

No. S A HALIM/ENV-09/2023

Dt.: 12th JUNE 2023.

To,
The Member Secretary
State Environment Impact Assessment Authority (SEIAA)
Odisha
Qr. No.5RF-2/1
Unit-IX
Bhubaneswar-751022

Dear Sir/Madam,

Sub: Request for extension of the Environmental Clearance in respect of Oraghat Iron and Manganese Mines over an extent of 25.847 Ha in Koira Circle, Dist. Sundergarh of M/s. S.A. Halim to 30 years from the date of grant of Environment Clearance Vide earlier EC Letter No. SEIAA /217/ENV/Dt. 16.04.11. (Proposal No-SIA/OR/MIN/8951/2011, MOEF file No-SEIAA-167/10).

We have been granted Environment Clearance for the subject mines vide your order no. SEIAA/217/ENV dtd. 16.04.2011 for production of 72,864 MT/annum of Iron ore and 7,563 MT/annum of Manganese ore. The EC has been granted for a period of 5 years from the date of issue of the grant order and it is subsisting up to 15.04.2016.

The Mining Lease was executed on 06.04.1998 and the validity of Mining Lease was for 20 years up to the period of 05.04.2018, which has been extended up to the period of 50 years (it is now subsisting up to 05.04.2048), subsequent to the Mines and Minerals (Development and Regulation) Amendment Act, 2015.

In this regard we have applied for extension of Validity of our EC on 14.01.2016. Vide Minutes of the 143rd meeting of SEIAA, our proposal forwarded to SEAC for consideration. Vide Proceedings of the meetings dt. 24.04.2017 of SEAC our proposal got recommendation for extension. Vide Minutes of the 177th meeting of SEIAA and Letter no-3066/SEIAA dt. 25.05.2017 our case for revalidating the EC up to the expiry of the present lease period considered on production of stage-1 forest clearance. We got the stage -1 forest clearance on dt.20 April 2023 vide letter no 5-ORC412/2020-BHU.

We would now request you to note the Item no. 9 of the Environment Impact Assessment Notification, 2006, wherein, the prior Environmental Clearance is granted for the Project life as estimated by the Expert Appraisal Committee or State Level Expert Appraisal Committee subject to a maximum of 30 years for the Mining Project. It is relevant to mention here that the MoEF, Govt of India is consistent in granting Environment Clearance for the life of mine subject to a maximum of 30 years.

The Hon'ble High Court of Odisha in its judgement dated 24.12.2014 in WP(C) no 25211 of 2013 (Ms MGM Minerals vs SEIAA) have made the following observations in the Para 10.

"We are of the considered view that the State Level Expert Appraisal Committee has not acted in compliance of the direction issued by the MoEF in its notification 2006. Therefore, we are of the view that as far as mining projects are concerned, the State Level appraisal Committee ought to have considered the Project Life of the mine up to a life of 30 years and not limited to the 5 years only. Limiting the same to 5 years only appears to us be wholly arbitrary and not in consonance with the direction issued by the MoEF. "

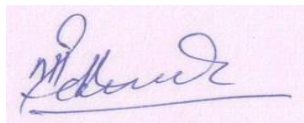
In view of the observation of the Hon'ble High Court and the authoritative rulings and to give effect to the Environmental Impact Notification, 2006, We pray to your good office that the EC granted to us may please be amended and its validity should be extended for a period of 30 (thirty) years from the date of issue of the grant.

Thanking you ,

Yours faithfully,

Oraghat Iron & Mn Mines

For



M/s.S.A.Halim

Encl. a/a