



Letter no: Letter no- HIL/SEM/MOEF/2023-24/75

19/10/2023

To,
Member Secretary - EAC (Non- Coal Mining),
Ministry of Environment, Forests and Climate Change,
Govt. of India, Indira Paryavaran Bhavan,
Jorbag Road, Aliganj, New Delhi – 110003

Subject: Maliparbat Bauxite Mine (ML Area: 268.110 ha) with Bauxite production capacity: 0.6 MTPA located at Villages: Aligaon, Kankaramba, Sorishpadar, Tehsil: Pottangi, District: Koraput, State: Odisha by M/s. Hindalco Industries Ltd.- Reg_ Submission of Additional information.

Ref: 1. MoEF&CC File No.: J-11015/79/2020-IA.II (M) & Proposal No: IA/OR/MIN/250275/2020
2. ADS Raised by MoEF&CC Dated 25.09.2023

Dear Sir,

With reference to the aforesaid subject, an ADS was raised on 25-9-2023 asking "project proponent needs to submit the current status of the mine lease from the State Govt."

On 27.09.2023 , we have requested to Dept. of Steel & Mines , Govt. of Odisha to issue us the current status of the Maliparbat Mine Lease at the earliest . The receipt copy of submitted letter is attached for your kind reference.

We request your good office to give us an opportunity to represent our case by enrolling us in forth coming agenda of EAC Meeting .

We assure that we will produce the current status of the mining lease from the State Govt. before or during the EAC Presentation.

We request your good self to kindly consider the case and grant us Environment Clearance for the above-mentioned project.

Yours faithfully

For, M/s. Hindalco Industries Limited

Authorized Signatory

Encl: As above

ADITYA BIRLA



Dated 27th September 2023

To

The Additional Chief Secretary,
Department of Steel and Mines,
Government of Odisha,
Bhubaneswar,
Odisha

Sub: Status of the lease in respect of the Maliparbat Bauxite Mines.

Dear Sir,

Apropos the observation/ ADS sought by MoEF & CC in the PARIVESH Portal dated 25th September, 2023, which reads as under:

"... However, the Environmental Clearance (EC) shall be granted to a project having valid mine lease as on date. Since the mine lease is in question, the Project Proponent needs to submit the current status of the mine lease from the State Govt. for further necessary action in the matter".

With reference to the above observation, we wish to submit the following in response.

We were granted Mining Lease for Maliparbat Bauxite Mine vide Agreement dated 14/11/2007 for a period of 20 years. The said lease was to come to an end on 13/11/2027. However, pursuant to the amendment to MMDR Act in 2015, the lease was deemed to be valid till 50 years i.e. up to 13/11/2057.

As you are aware and would be borne out of record, we were unable to commence mining for reasons already stated and are not reiterated for brevity.

As per the Notification No. SO1530 (E) dated 6/4/2018, we were required to obtain EC under the EIA Notification of 2006 even though we had a valid EC under EIA 1994. We applied for grant EC and pursuant to which Public Hearing was held on 22/11/2021. A petition was filed in the Hon'ble High Court of Odisha [WP No. 473 of 2021 – *Niranjan Khilo & Ors V/s State of Odisha & Ors*] challenging the public hearing and the Hon'ble Court vide order dated 1/12/2022 directed a fresh public hearing under the supervision of the officials designated by the Court. The second public hearing was conducted on 7/1/2023 and report was accordingly placed before the Court.

While the matter stood thus, the State Govt. of Odisha issued a letter dated 12/10/2022 directing lapsing the Mining Lease. The said letter was also challenged by us before the Hon'ble High Court (WP No. 28704 of 2022 – *Hindalco Industries Ltd & Anr. V/s Union of India & Ors*).

In consideration of the allegations and report of the second public hearing, the Hon'ble Court was pleased to pass the following order on 30th January, 2023. *Para 3 of the order is reproduced as under:*

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Steel & Mines Deptt

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"3. Today, by a separate order passed by this Court in W.P.(C) No.473 of 2022, the process regarding grant of environmental Clearance has been revived before the Environment Appraisal Committee of the Ministry of Environment, Forest and Climate Change (MoEF&CC). In that view of the matter, it is directed that the impugned order dated 12th October, 2022 will be treated as being kept in abeyance till such time, the pending process before the MoEF&CC and the Expert Appraisal Committee (EAC) regarding grant of environmental clearance is not complete. The effect of this will be that during the said process, no steps will be taken by the Department of Steel and Mines, Government of Odisha to grant the lease in question to any other third party."

In view of the above directions of the Hon'ble High Court, the mining lease in respect of Maliparbat Mine is currently valid and in force in our favour. We, therefore, request that a letter on the above lines be issued to MoEF&CC in response to the above referred note (ADS) dated 25th September, 2023.

We remain available to provide any clarifications, if any, required.

For Hindalco Industries Limited



(Ardhendu Mohapatra)

President – Corporate Affairs

Copy to : The Secretary, Ministry of Environment, Forest & Climate Change, New Delhi