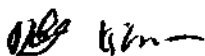
The company and police personnel as well as local district administration officials have also been going from village-to-village warning women and men of Maliparbat region not to oppose the mining project at the upcoming second environment public hearing scheduled to be held on 22nd November 2021.

There is a fearful environment in all the 44 villages in and around Maliparbat region and the men are still not able to stay in their own homes for fear of being arrested or threatened by police, goons and officials. We have made several attempts to raise the issue with the local administration and police as well as with the SP and Collector at Koraput but all our pleas have fallen on deaf ears.

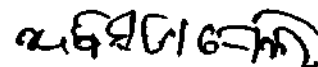
In such a situation of fear and repression, we seriously doubt that the upcoming public hearing will be a free and fair one because our members and community people will be afraid to openly express their opinions and views on the proposed bauxite mining at the public hearing. Besides that, our senior leaders and representatives are in jail and holding the public hearing in their absence is a gross violation of their constitutional rights to freedom of expression and speech as well as to their rights to life and livelihood since they are all dependent on Maliparbat for their life, livelihood, identity and dignity.

Therefore, we appeal to your honored self to use your conscience and order for the cancellation of the 22nd November 2021 environment public hearing in the interest of natural justice and rule of law.

With warm regards,



Dasa Khora
Vice President
Maliparbat Surakhya Samiti



Abhi Sadapelli
Secretary
Maliparbat Surakhya Samiti

and

Members of Maliparbat Surakhya Samiti


ପ୍ରତିନିଧି ମୂଳ


ସୁନିବେଶିତ
ପ୍ରତିନିଧି ମୂଳ

Lami Khora


Sunamoni Zani


ସନିବେଶିତ


 Suba Disari

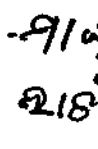
 ସାମଲ ନାମ

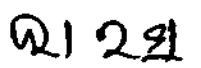
 ଲିଙ୍ଗ ଦାସ

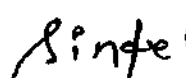
 ଦେବୀ ଦାସ


 ଦାସ ନାମ

 ଦାସ ଦାସ

 ନାମ ନାମ
ଦାସ ନାମ


 ଦାସ ଦାସ

 Sindelantel

 Sindelantel

-59.

ଓ.ଲ. ସିଦ୍ଧାନ୍ତ ୨
୪

 (ma Handey)

ଥାଲୁ ବୁଢ଼ାଲୁ

କାଟକ କାମି

କାଟକ ଚକାମି

କାଟି ବୁଢ଼ାଲୁ

କାଟି ବୁଢ଼ାଲୁ

କାଟି ବୁଢ଼ାଲୁ

ଥାଲୁ କାମି

କାଟି ବୁଢ଼ାଲୁ

କାଟି ବୁଢ଼ାଲୁ

କାଟି ବୁଢ଼ାଲୁ



61 -

Am-ly

NOTICE U/S. 149 Cr.P.C.

Annexure - 4 Series

To

Abhi Sadapeli S/O-Amru Sadapeli Vill-Kankadamba PS- Semiliguda Dist- Koraput

Ref: Semiliguda PS SD Entry No....21.... Dtd...15.11.21...

Whereas, it is reported that you are planning to indulge yourself to design a cognizable offence on 22.11.2021 at the venue of public hearing by Pollution Control Board at Village Kankadamba on 22.11.2021.


And whereas, it is learnt that you along with your supporters are planning for the commission of a cognizable offence by indulging in rioting and to create law and order problem during the time of public hearing.

And whereas, in this connection, a station diary has been made and the matter has been enquired and is found to be true.

And whereas, if you are indulging yourself in such type of offence, you are hereby warned that appropriate legal action will be initiated against you.

Therefore by exercising the powers u/s 149 Cr.P.C. and the powers vested upon me u/s.149 Cr.P.C., so as to prevent commission of any cognizable offence, I Inpr P.K Mahapatra, I/C, IIC of Semiliguda PS, Dist: Koraput hereby direct you not to indulge in any cognizable offence, nor create any public disturbance to the public hearing and maintain public peace and tranquillity in the area.

In this regard, if you wish to represent before me, you are informed to appear before me on 19/11/2021 at 10 AM for further enquiry in this regard.


19.11.2021
IIC Semiliguda PS.
IIC, SEMILIGUDA, P.S.
DIST. KORAPUT ODISHA



.62.

NOTICE U/S. 149 Cr.P.C.

To

Jairam Jani S/o Taila Jani, of village Kokriguda, PS- Semiliguda Dist- Koraput

Ref: Semiliguda PS SD Entry No... 21... Dtd... 15.11.21...

Whereas, it is reported that you are planning to indulge yourself to design a cognizable offence on 22.11.2021 at the venue of public hearing by Pollution Control Board at Village Kankadamba on 22.11.2021.

And whereas, it is learnt that you along with your supporters are planning for the commission of a cognizable offence by indulging in rioting and to create law and order problem during the time of public hearing.

And whereas, in this connection, a station diary has been made and the matter has been enquired and is found to be true.

And whereas, if you are indulging yourself in such type of offence, you are hereby warned that appropriate legal action will be initiated against you.

Therefore by exercising the powers u/s 149 Cr.P.C. and the powers vested upon me u/s. 149 Cr.P.C., so as to prevent commission of any cognizable offence, I Inpr P.K Mahapatra, I/C, IIC of Semiliguda PS, Dist: Koraput hereby direct you not to indulge in any cognizable offence, nor create any public disturbance to the public hearing and maintain public peace and tranquillity in the area.

In this regard, if you wish to represent before me, you are informed to appear before me on 19/11/2021 at 10 AM for further enquiry in this regard.


17.11.2021
IIC Semiliguda PS.
IIC, SEMILIGUDA, P.S.
DIST. KORAPUT ODISH



63.

NOTICE U/S. 149 Cr.P.C.

To

Uddahab Kirsani S/o Pratap Kirsani of village Kokriguda, PS- Semiliguda Dist- Koraput

Ref: Semiliguda PS SD Entry No. 21 Dtd. 15.11.21

Whereas, it is reported that you are planning to indulge yourself to design a cognizable offence on 22.11.2021 at the venue of public hearing by Pollution Control Board at Village Kankadamba on 22.11.2021.

And whereas, it is learnt that you along with your supporters are planning for the commission of a cognizable offence by indulging in rioting and to create law and order problem during the time of public hearing.

And whereas, in this connection, a station diary has been made and the matter has been enquired and is found to be true.

And whereas, if you are indulging yourself in such type of offence, you are hereby warned that appropriate legal action will be initiated against you.

Therefore by exercising the powers u/s 149 Cr.P.C. and the powers vested upon me u/s.149 Cr.P.C., so as to prevent commission of any cognizable offence, I Inpr P.K Mahapatra, I/C, IIC of Semiliguda PS, Dist: Koraput hereby direct you not to indulge in any cognizable offence, nor create any public disturbance to the public hearing and maintain public peace and tranquillity in the area.

In this regard, if you wish to represent before me, you are informed to appear before me on 19/11/2021 at 10 AM for further enquiry in this regard.

Pd
17/11/2021
IIC Semiliguda PS.
IIC, SEMILIGUDA, P.S
DIST. KORAPUT, ODISHA



-64-

NOTICE U/S. 149 Cr.P.C.

To

Arjun Kirsani S/o Niraji Kirsani, of village Kokriguda, PS- Semiliguda Dist- Koraput

Ref: Semiliguda PS SD Entry No....21... Dtd..15.11.21.....

Whereas, it is reported that you are planning to indulge yourself to design a cognizable offence on 22.11.2021 at the venue of public hearing by Pollution Control Board at Village Kankadamba on 22.11.2021.

And whereas, it is learnt that you along with your supporters are planning for the commission of a cognizable offence by indulging in rioting and to create law and order problem during the time of public hearing.

And whereas, in this connection, a station diary has been made and the matter has been enquired and is found to be true.

And whereas, if you are indulging yourself in such type of offence, you are hereby warned that appropriate legal action will be initiated against you.

Therefore by exercising the powers u/s 149 Cr.P.C. and the powers vested upon me u/s.149 Cr.P.C., so as to prevent commission of any cognizable offence, I Inpr P.K Mahapatra, I/C, IIC of Semiliguda PS, Dist: Koraput hereby direct you not to indulge in any cognizable offence, nor create any public disturbance to the public hearing and maintain public peace and tranquillity in the area.

In this regard, if you wish to represent before me, you are informed to appear before me on 19/11/2021 at 10 AM for further enquiry in this regard.


17/11/2021
IIC Semiliguda PS.



65.

NOTICE U/S. 149 Cr.P.C.

To

Kusa Disari S/o Balaram Disari, of village Kokriguda, PS- Semiliguda Dist- Koraput

Ref: Semiliguda PS SD Entry No....21... Dtd...15.11.21...

Whereas, it is reported that you are planning to indulge yourself to design a cognizable offence on 22.11.2021 at the venue of public hearing by Pollution Control Board at Village Kankadamba on 22.11.2021.

And whereas, it is learnt that you along with your supporters are planning for the commission of a cognizable offence by indulging in rioting and to create law and order problem during the time of public hearing.

And whereas, in this connection, a station diary has been made and the matter has been enquired and is found to be true.

And whereas, if you are indulging yourself in such type of offence, you are hereby warned that appropriate legal action will be initiated against you.

Therefore by exercising the powers u/s 149 Cr.P.C. and the powers vested upon me u/s.149 Cr.P.C., so as to prevent commission of any cognizable offence, I Inpr P.K Mahapatra, I/C, IIC of Semiliguda PS, Dist: Koraput hereby direct you not to indulge in any cognizable offence, nor create any public disturbance to the public hearing and maintain public peace and tranquillity in the area.

In this regard, if you wish to represent before me, you are informed to appear before me on 19/11/2021 at 10 AM for further enquiry in this regard.


17.11.2021
IIC Semiliguda PS.
IIC, SEMILIGUDA, P.S
DIST. KORAPUT, ODISHA



.66.

NOTICE U/S. 149 Cr.P.C.

To

Durajani S/o Jagu Jani of village Kokriguda, PS- Semiliguda Dist- Koraput

Ref: Semiliguda PS SD Entry No...21.... Dtd...15.11.21....

Whereas, it is reported that you are planning to indulge yourself to design a cognizable offence on 22.11.2021 at the venue of public hearing by Pollution Control Board at Village Kankadamba on 22.11.2021.

And whereas, it is learnt that you along with your supporters are planning for the commission of a cognizable offence by indulging in rioting and to create law and order problem during the time of public hearing.

And whereas, in this connection, a station diary has been made and the matter has been enquired and is found to be true.

And whereas, if you are indulging yourself in such type of offence, you are hereby warned that appropriate legal action will be initiated against you.

Therefore by exercising the powers u/s 149 Cr.P.C. and the powers vested upon me u/s.149 Cr.P.C., so as to prevent commission of any cognizable offence, I Inpr P.K Mahapatra, I/C, IIC of Semiliguda PS, Dist: Koraput hereby direct you not to indulge in any cognizable offence, nor create any public disturbance to the public hearing and maintain public peace and tranquillity in the area.

In this regard, if you wish to represent before me, you are informed to appear before me on 19/11/2021 at 10 AM for further enquiry in this regard.



LT. J. S. Ghosi

17.11.2021
IIC Semiliguda PS.
IIC, SEMILIGUDA, P.S.
DIST. KORAPUT, ODISH



To

67.
NOTICE U/s. 149 Cr.P.C

Debenra Khilla S/O-Padma Khilla Vill-Maliguda, PS- Semiliguda Dist- Koraput

Ref: Semiliguda PS SD Entry No..21..... Dtd.16.11.2021

Whereas, it is reported that you are planning to indulge yourself to design a cognizable offence on 22.11.2021 at the venue of public hearing by Pollution Control Board at Village Kankadamba on 22.11.2021.

And whereas, it is learnt that you along with your supporters are planning for the commission of a cognizable offence by indulging in rioting and to create law and order problem during the time of public hearing.

And whereas, in this connection, a station diary has been made and the matter has been enquired and is found to be true.

And whereas, if you are indulging yourself in such type of offence, you are hereby warned that appropriate legal action will be initiated against you.

Therefore by exercising the powers u/s 149 Cr.P.C. and the powers vested upon me u/s.149 Cr.P.C., so as to prevent commission of any cognizable offence, I Inpr P.K Mahapatra, I/C, IIC of Semiliguda PS, Dist: Koraput hereby direct you not to indulge in any cognizable offence, nor create any public disturbance to the public hearing and maintain public peace and tranquillity in the area.

In this regard, if you wish to represent before me, you are informed to appear before me on 19/11/2021 at 10 AM for further enquiry in this regard.


19.11.2021
IIC Semiliguda PS.
IIC, SEMILIGUDA, P.S
DIST. KORAPUT, ODISHA



68.

NOTICE U/S. 149 Cr.P.C.

To

Leku Hantal S/o Lebu Hantal, PS- Pottangi Dist- Koraput
Vill- Delcatan

Ref: Semiliguda PS SD Entry No...21..... Dtd...15.11.2021..

Whereas, it is reported that you are planning to indulge yourself to design a cognizable offence on 22.11.2021 at the venue of public hearing by Pollution Control Board at Village Kankadamba on 22.11.2021.

And whereas, it is learnt that you along with your supporters are planning for the commission of a cognizable offence by indulging in rioting and to create law and order problem during the time of public hearing.

And whereas, in this connection, a station diary has been made and the matter has been enquired and is found to be true.

And whereas, if you are indulging yourself in such type of offence, you are hereby warned that appropriate legal action will be initiated against you.

Therefore by exercising the powers u/s 149 Cr.P.C. and the powers vested upon me u/s.149 Cr.P.C., so as to prevent commission of any cognizable offence, I Inpr P.K Mahapatra, I/C, IIC of Semiliguda PS, Dist: Koraput hereby direct you not to indulge in any cognizable offence, nor create any public disturbance to the public hearing and maintain public peace and tranquillity in the area.

In this regard, if you wish to represent before me, you are informed to appear before me on 19/11/2021 at 10 AM for further enquiry in this regard.


IIC Semiliguda PS.
IIC, SEMILIGUDA, P.S.
DIST. KORAPUT, ODISHA



69 -
NOTICE U/S. 149 Cr.P.C.

To

Ramesh Pujari S/o Khemundu Pujari, PS- Pottangi Dist- Koraput

Vill- Dehapan

Ref: Semiliguda PS SD Entry No.. 21..... Dtd.. 15.11.21....

Whereas, it is reported that you are planning to indulge yourself to design a cognizable offence on 22.11.2021 at the venue of public hearing by Pollution Control Board at Village Kankadamba on 22.11.2021.

And whereas, it is learnt that you along with your supporters are planning for the commission of a cognizable offence by indulging in rioting and to create law and order problem during the time of public hearing.

And whereas, in this connection, a station diary has been made and the matter has been enquired and is found to be true.

And whereas, if you are indulging yourself in such type of offence, you are hereby warned that appropriate legal action will be initiated against you.

Therefore by exercising the powers u/s 149 Cr.P.C. and the powers vested upon me u/s.149 Cr.P.C., so as to prevent commission of any cognizable offence, I Inpr P.K Mahapatra, I/C, IIC of Semiliguda PS, Dist: Koraput hereby direct you not to indulge in any cognizable offence, nor create any public disturbance to the public hearing and maintain public peace and tranquillity in the area.

In this regard, if you wish to represent before me, you are informed to appear before me on 15/11/2021 at 10 AM for further enquiry in this regard.


15.11.2021
IIC Semiliguda PS.
IIC, SEMILIGUDA, P.S.
DIST. KORAPUT, ODISHA



70 -
NOTICE U/S. 149 Cr.P.C.

To

Sama Pangi S/o Jambri Pangi, PS- Pottangi Dist- Koraput
vill- Deba Pan

Ref: Semiliguda PS SD Entry No.. 21..... Dtd... 15.11.2021

Whereas, it is reported that you are planning to indulge yourself to design a cognizable offence on 22.11.2021 at the venue of public hearing by Pollution Control Board at Village Kankadamba on 22.11.2021.

And whereas, it is learnt that you along with your supporters are planning for the commission of a cognizable offence by indulging in rioting and to create law and order problem during the time of public hearing.

And whereas, in this connection, a station diary has been made and the matter has been enquired and is found to be true.

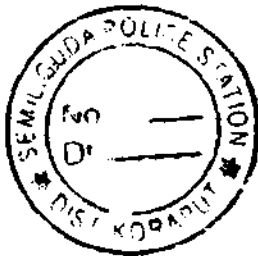
And whereas, if you are indulging yourself in such type of offence, you are hereby warned that appropriate legal action will be initiated against you.

Therefore by exercising the powers u/s 149 Cr.P.C. and the powers vested upon me u/s.149 Cr.P.C., so as to prevent commission of any cognizable offence, I Inpr P.K Mahapatra, I/C, IIC of Semiliguda PS, Dist: Koraput hereby direct you not to indulge in any cognizable offence, nor create any public disturbance to the public hearing and maintain public peace and tranquillity in the area.

In this regard, if you wish to represent before me, you are informed to appear before me on 19/11/2021 at 10 AM for further enquiry in this regard.

Sama Pangi

P.K. Mahapatra
17/11/2021
IIC Semiliguda PS.
I/C, SEMILIGUDA, P.S.
DIST. KORAPUT. ODISHA



-7/-

NOTICE U/S. 149 Cr.P.C.

To

Ratan Khora S/O- Litu Khora Vill- Dekapar, PS- Pottangi Dist- Koraput, at/pr-working as School Teacher at Bijaghati, PS Narayanpatna, Dist Koraput (T) BEO, Narayanpatna

Ref: Semiliguda PS SD Entry No- 11 Dtd 18.11.2021

Whereas, it is reported that you are planning to indulge yourself to design a cognizable offence on 22.11.2021 at the venue of public hearing by Pollution Control Board at Village Kankadamba on 22.11.2021.

And whereas, it is learnt that you along with your supporters are planning for the commission of a cognizable offence by indulging in rioting and to create law and order problem during the time of public hearing.

And whereas, in this connection, a station diary has been made and the matter has been enquired and is found to be true.

And whereas, if you are indulging yourself in such type of offence, you are hereby warned that appropriate legal action will be initiated against you.

Therefore by exercising the powers u/s 149 Cr.P.C. and the powers vested upon me u/s.149 Cr.P.C., so as to prevent commission of any cognizable offence, I Inpr P.K Mahapatra, I/C, IIC of Semiliguda PS, Dist: Koraput hereby direct you not to indulge in any cognizable offence, nor create any public disturbance to the public hearing and maintain public peace and tranquillity in the area.

In this regard, if you wish to represent before me, you are informed to appear before me on 19/11/2021 at 10 AM for further enquiry in this regard.


18.11.2021
IIC Semiliguda PS.
IIC, SEMILIGUDA, P.S.
DIST. KORAPUT ODISH



- 72 -

NOTICE U/S. 149 Cr.P.C.

To

Nabin Jani S/O-Sambru Jani Vill-Dekapar, PS- Pottangi Dist- Koraput

Ref: Semiliguda PS SD Entry No... 21 Dtd... 18.11.21

Whereas, it is reported that you are planning to indulge yourself to design a cognizable offence on 22.11.2021 at the venue of public hearing by Pollution Control Board at Village Kankadamba on 22.11.2021.

And whereas, it is learnt that you along with your supporters are planning for the commission of a cognizable offence by indulging in rioting and to create law and order problem during the time of public hearing.

And whereas, in this connection, a station diary has been made and the matter has been enquired and is found to be true.

And whereas, if you are indulging yourself in such type of offence, you are hereby warned that appropriate legal action will be initiated against you.

Therefore by exercising the powers u/s 149 Cr.P.C. and the powers vested upon me u/s.149 Cr.P.C., so as to prevent commission of any cognizable offence, I Inpr P.K Mahapatra, I/C, IIC of Semiliguda PS, Dist: Koraput hereby direct you not to indulge in any cognizable offence, nor create any public disturbance to the public hearing and maintain public peace and tranquillity in the area.

In this regard, if you wish to represent before me, you are informed to appear before me on 19/11/2021 at 10 AM for further enquiry in this regard.


17/11/2021
IIC Semiliguda PS.
(IC, SEMILIGUDA, P.S.)
DIST. KORAPUT, ODISHA



-73 -

NOTICE U/S. 149 Cr.P.C.

To

Niranjani Khilla S/O-Deba Khilla Vill-Maliguda, PS- Semiliguda Dist- Koraput

Ref: Semiliguda PS SD Entry No.. 21..... Dtd.. 15.11.2021..

Whereas, it is reported that you are planning to indulge yourself to design a cognizable offence on 22.11.2021 at the venue of public hearing by Pollution Control Board at Village Kankadamba on 22.11.2021.


And whereas, it is learnt that you along with your supporters are planning for the commission of a cognizable offence by indulging in rioting and to create law and order problem during the time of public hearing.

And whereas, in this connection, a station diary has been made and the matter has been enquired and is found to be true.

And whereas, if you are indulging yourself in such type of offence, you are hereby warned that appropriate legal action will be initiated against you.

Therefore by exercising the powers u/s 149 Cr.P.C. and the powers vested upon me u/s.149 Cr.P.C., so as to prevent commission of any cognizable offence, I Inpr P.K Mahapatra, I/C, IIC of Semiliguda PS, Dist: Koraput hereby direct you not to indulge in any cognizable offence, nor create any public disturbance to the public hearing and maintain public peace and tranquillity in the area.

In this regard, if you wish to represent before me, you are informed to appear before me on 19/11/2021 at 10 AM for further enquiry in this regard.


17.11.2021
IIC Semiliguda PS.
IIC, SEMILIGUDA, P.S.
DIST. KORAPUT ODISHA



74 -
NOTICE U/S. 149 Cr.P.C.

To

Mana Takria S/o Dhana Takria, of village Mali Doliamba, PS- Semiliguda Dist- Koraput

Ref: Semiliguda PS SD Entry No...21..... Dtd...15.11.21.....

Whereas, it is reported that you are planning to indulge yourself to design a cognizable offence on 22.11.2021 at the venue of public hearing by Pollution Control Board at Village Kankadamba on 22.11.2021.

And whereas, it is learnt that you along with your supporters are planning for the commission of a cognizable offence by indulging in rioting and to create law and order problem during the time of public hearing.

And whereas, in this connection, a station diary has been made and the matter has been enquired and is found to be true.

And whereas, if you are indulging yourself in such type of offence, you are hereby warned that appropriate legal action will be initiated against you.

Therefore by exercising the powers u/s 149 Cr.P.C. and the powers vested upon me u/s.149 Cr.P.C., so as to prevent commission of any cognizable offence, I Inpr P.K Mahapatra, I/C, IIC of Semiliguda PS, Dist: Koraput hereby direct you not to indulge in any cognizable offence, nor create any public disturbance to the public hearing and maintain public peace and tranquillity in the area.

In this regard, if you wish to represent before me, you are informed to appear before me on 19/11/2021 at 10 AM for further enquiry in this regard.

Don
17.11.2021
IIC Semiliguda PS,
IIC, SEMILIGUDA, P.S.
DIST. KORAPUT ODISH

ତାରିଖ : ୧୫ ନଭେମ୍ବର ୨୦୨୧

75

ପ୍ରାପ୍ତେଷୁ

ସଦସ୍ୟ ସମ୍ପାଦକ,

ଓଡ଼ିଶା ରାଜ୍ୟ ପ୍ରତ୍ୟୁଷଣ ନିୟନ୍ତ୍ରଣ ବୋର୍ଡ଼

ଦୀପକ ରୋଡ଼, ନୀଳକଣ୍ଠ ନଗର

ଭୁବନେଶ୍ୱର - ୮, ଭୁବନେଶ୍ୱର - ୭୫୧୦୨୧

ବିଷୟ: ଆସକ୍ତା ୨୨ ନଭେମ୍ବର ୨୦୨୧ ତାରିଖରେ ହେବାକୁ ଥିବା ମାଲିପର୍ବତ ବନ୍ତାଇଟ ଖଣି ଜନିତ ପରିବେଶ ଜନ ଶୁଣାଣୀକୁ ବାତିଲ କରିବା ଲାଗି ନିବେଦନ ସଂକ୍ରାନ୍ତରେ

ସଦସ୍ୟ ସମ୍ପାଦକ ମହୋଦୟ;

ଗଲା ୨୨ ସେପ୍ଟେମ୍ବର ୨୦୨୧ ତାରିଖରେ ମାଲି ପର୍ବତ ବନ୍ତାଇଟ ଖଣି ଖନନ ଲାଗି ଆବଶ୍ୟକ ପରିବେଶ ଅନୁମତି ପତ୍ର ପାଇଁ ହୋଇଥିବା ଜନ ଶୁଣାଣୀ ବାତିଲ ହେବା ପରଠାରୁ ସେମିଲିଗୁଡ଼ା ଓ ପଟାଙ୍ଗି ଆନା ଅଧିକାରୀଙ୍କ ନେତୃତ୍ୱରେ ଅର୍ଦ୍ଧ ସାମରିକ ବାହିନୀର ଯବାନମାନେ ଆମ ଅଞ୍ଚଳର ଗାଁଗୁଡ଼ିକୁ ଯାଇ ଚଢ଼ାଇ କରୁଛନ୍ତି । ଏଥିରେ ତାଙ୍କୁ ହିଣ୍ଡାଲକୋର ଗୁଣ୍ଡାମାନେ ମଧ୍ୟ ସହଯୋଗ କରୁଛନ୍ତି । ଉକ୍ତ ପୁଲିସ ଅଧିକାରୀ ଓ ଯବାନମାନେ 'ମାଲି ପର୍ବତ ସୁରକ୍ଷା ସମିତି'ର କର୍ମକର୍ତ୍ତା, ଅଞ୍ଚଳର ଗ୍ରାମବାସୀ ଓ ସ୍ଥାନୀୟ ପଞ୍ଚାୟତ ପ୍ରତିନିଧୀ ଇତ୍ୟାଦିଙ୍କୁ ଧମକ ଦେବା ଓ ଡରାଇବା ସହିତ ଗିରଫ ମଧ୍ୟ କରୁଛନ୍ତି । ଇତି ମଧ୍ୟରେ ୨୮ ଜଣ ଗ୍ରାମବାସୀଙ୍କୁ ସେମାନେ ଗିରଫ କରିସାରିଲେଣି ।

କମ୍ପାନୀ ଅଧିକାରୀ, ପୁଲିସ ଓ ଜିଲ୍ଲା ପ୍ରଶାସନର ଅଫିସରମାନେ ମାଲି ପର୍ବତର ବିଭିନ୍ନ ଗାଁକୁ ଯାଇ ଆସକ୍ତା ୨୨ ନଭେମ୍ବର ୨୦୨୧ ତାରିଖରେ ହେବାକୁ ଥିବା ଦ୍ୱିତୀୟ ଜନ ଶୁଣାଣୀକୁ ବିରୋଧ ନକରିବା ଲାଗି ଉଭୟ ପୁରୁଷ ଓ ମହିଳାଙ୍କୁ ଚେତାବନୀ ଦେଉଛନ୍ତି ।

ଏହି ସବୁ କାରଣ ହେତୁ ମାଲିପର୍ବତର ଚାରିପାଖରେ ଥିବା ୪୪ ଖଣ୍ଡ ଗାଁରେ ଭୟର ବାତାବରଣ ରହିଛି । ଲୋକେ ଏବେ ବି ଗିରଫ ଭୟରେ ନିଜ ଘରେ ରହିପାରୁନାହାନ୍ତି । ଆମେମାନେ ଅନେକ ଥର ଏହି ବିଷୟକୁ ଜିଲ୍ଲା ଆରକ୍ଷା ଅଧିକାରୀ ଓ ଜିଲ୍ଲାପାଳଙ୍କ ଦୃଷ୍ଟିରେ ଆଣିବାକୁ ଚେଷ୍ଟା କରିସାରିଲୁଣି । କିନ୍ତୁ ଜିଲ୍ଲା ପ୍ରଶାସନ ଓ ପୁଲିସ ଅଧିକାରୀଙ୍କ ଠାରୁ ଏ ସଂକ୍ରାନ୍ତରେ କୌଣସି ତତ୍ପରତା ଦେଖିବାକୁ ପାଉନାହୁଁ ।

ଏଭଳି ଏକ ଭୟ ଓ ଦମନର ପରିବେଶ ମଧ୍ୟରେ ଆସକ୍ତା ଜନ ଶୁଣାଣୀ ଯେ ସଂପୂର୍ଣ୍ଣ ମୁକ୍ତ ଓ ଚୂଚିହୀନ ହେବ ଏଥିରେ ଆମର ଶଙ୍କା ରହୁଛି । ବିଭିନ୍ନ ଗାଁର ଗ୍ରାମବାସୀମାନେ ଏଭଳି ଏକ ଭୟର ବାତାବରଣ ମଧ୍ୟରେ ପ୍ରସ୍ତାବିତ ବନ୍ତାଇଟ ଖଣି ଖନନ ସଙ୍କ୍ରାନ୍ତରେ ହେଉଥିବା ଜନ ଶୁଣାଣୀରେ ଭାଗ ନେଇ ମୁକ୍ତ ଭାବରେ ନିଜର ବକ୍ତବ୍ୟ ରଖିପାରିବେ ନାହିଁ । ପୁଣି ଆମର ଗ୍ରାମ ମୁଖ୍ୟ ଓ ପ୍ରତିନିଧିମାନେ ଜେଲର ଥିଲା ବେଳେ ସେମାନଙ୍କ ଅନୁପସ୍ଥିତିରେ ଏଭଳି ଜନ ଶୁଣାଣୀ କରାଯିବା ସେମାନଙ୍କ ସ୍ୱାଧୀନ ଭାବରେ ମତ ବ୍ୟକ୍ତ କରିବାର ସାମ୍ବିଧାନିକ ଅଧିକାରର ଖଲାପ କରୁଛି ।



1418945

Swampen!

Laxmi Kholla

၆၈၂၃၆
၆၈၂၃၆

7469 11-26

၁၃။ အဖွဲ့အစည်း

കുറിപ്പ്

18953 ୫
18954 ୫

[illegible]

ଓଡ଼ିଆ ଗୀତ

1913 B1
11145

1953 19.5.1953

Figure 10

1. මාර්ගගතව ප්‍රවෘත්ති විකේන්ද්‍රීය ප්‍රජා මණ්ඩලය

1. **ප්‍රාදේශීය**

77.

ଆମା ଦୁହାଲ

ମାଣ୍ଡୁମାଣ୍ଡି

ଆମା ଦୁହାଲ

ଦାଈରା ଶାଢ଼ୀ

Shope Hantel

ଦାଈରା ଶାଢ଼ୀ

Butel Hantel

Maui Hantel

Sima Hantel

ଆମା ଦୁହାଲ

ଦାଈରା ଶାଢ଼ୀ

ଦାଈରା ଶାଢ଼ୀ

ଦାଈରା ଶାଢ଼ୀ

ଦାଈରା ଶାଢ଼ୀ

ଦାଈରା ଶାଢ଼ୀ


-78-


ଜିଣେ ଖୁସିହୁଏଲୁ


ସେନା ମିତ୍ରଲୁ

ମଝୁ ମିତ୍ରଲୁ


ଝି


 ହତାୟତ ଉଦ୍ଧାର

 ସତ୍ୟ ଉଦ୍ଧାର

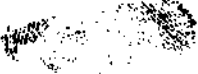
 କୃଷକ ଉଦ୍ଧାର

 ଅସ୍ଥିତ ଉଦ୍ଧାର


 ସାବିତ୍ରୀ ଉଦ୍ଧାର


 ଶ୍ରମ ଉଦ୍ଧାର


 ପଦ୍ମ ଉଦ୍ଧାର


 ଶେଷାଂଶ ଉଦ୍ଧାର


 ସ୍ତ୍ରୀ - ଉଦ୍ଧାର

 କାଟକ ଉଦ୍ଧାର

 ସାମ୍ରାଜ୍ୟ ଉଦ୍ଧାର

 କାଟକ ଉଦ୍ଧାର

 ରାଜ୍ୟ ଉଦ୍ଧାର

 ଆମ୍ଭ ଉଦ୍ଧାର

ସ୍ୱପ୍ନ ବାଣୀ

ଫୁଲର ଉଦୟ

ନାମିନା ଉଦୟ

ହାନ୍ତ ଉଦୟ

ଜେଉଁଠି ଉଦୟ

ଉଦୟ ଉଦୟ

ଉଦୟ ଉଦୟ

ହାନ୍ତ ଉଦୟ

ନାମିନା ଉଦୟ

ହାନ୍ତ ଉଦୟ

ଉଦୟ ଉଦୟ

ନାମିନା ଉଦୟ

ମାଲି ପର୍ବତ ସୁରକ୍ଷା ସମିତି, ସେମିଲିଗୁଡା

ପତ୍ର ସଂଖ୍ୟା ୦୬/୧

ତାରିଖ 19-11-2021

ମାନ୍ୟବର,

ଜିଲ୍ଲାପାଳ ତଥା ଜିଲ୍ଲା ମାଜିଷ୍ଟ୍ରେଟ, କୋରାପୁଟ

ଜିଲ୍ଲା ଆରକ୍ଷି ଅଧିକ୍ଷକ, କୋରାପୁଟ

ମହାଶୟ,

ଆମେ ମାଲିପର୍ବତ ସୁରକ୍ଷା ସମିତି, ସେମିଲିଗୁଡା ଆପଣଙ୍କୁ ନିବେଦନ ସହକାରେ ଜଣାଇବାକୁ ଚାହୁଁ ଅଛୁ ଯେ ଆମ ଅଞ୍ଚଳର ମାଲି ପର୍ବତକୁ ବଢ଼ାଇତ ଖଣି ଖନନ ନିମନ୍ତେ ହୋଇଥିବା ପ୍ରସ୍ତାବ ଅନୁଯାୟୀ ଆସନ୍ତା 22 ତାରିଖରେ କଳତା ଆମ୍ବ ଗ୍ରାମରେ ପରିବେଶ ମନ୍ତ୍ରୀ ନିମନ୍ତେ ଏକ ଜନ ଶୁଣାଣି ପାଇଁ ତାରିଖ ଧାର୍ଯ୍ୟ ହୋଇଛି। ଉକ୍ତ ଜନ ଶୁଣାଣିରେ ଆମ ଆଦିବାସୀ ମାନେ ନିଜ ଜିଜ୍ଞାସା ଆଦିବାସୀ ପରମ୍ପରାରେ ଉପସ୍ଥିତ ରହିବା ସକାଶେ ସ୍ଥିର କରିଛନ୍ତି। ଉକ୍ତି ମଧ୍ୟରେ ଆମ ଅଞ୍ଚଳର ସମସ୍ତ ନାଗରିକ ଖଣି ଖନନ କୁ ବିରୋଧ କରି ଆସୁଛନ୍ତି। କିନ୍ତୁ ଦୁଃଖ ଓ ପରିତାପର ବିଷୟ ଏହିକି ଯେ ଆମ ଅଞ୍ଚଳର ଅଳ୍ପ କେତେଜଣ କମ୍ପାନୀର ଦଲାଲ ବାହାର ଅଞ୍ଚଳ ତଥା ସେମିଲିଗୁଡା ଉପର ସାହି, କୋରାପୁଟ ଓ ଜୟପୁରର କିଛି ଗୁଣ୍ଡା ମାନଙ୍କ ଜରିଆରେ ଆମ ଲୋକମାନଙ୍କୁ ଜଣ ଶୁଣାଣି ରେ ଅନୁପସ୍ଥିତ ରହିବା ପାଇଁ ଧମକ ଦେଉଛନ୍ତି। ଆମ ଅଞ୍ଚଳରେ ଅଧିକାଂଶ ନିରାହାରୀ ଆଦିବାସୀ ଅଟନ୍ତି। ସେମାନଙ୍କ ସରକାରୀ ସୁଯୋଗ ନେଇ ସେହି ଗୁଣ୍ଡା ଶ୍ରେଣୀର ଲୋକେ ତଥା ଜୟତ ସ୍ବପଣ ବାଦୀ କହି ଭୟଭୀତ କରାଉଛନ୍ତି। ଆମ ସମିତିର ସମ୍ପାଦକ ଶ୍ରୀ ଅଜି ସତ୍ୟପେଲି ଓ ତାଙ୍କ ପରିବାର ସଦସ୍ୟ କୁ ସେହି ଗ୍ରାମର ସିନା ସତ୍ୟପେଲି, ଗୋପା ସତ୍ୟପେଲି, ସୁନୀଲ ସତ୍ୟପେଲି ଓ ଅକ୍ଷୟ କୁମାର ସତ୍ୟପେଲି ଗ୍ରାମ ଛାଡ଼ି ଚାଲିଯିବା ପାଇଁ ଧମକ ଦେଉଛନ୍ତି। ସେମାନେ ଖୋଲା ଖୋଲି ଭାବେ କହୁଛନ୍ତି ଯେ ନିଆ ଓ କମ୍ପାନୀକୁ ସମର୍ଥନ କରି ନଚେତ ଭୟଙ୍କର ପରିସ୍ଥିତି ସାମନା କରିବା ଆସନ୍ତା 22 ତାରିଖରେ ଆମ ଅଞ୍ଚଳର ସମସ୍ତ ଆଦିବାସୀ ଉକ୍ତ ଜନ ଶୁଣାଣି ରେ ଯୋଗ ଦେବାପାଇଁ ସ୍ଥିର କରିଥିବାବେଳେ କେତେକ ଗୁଣ୍ଡା ଧମକ ଦେଇ କହିଛନ୍ତି ଜନ ଶୁଣାଣିକୁ ଗଲେ ଅସୁବିଧା ଭୋଗିବ। ତୁମେ ଗଲାବେଳେ ଆମ ଗୁଣ୍ଡା ମାନେ ତୁମକୁ ବାଟରେ ଅଟକାଇବେ। ଏଭଳି ବିଭିନ୍ନ ଭାବେ ଆମକୁ ଭୟଭୀତ କରିଚାଲିଛନ୍ତି। ସେମାନେ ଖୋଲା ଖୋଲି ଭାବେ କହୁଛନ୍ତି ଯେଉଁମାନେ ପରିବେଶକୁ ଓ କମ୍ପାନୀକୁ ବିରୋଧ କରିବ ସେମାନଙ୍କ ବିରୁଦ୍ଧରେ କେସ ହେବ ଏବଂ ମାତ୍ର ହେବ। ଆମ ସହିତ ପୋଲିସ୍ ଅଛନ୍ତି ଆମକୁ ଭୟ ନାହିଁ। ଏଭଳି ପରିସ୍ଥିତିରେ ଆମ ଲୋକଙ୍କୁ ସୁରକ୍ଷା ପ୍ରଦାନ କରାଯାଇ ଆସନ୍ତା 22 ତାରିଖରେ ଜନ ଶୁଣାଣିରେ ଉପସ୍ଥିତ ହେବା ପାଇଁ ଉଚିତ ପଦକ୍ଷେପ ନିଆ ନ ଗଲେ ଆମକୁ ଉଚିତ ନ୍ୟାୟ ମିଳିବ ନାହିଁ ଏବଂ ନିଆ ଓ ତଥ୍ୟ ଅନୁଯାୟୀ ସେହି ଜନ ଶୁଣାଣି ଅନୁଷ୍ଠିତ ହେବା କଳତା ଆମ୍ବ ଗ୍ରାମର କେତେକ ଗୁଣ୍ଡା ଶ୍ରେଣୀର ଲୋକ K. ମାଲିଗୁଡା ଗ୍ରାମର ଲୋକଙ୍କୁ ତାଙ୍କ ଗ୍ରାମ ଦେଇ ନ ଯିବା ପାଇଁ ଧମକ ଦେଉଛନ୍ତି।

ଏହି ଆପଣଙ୍କୁ ଅନୁରୋଧ କରୁଛୁ ଏହାକୁ ଦେଖି କରି ଉପଯୁକ୍ତ ପଦକ୍ଷେପ ନେଇ ଆମକୁ ନ୍ୟାୟ ପ୍ରଦାନ କରାଯାଉ ।

ସଜ୍ଜାପକ

ସାହିବୁଲ୍ଲା
ସମ୍ପାଦକ

- 82

Annexure-5

**OFFICE OF THE SENIOR SUPERINTENDENT, CIRCLE JAIL, KORAPUT
(WELFARE SERVICES)**

Letter No. 1167

//PWS//

Dated. 17/11/2021

To,

The District Magistrate & Collector, Koraput

Sub. -

Submission of joint Prisoner's petition of the under trial prisoners of Circle Jail, Koraput.


Sir,

I am to submit herewith the joint prisoner's petition of the U.T.Ps of Circle Jail, Koraput who have been implicated in G.R. Case No.56/2021, U/S- 147/148/427/323/332/326/307/379/294/506/149 of IPC/ 7 cr.LA Act / 3 PDPP Act, 25/27 Arms Act by the Hon'ble Court of J.M.F.C., Semiliguda. The contents of the petition are self explanatory.

This is for favour of kind information and perusal.

Enclosures: - One sheet.

Yours faithfully,


Senior Superintendent
Circle Jail, Koraput
(Welfare Services)
17/11/21

a/c

Sensencing/Romancing Court: - JMC
Case No. 62-50-111 U.S. security

Case No. 5079 U.S.
Date of Birth: 09-26-1909
জাতি: বঙ্গীয়

[illegible]

५३ आपणं विप्रं धनुष्याय कुरुष्व वि प्रवृत्तः ॥ १ ॥
 नमः ॥ २ ॥ ३ ॥ ४ ॥ ५ ॥ ६ ॥ ७ ॥ ८ ॥ ९ ॥ १० ॥ ११ ॥ १२ ॥ १३ ॥ १४ ॥ १५ ॥ १६ ॥ १७ ॥ १८ ॥ १९ ॥ २० ॥ २१ ॥ २२ ॥ २३ ॥ २४ ॥ २५ ॥ २६ ॥ २७ ॥ २८ ॥ २९ ॥ ३० ॥ ३१ ॥ ३२ ॥ ३३ ॥ ३४ ॥ ३५ ॥ ३६ ॥ ३७ ॥ ३८ ॥ ३९ ॥ ४० ॥ ४१ ॥ ४२ ॥ ४३ ॥ ४४ ॥ ४५ ॥ ४६ ॥ ४७ ॥ ४८ ॥ ४९ ॥ ५० ॥ ५१ ॥ ५२ ॥ ५३ ॥ ५४ ॥ ५५ ॥ ५६ ॥ ५७ ॥ ५८ ॥ ५९ ॥ ६० ॥ ६१ ॥ ६२ ॥ ६३ ॥ ६४ ॥ ६५ ॥ ६६ ॥ ६७ ॥ ६८ ॥ ६९ ॥ ७० ॥ ७१ ॥ ७२ ॥ ७३ ॥ ७४ ॥ ७५ ॥ ७६ ॥ ७७ ॥ ७८ ॥ ७९ ॥ ८० ॥ ८१ ॥ ८२ ॥ ८३ ॥ ८४ ॥ ८५ ॥ ८६ ॥ ८७ ॥ ८८ ॥ ८९ ॥ ९० ॥ ९१ ॥ ९२ ॥ ९३ ॥ ९४ ॥ ९५ ॥ ९६ ॥ ९७ ॥ ९८ ॥ ९९ ॥ १०० ॥

ଆପଣଙ୍କ ନିମନ୍ତେ

ମାଲି ପକ୍ଷେ ମୁଦ୍ରା ଯନ୍ତ୍ର ଚାଲୁ

1. Bajrang Mahal (बजरंग)

2. Rahim (बख्शी मरुफ)

3. Das Memeli Beil

4. ~~Re: Mr~~ *Re: Mr* *Frank*

5. Manganin

SIGNATURE ATTESTED

Friend Welfare Officer
Circle Jail, Karpout

6. [illegible]
7. [illegible]
8. [illegible]
9. [illegible]
10. [illegible]
11. [illegible]
12. [illegible]
13. [illegible]
14. [illegible]
15. [illegible]
16. [illegible]
17. [illegible]
18. [illegible]
19. [illegible]
20. [illegible]
21. [illegible]
22. [illegible]
23. [illegible]
24. [illegible]
25. [illegible]

1. [illegible]
H. [illegible]

Prison Welfare
Circ

RECEIVED

Prison Welfare
Circ
Welfare Services



85.

 Amecure-6
 Prafulla Samantara <swabhimani.samanantara@gmail.com>

Print out

3 messages

 Prafulla Samantara <swabhimani.samanantara@gmail.com>
 To: Prafulla Samantara <swabhimani.samanantara@gmail.com>

Mon, Dec 27, 2021 at 7:01 PM

----- Forwarded message -----

From: Prafulla Samantara <swabhimani.samanantara@gmail.com>

Date: Mon, Nov 22, 2021, 11:16

Subject: Murder of democracy

To: <dm-koraput@nic.in>, <spkpt.odpol@nic.in>

Cc: <paribesh1@ospcboard.org>

 To
 The District Collector
 The Superintendent of Police
 Koraput

Dear DC & SP,

The way the public hearing is being conducted now 11.10AM today for mining in Matiparvata is undemocratic and illegal. Thousands villagers are being stopped by the police on the different ways and many are being lifted by police vehicles to unknown places or police station to prevent them to attend the public hearing. It is murder of democracy. Let you see your administrative violation of rule of law against rights of tribal community in the interest of corporate.

 Prafulla Samantara
 President, Lokshakti Abhiyan
 NAPM national adviser
 Bhubaneswar
 22-11-2021

2 attachments

 VID-20211122-WA0018.mp4
 6992K

 VID-20211122-WA0021.mp4
 18506K

 Prafulla Samantara <swabhimani.samanantara@gmail.com>
 To: Prafulla Samantara <swabhimani.samanantara@gmail.com>

Mon, Dec 27, 2021 at 11:02 PM

[Quoted text hidden]

2 attachments

 VID-20211122-WA0018.mp4
 6992K

 VID-20211122-WA0021.mp4
 18506K

 Prafulla Samantara <swabhimani.samanantara@gmail.com>
 To: Prafulla Samantara <swabhimani.samanantara@gmail.com>

Mon, Dec 27, 2021 at 11:07 PM

----- Forwarded message -----

From: Prafulla Samantara <swabhimani.samanantara@gmail.com>

Date: Mon, Dec 27, 2021, 19:01

Subject: Print out

To: Prafulla Samantara <swabhimani.samanantara@gmail.com>

THE HINDU
TUESDAY, NOVEMBER 23, 2021

Mining plant: villagers in Odisha not allowed to air views at public hearing

They said venue was cordoned off

SATYASUNDAR BARIK
BHUVANESWAR

A public hearing on Monday on grant of environmental clearance for a bauxite mining project in Odisha's Koraput district evoked sharp reactions from activists who alleged that many people who would be affected were barred from airing their views.

The State Pollution Control Board organised the hearing on the clearance to the Hindalco Industries Limited for the Maliparbat bauxite mine at Kankaramba under Potangi block of Koraput. The mining lease area is spread over 268.110 ha of Ali-gaon, Kankaramba and Sorishpadar village under Potangi tehsil.

Police deployed

Ahead of the hearing, the Koraput district administration had deployed 30 platoons of police and several officials with magisterial powers keeping in view the law and order issue.

Villagers alleged that the venue was cordoned off and only those people who supported the project were allowed. The hearing was hurriedly wound up within one hour without providing people opposed to the project an opportunity, they charged.

"The mining lease was granted to the Hindalco Industries in 2003. Environmental clearance was accorded to it despite the fact that the majority of the af-



People in 18 villages surrounding the Maliparbat are dependent on agriculture and are opposed to the project since 2003

PRAFULLA SAMANTRA
Winner of the Goldman Environmental Prize

ected people had spoken against the project. Subsequently, the clearance and the lease period ended in 2013 while the industry could not undertake any real mining activities due to local resistance," said Prafulla Samantra, winner of the Goldman Environmental Prize.

"Now, the industry has got a fresh lease for 50 years for which the hearing is being held. People in 18 villages surrounding the Maliparbat are dependent on agriculture and are opposed to the project since 2003," Mr. Samantra said.

He pointed out that though 36 perennial streams flow down from the Maliparbat, which is the source of water for villagers for their agricultural and drinking purposes, the mining was thrust on them. Niranjan Kilo, a resident of Maliguda, said, "Villagers wanted to participate in the hearing and communicate their views. However, the police took women in their vans to unknown places and obstructed them from attending the meet."

The New Indian Express 25 Oct 21

Public hearing for Maliparbat mining held amid tight security

EXPRESS NEWS SERVICE

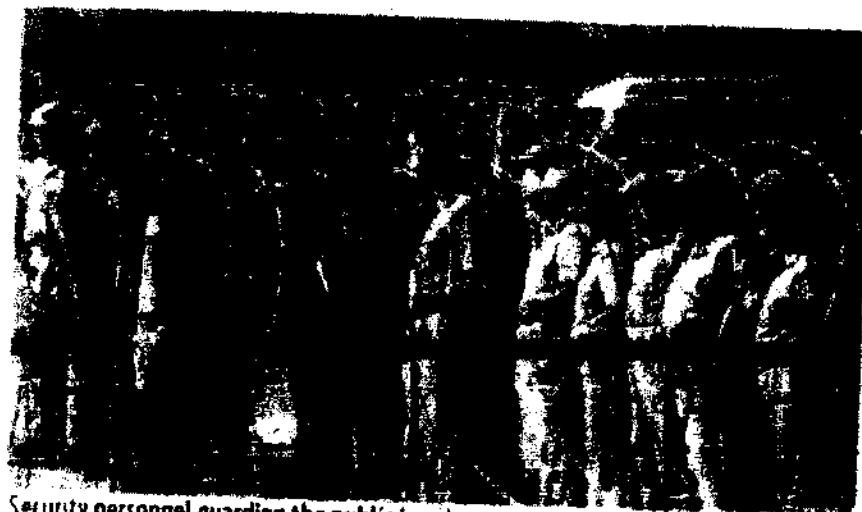
Koraput/Jeyapore

THE public hearing for Hindalco's Maliparbat bauxite mining in Koraput's Pottangl block was organised peacefully amid tight security at Kankadaamba village in Semiliguda on Monday.

The palli sabha venue turned into a fortress as 30 platoons of police force were deployed to maintain law and order situation. Besides, the venue was cordoned off with iron wire fencing across a three km radius from the nearby hills. A drone camera was also used to keep an eye on protestors trying to sneak into the meeting place.

Koraput ADM Rajendra Majhi said in adherence to Covid-19 guidelines, the number of participants in the public meeting was limited to 250 villagers. Sources said the participating villagers demanded basic amenities like healthcare, education, road, drinking water, development of peripheral areas, jobs for local youths and livelihood for all affected families. Hindalco vice-president Manoj Nayak agreed to the demands of villagers.

On the other hand, members of Maliparbat Surakhya Samiti accused police of preventing them from attending the public hearing. "Police created fear among local villagers. We were detained by police 3 km away from the meeting venue. Is this democracy or autocracy? It seems tribals have lost their



Security personnel guarding the public hearing venue at Kankadaamba | express



Police created fear among local villagers. We were detained by police 3 km away from the meeting venue. Is this democracy or autocracy? It seems tribals have lost their right to freedom of speech

Member of Maliparbat Surakhya Samiti

right to freedom of speech," claimed a member of the Samiti. He also alleged that outside people hired by the administration attended the public hearing.

Notably on September 22, tribals had opposed the palli sabha meeting at the same place and vandalised the meeting venue protesting the proposed bauxite mining.

Police had arrested 28 villagers from peripheral villages of Maliparbat in this connection. On Sunday, another six villagers were arrested by police to avert law and order situation

during the public hearing.

Vice-president of Maliparbat Surakhya Samiti Delim Basa Khora said the womenfolk of various villages had met Koraput Collector Md Abdaal Akhtar and urged him not to hold the public hearing as all male leaders of the Samiti were lodged in jail. But the Collector did not pay any heed to the request, she claimed.

Among others, State Pollution Control Board director PK Kar, senior revenue and police officials attended the palli sabha meeting.

Spread over 270 acre and 40 km from Koraput at Doliamba village, Maliparbat mine was leased to Hindalco in 2006 but it failed to carry out operations due to stiff resistance from the tribals, resulting in expiry of the lease terms. In April this year, the company got an extension of lease for 50 years and was allowed to apply for fresh environmental clearance.

88

Tribal communities in Odisha's Koraput protest bauxite mining to save their Mali hill

Exactly two months after a public hearing was held on September 22 to grant permission for bauxite mining in the tribal dominated Semiliguda block, and which had led to the arrest of 28 tribal leaders, the district administration organised another hearing on November 22 amidst tight security. Protests continue.



Ashish Senapati
| Updated: November 30th, 2021



The Odisha State Pollution Control Board organised a public hearing on bauxite mining in Kankadaamba village which was met with stiff resistance from the local Adibasis. Photo by Ashish Senapati

Protests against bauxite mining in the forests of Koraput in Odisha are growing as the local tribal population is opposing mining operations in their Mali parbat (hill). Last week, on November 22, the Odisha State Pollution Control Board organised a public hearing on bauxite mining in Kankadaamba village, nearly 500 kilometres away from the state capital, Bhubaneswar, which was met with stiff resistance from the local Adivasis.

According to local inhabitants, the number of armed security forces and officials far outnumbered the local tribal people at the public hearing that took place. On the day of the hearing, members of the Mali Parbat Suraksha Samiti (Mali Hill Save Committee) staged a protest demanding that the officials cancel the mining project and protect the virgin hill and forest area.

"If the Odisha State Pollution Control Board gives a no objection certificate to the company [Hindalco Industries Limited], we will intensify our agitation," Prafulla Samantra, the president of Lok Shakti Abhiyan, one of the protesting groups, told *Gaon Connection*.

"Mining disturbs groundwater, air and soil in the area. We will not allow this to happen," he added vehemently.

Also Read: Tribal villagers in Odisha's Sukinda eat chromite dust; govt builds stadiums and playgrounds with musical fountains using mining funds



The agitators protested against mining in and around the Mali hillock at Kankadaamba village in the tribal dominated Semiliguda block in Koraput district. Photo by Ashish Senapati

Two months ago, on September 22, the district administration had tried to hold a public hearing for the same project. However, no headway was made. The protestors had raised anti-government slogans. Between September 24 and 26, the police arrested 28 tribal leaders who are still in jail.

"The hearing process on September 22, could not be completed due to local resistance because of which we organised another public hearing on November 22," Rajendra Majhi, additional district magistrate, Koraput, told *Gaon Connection*.

There were allegations by the local public that the venue was cordoned off and only those people who supported the project were allowed in after being duly screened by the police, government officials and the employees of Hindalco. The hearing was also hurriedly concluded in an hour without providing people opposed to the project an opportunity to voice their objections, villagers complain.

Also Read: *Mine games in Sundargarh, Odisha where coal mines are on an expansion mode despite flouting several rules*

Bauxite mining in Koraput

The agitators protested against mining in and around the Mali hillock at Kankadaamba village in the tribal dominated Semiliguda block in Koraput district. The area around Mali Hill is home to Kondha, Paraja, and Gadaba tribal communities who live in 44 villages there. The area that falls under the mining lease is spread over 268.110 hectares.

The mining lease and an environmental clearance was granted to Hindalco Industries Limited in 2003, despite reservations about the project by the local inhabitants. The local resistance however prevented mining activity in the area and the lease and the environmental clearance ended in 2013.

Now, the industry is going in for a fresh lease of 50 years. But it has to get the nod from the local people for which a public hearing is necessary. The public hearing was organised on November 22, as the district administration postponed the public hearing on September 22 alleging large scale violence.

Also Read: *Tribal women from Koraput make a clean sweep with traditional brooms*

But according to many local inhabitants and Samantra, the authorities, taking advantage of the absence of the influential tribal leaders (arrested after the September 22 public hearing), organised another public hearing amid tight security.

The venue for the public hearing on November 22, three kilometres away from Mali hill, was cordoned off by a wired fence, claim the local villagers. There were allegations that hundreds of villagers were prevented from entering the area by the police force, reminiscent of the earlier public hearing on September 22. Some villagers were detained at the police station for the duration of the hearing, said Bharanya, an activist of Koraput.

Tribal people want their forests protected

- 91 -

The local Adivasi population vociferously expressed its concern over what would happen to the forests and people, flora and fauna who inhabited the Mali hillock area.

Thirty six perennial streams flow through the Mali hill and ultimately feed the Kolab river. The tribal communities use the river water for irrigation, and are worried that mining in the hills will dry out the river. The hill also has many valuable medicinal trees, besides being an important elephant corridor.

"Bauxite mining in the forested hills is also responsible for the drying up and siltation of several natural streams, waterfalls, and rivulets and that is why we are opposing it so vehemently," Samantra said.

Rampant mining in the forest is also one of the main reasons behind the destruction of elephant corridors in the state. On August 17, earlier this year, the National Green Tribunal (NGT) directed the Odisha government to notify 14 elephant corridors in two months time, amidst growing demand for conservation and protection of the jumbos, said Biswait Mohanty the secretary of Wildlife Society of Odisha.

कैसे कम कर सकते हैं मानव-हाथी संघर्ष?



Meanwhile, as per the additional district magistrate Majhi, a large number of local inhabitants gave their consent to this proposed bauxite mining project on November 22 during the public hearing.

"The district administration deployed thirty platoons of security forces to check any untoward incident. The Odisha State Pollution Control Board will submit the public hearing report to the state government soon," the official added.

GaonConnection
YOUR CONNECTION WITH RURAL INDIA

Follow GaonConnection

PROCEEDINGS OF THE PUBLIC HEARING FOR MALIPARBAT BAUXITE MINE OF M/S HINDALCO INDUSTRIES LTD. FOR PRODUCTION CAPACITY OF 0.6 MTPA OVER A MINING LEASE AREA OF 268.110 HA IN ALIGAON, KANKARAMBA AND SORISHPADAR VILLAGES UNDER POTTANGI TEHSIL OF KORAPUT DISTRICT CONDUCTED ON 22.11.2021 AT 10.00 AM AT KHATA NO. 27 PLOT NO. 40 (P), IN VILLAGE KANKARAMBA UNDER SEMILIGUDA TEHSIL DISTRICT KORAPUT.

The public hearing in respect of the above project was held on 22.11.2021 as per the schedule and at the venue in accordance with the EIA Notification S. O. 1533 (E) dt. 14.09.2006. The public hearing with regard to date, place and time was announced in Public Address System in nearby villages of proposed project site and also published in Daily News Paper. The process followed for public hearing was adequate.

Er P Kar, Regional Officer I/c, State Pollution Control Board, Koraput welcomed the public to the hearing and briefed about the objectives, process & procedures followed for conducting such public hearing.

Shri Rajendra Majhi, OAS(S), Additional District Magistrate, Koraput presided over and supervised the public hearing. He briefed about the importance and objectives of such hearing and invited the project proponent to highlight on proposed project.

Sri Pratap Kumar Patra, AGM (Mining) of M/s HINDALCO Industries Ltd explained about the proposed project and briefed about the Pollution Control measures to be adopted in the Project.

The following is the summary of the public hearing proceedings, reflecting all the views and concerns expressed by the assembled public at the venue. It was recorded by the officials of the Regional Office, State Pollution Control Board, Odisha, Koraput.

1. Sri S. Devaswami, Rajnaguda, Pakjholi G. P.

Sri Devaswami while welcoming the project he emphasised on protection of the environment & urged that the soil to be generated due to mining should not affect the land in down hills. Further he demanded that the local ITI & Technically qualified youth should be employed in the project & suggested to conduct survey in surrounding villages to identify the poor SC, ST & OBC qualified students for higher education. He also stressed on priority to be given for employment to local educated students in the project. He appealed for maintaining peace & to resolve issues by mutual discussion. He strongly welcomed the project with a hope that unemployment problems of the locality will be resolved.

2. Sri Ravi Sodapalli, Kankada amba, Khudi

Sri Sodapalli welcomed the project & hoped that the company will provide employment to the local educated youths & livelihoods to local poor people. He read over their demands on behalf of villagers of Maliparbat area. He demanded for permanent employment to the land losers of Maliparbat Road, Expenditure of 20% of profit for local development, employment to local educated youth, priority in employment of local people of 4 nos of Gram Panchayat, Pucca roads water, drinking water supply & street light provision to each village of Maliparbat area, provision for development of School & college building, Dress materials & supply of Books, construction of building for Library, community Hall, SHG & worship places, Bus provision for students, provision of Ambulance & Health facilities, Formation of artificial Forest with fruit bearing Trees, support for small & cottage Industries, Bonus for employees, Protection from air & water pollution due to transportation, Preservation of stream water for Agricultural purpose only, Supply of House for local inhabitants, Compensation for accidental death under Mining Act, opportunity for local people in transportation activities.

[Handwritten signature]

[Handwritten signature]
22.11.2021

He supported the project hoping for development of locality. Sri Sodapalli & representatives of local villages submitted their demand to the Chair.

3. **Smt Chanchala Takaria, Tentuliguda, Daleiguda**

Smt. Takaria expressed that company should provide all facilities to their village & to look after them. She supported the project.

4. **Smt. Chaiti Bosag, Tentuliguda, Daleiguda**

Smt. Bosag apprehended that there will be dust nuisance due to transportation; they will lose their land for road & their agriculture likely to be affected. She demanded to provide all facilities for them by the company.

5. **Sri Jagabandhu Sakia, Dollamba, Doleiguda**

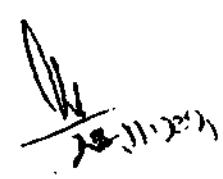
Sri Sakia requested the Government to give Lease the Maliparbat Mines to HINDALCO & hoped that their children will get better education facilities, Bus for transportation & roads to be improved.

6. **Sri Laxman Padhi, Sarpanch, Pakjhola G. P., Semiliguda**

Sri Padhi informed that many local villagers supported the project with a hope that the unemployment issues of the area will be resolved. He emphasised on unemployment problems of local educated youth & urged that company should provide employment to those youths. He informed that the locality is agricultural rich area & there are vegetable productions round the year. He requested the Government to give special attention to the Farmers & Agriculture under different scheme. Further he informed that there is a confluence point of three streams in Pakjhola village & suggested to construct a check dam in that place to provide pipe water supply for benefit of 15 villages. He requested to provide agricultural equipment & advanced technology for benefit of farmers & agriculture. He stressed on the provision of vocational training to uneducated youths for their livelihoods. He requested to provide help to the physically challenged persons, Land less people & old age people of the locality by the Government & company. He suggested making provision of free Technical educations to the needy students in an institution by the company for their development. He urged that an ITI should be established in the locality for technical education for future generation & scope of job opportunity to them in the mines. He requested for Ambulance & free treatment facilities in outside Hospital for local people.

7. **Sri Sirama Khara, Tentuliguda, Daleiguda**

Sri Khara supported the project for overall development of the area. He informed that survey was conducted in 1971 for the mines & lease has already been given to the company. He further informed that the success of Pallisabha will lead to start of the Mines. He expressed that they have given 07 Acs of land for the road of the project for development. He committed that they will not create any disturbance & go officially for placing their demands. He appealed to have patience for getting benefits from the Mines.



8. Sri Ravi Kuldip, Kantaguda, Daleiguda

95

Sri Kuldip informed that, there is public perception of depletion of Ground water & there will be scarcity of water for agriculture due to mines. He explained that there is no vegetation where Bauxite deposits are there but after mining there will be plantation over the mines area & that will recharge ground water. He explained the difficulties faced by them during lock down & expresses that they are going to outside for the job. He informed that, a big company has come to their locality & there will be no problem of employment for them.

9. Miss Sabita Khara, Pakuguda, Pakjhol

Miss Khara demanded that provision should be made by the company for development of education, Health facilities, Irrigation facilities, Training for Apiculture, Mushroom Farming, ponds for Pisci culture, Training for stitching, Meeting rooms, Plantation of fruit bearing Trees like Tamarind, Mango & cashew etc, Poultry & Goat Farms, sarees & cultural equipment for their mothers, sisters & SHG people. She also requested to the company to extend help for their annual cultural programme of their village.

The Regional Officer I/C, SPCB, Koraput read over the issues raised by the public in the hearing. Sri Pratap Kumar Patra, AGM (Mining) of M/s HINDALCO Industries Ltd responded to the issues raised.

The issues raised by the public and corresponding comments of the applicant were prepared in Odia and English and it is annexed with the proceedings as Annexure I & II respectively, list of the oral deliberators and participants in the hearing is annexed as Annexure III & IV respectively. Two number of written representations received during public hearing is annexed as Annexure-V (a & b). The videography of proceedings are recorded and submitted as DVD (I).

Hearing ended with thanks to the chair.

22-11-2021

Er P Kar
Regional Officer I/C
State Pollution Control Board, Koraput

22-11-2021

Shri Rajendra Mohi, OAS(S)
Additional District Magistrate, Koraput



95.

To

The Member Secretary,
State Pollution Control Board
Paribesh Bhawan,
A/118,
Nilakantha Nagar, Unit VIII,
Bhubaneswar - 751012
Odisha.

HIL/SEM/OSPCB/RO21-22/98

04.12.2021

Sub: Statement of issue raised by the public and comments of the project proponent in the Public Hearing for Maliparbat Bauxite Mines of M/S Hindalco Industries Ltd. for Production capacity of 0.6 MTPA over a Mining lease area of 268.110 Ha in Aligaon, Kankramba and Sorishpadar villages under Pottangi Tehsil of Koraput District conducted on 22.11.2021 at 10.00 am at Khata no. 27 Plot no. 40 (P) in village Kankaramba under Semiliguda Tehsil, District Koraput.

Respected Sir,

With reference to above we are herewith attaching a copy of Issue raised by public and our comments as required for your reference and onward submission to MoEF&CC.

Thanking with regards,

Yours faithfully,

(Pratap Patra)

Agent- Maliparbat Bauxite Mines

Hindalco Industries Ltd

Enclosures: As above

Regional Officer, State Pollution Control Board, Koraput

Mrs. Animesh
04/12/20

STATEMENT OF ISSUES RAISED BY THE PUBLIC AND COMMENTS OF THE PROJECT PROPONENT IN THE PUBLIC HEARING FOR MALIPARBAT BAUXITE MINE OF M/S HINDALCO INDUSTRIES LTD. FOR PRODUCTION CAPACITY OF 0.6 MTPA OVER A MINING LEASE AREA OF 268.110 HA IN ALIGAON, KANKARAMBA AND SORISHPADAR VILLAGES UNDER POTTANGI TEHSIL OF KORAPUT DISTRICT CONDUCTED ON 22.11.2021 AT 10.00 AM AT KHATA NO. 27 PLOT NO. 40 (P) IN VILLAGE KANKARAMBA UNDER SEMILIGUDA TEHSIL, DISTRICT- KORAPUT.

Sl no	Issues raised by the public in Hearing	Response of the Project Proponent
Environmental Issues		
i	Protection of Air & water Environment	<p>Mitigation measures for Protection of Air & water Environment has been proposed as follows :</p> <ul style="list-style-type: none"> ➤ Air level will be monitored as per CPCB norms throughout the life of the mine to check the effectiveness of environmental management (pollution control measures) vs mining activities. we will follow the guideline of CPCB and OPCB too. The parameters like RPM, SPM, SO₂, NO_x and CO are proposed to be quantified in the air samples taken from core zone as well as buffer zone. Periodical monitoring is subjected to 8 hours per day per season (two days per week for one month) and four seasons per year throughout the life of the mine. ➤ Water sprinkling will be done at regular intervals on the dust prone areas such as haul roads and other possible dust generation areas to suppress emission and distribution of dust particles. ➤ Plantation will be undertaken along the plateau slopes as well as peripheral barrier around the mine to arrest the air borne dust from further spreading. Plantation will be done as per guideline given in Mining Plan approved by IBM. ➤ An area of 20,000 m² or 2 hectares is proposed for plantation with 5,000 saplings which will help in arresting dust particles and making the environment clean. ➤ Diesel machines will be subjected to proper maintenance to decrease the emission level of NO_x and SO_x.

[Handwritten Signature]

- Wet-drilling techniques / dust-collectors will be deployed to prevent generation of dust during drilling operations.

Samples collected from the nearby surface water sources and tube wells will be analyzed for their pollutant levels. Frequency of monitoring will be restricted to summer, monsoon, post monsoon and winter.

- Retaining wall, garland drain and settling tanks (As per requirement) will be constructed around the waste dump to arrest the wash-off materials to settle the sediments and release clean water.
- Rain water will be diverted to Mined out pit to control the run off water during monsoon.

ii Protection of downhill lands due to soil erosion from mines.

- Retaining wall, garland drain and settling tanks (as per requirement) will be constructed around the waste dump to arrest the wash-off materials to settle the sediments and release clean water.

iii Preservation of streams water for agricultural purposes.

It is a plateau top deposit. Measures proposed to arrest the wash-offs and prevent the possible siltation of surrounding area due to mining activity are as follows:

- Rain water accumulated in the quarries will not be allowed to flow down the valley.
- Surface run-off water will be canalized through the seasonal water course to accumulate at the lowermost level, percolate down through the strata and enrich the ground water table.
- Peripheral barrier (7.5 m wide) will be left around the mine to stop the flow of water to flow down the valley.
- Check dams will be constructed across the seasonal nallas to control wash-offs as

well as soil erosion one after another depending upon the progress of mining and the water could be used for agricultural purpose.

- Retaining wall, garland drain and settling tanks will be constructed around the waste dump to arrest the wash-off materials to settle the sediments and release clean water

iv Control of fugitive dust emission during transportation of bauxite ore from the mine & protection of agricultural land.

- We will load the truck as per Govt norms to prevent spillage on the way.
- Trucks / tipper drivers will be instructed strictly to run the loaded vehicles at a permissible speed depending upon the climate to generate dust on the haul road as minimum as possible.
- All trucks will be covered with Tarpaulin which will be deployed for transportation of bauxite from the mine head to railway siding.

v Development of forest over barren hills & plantation of fruit bearing Trees in the locality.

- We will plan to develop forest over barren hill with the consultation with forest department. We will provide fruit bearing trees to the periphery villages with all type of technical support for the proper growth of trees.
- proposal is there for plantation in 7.5m wide safety zone along M.L boundary @2500 nos. saplings / hectare in each year.
- Plantation will be done as per guideline given in Mining Plan approved by IBM.

Peripheral developmental Issues

i Employment opportunity for local educated youths, Technically qualified youths, local people in the mines, Vocational Training for uneducated youths etc.

- Preference will be given to local youth who are skilled and experienced as per requirement during mines operation.
- Local employment will be generated by various sustainability project that would be undertaken during mining operations.
- We will facilitate for vocational training program for the unemployed youth of affected villages. We will impart training to qualified youth for obtaining various

competency certificates like Blaster, Mining Mate and Foreman that will create job opportunity for them.

ii	Development of Education facilities, development of schools & college buildings Establishment of ITI, Survey for needy students to provide free Higher education, Bus provision for local students	<ul style="list-style-type: none"> ➤ We will plan to develop and support educational facilities / infrastructure to the existing schools in consultation with District Authority and School Committee. ➤ We will sponsor ITI training to interested local students in existing ITC-Damanjodi. ➤ We will facilitate the needy students for higher education after conducting survey in peripheral villages. ➤ We will explore possibility for providing school bus facility or a suitable alternative to local students.
iii	Development of Health facilities, Ambulance provision, Free treatment facilities for locals in outside Hospitals & mobile Health camp.	<ul style="list-style-type: none"> ➤ We will conduct health camp time to time within our periphery villages. ➤ We will facilitate Ambulance facilities for the peripheral villages by giving support to the local PHC. ➤ We will provide free treatment to local by distributing free medicine with prescription of authorized Doctor.
iv	Provision of Pucca Roads, Drinking water supply & street Light to each village of Maliparbat area.	We will supply Drinking Water, provide Street Light and make provision of pucca road in periphery villages in a phased manner.
v	Priority for local people in Transportation activities.	Priority will be given to the local people in Transportation activities.
vi	Provision of agricultural equipment, advance Technologies for cultivation, Development of farmers & agriculture.	In Consultation with authorities of Agriculture and Horticulture Department, our CSR Team will facilitate to give training and equipment for advance Technologies towards cultivation, Development of farmers & agriculture.
vii	Construction of Check dam at Pakjhola Village confluence points of three streams & supply of water to 15 villages.	We will explore the possibility of constructing a Check dam at Pakjhola Village with consultation with DRDA, Koraput.
viii	Expenditure of 20% of profit for local development, Help for Physically challenged persons, Landless people & old aged people.	<ul style="list-style-type: none"> ➤ A certain amount of fund is deposited in DMF (District Mineral Foundation) Fund for the Welfare and Development of near by community surrounding to the mine. We will mobilize this fund by pursuing the District Administration for the said purpose.



-100-

		<ul style="list-style-type: none">➤ We will explore the possibility for extending support to the physically challenged person, landless people and old aged people as per case specific.
ix	Training for Apiculture, Mushroom Farming & stitching, Provision of ponds for Pisciculture, Meeting rooms, Poultry & Goat Farms etc for mothers & sisters.	<ul style="list-style-type: none">➤ Training will be provided for Apiculture, Mushroom Farming, stitching, Pisciculture, Poultry & Goat Farms etc➤ With proper survey and consultation with villagers /SSG group we will facilitate for the Provision of ponds for Pisciculture, Meeting rooms, Poultry & Goat Farms etc for mothers & sisters.
x.	Help for annual cultural Programme for villages.	We will be happy to extend our best possible support in sustaining the Traditional Culture during Annual Cultural Programme for villages.

Hy

ଜନସାଧାରଣଙ୍କ ଦ୍ୱାରା ଉପାଧାରଣ କରାଯାଇଥିବା ପ୍ରସଙ୍ଗ ସୂଚକ ଏବଂ ଏମିତି ହିସାବରେ ଉପସ୍ଥିତ ଲିମିଟେଡ୍ ର ମାଲିପରବତ ବହାଇବ୍ ଖଣି ପାଇଁ ଜନଶ୍ରଦ୍ଧାଣିରେ ପ୍ରୋଜେକ୍ଟ ପ୍ରସ୍ତାବକଙ୍କ ମତାମତ ୧୭୮. ୧୧୦ ହା ଖଣି ଲିମିଟେଡ୍ ଉପରେ ବର୍ଷକୁ ୦. ୬ ମେଟ୍ରିକ ଟନ୍ ଉତ୍ପାଦନ କ୍ଷମତା ପାଇଁ କୋରାପୁଟ ଜିଲ୍ଲାର ପୋଟାଳୀ ଚନ୍ଦ୍ରପିଲ ଅଧୀନରେ ଥିବା ଆଲିଭାଓନ୍, ବଳାଟାଆମ ଏବଂ ସୋରିଶପଦର ଗ୍ରାମଗୁଡ଼ିକ ୨୨. ୧୧. ୨୦୨୧ ରେ ୧୦.୦୦ ରେ ଖାଣ ଚମ୍ପର ୨୭ରେ ପ୍ଲଟ ନଂ ୪୦ (ପି) ରେ ସେମିଲିଭୁଟା ଚନ୍ଦ୍ରପିଲ, ଜିଲ୍ଲା- କୋରାପୁଟ ଅଧୀନରେ ଥିବା କାକାଭାଲ ଗ୍ରାମ ପରିଚାଳିତ ହୋଇଥିଲା ।

କ୍ରମିକ ନ.	ଜନସାଧାରଣଙ୍କ ଦ୍ୱାରା ଶ୍ରଦ୍ଧାଣିରେ ଉପାଧାରଣ କରାଯାଇଥିବା ପ୍ରସଙ୍ଗ ।	ପ୍ରକଳ୍ପ ପ୍ରସ୍ତାବକଙ୍କ ପ୍ରତିକ୍ରିୟା ।
ପରିବେଶ ସମସ୍ୟା ।		
୧	ବାୟୁ ଓ ଜଳ ପରିବେଶ ସୁରକ୍ଷା	<p>ବାୟୁ ଓ ଜଳ ପରିବେଶ ସୁରକ୍ଷା ପାଇଁ ପଦକ୍ଷେପ । ନିମ୍ନଲିଖିତ ଭାବରେ ପରିବେଶ ପ୍ରସ୍ତାବ ଦିଆଯାଇଛି:</p> <ul style="list-style-type: none"> > ପରିବେଶ ପରିଚାଳନା (ପ୍ରକୃତ ଶିକ୍ଷଣ ପଦକ୍ଷେପ) ବଳୀୟ ଖଣି କାର୍ଯ୍ୟକ୍ଷେତ୍ରରେ ପ୍ରଭାବକୁ ଯାଞ୍ଚ କରିବା ପାଇଁ ଖଣି ଜୀବନ ସାରା CPCB ନିୟମ ଅନୁଯାୟୀ ବାୟୁ ସ୍ତର ଉପରେ ନଜର ରଖାଯିବ । RPM, SPM, SO₂, NO_x ଏବଂ CO ପରି ପାରାମିଟରଗୁଡ଼ିକ ଗୋର ଗୋର ଏବଂ ବର୍ଷକୁ ଗୋର ଠାରୁ ନିଆଯାଇଥିବା ବାୟୁ ନମୁନାରେ ପରିମାଣିତ କରିବାକୁ ପ୍ରସ୍ତାବ ଦିଆଯାଇଛି । Periodical ନିରୀକ୍ଷଣ ପ୍ରତି ଋତୁରେ ଦୈନିକ ୫ ପ୍ରସ୍ତାବ (ଏକ ମାସ ପାଇଁ ପ୍ରସ୍ତାବରେ ଦୁଇ ବିନ୍ଦୁ) ଏବଂ ଖଣିର ଜୀବନସାରା ପ୍ରତିବର୍ଷ ଚାରି ଟି ଋତୁ ଅଧୀନରେ ରହିଥାଏ । > Dust ଧୂଳି ପ୍ରକଣ ଅଞ୍ଚଳରେ ଯେପରିକି ଧୂଳି ବଣିକା ନିର୍ଗତ ଏବଂ ବ୍ୟବହାର କରାଯାଉଥିବା ପାଇଁ ଧୂଳି ପ୍ରକଣ ଅଞ୍ଚଳରେ ନିୟମିତ ବ୍ୟବଧାନରେ ଜଳ ଛିଞ୍ଚିବା କାର୍ଯ୍ୟ କରାଯିବ । > ବୃକ୍ଷରୋପଣ ମାନ୍ଦୁକି ଗାଁରେ ନିଆଯିବ ଏବଂ ଅଧିକ ବିଶାଳତା ବାୟୁ ବାହିତ ଧୂଳିକୁ ରୋକିବା ପାଇଁ ଖଣିଗାରିପାଖରେ ଯେଉଁଠି ଗାଁର ପ୍ରତିବନ୍ଧକ ମଧ୍ୟ କରାଯିବ । ଆଉଟି-ଏମ୍ ନିୟମ ଅନୁଯାୟୀ ଖଣି ପୋଖରୀରେ ଦିଆଯାଇଥିବା ନିର୍ଦ୍ଦେଶାବଳୀ ଅନୁଯାୟୀ ବୃକ୍ଷରୋପଣ କରାଯିବ । > ୫,୦୦୦ ଟାଣା ସହିତ ବୃକ୍ଷରୋପଣ ପାଇଁ ୨୦,୦୦୦ ମିଟର ବିନ୍ଦୁ ୨ ହେକ୍ଟର ଅଞ୍ଚଳ ପ୍ରସ୍ତାବ ହୋଇଛି ଯାହା ଧୂଳି ବଣିକାକୁ ରୋକିବା ପାଇଁ ଏବଂ ପରିବେଶକୁ ବୃଦ୍ଧ କରିବାରେ ସାହାଯ୍ୟ କରିବ । > ତିନେଇ ମେସିନ୍ NO_x and SO_x ନିର୍ଗମନ ସ୍ତର ହ୍ରାସ କରିବା ପାଇଁ ଉପଯୁକ୍ତ ଗନ୍ଧଣାବେକ୍ଷଣ ଅଧୀନରେ ରହିବ । > ଓଦା-ଡ୍ରାଇଂ ଗୋଷ୍ଠ / ଧୂଳି-ସଂପ୍ରସାରଣକୁ ଡ୍ରାଇଂ କାର୍ଯ୍ୟ ସମୟରେ ଧୂଳି ଉତ୍ପାଦନକୁ ରୋକିବା ପାଇଁ ନିୟୋଜିତ କରାଯିବ ।



[illegible]

		ଧନ୍ୟମୂଳକ ତାଲିମ କାର୍ଯ୍ୟକ୍ରମ ପାଇଁ ସୁବିଧା କରିବୁ । ଆମେ ବ୍ୟବସାୟ, ମାଲିକି, ମେଡ଼ ଏବଂ ଫୋରମାଲ୍ ପରି ବିଭିନ୍ନ ଦକ୍ଷତା ପ୍ରମାଣପତ୍ର ପାଇବା ପାଇଁ ଯୋଗ୍ୟ ସୁବିଧାମାନଙ୍କୁ ଗଢ଼ିମ ପ୍ରଦାନ କରିବୁ ଯାହା ସେମାନଙ୍କ ପାଇଁ ନିୟୁତ ସୁଯୋଗ ସୃଷ୍ଟି କରିବ ।
୨	ଶିକ୍ଷା ସୁବିଧାର ବିକାଶ, ବିଦ୍ୟାଳୟଗୁଡ଼ିକର ବିକାଶ ଏବଂ କଲେଜ ଗୋଟି ଆଇଟିଆର ପ୍ରତିଷ୍ଠା, ଅଭାବୀ ଛାତ୍ରମାନଙ୍କୁ ମାଗଣା ଉଚ୍ଚଶିକ୍ଷା, ସ୍ଥାନୀୟ ଛାତ୍ରମାନଙ୍କ ପାଇଁ ବସ୍ ବ୍ୟବସ୍ଥା ଯୋଗାଇବା ପାଇଁ ପର୍ଯ୍ୟେଷଣ	<ul style="list-style-type: none"> ➤ ଆମେ ଛିଲ୍ଲା ପ୍ରାଧିକରଣ ଏବଂ ବିଦ୍ୟାଳୟ କମିଟି ସହିତ ପରାମର୍ଶ କରି ବିଦ୍ୟାଳୟ ବିଦ୍ୟାଳୟଗୁଡ଼ିକୁ ଶିକ୍ଷାଗତ ସୁବିଧା / ଉଚ୍ଚଶିକ୍ଷା ବିକାଶ ଏବଂ ସମର୍ଥନ କରିବାକୁ ଯୋଜନା କରିବୁ । ➤ ଆମେ ବନଯୋଗରେ ବିଦ୍ୟାଳୟ ଆଇଟିଆର ଆକ୍ରମଣ ସ୍ଥାନୀୟ ଛାତ୍ରମାନଙ୍କୁ ଆଇଟିଆର ଗଢ଼ିମ ପ୍ରାୟୋଗିତ କରିବୁ । ➤ ଆମେ ପେରିଫେରାଲ୍ ସ୍ଥାନରେ ପର୍ଯ୍ୟେଷଣ କରିବା ପରେ ଉଚ୍ଚ ଶିକ୍ଷା ପାଇଁ ଅଭାବୀ ଛାତ୍ରମାନଙ୍କୁ ସୁବିଧା ଦେବୁ । ➤ ଆମେ ସ୍କୁଲ ବସ୍ ସୁବିଧା ବିଦ୍ୟା ସ୍ଥାନୀୟ ଛାତ୍ରମାନଙ୍କ ପାଇଁ ଏକ ଉପଯୁକ୍ତ ବିକଳ୍ପ ଯୋଗାଇବା ପାଇଁ ସମ୍ଭାବନା ଅନୁସନ୍ଧାନ କରିବୁ ।
୩	ସ୍ୱାସ୍ଥ୍ୟ ସୁବିଧାର ବିକାଶ, ଆନୁଭାବୁ ବ୍ୟବସ୍ଥା, ଚାନ୍ଦରଶାଳା ଗହାରେ ସ୍ଥାନୀୟ ଲୋକଙ୍କ ପାଇଁ ମାଗଣା ଚିକିତ୍ସା ସୁବିଧା ଏବଂ ମୋବାଇଲ୍ ସ୍ୱାସ୍ଥ୍ୟ ଶିବିର ।	<ul style="list-style-type: none"> ➤ ଆମେ ସ୍ଥାନୀୟ ପିଏଚ୍‌ସିଏସ୍‌ ସମର୍ଥନ ଦେଇ ପେରିଫେରାଲ୍ ସ୍ଥାନଗୁଡ଼ିକ ପାଇଁ ଆନୁଭାବୁ ସୁବିଧା କୁ ସୁଗମ କରିବୁ । ➤ ଆମେ ଆମର ପରିସ୍ଥ ସ୍ଥାନ ମଧ୍ୟରେ ସମୟ ସମୟରେ ସ୍ୱାସ୍ଥ୍ୟ ଶିବିର ପରିଚାଳନା କରିବୁ । ➤ ଆମେ ଅଧିକତଃ ଚାନ୍ଦର-ପ୍ରେସ୍‌ସିପିଏସ୍‌ ସହିତ ମାଗଣା ଶିକ୍ଷା ବଣ୍ଟନ କରି ସ୍ଥାନୀୟ ମାଗଣା ଚିକିତ୍ସା ପ୍ରଦାନ କରିବୁ ।
୪	ମାଲିପରବତ ଅଞ୍ଚଳର ପ୍ରତ୍ୟେକ ଗ୍ରାମକୁ ପଦା ରାସ୍ତା, ପାଳାୟ ଉଚ୍ଚ ଯୋଗାଣ ଏବଂ ରାସ୍ତା ଆଲୋକର ବ୍ୟବସ୍ଥା ।	ଆମେ ପାଳାୟ ଉଚ୍ଚ ଯୋଗାଣକୁ, ଟ୍ରିଡ୍ ଲାଇଟ୍ ଯୋଗାଣକୁ ଏବଂ ପର୍ଯ୍ୟାୟକ୍ରମେ ପରିସ୍ଥ ଗ୍ରାମରେ ପଦା ରାସ୍ତାର ବ୍ୟବସ୍ଥା କରିବୁ ।
	ପରିବହନ କାର୍ଯ୍ୟକଳାପରେ ସ୍ଥାନୀୟ ଲୋକଙ୍କ ପାଇଁ ପ୍ରାଥମିକତା ।	ପରିବହନ କାର୍ଯ୍ୟକଳାପରେ ସ୍ଥାନୀୟ ଲୋକଙ୍କୁ ପ୍ରାଥମିକତା ଦିଆଯିବ
୫	ବୃକ୍ଷ ଉପକରଣର ବ୍ୟବସ୍ଥା, ଗାଈ ପାଇଁ ଅଗ୍ରାମ ପ୍ରସ୍ତୁତିବିଦ୍ୟା, ବୃକ୍ଷକର ବିକାଶ ଏବଂ ବୃକ୍ଷ ।	ବୃକ୍ଷ ଏବଂ ଉଦ୍ୟାନ ବୃକ୍ଷ ବିଭାଗର କର୍ମସୂଚକ ପରାମର୍ଶ କ୍ରମେ ଆମର ପିଏସ୍‌ଆର ଟିମ୍ ଗାଈ, ବୃକ୍ଷକର ବିକାଶ ଏବଂ ବୃକ୍ଷ ର ବିକାଶ ଦିଗରେ ଅଗ୍ରାମ ପ୍ରସ୍ତୁତିବିଦ୍ୟା ପାଇଁ ଗଢ଼ିମ ଏବଂ ଉପକରଣ ପ୍ରଦାନ କରିବାରେ ସୁବିଧା ପ୍ରଦାନ କରିବୁ ।

[Signature]

୨	ପାକସୋଲା ଗ୍ରାମରେ ଟେକ୍ ଡ୍ୟାମ୍ ନିର୍ମାଣ ଚିନୋଟି ଝରଣାର ସଙ୍ଗମ ପଏଣ୍ଟ ଏବଂ ୧୫ ଟି ଗ୍ରାମକୁ ଜଳ ଯୋଗାଣ ।	ଆମେ ତିଆରିକରି, କୋରାପୁଟ ସହିତ ପରାମର୍ଶ କରି ପାକସୋଲା ଗ୍ରାମରେ ଏକ ଟେକ୍ ଡ୍ୟାମ୍ ନିର୍ମାଣ କରିବାର ସମ୍ଭାବନା ଅନୁସନ୍ଧାନ କରିବୁ ।
୭	ସ୍ଥାନୀୟ ବିକାଶ ପାଇଁ ଲାଭର ୨୦% ଖର୍ଚ୍ଚ, ଶାରୀରିକ ଭାବରେ ଟ୍ୟାଲେଣ୍ଟ ହୋଇଥିବା ବ୍ୟକ୍ତି, ଭୂମିହୀନ ଲୋକ ଏବଂ ବୃଦ୍ଧ ଲୋକଙ୍କ ପାଇଁ ସାହାଯ୍ୟ ।	<ul style="list-style-type: none"> > ଖଣିର ଆଖପାଖସମସ୍ତଙ୍କୁ ବ୍ରାଉ ନିକଟବର୍ତ୍ତୀ କଲ୍ୟାଣ ଏବଂ ବିକାଶ ପାଇଁ ଡିଏମଏଫ୍ (ଜିଲ୍ଲା ଖଣିର ପାଇଶ୍ୱେସନ) ପାଣିରେ ଏକ ନିର୍ଦ୍ଦିଷ୍ଟ ପରିମାଣର ପାଣି ଜମା କରାଯାଏ । ଆମେ ଉଚ୍ଚ ଉଦ୍ଦେଶ୍ୟ ପାଇଁ ଜିଲ୍ଲା ପ୍ରଶାସନକୁ ଅନୁସରଣ କରି ଏହି ପାଣି ସଂଗ୍ରହ କରିବୁ । > ଆମେ ଶାରୀରିକ ଭାବରେ ଟ୍ୟାଲେଣ୍ଟ ହୋଇଥିବା ବ୍ୟକ୍ତି, ଭୂମିହୀନ ଲୋକ ଏବଂ ବୃଦ୍ଧ ଲୋକଙ୍କୁ ସମର୍ଥନ ଦିଶାଇ କରିବାର ସମ୍ଭାବନା ଅନୁସନ୍ଧାନ କରିବୁ ।
୮	ଆପିବଲଟର, ଛତୁ ଟାଣ, ଏବଂ ପିଲେଇ ପାଇଁ ଟାଲିମ, ପିସି ସଂସ୍କୃତି ପାଇଁ ଯୋଗାଣର ବ୍ୟବସ୍ଥା, ସରା କଣ୍ଡ, ବୁକୁଡ଼ା ଏବଂ ଛେନି ପାଇଁ ଉଦ୍ୟୋଗି ମା' ଏବଂ ଉତ୍ତରାମାନଙ୍କ ପାଇଁ ।	<ul style="list-style-type: none"> > ଆପିବଲଟର, ଛତୁ ଟାଣ, ପିଲେଇ, ପିସି ସଂସ୍କୃତି, ବୁକୁଡ଼ା ଏବଂ ଛେନି ପାଇଁ ଉଦ୍ୟୋଗି ପାଇଁ ଟାଲିମ ପ୍ରଦାନ କରାଯିବ । > ସ୍ଥାନବାସୀ/ଏସଏସଡି ଗୋଷ୍ଠୀ ସହିତ ଉପଯୁକ୍ତ ସର୍ବେକ୍ଷଣ ଏବଂ ପରାମର୍ଶ ସହିତ ଆମେ ପିସି ସଂସ୍କୃତି, ମିଟି ରୁମ୍, ବୁକୁଡ଼ା ଏବଂ ଛେନି ପାଇଁ ଉଦ୍ୟୋଗି ମା' ଏବଂ ଉତ୍ତରାମାନଙ୍କ ପାଇଁ ଯୋଗାଣ ଉଦ୍ୟୋଗ ପାଇଁ ସୂଚିତ କରିବୁ ।
୯	ସ୍ଥାନଗୁଡ଼ିକ ପାଇଁ ବାର୍ଷିକ ସାଂସ୍କୃତିକ କାର୍ଯ୍ୟକ୍ରମ ପାଇଁ ସାହାଯ୍ୟ	ସ୍ଥାନଗୁଡ଼ିକ ପାଇଁ ବାର୍ଷିକ ସାଂସ୍କୃତିକ କାର୍ଯ୍ୟକ୍ରମ ସମୟରେ ପାରମ୍ପରିକ ସଂସ୍କୃତିକୁ ବଢ଼ାଇ ରଖିବାରେ ଆମର ସର୍ବୋତ୍ତମ ସମ୍ଭବ ସମର୍ଥନ ଦୃଷ୍ଟି କରି ଆମେ ଶୁଣି ହେବୁ ।

Fact-finding report of Mali Hill and Serubandh Bauxite hill in Koraput district**by Fact-Finding Report**

A seven-member team of Ganatantrik Adhikar Surakhya Sangathan, Odisha had visited Semiliguda and Patangi block of Koraput district for two days on October 31 and November 01. The objective of this fact finding was to know about the reason of massive arrests happened after Public Hearing held on 22nd September for Mali Parbat bauxite mining of HINDALCO.

The team firstly went to six villages – Pakajhola, Rajanaguda, Ailgaon, Ranikana, K. Maliguda and Dekapara – situated on foothills of the Mali Hill in Semiliguda block. Then the team went to another two villages – Malakarabandh and Erasantaguda – situated around Serubandh Hill of Patangi block in same district. Later we met the Additional Collector and the District Collector at Koraput town.

This is to inform that the Government of Odisha signed MOU with HINDALCO in 2003 for mining bauxite from Mali Hill and with NALCO – a public sector unit – in 2010 for mining bauxite from Serubandh Hill. Both these hills are belong to one hill range, Deo Mali. People of the area, mainly the peasants, have been opposing the mining companies from the day of the MOUs.

We are here mentioning our finding report in brief.

A) Mali Hill area:

1. The local villagers told before the team that police in a vehicle had announced about the date, time and place of public hearing two days before the date of the public hearing. The public hearing on 22 September was scheduled to be started at 11am at Kankadamba village. What the villagers said that instead of 11am the public hearing was started at 9am. When our team met the Additional collector Mr. Sujit Mishra, we asked about it. But he became silent. When our team met the District Collector Mr. Abdaal M. Akhtar at his office at Koraput, we had asked same question to him. But he said it as "false allegation". As per his statement, the meeting started at 11am and villagers reached at 11.05am. He also denied allegation of villagers that police and company goons were blocking them on their way to the venue. But when our team asked him about the reason of cancellation of such public hearing he said, "some anti-socials reached the venue and interrupted the process" for which that public hearing was cancelled. Now the Pollution Control Board of Odisha is conducting another Public Hearing for same HINDALCO project on 22 November at same venue.

2. The procedure of the public hearing is that the people of proposed project would get project-details in local language much before the hearing. Then the informed villagers would attend the public hearing and would tell about their views. The police should look into the law and order situation. The team had asked about the villagers about any written report of mining project. Neither the village nor the district administration has produced any report about the project.

3. The police have arrested 28 people after the public hearing on charges of attempt to murder, defileation and damaging properties etc. Our team met family members of 13 arrested people. The police had broken the door of Bhakta Patnaik (Aligaon), Abhijit Jani and Ramesh Hantai (Dekapara village) and Raghu Nayak (Pakajhola village) and had broken school door of Dekapara village. As per the D K Basu Judgement, the police should inform the family member after the arrest. In this case, though the family members of the arrested person have asked to the local police station but they had denied of any knowledge. Sunamani, wife of Dashinandi Bari and Sabitri Khara, wife of Rabi Khara complained that police did not cooperate them when they were enquiring about their husband. Dashinandi and Rabi Khara including 28 people are still in Koraput jail.

4. The local villagers are still in fear. Women of some of the villages are guarding their own village in the night.

5. Our team found that all villagers of the area depend on perennial stream of Mali hill and Serubandh Hill. They grow paddy, ragi, several type of vegetables here. They also supply this to Koraput, Vishakhapatnam and also Bhubaneswar. The villagers of Dekapara, Aligaon and K Maliguda use stream water for drinking.

6. Many of the streams are meeting with Kolab river. It helps water reservoir to fill up. Also Kolab river is connected with Godavari river. So excess water from the reservoir goes to Godavari. People know that because of the bauxite their streams are perennial. This they got after observing perennial stream from the Panchaput Mali of NALCO. NALCO had its bauxite mining at Panchaput Mali since 80s. Now bauxite has been finished up from this hill. This mining has dried up all streams from the hill. Most of the villagers living around Panchaput mali are migrating to other places because of lack of stream water. Here, People feel that similar situation may happen in Mali and Serubandh hill if HINDALCO and NALCO mining happen. They have opposing the project since 2005.

B) Serubandh area:

Our team also visited Malakarabandh and Erasantaguda villages of Maliput panchayat of Patangi block in Koraput district.

1. On June 19, 2018, gramsabha was held in four gram panchayats, namely, Maliput, Patanti, Nuagaon and Kotia for conversion of forest land for non-forest purposes. This is essential for the NALCO to do its second bauxite mining project after Panchaput Mali. In all four gramsabhas the villagers had opposed such conversion. But the district collector has called on another panchayat/gramsabha for conversion of forest land on coming 9th November 2021. He is ignoring earlier decisions of the gramsabha. Our team asked him why such gramsabha was essential. The District collector has the views that earlier this gramsabha was perfunctory in substance. Under the Forest Rights Act (FREA), Koraput district is included under the fifth scheduled area of the forest department. The conversion should be conducted as per the provisions. He said to the team,

- 108 -

2 The Gramsabha earlier was conducted at block head quarter of Patangi without following the voters list what the Collector had said to the team members. Later we found that it was held at gram panchayat head quarter with proper procedure. The people had opposed conversion of forest land on June 19, 2018 gram sabha. Though this new gram sabha is not essential but the government of Odisha is doing it again for benefitting the NALCO. The government is even ignoring earlier decision of the gram sabha. So, this new process is illegal.

3 People around the Serubandh Hill have been opposing the proposed NALCO bauxite mining project since 2010. If mining happens then villagers of nearly 60 villages of six gram panchayats would be directly affected.

Our Demands:

We are keeping following demands before the government of Odisha.

1. The government should cancel the HINDALCO and NALCO bauxite mining lease.
2. Those have been arrested from both Mali Parbat and Serubandh hill area should be released soon.
3. The government should respect PESA and should work as per decisions of Gramasabha and Pallasabha
4. The farmers should get price fixed by the Regional Marketing Cooperatives.
5. We have already experienced number cyclones and droughts in last twenty years in the coast of Odisha, West Bengal and Andhra Pradesh. The intensity and frequency of those cyclones are increasing. The excess mining, pollution, destruction of forest etc are few reasons why we are experiencing such calamities. The poorer sections of our society, farmers, adivasis and dalits are the worst sufferers of those cyclones and droughts. But the government of Odisha has been giving new leases for mining and have been using police forces to cow down the local villagers. This is for smooth transfer of land to the industrial houses. Here, the government of Odisha should cancel the mining projects of HINDALCO and NALCO. It should give priority to protection of forest and development of indigenous agriculture.

Team members:

Deba Ranjan Gupteswar Panigrahi (Sr. Advocate/ Koraput), Rajib Sagaria (Sr. Journalist/Balangir), Debendra Nayak (Nabarangpur), Bideshi Gouda (Malkanagiri), Debi Prasanna Rath (Puri) and Azad Swati.

Email: sasibhubaneswara@gmail.com

IN THE HIGH COURT OF ORISSA: CUTTACK

I.A No. 229 of 2022

(Arising out of WP(C)(PIL) No. 473 of 2022)

In the matter of

**An application under chapter VI, Rule 27-A
of the Orissa High Court Rules, 1948 as
amended from time to time for an Interim
relief.**

A N D

In the matter of

**An application for restraining Opp. parties in
giving environmental clearance in favor of
OP no. 8 and stay further proceeding.**

A N D

In the matter of

Niranjan Khillo and Others Peitioners

-Vrs-

State Pollution Control Board Odisha and Others
.....Opp.parties

To

The Hon'ble Chief Justices of the Orissa High Court and
His Companion Justices of the said Hon'ble Court.

The humble petition of the

Petitioner named above

MOST RESPECTFULLY SHEWETH

1. That, the petitioners have filed a writ petition in the nature of Public Interest Litigation in this Hon'ble Court challenging the legality propriety of public hearing conducted on 22.11.2021 concerning the environmental impact of bauxite mines operation on Mali Parbat Koraput.

2. That, the main ground of challenge of such proceeding of public hearing is that the large number of villagers likely to be affected on the proposed mining operation were illegally prevented from reaching the venue in time by help of police force and goons

sponsored by the OP No. 8 company for which the real voice of the affected people could not be shared. Further pre-arrest, intimidation, threat by the police and goons obstructing through barricades the people with the motive not to allow them to reach the spot is illegal. The so called participation of few henchmen of OP No. 8 supporting the proposed mines operation cannot be considered as the opinion of the affected people. In such view of the matter the so called public hearing and recording of such proceeding is illegal and unsustainable in law.

3. That, the averment made in the writ petition may be treated as part and parcel of this application.

4. That, the petitioners have a good prima facie case and balance of convenience is in their favour.

5. That, unless the Opp. parties are restrained from giving environmental clearance in favor of the OP No. 8 for its bauxite mines operation on Mali Parbat during pendency of the writ petition, the writ will render infroctious.

P R A Y E R

It is therefore prayed that the Hon'ble Court shall be pleased to restrain the Opp. parties more particularly Opp. party No. 1 and 6 from giving environmental clearance in favour of OP No. 8 for bauxite mines operation on Mali Parbat Koraput and stay further proceeding in the above matter till disposal of the writ petition.

And for the act of kindness, petitioners shall as in duty bound ever pray.

Cuttack

By the petitioner through

Dt.

Advocate

(PRASANT KUMAR JENA)

ENRL. NO. O-137/1988

Mob- 832896576

A F F I D A V I T

I, Prafulla Samantara, Aged about 70 years, S/o Dinabandhu Samantra, President, Lok Shakti Abhiyan A/3, Unit 9, Bhoinagar, Bhubneswar-751022 do hereby solemnly affirm and state as follows.

1. That, I am the petitioner No 5 in the case and duly authorized by all other petitioners to swear this affidavit.
2. That, the facts stated above are true to my knowledge.

Identified by

Advocate

Deponent

C E R T I F I C A T E

Due to non-availability of cartridge papers, this Writ Petition has been typed in thick white papers.

Advocate

Annexure-IX(B)
Counter Affidavit by HIL

IN THE HIGH COURT OF ORISSA: CUTTACK

W.P. (CIVIL) (PIL) NO.473 OF 2022

Niranjan Khilo & others

.....Petitioners

Versus

State Pollution Control Board Odisha & othersOpp.parties

INDEX

Srl. No.	SUBJECT	ANNEXURE	PAGE
1	Counter Affidavit in reply		1-39
2	Board Resolution dated 28 th May 2015	A/8	40-41
3	Notification bearing no. S.O. 1533(E) dated 14.09.2006	B/8	42-86
4	Executive Summary of the Environmental Impact Assessment for the Maliparbat Mine, a copy of the same is hereto annexed and marked	C/8	87-100
5	Environment Clearance dated 07.09.2006	D/8	101-106
6	Consent to Operate dated 08.11.2007	E/8	107-114
7	Copy of Mining Lease	F/8	115-119
8	Copy of Surface order dated 25.04.2008 of the Collector	G/8	120-122
9	Copy of order dated 13.05.2008 of the Deputy Director Mines of Circle Mining Office, Koraput	H/8	123-124
10	Notice of opening-15.06.2008	I/8	125-126
11	Copy of the Terms of Reference dated 23.07.2012	J/8	127

mGenu

12	Copy of the Prohibitory Orders dated 11.01.2014	K/8	128-129
13	Copy of the Prohibitory Orders dated 20.08.2014	L/8	130
14	Application for extension of period dated 09.07.2015	M/8	131-132
15	Order of extension for six month dated 19.09.2015 of the State Government	N/8	133
16	Application dated 18.03.2016 requesting for extension	O/8	134-136
17	Copy of order dated 02.05.2016 of the Government of Orissa, Department of Steel & Mines, Bhubaneswar	P/8	137
18	Copy of order dated 12.05.2016 of the Government of Orissa, Department of Steel & Mines	Q/8	138
19	A copy of order dated 17.08.2016 of the Government of Orissa, Department of Steel & Mines	R/8	139-141
20	The letter dated 29.08.2016	S/8	142-149
21	Notice of hearing dated 17.11.2016	T/8	150
22	Revival order dated 08.03.2019 of the Government of Orissa, Department of Steel	U/8	151-155
23	A copy of the consent dated 17.05.2019	V/8	156-169
24	Mine opening notice dated 05.09.2019	W/8	170-172
25	A copy of the application for ToR dated 07.07.2020	X/8	173-184
26	A copy of the Letter dated 04.08.2020	Y/8	185-283
27	Proposal dated 28.12.2020 filed	Z/8	284-290
28	Letter to OSPCB dated 04.05.2021	Z1/8	291-294
29	Letter bearing no. HIL/SEM/OSPCB/2021-22/29 dated 11.05.2021	Z2/8	295-300

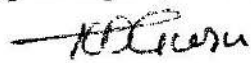
Hil Green

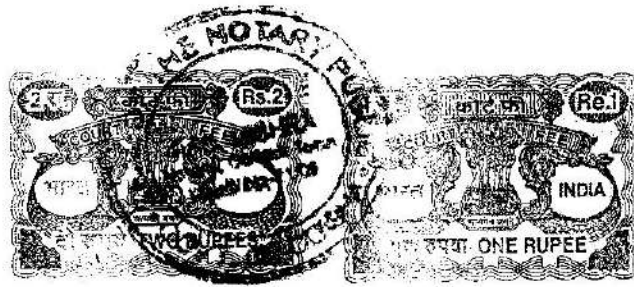
30	OSPCB addressed communication bearing no. 8848/IND-II-PH-908 dated 03.07.2021 to the District Magistrate cum Collector, Koraput District	Z3/8	301-302
31	Copy to HIL of the Letter no. 2874/XIII-121/21 dated 12.08.2021	Z4/8	303-304
32	Copy of the Letter and Notice dated 19.08.2021 to HIL	Z5/8	305-306
33	A copy of the Letter dated 11.10.2021 to HIL	Z6/8	307-308
34	Copy of the Letter and Notice dated 18.10.2021 to HIL	Z7/8	309-314
35	Copy of the EIA report in Form-2 was submitted before MOEF on dated 24.01.2022	Z8/8	315-721
36	Letter bearing no. HIL/SEM/DDM/2021-22/05 dated 10.01.2022	Z9/8	722-726
37	VAKALATNAMA		

Cuttack.

Date:- 6/3/2021

By the Opposite party through


Advocate



1

IN THE HIGH COURT OF ORISSA: CUTTACK

I.A. NO. 229 OF 2022

IN

W. P. (CIVIL) (PIL) NO. 473 OF 2022

In the matter between:

Niranjan Khillo & Ors.

...Petitioners

Versus

State Pollution Control Board,

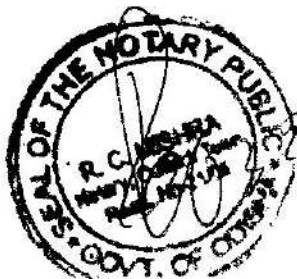
Odisha & Ors.

...Respondents

AFFIDAVIT IN REPLY ON BEHALF OF M/S.
HINDALCO INDUSTRIES LIMITED (OPPOSITE
PARTY NO. 8)

I, Pratap Kumar Patra, S/o of Late Sasanka Sekhar patra, aged about 51 year, working as Agent at Maliparbat Bauxite Mines of M/s. Hindalco Industries Limited, having office at Satya Nagar, College Road, Semeliguda, Dist. Koraput, Odisha, do hereby solemnly affirm and state as under:

Pratap Kumar Patra



1. That I am the authorized signatory of M/s. Hindalco Industries Limited i.e., the Opposite Party No. 8 herein and authorized *vide* Board Resolution dated 28.05.2015. I am fully conversant with the facts and circumstances relating to the aforesaid Writ Petition (Civil) (PIL) No. 473 of 2022 (hereinafter referred to as "**Writ Petition**") filed before this Hon'ble Court and the Order dated 08.02.2022 passed by this Hon'ble Court and I am competent to swear on the present Affidavit. A copy of the Board Resolution dated 28.05.2015 is hereto annexed and marked as **ANNEXURE-A/8**.

2. That, I am filing the present Affidavit to place on record relevant details/materials to substantiate that the Opposite Party No. 8 has followed and abided by the procedure laid down to secure prior Environmental Clearance ("**EC**") under the Notification bearing no. S.O. 1533(E) dated 14.09.2006 issued Ministry of Environment and Forests, Government of India and as amended from time to time ("**EIA Notification, 2006**") and any other laws/rules/regulations. The same are set-out in detail hereinafter. I reserve my right to file

Pratibha U. Chavhan

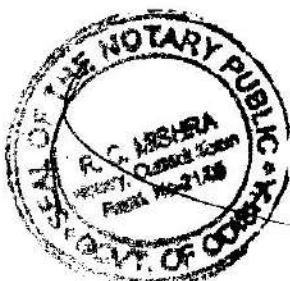


further/additional/supplementary Affidavits in response to the present Writ Petition or as and when directed by this Hon'ble Court. A copy of the Notification bearing no. S.O. 1533(E) dated 14.09.2006 along with Appendix, issued by the Ministry of Environment and Forests, Government of India is hereto annexed and marked as **ANNEXURE-B/8.**

3. It is submitted that the present Writ Petition has been filed before this Hon'ble Court on the ground that the Petitioner Nos. 1 to 4 herein were illegally prevented from participating in the Public Hearing dated 22.11.2021 (hereinafter referred to as "**Public Hearing held on 22.11.2021**") organised by the State Pollution Control Board, Odisha i.e., the Opposite Party No. 1 herein. Such allegation is wrong and baseless as the Public Hearing held on 22.11.2021 was held by the Opposite Party No. 1 in compliance of applicable procedure as demonstrated in this affidavit.

Pratap Kumar

4. At the outset, the contents of the present Writ Petition and the accompanying Interim Application



No. 229 of 2022 (hereinafter referred to as "**Interim Application**") are hereby denied *in-toto*, except where the same are expressly admitted hereunder. It is prayed that no averment contained in the present Writ Petition and the Interim Application should be deemed to be admitted merely because of specific non-traverse.

Brief about the Opposite Party No. 8:

5. That the Opposite Party No. 8 is a public limited company and a listed entity engaged in manufacturing of aluminium. Established in 1958, its operations include, but are not limited to bauxite mining, alumina refining, coal mining, captive power plants and aluminium smelting to downstream rolling, extrusions and foils etc. The Plaintiff is a pioneer of India's industrialization and is an industry leader in aluminium and copper as well as one of India's most reputed public limited companies.

Pratibha Cu. Labh

6. That the Opposite Party No. 8, through its refineries at Doraguda (Odisha), Renukoot (Uttar Pradesh), Muri (Jharkhand) and Belgaum (Karnataka) is engaged in the business of



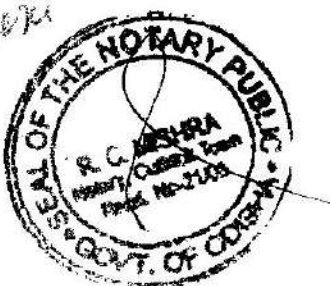
manufacturing alumina and for which bauxite is the primary input.

7. That the Opposite Party No. 8, with a *bona fide* intention of boosting the economy of the State of Odisha by way of industrialisation and employment generation and in complete adherence to applicable laws, is in the process of investing over Rs. 8000 Crores for the expansion and the modernisation of its alumina refineries in Odisha which in turn will create employment opportunities for over 4000 persons. The project proposals of the Opposite Party No. 8, in this regard have also been cleared by the State Government of Odisha in January 2020.

8. The project proposals submitted by the Opposite Party No. 8, includes the setting up of the Aditya Alumina refinery at Kansariguda, Rayagada District, Odisha.

9. The bauxite mined out from Maliparbat is proposed to be used in Hindalco's existing refineries at Renukoot (Uttar Pradesh), Muri (Jharkhand), and

Pratibha U. 1. 2020



Belgaum (Karnataka). The Opposite Party No. 8 has also submitted a proposal to the Government of Odisha to supply bauxite mined from Maliparbat to Utkal alumina refinery at Doraguda, Rayagada District, Odisha.

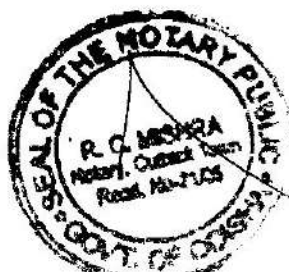
Brief about the Project:

10. Way back in January 2000, the Opposite Party No. 8 applied for Mining Lease for the mineral Bauxite over an area of 268.11 Ha at Maliparbat, Tahasil – Pottangi, Dist – Koraput ("**Maliparbat mines**"). The Maliparbat mines are spread across three revenue villages viz. Aligaon, Kankaramba and Sorishpadar, of Pottangi Tehsil, Koraput District, in the State of Odisha.

Part of W. P. No.

11. As per the plan for production, it was foreseen that 0.6 Million Tonnes Per Annum of bauxite will be mined and will be used in existing alumina refineries of Opposite Party Nos. 8, located at Renukoot (Uttar Pradesh), Muri (Jharkhand) and Belgaum (Karnataka) (hereinafter referred to as "**mining project**"). Proposal for supply of bauxite to Utkal

4/1/2000



alumina refinery at Doraguda, Rayagada District, Odisha is also under process.

12. The mining project will not only facilitate and improve the sourcing of bauxite for the alumina refineries of Opposite Party No. 8 but will also be a boost for the local economy as well as the economy of the State of Odisha. Apart from creating employment for the local inhabitants, the developmental activities that will be undertaken by the Opposite Party No. 8 in discharge of its corporate social responsibility will contribute to the socio-economic conditions of local inhabitants. The details of the mining project of the Maliparbat Mine along with its significance is set-out in the Executive Summary of the Environmental Impact Assessment for the Maliparbat Mine, a copy of the same is hereto annexed and marked as **ANNEXURE C/8**.

Noted as per

13. Despite the Opposite Party No. 8 having obtained requisite clearances and permissions as required under extant laws, operations in the Maliparbat mines were interrupted due to law and order problems created by miscreants since 2012



and in 2013, the Opposite Party No. 8 had to stop operations. Prohibitory Orders were also issued in the year 2014 by the Court of Sub-Divisional Magistrate, Koraput District under Section 144 of the Code of Criminal Procedure ("**Cr.P.C**") against persons disrupting the mining operations by illegal activities. The facts and circumstances in the following paragraphs demonstrate that despite the best efforts of the local administration, the illegal activities of miscreants have prevented operations in the Maliparbat mines. Such activities have not only brought to naught the investment made by the Opposite Party No. 8 but also deprived local persons who support the mining project of the benefits of development.

Pratibha Cu. Labr

14. Pursuant to the application filed by the Opposite Party No. 8 under the prevalent Environment Impact Assessment Notification, 1994 ("**EIA Notification, 1994**") for Environment Clearance for the Mining Project, the Government of India, Ministry of Environment & Forests, the Opposite Party No. 6 herein, accorded Environment Clearance on 07.09.2006 to the Maliparbat Bauxite

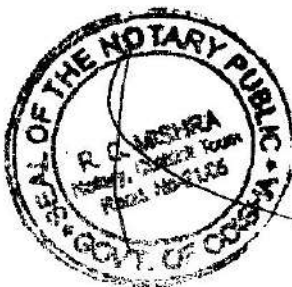


Mining Project of the Opposite Party No. 8, for production capacity of 0.6 million tonnes per annum of bauxite ore by opencast mechanized method involving total lease area of 268.11 Ha. ("the **Project**") under the provisions of EIA Notification 1994. A copy of the Environment Clearance dated 07.09.2006 is hereto annexed and marked as **ANNEXURE D/8.**

15. Immediately after grant of Environment Clearance dated 07.09.2006, on 14.09.2006, EIA Notification 1994 was replaced by the EIA Notification, 2006. As per the EIA Notification, 2006, existing projects required fresh Environment Clearance under EIA Notification, 2006 when they underwent expansions and modernization.

Printed in table

16. On 08.11.2007, the Opposite Party No. 1 granted Consent to Operate the Project under the provisions of the Air Act, 1981 and Water Act, 1974 which was valid up to 31.03.2011. A copy of Consent to Operate dated 08.11.2007 is hereto annexed and marked as **ANNEXURE E/8.**



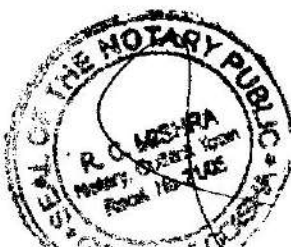
17. Thereafter a Mining Lease in respect of the Project was executed by the Collector & Dist. Magistrate, Koraput in favour of the Opposite party No. 8 and the same was registered on 14.11.2007 for 20 years. A copy of Mining Lease is hereto annexed and marked as **ANNEXURE F/8**.

18. On 25.04.2008, the Office of the Collector, Koraput (Mining Section) granted surface right over 662.50 Acres or 268.110 Ha. Of the mining lease area to the Opposite Party No. 8. Thereafter on 13.05.2008 the Deputy Director Mines of Circle Mining Office, Koraput, physically handed over possession of the aforementioned surface area to enable the Opposite Party No. 8 to commence mining operations at Maliparbat mines. A copy of order dated 25.04.2008 of the Collector is hereto annexed and marked as **ANNEXURE G/8**. A copy of order dated 13.05.2008 of the Deputy Director Mines of Circle Mining Office, Koraput District is hereto annexed and marked as **ANNEXURE H/8**

Patel W. P. S.

19. Accordingly, the Notice of opening of Maliparbat Bauxite Mines was issued by the Opposite

H. Chandra



Party No. 8 whereby, 15.06.2008 was notified as the date for opening the mine. A copy of the notice for mine opening is hereto annexed and marked as **ANNEXURE I/8.**

20. Thereafter *vide* letter dated 17.03.2012, the Opposite Party No. 8 submitted its proposal for enhancement of production of bauxite from 0.6 million TPA to 0.9 million TPA and sought for Environment Clearance under the provisions EIA Notification, 2006. The Opposite Party No. 6 issued the Terms of Reference for the aforesaid expansion on 23.07.2012. A copy of the Terms of Reference dated 23.07.2012 is hereto annexed and marked as **ANNEXURE J/8.**

Part of W. Lab

21. In the year 2012-2013, the Opposite Party No. 8 was constrained to scale down its mining operations on account of disturbances created by insurgents and threat to its personnel. In November 2013, the Opposite party No. 8 was forced to shut down operations due to serious law and order problems created by miscreants in the mining area.

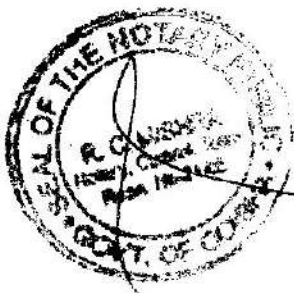


22. On account of law and order situation at the Mining Area, the Court of Sub-Divisional Magistrate, Koraput District *vide* its order dated 11.01.2014, issued prohibitory orders under Section 144 of Cr.P.C within 500 metres radius of Maliparbat Mining and dumping yard at Kankadamba Area. The same was issued to prevent imminent breach of peace in the locality. A Similar Prohibitory Order under Section 144 of Cr.P.C was yet again issued in the Mining Area on 20.08.2014. A copy of the Prohibitory Orders dated 11.01.2014 and 20.08.2014 are hereto annexed and marked as **ANNEXURE K/8** and **ANNEXURE L/8**.

Prohibitory Order

23. As two years since the stop of mining operations was about to be complete on 09.07.2015, the Opposite Party No. 8 filed an Application dated 09.07.2015, for extension of the mining lease to prevent it from lapsing. A copy of the application dated 09.07.2015 is hereto annexed and marked as **ANNEXURE M/8**.

24. Accordingly, *vide* order dated 19.05.2015, the State Government accepted the application of the



Opposite Party No. 8 and granted an extension of 6 months from the due date of lapse i.e., 31.10.2015, for restarting the mining operation. A copy of order dated 19.05.2015 of the State Government is hereto annexed and marked as **ANNEXURE N/8.**

19. 9 9

25. Thereafter on 18.03.2016, as the law and order situation remained unresolved, the Opposite Party No. 8 filed another application to the State Government requesting for further time of 1 year for restarting Maliparbat Mine beyond 31.04.2016. A copy of the application dated 18.03.2016 is hereto annexed and marked as **ANNEXURE O/8.**

Pratibha C. Patra

26. On 02.05.2016, due to lapse of time period for starting the mining operation in the Maliparbat mines, the Office of Deputy Director of Mines, Koraput District issued a letter to the Opposite Party No. 8 directing it not to start any kind of mining operation in the Maliparbat mines till receipt of any order from the Government of Orissa, Department of Steel & Mines, Bhubaneswar. A copy of order dated 02.05.2016 of the Government of Orissa, Department of Steel & Mines, Bhubaneswar is hereto annexed and marked as **ANNEXURE P/8.**

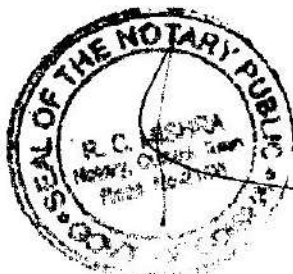


27. On 12.05.2016, the Government of Orissa, Department of Steel & Mines rejected the request of the Opposite Party No. 8 for grant of further time of 1 year to restart the mine. A copy of order dated 12.05.2016 of the Government of Orissa, Department of Steel & Mines is hereto annexed and marked as **ANNEXURE Q/8**.

28. Thereafter on 17.08.2016, the Government of Orissa, Department of Steel & Mines directed that the mining lease for the Maliparbat mines stood lapsed with effect from 30.04.2016, under Section 4A(4) of the Mines and Minerals (Development and Regulation) Act, 1957 ("**1957 Act**") read with Rule 20(6) of Mineral Concession Rules 2016. A copy of order dated 17.08.2016 of the Government of Orissa, Department of Steel & Mines is hereto annexed and marked as **ANNEXURE R/8**.

29. Thereafter on 29.08.2016 the Opposite Party No. 8 filed an application for revival of the Mining Lease on the ground that it had taken all the necessary steps to restart mining operations but was

Pratap Cu. Pabr



prevented due to law and order problems. Accordingly, on 17.11.2016, the Government of Orissa, Department of Steel & Mines issued a Notice for Hearing in relation to the Opposite Party No. 8's request for revival of the Mining Operations. A copy of the letter dated 29.08.2016 issued by the Opposite Party is hereto annexed and marked as **ANNEXURE S/8**. A copy of the notice of hearing dated 17.11.2016 is hereto annexed and marked as **ANNEXURE T/8**.

30. On 08.03.2019, the Government of Orissa, Department of Steel and Mines revived the Mining Lease *vide* its order dated 08.03.2019, directing as follows:

"And whereas, heard the parties, it is observed that due to acute Law & Order problem, mining operation could not be taken up by the lessee. Occurrence of Law & Order situation in and around the lease area is certainly beyond the control of the lessee and hence, the lessee is not found

Practising W.L. Labr

H.R. Sharma



Protect U.S. Labor

And whereas, in the meantime, the lessee has obtained approved mining plan, Environment Clearance and consent to operate. Forest clearance is not required as the lease area does not fall in forest classification."

A copy of the order dated 08.03.2019 of the Government of Orissa, Department of Steel and

Mines is hereto annexed and marked as **ANNEXURE U/8.**

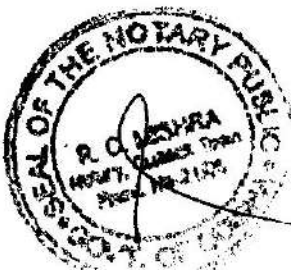
31. In view of Section 8A (3) of the Mines and Minerals (Development and Regulation) Amendment Act, 2015, the period of mining lease in respect of Maliparbat Mine is deemed to have been extended for a period of 50 years i.e., from 14.11.2007 to 14.11.2057.

32. On 17.05.2019, the Opposite Party No. 1 issued Consent for discharge of sewage and/or trade effluent under the Air Act, 1981 and Water Act, 1974 which was valid up to 31.03.2020. A copy of the consent dated 17.05.2019 is hereto annexed and marked as **ANNEXURE V/8.**

Pratibha U. Dabhi

33. Accordingly, on 05.09.2019, the Opposite Party No. 8 again issued a Mine Opening Notice. A copy of the mine opening notice dated 05.09.2019 is hereto annexed and marked as **ANNEXURE W/8.**

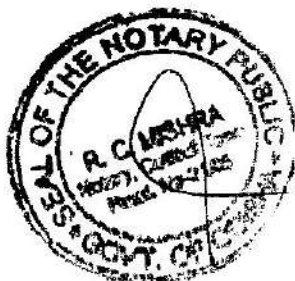
34. Since the previous application filed by the Opposite Party No. 8 in 2012 for enhancement of



production from 0.6 MTPA to 0.9 MTPA could not be acted upon and had lapsed, the Opposite Party No. 8 filed an application dated 07.07.2020 before the Opposite Party No. 6 in Form I of EIA Notification, 2006 alongwith the Prefeasibility Report for obtaining fresh Terms of Reference for the proposed enhancement of production from the Maliparbat mine. A copy of the application dated 07.07.2020 filed by the Opposite Party No. 8 alongwith the Prefeasibility Report is hereto annexed and marked as **ANNEXURE X/8**.

35. Thereafter, the Opposite Party No. 6 reviewed the proposal enclosed along with application dated 07.07.2020 addressed by the Opposite Party No. 8 and sought certain documents from Opposite Party No. 8. The same were provided by the Opposite Party No. 8 *vide* Letter bearing no. HIL/SEM/MoEF/2020-21/61 dated 04.08.2020 with a request to the Opposite Party No. 6 to consider the application for the grant of TOR for the proposed enhancement in the production of the existing Maliparbat Mine from 0.6 MTPA to 0.9 MTPA. A copy

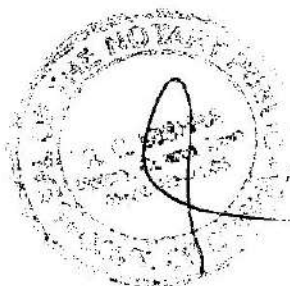
Pratibha U. L. L.



of the Letter dated 04.08.2020 is hereto annexed and marked as **ANNEXURE Y/8**.

36. The Opposite Party No. 8 also made an online application for grant of TOR *vide* its proposal bearing no. IA/OR/MIN/162409/2020 dated 05.08.2020. The said proposal dated 05.08.2020 was considered at the 23rd EAC Meeting dated 24.09.2020. It was observed during the said meeting that the Opposite Party No. 8 had operated the mines during 2013-2014 without obtaining EC and also had not filed any application in terms of Notification bearing no. S.O. 1530(E) dated 06.04.2018, issued by the Ministry of Environment, Forests and Climate Change, Government of India. In view of the said observation, the Proposal dated 05.08.2020 was returned back. It is submitted that such observations were incorrect since as demonstrated in the forgoing paragraphs to the present affidavit, mining operations had to be closed in the Maliparbat mines in 2013 due to law and order problems created by miscreants.

Party No. 8



37. The Opposite Party No. 8, thereafter, *vide* proposal bearing no. IA/OR/MIN/189627/2020 dated 28.12.2020 applied for grant of fresh TOR to obtain EC in order to undertake mining operations at Maliparbat Mine. The Proposal dated 28.12.2020, addressed by the Opposite Party No. 8 was considered at the 26th EAC meeting held on 11.01.2021 and TOR were issued on 08.02.2021 after the proposal dated 28.12.2020 filed by the Opposite Party No. 8 was found to be complete in all respect. A copy of the fresh TOR for the Project granted by the Impact Assessment Division of the Ministry of Environment Forest and Climate Change, Government of India *vide* Letter bearing no. J-110105/79/2020-IA.II (M) dated 08.02.2021 is annexed as Annexure – 1 to the Writ Petition. A copy of the proposal dated 28.12.2020 is hereto annexed and marked as **ANNEXURE Z/8.**

Pratap W. K. K.

Procedure followed by the Opposite Parties for holding Public Hearing:

38. In the process for obtaining a prior EC as per Notification dated 14.09.2006, there are various

HOLCEN



stages that are to be completed, one of which is "Public Consultation". In terms of the Notification dated 14.09.2006, "Public Consultation"; *"refers to the process by which the concerns of local affected persons and others who have plausible stake in the environmental impacts of the project or activity are ascertained with a view to taking into account all the material concerns in the project or activity design as appropriate"*. The Project Proponent i.e., the Opposite Party No. 8 in the present case was required to make a request through a simple letter to the Opposite Party No. 1, in whose jurisdiction the project is located to arrange the public hearing within the prescribed statutory period. In compliance of the aforesaid requirement under EIA Notification, 2006, the Opposite Party No. 8 addressed Letter dated 04.05.2021 to the Opposite Party No. 1 *inter alia* requesting that a public hearing be conducted in respect of the mining project of the Opposite Party No. 8 at Maliparbat Mine. 10 copies, each of the EIA/EMP Report (physical and digital forms) and Executive Summary in English and Odia were also enclosed with the Letter dated 04.05.2021. The said Letter dated 04.05.2021 was in accordance with

Protest Un-sub

Handwritten signature



Paragraph 2.0 of the procedure for conduct of public hearing as set-out under Appendix IV of the Notification dated 14.09.2006. A copy of the Letter dated 04.05.2021 is hereto annexed and marked as **ANNEXURE-Z1/8.**

39. Thereafter, the Opposite Party No. 8, also addressed Letter bearing no. HIL/SEM/OSPCB/2021-22/29 dated 11.05.2021 to the Opposite Party No. 1, enclosing therewith a demand draft towards the requisite fees for the arrangement of public hearing and with a request for necessary order/instruction to conduct public hearing in respect of the mining project of the Opposite Party No. 8 at Maliparbat Mine. A copy of the Letter dated 11.05.2021 is hereto annexed and marked as **ANNEXURE-Z2/8.**

Pratibha W. Lohar

40. In view of the aforesaid Proposal dated 28.12.2020 and Letters dated 04.05.2021 and 11.05.2021, both addressed by the Opposite Party No. 8, the Opposite Party No. 1 addressed communication bearing no. 8848/IND-II-PH-908 dated 03.07.2021 to the District Magistrate cum Collector, Koraput District, the Opposite Party No. 3

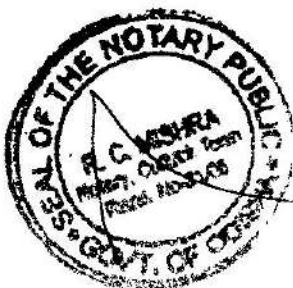


herein, *inter alia* requesting to suggest a date, time and venue at least 40 days in advance for conducting public hearing for the purpose of addressing concerns of the local affected persons on account of the mining project of the Opposite Party No. 8 and for grant of EC to the Opposite Party No. 8. A copy of the Letter dated 03.07.2021 was also forwarded to the Opposite Party No. 8 and is hereto annexed and marked as **ANNEXURE-Z3/8.**

41. Thereafter, *vide* letter bearing no. 2874/XIII-121/21 dated 12.08.2021 the Member Secretary of the Opposite Party No. 1 was intimated *qua* the date, time and venue of the public hearing and confirmed that the public hearing will be fixed on 22.09.2021 at 11.00 am at village Kankadamba in Tehsil Semilguda of Koraput District. A copy of the Letter dated 12.08.2021 was also forwarded to the Opposite Party No. 8 and is hereto annexed and marked as **ANNEXURE-Z4/8.**

Part of the letter

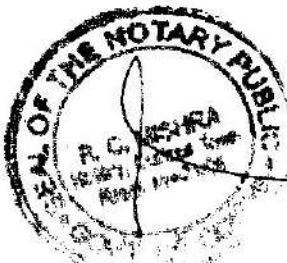
42. The Opposite Party No. 1, *vide* letter bearing no. 12411/IND-II-PH-908 dated 19.08.2021 finalized the date of public hearing as 22.09.2021 and



thereby also directed the Opposite Party No. 3 or his or her representative not below the rank of an Additional District Magistrate to supervise and preside over entire public hearing process scheduled on 22.09.2021. Subsequently, the Opposite Party No. 1 *vide* Notice bearing no. 12404/IND-II-PH-908 dated 19.08.2021 notified that the public hearing in respect of the mining project of the Opposite Party No. 8 at the Maliparbat Mine will be held on 22.09.2021 at the time and venue mentioned therein. A copy of the Letter and Notice dated 19.08.2021 was also forwarded to the Opposite Party No. 8 and is hereto annexed and marked as **ANNEXURE-Z5/8.**

Pratibha U. S. S.

43. At this juncture it is pertinent to note that on 22.09.2021 the Opposite Party No. 4 along with the regional officers of Opposite Party No. 1 reached the venue of the Public Hearing for the public hearing. However, even before the public hearing could commence, members of "Mali Parbat Surakhya Samiti" (hereinafter "**Samiti**") – a local group opposing the mining project arrived at the venue armed with lathis, swords and other weapons. The



members of the Samiti not only vandalized the stage and other arrangements but also assaulted and inflicted injuries on the officials of the Opposite Party No. 8. This appears to be in continuation of the attempts made in the past to prevent resumption of operations in the Maliparbat mine.

44. The Opposite Party No. 3 *vide* letter bearing no. 3196/XIII-121/21 dated 11.10.2021 addressed to Member Secretary of the Opposite Party No. 1 informed that the public hearing for the Project as scheduled to be held on 22.09.2021 could not be conducted due to law and order problem. In that regard the Opposite Party No. 3 suggested that the public hearing be held on 22.11.2021 at the time and venue mentioned in the said Letter dated 11.10.2021. A copy of the Letter dated 11.10.2021 addressed by the Opposite Party No. 3 was also forwarded the Opposite Party No. 8 and is hereto annexed and marked as **ANNEXURE-Z6/8.**

Printed by U. C. Chak

45. The Opposite Party No. 1, thereafter, *vide* letter bearing no. 16042/IND-II-PH-908 dated 18.10.2021 finalized the date of public hearing as



22.11.2021 along with the time and venue for the public hearing. The Opposite Party No. 1 *vide* the said Letter dated 18.10.2021 also requested the Opposite Party No. 3 and/or his or her representative not below the rank of Additional District Magistrate to supervise and preside over entire public hearing process of the Project scheduled to be conducted on 22.11.2021. The Opposite Party No. 1 once again *vide* Notice bearing no. 15977/IND-II-PH-908 dated 18.10.2021 notified that the public hearing will be held on 22.11.2021 at the time and venue mentioned therein. A copy of the Letter and Notice dated 18.10.2021 addressed by the Opposite Party No. 1 was also forwarded to the Opposite Party No. 8 and is hereto annexed and marked as **ANNEXURE-Z7/8**.

Parties W. C. 2021

46. In view of the aforesaid it is most respectfully submitted that the public hearing scheduled on 22.11.2021 was concluded. As per Paragraph III (vii) of the EIA Notification, 2006 and after the completion of the public hearing dated 22.11.2021, the Opposite Party No. 8 is mandated to address all the material environmental concerns expressed

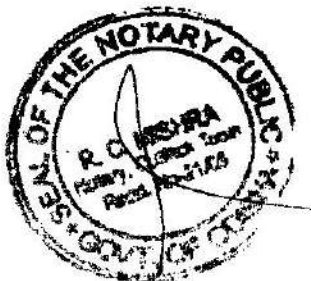


during the public hearing and make appropriate changes in the draft EIA and EMP. All issues/ concerns /objections raised by the local affected persons during the said public hearing were attended to by the Opposite Party No. 8 and requisite changes in this regard to the draft EIA and EMP were also undertaken by the Opposite Party No. 8 and accordingly final EIA report in Form-2 was submitted before MOEF on 24.01.2022. A copy of the EIA report in Form-2 is hereto annexed and marked as **ANNEXURE-Z8/8**.

47. It is pertinent to mention and for the sake of completion of facts that *vide* Demand Notice bearing no. 34 dated 03.01.2022 the Office of the Deputy Director of Mines, Koraput Circle, District Koraput raised a demand of Rs. 15,32,216/- upon the Opposite Party No. 8 for purportedly operating the Maliparbat Mine during 2013-2014 without obtaining prior EC. The aforesaid amount was paid by the Opposite Party No. 8 on 10.01.2022 without prejudice to its rights and contentions and a proof of the same was annexed to the Letter bearing no. HIL/SEM/DDM/2021-22/05 dated 10.01.2022

Party No. 8

H. L. Srinivas



addressed by the Opposite Party No. 8 to Deputy Director of Mines, Koraput Circle, District Koraput. A copy of the Letter bearing no. HIL/SEM/DDM/2021-22/05 dated 10.01.2022 is hereto annexed and marked as **ANNEXURE-Z9/8**.

48. On a bare perusal of the aforesaid detailed facts, placed on record as and by way of the present Affidavit in Reply, it is abundantly clear that the Opposite Party No. 8 adhered to the mandate of the Notification dated 14.09.2006 in letter and spirit and at no point in time the regulatory authorities which are also a party to the present Writ Petition raised any issues regarding the non-compliances, if any, by the Opposite Party No. 8.

Pratap W. Patil

49. On the contrary the Petitioners have levelled bald and baseless allegations, without any material to substantiate the same that the public hearing dated 22.11.2021, was conducted fraudulently and in collusion with the Opposite Party No. 8. Moreover, the aforementioned facts have not been placed before this Hon'ble Court by the Petitioners and therefore, the Petitioners are guilty of *suppresio veri*



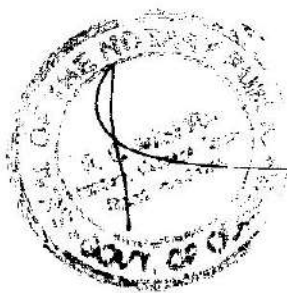
and suggestio falsi. In this regard it is most respectfully submitted that the present Writ Petition *qua* Opposite Party No. 8 be rejected.

50. Moreover, this Hon'ble Court, *vide* Order dated 08.02.2022 has directed that the EC shall not be issued till the next date of hearing i.e., 10.03.2022. In view of the aforesaid it is further most respectfully submitted that the stay on the grant of EC in the favour of the Opposite Party No. 8 be revoked and Opposite Party No. 6 be directed to grant EC in favour of the Opposite Party No. 8.

51. It is respectfully submitted that the Petitioners by way of the present Writ Petition have not approached this Hon'ble Court with clean hands. Whereas it is a trite law and as held by Hon'ble Supreme Court, in *State of Madhya Pradesh v Narmada Bachao Andolan & Anr.*, (2011) 7 SCC 639, that a person seeking relief in public interest should approach the court of equity, not only with clean hands but also with a clean mind, clean heart and clean objective and that a person who seeks equity must also do equity. It was further held that petition

Pratap U. Path

Pratap U. Path



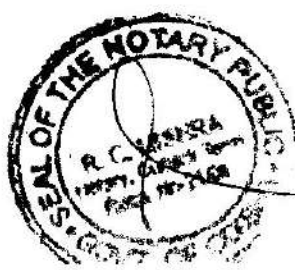
containing misleading and inaccurate statements if filed to achieve an ulterior purpose, amounts to an abuse of the process of court and such a litigant is not required to dealt with lightly and that the person filing the petition is bound to make a full and true disclosure of the facts. The relevant extract of the aforesaid judgment is reproduced as under:

"161. A person seeking relief in public interest should approach the court of equity, not only with clean hands but also with a clean mind, clean heart and clean objective. Thus he who seeks equity must do equity. The legal maxim jure naturae aequum est neminem cum alterius detrimento et injuria fieri locupletiores, means that it is a law of nature that one should not be enriched by the loss or injury to another. The judicial process should never become an instrument of oppression or abuse or means to subvert justice.

Pratap W. Patil

162. "The interest of justice and public interest coalesce. They are very often one and the same." Therefore, the courts have to

11/11/2014

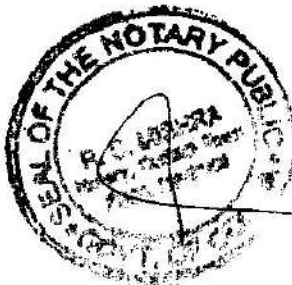


weigh the public interest vis-à-vis the private interest. A petition containing misleading and inaccurate statement(s), if filed, to achieve an ulterior purpose, amounts to an abuse of the process of the court and such a litigant is not required to be dealt with lightly. Thus, a litigant is bound to make "full and true disclosure of facts". The court is not a forum to achieve and oblique purpose."

52. It is further held by the Hon'ble Supreme Court in *Ashok Kumar Pandey v. State of W.B.*, (2004) 3 SCC 349, that the Court while dealing with a public interest litigation shall not allow anybody to indulge in wild and reckless allegations besmirching the character of others; and that mischievous petition seeking to assail for oblique motives, shall be avoided. Moreover, the Court has to be extremely careful to see that under the guise of redressing a public grievance it shall not encroach upon the sphere reserved by the Constitution to the executive and the legislature. The relevant extract of the aforesaid judgment is reproduced as under:

Pratibha W. Patil

H. S. Leoni



"14. The court has to be satisfied about: (a) the credentials of the applicant; (b) the prima facie correctness or nature of information given by him; and (c) the information being not vague and indefinite. The information should show gravity and seriousness involved. Court has to strike balance between two conflicting interests: (i) nobody should be allowed to indulge in wild and reckless allegations besmirching the character or others; and (ii) avoidance of public mischief and to avoid mischievous petitions seeking to assail, for oblique motives, justifiable executive actions. In such case, however, the court cannot afford to be liberal. It has to be extremely careful to see that under the guise of redressing a public grievance, it does not encroach upon the sphere reserved by the Constitution to the executive and the legislature. The court has to act ruthlessly while dealing with imposters and busybodies or meddlesome interloopers impersonating as public-spirited holy men. They masquerade as crusaders of justice. They pretend to act in the

Pratibha W. Patil



name of pro bono publico, though they have no interest of public or even of their own to protect."

53. In any event and without prejudice to the aforesaid it is most respectfully submitted that from the facts stated hereinabove it is clear that the Opposite Party No. 8 has not done any improper act or improperly refrained from doing any act for dishonest purpose for the same to fall within the definition of collusion. The definition of "collusion" was elaborated by the Hon'ble Supreme Court in *Rupchand Gupta v. Raghuvanshi (Private) Ltd. & Anr., (1964) 7 SCR 760*. The relevant extract of the judgment is reproduced as under:

Pratt W. Lahr

"9. One of the simplest definitions of collusion was given by Mr. Justice Bucknill in Scott v. Scott. "Collusion may be defined", said the learned Judge, "as an improper act done or an improper refraining from doing an act, for a dishonest purpose"..."

H. C. M.



54. It is further pertinent to note that the allegation of collusion is not only required to be pleaded but is also required to be proved by placing on record certain material in support of such allegation. In the event an allegation of collusion is pleaded without any basis, then the Writ Petition cannot be entertained. The same was held by the Hon'ble Supreme Court in *Pundlik Jalam Pail (Dead) by LRS. V. Executive Engineer, Jalgaon Medium Project and Anr.*, (2008) 17 SCC 448. The relevant extract of the judgment is reproduced as under:

"31. It is true that when the State and its instrumentalities are the applicants seeking condonation of delay they may be entitled to certain amount of latitude but the law of limitation is same for citizen and for governmental authorities. The Limitation Act does not provide for a different period to the Government in filing appeals or applications as such. It would be a different matter where the Government makes out a case where public interest was shown to have suffered owing to acts of fraud or collusion on the part of its

Pratap W. Patil



H. K. Singh

officers or agents and where the officers were clearly at cross purposes with it. In a given case if any such facts are pleaded or proved they cannot be excluded from consideration and those factors may go into the judicial verdict. In the present case, no such facts are pleaded and proved though a feeble attempt by the learned counsel for the respondent was made to suggest collusion and fraud but without any basis. We cannot entertain the submission made across the Bar without there being any proper foundation in the pleadings."

Paragraph-wise Reply on Merits:

55. That with respect to the contents of paragraph no. 1 of the Writ Petition it is submitted that not only the Opposite Party No. 8 followed the procedure as set-out under the Notification dated 14.09.2006 in requesting the Opposite Party No. 1 for arranging the public hearing but on the conclusion of the said public hearing dated 22.11.2021, all issues/ concerns /objections raised by the local affected persons during the said public hearing were attended to by the Opposite Party No. 8 and requisite changes in

Retired J.A. - C.A.M.



H. Alim

this regard to the draft EIA and EMP were also undertaken by the Opposite Party No. 8. The allegations raised by the Petitioners in the said paragraph under reply are denied as baseless.

56. That the contents of paragraph nos. 2 and 3 of the Writ Petition do not require any response.

57. That the contents of paragraph no. 4.1 are a matter of record only to the extent that the Opposite Party No. 8 secured prior EC on 07.09.2006 from the Opposite Party No. 6 and the same to that extent do not merit any response. It is denied that the EC dated 07.09.2006 was granted despite stiff opposition of the public. The contents of the foregoing paragraphs of this affidavit are reiterated and allegations/averments contrary to the same are denied in *toto*.

Pratap W. Loh

58. That the contents of paragraph no. 4.2 are a matter of record only to the extent that the Proposal dated 28.12.2020, addressed by the Opposite Party No. 8 was considered at the 26th EAC meeting held on 11.01.2021 and TOR were issued on 08.02.2021

HDFC



by the Opposite Party No. 6 *vide* Letter dated 08.02.2021 after the Proposal dated 28.12.2020 was found to be complete in all respect and the same to that extent do not merit any response. It is further submitted that the Office of the Deputy Director of Mines, Koraput Circle, District Koraput *vide* Demand Notice dated 03.01.2022, raised a demand of Rs. 15,32,216/- upon the Opposite Party No. 8 for purportedly operating the Maliparbat Mine during 2013-2014 without obtaining prior EC. The aforesaid amount was duly paid by the Opposite Party No. 8 on 10.01.2022 under protest and a proof of the same was annexed to the Letter bearing no. HIL/SEM/DDM/2021-22/05 dated 10.01.2022 addressed by the Opposite Party No. 8 to Deputy Director of Mines, Koraput Circle, District Koraput. The contents of the foregoing paragraphs of this affidavit are reiterated and allegations/averments contrary to the same are denied in *toto*.

Protest Cu. Cash

59. That the allegations raised in paragraph nos. 4.3 to 4.14 of the Writ Petition are false, baseless and denied in *toto*. The contents of the foregoing paragraphs of this affidavit are reiterated and



allegations/averments contrary to the same are denied in *toto*.

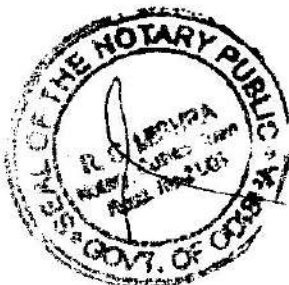
60. The contents of paragraph nos. 5 to 7 of the Writ Petition do not require any response.

61. The grounds raised in paragraph no. 8 of the Writ Petition are devoid of any merit. The contents of the foregoing paragraphs of this affidavit are reiterated and allegations contrary to the same are denied in *toto*.

62. That all other allegations, which run contrary to and/or are inconsistent with submissions made above are hereby denied in *toto* as if the same were set out in seriatim and are specifically denied.

63. The answering deponent reserves its right to add, alter or amend the present affidavit if and so advised, and to respond to any further queries at the time of hearing, or by way of written submissions, if and so required.

Pratibha W. Patil



64. That the facts stated herein above are true to the best of my knowledge based on official records.

Identified by

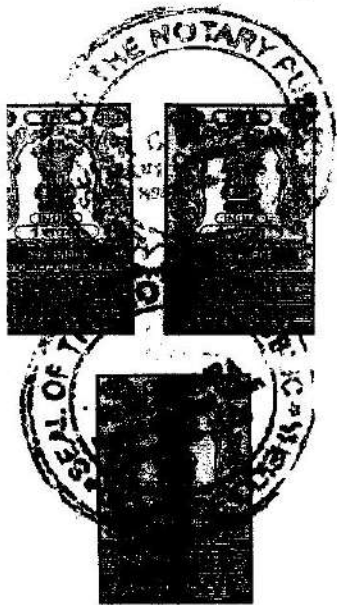
ADVOCATE

Pratibha U. Patil

DEPONENT

Certificate

Certified that due to non-availability of cartridge papers, plain papers are used.



Cuttack
DA 6/3/2022

Kousik Ananda Guru

ADVOCATE
KOUSIK ANANDA GURU
O-34 OF 1992

Solemnly affirm on oath by the Deponent
at Cuttack on *06/03/2022* being identified
by *R. C. Mishra*
Advocate/Adv's Clerk/Asst. AG'S office/Notary
Personally, that the facts stated above are
true to the best of his/her knowledge.

R. C. Mishra
R. C. MISHRA, Notary, Cuttack, Odisha
Regd. No-21/05

Annexure-IX(C)
Court order dated 10.03.2022

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.473 of 2022

Niranjan Khillo and others

Petitioners
....
Mr. P.K. Jena, Advocate

-versus-

***State Pollution Control Board and
others***

Opposite Parties
....

Mr. P.K. Muduli, AGA
Ms. Mukta Dutta, Advocate for OP No.8

**CORAM:
THE CHIEF JUSTICE
JUSTICE R.K.PATTANAIAK**

ORDER

10.03.2022

Order No.

02.

1. Although replies have been filed on behalf of Opposite Parties 1, 2, 3, 4 and 8, no reply has been filed by Ministry of Environment, Forest and Climate Change, Government of India (Opposite Party No.6).

2. In the considered view, the Court the stand of Opposite Party No.6 is essential for the adjudication of the case and accordingly it is directed that Opposite Party No.6 will file its reply to the present petition positively on or before 11th April, 2022. Since none is appearing for the MOEF, the Registry is directed to hand over a downloaded copy of this order to Mr. P.K. Parhi, learned Assistant Solicitor General of India to enable him to ensure the compliance of the above direction. Learned counsel for the Petitioner states that he will file rejoinder to all the counter affidavits before the next date.

3. List on 18th April, 2022.
4. The interim order passed earlier in the present petition shall continue till the next date.
5. An urgent certified copy of this order be issued as per rules.

(Dr. S. Muralidhar)
Chief Justice

(R.K. Pattanaik)
Judge

KC Bisoi



Annexure-IX(D)
Receipt of Court case

Supersintendent
DB-3
5-12-1

West Branch

Division - 3

Orissa High court

Cuttack

PER - 753002

BARABATI STADIUM, PO No. 753001, 753005



M/s Hindalco Industries Limited,

Assistant General manager.

Mines division,

New project - 42/1041

Satya Nagar,

College Road,

Semiliguda, Koraput -

764036, Odisha



Recd. on
19.05.2012

Set. 5



Notice in Administrative & IA matter
by Regd Out with AD

IN THE HIGH COURT OF ORISSA

(Civil Appellate Jurisdiction)

W. P. (C) No.

(PIL)

473

of 20 22

JAN. 229/2022

Niranjan Khillu & others



Versus

State pollution control Board Odisha & others

Opposite Party

In the matter of an application by the above named

Niranjan Khillu & others.

Petitioner

OP. No. - 8

M/s Hindalco Industries Limited,

Assistant General Manager, Mines division

New Project - 42/1047, Satya Nagar,

College Road, Semiliguda, Koraput - 764036, Odisha

Take notice that an application, a copy whereof is annexed herewith, has been made to this Court by the above named petitioner and you are hereby directed to appear before this Court in person or by Advocate on 07.03.2022

and show cause why the application should not be granted or such other order be passed as this Hon'ble Court may deem fit. Counter affidavit filed beyond the date mentioned above shall not be accepted without the leave of the Hon'ble Court.

ତୁମଙ୍କୁ ଏତଦ୍ୱାରା ନୋଟିସ୍ ଦିଆଯାଇଅଛି ଯେ, ଉଲ୍ଲିଖିତ ଦରଖାସ୍ତକାରୀ ଏହି ଅଦାଲତରେ ଯେଉଁ ଦରଖାସ୍ତ କରିଅଛନ୍ତି, ତହିଁର ନକଲ ଏଥିସଙ୍ଗେ ସାମିଲ ଅଛି ।

କାର୍ଯ୍ୟକ୍ରିୟ ଦରଖାସ୍ତ ମଞ୍ଜୁର କରା ନ ଯିବ କିମ୍ବା ମହାମାନ୍ୟ ଅଦାଲତ ଯେପରି ଉପଯୁକ୍ତ ବିଚେରଣ କରିବି ସେହିପରି ତୁମେ ଦିଆ ନ ଯିବ ତହିଁର କାରଣ ତା 07.03.2022ରେ ତୁମେ ନିଜେ କିମ୍ବା ତୁମର ଓକିଲଙ୍କ କବିଆରେ ଅତି ଅଦାଲତରେ ହାଜର ହୋଇ ଦର୍ଶାଇବେ । କଦାବ ଉପରୋକ୍ତ ଧାର୍ଯ୍ୟ ତାରିଖ ପରେ ଦାଖଲ କଲେ ମାହାମାନ୍ୟ ଅଦାଲତଙ୍କ ବିବା ଅନୁମତିରେ ଗ୍ରହଣ କରାଯିବ ନାହିଁ ।

The matter stands adjourned to 10.03.2022

High Court

By order of the Court

The

N. K. Khillu
11.03.2022

Superintendent

