

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONAL BENCH, AT KOLKATA
ORIGINAL APPLICATION NO.02 OF ~~2024~~ 2025**

(Under Section 14 read with section 18(1) of the National Green Tribunal Act, 2010)

IN THE MATTER OF:

M/s MSP Steel Sponge Iron Ltd.

...Applicant

-Versus-

Ministry of Environment, Forest & Climate Change & Ors.

...Respondents

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Date: 26.12.2024

Place: Kolkata

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SYNOPSIS

The present Original Application is being filed by M/s MSP Sponge Iron Ltd. (hereinafter referred as the 'Applicant') aggrieved by non-consideration of Representation dated 12.09.2024 to the Ministry of Environment, Forest and Climate Change (Respondent No. 1) with reference to the Letter dated 27.08.2024 which refuses to process an application dated 22.01.2021 for the amendment of the Environmental Clearance dated 10.10.2012 of the Applicant both validity and modernization. The ground taken for non-consideration is that there is a break in the application for amendment of the Environmental Clearance and that the Application was not appropriate.

The Project proponent/Applicant herein had also made the plea in the Representations dated 12.09.2024 that the Application dated 22.01.2021 be considered within the ambit of the exemption granted by the Hon'ble Supreme Court in its Order dated 02.02.2024 in Van Shakti v. Union of India and Others (W.P. No. 1384 of 2023) for processing of applications for modification/alteration of Environmental Clearance of projects which had a valid Environmental Clearance prior to 07.07.2021, in accordance with the law dehors the stay granted on 02.01.2024 on the Standard Operating Procedure for dealing with violation cases issued by the Ministry of Environment, Forest and Climate Change vide the Office Memorandum dated 07.07.2021. However, no response has been received from the Ministry of Environment, Forest and Climate Change till date.

The Applicant is operating an integrated steel project at Haldiaguna Village, Keonjhar District, Odisha in pursuance of an Environmental Clearance dated 10.10.2012 and with valid Consent to Establish and Operate. Prior to the expiry of its Environmental Clearance, the Applicant herein had submitted an application for amendment of its Environmental Clearance on 20.09.2019 for extension of the validity of the said EC as well as modernization. However, in the said Application, only the form for modernization was submitted and the Form No. 6 for extension of validity was not submitted along with it due to an error by the Consultant.

Subsequently, another Application was submitted on 11.08.2020 for extension of the validity of the said EC as well as modernization. However, the Consultant again submitted the Application in a wrong format. When the said error was noted by the Project Proponent, the Consultant was thoroughly reprimanded. Subsequently, the said Application was corrected on 11.08.2020. However, the Application was rejected in view of the minutes of the Reconstituted Appraisal Committee on 26.08.2020 stating that the envisaged expansion is 300% more. On 31.10.2020, the Applicant herein submitted the corrected Application for consideration of the validity of the Environmental Clearance. Again, the said Application was rejected on 09.11.2020 in view of the minutes of the reconstituted EAC. Another Request for extension of the validity of the Environmental Clearance was submitted on 10.12.2020. The said request was rejected on 15.01.2021 the ground that the Application for extension of validity had been submitted much beyond the period of 90 days as per the EIA Notification, 2006. On 22.01.2021, again the Applicant made an attempt requesting for the extension of the validity of the Environmental Clearance. However, the EAC in its 10-11.02.2021 meeting rejected the Application stating that the project proponent had not applied for the validity extension on time. Pursuant to the said refusal, the Applicant having no other remedy at that stage was advised and accordingly applied and obtained a fresh Terms of Reference on 03.08.2021. Pending the application of Environmental Clearance, the Applicant herein undertook civil foundation work of the work approved in the EC dated 10.10.2012 in the prior approved area from September 2022 to March 2023 to comply with the terms of the lender obligations. The said non-compliance was duly revealed to the MoEF&CC and accordingly an amendment in the TOR was obtained on 23.10.2023 for processing the application of the Applicant in the Violation Category. However, since then the application of the Applicant has been kept pending in view of the Stay by the Hon'ble Supreme Court on 02.01.2024 on the Standard Operating Procedure (SOP) for dealing with violation cases in the case of Van Shakti v. Union of India and Others (WP No. 1384 of 2023).

Subsequently on 02.02.2024, the Hon'ble Supreme Court carved out an exception for cases with prior environmental clearance de hors the stay on the SOP. On 17.12.2024, Hon'ble Supreme Court has further clarified that the applications made under para 10(iii) of the SOP cannot be entertained so long as the stay operates on the SOP. However, if the case of an applicant is covered under clauses 5 to 7 of the Order dated 02.02.2024, it will be open to such applicants to invite the attention of the concerned authorities to the case. It is the contention of the Applicant herein that the case of the Applicant falls in para 5 to 7 of the Order dated 02.02.2024 as the Applicant had a subsisting Environmental Clearance dated 10.10.2012. Moreover, the Applicant had applied in time for extension of the validity as well as modified on 20.09.2019, however, due to submission of the wrong form, the application did not get further processed. Infact the Terms of Reference obtained on 03.08.2021 was not under the OM dated 07.07.2021. It was only in 2023, the said TOR was amended to include the Applicant herein as a violation case as there was no other provision under which it could have been applied. Hence, it is the case of the Applicant that the Applicant's case is well within the exception carved out vide order dated 02.02.2024 Hence it is the case of the Applicant that the Applicant's case is well within the exception carved out vide Order dated 02.02.2024.

In view of the abovementioned exception carved out by the Hon'ble Supreme Court, it is humbly submitted that the Applicant falls within the exception carved out by the Order dated 02.02.2024. Further, since the Applicant had a subsisting Environmental Clearance dated 10.10.2012, it's application dated 22.01.2021 and the subsequent grant of Terms of Reference dated 03.08.2021, is duly qualified to be considered for grant of Environmental Clearance as per the Directions of the Hon'ble Supreme Court in Order dated 02.02.2024. However, the Ministry of Environment, Forest and Climate Change has failed to process the application dated 22.01.2021 or the proceed further with the grant of Environmental Clearance of the Applicant without according any reasons for clarifying why the Proposal does not fall within the ambit of the Order dated 02.02.2024 of the Hon'ble Supreme Court. It has not only affected the right of the Project Proponent to expand the business

and create hundreds of livelihoods but has also affected my fundamental right to carry out my profession in accordance with the law. Hence, the present Original Application has been filed by the Applicant seeking directions for the Ministry of Environment, Forest and Climate Change to process the proposal dated 22.01.2021 and the grant of the Terms of Reference dated 03.08.2021 of the Applicant for grant of Environmental Clearance in accordance with law.

LIST OF DATES AND EVENTS

Date	Event
2000	The Applicant purchased about nine acres of private land in the year 2000 for setting up a small scale industry category sponge iron manufacturing unit with two 50 TPD (Tonnes Per Day) under Phase I and two 40 TPD (Tonnes Per Day) Kiln under Phase II for an annual capacity of 54,000 TPA (180 TPD) for sponge iron plant
04.05.2000	The Consent to Establish was issued by the Orissa State Pollution Control Board to the Applicant set up an SSI category Sponge Iron manufacturing unit with 2 nos. of 50 TPD under (Phase-I) and 2 nos. 40 TPD Kiln under (Phase-II) for an annual capacity of 54,000 TPA (180 TPD).
26.11.2001	The Consent to Establish was obtained from the Odisha State Pollution Control Board for the Induction Furnace of 5 Million Tonnes, capable of producing 50,400 Tonnes Per Annum (TPA) MS Billet and a Hot Rolling Mill of 42,000 Tonnes Per Annum (TPA) TMT Bar/Road.
31.07.2002	The Consent to Operate for the same was obtained by the Applicant from the Odisha State Pollution Control Board for 22,200 TPA SMS (MS INGOT) and 19,800 for Rolling Mill (TMT Bar).
17.02.2004	The Consent to Establish was issued by the Orissa State Pollution Control Board for 24,000 Tonnes Per Annum of the Sponge Iron Plant.
21.02.2004	The Consent to Operate was issued by the Odisha State Pollution Control Board for the 54000 Tonnes Per Annum production in the Sponge Iron Plant.
April 2006	The Applicant took over a Small Scale Industry unit, adjoining its south boundary in an area of about four acres, having three Induction Furnace of 5 Million Tonnes, capable of producing 50,400 Tonnes Per Annum (TPA) MS Billet and a Hot Rolling Mill of 42,000 Tonnes Per Annum (TPA) TMT Bar/Road.
21.08.2007	The Consent to Operate was issued by the Odisha State Pollution Control Board to MSP Steel Ltd. for operation of 42,000 TPA Rolling Mill (TMT Bar) and 50,400 TPA SMS (MS INGOT) plant facility.
10.10.2012	The Applicant was granted the Environmental Clearance by the Ministry of Environment, Forest and Climate Change for 1,59,000

	TPA for sponge iron plant (54, 000 TPA existing + 1,05,000 TPA proposed) , 2,64,000 TPA of SMS (MS INGOT) (50,400 existing + 2,13,000 TPA proposed), 42000 TPA of Rolling Mill (TMT Bar), 23,664 TPA m3/hour for producer gas, 12,00,000 TPA of Iron Ore Palletization Plant, 10,00,000 TPA of Iron Ore Beneficiation Plant, 20 MW of CPP, 6,00,000 TPA for coal beneficiation, 4,16,000 TPA of Sinter Plant and 2,00,000 TPA of mini blast furnace.
24.11.2012	The iron ore pellet and beneficiation plant was granted Consent to Operate by the Odisha State Pollution Control Board for operation of 6,00,000 TPA capacity of the plant.
21.10.2013	The Consent to Operate was granted by the Odisha State Pollution Control Board for the operation of the 14,250 m3/hour producer gas.
29.04.2015	The Environment Impact Assessment (Amendment) Notification extended the validity of Environmental Clearance from five to seven years.
09.03.2017	The Consent to Operate for operation of 2850 m3/hour was obtained by the Applicant from the Odisha State Pollution Control Board.
20.09.2019	The Applicant sought for extension of the validity of its Environmental Clearance along with modernization of the project for 1,59,000 TPA for sponge iron plant (54, 000 TPA existing + 1,05,000 TPA proposed), 2,64,000 TPA of SMS (MS INGOT) (50,400 existing + 2,13,000 TPA proposed), 42000 TPA of rolling mill, TMT Bar , 23,664 TPA m3/hour for producer gas, 12,00,000 TPA of 10 Palletization Plant, 10,00,000 TPA of 10 Beneficiation Plant, 20 MW of CPP, 6,00,000 TPA for coal beneficiation, 4,16,000 TPA of Sinter Plant and 2,00,000 TPA of mini blast furnace.
15.10.2019	The Ministry of Environment, Forest and Climate Change sought Essential Details regarding the water utilization, expansion project, among other details for processing the application for Environmental Clearance.
14.07.2020	The Applicant submitted the response to the Essential Details Sought by the Ministry of Environment, Forest and Climate Change on 15.10.2019.

15.07.2020	The Ministry of Environment, Forest and Climate Change raised another Essential Details query wherein it was stated that the present project of the Applicant will not fall under para 7(ii) of the EIA Notification 2006 as the validity of the existing Environmental Clearance dated 10.10.2012 had expired. The Essential Details Sought document further recommended the Applicant to obtain fresh Terms of Reference for the proposed expansion/modernisation.
11.08.2020	The Applicant accordingly submitted a proposal (IA/OR/IND/1199663/2019) requesting for an extension of validity of EC along with modernisation under para 7(ii) of the Environmental Impact Assessment Notification for expansion of its existing mini steel plant into integrated steel plant along with 20 MW captive power plant.
26.08.2020	The Reconstituted Expert Appraisal Committee in its meeting on recommended rejection of the said proposal under para 7(ii) of the Environment Impact Assessment Notification as the envisaged expansion is 300% more than the existing capacity. It is pertinent to note that no objections were raised by the Reconstituted Expert Appraisal Committee regarding the validity of the Environmental Clearance.
31.10.2020	The Applicant in light of the above resubmitted Form 6 along with requisite documents and again with a request for consideration of the validity of Environmental Clearance with respect to its existing facilities of Direct Reduced Iron (DRI) kiln & SMS and CPP.
09.11.2020	The Ministry of Environment, Forest and Climate Change again rejected the proposal by wrongly referring to the Minutes of the Reconstituted Expert Appraisal Committee meeting on 26.08.2020
10.12.2020	A third request was again made by the Applicant for consideration of its application for extension of the validity of EC to the Ministry of Environment, Forest and Climate Change.
18.12.2020	The Ministry of Environment, Forest and Climate Change sent another Essential Details Sought document to the Applicant stating that the proposal has been rejected as- <i>i. The Environmental Clearance validity extension has not been applied as per the provisions of the Environment</i>

	<p><i>Impact Assessment Notification within 90 days after the validity period of EC;</i></p> <p><i>ii. As Environmental Clearance validity has already expired, only implemented part of the project will have perpetual validity.</i></p> <p>It is reiterated that the validity of the Environmental Clearance expired during the pendency of the application before MoEF&CC. Further, the subsequent requests dated 11.08.2020 and 10.12.2020 were in continuation of the first application dated 20.09.2019. However, the same were wrongly rejected by the Ministry on the ground of application of EC post-expiration of the validity.</p>
13.01.2021	The Applicant enquired from the Ministry of Environment, Forest and Climate Change, whether in view of the Essential Details Sought document dated 18.12.2020, configuration change proposed in existing 4 DRI Kilns with WHRB (Waste Heat Recovery Boiler) and configuration change in existing 3 induction furnaces is allowed or not. However, no response has been received regarding the same till date.
15.01.2021	The Ministry of Environment, Forest and Climate Change rejected the proposal of the Applicant dated 10.12.2020 by referring to the Minutes of the Meeting the Expert Appraisal Committee on 26.08.2020 and stating that a similar proposal was rejected as it did not qualify under para 7(ii) of the EIA Notification, 2006.
22.01.2021	The Applicant submitted a fourth application yet again for an extension of the validity of EC under para 9 of the Environmental Impact Assessment Notification, 2006.
10-11.02.2021	The Application dated 22.01.2021 was recommended to be rejected by the Expert Appraisal Committee in its 30th meeting on 10-11.02.2021 on the ground that the project proponent had not applied for an extension of the validity of its EC on time.
16.07.2021	The Applicant applied for Terms of Reference for expansion of its existing Iron Ore Beneficiation- 10,00,000 TPA throughput, Iron Ore Pellets- 6,00,00 TPA, Sponge Iron- 59,400 TPA, MS Billets- 49,500 TPA, Rolled Products- 42,000 TPA, Producer Gas Plant- 17,100 Nm ³ /hr, Pulverized Coal Ignition- 4.16 TPH & Slag Crusher- 1.25 TPH to Proposed final capacity of Beneficiation plant- 20,00,000 TPA throughput, Iron Ore Grinding- 15,00,000

	TPA, Iron Ore Pellets- 18,00,000 TPA, Sponge Iron- 3,72,900 TPA, MS Billets (Induction Furnace & CCM)- 4,83,500 TPA.
03.08.2021	The Terms of Reference (TOR) were issued by the Ministry of Environment , Forest and Climate Change (Impact Assessment Division) for undertaking detailed EIA study for the purpose of obtaining Environmental Clearance in accordance with the provisions of the EIA Notification, 2006.
17.08.2021	The Consent to Operate was issued by the Odisha State Pollution Control Board to MSP for capacity increased from 54000 TPA to 67500 TPA for sponge iron, 50,400 TPA to 63000 TPA for SMS (MS-INGOT), Rolling Mill from 42000 TPA to 53000 TPA and iron pelletization plant from 600000 TPA to 750000 TPA.
15.03.2022	The Applicant submitted its Environment Impact Assessment Report to the Odisha Pollution Control Board for fixing the date of the Public Consultation within forty five days as per the Environmental Impact Assessment Notification 2006.
September 2022 to March 2023	The Applicant undertook some civil foundation work in respect of 250 DRI Kiln and 15 MW Captive Power Plant (Waste Heat recovery Boiler) in furtherance of the EC dated 10.10.2012 on the area approved therein.
'05.04.2023	Public Hearing of the Project of the Applicant for expansion of the integrated steel plant was organized by the Odisha State Pollution Control Board.
28.08.2023	The Applicant duly informed the Ministry of Environment, Forest and Climate Change of the construction undertaken during the pendency of the present application for amendment of Environmental Clearance dated 10.10.2012 and sought regularization of the same
23.10.2023	The Applicant obtained the amended the Terms from the Ministry of Environment, Forest and Climate Change, including the appraisal of the application of the Applicant as a violation case.
02.01.2024	The Hon'ble Supreme Court in the case of Van Shakti v. Union of India and Others (WP No. 1384 of 2023) stayed the operation of the Standard Operating Procedure for dealing with violation cases issued vide an Office Memorandum by the Ministry of Environment, Forest and Climate Change.

08.01.2024	The Ministry of Environment, Forests and Climate Change issued an Office Memorandum relying upon the above-mentioned Order dated 02.01.2024 of the Hon'ble Supreme Court and clarifying that by virtue of the said Order all the violation cases under the EIA Notification, 2006 were kept under abeyance
02.02.2024	The Hon'ble Supreme Court in the case of Van Shakti v. Union of India and Others (WP No. 1384 of 2023) clarified that proposals of the projects seeking amendment/expansion which had a valid Environment Clearance for the area of the said project prior to 07.07.2021, their application may be processed in accordance with the law.
March 2024	In pursuance of the amended Terms of Reference dated 23.10.2023, a case was initiated by before the Judicial Magistrate of Keonjhar for construction of civil foundation without obtaining prior Environmental Clearance.
30.05.2024	The Applicant submitted a representation to the Ministry of Environment, Forest and Climate Change clarifying that the proposal for amendment of the Environment Clearance dated 22.01.2021 of the Applicant falls within the exception carved out by the Hon'ble Supreme Court in its Order dated 02.02.2024.
29.07.2024	The Applicant submitted a reminder to the Ministry of Environment, Forest and Climate Change requesting for consideration of its Representation dated 30.05.2024.
27.08.2024	The Ministry of Environment, Forest and Climate Change responded to the Representation dated 30.05.2024 of the Applicant by stating that that the Environmental Clearance Application dated 22.01.2021 of the Applicant cannot be considered. However, no response was received from the Ministry of Environment, Forest and Climate Change with respect to consideration of the Environmental Clearance Application under the exception carved out by this Hon'ble Court vide Order dated 02.02.2024
12.09.2024	The Applicant submitted another Representation to the Ministry of Environment, Forest and Climate Change requesting for clarification with respect to the Order of the Hon'ble Supreme Court dated 02.02.2024. However, till date no response has been received from the Ministry of Environment, Forest and Climate

	Change. Hence, this Application is being filed before this Hon'ble Court.
21.10.2024	The Applicant has submitted the requisite penalty of Rs. 1,00,000 in the proceedings before the Judicial Magistrate Keonjhar in Case No. 33/2024 titled State of Odisha v. M/s MSP Sponge Iron Limited, for proceeding with the civil construction work without prior Environmental Clearance.
17.12.2024	The Hon'ble Supreme Court in the case of Van Shakti v. Union of India and Others (WP No. 1394/2023) directed that the applications made under para 10(iii) of the SOP cannot be entertained so long as the stay operates on the SOP. However, if the case of an applicant is covered under clauses 5 to 7 of the Order dated 02.02.2024, it will be open to such applicants to invite the attention of the concerned authorities to the case.
12.2024	Hence, the Present Application.

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONAL BENCH, AT KOLKATA
ORIGINAL APPLICATION NO. OF 2024**

(Under Section 14 read with section 18(1) of the National Green Tribunal Act, 2010)

MEMO OF PARTIES

1. M/s MSP Steel Sponge Iron Ltd.

Through its Chief Corporate Officer

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Phone No: +91- 9748792080

...Applicant

-Versus-

1. Ministry of Environment, Forest and Climate Change

Through its Secretary,

Jor Bagh Road, New Delhi -110003

Email: secy-moef@nic.in

Phone No: +91 11 24695262, 24695265

...Respondent No.1

2. Odisha State Pollution Control Board (Head Office)

Through Member Secretary

Paribesh Bhawan, A/118, Nilakantha Nagar, Unit – VIII,

Bhubaneswar – 751012, Odisha

Email: paribesh1@ospcboard.org

Phone No: 06742560973

.... Respondent No. 2

3. District Magistrate,

Keonjhar District,

Odisha- 758001

Email: dm-keonjhar@nic.in

Ph No: 06766255401

.... Respondent No. 3

I. The addresses of the Applicant have been provided above for the service of notices in the present Application.

- II. The addresses of the Respondents have been provided above for the service of notices in the present Application.
- III. This Application is within the jurisdiction of this Tribunal as it has been filed pursuant to the satisfaction of the conditions specified under Section 14 read with Section 18 of the National Green Tribunal, 2010.

MOST RESPECTFULLY SHOWETH:

1. That the present Original Application is being filed by M/s MSP Sponge Iron Ltd. (hereinafter referred as the 'Applicant') aggrieved by non-consideration of Representation dated 12.09.2024 to the Ministry of Environment, Forest and Climate Change (Respondent No. 1) with reference to Letter dated 27.08.2024 which refuses to process an Application dated 22.01.2021 for the amendment of the Environmental Clearance dated 10.10.2012 of the Applicant both validity and modernization. The ground taken for non-consideration is that there is a break in the application for amendment of the Environmental Clearance and that the Application was not appropriate.
2. That the Project proponent/Applicant herein had also made the plea in the Representations dated 12.09.2024 that the Application dated 22.01.2021 be considered within the ambit of the exemption granted by the Hon'ble Supreme Court in its Order dated 02.02.2024 in Van Shakti v. Union of India and Others (W.P. No. 1394 of 2023) for processing of applications for modification/alteration of Environmental Clearance of projects which had a valid Environmental Clearance prior to 07.07.2021, in accordance with the law de hors the stay granted on 02.01.2024 on the Standard Operating Procedure for dealing with violation cases issued by the Ministry of Environment, Forest and Climate Change vide the Office Memorandum dated 07.07.2021. However, no response has been received from the Ministry of Environment, Forest and Climate Change till date. True Copy of the Representation dated 12.09.2024 is marked and annexed as **ANNEXURE**

A/1. True Copy of the decision of the Ministry of Environment, Forest and Climate Change dated 27.08.2024 is marked and annexed as **ANNEXURE A/2.**

True Copies of the Order dated 02.01.2024 and 02.02.2024 of the Hon'ble Supreme Court in Van Shakti v. Union of India and Others (W.P. No. 1394 of 2023) are annexed herein as **ANNEXURE A/3(Colly).**

3. On 17.12.2024, Hon'ble Supreme Court has further clarified that the applications made under para 10(iii) of the SOP cannot be entertained so long as the stay operates on the SOP. However, if the case of an applicant is covered under clauses 5 to 7 of the Order dated 02.02.2024, it will be open to such applicants to invite the attention of the concerned authorities to the case. Copy of the Order dated 17.12.2024 is annexed herein as **ANNEXURE A/4.**
4. It is the contention of the Applicant herein that the case of the Applicant falls in para 5 to 7 of the Order dated 02.02.2024 as the Applicant had a subsisting Environmental Clearance dated 10.10.2012. Moreover, the Applicant had applied in time for extension of the validity as well as modified on 20.09.2019, however, due to submission of the wrong form, the application did not get further processed. Infact, the Terms of Reference obtained on 03.08.2021 was initially not under the OM dated 07.07.2021. It was only on 28.10.2023, that the said TOR was amended to include the Applicant herein as a violation case as there was no other provision under which it could have been applied.
5. In view of the abovementioned exception carved out by the Hon'ble Supreme Court, it is humbly submitted that the Applicant falls within the the exception carved out by the Order dated 02.02.2024. Further, since the Applicant had a subsisting Environmental Clearance dated 10.10.2012, it's application dated 22.01.2021 and the subsequent grant of Terms of Reference dated 03.08.2021, is duly qualified to be considered for grant of Environmental Clearance as per the Directions of the Hon'ble Supreme Court in Order dated 02.02.2024. However, the Ministry of Environment, Forest and Climate Change has failed to process the

application dated 22.01.2021 or the proceed further with the grant of Environmental Clearance of the Applicant without according any reasons for clarifying why the Proposal does not fall within the ambit of the Order dated 02.02.2024 of the Hon'ble Supreme Court. It has not only affected the right of the Project Proponent to expand the business and create hundreds of livelihoods but has also affected my fundamental right to carry out my profession in accordance with the law. Hence, the present Original Application has been filed by the Applicant seeking directions for the Ministry of Environment, Forest and Climate Change to process the proposal dated 22.01.2021 and the grant of the Terms of Reference dated 03.08.2021 of the Applicant for grant of Environmental Clearance in accordance with law.

BRIEF FACTS:

6. That the Applicant purchased about nine acres of private land in the year 2000 for setting up a small scale industry category sponge iron manufacturing unit with two 50 TPD (Tonnes Per Day) under Phase I and two 40 TPD (Tonnes Per Day) Kiln under Phase II for an annual capacity of 54,000 TPA (180 TPD) for sponge iron plant. The sponge iron plant was set up pursuant to the Consent to Establish issued by the Orissa State Pollution Control Board on 04.05.2000 (for 30,000 Tonnes Per Annum) and 17.02.2004 (for 24,000 Tonnes Per Annum). The Consent to Operate for the 54000 Tonnes Per Annum of Sponge Iron Plant was obtained on 21.02.2004.
7. That thereafter, in April 2006, the Applicant took over a Small Scale Industry unit, adjoining its south boundary in an area of about four acres, having three Induction Furnace of 5 Million Tonnes, capable of producing 50,400 Tonnes Per Annum (TPA) MS Billet and a Hot Rolling Mill of 42,000 Tonnes Per Annum (TPA) TMT Bar/Road. The CTE for the same was obtained by the previous owner on 26.11.2001 and the Consent to Operate for the same was obtained on 31.07.2002 for 22,200 TPA SMS (MS INGOT) and 19,800 for Rolling Mill (TMT Bar). The

Consent to Operate for 50,400 TPA of SMS (MS INGOT) and 42,000 Rolling Mill was obtained on 21.08.2007.

8. That the Applicant herein sought expansion of its project in 2012 and acquired 61 acres of land through IDCO (Industrial Infrastructure Development Corporation) and was granted the Environmental Clearance on 10.10.2012 for 1,59,000 TPA for sponge iron plant (54 000 TPA existing + 1,05,000 TPA proposed), 2,64,000 TPA of SMS (MS INGOT) (50,400 existing + 2,13,000 TPA proposed), 42000 TPA of Rolling Mill (TMT Bar), 23,664 TPA m³/hour for producer gas, 12,00,000 TPA of Iron Ore Pelletization Plant, 10,00,000 TPA of Iron Ore Beneficiation Plant, 20 MW of CPP, 6,00,000 TPA for coal beneficiation, 4,16,000 TPA of Sinter Plant and 2,00,000 TPA of mini blast furnace, by the Ministry of Environment, Forest and Climate Change. True Copy of the Environmental Clearance dated 10.10.2012 is marked and annexed herein as **ANNEXURE A/5**.
9. That pursuant to the Environmental Clearance dated 10.10.2012, the Applicant established 6,00,000 TPA of Iron Ore Pellet and thereafter 10,00,000 TPA of Iron Ore Beneficiation plant by utilizing about 20 Acres land out of an acquired area of about 61 acres. The iron ore pellet and beneficiation plant came into operation vide Consent to Operate dated 24.11.2012 and 21.10.2013, respectively. The abovementioned Consent to Operate were renewed from time to time. The Consent to Operate for 14,250 m³/hour producer gas was obtained on 21.10.2013 and for 2850 m³/hour was obtained on 09.03.2017.
10. That due to financial concerns, the Applicant could not establish 1,05,000 TPA (1 × 350 TPD Kiln) of Sponge Iron Plant, 2,13,000 TPA of SMS (MS- INGOT), 5,700 m³/hour Producer Gas, 6,00,000 TPA of Iron Pelletization plant, 20 MW of CP (WHRB - 8 MW + AFBC - 12 MW), 6,00,000 TPA for Coal Beneficiation, 4,16,000 TPA of Sinter Plant and 2,00,000 TPA of Mini Blast Furnace, the Environmental Clearance for which was obtained on 10.10.2012.

11. That it is pertinent to note that the Environmental Clearance of the Applicant dated 10.10.2012 was valid till 10.10.2017 as per the Environment Impact Assessment Notification of 2006. However, the validity of the said Environmental Clearance was extended from five to seven years vide the Environment Impact Assessment (Amendment) Notification dated 29.04.2015. Thus, the validity of the Environmental Clearance dated 10.10.2012 of the Applicant was extended till 09.10.2019. True Copy of the Environment Impact Assessment (Amendment) Notification dated 29.04.2015 is marked and annexed herein as **ANNEXURE A/6**.
12. That on 20.09.2019, well before the expiration of the validity of the Environmental Clearance dated 10.10.2012, the Applicant sought for extension of the validity of its Environmental Clearance along with modernisation of the project for 1,59,000 TPA for sponge iron plant (54, 000 TPA existing + 1,05,000 TPA proposed), 2,64,000 TPA of SMS (MS INGOT) (50,400 existing + 2,13,000 TPA proposed), 42000 TPA of Rolling Mill, TMT Bar , 23,664 TPA m³/hour for producer gas, 12,00,000 TPA of 10 Pelletization Plant, 10,00,000 TPA of 10 Beneficiation Plant, 20 MW of CPP, 6,00,000 TPA for coal beneficiation, 4,16,000 TPA of Sinter Plant and 2,00,000 TPA of mini blast furnace. This also included the completion of projects that could not be undertaken due to the non-availability of the land. True Copy of the Application dated 20.09.2019 is marked and annexed herein as **ANNEXURE A/7** .
13. That subsequently, the Ministry of Environment, Forest and Climate Change sought Essential Details on 15.10.2019 regarding the water utilisation, expansion project, among other details for processing the application for Environmental Clearance dated 20.09.2019. The Applicant submitted the response to the Essential Details on 14.07.2020.
14. That however on 15.07.2020, MoEF&CC raised another Essential Details query wherein it was stated that the present project will not fall under para 7(ii) of the EIA Notification 2006 as the validity of the existing Environmental Clearance

dated 10.10.2012 had expired. The Essential Details Sought document further recommended the Applicant to obtain fresh Terms of Reference for the proposed expansion/modernisation. It is pertinent to note that there was no mention of the consideration of the validity of Environmental Clearance by the abovementioned Essential Details Sought document dated 15.10.2019. The Copy of the Essential Details dated 15.10.2019 along with the response of the Applicant dated 14.07.2020 and the EDS dated 15.07.2020 is marked and annexed herein as **ANNEXURE A/8**.

15. That in pursuance of the Essential Details Sought on 15.07.2020, the Applicant submitted another proposal (IA/OR/IND/1199663/2019) on 11.08.2020 again requesting for an extension of validity of EC along with modernisation under para 7(ii) of the Environment Impact Assessment Notification for expansion of its existing mini steel plant into integrated steel plant along with 20 MW captive power plant in furtherance of the application of 20.09.2019. However, the Reconstituted Expert Appraisal Committee in its meeting on 26.08.2020 recommended rejection of the said proposal under para 7(ii) of the Environment Impact Assessment Notification as the envisaged expansion is 300% more than the existing capacity. It is pertinent to note that no objections were raised by the Reconstituted Expert Appraisal Committee regarding the validity of the Environmental Clearance. True Copy of the proposal dated 11.08.2020 and the recommendation of the Reconstituted Expert Appraisal Committee meeting dated 26.08.2020 is marked and annexed herein as **ANNEXURE A/9 (Colly)**.

16. That in the meantime, due to certain financial constraints, the Applicant could not procure more land nor could set up remaining plant facilities such as Coal Beneficiation, Sinter Plant, Mini Blast Furnace, Coal Washery, SMS with CCM, C P and Pelletization (2nd Module) among other facilities which were included in the Environmental Clearance dated 10.10.2012. Thus, about 20 acres remained unutilized after Green Belt coverage of about 25 acres, being 33% of the total

project area of 74.19 Acres (Pre-existing 13 acres + 61 acres which were subsequently acquired).

17. That on 31.10.2020, the Applicant resubmitted Form 6 along with requisite documents and again with a request for consideration of the validity of Environmental Clearance with respect to its existing expansion facilities of Direct Reduced Iron (DRI) kiln & SMS and CPP. It is pertinent to note that the said application was in continuance of the application submitted on 20.09.2019 read with 11.08.2020. The letter dated 31.10.2020 further apprised MoEF&CC that a major part of the project such as Mini Blast Furnace (MBF), Sinter and Coal Washery will not be undertaken. However, on 09.11.2020, the Ministry of Environment, Forest and Climate Change again rejected the proposal by wrongly referring to the Minutes of the Reconstituted Expert Appraisal Committee meeting on 26.08.2020. True Copy of the Environmental Clearance Application dated 31.10.2020 is marked and annexed herein as **ANNEXURE A/10**.

True Copy of the Letter dated 09.11.2020 of the Ministry of Environment, Forest and Climate Change is marked and annexed as **ANNEXURE A/11**.

18. That it is pertinent to highlight here that the application for modernisation and extension for the validity of Environmental Clearance that was made on 20.09.2019 was much before the expiry of the Environmental Clearance on 09.10.2019. Subsequently, the same was being appraised by the Ministry of Environment, Forest and Climate Change till 15.07.2020. Thereafter, another application for modernisation along with extension for validity of EC was made on 11.08.2020 for extension of the validity of the Environmental Clearance as well as for modernisation, which was considered by the Reconstituted Expert Appraisal Committee on 26.08.2020. During the pendency of the said applications, the validity of the Environmental Clearance dated 10.10.2012 of the Applicant expired. It is pertinent to note that the Reconstituted Expert Appraisal Committee on 26.08.2020 rejected the proposal on the ground that the expansion sought is 300%

more than the existing capacity. It is pertinent to add that no objections were raised regarding the validity of the Environmental Clearance.

19. That thereafter, a corrected request and proposal was submitted on 31.10.2020 for extension of validity as well as modernisation. However, the Ministry of Environment, Forest and Climate Change, without considering the change in the request, merely rejected the same based on the minutes of the Reconstituted Expert Appraisal Committee dated 26.08.2020. The MoEF&CC again did not consider the question of validity of the Environmental Clearance.

20. That a third request was again made by the Applicant for consideration of its application for extension of the validity of EC on 10.12.2020 again in pursuance of the EC Application dated 20.09.2019. However, on 18.12.2020 the Applicant received another Essential Details Sought document from the Ministry of Environment, Forest and Climate Change stating that the proposal has been rejected as-

- iii. *The Environmental Clearance validity extension has not been applied as per the provisions of the Environment Impact Assessment Notification within 90 days after the validity period of EC;*
- iv. *As Environmental Clearance validity has already expired, only implemented part of the project will have perpetual validity.*

It is reiterated that the validity of EC expired during the pendency of the application before MoEF&CC. Further, the subsequent requests dated 11.08.2020 and 10.12.2020 were in continuation of the first application dated 20.09.2019. However, the same were wrongly rejected by the Ministry on the ground of application of EC post-expiration of the validity.

True Copy of the Environmental Clearance Application dated 10.12.2020 is marked and annexed herein as **ANNEXURE A/12**.

True Copy of the Essential Details Sought by the Ministry of Environment, Forest and Climate Change dated 18.12.2020 is marked and annexed above as Annexure A/8.

21. That on 13.01.2021, the Applicant enquired from MoEF&CC, whether in view of the Essential Details Sought document dated 18.12.2020, configuration change proposed in existing 4 DRI Kilns with WHRB (Waste Heat Recovery Boiler) and configuration change in existing 3 induction furnaces is allowed or not. On 15.01.2021, the said corrections were rejected by referring to the Minutes of the Meeting the Expert Appraisal Committee on 26.08.2020 and stating that a similar proposal was rejected as it did not qualify under para 7(ii) of the EIA Notification, 2006. Thus despite correcting the first application dated 20.09.2019, the said application was rejected on 15.01.2021 by referring to another application for Environmental Clearance dated 11.08.2020. True Copy of the Letter dated 13.01.2021 of the Applicant to the Ministry of Environment, Forest and Climate Change is marked and annexed as **ANNEXURE A/13**.

True Copy of the Reply of the Ministry of Environment, Forest and Climate Change dated 15.01.2021 is marked and annexed above as Annexure A/8.

22. That the Applicant submitted a fourth application yet again for an extension of the validity of EC on 22.01.2021 under para 9 of the Environmental Impact Assessment Notification, 2006. However, the said application was recommended to be rejected by the Expert Appraisal Committee in its 30th meeting on 10-11.02.2021 on the ground that the project proponent had not applied for an extension of the validity of its EC on time. True Copy of the Application for Environmental Clearance dated 22.01.2021 along with the Minutes of the EAC dated 10-11.02.2021 are marked and annexed herein as **ANNEXURE A/14 (Colly)**.

23. That from the abovementioned facts, it is humbly submitted that the application for extension and modernisation of the Environmental Clearance dated 10.10.2012

was made before the expiry of the Environmental Clearance and ought to have been considered in accordance with the law. However, the same was repeatedly rejected on hyper technical grounds as demonstrated above.

24. That with no other alternative, post the rejection of the application dated 22.01.2021, the Applicant applied for Terms of Reference on 30.07.2021 and the standard Terms of Reference was issued by the Ministry of Environment, Forest and Climate Change on 03.08.2021 and an amended Terms of Reference was also issued on 16.11.2021. On 15.03.2022, the Applicant submitted its Environment Impact Assessment Report to the Odisha Pollution Control Board for fixing the date of the Public Consultation within forty five days as per the Environmental Impact Assessment Notification 2006. However, the Odisha State Pollution Control Board did not fix the date of the public hearing for almost a year and the Public Consultation was fixed for 5th April 2023. True Copy of the Terms of Reference dated 03.08.2021 is marked and annexed herein as **ANNEXURE A/15**. True Copy of the amended Terms of Reference dated 16.11.2021 is marked and annexed herein as **ANNEXURE A/16**.

25. That due to the delay in organizing the public hearing by the Odisha State Pollution Control Board, the Applicant was under pressure from the Banks to comply with the loan requirements and implement the project within the timeline submitted for the completion of the project. To ensure compliance with the loan requirements, the Applicant undertook some civil foundation work in respect of 250 DRI Kiln and 15 MW Captive Power Plant (Waste Heat recovery Boiler) from September 2022 to March 2023 on the area which was previously approved vide the EC dated 10.10.2012 and for the projects approved therein due to the delay in the organization of the public hearing. It is pertinent to mention here that the said construction was part of the approved projects under the Environmental Clearance dated 10.10.2012.

26. That post the conclusion of the Public Hearing on 05.04.2023, the Applicant duly informed the Ministry of Environment, Forest and Climate Change vide letter dated 28.08.2023 of the construction undertaken during the pendency of the present application for amendment of Environmental Clearance dated 10.10.2012 and sought regularization of the same. True Copy of the Letter dated 28.08.2023 is marked and annexed herein as **ANNEXURE A/17**.
27. That, accordingly, the Applicant obtained the amended Terms of Reference on 23.10.2023 from the Ministry of Environment, Forest and Climate Change, including the appraisal of the application of the Applicant as a violation case. True Copy of the amended Terms of Reference dated 23.10.2023 is marked and annexed herein as **ANNEXURE A/18**.
28. That thereafter there has been no further progress with reference to the Terms of Reference in view of the Order dated 02.01.2024 of this Hon'ble Court.
29. That in pursuance of the above-mentioned Order dated 02.01.2024, the Ministry of Environment, Forests and Climate Change issued an Office Memorandum dated 08.01.2024 which relied on the above-mentioned Order dated 02.01.2024 in the instant case by virtue of which all the violation cases under the EIA Notification, 2006 were kept under abeyance. True copy of Office Memorandum dated 08.01.2024 issued by the Ministry of Environment, Forests and Climate Change is marked and annexed herewith as **ANNEXURE A/19**.
30. That thereafter, the Hon'ble Supreme Court carved out an exception in paras 5-7 of the Order dated 02.02.2024 in the case of Van Shakti v. Union of India and Others (Writ Petition No. 1394 of 2023) clarifying that the stay will not operate for applications of modification/amendment of projects which had a prior environmental clearance for the said area.
31. That subsequently, the Hon'ble Supreme Court on 17.12.2024 has further clarified that the applications made under para 10(iii) of the SOP cannot be entertained so long as the stay operates on the SOP. However, if the case of an applicant is covered

under clauses 5 to 7 of the Order dated 02.02.2024, it will be open to such applicants to invite the attention of the concerned authorities to the case. The copy of the Order dated 17.12.2024 is marked and annexed above as Annexure A/4.

32. In view of the Orders dated 02.01.2024 and 17.12.2024, it is the humble submissions of the Applicant herein that the Applicant had a valid Environmental Clearance dated 10.10.2012 for the area over which expansion is being sought today. The subsequent applications for extension of validity or modification were made well in time but got rejected due to the submission of wrong format by the Consultant of the Applicant. Further, the MoEF&CC has failed to consider the applications submitted in corrected format stating that they are barred by time. The Applicant although being a case of modification/amendment had to obtain fresh Terms of Reference only due to the failure of the MoEF&CC to consider the applications as continuous. Now the application for the subsequent grant of Environmental Clearance is pending in view of the Stay Order dated 02.01.2024. However, in view of the exception carved out by the Hon'ble Supreme Court on 02.02.2024 and the clarification issues vide Order dated 17.12.2024, the Applicant herein approaches this Hon'ble Tribunal for appropriate directions with reference to the Application for Environmental Clearance dated 21.01.2021 be considered by MoEF&CC. Arguendo, the said application cannot be considered, the terms of Reference granted to the Applicant herein may be further processed for the grant of Environmental Clearance in view of the clarification issued on 02.02.2024 as the case of the Applicant is a modification/amendment case and not a case under the OM dated 07.07.2021.

33. That it is the submission of the Applicant herein that it has submitted two representations to the Ministry of Environment, Forests and Climate Change, Government of India on 30.05.2024 and subsequently a reminder on 29.07.2024 for considering the said Representation. The Ministry of Environment, Forest and Climate Change replied on 27.08.2024 submitting that the Environmental

Clearance Application dated 22.01.2021 cannot be considered. However, no response was received from the Ministry of Environment, Forest and Climate Change with respect to consideration of the Environmental Clearance Application under the exception carved out by this Hon'ble Court vide Order dated 02.02.2024. True Copy of the Representation dated 30.05.2024 along with the Reminder letter dated 29.07.2024, sans the annexures, is marked and annexed herein as **ANNEXURE A/20 (Colly)**.

True Copy of the Response dated 27.08.2024 of the Ministry of Environment, Forest and Climate Change is marked and annexed above as Annexure A/2.

34. That another Representation was submitted on 12.09.2024 in view of the clarification issued by this Hon'ble Court vide Order 02.02.2024, but till date no response has been received from the Ministry of Environment, Forest and Climate Change. Hence, this Application is being filed before this Hon'ble Court. True copy of the Representation submitted by the Applicant to the Ministry of Environment, Forests and Climate Change on 12.09.2024 is marked and annexed above as Annexure A/1.

35. That on 21.10.2024, the Applicant has submitted the requisite penalty of Rs. 1,00,000 in the proceedings before the Judicial Magistrate Keonjhar in Case No. 33/2024 titled State of Odisha v. M/s MSP Sponge Iron Limited, for proceeding with the civil construction work without prior Environmental Clearance. The copy of the Order dated 21.10.2024 is marked and annexed as **ANNEXURE A/21**.

36. That the Applicant falls within the exception carved out by the Hon'ble Supreme Court on 02.02.2024 and therefore, is qualified to be considered for grant of Environmental Clearance. The Applicant is therefore praying that the Respondent -the Ministry of Environment, Forests and Climate Change may kindly be directed to consider the proposal of the Applicant for grant of Environmental Clearance in accordance with law.

GROUND:

That the Applicant is filing the present Application based on the following grounds, among others, which may be taken at the time of arguments:

- A. Because the application dated 20.09.2019, 11.08.2020 for amendment of the Environment Clearance of the Applicant were inadvertently made in the wrong format due to the mistake of the Consultant, which was subsequently corrected vide Applications dated 30.10.2020 and 22.01.2021, however the Ministry of Environment, Forest and Climate Change has erroneously failed to consider the same vide the Letter dated 27.08.2024.
 - B. Because the subsequent applications for extension of the validity of the Environmental Clearance dated 30.10.2020 and 22.01.2021 were made in the right format and in pursuance of the previous applications, however, the same were rejected for being beyond the period of 90 days as prescribed in para 9 of the Environment Impact Assessment Notification, 2006 on a hyper-technical ground.
 - C. Because the subsequent grant of Terms of Reference dated 23.10.2023 in violation category and the application for Environmental Clearance is on hold due to the Order dated 02.01.2024 of the Hon'ble Supreme Court in the case of Van Shakti v. MoEF&CC and Others (WP No. 1394 of 2023).
 - D. Because the Hon'ble Supreme Court in the case of Van Shakti v. MoEF&CC and Others (WP No. 1394 of 2023) vide Judgment dated 02.02.2024 has clearly clarified subsequently that - *“Our orders dated 02nd January, 2024 would not come in the way of the competent authorities in considering the proposals for modifications/alterations in the Environmental Clearances if area of such projects had any valid environmental clearances prior to 07th July, 2021.*
6. *Needless to state that such applications for modification/alteration would be considered by the competent authorities strictly in accordance with law as it existed prior to 07th July, 2021.”*

- E. Because the Ministry of Environment, Forest and Climate Change has failed to consider the Representation dated 12.09.2024 of the Applicant herein for processing its EC Application dated 22.01.2021 under the exception carved out by the Hon'ble Supreme Court in its Order dated 02.02.2024.
- F. Because the Hon'ble Supreme Court on 17.12.2024 has clarified that the Stay Order dated 02.01.2024 operates only qua applications filed under 10(iii) of the OM dated 07.07.2021.
- G. Because the Hon'ble Supreme Court on 17.12.2024 has further clarified that the project proponents may approach the concerned department where the application is falling within the exception carved out by the Hon'ble Supreme Court in its Order dated 02.02.2024.
- H. Because the Applicant had obtained prior Environmental Clearance on 10.10.2012 and thus, clearly falls within the exception carved out by the Hon'ble Supreme Court vide Order dated 02.02.2024 as the area sought for expansion was duly covered under the initial Environmental Clearance dated 10.10.2012.
- I. Because the Hon'ble Supreme Court in the case of *Electrosteel Steels Limited v. Union of India and Others* (2021 SCC OnLine SC 1247), *Pahwa Plastic Pvt. Ltd. v. Dastak NGO and Ors.* (2022 SCC Online SC 362) and *D Swamy v. Karnataka State Pollution Control Board and Others* (2022 SCC OnLine SC 1278) has held that there is no bar on processing post facto Environmental Clearance.
- J. Because the Applicant has submitted the requisite penalty in the proceedings before the Judicial Magistrate Keonjhar in Case No. 33/2024 for proceeding with the civil construction work without prior Environmental Clearance.
- K. Because the Applicant is suffering immense hardship and financial losses due to the pendency of the Application for Environmental Clearance.
- L. Because the right of the Project Proponent to expand the business and create hundreds of livelihoods is also affected along with the fundamental right to carry out profession in accordance with the law.

LIMITATION

It is most respectfully submitted that the present Application is filed to for consideration of the Representation dated 12.09.2024 by the Ministry of Environment, Forest and Climate Change and is within the period of Limitation as specified in the proviso of Section 14 of the National Green Tribunal Act, 2010.

PRAYER

It is most respectfully prayed that this Hon'ble Tribunal may be pleased to:

- a) Allow the present Application;
- b) Direct the Respondent No.1, Ministry of Environment, Forest and Climate Change to consider the Representation dated 12.09.2024 of the Applicant for grant of EC view of the Order dated 02.02.2024 of the Hon'ble Supreme Court in Van Shakti; and/or
- c) Direct the Respondent No. 1, Ministry of Environment, Forest and Climate Change to process the application dated. 22.01.2021 of the Applicant for amendment of EC dated 10.10.2012 in accordance with the law from an environmental impact standpoint; and/or
- d) Pass any other order(s)/direction(s) as this Hon'ble Tribunal may deem fit and proper in the present facts and circumstances.

Date: 26.12.2024

Place: Kolkata

DRAWN & FILED BY:



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SETTLED BY:

Mr. Sanjay Upadhyay
[Senior Advocate]

IN THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
ORIGINAL APPLICATION NO. OF 2024

IN THE MATTER OF:

M/s MSP Steel Sponge Iron Ltd. ...Appellant

Versus

Ministry of Environment, Forest and Climate Change
and Others

...Respondents

AFFIDAVIT

I, Pradip Kumar Dey S/o S.C. Dey aged about 61 Akash Enclave, 22, B, N. C. Das Road PS Behala Kolkata 700034 (WB) Presently at New Delhi presently at New Delhi, do hereby solemnly affirms and declares as under:

1. That I am fully conversant of the facts and circumstances of the matter and am competent to swear this affidavit.
2. The contents of the accompanying Application are true and correct to the best of my knowledge and have been drafted by the counsel on my instructions and nothing material has been concealed therefrom.
3. That the Annexures in the accompanying Application are true and correct to the best of my knowledge.

M. K. Chatterjee
D/RSF2/2018
I identify the Deponent who has signed
thumb impression in my presence

Pradip Kumar Dey

DEPONENT

VERIFICATION:

Verified at New Delhi on this day of **20 DEC 2024**, 2024 that the contents of the above affidavit are true and correct to my knowledge and belief and nothing material has been concealed therefrom.



Certified that the foregoing statement was declared or sworn to before me which has been read over to the deponent who has admitted

It as Correct

[Signature]
Notary DELHI

Pradip Kumar Dey

DEPONENT

20 DEC 2024

Date : 12.09.2024

To,
Mr. Sujit Kumar Bajpayee (IAS), Jt. Secretary,
Ministry of Environment, Forest and Climate Change,
Indira Paryavaran Bhawan, Jor Bagh,
New Delhi- 110003
Email : sujit.baju@gov.in

Sub: Request for reconsideration of the application dated 22.01.2021 for of validity extension & amendment of Environment Clearance dated 10.10.2012 of MSP Sponge Iron Ltd. in respect of implementable projects in view of the Order dated 02.02.2024 of the Hon'ble Supreme Court in Van Shakti v. Union of India and Others (Writ Petition No. 1394 of 2023).

Ref: (1) Representation dated 30.05.2024 of M/s MSP Sponge Iron Limited to the Ministry of Environment Forest and Climate Change.
(2) Letter dated 27.08.2024 of the MoEF & CC (IA – Ind-I Division) to M/s MSP Sponge Iron Ltd.

Respect Sir/Madam,

The present Representation is in continuation of the earlier representation dated 30.05.2024 whereby M/s MSP Sponge Iron Ltd. (hereinafter referred to as the 'Undersigned') had requested for re-processing and reconsideration of the Application dated 22.01.2021 for validity extension and amendment of the Environment Clearance dated 10.10.2012 which was accorded for project site (160.93 Acres) suitability from environment angle and the expansion of its existing integrated steel plant for an increase in production capacity i.e. 1,59,000 TPA Sponge Iron (54,000 TPA existing + 1,05,000 TPA proposed), 2,64,000 TPA of SMS (MS INGOT) (50, 400 existing + 2,13,000 TPA proposed) , 42,000 TPA of Rolling Mill (TMT Bar), 23, 664 TPA m³/ hour of Producer Gas, and the new plant facilities comprising of 12,00,000 TPA of Iron Ore Pelletization plant, 10,00,000 TPA of Iron Ore Beneficiation plant, 20 MW of CPP , 6,00,000 TPA for Coal Beneficiation, 4,16,000 TPA of Sinter Plant and 2, 00,000 TPA mini Blast Furnace, which is located at village Haldiaguna, Tehsil Keonjhar Sadar, Keonjhar District Odisha.

Your office, vide Letter dated 27.08.2024, has rejected the abovementioned request for consideration of the proposal of the Undersigned as a violation case. However, in the humble opinion of the Undersigned there has been no consideration of the proposal of the Undersigned within the exception carved out by the Hon'ble Supreme Court vide Order dated 02.02.2024 in the case of Van Shakti v. Union of India and Others (WP. No. 1394 of 2023) and neither it is a speaking order in that regard.

The undersigned (PP) most humbly submits the peculiarity & distinguishable features of the proposal and its intendment as well as impact, as mentioned below which are worth considerable by the Ministry as well as the Sectoral Appraisal Committee:

- a) Subject Head of the initial application dated. 20.09.2019 represents EC validity extension in respect of some specific production facilities though the pro-forma of application was inappropriate for the error / omission on the part of empanelled consultant appointed by the undersigned PP.
- b) PP duly complied / fulfilled conditions of the EC and PH commitments to the satisfaction of MoEF & CC and SPCB, Odisha including the norms of green belt.
- c) Projects (DRI Kiln of 350 TPA & CPP 20 MW) for which validity extension was primarily sought for are proposed within the land area limit covered under prior EC dated 10.10.2012 and therefore, comes under the perview of permissible category projects.
- d) Application may have technical deficiency / irregularity but is environmentally permissible for reduced environmental of pollution load and hence, the time lag for application made in inappropriate pro-forma, post covid, may be condonable for perpetuation of economic activity and livelihood for the project affected people.
- e) No change in project site / location nor there would be any adverse impact on the study area or impact zone.
- f) EC approved projects being intended to be set up on approved site during the EC validity extension period will cause lesser utilisation of natural resources such as agriculture land water.

- g) Favourable consideration of EC validity extension proposal would enable implementation of forward integration facilities within approved limit along with CGP (WHRB) by tapping waste heat of DRI Kiln.
- h) Apex judiciary of the Country and National Green Tribunal have allowed several project proposals having similar backdrop considering the facts and provisions of law.
- i) Non-consideration or rejection of the application for EC validity extension for prior approved project would not only prejudice the interest of the PP heavily but would also deprive hundreds of project affected people from their livelihood.

It is pertinent to reiterate that the case of the Undersigned is one of a technical error on the part of the consultant (Ministry's empanelled) appointed by the Undersigned, who had failed to intimate to your office that the application dated 20.09.2019 (Proposal no. IA/OR/IND/118760/2019) had been uploaded using inappropriate proforma for seeking the extension of the validity of the Environmental Clearance involving amendment. However, a careful reading of the Subject head of the same letter with the application that was submitted on 20.09.2019 would reveal that it was not only for modernisation and expansion **but also for the extension of the validity of Environmental Clearance (emphasis supplied)**. A copy of the same is appended again as **Annexure A** for your perusal. The subsequent proposal of 27.09.2019 submitted by the Consultant also reiterated that the proposal is **for an extension of the validity of the Environmental Clearance (emphasis supplied)** along with modernisation and expansion. A copy of the same is also appended as **Annexure B**.

Although it is reiterated that there was an error by the Consultant whereby he could not / omitted to submit the proposal in Form-6, being the appropriate pro-forma to seek extension of validity of EC, it thus appears that the mistake/lapse was bonafide and only technical in nature. This is further confirmed by another letter dated 27.09.2019, that was discovered recently by which your office was requested to disregard/ignore the proposal for expansion and in effect accept the application for extension validity of the existing EC proposal which was due to expire on 10.10.2019. Copy of the acknowledgement dated 27.09.2019 (Proposal no .IA/OR/IND/119663/2019) followed by two other letters of the undersigned dated 31.10.2020 and 10.12.2020 are collectively annexed herein as Annexure

C. In view of the foregoing fact of inadvertent error / omission in using appropriate application pro-forma seeking extension of EC validity for further periods, kindly reconsider and review your office communication dated 27.08.2024 and if possible give us a personal hearing to explain our documents and removal of doubts, if any .

Further, it is submitted that the Order of the Hon'ble Supreme Court dated 02.02.2024 in Van Shakti v. Union of India and Others (Writ Petition No. 1394 of 2023) which carves out an exception for those cases which had a valid Environmental Clearance, to be considered *de hors* the stay granted on 02.01.2024. in fact the three classification of clearances as envisaged by the SoP laid down in Office Memorandum dated 07.07.2021 relates to impermissible, permissible and revised EC cases.

It is submitted that the SoP inter alia provides as under:

- (a) Cases in which the Project Proponent has not obtained prior Environmental Clearance and :
- (i) Project is impermissible under the Environment Impact Assessment Notification, 2006 are directed to be closed down/demolished (No Prior EC Category I)
 - (ii) Project is permissible under the EIA Notification are directed to be considered for grant of EC subject to (i) appropriate damage assessment, remedial Plan and community augmentation plan by the Central Level Sectoral Committee or State/Union Territory Level Expert Appraisal Committee and (ii) payment of penalty (No prior EC Category II).

It is further submitted that the cases where the Project Proponent (PP) has obtained prior EC, however the construction work or installation or excavation has started or have expanded production capacity or project area beyond the limit specified in prior EC or there is change in scope without prior approval, then it is directed to grant revised EC however subject to (i) Assessment and (ii) payment of penalty ("Revised EC Cases, category III).

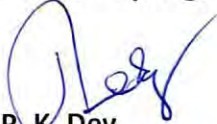
In our understanding, the only plausible interpretation that can be given to such an Interim Order by the Hon'ble Supreme Court is that if an existing Environmental Clearance

condition has been violated by the PP, then the Ministry may exercise its powers to remediate such non-compliance under the category (III) i.e. revised EC cases as envisaged above and consider the granting of Environmental Clearance. It is also humbly requested as to clarify as to how the Ministry is processing the applications which are covered under the exception carved out by the Hon'ble Supreme Court vide order dated 02.02.2024 in the Vanshakti case.

In view of the above, we accordingly pray that the TOR as it existed be revived and the Application for Environmental Clearance for expansion is considered in accordance with the exception carved out under the said Order of the Hon'ble Supreme Court dated 02.02.2024 in the Vanshakti case.

Thanking You,

Yours faithfully,
For MSP Sponge Iron Ltd.



P. K. Dey
Director

Encl : As stated above.

CC : The Director, (Industry – 1) IA Division, Ministry of Environment, Forest and Climate Change, Indira Paryavaran Bhawan, Jor Bagh, New Delhi- 110003,
E-Mail: d.runiwal@gov.in

..... For kind information please.



MSP SPONGE IRON LIMITED

(An ISO 9001 : 2008, 14001 : 2004 OHSAS 18001 : 2007 Certified Company)

Corporate Office : 16/S, Block - A, New Alipore, Kolkata - 700 053, Ph. : +91-33-4005 7777, 4014 5678

Fax : +91-33-4005 7799, 2398 2239, Email : contactus@mspsteel.com, Web : www.mspsteel.com

CIN No. : U27102WB1999PLC114830

Date : 20.09.2019

To
The Director (IA),
 Ministry of Environment Forest and Climate Change,
 2nd Floor, Vayu Wing,
 Indira Parayavaran Bhawan,
 Jor Bagh Road, Aliganj, New Delhi-110003
 Email : ak.agrawal70@gov.in

Subject: Application for Modernization of Integrated Steel project of M/s. MSP Sponge Iron Ltd, At: Haladiaguna, Dist-Keonjhar, Odisha, under 7(ii) of EIA Notification, 2016 seeking amendment of EC and extension of validity of EC dated 10.10.2012 for 3 years.

Respected Sir,

M/s MSP Sponge Iron Ltd, At: Haladiaguna, was granted EC vide letter bearing F.No. J-11011/116/2011-IA-II (I) dated 10th October.2012, for Integrated Steel expansion project for production capacity of 0.2MTPA Pig iron, 0.264 MTPA billet with 0.042 MTPA hot rolled products through Iron Ore Beneficiation and Pelletization, Sinter, Coal Washery, MBF, DRI and IF route with 20 MW CPP (12 MW- AFBC & 8 MW - WHRB) proposed over an area of 160.93 Acres with project cost of Rs. 623.41 crs.

After obtaining EC on 10.10.2012, we could acquire 60.93 Acres land in addition to our pre-existing land of 13.84 Acres and thereby total land in possession became 74.77 Acres. As it could not be possible to acquire remaining 86.16 Acres land, we could implement and commission partial expansion approved as PH - I under the EC.

Considering the surplus / unutilized land area in our possession now we hereby propose to restructure the plant facilities by increasing the capacity of some plant facilities and by dropping some plant facilities without causing any addition to pollution load, water requirement etc. satisfying the norms under 7(ii) of EIA Notification, 2016.

For the sake of better understanding details of project restructuring proposed with reduction / drop in plant facilities are represented in the table below :

Contd...../2

S.N	Pre-existing capacity before EC dtd. 10.10.2012	Expansion Approved		Changes in EC proposed	Ultimate capacity proposed in EC
		Units setup & commissioned under PH - I of EC dt.10.10.2012	Unimplemented project approved as PH - II in EC		
1.	Coal Benefication / washery	Nil	600000 (throughput) 2 x 75 TPH	To be dropped	Nil
2.	Coal Gasification	1x864m ³ /hr and 8x2,850m ³ /hr	Nil	No change	23,664m ³ /hr.
3.	Iron Ore Benefication	10,00,000 TPA	Nil	No change	8,50,000 TPA
4.	Iron Ore Pellet Plant	1x6,00,000 TPA	6,00,000 TPA	Capacity of running 1x6,00000 TPA to be increased to 1x8,50,000 TPA & 2 nd 1x600000 TPA to be dropped	8,50,000 TPA
5.	DRI Kilns	2x50 TPD, 2x40 TPD	1,05,000 (1x350 TPD)	Kiln size to be changed to 4 x 75 TPD & 1x500 TPD to be installed in place of 1x350 TPD	2,80,000 TPA
6.	Sinter Plant	Nil	4,16,000 (1x36M ²)	To be dropped	Nil
7.	M B F	Nil	2,00,000 (1x250M ³ with 30 TPH PCM)	To be dropped	Nil
8.	I F with CCM	3 x 5 T	2,13,600 (4x15 T/Heat with 2 nos. Billet caster)	1x5 T out of 3x5T to be modified to 1x8T and remaining 4x15 T to be changed 3x10MT and 2x15 MT	2,83,140
9.	Rolling Mill	42,000 TPA	Nil	Installation of 40 TPH RM	2,60,000
10.	CPP WHRB - 8 MW AFBC - 12 MW	Nil	12 CFBC	WHRB to be increased to 18 MW (12+6) & CFBC to be reduced to 6 MW	24 MW

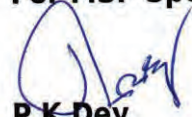
With proposed change there will be reduction in emission load, reduction in Raw material consumption and reduction in solid waste generation, so as to be considered under 7(ii) of EIA notification.

Therefore, we are enclosing herewith hard copies all documents which uploaded in the web portal of MoEF & CC for your kind consideration for proposed modernization of the project under 7(ii) of EIA notification.

Thanking you for kind consideration

Yours faithfully,

For MSP Sponge Iron Ltd.



P K Dey
Director

**CC to : The Regional Officer,
MoEF & CC, Govt. of India,
ER Office, A/3, Chandrasekharpur,
Bhubaneswar-751023, ODISHA.
E-Mail : roez.bsr-mef@nic.in**

----- for your kind information & necessary action please.

Date:27.09.2019

To
The Director,
Ministry of Environment Forest and Climate Change
Impact Assessment Division-I
Indira Paryavaran Bhawan,
Jor Bagh Road, Aliganj
New Delhi-110003

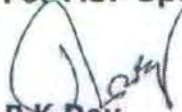
Sub: Withdrawl of Application for Modernization of Integrated steel project of
M/s M S P Sponge Iron Ltd, At: Haladiaguna, Dist-Keonjhar, Odisha,
under 7(ii) of EIA notification

Proposal no: IA/OR/IND/118760/2019, Dt: 20.09.2019

Sir,

The proposal has been uploaded in the portal with wrong information. We therefore request you to withdraw the proposal No. IA/OR/IND/118760/2019 dt 20.09.2019 from the portal so as to upload the correct proposal.

Yours faithfully,
For MSP Sponge Iron Ltd.


P.K.Dey
Director



42

Manoranjan Nayak <global1experts@gmail.com>

Fwd: Withdraw of EC

Mspkjrodisha Moe <mspkjrodisha.moef@mbspsteel.com>
Reply-To: Mspkjrodisha Moe <mspkjrodisha.moef@mbspsteel.com>
To: global1experts@gmail.com

Fri, Sep 27, 2019 at 5:52 PM

----- Original Message -----

From: mspkjrodisha.moef@mbspsteel.com
To: mspkjrodisha.moef@mbspsteel.com
Cc: monitoring-ec@nic.in
Date: September 27, 2019 at 4:08 PM
Subject: Withdraw of EC

Acknowledgement Slip for request of withdrawal of EC application

This is to acknowledge that your request for withdrawal of the EC application(with the following details) has been uploaded on the portal.

Now this request is under consideration of MoEFCC.

Following should be mentioned in further correspondence

1. **Proposal No.** : IA/OR/IND/118760/2019
2. **Category of the Proposal** : Industrial Projects - 1
3. **Date of submission for Withdrawal** : 27-09-2019 00:00:00
4. **Name of the Project proponent along with contact details**
 - a) **Name of the proponent** : MSP SPONGE IRON
 - b) **State** : Orissa
 - c) **District** : Kendujhar
 - d) **Pincode** : 758013

After getting approval of competent authority, the acceptance of same will be uploded on MoEFCC protal.

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Subject: Fwd: EDS Letter**From:** Mspkjrodisha Moe <mspkjrodisha.moef@mspsteel.com>**Date:** Tue, 15 Oct 2019 18:08:16 +0530 (IST)**To:** pk.dey@mspsteel.com

----- Original Message -----

From: sharath.kr@gov.in

To: mspkjrodisha.moef@mspsteel.com

Cc: monitoring-ec@nic.in

Date: October 15, 2019 at 1:30 PM

Subject: EDS Letter

**Email alert to proponent, if any, other details is sought by
concerned Member Secretary after submission of poposal by
project proponent(PP)**

A proposal for EC, as per the details given below has been examined by the Member Secretary

- 1. Proposal No.** : IA/OR/IND/119663/2019
- 3. Category of the Proposal** : Industrial Projects - 1
- 3. Name of the proposal** :
- 4. Date of submission** : 27 Sep 2019
- 6. Name of the Project proponent along with contact details**
- a) Name of the proponent** : MSP SPONGE IRON
- b) State** : Orissa
- c) District** : Kendujhar
- d) Pincode** : 758013

The said proposal has not been accepted on account of the shortcomings as per the statement uploaded on the portal of Ministry. Please remove the shortcomings and resubmit the proposal.



MSP SPONGE IRON LIMITED

(An ISO 9001 : 2008, 14001 : 2004 OHSAS 18001 : 2007 Certified Company)
Corporate Office : 16/5, Block - A, New Alipore, Kolkata - 700 053, Ph. : +91-33-4005 7777, 4014 5678
Fax : +91-33-4005 7799, 2398 2239, Email : contactus@mspsteel.com, Web : www.mspsteel.com
CIN No. : U27102WB1999PLC114830

Date : 31.10.2020

To
The Director (IA),
Ministry of Environment, Forest and Climate Change,
2nd Floor, Vayu Wing,
Indira Parayavaran Bhawan,
Jor Bagh Road, Aliganj, New Delhi-110003
Email : ak.agrawal70@gov.in

Sub: Extension of Validity of Environment Clearance of Pellet and DRI base mini steel unit at village Haldiaguna, Dist-Keonjhar, Odisha while dropping some approved projects.

- Ref:** 1) Our EC vide F.No-J-11011/116/2011-IA-II(I) dated 10.10.2012.
2) Ministry's EDS dt. 15.10.2019 & 15.07.2020 vide Proposal No. IA/OR/IND/ 118760/2019 dated 21.09.2019 & Proposal No. IA/OR/IND/ 119663/ 2019 dated 27.09.2019.
3) Compliance to EDS vide our representation dated 14.07.2020.
4) Summary of records of 22nd REAC Meeting held during 26-28th Aug'20.

Dear Sir,

Inviting your attention to our **combined proposal** submitted with regard to **modernization** including an **extension of validity** of the EC along with **change in configuration** causing increase in production capacity without any increase in pollution load as permissible by MoEF&CC and with reference to the **Summary of Record of 22nd REAC Meeting held during 26-28th Aug'20**, we beg to submit that, since, due to inadvertent omission in uploading application in Form - 6 separately on the part of our consultant, while initially submitting combined proposal on 27.09.2019, decision with regard to extension of EC validity could not be possible by the REAC and as a result of which our combined proposal of modernization submitted with EC re-validation was rejected.

While praying for condonation of the technical deficiency, we resubmit the application in **Form-6** accompanying requisite documents including the reasons for delay for your perusal and kind consideration limited to the matter of validity extension of the EC in respect of expansion of existing facilities of DRI & SMS and CPP and dropping a major part of the projects such as MBF, Sinter, Coal Washery, 2nd module of Pellet & CFBC.

Page 1 of 2

Merits for consideration of our proposal :

1. The proposal was initially submitted within schedule time i.e. on 27.09.2019 with expression of interest for extension of validity of the EC dated 10.10.2012.
2. Condonation of technical lapse by the Ministry would help the Promoter to avoid fresh TOR & EC formalities under the ongoing Covid-19 pandemic situation.
3. Revalidation of EC with retainable & feasible projects will enable the PP for proper use of vacant land already acquired for specified purpose & developed too.
4. Substantial part of the approved project is dropped, which will cause overall reduction in material (input & output) load as well as pollution load.
5. PP has established the project in conformity with Environmental norms in addition to the norms of Green Belt & CSR activity.
6. Change in configuration of DRI & IF proposed within EC approved capacity is more operation friendly in terms of controlled air pollution.
7. Projects proposed under EC revalidation are important for ensuring economic viability of the project.

In view of the appreciable features aforesaid, we most humbly and sincerely request your esteemed Ministry to reconsider our case by condoning our unintentional delay for compliance of inadvertent omission in submitting a particular considering our initial application submitted well within the time as per the norms of MoEF&CC. We shall be highly obliged for your kind consideration.

Thanking you,

Yours faithfully,
For **MSP Sponge Iron Ltd.**


R. K. Dey,
Director



MSP SPONGE IRON LIMITED

(An ISO 9001 : 2008, 14001 : 2004 OHSAS 18001 : 2007 Certified Company)
Corporate Office : 16/S, Block - A, New Alipore, Kolkata - 700 053, Ph. : +91-33-4005 7777, 4014 5678
Fax : +91-33-4005 7799, 2398 2239, Email : contactus@mspsteel.com, Web : www.mspsteel.com
CIN No. : U27102WB1999PLC114830

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Dt.10.12.2020

To
The Director (IA),
Ministry of Environment Forest and Climate Change,
2nd Floor, Vayu Wing,
Indira Parayavaran Bhawan,
Jor Bagh Road, Aliganj, New Delhi-110003
Email : ak.agrawal70@gov.in

Sub: Resubmission of modified report of compliance to your EDS dt.15.10.2019 (Proposal no. IA/OR/IND/118760/2019 & IA/OR/IND/119663/2019) with request for consideration of EC validity extension up to 09.10.2022.

Dear Sir,

Most humbly we hereby resubmit the compliance to your EDS dt.15.10.2019 with necessary changes /modification in the project details (Project Profile attached) along with Form-6 duly filled in, seeking extension of validity of Environmental Clearance vide F. No. J-110111/116/201-IA-II(I) dt.10.10.2020, which was inadvertently omitted by our consultant in their initial compliance.

SALIENT FEATURES OF MODIFIED PROPOSAL FOR CONSIDERATION OF HON'BLE MINISTRY.

1. The proposal is for consideration of extension of EC Validity up to 09.10.2022 along with dropping of BF, Sinter & Coal Washery projects and 50% reduction in Pellet & CFBC (CPP).
2. The proposal does not envisage any capacity addition except change in configuration of DRI Kilns and CPP & Induction Furnaces, which is proposed within the EC approved capacity for ensuring more eco-friendly operation and to restore viability of the project.
3. Change in configuration of DRI Kiln & IF and dropping of some major projects would reduce pollution load. We believe the Hon'ble Ministry would appreciate our proposal resubmitted with desired modifications.

Therefore, our humble prayer before the Ministry is for favorable consideration of our proposal for extension validity of EC up to 09.10.2022 excluding the projects dropped for want of land and configuration change.

Thanking you for your kind consideration.

Yours faithfully,
For MSP Sponge Iron Ltd.


P.K. Dey
Director

Encl: 1. Project Profile., 2. Form 6 with annexure seeking for revalidation of EC.
3. Bar Chart 4. Reason of Delay. 5. Project Report on Validity Extension of EC.

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Request for reconsideration of the application dtd. 22.01.24 for validity extension & amendment of EC dtd.10.10.2012 of MSP Sponge Iron Ltd. Keonjhar, Odisha

From PK Dey <pk.dey@mspsteel.com>
Date Thu 12-09-2024 05:48 PM
To Sujit Kumar Bajpayee <sujit.baju@gov.in>
Cc d.runiwal@gov.in <d.runiwal@gov.in>

1 attachment (9 MB)

To Jt. Secretary MoEF & CC Dt.12.09.2024.pdf;

Dear Sir,

Please find attached hereto our representation with a request for reconsideration of application dtd. 22.01.2021 at the earliest possible conveniency.

With Warm Regards,

P K Dey



Corporate Office SouthCity Business Park, 10th Floor,
770 Anandapur road, Kolkata - 700107.
Phone 033 4005 7777 | **Fax** 033 2398 2239 | **Website** www.mspsteel.com
Works Vill & P.O.: Jamgaon, **District** Raigarh, Chhattisgarh-496 001
& **VILL:** Haldiguna, P.O.: Gobardhan, **District** Kendujhar, Odisha-758 013



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Track Consignment

* Indicates a required field.

* Consignment Number

EW478128411IN



Quick help

Track More

Booked At	Booked On	Destination Pincode	Tariff	Article Type	Delivery Location	Delivery Confirmed On
Income Tax Building SO	13/09/2024 13:36:44	110003	70.80	Inland Speed Post	Lodi Road HO	17/09/2024 19:03:31

Event Details For : EW478128411IN

Current Status : Item Delivered(Addressee)

Date	Time	Office	Event
17/09/2024	19:03:31	Lodi Road HO	Item Delivered(Addressee)
17/09/2024	11:27:23	Lodi Road HO	Out for Delivery
17/09/2024	08:11:37	Lodi Road HO	Item Received
17/09/2024	04:56:47	New Delhi NSH	Item Dispatched
16/09/2024	01:50:19	New Delhi NSH	Item Bagged
15/09/2024	23:11:08	New Delhi NSH	Item Received
15/09/2024	04:56:59	Delhi AP TMO	Item Dispatched
15/09/2024	04:27:41	Delhi AP TMO	Item Received
14/09/2024	06:10:05	KOL AP TMO	Item Dispatched
14/09/2024	05:58:21	KOL AP TMO	Item Received
14/09/2024	05:15:45	Kolkata NSH	Item Dispatched
14/09/2024	03:56:49	Kolkata NSH	Item Bagged
14/09/2024	02:58:16	Kolkata NSH	Item Received
14/09/2024	02:17:00	KOL AP TMO	Item Dispatched
14/09/2024	01:37:44	KOL AP TMO	Item Received
13/09/2024	22:52:34	Kolkata RMS Mails TMO	Item Dispatched
13/09/2024	16:11:47	Income Tax Building SO	Item Dispatched

13/09/2024	15:58:28	Income Tax Building SO	Item Bagged
13/09/2024	13:36:44	Income Tax Building SO	Item Booked

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-TRUE COPY-

No. IA-J-11011/116/2011-IA-II (IND-I) [E-102416]
Government of India
Ministry of Environment, Forest and Climate Change
IA (Ind-1) Division

3rd Floor, Vayu Wing,
Indira Paryavaran Bhawan
Jor Bag Road, Aliganj
New Delhi – 110 003

Dated the 27 August, 2024

To

Shri. Pradip Kumar Dey,
Director,
M/s. MSP Sponge Iron Limited,
Vill- Haldiaguna, PO-Gobardhan,
Dist-Keonjhar,,Kendujhar Sadar,
Kendujhar, Orissa-758013,
Email: mspkjrodisha.moef@mspsteel.com

Subject:- Request dated 30/05/2024 for processing Application dated 22.01.2021 for amendment of Environment Clearance dated 10.10.2012 of M/s. MSP Sponge Iron Ltd., Keonjhar, Odisha –reg.

Sir,

This refers to a representation dated 30/05/2024 made by M/s. MSP Sponge Iron Ltd., Keonjhar, Odisha requesting the MoEFCC to process an application dated 22.01.2021 for EC amendment, in respect of an EC issued by MoEFCC on 10.10.2012. Vide letter dated 9th November, 2020 the Ministry had rejected the Proposal as it did not qualify under para 7(ii) of EIA Notification 2006. The PP vide aforesaid representation has made a request to MoEFCC to not consider the proposal as a violation case in light of the submissions made in its representation. Further, on this ground, PP has further requested that it may be considered under the saving clause of Hon'ble SC order dated 02.02.2004.

2. The representations made by the PP has been examined in the Ministry based on the available information and following is observed:

- That PP had submitted application No. IA/OR/IND/118760/2019 on PARIVESH on dated 21.09.2019 for modernization of existing project under Para 7(ii) of EIA Notification 2006, as amended, along with Form-2.
- It is also observed from the records that in response to Ministry's EDS (essential detail sought) dated 15.10.2019 on the aforesaid proposal, inter-alia on implementation status of EC dated 10.10.2012 and validity extension, PP responded back after a gap of around 9 months by uploading the response on PARIVESH on dated 14.07.2020 which included cover letter of September, 2019 without making any reference to EDS raised on 15.10.2019. The same was duly responded by Ministry on dated 15.07.2020, informing the PP that the proposal will not fall under clause 7(ii) of EIA

Notification, 2006 as the validity of the existing EC has already expired on 09.10.2019. In view of this, PP may apply for fresh ToR under EIA, 2006 for the proposed modernization/ expansion activity. MoEFCC reply categorically mentioned that **'cover letter of September, 2019 is being uploaded on July, 2020 without making any reference to EDS raised on 15.10.2019'**.

- PP submitted multiple proposals for expansion under 7(ii); however, the proposal No. IA/OR/IND/181251/2020 for extension of validity was submitted only on dated 02.11.2020, much after the due date as per extant norms for making such application and was rejected accordingly.
- Subsequently, PP has obtained ToR for fresh proposal vide letter dated 03.08.2021 and amendment in ToR vide letter dated 16.11.2021. It is pertinent to mention that an Amendment to aforesaid ToR was again issued as per SoP dated 07.07.2021, being identified as a violation case as reported by PP himself.

3. Considering the above facts, the aforementioned representation made by MSP Sponge Iron Limited not to consider it as a violation case cannot be accepted.

4. This issues with the approval of the Competent Authority.

Yours faithfully,



(B.S. Sandeepan)
Scientist 'C'

Copy for information to: (i) PPS to JS(SKB); & (ii) Scientist 'F' (DR), MoEF&CC.

10g
Received
5/9/24
at 01:48 PM
116/ 2011- 11A 25 (M/D) CE-102410



सूचना का अधिकार

नेच से मुक्तान बीजना के कसत
Pay Later Scheme
व्यक्ति का कोड नं. 2000004718
EMS Code No 2000004713
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
Ministry of Environment, Forest & Climate Change
स्थान / वजन / वजन
स्थान / वजन / वजन
स्थान / वजन / वजन



भारत सरकार सेवार्थ
ON INDIA GOVERNMENT SERVICE



अमृत महात्सव

Shri Pradip Kumar Dey, Director,
M/s MSP Sponge Iron Limited,
Vill- Haldiaguna, PO- Gobardhan,
Dist- Keonjhar., Kendujhar Sadar,
Kendujhar, Orissa-758013

07/09

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
इंदिरा पर्यावरण भवन, जोर बाग रोड़, अलिगंज, नई दिल्ली-110003
Ministry of Environment, Forest and Climate Change
Indira Paryavaran Bhawan, Jor Bagh Road, Aliganj, New Delhi-110003

9777083129

ITEM NO.23

COURT NO.3

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Writ Petition(s)(Civil) No(s). 1394/2023

VANASHAKTI

Petitioner(s)

VERSUS

UNION OF INDIA

Respondent(s)

(FOR ADMISSION
ORDERS/DIRECTIONS)

and

IA

No.257416/2023-APPROPRIATE

Date : 02-01-2024 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.R. GAVAI

HON'BLE MR. JUSTICE SANDEEP MEHTA

For Petitioner(s) Mr. Gopal Sankaranarayanan, Sr. Adv.
Mr. Vanshdeep Dalmia, AOR
Ms. Anisha Jian, Adv.
Ms. Tanya Shrivastava, Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

1. Issue notice returnable in four weeks.
2. Until further orders, there shall be stay of operation of the Office Memoranda dated 7th July, 2021 and 28th January, 2022 issued by the Ministry of Environment, Forest and Climate Change.

(ASHA SUNDRIYAL)
ASTT. REGISTRAR-cum-PS

(BEENA JOLLY)
COURT MASTER (NSH)

Signature Not Verified

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ASHA SUNDRIYAL
Date: 2024.01.05
16:37:29 IST
Reason: 

ITEM NO.56

COURT NO.3

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Writ Petition(s)(Civil) No(s). 1394/2023

VANASHAKTI

Petitioner(s)

VERSUS

UNION OF INDIA

Respondent(s)

(IA No. 257416/2023 - APPROPRIATE ORDERS/DIRECTIONS)

Date : 02-02-2024 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.R. GAVAI

HON'BLE MR. JUSTICE SANDEEP MEHTA

For Petitioner(s)

Mr. Gopal Sankaranarayanan, Sr. Adv.
Mr. Vanshdeep Dalmia, AOR
Ms. Anisha Jian, Adv.
Mr. Sarthak Dora, Adv.
Ms. Trisha Chandran, Adv.

For Respondent(s)

Mr. Tushar Mehta, Solicitor General
Ms. Aishwarya Bhati, A.S.G.
Mr. Gurmeet Singh Makker, AOR
Mr. Ketan Paul, Adv.
Ms. Ruchi Kohli, Adv.
Ms. Swarupama Chaturvedi, Adv.
Mr. Rajat Nair, Adv.

Mr. Puneet Bali, Sr. Adv.
Mr. Akhil Anand, Adv.
Mr. Samit Shukla, Adv.
Mr. Himanshu Vij, Adv.
Ms. Saakshi Saboo, Adv.
Mr. Anuj Salva, Adv.
M/S. D.S.k. Legal, AOR

Mr. T. V. S. Raghavendra Sreyas, AOR
Mr. Naveen Hegde, Adv.
Mr. A Yogeswaran, Adv.
Ms. B Poongkhulali, Adv.
Mr. Siddharth Vasudev, Adv.

Mr. Vanshdeep Dalmia, AOR

Mr. Anisha Jain, Adv.
Mr. Sarthak Dosa, Adv.

Mr. Guru Krishna Kumar, Sr. Adv.
Mr. Saket Mone, Adv.
Ms. Anshula Vijay Kumar Grover, AOR
Mr. Abhishek Salian, Adv.
Ms. Nitika Grover, Adv.
Mr. Devansh, Adv.

Mr. Atmaram Nadkarni, Sr. Adv.
Mr. Kunal Mimani, AOR
Mr. Samit Shukla, Adv.
Mr. Kunal Vajani, Adv.
Ms. Sakshi Saboo, Adv.
Mr. Anuj Savla, Adv.
Mr. Shubhang Tandon, Adv.
Ms. Shraddha Chiramia, Adv.

UPON hearing the counsel the Court made the following
O R D E R

I.A. Nos. 25197, 25309 and 25150 of 2024

1. The application (IA No. 25150 of 2024) for intervention is allowed.
2. The applicant(s) approached this Court seeking modifications/alterations of the order dated 02nd January, 2024.
3. Vide order dated 2nd January, 2024, we had granted stay of operation of the Office Memoranda dated 07th July, 2021 and 28th January, 2022 issued by the Ministry of Environment, Forest and Climate Change.
4. Mr. A.N.S. Nadkarni and Mr. Puneet Bali, learned senior counsels appearing for the applicant(s) submit that though their projects had acquired environmental clearances much prior to the Office Memoranda dated 07th July, 2021 and only certain modifications/alterations are required therein, the

same cannot be considered in view of the order dated 2nd January, 2024.

5. We clarify that our orders dated 02nd January, 2024 would not come in the way of the competent authorities in considering the proposals for modifications/alterations in the Environmental Clearances if area of such projects had any valid environmental clearances prior to 07th July, 2021.

6. Needless to state that such applications for modification/alteration would be considered by the competent authorities strictly in accordance with law as it existed prior to 07th July, 2021.

7. We further clarify that our order should not be construed as having stayed any proceedings before any High Courts touching the subject matter of the Office Memoranda, referred to above.

8. The applications are, accordingly, disposed of.

I.A. Nos. 13975, 16527, 21877, 21878 and 24981 of 2024

1. Mr. Gopal Sankaranarayanan, learned senior counsel appearing for the petitioner-Vanashakti seeks four weeks' time to file reply affidavit to these applications.

2. List these applications alongwith main matter after four weeks.

(DEEPAK SINGH)
COURT MASTER (SH)

(ANJU KAPOOR)
COURT MASTER (NSH)

ITEM NO.8

COURT NO.5

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

WRIT PETITION (CIVIL) NO(S). 1394/2023

VANASHAKTI

Petitioner(s)

VERSUS

UNION OF INDIA

Respondent(s)

(IA No. 185306/2024 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 168851/2024 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 284215/2024 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 151031/2024 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 263588/2024 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 100111/2024 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 66491/2024 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 203965/2024 - CLARIFICATION/DIRECTION, IA No. 185580/2024 - INTERVENTION APPLICATION, IA No. 284149/2024 - INTERVENTION APPLICATION, IA No. 151027/2024 - INTERVENTION APPLICATION, IA No. 203838/2024 - INTERVENTION APPLICATION, IA No. 66486/2024 - INTERVENTION/IMPLEADMENT, IA No. 24981/2024 - INTERVENTION/IMPLEADMENT, IA No. 263584/2024 - INTERVENTION/IMPLEADMENT, IA No. 100108/2024 - INTERVENTION/IMPLEADMENT AND IA No. 285446/2024 - MODIFICATION)

Date : 17-12-2024 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ABHAY S. OKA
HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

For the Parties

Mr. Gopal Sankaranarayanan, Sr. Adv.
Mr. Vanshdeep Dalmia, AOR
Ms. Anisha Jain, Adv.
Ms. Shambhavi Singh, Adv.
Mr. Shourya Dasgupta, Adv.
Ms. Trisha Chandran, Adv.

Ms. Aishwarya Bhati, A.S.G.
Ms. Ruchi Kohli, Sr. Adv.
Ms. Swarupama Chaturvedi, Sr. Adv.
Mr. Gurmeet Singh Makker, AOR
Mr. Ketan Paul, Adv.
Mr. Rajat Nair, Adv.
Mr. Kanu Agrawal, Adv.
Mr. Rohan Gupta, Adv.

Dr. A.M. Singhvi, Sr. Adv.
Mr. A.N.S. Nadkarni, Sr. Adv.

Signature Not Verified

Digitally signed by
ASHISH KUMBLE
Date: 2024.12.21
11:09:41 IST
Reason: 

Mr. Mahesh Agarwal, Adv.
 Mr. Arshit Anand, Adv.
 Mr. Shashwat Singh, Adv.
 Mr. Siddhant Sahay, Adv.
 Mr. E. C. Agrawala, AOR

Mr. Ranjit Kumar, Sr. Adv.
 Mr. Amar Dave, Sr. Adv.
 Ms. Nandini Gore, Adv.
 Ms. Sonia Nigam, Adv.
 Mr. Akhil Abraham Roy, Adv.
 Mr. Mohammad Shahyan Khan, Adv.
 For M/S. Karanjawala & Co., AOR

Mr. Tapesk Kumar Singh, Sr. Adv.
 Mr. Prabhat Ranjan Raj, AOR
 Mr. Anil Kumar, Adv.
 Mr. Amarjeet Gupta, Adv.

Mr. Puneet Bali, Sr. Adv.
 Mr. Rajat Gautam, Adv.
 Mr. Aditya Soni, AOR

Mr. Vipin Sanghi, Sr. Adv.
 Mr. Sandeep Sudhakar Deshmukh, AOR
 Mr. Nishant Sharma, Adv.
 Mr. Ankur S. Savadikar, Adv.

Mr. Naveen Hegde, Adv.
 Mr. T.V.S. Raghavendra Sreyas, AOR
 Mrs. Gayatri Gulati, Adv.

Ms. Aishwarya Bhati, ASG
 Mr. Gudapati G. Kashyap, Adv.
 Mr. Rose Verma, Adv.
 Mr. Ronvijay Gohain, Adv.
 Mr. Sarvesh Chaubey, Adv.
 Mr. Rahul Yadav, Adv.
 Ms. Manisha Ambwani, AOR

Mr. Vanshdeep Dalmia, AOR

Ms. Mayuri Raghuvanshi, AOR
 Mr. Vyom Raghuvanshi, Adv.
 Ms. Akanksha Rathore, Adv.
 Ms. Kinjal Sharma, Adv.

Mr. Saket Mone, Adv.
 Ms. Anshula Vijay Kumar Grover, AOR
 Lenpithang Sitlhou, Adv.

Ms. Charanya Lakshmikumaran, AOR
 Mr. Yogendra Aldak, Adv.
 Ms. Tamanna Sharma, Adv.
 Ms. Bhavya Shukla, Adv.
 Ms. Neha Choudhary, Adv.
 Ms. Umang Motiyani, Adv.
 Mr. Ayush Agarwal, Adv.
 Ms. Falguni Gupta, Adv.

Mr. Tarun Gupta, AOR
 Mr. Hirday Viridi, Adv.
 Mr. Sidhant Ranta, Adv.
 Mr. Sameer Chaudhary, Adv.

Mr. Anuj Bhandari, AOR

Ms. Aishwarya Bhati, Adv.
 Mr. Vivek Chib, Sr. Adv.
 Mr. Vipul Ganda, Adv.
 Mr. Kunal Cheema, AOR
 Ms. Anuradha Arputham, Adv.
 Mr. Abhinav Aggarwal, Adv.
 Ms. Sakshi Rastogi, Adv.
 Mr. Ishan Upadhaya, Adv.

Mr. Sunil Fernandes, Adv.
 Mr. Pallav Mongia, AOR
 Mr. Anubhav Mishra, Adv.
 Mr. Amritesh, Adv.
 Mr. Shashank Dwivedi, Adv.

Mr. V. Chitambaresh, Sr. Adv.
 Mr. Karthik S.D., AOR
 Mr. C. Govind Venugopal, Adv.

Mr. Vinay Navare, Sr. Adv.
 Mr. Sirish K. Deshpande, Adv.
 Mr. S. Patil, Adv.
 Mrs. Rucha Praveen Mandlik, Adv.
 For M/S. S-legal Associates, AOR
 Mr. Jyotish Pandey, Adv.
 Mr. Abhay Singh Tomar, Adv.

Mr. Atmaram Nadkarni, Sr. Adv.
 Mr. Anand Varma, AOR
 Ms. Apoorva Pandey, Adv.

Mr. Yash Misha, Adv.
 Mr. Anuj R., Adv.
 Anam Siddiqui, Adv.
 Mr. Anil Kumar Verma, AOR

Dr. Abhishek Manu Singhvi, Sr. Adv.
 Mr. Atmaram N.S. Nadkarni, Sr. Adv.
 Mr. Kunal Vajani, Adv.
 Mr. Kunal Mimani, AOR
 Mr. Shubhang Tandon, Adv.
 Ms. Shraddha Chirania, Adv.
 Mr. Ss Rebello, Adv.
 Ms. Deepti Arya, Adv.

Mr. Samit Shukla, Adv.
 Mr. Saakshi Saboo, Adv.
 Mr. Chandra Prakash, Adv.
 For M/S. D.S.K. Legal, AOR

Mr. A. Karthik, AOR
 Ms. Smrithi Suresh, Adv.
 Mr. Sugam Agrawal, Adv.
 Mr. Ujjwal Sharma, Adv.

UPON hearing the counsel the Court made the following
 O R D E R

(I) APPLICATIONS SEEKING MODIFICATION/CLARIFICATION/DIRECTION:

(1) IA NO. 66491/2024 (APPROPRIATE ORDERS/DIRECTIONS); (2) IA NO.292275/2024 (FOR DIRECTIONS); (3) IA NO.284215/2024 (FOR DIRECTIONS); (4) IA NO.285446/2024 (FOR MODIFICATION AND CLARIFICATION); (5) IA NOS.94025/2024 (FOR CLARIFICATION) AND 94026/2024 (EXEMPTION FROM FILING O.T.); (6) IA NO.151031/2024 (FOR DIRECTIONS); (7) IA NO.168851/2024 (FOR DIRECTIONS); (8) IA NO.185306/2024 (FOR DIRECTIONS); (9) IA NO.263588/2024 (FOR DIRECTIONS) AND IA NO.263589/2024 (EXEMPTION FROM FILING O.T.); (10) IA NO.190123/2024 (FOR DIRECTION); (11) IA NO.250733/2024 (FOR DIRECTIONS); (12) IA NO.60485/2024 (FOR CLARIFICATION/DIRECTION) ; (13) IA NO.281791/2024 (FOR CLARIFICATION/DIRECTION); AND (14) IA NO.166225/2024 (FOR CLARIFICATION/DIRECTION)

1. This Court is examining the validity of the Office Memorandum dated 7th July, 2021. This Court has stayed the operation of the Office Memorandum dated 7th July, 2021. Therefore, the applications made under clause 10(iii) of the Office Memorandum dated 7th July, 2021 cannot be entertained so long as the order of stay continues to operate. If the applicants have made applications under a provision other than clause 10(iii) of the Office Memorandum dated

7th July, 2021, it is obvious that the interim order does not come in the way of the applicants. To put it differently, no one can act upon the said Office Memorandum. If the case of the applicants is covered by clauses 5 to 7 of the order dated 2nd February, 2024 passed by this Court, it will be always open for the applicants to invite attention of the concerned authorities to the said fact.

2. Subject to what is observed above, the Applications are disposed of. Consequently, the applications seeking exemption from filing official translation also stand disposed of.

(1) IA No. 100111/2024 (APPROPRIATE ORDERS/DIRECTIONS) AND (2) IA No. 203965/2024 (CLARIFICATION/DIRECTION)

3. Ms. Aishwarya Bhati, learned ASG, submitted that she is not seeking any relief in terms of these applications at this stage and the same may be considered along with the main Writ Petition. Ordered accordingly.

(II) APPLICATIONS SEEKING INTERVENTION:

IA NO. 203838/2024 FOR INTERVENTION FILED ON BEHALF OF NBCC (INDIA) LIMITED

4. The Application is allowed.

(1) IA NO.185580/2024 (FOR INTERVENTION); (2) IA NO.284149/2024 (FOR INTERVENTION); (3) IA NO.151027/2024 (FOR INTERVENTION); (4) IA NO.190487/2024 (FOR INTERVENTION); (5) IA NO.60609/2024 (FOR INTERVENTION); (6) IA NO.281790/2024 (FOR INTERVENTION) (7) IA NO.166248/2024 (FOR INTERVENTION)

5. We are not inclined to entertain these Applications. The same are, accordingly, disposed of.

(III) APPLICATIONS SEEKING IMPLEADMENT:

IA NO. 100108/2024 FOR IMPLEADMENT FILED ON BEHALF OF HSCC (INDIA) LIMITED

6. The Application seeking impleadment as a party respondent is allowed. The amended cause title shall be filed within a period of one week from today.

(1) IA NO.66486/2024 (FOR IMPLEADMENT); (2) IA NO.263584/2024 (FOR IMPLEADMENT); AND (3) IA NO.250732 (FOR IMPLEADMENT)

7. We are not inclined to entertain these Application. The same are, accordingly, disposed of.

WRIT PETITION (CIVIL) NO(S).1394/2023

8. List the Petition for final hearing on 19th February, 2025 in first five matters.

(ASHISH KONDLE)
COURT MASTER (SH)

(AVGV RAMU)
COURT MASTER (NSH)

F. No. J-11011/116/2011-IA-II (I)
Government of India
Ministry of Environment and Forests
(I.A. Division)

ANNEXURE A/5

Paryavaran Bhawan
CGO Complex, Lodhi Road
New Delhi – 110 003

E-mail : aditya.narayan@nic.in
Telefax : 011: 2436 0549
Dated: 10th October, 2012

To,
 The Director,
 M/s MSP Sponge Iron Limited
 16/S, Block-A, New Alipore
 Kolkata - 700053

E-mail: contactus@mspsteel.com ; Ph: 033- 40057777; Fax: 033- 4005 7788;

Sub: Expansion of existing Mini Steel Plant (0.5 MTPA) into Integrated Steel Plant (0.264 MTPA) along with 20 MW Captive Power Plant (8 MW WHRB and 12 MW CFBC) at Village Haldiaguna, District Keonjhar in Odisha by M/s MSP Sponge Iron Limited -regarding Environmental Clearance

Sir,

This has reference to your letter dated 01.05.2012 along with copies of EIA/EMP and public hearing reports seeking environmental clearance under the provisions of EIA Notification, 2006.

2. The Ministry of Environment and Forests has examined your application. It is noted M/s MSP Sponge Iron Limited (MSPSIL) have proposed for expansion of its existing mini steel plant to integrated steel plant along with 20MW Captive Power Plant (CPP) at Village – Haldiaguna, Keonjhar District, Odisha. Total project area including existing plant is 160.93 acres and green belt will be developed in 53.0 acres of plant area. Forest is located at 3.0 Km (NE). No national park/wild life sanctuary/reserve forest is located within 10 Km. Total cost of the project is Rs. 623.41Crores. Rs. 34.28 Crore and Rs.6.856 Crore are earmarked towards capital cost and recurring cost per annum against pollution control measures. A budget of Rs. Rs.31.5 Crore has been envisaged for CSR.

3. The configuration of the existing and proposed expansion along with production capacities is as follows:

SL	Unit	Existing Capacity (TPA)	Proposed Expansion		Total Capacity in (TPA)
			PH- I in TPA	PH-II In TPA	
1.	Coal Beneficiation Plant	-----	-----	6,00,000 (throughput) (2 x 75 TPH)	6,00,000 (throughput)
2.	Coal Gasification	1x864 M ³ /hr.	4x2,850 M ³ /hr. each	4x2,850 M ³ /hr. each	23,664 M ³ /hr

	Plant				
3.	Iron ore Beneficiation Plant	-----	10,00,000 (throughput) (concentrate – 8,50,000)	-----	10,00,000 (throughput) (concentrate – 8,50,000)
4.	Iron Ore Pellet Plant	-----	6,00,000	6,00,000	12,00,000
5.	DRI Plant	54,000 (2x50 TPD 2x40 TPD)	-----	1,05,000 (1x350 TPD)	1,59,000
6.	Sinter Plant	-----	-----	4,16,000 (1x36M ²)	4,16,000
7.	Mini Blast Furnace	-----	----	2,00,000 (1x250M ³ with 30 TPH pig casting machine)	2,00,000
8.	SMS & Continuous Casting	50,400 (3 x 5T/heat I/F)	-----	2,13,600 (4 x 15 T/heat with two number of billet caster.)	2,64,000
9.	Rolling Mill	42,000	---	---	42,000
10.	Captive Power Plant	-----	-----	12 MW (CFBC) & 8 MW (WHRB)	20 MW

4. It is noted that Iron ore fines from Joda-Barbil, Limestone/Dolomite from Sundergarh, Coal from Talcher Coal Field of M/s. MCL and from SECL, Coke from China/Australia, Bentonite from open market, Quartzite from Bhutan/West will be the major raw materials used in the plant process. The coal middling and char from the DRI Plant will be used for the 12 MW CFBC boiler. The estimated power requirement for the plant is 34 MW out of which 20 MW will be generated from captive power plant and balance 14 MW will be drawn from NESCO. D.G. set (1x200 KVA) will be installed for emergency use.

5. Pulse jet type bag filters would be installed to control the fugitive emissions at raw material crushing and screening, cooler discharge and day bin building, product separation area, raw material handling area to control the fugitive emissions. Dust suppression will be done by water sprinkling to control fugitive emissions due to transportation activities. Fume extraction system with bag filters will be provided to DRI plant. MBF will be equipped with bag filter. Spark arrester and bag filter will be provided to SMS plant. Air pollution from CPP will be controlled by ESP and ash conditioning & moistening system. ESP will be installed at the sinter plant to control the particulate emissions. Water sprinkling will be done along the haul roads to control the dust arising from vehicular movement. Transportation of material will be through cover truck and wagons.

6. Total water requirement of 7,920 m³ /day, will be met from ground water and Ardei river at a distance of 1.5 Km and rain water harvesting. Permission for ground water drawl for 3600 m³/d of water has been obtained from CGWA, New Delhi vide letter No. 21-4(96)/SER/CGWA/ 2009-27, dated 25.06.2009. Permission for drawl of 4320 m³/d of river water will be obtained from the State Water Resources Department. No liquid effluent will be generated and discharged due to adoption of closed loop system. Only make up water will

be fed into the plant. The treated effluent will be used for ash conditioning, dust suppression and green belt development. Service water will be passed through oil separator to remove oil content in the effluent. Domestic effluent will be treated in septic tank followed by soak pit. No effluent will be discharged outside the premises and zero discharge will be adopted.

7. Solid waste i.e. char generated from DRI plant will be reused in the CFBC boiler and dust form APCD will be partly used for fly ash brick making and balance will be taken to designated dump area. Kiln accretion waste will be partly processed through iron ore beneficiation plant & remaining part will be disposed in solid waste dump area. Granulated Slag from MBF will be given to cement manufacturing unit. Dust form APCD will be used in sinter plant. SMS slag will be used for road construction & low land filling and Dust form APCD will be disposed in solid waste dump yard. Dust form APCD of sinter plant and pellet plant will be re-used in sinter plant. Fly ash from power plant will be used for cement making, fly ash brick making, road construction, concrete batching plant and balance will be taken to ash mound for which 8 acres land is earmarked. Bottom ash will be disposed in ash disposal area. Middlings from Coal Beneficiation Plant will be used in CFBC boiler of CPP and remaining amount will be sold. Rejects from Coal Beneficiation Plant will be given to brick manufacturing units, coal briquetting unit and used in power plant. Tailings from iron ore beneficiation will be kept in tailing pond of area 14 acres. Waste/used/spent oil and used batteries will be sold to authorized recyclers /re-processors.

8. The steel plants are listed at S.No. 3(a) in primary metallurgical industry under Category 'A' of the Schedule of EIA notification 2006 and appraised by the Expert Appraisal Committee (Industry-1) of MoEF.

9. The proposal was considered by the Expert Appraisal Committee-1 (Industry) in its 37th meeting held during 14th - 15th June, 2012. The Committee recommended the proposal for environmental clearance subject to stipulation of specific conditions along with other environmental conditions. Public hearing for the project was held on 23.03.2012.

10. Based on the information provided by you and your consultant, M/s Visiontek Consultants, Bhubaneswar, the Committee recommended the project for environmental clearance subject to the following specific conditions along with other environmental conditions:

A. SPECIFIC CONDITIONS

- i. Measures shall be undertaken to mitigate particulate levels in the ambient air. On-line ambient air quality monitoring and continuous stack monitoring facilities for all the stacks shall be provided and sufficient air pollution control devices viz. Electrostatic precipitator (ESP), gas cleaning plant, venturi scrubber, bag filters etc. shall be provided to keep the emission levels below 50 mg/Nm³ by installing energy efficient technology.
- ii. As proposed, Electrostatic precipitator (ESP) shall be provided to sinter plant, WHRB, CFBC, DRI plants and dust catcher followed by venturi scrubbers to blast furnace to control PM levels within 50 mg/Nm³. Fume extraction system shall be provided to induction furnaces to control the emissions within the prescribed standards.
- iii. The National Ambient Air Quality Standards issued by the Ministry vide G.S.R. No. 826(E) dated 16th November, 2009 shall be followed.
- iv. Gaseous emission levels including secondary fugitive emissions from all the sources shall be controlled within the latest permissible limits issued by the Ministry and regularly monitored. Guidelines/Code of Practice issued by the CPCB shall be followed. New

standards for the sponge iron plant issued by the Ministry vide G.S.R. 414(E) dated 30th May, 2008 should be followed.

- v. Hot gases from DRI kiln shall be passed through Dust Settling Chamber (DSC) to remove coarse solids and After Burning Chamber (ABC) to burn CO completely and used in waste heat recovery boiler (WHRB). The gas then shall be cleaned in ESP before leaving out into the atmosphere through ID fan and stack.
- vi. Total water requirement shall not exceed 7,920 m³/d. Efforts shall further be made to use maximum water from the rain water harvesting sources. Use of air cooled condensers shall be explored and closed circuit cooling system shall be provided to reduce water consumption and water requirement shall be modified accordingly. All the effluent should be treated and used for ash handling, dust suppression and green belt development. No effluent shall be discharged and 'zero' discharge shall be adopted. Sanitary sewage should be treated in septic tank followed by soak pit.
- vii. Efforts shall be made to make use of rain water harvested. If needed, capacity of the reservoir should be enhanced to meet the maximum water requirement. Only balance water requirement shall be met from other sources.
- viii. Regular monitoring of influent and effluent surface, sub-surface and ground water (including chromite) should be ensured and treated wastewater should meet the norms prescribed by the State Pollution Control Board or described under the E(P) Act whichever are more stringent. Leachate study for the effluent generated and analysis shall also be regularly carried out and report submitted to the Ministry's Regional Office at Bhubaneswar, SPCB and CPCB.
- ix. The water consumption shall not exceed as per the standard prescribed for the steel plants.
- x. All the coal fines, char from DRI plant shall be utilized in CFBC boiler of power plant and no char shall be used for briquette making or disposed off anywhere else. CFBC boiler shall be installed simultaneously along with the DRI plant to ensure full utilization of char from the beginning. All the blast furnace (BF) slag shall be provided to the cement manufacturers. Scrap shall be used in steel melting shop (SMS) and SMS slag and kiln accretions shall be properly utilized. All the other solid waste including broken refractory mass shall be properly disposed off in environment-friendly manner.
- xi. Tailings from beneficiation plant and sponge iron kiln accretion can be mixed and made into bricks etc.
- xii. Proper utilization of fly ash shall be ensured as per Fly Ash Notification, 1999 and subsequent amendment in 2003 and 2009.
- xiii. Vehicular pollution due to transportation of raw material and finished products shall be controlled. Proper arrangements shall also be made to control dust emissions during loading and unloading of the raw material and finished product.
- xiv. Transportation of raw coal during the initial phase shall be by 40-T mechanically covered or tarpaulin covered trucks from the coalmines to the washery. The raw coal, washed coal and coal wastes (rejects) shall be stacked properly at earmarked site(s) within sheds/stockyards fitted with wind breakers/shields. Adequate measures shall be taken to ensure that the stored minerals do not catch fire.

- xv. Hoppers of the coal crushing unit at the crushing shed and washery unit shall be fitted with high efficiency bag filters/Dust extractors and mist spray water sprinkling system shall be installed and operated effectively at all times of operation to check fugitive emissions from crushing operations, transfer points of belt conveyor systems which shall be closed and from transportation roads.
- xvi. All internal roads shall be black topped. The roads shall be regularly cleaned with mechanical sweepers. A 3-tier avenue plantation using native species shall be developed along the roads. Facilities for parking of trucks carrying raw coal from the linked coalmines shall be created within the Unit.
- xvii. The washery unit shall be a zero-discharge facility and no wastewater shall be discharged from the washery into the drains/natural watercourses. Recycled water shall be used for development and maintenance of green belt and in dust suppression from Plant operations.
- xviii. The tailing pond/slime pond shall be lined with impervious lining.
- xix. The ground water quality around the tailing pond/slime pond shall be monitored regularly and records maintained.
- xx. The garland drain shall be constructed around the tailing/slime pond.
- xxi. The decanted water from the tailing/ slime pond shall be re-circulated and there should be zero discharge from the slime/tailing pond.
- xxii. The groundwater quality around the tailing/slime pond shall be monitored regularly. The monitoring network shall be designed in consultation with State Ground Water Board/Central Ground Water Authority. There shall be at least one monitoring station between the tailing/slime pond and the river
- xxiii. Proper handling, storage, utilization and disposal of all the solid waste shall be ensured and regular report regarding toxic metal content in the waste material and its composition, end use of solid/hazardous waste should be submitted to the Ministry's Regional Office at Bhubaneswar, SPCB and CPCB.
- xxiv. Risk and Disaster Management Plan along with the mitigation measures shall be prepared and a copy submitted to the Ministry's Regional Office at Bhubaneswar, SPCB and CPCB within 3 months of issue of environment clearance letter.
- xxv. As proposed, green belt shall be developed in 33 % of plant area as per the CPCB guidelines in consultation with the DFO.
- xxvi. All the recommendations made in the Charter on Corporate Responsibility for Environment Protection (CREP) for the Steel Plants should be implemented.
- xxvii. All the commitments made to the public during the Public Hearing / Public Consultation meeting held on 23rd March, 2012 should be satisfactorily implemented and a separate budget for implementing the same should be allocated and information submitted to the Ministry's Regional Office at Bhubaneswar.
- xxviii. At least 5 % of the total cost of the project should be earmarked towards the Enterprise Social Commitment (ESC) based on Public Hearing issues and item-wise details along with time bound action plan should be prepared and submitted to the Ministry's Regional

Office at Bhubaneswar. Implementation of such program should be ensured accordingly in a time bound manner.

- xxix. Rehabilitation and Resettlement Plan for the project affected population including tribals, if any shall be implemented as per the policy of the State Govt. in consultation with the State Govt. of Odisha⁴. Compensation paid in any case should not be less than the norms prescribed under the National Resettlement and Rehabilitation Policy, 2007.
- xxx. The company shall provide housing for construction labour within the site with all necessary infrastructure and facilities such as fuel for cooking, mobile toilets, mobile STP, safe drinking water, medical health care, crèche etc. The housing may be in the form of temporary structures to be removed after the completion of the project.
- xxxi. The Company shall submit within three months their policy towards Corporate Environment Responsibility which should inter-alia address (i) Standard operating process/procedure to bring into focus any infringement/deviation/violation of environmental or forest norms/conditions, (ii) Hierarchical system or Administrative order of the Company to deal with environmental issues and ensuring compliance to the environmental clearance conditions and (iii) System of reporting of non compliance/violation environmental norms to the Board of Directors of the company and/or stakeholders or shareholders.

B. GENERAL CONDITIONS:

- i. The project authorities must strictly adhere to the stipulations made by the Orissa State Pollution Control Board and the State Government.
- ii. No further expansion or modifications in the plant shall be carried out without prior approval of the Ministry of Environment and Forests.
- iii. The gaseous emissions from various process units shall conform to the load/mass based standards notified by this Ministry on 19th May, 1993 and standards prescribed from time to time. The State Pollution Control Board may specify more stringent standards for the relevant parameters keeping in view the nature of the industry and its size and location.
- iv. At least four ambient air quality monitoring stations shall be established in the downward direction as well as where maximum ground level concentration of PM₁₀, SO₂ and NO_x are anticipated in consultation with the SPCB. Data on ambient air quality and stack emission shall be regularly submitted to this Ministry including its Regional Office at Bhubaneswar and the SPCB/CPCB once in six months.
- v. The overall noise levels in and around the plant area shall be kept well within the standards (85 dBA) by providing noise control measures including acoustic hoods, silencers, enclosures etc. on all sources of noise generation. The ambient noise levels shall conform to the standards prescribed under EPA Rules, 1989 viz. 75 dBA (daytime) and 70 dBA (nighttime).
- vi. Occupational health surveillance of the workers should be done on a regular basis and records maintained as per the Factories Act.
- vii. The company shall develop surface water harvesting structures to harvest the rain water for utilization in the lean season besides recharging the ground water table.

- viii. The project proponent shall also comply with all the environmental protection measures and safeguards recommended in the EIA/EMP report. Further, the company must undertake socio-economic development activities in the surrounding villages like community development programmes, educational programmes, drinking water supply and health care etc.
- ix. Requisite funds shall be earmarked towards capital cost and recurring cost/annum for environment pollution control measures to implement the conditions stipulated by the Ministry of Environment and Forests as well as the State Government. An implementation schedule for implementing all the conditions stipulated herein shall be submitted to the Regional Office of the Ministry at Bhubaneswar. The funds so provided shall not be diverted for any other purpose.
- x. A copy of clearance letter shall be sent by the proponent to concerned Panchayat, Zila Parishad/Municipal Corporation, Urban Local Body and the local NGO, if any, from whom suggestions/representations, if any, were received while processing the proposal. The clearance letter shall also be put on the web site of the company by the proponent.
- xi. The project proponent shall upload the status of compliance of the stipulated environment clearance conditions, including results of monitored data on their website and shall update the same periodically. It shall simultaneously be sent to the Regional Office of the MOEF at Bhubaneswar. The respective Zonal Office of CPCB and the SPCB. The criteria pollutant levels namely; PM₁₀, SO₂, NO_x (ambient levels as well as stack emissions) or critical sectoral parameters, indicated for the projects shall be monitored and displayed at a convenient location near the main gate of the company in the public domain.
- xii. The project proponent shall also submit six monthly reports on the status of the compliance of the stipulated environmental conditions including results of monitored data (both in hard copies as well as by e-mail) to the Regional Office of MOEF, the respective Zonal Office of CPCB and the SPCB. The Regional Office of this Ministry at Bhubaneswar / CPCB / SPCB shall monitor the stipulated conditions.
- xiii. The environmental statement for each financial year ending 31st March in Form-V as is mandated to be submitted by the project proponent to the concerned State Pollution Control Board as prescribed under the Environment (Protection) Rules, 1986, as amended subsequently, shall also be put on the website of the company alongwith the status of compliance of environmental conditions and shall also be sent to the respective Regional Office of the MOEF at Bhubaneswar by e-mail.
- xiv. The Project Proponent shall inform the public that the project has been accorded environmental clearance by the Ministry and copies of the clearance letter are available with the SPCB and may also be seen at Website of the Ministry of Environment and Forests at <http://envfor.nic.in>. This shall be advertised within seven days from the date of issue of the clearance letter, at least in two local newspapers that are widely circulated in the region of which one shall be in the vernacular language of the locality concerned and a copy of the same should be forwarded to the Regional office at Bhubaneswar.
- xv. Project authorities shall inform the Regional Office as well as the Ministry, the date of financial closure and final approval of the project by the concerned authorities and the date of commencing the land development work.

11. The Ministry may revoke or suspend the clearance, if implementation of any of the above conditions is not satisfactory.

12. The Ministry reserves the right to stipulate additional conditions if found necessary. The Company in a time bound manner shall implement these conditions.

13. The above conditions shall be enforced, inter-alia under the provisions of the Water (Prevention & Control of Pollution) Act, 1974, the Air (Prevention & Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986, Hazardous Wastes (Management, Handling and Transboundary Movement) Rules, 2008 and the Public (Insurance) Liability Act, 1991 along with their amendments and rules.

(A N Singh)
Dy. Director (S)

Copy to:-

1. The Secretary, State Department of Environment, Government of Orissa, Bhubaneswar, Orissa.
2. The Chairman, Central Pollution Control Board, Parivesh Bhavan, CBD-cum-Office Complex, East Arjun Nagar, New Delhi, 110 032.
3. The Chairman, Orissa Pollution Control Board, Parivesh Bhavan, A/118, Neelkanthhanagar, Unit-8, Bhubaneswar - 751 012, Orissa.
4. The Chief Conservator of Forests (Eastern), Regional Office (EZ), A/3, Chandrasekharpur, Bhubaneswar - 751 023, Orissa.
5. Monitoring Cell, Ministry of Environment and Forests, Paryavaran Bhavan, CGO Complex, New Delhi.
6. Guard File / Record File.

(A N Singh)
Dy. Director (S)



भारत का राजपत्र

The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित

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NEW DELHI, THURSDAY, APRIL 30, 2015 /VAISAKHA 10, 1937

पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय

अधिसूचना

नई दिल्ली, 29 अप्रैल, 2015

का.आ. 1141(अ).—केन्द्रीय सरकार, पर्यावरण (संरक्षण) नियम, 1986 के नियम 5 के उपनियम (4) के साथ पठित, पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 3 की उपधारा (1) और उपधारा (2) के खंड (v) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, लोक हित में उक्त नियम के नियम 5 के उपनियम (3) के खंड (क) के अधीन नोटिस की अपेक्षा से अभिमुक्ति के पश्चात्, भारत सरकार के तत्कालीन पर्यावरण और वन मंत्रालय की अधिसूचना संख्यांक का.आ. 1533 (अ), तारीख 14 सितंबर, 2006 में निम्नलिखित और संशोधन करती है, अर्थात्:—

उक्त अधिसूचना में,—

(i) पर्यावरणीय अनापत्ति (ईसी) की विधिमान्यता के संबंध में पैरा 9 पैरा उसके पैरा (i) के रूप में पुनःसंख्यांकित किया जाएगा;

(ii) पैरा (i) इस प्रकार संख्यांकित किया जाएगा,—

(क) “और सभी अन्य परियोजनाओं और क्रियाकलापों की दशा में पांच वर्ष” शब्दों के स्थान पर “और सभी अन्य परियोजनाओं और क्रियाकलापों की दशा में सात वर्ष” शब्दों को रखा जाएगा;

(ख) “तथापि, क्षेत्र विकास परियोजनाओं और नगर क्षेत्र की दशा में” शब्दों के साथ प्रारंभिक भाग पर और “यथास्थित विशेषज्ञ आंकलन समिति या राज्य स्तर विशेषज्ञ समिति के परामर्श” शब्दों के साथ समाप्त होने वाले भाग पर निम्नलिखित शब्दों को रखा जाएगा, अर्थात्:—

“(ii) क्षेत्र विकास परियोजनाओं और नगर क्षेत्र [मद 8(ख)], की दशा में विधिमान्य अवधि केवल ऐसे क्रियाकलापों तक सीमित होगा जहां तक किसी विकासकर्ता के रूप में आवेदक का उत्तरदायित्व है :

परंतु यह भी कि विधिमान्यता की यह अवधि संबंधित विनियामक प्राधिकरण द्वारा सात वर्ष की अधिकतम अवधि तक बढ़ाया जा सकेगा परंतु यह तब जबकि कोई आवेदन आवेदक द्वारा विनियामक प्राधिकरण को संनिर्माण परियोजनाओं या क्रियाकलापों (अनुसूची की मद 8) अद्यतन प्रारूप। और अनुपूरक प्रारूप 1क सहित विधिमान्य अवधि के भीतर विनियामक अवधि के भीतर किया जाता है :

परंतु यह भी कि विनियामक प्राधिकरण यथास्थित विशेषज्ञ आंकलन समिति या राज्य स्तर विशेषज्ञ आंकलन समिति इसके विस्तार की मंजूरी के लिए परामर्श भी कर सकेगा।

(क) इसी की विधिमान्य अवधि के पश्चात् एक मास के भीतर ऐसे मामलों के लिए विलंब को संबंधित विशेषज्ञ आंकलन समिति (ईएसी) या राज्य स्तर आंकलन समिति (एसईएसी) और उनकी सिफारिशों के आधार पर यथास्थिति संयुक्त सचिव पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय या सदस्य सचिव एसईआईएए के स्तर पर माफ किया जाएगा;

(ख) इसी की विधिमान्य अवधि के पश्चात् एक माह से अधिक परंतु ऐसी विधिमान्य अवधि के पश्चात् तीन मास से अन्यून है तो ईएसी या एसईएसी की सिफारिशों के आधार पर यथास्थिति पर्यावरण, वन और जलवायु परिवर्तन प्रभारी मंत्री या अध्यक्ष के अनुमोदन से विलंब माफ किया जाएगा :

परंतु यह कि विलंब की माफी के लिए विस्तार हेतु कोई आवेदन इसी की 90 दिन की विधिमान्य अवधि के पश्चात् मंजूर नहीं किया जाएगा।”।

[फा. सं. जे-11013/12/2013-आईए-II(I)(भाग)]

मनोज कुमार सिंह, संयुक्त सचिव

टिप्पण : मूल नियम भारत के राजपत्र, असाधारण, भाग II, खंड 3 उपखंड (ii) में अधिसूचना संख्यांक का. आ. 1533(अ), तारीख 14 सितंबर, 2006 द्वारा प्रकाशित की गई थी और तत्पश्चात् उसको निम्नलिखित द्वारा संशोधित किया गया का.आ. 1737(अ), तारीख 11 अक्टूबर, 2007 ; का.आ. 3067(अ), तारीख 1 दिसंबर, 2009 ; का.आ. 695(अ), तारीख 4 अप्रैल, 2011 ; का.आ. 2896(अ), तारीख 13 दिसंबर, 2012 ; का.आ. 674(अ), तारीख 13 मार्च, 2013 ; का.आ. 2559(अ), तारीख 22 अगस्त, 2013 ; का.आ. 2731(अ), तारीख 9 सितंबर, 2013 ; का.आ. 562(अ), तारीख 26 फरवरी, 2014 ; का.आ. 637 (अ), तारीख 28 फरवरी, 2014 का.आ. 1599(अ), तारीख 25 जून, 2014; का.आ. 2601(अ), तारीख 7 अक्टूबर, 2014; और का.आ. 3252(अ), तारीख 22 दिसंबर, 2014।

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

NOTIFICATION

New Delhi, the 29th April, 2015

S.O. 1141(E).—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(29 of 1986) read with sub-rule(4) of rule 5 of the Environment(Protection) Rules, 1986, the Central Government hereby makes the following further amendments to the notification of the Government of India, in the erstwhile Ministry of Environment and Forests number S.O. 1533(E), dated the 14th September, 2006 after having dispensed with the requirement of notice under clause(a) of sub-rule(3) of rule 5 of the said rule, in public interest, namely:—

In the said notification,—

(i) Paragraph 9 relating to validity to Environment Clearance (EC) shall be re-numbered as paragraph (i) thereof;

(ii) in paragraph (i) as so numbered,-

(a) for, the words “and five years in the case of all other projects and activities”, the words “and seven years in the case of all other projects and activities” shall be substituted;

(b) for the portion beginning with the words “However, in the case of Area Development projects and Townships” and ending with the words “consult the Expert Appraisal Committee or State Level Expert Appraisal Committee as the case may be.” The following shall be substituted, namely:-

“(ii) In the case of Area Development projects and Townships [item 8 (b), the validity period shall be limited only to such activities as may be the responsibility of the applicant as a developer:

Provided that this period of validity may be extended by the regulatory authority concerned by a maximum period of seven years if an application is made to the regulatory authority by the applicant within the validity period, together with an updated Form I, and Supplementary Form IA, for Construction projects or activities (item 8 of the Schedule):

Provided further that the regulatory authority may also consult the Expert Appraisal Committee or State Level Expert Appraisal Committee, as the case may be, for grant of such extension.

(iii) Where the application for extension under sub-paragraph (ii) has been filed-

(a) within one month after the validity period of EC, such cases shall be referred to concerned Expert Appraisal Committee (EAC) or State Level Expert Appraisal committee (SEAC) and based on their recommendations, the delay shall be condoned at the level of the Joint Secretary in the Ministry of Environment, Forest and Climate Change or Member Secretary, SEIAA, as the case may be;

(b) more than one month after the validity period of EC but less than three months after such validity period, then, based on the recommendations of the EAC or the SEAC, the delay shall be condoned with the approval of the Minister in charge of Environment Forest and Climate Change or Chairman, as the case may be:

Provided that no condonation for delay shall be granted for any application for extension filed 90 days after the validity period of EC.”

[F. No. J-11013/12/2013-IA-II (I) (part)]

MANOJ KUMAR SINGH, Jt. Secy.

Note: The principal rules were published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section(ii) *vide* notification number S.O. 1533(E), dated the 14th September, 2006 and amended *vide* S.O.1737(E) dated the 11th October, 2007, S.O. 3067(E) dated the 1st December, 2009, S.O. 695(E) dated the 4th April, 2011, S.O.2896(E) dated the 13th December, 2012 , S.O.674(E) dated the 13th March, 2013, S.O. 2559(E) dated the 22nd August, 2013, S.O. 2731(E) dated the 9th September, 2013, S.O. 562(E) dated the 26th February, 2014 , S.O. 637(E) dated the 28th February, 2014, S.O. 1599(E) dated the 25th June, 2014, S.O. 2601 (E) dated 7th October, 2014 and S.O. 3252(E) dated 22nd December, 2014.



MSP SPONGE IRON LIMITED

(An ISO 9001 : 2008, 14001 : 2004 OHSAS 18001 : 2007 Certified Company)

Corporate Office : 16/S, Block - A, New Alipore, Kolkata - 700 053, Ph. : +91-33-4005 7777, 4014 5678

Fax : +91-33-4005 7799, 2398 2239, Email : contactus@mspsteel.com, Web : www.mspsteel.com

CIN No. : U27102WB1999PLC114830

Date : 20.09.2019

To
The Director (IA),
 Ministry of Environment Forest and Climate Change,
 2nd Floor, Vayu Wing,
 Indira Parayavaran Bhawan,
 Jor Bagh Road, Aliganj, New Delhi-110003
 Email : ak.agrawal70@gov.in

Subject: Application for Modernization of Integrated Steel project of M/s. MSP Sponge Iron Ltd, At: Haladiaguna, Dist-Keonjhar, Odisha, under 7(ii) of EIA Notification, 2016 seeking amendment of EC and extension of validity of EC dated 10.10.2012 for 3 years.

Respected Sir,

M/s MSP Sponge Iron Ltd, At: Haladiaguna, was granted EC vide letter bearing F.No. J-11011/116/2011-IA-II (I) dated 10th October.2012, for Integrated Steel expansion project for production capacity of 0.2MTPA Pig iron, 0.264 MTPA billet with 0.042 MTPA hot rolled products through Iron Ore Beneficiation and Pelletization, Sinter, Coal Washery, MBF, DRI and IF route with 20 MW CPP (12 MW- AFBC & 8 MW - WHRB) proposed over an area of 160.93 Acres with project cost of Rs. 623.41 crs.

After obtaining EC on 10.10.2012, we could acquire 60.93 Acres land in addition to our pre-existing land of 13.84 Acres and thereby total land in possession became 74.77 Acres. As it could not be possible to acquire remaining 86.16 Acres land, we could implement and commission partial expansion approved as PH - I under the EC.

Considering the surplus / unutilized land area in our possession now we hereby propose to restructure the plant facilities by increasing the capacity of some plant facilities and by dropping some plant facilities without causing any addition to pollution load, water requirement etc. satisfying the norms under 7(ii) of EIA Notification, 2016.

For the sake of better understanding details of project restructuring proposed with reduction / drop in plant facilities are represented in the table below :

Contd...../2

S.N	Pre-existing capacity before EC dtd. 10.10.2012	Expansion Approved		Changes in EC proposed	Ultimate capacity proposed in EC
		Units setup & commissioned under PH - I of EC dt.10.10.2012	Unimplemented project approved as PH - II in EC		
1.	Coal Benefication / washery	Nil	600000 (throughput) 2 x 75 TPH	To be dropped	Nil
2.	Coal Gasification	1x864m ³ /hr and 8x2,850m ³ /hr	Nil	No change	23,664m ³ /hr.
3.	Iron Ore Benefication	10,00,000 TPA	Nil	No change	8,50,000 TPA
4.	Iron Ore Pellet Plant	1x6,00,000 TPA	6,00,000 TPA	Capacity of running 1x6,00,000 TPA to be increased to 1x8,50,000 TPA & 2 nd 1x600000 TPA to be dropped	8,50,000 TPA
5.	DRI Kilns	2x50 TPD, 2x40 TPD	1,05,000 (1x350 TPD)	Kiln size to be changed to 4 x 75 TPD & 1x500 TPD to be installed in place of 1x350 TPD	2,80,000 TPA
6.	Sinter Plant	Nil	4,16,000 (1x36M ²)	To be dropped	Nil
7.	M B F	Nil	2,00,000 (1x250M ³ with 30 TPH PCM)	To be dropped	Nil
8.	I F with CCM	3 x 5 T	2,13,600 (4x15 T/Heat with 2 nos. Billet caster)	1x5 T out of 3x5T to be modified to 1x8T and remaining 4x15 T to be changed 3x10MT and 2x15 MT	2,83,140
9.	Rolling Mill	42,000 TPA	Nil	Installation of 40 TPH RM	2,60,000
10.	CPP WHRB - 8 MW AFBC - 12 MW	Nil	12 CFBC	WHRB to be increased to 18 MW (12+6) & CFBC to be reduced to 6 MW	24 MW

With proposed change there will be reduction in emission load, reduction in Raw material consumption and reduction in solid waste generation, so as to be considered under 7(ii) of EIA notification.

Therefore, we are enclosing herewith hard copies all documents which uploaded in the web portal of MoEF & CC for your kind consideration for proposed modernization of the project under 7(ii) of EIA notification.

Thanking you for kind consideration

Yours faithfully,
For MSP Sponge Iron Ltd.



P K Dey
Director

**CC to : The Regional Officer,
MoEF & CC, Govt. of India,
ER Office, A/3, Chandrasekharpur,
Bhubaneswar-751023, ODISHA.
E-Mail : roez.bsr-mef@nic.in**

----- for your kind information & necessary action please.

(a)Details of certified report on compliance of earlier environmental clearance condition	
(i)Certified Compliance By	Regional Office
(ii)Details of Regional Office of MoEFCC / Zonal Office of CPCB / SPCB / UTPCC from which certified report on	Bhubaneswar
(iii)Letter No.	MSP/01/2019-20
(iv)Status of Compliance	Compiled
(v)Certified report on compliance of earlier environmental clearance conditions (Including Monitoring Report)	Copy of Certified Compliance Report
(vi)Date of site visit	Jun 6 2019 12:00AM
(b)Details of Capacity Expansion	

S. No.	Product/Activity (Capacity/Area)	Quantity From	Quantity To	Total	Unit	Other Unit	Mode of Transport / Transmission of Product	Other Mode of Transport / Transmission of Product
(1.)	TMT, Rods, Structures	42000	218000	260000	Tons per Annum(TPA)		Road	
(2.)	Sponge Iron	54000	226000	280000	Tons per Annum(TPA)		Conveyor Belt	

(c)Details of Configuration					
S. No.	Plant / Equipment / Facility	Existing Configuration	Proposed Configuration	Final configuration after expansion	Remarks
(1.)	CPP - CFBC	12 MW	6 MW	6 MW	6 MW to be dropped
(2.)	Iron Ore Pellet	2 x 6,00,000 TPA	1 x 8,50,000 TPA	8,50,000 TPA	Capacity to be reduced by 3,50,000 TPA
(3.)	Coal Beneficiation	2 x 75 TPH	Nil	Nil	2x75 TPH to be dropped
(4.)	Iron Ore Beneficiation	10,00,000 TPA	Nil	10,00,000 TPA	Commissioned
(5.)	MBF	1 x 250 m2 , 30 TPH PCM	Nil	Nil	to be dropped
(6.)	IF with CCM	3x5 T + 4x15 T	1x8 T + 2x15 T + 3x10 T + 2x5 T	2x5 T + 1x8 T + 3x10 T + 2x15 T	1x5 T out of 3x5 T to be modified to 1x8 t and remaining 4x15 t to be changed to 3x10 T & 2x15 T
(7.)	Coal Gasification	1x864 m3/hr + 8x2,850 m3/hr	Nil	1x864 m3/hr + 8x2,850 m3/hr	
(8.)	DRi Kilns	2x40 +2x50 TPD	4x75 TPD + 1x500 TPD	4x75 TPD + 1x500 TPD	Modification of 50 TPD & 40 TPD DRI Kilns and Installation of new 500 TPD DRI Kilns
(9.)	Sinter Plant	1 x 36 m2	Nil	Nil	to be dropped
(10.)	Rolling Mill	1 x 42000 TPA	1 x 2,18,000 TPA	2,60,000 TPA	
(11.)	CPP-WHRB	8 MW	10 MW	18 MW	

Details of Consent to Operate		
9.1.	(i)Whether Consent to operate obtained ?	NA
	(ii)Copies of all Consent to operate obtained since inception	NA
	(iii)Date of Issue	15 Mar 2019
	(iv)Valid Upto	31 Mar 2020
	(v)File No.	2662/IND-I-CON-2503
	(vi)Application No.	2662/IND-I-CON-2503
	(vii)Copy of Consent to operate valid as on date	Copy of Consent to Operate

Project Cost:		
10.	(a)Total Cost of the Project at current price level (in Crores)	573.41
	(b) Funds Allocated for Environment Management (Capital) (in Crores)	24.28
	(c) Funds Allocated Towards CER (Corporate Environment Responsibility) (in Crores)	4.55
	(d) Funds Allocated for Environment Management Plan (EMP) (Recurring per Annum) (in Crores)	4.85

11.	Whether project attracts the General Condition specified in the Schedule of EIA Notification ?	No
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12.	Whether project attract the Specific Condition specified in the Schedule of EIA Notification ?	No
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Raw Material / Fuel Requirement:		
13.	(a)Proposed quantity of raw material/fuel	1587700
	(b)Existing quantity of raw material/fuel	N/A
	(c)Total quantity of raw material/fuel	1587700

13.1. Raw Material / Fuel Profile											
S. No.	Raw Material / Fuel	Quantity	Unit	Other Unit	Source (incase of Import. please specify country and Name of the port from which Raw Material / Fuel is received)	Mode of Transport	Other Mode of Transport	Distance of Source from Project Site (in Kilometres) (In case of import, distance	Type of Linkage	Other Type of Linkage	Uploaded Copy of Linkage

Your proposal is hereby returned due to the following:

- As there is appreciable change in the scope of the project, please furnish the details with justification for submitting the proposal for consideration under clause 7(ii).
- Implementation status of the existing Environmental Clearances.
- Validity extension if any, obtained for the existing ECs.
- Details of the earlier Public consultation conducted along with its proceedings.
- Summary of issues raised during the earlier Public Consultation and its implementation status.
- Certified compliance report of existing environmental clearances from the concerned Regional Office of the MoEF&CC.
- In case of non-compliances observed in the certified compliance report, closure report from Regional Office may be provided.
- Existing baseline conditions based on the periodic environmental monitoring program of increase in production.
- Proposed Modernization vis-à-vis with granted EC capacity along with percentage of increase of production.
- Technology details of the Units.
- Proposed plant lay out vis-à-vis with layout for which Environmental Clearance was granted.
- Proposed resources requirement (Land/raw materials/water/power) vis-à-vis with granted Environmental Clearance.
- Pollution load calculations (Air/Water/Solid & hazardous waste/traffic) vis-à-vis with granted Environmental Clearance.
- AAQ modelling predicting maximum Ground Level Concentration vis-à-vis with GLCmax for which Environmental Clearance was granted.
- Environmental Management Plan for the proposed Modernization along with budget provision for implementation.
- Risk assessment with mitigation measures if any, required for the proposed Modernization.
- Proposed Corporate Environment Responsibility activities for the additional investment proposed.

- Litigation if any, pending in any Court related to the project (or) activity.
- Details of show cause notices/direction if any, issued under Air Act, Water Act and Environment (Protection) Act, 1986 for the period of last three years.
- Total water requirement is 7435 KLD (Surface: 5435 and Ground: 2000) whereas permission is available for only 1580 KLD surface water and 327 KLD ground water. Water drawl permission for the remaining quantity shall be furnished.
- Possibility of using surface water in place of ground water shall be explored and details shall be furnished.

32.	Green Belt in Ha: (a)Uploaded Green Belt plan Copy of Green Belt Plan			
S. No.	Description	Existing	Proposed	Total
(1.)	Total Area of Green Belt	10.09	0	10.09
(2.)	Percentage of Total Project Area	33.3	0	33.3
(3.)	No. of Plants	19074	0	19074
(4.)	Funds Allocated	2193510	0	2193510
33.	Project Benefits			
S. No.	Type of Project Benefits	Details of Project Benefits		
(1.)	Environmental	Green belt development, RWH pond		
(2.)	Social	Employment generation, Infrastructure Development, Upliftment in Livelihood		
(3.)	Financial	Revenue Generation		

34. CRZ Specific Details : Not Applicable**35. Sector Specific Details : NOT APPLICABLE****35. Sector Specific Details For Industrial Projects - 1**

S. No.	Item	Details	
36.	Details of Court Cases: (a)Whether there is any Court Cases pending against the project and/or land in which the project is proposed to be set up ?	No	
37.	Details of Direction Issued under Environment (Protection) Act / Air (Prevention & Control of Pollution) Act / Water (Prevention & Control of Pollution) Act: (a)Whether any Direction issued under EPA Act/Air Act/Water Act ?	No	
38.	Details of EIA Consultant: (a)Have you hired Consultant for preparing document? (i)Accreditation No. (ii)Name of the EIA Consultant (iii)Address (iv)Mobile No. (v)Landline No. (vi)Email Id (vii)Category of Accreditation (viii)Sector of Accreditation (ix)Validity of Accreditation (x)Uploaded Certificate of Accreditation certified by QCI/NABET	Yes 7 Global tech Enviro Experts Pvt Ltd C-23, BJB Nagar , Bhubaneswar 9437033487 0674243685 globalexpert@rediffmail.com A Industrial Projects - 1 14 Nov 2019 Copy of Certificate of Accreditation	
39.	Documents to be Attached: (a)Uploaded Copy of EIA/EMP Report (b)Uploaded Copy of Risk Assessment Report (c)Uploaded Copy of Feasibility Report/ Detailed Project Report(DPR) /Detailed Engineering Report /Detailed Conceptual Plan /Approved Mining Plan (d)Uploaded Copy of Final Layout Plan (e)Uploaded Cover Letter (f)Uploaded Copy of documents in support of the competence/authority of the person making this application to make application on behalf of the User Agency (g)Uploaded Additional File (h)Uploaded Proposal Presentation (To be given in EAC meeting)	Copy of EIA/EMP Copy of Risk Assessment Copy of Feasibility Report/ Detailed Project Report(DPR) /Detailed Engineering Report /Detailed Conceptual Plan /Approved Mining Plan Copy of Final Layout Plan Copy of Cover Letter Copy of documents in support of the competence/authority of the person making this application to make application on behalf of the User Agency Copy of Additional File NA	
Essential Detail Sought:			
Sno.	EDS Letter	Remarks	Date of EDS
1.	Eds Raise Letter	May please see the attached document	15 Oct 2019
2.	NA	The correction have been made as per the instruction received	14 Jul 2020
3.	NA	It is to inform that instant proposal will not fall under clause 7(ii) of EIA, 2006 as the validity of the existing EC dated 10/10/2012 has already been expired on 9/10/2019. In view of this, PP may apply for fresh ToR under EIA, 2006 for the proposed modernization/expansion activity. Further, it is also informed that cover letter of September, 2019 is being uploaded on July, 2020 without making any reference to EDS raised on 15/10/2019. In addition to this, same proposal is being uploaded with different proposal nos which shall be avoided.	15 Jul 2020
4.	NA	The correction have been made as per the instruction received	14 Dec 2020
5.	NA	Your proposal is rejected due to the following: i. EC validity extension has not been applied as per the provisions of EIA Notification, 2006. i.e. within 90 days after the validity period of EC. As EC validity has already been expired, only implemented part of the project will have perpetual validity.	18 Dec 2020
6.	Eds Reply Letter	The correction have been made as per the instruction received	13 Jan 2021

7.	NA	May please see the MoM of EAC (Industry1) held during 26-28th August, 2020 wherein the similar proposal submitted by M/s. MSP Sponge Iron Limited was deliberated and EAC recommended to reject the proposal as the instant proposal does not qualify under para 7(ii) of EIA Notification, 2006.	15 Jan 2021
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Additional Detail Sought : NIL**Undertaking**

I hereby give undertaking that the data and information given in the application and enclosures are true to be best of my knowledge and belief. And I am aware that if any part of the data and information found to be false or misleading at any stage, the project will be rejected and clearance given, if any to the project will be revoked at our risk and cost. In addition to above, I hereby give undertaking that no activity/ construction/ expansion has since been taken up.

Name of Applicant Designation Name of Company (Applicant Name should not be given here) Address	Pradip Kumar Dey Director MSP SPONGE IRON Vill- Haldiaguna, PO-Gobardhan, Dist-Keonjhar
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-TRUE COPY-



MSP SPONGE IRON LIMITED

(An ISO 9001 : 2008, 14001 : 2004 OHSAS 18001 : 2007 Certified Company)
 Corporate Office : 16/S, Block -A, New Alipore, Kolkata - 700 053, Ph. : +91-33-4005 7777, 4014 5678
 Fax : +91-33-4005 7799, 2398 2239, Email : contactus@mbspsteel.com, Web : www.mbspsteel.com
 CIN No. : U27102WB1999PLC114830

ANNEXURE A/9
 [Colly]

Dt: 11.08.2020

To,
The Director (Impact Assessment Division).
Ministry of Environment, Forest & Climate Change,
Indira Paryavaran Bhawan, Jor Bagh Road, Aliganj,
New Delhi-110003, E-Mail: dirind-moefcc@gov.in

SUB: REQUEST FOR CONSIDERATION OF PROPOSAL FOR UPGRADATION AND MODERNIZATION OF EXISTING STEEL PLANT AT-HALDIAGUNA, DIST-KEONJHAR, ODISHA BY M/S MSP SPONGE IRON LTD. (PROPOSAL NO : IA/OR/IND/118760/2019).

Ref: (1) Your EDS dt 15.10.2019 & 15.07.2020
 (2) Our Compliance to EDS dt: 14.07.2020

Sir,

Inviting reference to the above, the applicant company hereby submits revised/modified proposal seeking approval of EC for modernization and upgradation in the existing Environmental Clearance granted vide Ir no J-11011/116/2011-IA-II dated 10.10.2012.

For proper appreciation of the proposal, we are submitting a project status as per existing EC with proposed amendment. The Environmental Management Plan is enclosed as **Annexure I**.

Modernization Configuration & capacities of MSP

Sl. No	Unit	Configurations & capacity as approved in existing EC	Units commissioned	Modernization/Modification proposed	Justification	Final configuration	Ultimate capacity in TPA	% increase/decrease over existing EC
1	Coal Gasification	23,664 m3/hr	Commissioned	Nil	—	-	23,664 m3/hr	No Change
2	Iron Ore Beneficiation	10,00,000 TPA	Commissioned	Nil	—	-	10,00,000	No Change
3	Iron Ore Pellet (Pellet)	2 x 6,00,000 TPA (12,00,000 TPA)	1 x 6,00,000 TPA commissioned	Capacity of running 1 x 6,00,000 TPA to be modernized to 1 x 8,50,000 TPA	Capacity of existing 6,00,000 TPA pellet will be increased to 8,50,000 (41.6%) by change in raw material mix and by process up-gradation/improvement. 2nd 6,00,000 TPA Unit is dropped.	1 x 8,50,000 TPA	8,50,000	29.17% Decrease
4	DRI Kilns (Sponge Iron)	2 x 50 TPD, 2 x 40 TPD & 1 x 350 TPD (1,59,000 TPA)	2 x 50 TPD 2 x 40 TPD	To be modernized to 4 x 75 TPD	By change in raw material mix for use of higher grade coal and greater campaign life would result in annual capacity increase to (by 40%)	4 x 75 TPD 1 x 350 TPD	2,22,600	22% Increase

5	IF with CCM (MS-Billet)	3 x 5T & 4 x 15T (2,64,000 TPA)	3 x 5T	3 x 5T Furnaces (IF) will be modernized to 3 x 8 T. Change in Configuration is proposed as 2 x 10 & 2 x 15 T (Total LM 2,64,000 TPA)	Furnace Configuration change is proposed without changing no. furnaces and annual EC approved capacity of 2,64,000 TPA (No. of Heats: 11/IF/Day for 325 Days Operation P.A)	3 x 8 T 2 x 10 T 2 x 15 T	2,64,000	No Change
6	Rolling Mill (Hot Rolled Product)	42,000 TPA	42,000 TPA	40 TPH	Hot rolling Capacity can be increased due to energy efficient high-speed CCM facilities to feed hot billet to Rolling Mill considering conversion loss @ 5%.	40 TPH	2,50,800	Value addition by converting Billets to Rolled product
7	CPP (Power)	CFBC 12 MW		CFBC 4MW	CFBC capacity will be reduced to 4 MW (by 66%) which will be possible by high FC Char recoverable for use of high FC Coal in DRI Kilns.	CFBC 4 MW	CFBC 4 MW	66% Decrease
		WHRB 8 MW		WHRB 14 MW	By upgradation of DRI process & Raw Material Mix, Kiln capacity, hot-gas/fume recovery will increase. Hence, capacity increase in WHRB will be 14 MW in place of earlier 8 MW.	WHRB 14 MW	WHRB 14 MW	75% Decrease in Reduction of thermal Pollution
	(TOTAL)	20 MW = CFBC 12 MW + WHRB 8 MW		18 MW = CFBC 4 MW + WHRB 14 MW		18 MW	18 MW	10% Decrease

Justification of proposal submitted under modernization & upgradation

The proposed project will be commissioned in the existing premises of 74.77 Acres with no additional land requirement, there will be substantial reduction in pollution load after modernization & upgradation in comparison to the pollution load proposed in the existing EC. Thus the proposal is environment friendly.

Pollution load reduction effect in present proposal

SL. NO	CRITERIA	POLLUTION LOAD		REDUCTION EFFECT	% OF REDUCTION
		AS PER EC 10.10.2012	IN PRESENT PROPOSAL		
1.	Land Usage (Acres)	160.93	74.77	86.16	53.5 %
2.	Import Material (TPA)	27,60,520	1476536	223884	41.9 %
3.	Make up Water Need (m ³ /Day)	7920	6823	1097	13.8 %
4.	Power Requirement	38.25	35.29	2.96	7.7 %
5.	Vehicular Traffic (per day)	1036	596	440	42.4 %
6.	Solid Waste Generation	5,42,240	3,79,956	1,62,290	30.0 %
7.	CFBC Capacity	12 MW	4 MW	8 MW	75%

- i) Capacity and efficiency increase proposed is primarily based on process upgradation due to change / improvement of raw material-mix, increase in operation hour / days in the existing Kilns and furnaces.
- ii) Product chain starting from Iron Ore Beneficiation to ultimate steel production of 2,60,000 TPA is already approved under the present EC, which could be possible due to modernization of production process.

A. Air Environment**Emissions for units prior to EC**

Sl.No	Unit	TSP in g/sec	SO2 in g/sec	NOx in g/sec
1	DRI Kilns	11.05	9.58	-
2	Pellet Plant	8.20	-	-
3	IFs	10.5	-	-
4	CFBC	3.05	1.05	4.3
	Total	32.8	10.63	4.3

Pollution Load in proposed Modernization in line with existing EC

Sl.No	Unit	TSP in g/sec	SO2 in g/sec	NOx in g/sec
1	DRI Kilns	15.47	12.53	-
2	Pellet Plant	5.80	-	-
3	IFs	10.5	-	-
4	CFBC	1.02	0.35	1.44
	Total	32.79	12.88	1.44

For modernization proposal:

Highest value of PM₁₀ = 3.00 µg/m³
 Highest value of PM 2.5 = 1.59 µg/m³
 Highest value of SO_x = 4.13 µg/m³
 Highest value of NO_x = 2.21 µg/m³

Change in emission in comparison to exist EC

Pollutants	Concentration for existing plant in g/sec	Concentration for modernization proposal in g/sec	Net increase/decrease in
PM10	32.8	32.79	- 9.00
SO _x	10.63	12.88	+ 2.25
NO _x	4.3	1.44	- 2.86

B. Water Environment

There will be reduction in fresh water draw by 1,097m³/day in modernization proposed i.e. 13.85%. Waste water treatment, recycle, reuse and zero discharge outside project boundary wall as proposed in EC will also be adhered to in expansion project.

It is very much clear from our proposal that we are not adding any additional pollution load to the environment rather decreasing pollution load as proposed earlier.

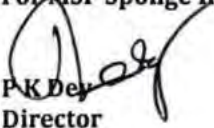
We hope your good office will appreciate our concern in reducing the pollution load and help us in approving the same.

We therefore request your good office to kindly grant us your consent to go ahead with the proposed scheme.

Looking forward for a positive response from your side,

Thanking you for your kind consideration,

Your's faithfully,
 For MSP Sponge Iron Ltd.,


 P.K. Dey
 Director

CC to: **Mr. Sunder Ramanathn, Scientist-D, (Industry-1)**
 MoEF & CC, Indira Paryavaran Bhawan (I.A. Divn),
 Jor Bagh Road, Aliganj, New Delhi - 110083
 E-Mail: r.sunder@nic.in

----- for your information please.

Ministry of Environment, Forest and Climate Change
Impact Assessment Division
(Industry-1 Sector)

Summary record of the twenty second (22nd) meeting of Re-Constituted Expert Appraisal Committee (REAC) held during 26-28th August, 2020 for environment appraisal of Industry-1 sector projects constituted under the provisions of Environment Impact Assessment (EIA) notification, 2006.

The twenty second meeting of the Expert Appraisal Committee (EAC) for Industry-1 Sector constituted as per the provisions of the EIA Notification, 2006 for Environment Appraisal of Industry-1 Sector Projects was held during 26-28th August, 2020 in the Ministry of Environment, Forest and Climate Change (MoEF&CC) through **video conferencing** in view of the ongoing Corona Virus Disease (Covid-19) issue. The list of EAC attendees is as follows.

S.No.	Name	Position	26/08/20	27/08/20	28/08/20
1.	Dr. Chhavi Nath Pandey	Chairman	Present	Present	Present
2.	Dr. Bipin Prakash Thapliyal, Director, CPPRI.	Member	Present	Present	Present
3.	Dr. Siddharth Singh, Scientist 'E' IMD.	Member	Present	Present	Present
4.	Dr. Jagdish Kishwan	Member	Present	Present	Present
5.	Dr. G.V. Subramanyam	Member	Present	Present	Present
6.	Dr. Tejaswini AnanthKumar	Member	Absent	Present	Present
7.	Shri. Ashok Upadhyaya	Member	Present	Present	Present
8.	Shri. Rajendra Prasad Sharma	Member	Present	Present	Present
9.	Dr. Sanjay Deshmukh	Member	Absent	Absent	Absent
10.	Prof. S.K. Singh	Member	Present	Present	Present
11.	Dr. R. Gopichandran	Member	Absent	Absent	Absent
12.	Shri Jagannadha Rao Avasarala	Member	Present	Present	Present
13.	Shri. J.S.Kamyotra	Member	Present	Present	Present
14.	Shri. A.K. Agrawal	Member Secretary	Present	Present	Present

After welcoming the Committee Members, discussion on each of the agenda items was taken up. The minutes of 21st meeting held during 30th July, 2020 to 1st August, 2020 were confirmed by the EAC as already uploaded on PARIVESH.

22.3.2 The Member Secretary requested the EAC to carry out the due-diligence based on the documents circulated by the PP even in absence of PP.

22.3.3 EAC noted that as the provisions of the EIA Notification, 2006 which states that “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”. In this regard, after deliberations, the EAC is of the considered view that participation of applicant in person or through an authorized representative is essential to facilitate the following:

- Conducting the meetings in a transparent manner.
- Getting consent of the PP while prescribing the conditions for which the proposal is considered by the EAC.
- Getting necessary clarifications pertaining to the technical queries/concerns of EAC which may emerged during the appraisal.
- The project proponent has requested to be allowed to present their project in the next EAC meeting. Therefore, appraising their documents in their absence would amount to rejecting their request which might go against the spirit of EIA Notification 2006 which desires that the EAC appraisal should be in transparent manner.

22.3.4 In view of the foregoing and deliberations, the Committee deferred the consideration of the proposal and recommended to consider the same in the next EAC meeting as requested by the project proponent.

22.4 Expansion of existing Mini Steel Plant (0.5 MTPA) into Integrated Steel Plant (0.264 MTPA) along with 20 MW Captive Power Plant (8 MW WHRB and 12 MW CFBC) **by M/s MSP Sponge Iron Limited** located at Village Haldiaguna, **District Keonjhar in Odisha** [Online Proposal No. IA/OR/IND/119663/2019; File No. J-11011/116/2011-IAII(I)] –**Environment Clearance under para 7(ii) of EIA, 2006 – regarding.**

22.4.1 M/s MSP Sponge Iron Limited has made an online application vide proposal no. IA/OR/IND/119663/2019 dated 11/08/2020 along with Form 2, pre-feasibility report and Addendum to the existing EIA report seeking Environment Clearance (EC) under para 7(ii) of the EIA Notification, 2006 for the project mentioned above. The proposed project activity is listed at Sl. No. 3(a) Metallurgical Industries (Ferrous and Non-ferrous) under Category “A” EIA Notification, 2006 and the project is appraised at the Central level.

Details submitted by the project proponent

22.4.2 The unit was accorded prior EC for 0.264 MTPA steel production vide letter No-J-11011/116/2011-IA.II(I) dated 10/10/2012 and no validity extension has been obtained from MoEF&CC beyond 9/10/2019. The implementation status of the same is furnished as below:

SL. NO	UNIT	CONFIGURATIONS & CAPACITY AS APPROVED IN EXISTING EC	IMPLEMENTATION STATUS
1	Coal Gasification	23,664 m ³ /hr	Implemented
2	Iron Ore Beneficiation	10,00,000 TPA	Implemented
3	Iron Ore Pellet	2 x 6,00,000 TPA	1 x 6,00,000 TPA Implemented

4	DRI Kilns	2 x 50 TPD, 2 x 40 TPD & 1 x 350 TPD	2 x 50 TPD 2 x 40 TPD Implemented
5	IF with CCM	3 x 5T & 4 x 15T	3 x 5T
6	Rolling Mill	42,000 TPA	42,000 TPA
7	CPP	CFBC 12 MW	Not Implemented
		WHRB 8 MW	
8	Sinter Plant	4,16,000 TPA	Dropped for non-availability of land
9	MBF	2, 00, 000 TPA	
10	Coal Beneficiation	6,00,000 TPA	

22.4.3 The present proposal of project proponent involves enhancement of production capacities of the following units under para 7(ii) of EIA, 2006.

Sl. No	Unit	Existing capacity	Modernization/ Modification proposed	Final configuration	Ultimate capacity in TPA
1	Coal Gasification	23,664 m ³ /hr	Nil	-	23,664 m ³ /hr
2	Iron Ore Beneficiation	10,00,000 TPA	Nil	-	10,00,000
3	Iron Ore Pellet plant	1 x 6,00,000 TPA	Capacity of running 1 x 6,00,000 TPA to be modernized to 1 x 8,50,000 TPA	1 x 8,50,000 TPA	8,50,000
4	DRI Kilns (Sponge Iron)	2 x 50 TPD, 2 x 40 TPD	To be modernized to 4 x 75 TPD and installation of 1x350 TPD	4 x 75 TPD 1 x 350 TPD	2,22,600
5	IF with CCM (MS-Billet)	3 x 5T & 4 x 15T (2,64,000 TPA)	3 x 5T Furnaces (IF) will be modernized to 3 x 8 T. Change in Configuration is proposed as 2 x 10 & 2 x 15 T (Total 2,64,000 TPA)	3 x 8 T 2 x 10 T 2 x 15 T	2,64,000
6	Rolling Mill (Hot Rolled Product)	42,000 TPA	40 TPH	40 TPH	2,50,800
7	CFBC Power	12 MW	Reduction by 8 MW	4 MW	4 MW
	WHRB Power	8 MW	Reduction of Waste Heat by implementation of 14 MW	14 MW	14 MW

Observations of the Committee

22.4.4 The Committee noted that the instant proposal does not qualify under para 7(ii) as the envisaged expansion is 300% more than the existing capacity.

Recommendations of the Committee

22.4.5 In view of the foregoing and after deliberations, the Committee recommended to reject the proposal as the instant proposal does not qualify under para 7(ii) of EIA Notification, 2006.

22.5 Proposed expansion of existing steel plant to Integrated Steel Plant through installation of 1800 TPD (3x600 TPD) DRI kilns along with Beneficiation Plant for Iron ore (1X0.6 MTPA), Pellet Plant (1x0.6 MTPA), Steel Melting Shop (2x25 T + 4x15 T Induction Furnaces) with matching LRF & CCM, Rolling Mill (0.35 MTPA), Ferro alloy Plant (4x16.5 MVA), Briquette plant for Chrome Ore (1x30 TPH), Oxygen plant (100 TPD) and 63 MW (38 MW WHRB based + 25 MW AFBC based) capacity Captive Power Plant **by M/s. Nilachal Iron and Power Limited** located at Ratanpur-Kandra Village, Gamharia Block, **District Saraikela-Kharsawan, Jharkhand** [Online Proposal No. IA/JH/IND/111776/2019; File No. J-11011/662/2008-IAII(I)] – **Prescribing of Terms of Reference (ToR) – regarding.**

22.5.1 **M/s. Nilachal Iron and Power Limited** has made application vide online proposal no. IA/JH/IND/111776/2019 dated 06/08/2020 along with the application in prescribed format (Form-I), copy of pre-feasibility report and proposed ToRs for undertaking detailed EIA study as per the EIA Notification, 2006 for the project mentioned above. The proposed project activity is listed at S. No. 3(a) Metallurgical industries (ferrous & non-ferrous) under Category “A” of the schedule of the EIA Notification, 2006 and appraised at Central Level.

Details submitted by the project proponent

22.5.2 M/s Nilachal Iron & Power Limited proposes an expansion of existing steel plant to Integrated Steel Plant through installation of 1800 TPD (3x600 TPD) DRI kilns along with Beneficiation Plant for Iron ore (1X0.6 MTPA), Pellet Plant (1x0.6 MTPA), Steel Melting Shop (2x25 T + 4x15 T Induction Furnaces) with matching LRF & CCM, Rolling Mill (0.35 MTPA), Ferro alloy Plant (4x16.5 MVA), Briquette plant for Chrome Ore (1x30 TPH), Oxygen plant (100 TPD) and 63 MW (38 MW WHRB based + 25 MW AFBC based) Captive Power Plant on the available land within the existing plant premises, comprising of total 24.63 hectares (60.87 acres) as well on the additional land of total 56.3 hectares (139.13 acres) adjoining the existing plant premises.

22.5.3 The overall project scenario is given as below

Unit	Existing Unit under Operation	Unit under Implementation	Proposed Units Capacity	Total Capacity and Products
Beneficiation Plant	-		6,00,000 TPA	(1x0.6 MTPA) 6,00,000 TPA Concentrated Iron Ore
Pelletization Plant	-		6,00,000 TPA (Module: 1x6,00,000 TPA)	(1x0.6 MTPA) 6,00,000 TPA Pellets



MSP SPONGE IRON LIMITED

(An ISO 9001 : 2008, 14001 : 2004 OHSAS 18001 : 2007 Certified Company)
 Corporate Office : 16/5, Block - A, New Alipore, Kolkata - 700 053, Ph. : +91-33-4005 7777, 4014 5678
 Fax : +91-33-4005 7799, 2398 2239, Email : contactus@mspsteel.com, Web : www.mspsteel.com
 CIN No. : U27102WB1999PLC114830

Date : 31.10.2020

To
The Director (IA),
 Ministry of Environment, Forest and Climate Change,
 2nd Floor, Vayu Wing,
 Indira Parayavaran Bhawan,
 Jor Bagh Road, Aliganj, New Delhi-110003
 Email : ak.agrawal70@gov.in

Sub: Extension of Validity of Environment Clearance of Pellet and DRI base mini steel unit at village Haldiaguna, Dist-Keonjhar, Odisha while dropping some approved projects.

- Ref:** 1) Our EC vide F.No-J-11011/116/2011-IA-II(I) dated 10.10.2012.
 2) Ministry's EDS dt.15.10.2019 & 15.07.2020 vide Proposal No. IA/OR/IND/ 118760/2019 dated 21.09.2019 & Proposal No. IA/OR/IND/119663/ 2019 dated 27.09.2019.
 3) Compliance to EDS vide our representation dated 14.07.2020.
 4) Summary of records of 22nd REAC Meeting held during 26-28th Aug'20.

Dear Sir,

Inviting your attention to our **combined proposal** submitted with regard to **modernization** including an **extension of validity** of the EC along with **change in configuration** causing increase in production capacity without any increase in pollution load as permissible by MoEF&CC and with reference to the **Summary of Record of 22nd REAC Meeting held during 26-28th Aug'20**, we beg to submit that, since, due to inadvertent omission in uploading application in Form - 6 separately on the part of our consultant, while initially submitting combined proposal on 27.09.2019, decision with regard to extension of EC validity could not be possible by the REAC and as a result of which our combined proposal of modernization submitted with EC re-validation was rejected.

While praying for condonation of the technical deficiency, we resubmit the application in **Form-6** accompanying requisite documents including the reasons for delay for your perusal and kind consideration limited to the matter of validity extension of the EC in respect of expansion of existing facilities of DRI & SMS and CPP and dropping a major part of the projects such as MBF, Sinter, Coal Washery, 2nd module of Pellet & CFBC.

Page 1 of 2

Merits for consideration of our proposal :

1. The proposal was initially submitted within schedule time i.e. on 27.09.2019 with expression of interest for extension of validity of the EC dated 10.10.2012.
2. Condonation of technical lapse by the Ministry would help the Promoter to avoid fresh TOR & EC formalities under the ongoing Covid-19 pandemic situation.
3. Revalidation of EC with retainable & feasible projects will enable the PP for proper use of vacant land already acquired for specified purpose & developed too.
4. Substantial part of the approved project is dropped, which will cause overall reduction in material (input & output) load as well as pollution load.
5. PP has established the project in conformity with Environmental norms in addition to the norms of Green Belt & CSR activity.
6. Change in configuration of DRI & IF proposed within EC approved capacity is more operation friendly in terms of controlled air pollution.
7. Projects proposed under EC revalidation are important for ensuring economic viability of the project.

In view of the appreciable features aforesaid, we most humbly and sincerely request your esteemed Ministry to reconsider our case by condoning our unintentional delay for compliance of inadvertent omission in submitting a particular considering our initial application submitted well within the time as per the norms of MoEF&CC. We shall be highly obliged for your kind consideration.

Thanking you,

Yours faithfully,
For **MSP Sponge Iron Ltd.**


R. K. Dey,
Director

F. No. J-11011/116/2011-IAII(I)
Government of India
Ministry of Environment, Forest and Climate Change
(Impact Assessment Division)

Indira Paryavaran Bhawan
Jor Bagh Road, Aliganj,
New Delhi – 110003

E-mail: dirind-moefcc@gov.in
Tel: 011-24695368

Dated: 9th November, 2020

To

Shri. Pradip Kumar Dey,
Director,
M/s. MSP Sponge Iron Limited,
Vill- Haldiaguna, PO-Gobardhan,
Dist-Keonjhar,,Kendujhar Sadar,
Kendujhar, Orissa-758013,
Email: mspkjrodisha.moef@mspsteel.com

Subject: Expansion of existing Mini Steel Plant (0.5 MTPA) into Integrated Steel Plant (0.264 MTPA) along with 20 MW Captive Power Plant (8 MW WHRB and 12 MW CFBC) by M/s MSP Sponge Iron Limited located at Village Haldiaguna, District Keonjhar in Odisha – Environment Clearance under para 7(ii) of EIA, 2006 – regarding.

Sir,

1. This refers to the application of M/s MSP Sponge Iron Limited made online vide proposal no. IA/OR/IND/119663/2019 dated 11/08/2020 along with Form 2, pre-feasibility report and Addendum to the existing EIA report seeking Environment Clearance (EC) under para 7(ii) of the EIA Notification, 2006 for the project mentioned above.
2. The proposal cited above was considered during the 22nd meeting of Reconstituted Expert Appraisal Committee [EAC] (Industry-I) held on 26th August – 28th August, 2020 wherein the Committee noted that the instant proposal does not qualify under para 7(ii) as the envisaged expansion is 300% more than the existing capacity. In view of the same, the Committee recommended to reject the proposal as the instant proposal does not qualify under para 7(ii) of EIA Notification, 2006.
3. Considering the above, the aforementioned proposal of M/s MSP Sponge Iron Limited is hereby **rejected** as the instant proposal does not qualify under para 7(ii) of EIA Notification, 2006.
4. This issues with the approval of the Competent Authority.

Yours faithfully,


(A.K. Agrawal)
Director



MSP SPONGE IRON LIMITED

(An ISO 9001 : 2008, 14001 : 2004 OHSAS 18001 : 2007 Certified Company)

Corporate Office : 16/S, Block - A, New Alipore, Kolkata - 700 053, Ph. : +91-33-4005 7777, 4014 5678

Fax : +91-33-4005 7799, 2398 2239, Email : contactus@mspsteel.com, Web : www.mspsteel.com

CIN No. : U27102WB1999PLC114830

Dt.10.12.2020

To
The Director (IA),
Ministry of Environment Forest and Climate Change,
2nd Floor, Vayu Wing,
Indira Parayavaran Bhawan,
Jor Bagh Road, Aliganj, New Delhi-110003
Email : ak.agrawal70@gov.in

Sub: Resubmission of modified report of compliance to your EDS dt.15.10.2019 (Proposal no. IA/OR/IND/118760/2019 & IA/OR/IND/119663/2019) with request for consideration of EC validity extension up to 09.10.2022.

Dear Sir,

Most humbly we hereby resubmit the compliance to your EDS dt.15.10.2019 with necessary changes /modification in the project details (Project Profile attached) along with Form-6 duly filled in, seeking extension of validity of Environmental Clearance vide F. No. J-110111/116/201-IA-II(I) dt.10.10.2020, which was inadvertently omitted by our consultant in their initial compliance.

SALIENT FEATURES OF MODIFIED PROPOSAL FOR CONSIDERATION OF HON'BLE MINISTRY.

1. The proposal is for consideration of extension of EC Validity up to 09.10.2022 along with dropping of BF, Sinter & Coal Washery projects and 50% reduction in Pellet & CFBC (CPP).
2. The proposal does not envisage any capacity addition except change in configuration of DRI Kilns and CPP & Induction Furnaces, which is proposed within the EC approved capacity for ensuring more eco-friendly operation and to restore viability of the project.
3. Change in configuration of DRI Kiln & IF and dropping of some major projects would reduce pollution load. We believe the Hon'ble Ministry would appreciate our proposal resubmitted with desired modifications.

Therefore, our humble prayer before the Ministry is for favorable consideration of our proposal for extension validity of EC up to 09.10.2022 excluding the projects dropped for want of land and configuration change.

Thanking you for your kind consideration.

Yours faithfully,
For MSP Sponge Iron Ltd.


P.K. Dey
Director

Encl: 1. Project Profile., 2. Form 6 with annexure seeking for revalidation of EC.
3. Bar Chart 4. Reason of Delay. 5. Project Report on Validity Extension of EC.



MSP SPONGE IRON LIMITED

(An ISO 9001 : 2008, 14001 : 2004 OHSAS 18001 : 2007 Certified Company)
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CIN No. : U27102WB1999PLC114830

ANNEXURE A/13

Dt.13.01.2021

To
The Director (IA),
Ministry of Environment Forest and Climate Change,
2nd Floor, Vayu Wing, Indira Parayavaran Bhawan,
Jor Bagh Road, Aliganj, New Delhi-110003
Email : ak.agrawal70@gov.in

Sub: Regarding your EDS Dt.18.12.2020 issued for compliance resubmitted with modification on 10.12.2020 in respect of proposal no. IA/OR/IND/118670/2019 dt.21.09.2020 with regard to EC validity extension of MSP Sponge Iron Ltd., Keonjhar, Odisha.

Ref: Our EC vide F No F.No. J-110111/116/201-IA-II(I) dt.10.10.2012.

Dear Sir,

MSP Sponge Iron Ltd. has submitted a modified report of compliance on 10.12.2020 to your earlier EDS 15.10.2019 in respect of proposal no. IA/OR/IND/118670/2019 dt.21.09.2020.

The EDS issued last on 18.12.2020 is cited below.

"Your proposal is rejected due to following. EC validity extension has not been applied as per the provisions of EIA Notification, 2006 i.e. within 90 days after the validity period of EC. As EC validity has already been expired, only implemented part of the project will have perpetual validity."

Sir, may we request your goodself to put a few lines whether configuration change proposed in existing 4 DRI Kilns with WHRB and configuration change in existing 3 Induction Furnaces are allowed or not.

Thanking you in anticipation of your kind consideration.

Yours faithfully,

For MSP Sponge Iron Ltd.


P.K. Dey
Director

-TRUE COPY-



MSP SPONGE IRON LIMITED

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CIN No. : U27102WB1999PLC114830

ANNEXURE A/14
[Colly]

Date : 22.01.2021

To
The Director (IA),
Ministry of Environment Forest and Climate Change,
2nd Floor, Vayu Wing, Indira Parayavaran Bhawan,
Jor Bagh Road, Aliganj, New Delhi-110003
Email : ak.agrawal70@gov.in

Sub : Modification of application requesting Extension of Validity of Environment Clearance of Pellet and DRI base mini steel unit at Village Haldiaguna, Dist : Keonjhar, Odisha while dropping some approved projects. (EC vide F.No. J-11011/116/2011-IA-II(I) dated 10.10.2012.)

Ref : 1) Ministry's EDS dtd. 15.10.2019 & 15.07.2020 vide Proposal No. IA/OR/IND/118760/ 2019 dated 21.09.2019 and 14.07.2020.

2) Your EDS dated 15.01.2021.

Respected Sir,

In compliance to your recent EDS dated 15.01.2021 modified application for EC validity extension is hereby submitted because our **combined proposal** submitted with regard to **modernization** including an **extension of validity** of the EC along with **change in configuration** & increase in production capacity without any increase in pollution load could not be considered favourably for some technical reason.

While praying for condonation of the technical deficiency, we resubmit the application in **Form-6** with necessary modification accompanying requisite documents furnished under Proposal No. IA/OR/IND/181251/2020 dated 02.11.2020 stating the reasons for delay for your perusal and kind consideration for validity extension of EC in respect of unimplemented project of Pellet, DRI, SMS & CPP excluding the dropped out projects such as MBF, Sinter, Coal Washery as shown in the table below.

Page 1 of 3

SL. NO	UNIT	CONFIGURATION & CAPACITY AS PER EC	PROJECT IMPLEMENTED & AS PER CTO	PROJECTS DROPPED FROM EC	PROJECTS FOR WHICH EC VALIDITY EXTENSION SOUGHT FOR	ULTIMATE CAPACITY IN TPA
1.	Iron Ore Beneficiation	10,00,000 TPA	10,00,000 TPA	---	---	10,00,000 TPA
2.	Rolling Mill (Hot Rolled Product)	42,000 TPA	2 Stand (42,000 TPA)	---	---	42,000
3.	Iron Ore Pellet (Pellet)	2 x 6,00,000 TPA	1 x 6,00,000 TPA		1 x 6,00,000 TPA	12,00,000 TPA
4.	DRI Kilns (Sponge Iron)	2 x 50 TPD, 2 x 40 TPD & 1 x 350 TPD (1,59,000 TPA)	2 x 50 TPD 2 x 40 TPD (54,000 TPA)	---	1x350 TPD (1,05,000 TPA)	1,59,000 TPA
5.	Induction Furnaces & CCM (MS-Billet)	3 x 5T & 4 x 15T (2,64,000 TPA)	3 x 5T (50,400 TAP)	---	4 x 15 T (2,13,000 TPA)	2,64,000 TPA
6.	CPP (Power)	20 MW (CFBC-12MW) + (WHRB 8 MW)	---	---	20 MW (CFBC-12MW) + (WHRB 8 MW)	20 MW

7.	Coal Gasification	23,664 m ³ /hr	6 x 2850 M ³ / Hr.	2 x 2850 M ³ / Hr	6 x 2850 M ³ / Hr.	17,100 M ³ / Hr
8.	Sinter Plant	4,16,000 TPA	---	4,16,000 TPA	Dropped for Want of land	--
9.	MBF	2,00,000 TPA	---	2,00,000 TPA		--
10.	Coal Beneficiation	6,00,000 TPA	---	6,00,000 TPA		--

Merits for consideration of our proposal :

- 1) The proposal was initially submitted within schedule time i.e. on 27.09.2019 with expression of interest for extension of validity of the EC dated 10.10.2012.
- 2) Condonation of technical lapse by the Ministry would help the Promoter to avoid fresh TOR & EC formalities under the ongoing Covid-19 pandemic situation.
- 3) Revalidation of EC with feasible projects will enable the PP for proper use of vacant land already acquired for specified purpose.
- 4) Substantial part of the approved project is dropped, which will result overall reduction in material (input & output) load as well as pollution load.
- 5) PP has established the project in conformity with Environmental norms in addition to the norms of Green Belt & CSR activity.
- 6) Projects proposed under EC revalidation are important for ensuring economic viability of the project and would also enable us to fulfill employment commitment to land losers.

In view of the appreciable features aforesaid, we most humbly and sincerely request your esteemed Ministry to reconsider our case by condoning our unintentional delay for compliance of inadvertent omission in submitting a particular considering our initial application submitted well within the time as per the norms of MoEF&CC. We shall be highly obliged for your kind consideration.

Thanking you

Yours faithfully,

For MSP Sponge Iron Ltd.


P K Dey - Director

F-99-6

APPLICATION FOR EXTENSION OF VALIDITY OF ENVIRONMENTAL CLEARANCE

(To be filled up by User Agency)

1. Details of Project

- Proposal No. : IA/OR/IND/181251/2020
 (a) Name of the project : MSP SPONGE IRON LTD.
 (b) Name of Company / Organisation. : MSP SPONGE IRON
 (c) Registered Address. : Vill- Haldiaguna, PO-Gobardhan, Dist-Keonjhar
 (d) Legal Status of the Company. : Private
 (e) Joint Venture (Yes/No) : No

2. Address for the Correspondence

- (a) Name of Applicant. : Pradip
 (b) Designation (Owner/Partner/CEO) : Director
 (c) Address :- Vill- Haldiaguna, PO-Gobardhan, Dist-Keonjhar
 State : Orissa
 District : Kendujhar
 Town / Village : No
 (d) Pin Code : 758013
 (e) Email : mspkjrodisha.moef@mspsteel.com
 (f) Telephone no : 250535
 (g) Fax no : No
 (h) Mobile no : 9748792080
 (i) Contact Person. : Pradip
 (j) Website (if any) : No


3. Category of the Project/Activity as per Schedule of EIA Notification,2006

- (a). Major Activity. : 3(a) Metallurgical industries (ferrous & non ferrous)
 Minor Activity : 3(a) Metallurgical industries (ferrous & non ferrous)
 Major Sub Activity. : No
 Minor Sub Activity : No
 (b). Category : A
 Reason for applicant at central level/state level(in case of B1 and B2 projects): No

4. Location of Project

- (a) Plot No/Survey No/Khasra No : Haldiaguna Mouza:
 337,322,323,338,339,340,341,335,336,324,330,331,342,367,236,235,304,326,327,295,306/623,248,236/659,240/628,239,247,240,244,299,300,236/646,236/647,294,298,304/629,305,335/653,331
 Balisuan Mouza 3, 4/913, 3/907 IDCO Leased Out Land:
 3,297,348(P),234,268,275,270,274,283,288,365,262,269,276,279,281,263,343,231,255,301,318,366,212,233,251,253,307,345,356(P),312,317,386,388,390,410,249,250,293,344,252,306,267,271,27
 347(P) 232 209 246 245 229 328 329 264 265 266 313 314 387 389 391 409 319 Govt. Alienation: 408,334,308,303,290,289,286,284,273,272,261,257,256,243,242,241,238,237,321/662,320
 (b) Village : Haldiaguna
 (c) Tehsil : Kendujhar Sadar
 (d) District : Kendujhar
 (e) State : Orissa
 (f) Pin Code : 758013
 (g) Bounded Latitudes (North) : Yes
 From : Degree:21, Minutes : 46, Second :07.06
 To : Degree:21, Minutes : 45, Second :36.51
 (h) Bounded Longitudes (East) : Yes
 From : Degree:85, Minutes : 34, Second :34.46
 To : Degree:85, Minutes : 34, Second :56.12
 (i) Survey of India Topo Sheet No : 73G/9

5. Details of Environment Clearance

- (a) Project Name : MSP SPONGE IRON LTD.
 (b) MoEF&CC / SEIAA File No : J 11011 116 2011 IA II I
 (c) Date of issue of EC : 10/10/2012
 (d) Uploaded EC letter (PDF Only): 

6. Details of Consent to Establishment

- (i) Whether Consent to operate Establishment obtained (Yes/No) ? : Yes

(ii) Uploaded copies of Consent to establishment: 


100

(iii) Date of issue : 27/03/2020

(iv) Valid Upto: 31/03/2021

(v) File No : 3984

(vi) Application No : 2897120

(vii) Uploaded copy of Consent to operate valid as on Date: **7 Whether amendment is environmental clearance is also sought for :-**

Amendment in Configuration/ Amendments in Clearance condition/ Other (specify) : Configuration

8 Details of Production (as per the approved EC):-


Details of Products				
S.no	Product / Activity (Capacity/ Area).	Quantity	Unit	Mode of Transport/ Transmission of Product
1	IRON ORE BENEFICIATION	1000000	TPA	CAPTIVE CONSUMPTION
2	COAL GASIFICATION	23664	M3/HR	NOT APPLICABLE
3	DRI KILNS	159000	TPA	TRUCK
4	CPP	20	MW	THROUGH CABLE
5	ROLLING MILL	42000	TPA	TRUCK
6	COAL BENEFICIATION	600000	TPA	NOT APPLICABLE
7	SINTER PLANT	416000	TPA	NOT APPLICABLE
8	IRON ORE PELLET	1200000	TPA	TRUCK / RAIL
9	IF WITH CCM	264000	TPA	CAPTIVE CONSUMPTION
10	MINI BLAST FURNACE	200000	TPA	NOT APPLICABLE

9 Details of amendment in Configuration sought(Multiple Entries Allows):-

Details of Configurations					
S.no	Plant/ Equipment/ Facility	Existing Configuration	Proposed Configuration	Final configuration after amendment	Remarks if Any
1	DRI KILN (Sponge Iron)	2 x 50 & 2 x 40 TPD	2 x 100 TPD and 1 x 200 TPD	2 x 100 TPD & 1 x 200 TPD	For better and effective control/reduction of pollution load, Kilns configuration is proposed as 2 x
2	IF With CCM (MS Billet)	3 x 5 t	3 x 8T, 2 x 10T & 2 x 15 T	3 x 8T, 2 x 10T & 2 x 15 T	Furnace configuration change is proposed as 3 x 8T in place of 3 x 5T and 2 x 10T & 2 x 15 T inst
3	CPP (Power)	NIL	WHRB - 8 MW & CFBC - 2 MW	WHRB - 8 MW & CFBC - 2 MW	For upgradation of DRI process & Kiln capacity, hot-gas/ fume recovery will go up substantially. Henc

10 Any other amendment required:-

Any Other Amendment Required				
S.no	Reference of Approved EC	Description as per Approved EC	Description as per Proposal.	Remarks
1	Sinter Plant	4,16,000 TPA	Dropped	Dropped due to want of Land.
2	Iron Ore Pellet Plant	2 x 6,00,000 TPA	1 x 6,00,000 Dropped	To minimize the Project Cost.
3	Mini Blast Furnace	2,00,000 TPA	Dropped	Dropped due to want of land.
4	Coal Beneficiation Plant	6,00,000 TPA	Dropped	Dropped due to want of land.
5	CPP (Power)	WHRB - 8 MW & CFBC - 12 MW	WHRB - 8 MW & CFBC - 2 MW	WHRB + CFBC is in priority. Coal base power droppe

11 Reason for Seeking Extension of Validity of the Environmental Clearance:-Uploaded substantiating the reason of the delay in implementation (PDF Only): **12 Progress of Implementation of the Project /Facilities /Activities:-**

Progress of implementation of the project /facilities /activity for which environmental clearance was granted (Physical Progress) : I. Fully Implemented - Iron Ore Beneficiation and Rolling Mill II. Partially Implemented - DRI SMS a







13 Schedule of the Completion of the Balance Activity / Project:-Uploaded bar chart of schedule of implementation: **14 Details of EIA Consultant**

Have you hired Consultant for preparing document (Yes/No) ? : No

(i)Reason for not engaging the Consultant : Since the proposal doe not require any EIA/Emp, the Management opted to complete the application of its own.

101

15. Documents to be attached

- (a) Uploaded addendum to EIA/EMP Report (in case of amendment in environmental clearance also sought): 
- (b) Uploaded Copy of revised -Feasibility Report /Detailed Project Report (DPR) / Detailed Engineering Report / Detailed Conceptual Plan / Approved Mining Plan (in case of mining proposals)(in case of amendment in environmental clearance also sought): 
- (c) Upload Copy of final Layout Plan (in case of amendment in environmental clearance also sought): 
- (d)Uploaded Cover Letter duly signed by the project proponent or authorized person: 
- (e)Uploaded a copy of authorization duly signed by the project proponent in support of the person making this application on behalf of the User Agency: 
- (f)Uploaded Additional File, If any: 

Essential Details Sought

Essential Details Sought			
S.no.	EDS Sought Date	EDS Sought	Letter
1.	10/11/2020	Proposal is returned due to the following: EC accorded on 10/10/2012. Request for validity extension has been submitted after the expiry of the validity period of the EC i.e., 09/10/2019, even after the condonation period of 90 days. It is requested to initiate the process de-novo.	

Additional Detail Sought: NIL

16. Undertaking

(a): I hereby give undertaking that the data and information given in the application and enclosures are true to be best of my knowledge and belief and I am aware that if any part of the data and information found to be false or misleading at any stage, The project will be rejected and clearance given, If any to the project will be revoked at our risk and cost. In addition to above, I hereby give undertaking that no activity / construction / expansion has since been taken up.

(b)Name : Pradip Kumar Dey

(c)Designation: Director

(d)Company: MSP SPONGE IRON

(e)Address: Vill- Haldiaguna, PO-Gobardhan, Dist-Keonjhar

EC APPLICATION PROPOSAL NO. IA/OR/IND/181251/2020

Sno.	Proposal No.	Essential Details Sought by MS	Copy of Essential Details Sought letter	Sought on (Date)
1	IA/OR/IND/181251/2020	Proposal is for EC validity extension		04/11/2020
2	IA/OR/IND/181251/2020	Proposal is returned due to the following: EC accorded on 10/10/2012. Request for validity extension has been submitted after the expiry of the validity period of the EC i.e., 09/10/2019, even after the condonation period of 90 days. It is requested to initiate the process de-novo.		10/11/2020
3	IA/OR/IND/181251/2020	The correction have been made as per the instruction received		22/01/2021



MSP SPONGE IRON LIMITED

(An ISO 9001 : 2008, 14001 : 2004 OHSAS 18001 : 2007 Certified Company)

Corporate Office : 16/S, Block - A, New Alipore, Kolkata - 700 053, Ph. : +91-33-4005 7777, 4014 5678

Fax : +91-33-4005 7799, 2398 2239, Email : contactus@mspsteel.com, Web : www.mspsteel.com

CIN No. : U27102WB1999PLC114830

Date : 05.02.2021

To

Dr. Chabbi Nath Pandey, IFS (Retired),
(Former PCCF & HoFF, Gujrat)
Chairman, Reconstituted Expert Appraisal Committee,
Industry - I, Sector, Email : cnpandey@iitgn.ac.in

Ref : Prop. No. **IA/OR/IND/181251/2020** , Item No. **30.8**. 30th REAC VC Meeting Industry - 1 on 10.02.2021,
(EC vide F. No. J-11011/116/2011-IA-II(I) dtd. 10.10.2012.)

Sub : Submission of Brief Write-up and information particulars pertaining to Extension of Validity of Environment Clearance issued for expansion of 0.264 MTPA Steel & 20 MW CPP project of MSP Sponge Iron Ltd. located at village Haldiaguna, in the district of Keonjhar, Odisha for consideration b the 30th REAC meeting.

Respected Sir,

As directed in the notice for 30th REAC Meeting, IA Division, Industry - 1 Sector, issued by MoEF&CC vide Ministry's web communication dtd. 30th January,2021, the applicant company MSP Sponge Iron Ltd., hereby submit the soft copies of write-up on the Project for which extension of EC Validity is sought for along with relevant documents of the proposed project and other information particulars, in prescribed format for perusal of your goodself and other Members of the REAC including the Director, IA Division - Industry- 1, MoEF & CC with a sincere request for consideration of our EC validity extension proposal and oblige.

Thanking you,

Yours faithfully,

For MSP Sponge Iron Ltd.


P.K. Dey
Director

Encl : As stated above

Copy circulated through email

- (1) **The Director**
CPPRI . Email : bipin_thapliyal@yahoo.com
- (2) **The Director General of Meteorology,**
Indian Meteorological Deptt. (IMD)
Email : siddhartha.singh74@gmail.com
- (3) **Dr. Jagdish Kishwan,** IFS (Former ADG, MoEF&CC
Email : jkishwan@gmail.com
- (4) **Dr. Tejaswini Ananth Kumar**
Email : tejaswini.acf@gmail.com
- (5) **Dr. G. V. Subramanyam,**(Former Advisor, MoEF&CC)
Email : sv.godavarthi@gmail.com
- (6) **Shri Ashok Upadhyaya,**(Technology Expert-Env.
Email : ahuupadhy@rediffmail.com
- (7) **Shri Rajendra Prasad Sharma,**
Expert (Energy & Environment)
Email : rps3@hotmail.com
- (8) **Dr. Sanjay Deshmukh**
Former Vice Chancellor, University of Mumbai,
Email : docsvd@gmail.com
- (9) **Prof. S. K. Singh**
Prof. and Dean of Env. Engg.
Email : sksinghdce@gmail.com
- (10) **Dr. R. Gopichandran,**
Former Director, Vigyan Prasar, DST,
Email : r.gopichandran61@gmail.com
- (11) **Shri Jagannadha Rao Avasarala,** (Envn. Expert)
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MoEF & CC, IA Division, Industry - 1, Sector.

R E A S O N S F O R D E L A Y

Ref : Environment Clearance F. NO. J-110111/116/201-IA-II (I) Dated : 10TH October, 2012

- (1) The prime reason for delay in project is due to embargo on funding for new capex by our lending Bankers over past 3 years, though the unit is equipped with basic infrastructures, such water & HT power connectivity and land in part which could be acquired till 2012 end.
- (2) Owners of remaining land 86.16 Acres out of 160.93 Acres envisaged under approved project, being common and already provided with employment in our existing project, in past years, are reluctant to transfer their land any longer.
- (3) Part of the approved projects for which EC validity is sought for will be set up on existing land of 74.77 Acres.
- (4) In view of gradual improvement of Company's performance since last 3 years, we anticipate our bankers to be happy to extend necessary financial support for further expansion in next 2/ 3 years time and therefore, we submit this application seeking approval for grant of extension of validity for grant of EC dated 10.12.2012 as permissible under environmental law.

----- XXXXXXXX -----

- i. Project proponent was unable to explain the site settings of the project site inter-alia including Environment Clearance if any obtained for the Paradeep Industrial Area and the type of industries envisaged in the said area.
- ii. Iron Ore slurry shall be sourced through pipe line from Keonjhar area. However, no details made available regarding the beneficiation plant.
- iii. Beneficiation plant at Keonjhar and pipeline to Paradeep are not enumerated in the pre-feasibility report.
- iv. Village habitation is only 50 m away from plant boundary. No environmental safeguards are proposed for protecting the village habitation.

Recommendations of the Committee

- 30.7.14 In view of the foregoing observations at paragraph no. 30.7.13 and after deliberations, the committee recommended to return the proposal in present form.
- 30.8 Expansion of existing Mini Steel Plant (0.5 MTPA) into Integrated Steel Plant (0.264 MTPA) along with 20 MW Captive Power Plant (8 MW WHRB and 12 MW CFBC) by **M/s MSP Sponge Iron Limited** located at Village Haldiaguna, **District Keonjhar, Odisha**. [Online Proposal No. IA/OR/IND/181251/2020; File No. J-11011/116/2011 IA.II(I)] – **Extension of validity of Environmental Clearance** – regarding.
- 30.8.1 M/s MSP Sponge Iron Limited has made online application vide proposal no. IA/OR/IND/181251/2020 dated 22/01/2021 along with Form 6 and sought extension of validity of Environment Clearance accorded by the Ministry vide letter no. J-11011/116/2011 IA.II(I) dated 10/10/2012.

Details submitted by the project proponent

- 30.8.2 M/s MSP Sponge Iron Limited was granted Environment Clearance by the Ministry vide letter No. J-11011/116/2011 IA. II(I) dated 10/10/2012 for a project titled “Expansion of existing Mini Steel Plant (0.5 MTPA) into Integrated Steel Plant (0.264 MTPA) along with 20 MW Captive Power Plant (8 MW WHRB and 12 MW CFBC) at Village Haldiaguna, District Keonjhar in Odisha by M/s MSP Sponge Iron Limited.”
- 30.8.3 The project proponent submitted the following details w.r.t. extension of validity of EC dated 10/10/2021:

UNIT/ FACILITIES	PRE- EXISTING PROJECT BEFORE EC DT. 10.10.2012	EXPANSION PROJECTS APPROVED IN EC DT.10.10.2012	ULTIMATE ANNUAL CAPACITY AFTER EC	EXISTING CAPACITY AS PER CTO	PROJECTS FOR WHICH EC VALIDITY EXTENSION SOUGHT FOR
DRI	54,000 TPA (2x50 TPD &	1,05,000 TPA (1x350 TPD)	1,59,000 TPA	54,000 TPA (2x50 TPD &	1,05,000 TPA (1x350 TPD)

UNIT/ FACILITIES	PRE- EXISTING PROJECT BEFORE EC DT. 10.10.2012	EXPANSION PROJECTS APPROVED IN EC DT.10.10.2012	ULTIMATE ANNUAL CAPACITY AFTER EC	EXISTING CAPACITY AS PER CTO	PROJECTS FOR WHICH EC VALIDITY EXTENSION SOUGHT FOR
	2x40 TPD)			2x40 TPD)	
SMS & Continuous Casting	50,400 TPA (3 x 5 T/ Heat)	2,13,000 TPA (4 x 15 T/Heat)	2,64,000 TPA	50,400 TPA (3 x 5 T/ Heat)	2,13,000 TPA (4 x 15 T/Heat)
Rolling Mill	42,000 TPA	----	42,000 TPA	42,000 TPA	-----
Coal Gasification	1x864 M3/hr.	23,664 M ³ /hr (4x2850 M ³ /hr 4x2850 M ³ /hr)	17,100 M ³ /hr	17,100 M ³ /hr (6 x 2850 M ³ /hr)	17,100 M ³ /hr (6 x 2850 M ³ /hr)
Iron Ore Pellet	-----	12,00,000 TPA (2 x 6,00,000 TPA)	12,00,000 TPA	1 x 6,00,000 TPA	1 x 6,00,000 TPA
Iron Ore Beneficiation	-----	----	10,00,000	10,00,000	-----
Captive Power Plant	-----	20 MW (CFBC-12 MW + (WHRB-8 MW)	20 MW	-----	20 MW (CFBC 12 MW + WHRB 8 MW)
Coal Beneficiation	-----	6,00,000 TPA	6,00,000 TPA	-----	To be Dropped
Sinter Plant	-----	4,16,000 TPA	4,16,000 TPA	----	To be Dropped
Mini Blast Furnace	-----	2,00,000 TPA	2,00,000 TPA	-----	To be Dropped

30.8.4 The project proponent has submitted the following reasons for seeking validity extension of EC:

i. Regulatory hurdles under Mines and Mineral Law:

Entire expansion project as per EC could not be set up due to nationwide issues / irregularities relating to Coal and Iron Ore mines & minerals giving rise to multiple prohibitory / restrictive regulations since 2012. Acute scarcity of minerals resulted in high input cost for steel industries.

ii. Financial Hardship / Losses and gradual recovery:

Consequently, Company started incurring huge losses. From 2017, slowly it could recover from losses and now, under extension of EC Validity, specific approved projects on existing land are proposed so as to make the project economically viable.

iii. Unreasonable monetary and non-monetary demands of private land owners:

Land of 86.16 Acres required under second phase out of total approved area of 160.93 acres could not be procured due to demand of extremely high price and unreasonable non-monetary terms by the private land owners. PP is compelled to give up the plan for acquiring balance land. Therefore, three projects namely, Coal Washery, Sinter and MBF could not come up.

30.8.5 The implementation status of the EC dated 10/10/2012 is as follows:

S.N	Facilities	Units	As per EC dt. 10.10.2012	Implementation status as on 03.02.2021	Consent (CTE / CTO)
1.	10,00,000 TPA	Iron Ore Beneficiation	Iron Ore Beneficiation	Fully installed & commissioned.	10,00,000 TPA
2.	12,00,000 TPA (2x 6,00,000 TPA)	Iron Ore Pellet (Pellet)	Iron Ore Pellet	<ul style="list-style-type: none"> • 6,00,000 TPA installed & commissioned. • 2nd Module of 6,00,000 TPA to be installed upon extension of EC validity. 	6,00,000 TPA
3.	1,59,000 TPA (1 x 50 TPD 2 x 40 TPD & 1 x 350 TPD)	DRI Kilns (Sponge Iron)	DRI Kilns (Sponge Iron)	<ul style="list-style-type: none"> • 2x50 TPD & 2x40 kilns (54,000TPA) are operating since 2000 prior to EC. • 1 x 350 TPD to be installed upon extension of EC validity. 	54,00,000 TPA (1x 50 TPD & 1 x 40 TPD)
4.	2,64,000 TPA (3 x 5T & 4 x 15T)	IF with CCM (MS Billet)	IF with CCM (MS Billet)	<ul style="list-style-type: none"> • 3 x 5 MT / IF (50400 TPA) are operating since 2000 prior to EC. • 4 x 15 MT/IF (2,13,600 TPA) is to be set up upon grant of extension of EC validity. 	50,400 TPA (3 x 5 T)

S.N	Facilities	Units	As per EC dt. 10.10.2012	Implementation status as on 03.02.2021	Consent (CTE / CTO)
5.	42,000 TPA	Rolling Mill (Hot Rolled Products)	Rolling Mill (Hot Rolled Products)	Operating since 2000 prior to EC.	42,000 TPA
6.	23,664 M ³ /hr (1 x 864 M ³ /hr 8 x 2850 M ³ /hr)	Coal Gasification	Coal Gasification	6 x 2850 m ³ / hr Installed & in operation.	1 x 864 m ³ /hr 6 x 2850 m ³ /hr.
7.	20 MW (CFBC-12 MW WHRB - 8 MW)	C P P (Power)	C P P (Power)	20 MW CPP to be installed upon grant of Extension of Validity of EC.	N I L

30.8.6 It has been reported that there is no violation under EIA Notification, 2006/court case/show cause/direction related to the project under consideration.

30.8.7 The proposal was considered by the EAC (Industry 1) in its 30th meeting of the Re-constituted EAC (Industry-I) held on 10-11th February, 2021. The observations and recommendations of EAC is given as below:

Observations of the Committee

30.8.8 The Committee noted the following;

- i. EC was accorded on 10/10/2012. Request for validity extension has been submitted on 22/01/2021 after the expiry of the validity period of the EC i.e., 09/10/2019, even after the condonation period of 90 days as per the extant provisions prescribed in the EIA Notification, 2006. Further, as per the provisions of the said notification, no condonation for delay shall be considered for any application for extension filed beyond ninety days after the validity period of Environment Clearance.
- ii. The project proponent has not applied for EC validity extension on time.

Recommendations of the Committee

30.8.9 In view of the foregoing and after deliberations, the Committee recommended to reject the validity extension application of M/s. MSP Sponge Iron Limited submitted vide proposal no. IA/OR/IND/181251/2020.

11th February, 2021

30.9 Integrated Steel Plant for achieving 3.0 MTPA Crude Steel production [Coke Oven (HRT): 2× 0.5 MTPA, Sinter Plant: 2×105 m² (2.744 MTPA), Pellet Plant: 2.2 MTPA, Blast Furnace: 3 nos (1×1050 m³, 1×350 m³, 1×1700 m³); (3.0 MTPA), SMS: 4×60 T BOF, 4×T LRF, (2×5)+(2×4) Strand, Billet caster: (Pig Casting: 0.35 MTPA, Rebar Mill: 1.9 MTPA & Wire Rod Mill:0.5 MTPA), DI Pipe: 0.4 MTPA, Oxygen Plant(2nos): 1990 MTPA, Power Plant: 2× 60 MW, 1×40 MW, (3× 130 TPH CFBC, 4×75 TPH WHRB), Lime Plant: (1× 600 TPD)+ (1× 800 TPD) & Dolo Plant: 150 TPD] by M/s. **Electrosteel Steels Limited (ESL)** located

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No.J-11011/116/2011-IA.II(I)

ANNEXURE A/15

Government of India
Minister of Environment, Forest and Climate Change
Impact Assessment Division

Indira Paryavaran Bhavan,
Vayu Wing, 3rd Floor, Aliganj,
Jor Bagh Road, New Delhi-110003
03 Aug 2021

To,

M/s MSP SPONGE IRON
Vill-Haldiaguna, PO-Gobardhan, Dist-Keonjhar,
Kendujhar-758013
Orissa

Tel.No.06766-250535; Email:mospkjrodisha.moef@mbspsteel.com

Sir/Madam,

This has reference to the proposal submitted in the Ministry of Environment, Forest and Climate Change to prescribe the Terms of Reference (TOR) for undertaking detailed EIA study for the purpose of obtaining Environmental Clearance in accordance with the provisions of the EIA Notification, 2006. For this purpose, the proponent had submitted online information in the prescribed format (Form-1) along with a Pre-feasibility Report. The details of the proposal are given below:

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1. Proposal No.:

IA/OR/IND/220161/2021

2. Name of the Proposal:

Expansion of existing Iron Ore Beneficiation- 10,00,000 TPA throughput, Iron Ore Pellets- 6,00,00 TPA, Sponge Iron- 59,400 TPA, MS Billets- 49,500 TPA, Rolled Products- 42,000 TPA, Producer Gas Plant- 17,100 Nm³/hr, Pulverized Coal Ignition- 4.16 TPH & Slag Crusher- 1.25 TPH to Proposed final capacity of Beneficiation plant- 20,00,000 TPA throughput, Iron Ore Grinding- 15,00,000 TPA, Iron Ore Pellets- 18,00,000 TPA, Sponge Iron- 3,72,900 TPA, MS Billets (Induction Furnace & CCM)- 4,83,500 TPA, R

3. Category of the Proposal:

Industrial Projects - 1

4. Project/Activity applied for:

3(a) Metallurgical industries (ferrous & non ferrous)

5. Date of submission for TOR:

30 Jul 2021

In this regard, under the provisions of the EIA Notification 2006 as amended, the Standard TOR for the purpose of preparing environment impact assessment report and environment management plan for obtaining prior environment clearance is prescribed with public consultation as follows:

**STANDARD TERMS OF REFERENCE (TOR) FOR EIA/EMP REPORT FOR PROJECTS/
ACTIVITIES REQUIRING ENVIRONMENT CLEARANCE**

**3(a):STANDARD TERMS OF REFERENCE FOR CONDUCTING
ENVIRONMENT IMPACT ASSESSMENT STUDY FOR
METALLURGICAL INDUSTRIES (FERROUS & NON FERROUS)
PROJECTS AND INFORMATION TO BE INCLUDED IN EIA/EMP
REPORT**

A. STANDARD TERMS OF REFERENCE (TOR)

1) Executive Summary

2) Introduction

- i. Details of the EIA Consultant including NABET accreditation
- ii. Information about the project proponent
- iii. Importance and benefits of the project

3) Project Description

- i. Cost of project and time of completion.
- ii. Products with capacities for the proposed project.
- iii. If expansion project, details of existing products with capacities and whether adequate land is available for expansion, reference of earlier EC if any.
- iv. List of raw materials required and their source along with mode of transportation.
- v. Other chemicals and materials required with quantities and storage capacities
- vi. Details of Emission, effluents, hazardous waste generation and their management.
- vii. Requirement of water, power, with source of supply, status of approval, water balance diagram, man-power requirement (regular and contract)
- viii. Process description along with major equipments and machineries, process flow sheet (quantative) from raw material to products to be provided
- ix. Hazard identification and details of proposed safety systems.
- x. Expansion/modernization proposals:
 - a. Copy of all the Environmental Clearance(s) including Amendments thereto obtained for the project from MOEF/SEIAA shall be attached as an Annexure. A certified copy of the latest Monitoring Report of the Regional Office of the Ministry of Environment and Forests as per circular dated 30th May, 2012 on the status of compliance of conditions stipulated in all the existing environmental clearances including Amendments shall be provided. In addition, status of compliance of Consent to Operate for the ongoing Iexisting operation of the project from SPCB shall be attached with the EIA-EMP report.

**STANDARD TERMS OF REFERENCE (TOR) FOR EIA/EMP REPORT FOR
PROJECTS/ACTIVITIES REQUIRING ENVIRONMENT CLEARANCE**

- b. In case the existing project has not obtained environmental clearance, reasons for not taking EC under the provisions of the EIA Notification 1994 and/or EIA Notification 2006 shall be provided. Copies of Consent to Establish/No Objection Certificate and Consent to Operate (in case of units operating prior to EIA Notification 2006, CTE and CTO of FY 2005-2006) obtained from the SPCB shall be submitted. Further, compliance report to the conditions of consents from the SPCB shall be submitted.

4) Site Details

- i. Location of the project site covering village, Taluka/Tehsil, District and State, Justification for selecting the site, whether other sites were considered.
- ii. A toposheet of the study area of radius of 10km and site location on 1:50,000/1:25,000 scale on an A3/A2 sheet. (including all eco-sensitive areas and environmentally sensitive places)
- iii. Details w.r.t. option analysis for selection of site
- iv. Co-ordinates (lat-long) of all four corners of the site.
- v. Google map-Earth downloaded of the project site.
- vi. Layout maps indicating existing unit as well as proposed unit indicating storage area, plant area, greenbelt area, utilities etc. If located within an Industrial area/Estate/Complex, layout of Industrial Area indicating location of unit within the Industrial area/Estate.
- vii. Photographs of the proposed and existing (if applicable) plant site. If existing, show photographs of plantation/greenbelt, in particular.
- viii. Landuse break-up of total land of the project site (identified and acquired), government/private - agricultural, forest, wasteland, water bodies, settlements, etc shall be included. (not required for industrial area)
- ix. A list of major industries with name and type within study area (10km radius) shall be incorporated. Land use details of the study area
- x. Geological features and Geo-hydrological status of the study area shall be included.
- xi. Details of Drainage of the project upto 5km radius of study area. If the site is within 1 km radius of any major river, peak and lean season river discharge as well as flood occurrence frequency based on peak rainfall data of the past 30 years. Details of Flood Level of the project site and maximum Flood Level of the river shall also be provided. (mega green field projects)
- xii. Status of acquisition of land. If acquisition is not complete, stage of the acquisition process and expected time of complete possession of the land.
- xiii. R&R details in respect of land in line with state Government policy

5) Forest and wildlife related issues (if applicable):

- i. Permission and approval for the use of forest land (forestry clearance), if any, and recommendations of the State Forest Department. (if applicable)
- ii. Landuse map based on High resolution satellite imagery (GPS) of the proposed site delineating the forestland (in case of projects involving forest land more than 40 ha)

STANDARD TERMS OF REFERENCE (TOR) FOR EIA/EMP REPORT FOR PROJECTS/ACTIVITIES REQUIRING ENVIRONMENT CLEARANCE

- iii. Status of Application submitted for obtaining the stage I forestry clearance along with latest status shall be submitted.
- iv. The projects to be located within 10 km of the National Parks, Sanctuaries, Biosphere Reserves, Migratory Corridors of Wild Animals, the project proponent shall submit the map duly authenticated by Chief Wildlife Warden showing these features vis-à-vis the project location and the recommendations or comments of the Chief Wildlife Warden-thereon
- v. Wildlife Conservation Plan duly authenticated by the Chief Wildlife Warden of the State Government for conservation of Schedule I fauna, if any exists in the study area
- vi. Copy of application submitted for clearance under the Wildlife (Protection) Act, 1972, to the Standing Committee of the National Board for Wildlife

6) Environmental Status

- i. Determination of atmospheric inversion level at the project site and site-specific micro-meteorological data using temperature, relative humidity, hourly wind speed and direction and rainfall.
- ii. AAQ data (except monsoon) at 8 locations for PM10, PM2.5, SO2, NOX, CO and other parameters relevant to the project shall be collected. The monitoring stations shall be based CPCB guidelines and take into account the pre-dominant wind direction, population zone and sensitive receptors including reserved forests.
- iii. Raw data of all AAQ measurement for 12 weeks of all stations as per frequency given in the NAQQM Notification of Nov. 2009 along with - min., max., average and 98% values for each of the AAQ parameters from data of all AAQ stations should be provided as an annexure to the EIA Report.
- iv. Surface water quality of nearby River (100m upstream and downstream of discharge point) and other surface drains at eight locations as per CPCB/MoEF&CC guidelines.
- v. Whether the site falls near to polluted stretch of river identified by the CPCB/MoEF&CC, if yes give details.
- vi. Ground water monitoring at minimum at 8 locations shall be included.
- vii. Noise levels monitoring at 8 locations within the study area.
- viii. Soil Characteristic as per CPCB guidelines.
- ix. Traffic study of the area, type of vehicles, frequency of vehicles for transportation of materials, additional traffic due to proposed project, parking arrangement etc.
- x. Detailed description of flora and fauna (terrestrial and aquatic) existing in the study area shall be given with special reference to rare, endemic and endangered species. If Schedule-I fauna are found within the study area, a Wildlife Conservation Plan shall be prepared and furnished.
- xi. Socio-economic status of the study area.

**STANDARD TERMS OF REFERENCE (TOR) FOR EIA/EMP REPORT FOR
PROJECTS/ACTIVITIES REQUIRING ENVIRONMENT CLEARANCE**

7) Impact and Environment Management Plan

- i. Assessment of ground level concentration of pollutants from the stack emission based on site-specific meteorological features. In case the project is located on a hilly terrain, the AQIP Modelling shall be done using inputs of the specific terrain characteristics for determining the potential impacts of the project on the AAQ. Cumulative impact of all sources of emissions (including transportation) on the AAQ of the area shall be assessed. Details of the model used and the input data used for modelling shall also be provided. The air quality contours shall be plotted on a location map showing the location of project site, habitation nearby, sensitive receptors, if any.
- ii. Water Quality modelling - in case of discharge in water body
- iii. Impact of the transport of the raw materials and end products on the surrounding environment shall be assessed and provided. In this regard, options for transport of raw materials and finished products and wastes (large quantities) by rail or rail-cum road transport or conveyor-cum-rail transport shall be examined.
- iv. A note on treatment of wastewater from different plant operations, extent recycled and reused for different purposes shall be included. Complete scheme of effluent treatment. Characteristics of untreated and treated effluent to meet the prescribed standards of discharge under E(P) Rules.
- v. Details of stack emission and action plan for control of emissions to meet standards.
- vi. Measures for fugitive emission control
- vii. Details of hazardous waste generation and their storage, utilization and management. Copies of MOU regarding utilization of solid and hazardous waste in cement plant shall also be included. EMP shall include the concept of waste-minimization, recycle/reuse/recover techniques, Energy conservation, and natural resource conservation.
- viii. Proper utilization of fly ash shall be ensured as per Fly Ash Notification, 2009. A detailed plan of action shall be provided.
- ix. Action plan for the green belt development plan in 33 % area i.e. land with not less than 1,500 trees per ha. Giving details of species, width of plantation, planning schedule etc. shall be included. The green belt shall be around the project boundary and a scheme for greening of the roads used for the project shall also be incorporated.
- x. Action plan for rainwater harvesting measures at plant site shall be submitted to harvest rainwater from the roof tops and storm water drains to recharge the ground water and also to use for the various activities at the project site to conserve fresh water and reduce the water requirement from other sources.
- xi. Total capital cost and recurring cost/annum for environmental pollution control measures shall be included.
- xii. Action plan for post-project environmental monitoring shall be submitted.

STANDARD TERMS OF REFERENCE (TOR) FOR EIA/EMP REPORT FOR PROJECTS/ ACTIVITIES REQUIRING ENVIRONMENT CLEARANCE

- xiii. Onsite and Offsite Disaster (natural and Man-made) Preparedness and Emergency Management Plan including Risk Assessment and damage control. Disaster management plan should be linked with District Disaster Management Plan.

8) Occupational health

- i. Plan and fund allocation to ensure the occupational health & safety of all contract and casual workers
- ii. Details of exposure specific health status evaluation of worker. If the workers' health is being evaluated by pre designed format, chest x rays, Audiometry, Spirometry, Vision testing (Far & Near vision, colour vision and any other ocular defect) ECG, during pre placement and periodical examinations give the details of the same. Details regarding last month analyzed data of above mentioned parameters as per age, sex, duration of exposure and department wise.
- iii. Details of existing Occupational & Safety Hazards. What are the exposure levels of hazards and whether they are within Permissible Exposure level (PEL). If these are not within PEL, what measures the company has adopted to keep them within PEL so that health of the workers can be preserved,
- iv. Annual report of health status of workers with special reference to Occupational Health and Safety.

9) Corporate Environment Policy

- i. Does the company have a well laid down Environment Policy approved by its Board of Directors? If so, it may be detailed in the EIA report.
- ii. Does the Environment Policy prescribe for standard operating process / procedures to bring into focus any infringement / deviation / violation of the environmental or forest norms / conditions? If so, it may be detailed in the EIA.
- iii. What is the hierarchical system or Administrative order of the company to deal with the environmental issues and for ensuring compliance with the environmental clearance conditions? Details of this system may be given.
- iv. Does the company have 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? This reporting mechanism shall be detailed in the EIA report

- 10)** Details regarding infrastructure facilities such as sanitation, fuel, restroom etc. to be provided to the labour force during construction as well as to the casual workers including truck drivers during operation phase.

11) Enterprise Social Commitment (ESC)

- i. Adequate funds (at least 2.5 % of the project cost) shall be earmarked towards the Enterprise Social Commitment based on Public Hearing issues and item-wise details along with time

**STANDARD TERMS OF REFERENCE (TOR) FOR EIA/EMP REPORT FOR
PROJECTS/ACTIVITIES REQUIRING ENVIRONMENT CLEARANCE**

bound action plan shall be included. Socio-economic development activities need to be elaborated upon.

- 12) Any litigation pending against the project and/or any direction/order passed by any Court of Law against the project, if so, details thereof shall also be included. Has the unit received any notice under the Section 5 of Environment (Protection) Act, 1986 or relevant Sections of Air and Water Acts? If so, details thereof and compliance/ATR to the notice(s) and present status of the case.
- 13) 'A tabular chart with index for point wise compliance of above TOR.

B. SPECIFIC TERMS OF REFERENCE FOR EIA STUDIES FOR METALLURGICAL INDUSTRIES (FERROUS & NON FERROUS)

- 1) Complete process flow diagram describing each unit, its processes and operations, along with material and energy inputs & outputs (material and energy balance).
- 2) Details on blast furnace/ open hearth furnace/ basic oxygen furnace/ladle refining, casting and rolling plants etc.
- 3) Details on installation/activation of opacity meters with recording with proper calibration system
- 4) Details on toxic metals including mercury, arsenic and fluoride emissions
- 5) Details on stack height requirement for integrated steel
- 6) Details on ash disposal and management -Non-ferrous metal
- 7) Complete process flow diagram describing production of lead/zinc/copper/ aluminium, etc.
- 8) Raw materials substitution or elimination
- 9) Details on smelting, thermal refining, melting, slag fuming, and Waelz kiln operation
- 10) Details on Holding and de-gassing of molten metal from primary and secondary aluminum, materials pre-treatment, and from melting and smelting of secondary aluminium
- 11) Details on solvent recycling
- 12) Details on precious metals recovery
- 13) Details on composition, generation and utilization of waste/fuel gases from coke oven plant and their utilization.
- 14) Details on toxic metal content in the waste material and its composition and end use (particularly of slag).
- 15) Trace metals Mercury, arsenic and fluoride emissions in the raw material.
- 16) Trace metals in waste material especially slag.
- 17) Plan for trace metal recovery
- 18) Trace metals in water

**STANDARD TERMS OF REFERENCE (TOR) FOR EIA/EMP REPORT FOR PROJECTS/
ACTIVITIES REQUIRING ENVIRONMENT CLEARANCE**

C. ADDITIONAL TOR FOR INTEGRATED STEEL PLANT

- 1). Iron ore/coal linkage documents along with the status of environmental clearance of iron ore and coal mines
- 2). Quantum of production of coal and iron ore from coal & iron ore mines and the projects they cater to. Mode of transportation to the plant and its impact
- 3). For Large ISPs, a 3-D view i.e. DEM (Digital Elevation Model) for the area in 10 km radius from the proposal site. MRL details of project site and RL of nearby sources of water shall be indicated.
- 4). Recent land-use map based on satellite imagery. High-resolution satellite image data having 1m-5m spatial resolution like quickbird, Ikonos, IRS P-6 pan sharpened etc. for the 10 Km radius area from proposed site. The same shall be used for land used/land-cover mapping of the area.
- 5). Respirable Suspended particulate matter (RSPM) present in the ambient air must be analysed for source analysis - natural dust/RSPM generated from plant operations (trace elements). The RSPM shall also be analysed for presence of poly-aromatic hydrocarbons (PAH), i.e. Benzene soluble fraction, where applicable. Chemical characterization of RSPM and incorporating of RSPM data.
- 6). All stock piles will have to be on top of a stable liner to avoid leaching of materials to ground water.
- 7). Plan for the implementation of the recommendations made for the steel plants in the CREP guidelines.
- 8). Plan for slag utilization
- 9). Plan for utilization of energy in off gases (coke oven, blast furnace)
- 10). System of coke quenching adopted with justification.

F. No. J-11011/116/2011-IA.II(I)
Government of India
Ministry of Environment, Forest and Climate Change
(Impact Assessment Division)

Indira Paryavaran Bhawan
Jor Bagh Road, Aliganj,
New Delhi – 110003

E-mail: r.sundar@nic.in
Tel: 011-24695304
Dated: 16th November, 2021

To

Shri. Pradip Kumar Dey,
Director,
M/s. MSP Sponge Iron Limited,
Vill- Haldiaguna, PO-Gobardhan,
Dist-Keonjhar, Orissa – 758 013
Email: mspkirodisha.moef@mspsteel.com; Tel: +91 97487 92080

Subject: Expansion of existing Iron Ore Beneficiation- 10,00,000 TPA throughput, Iron Ore Pellets 6,00,000 TPA, Sponge Iron- 54,000 TPA, SMS- 50,400 TPA, Rolled Products- 42,000 TPA, Producer Gas Plant- 17,100 Nm³/hr, Pulverized Coal Ignition- 4.16 TPH & Slag Crusher- 1.25 TPH to Proposed final capacity of Beneficiation plant- 20,00,000 TPA throughput, Iron Ore Grinding- 15,00,000 TPA, Iron Ore Pellets- 18,00,000 TPA, Sponge Iron- 3,72,900 TPA, SMS4,34,000 TPA, Rolled Products- 4,10,000 TPA, CPP- 44 MW (30 MW WHRB & 14 MW AFBC), PGP Plant- 17,100 Nm³/hr; PCI Plant- 13.16 TPH & Slag Crushing Plant- 11.25 TPH by **M/s. MSP Sponge Iron Ltd.** located at Village- Haldiaguna, P.O- Gobardhan, Tehsil- Keonjhar Sadar, **District- Keonjhar, Odisha.** – **Amendment in Terms of Reference– regarding.**

Sir,

- This refers to the application of M/s. MSP Sponge Iron Limited made vide proposal no. IA/OR/IND/231821/2021 dated 10/10/2021 along with Form 3 and sought for amendment in standard Terms of Reference accorded by the Ministry vide letter no. No. J-11011/116/2011-IA.II(I) dated 03/08/2021.
- The proposal cited above was considered in 47th meeting of Reconstituted Expert Appraisal Committee (Industry 1 sector) held on 28-29th October, 2021. The EAC proceeding of the said meetings are furnished as below.

Details submitted by the project proponent

- M/s. MSP Sponge Iron Limited has been obtained standard Terms of Reference from MoEF&CC vide letter no J-11011/116/2011-IA.II(I) dated 03/08/2021 for the facilities given as below:
- The production capacity and configuration of the project as per ToR dated 03/08/2021:

S No	Facility	Existing		Proposed	
		Configuration	Capacity (TPA)	Configuration	Capacity (TPA)

ToR amendment for the project titled "Expansion of existing Iron Ore Beneficiation- 10,00,000 TPA throughput, Iron Ore Pellets 6,00,000 TPA, Sponge Iron- 54,000 TPA, SMS- 50,400 TPA, Rolled Products- 42,000 TPA, Producer Gas Plant- 17,100 Nm³/hr, Pulverized Coal Ignition- 4.16 TPH & Slag Crusher- 1.25 TPH to Proposed final capacity of Beneficiation plant- 20,00,000 TPA throughput, Iron Ore Grinding- 15,00,000 TPA, Iron Ore Pellets- 18,00,000 TPA, Sponge Iron- 3,72,900 TPA, SMS4,34,000 TPA, Rolled Products- 4,10,000 TPA, CPP- 44 MW (30 MW WHRB & 14 MW AFBC), PGP Plant- 17,100 Nm³/hr; PCI Plant- 13.16 TPH & Slag Crushing Plant- 11.25 TPH by M/s. MSP Sponge Iron Ltd. located at Village- Haldiaguna, P.O- Gobardhan, Tehsil- Keonjhar Sadar, District- Keonjhar, Odisha".

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S No	Facility	Existing		Proposed	
		Configuration	Capacity (TPA)	Configuration	Capacity (TPA)
1	Iron ore Beneficiation plant	1x1.0 MTPA	10,00,000	2x1.0 MTPA	20,00,000
2	Pellet plant	1x0.6 MTPA	6,00,000	1x0.6 MTPA + 1x1.2 MTPA	18,00,000
3	Sponge Iron	DRI: 2x50 TPD & 2x40 TPD	54,000	DRI 1x350 TPD, 1x600TPD & 2x50 TPD & 2x40 TPD	3,72,900
4	SMS	IF: 3x5 T	50,400	IF: 3x5T, 3x8T, 2x10T & 4x20T	4,83,500
5	Rolling Mill		42,000		4,10,000
6	Captive Power Plant	--	--	WHRB: 30 MW, AFBC: 14 MW	44 MW
7	Producer Gas Plant	17,100 Nm ³ /hr		17,100 Nm ³ /hr	
8	Pulverized Coal Ignition	4.16 TPH	--	13.16 TPH	--
9	Slag Crusher	1.25 TPH	--	11.25 TPH	--

5. No amendment has been proposed by project proponent in production capacity and configuration.

Reason for amendment sought:

6. The subject of the ToR has not reflected all the facilities for which ToR was accorded. Hence, proponent requested for amendment in the subject of the ToR.
7. During the meeting, project proponent submitted written submission on the following points: Project proponent has committed to replace the existing 4 no of DRI Kilns (2x40TPD and 2x50 TPD) with 1x200 TPD DRI Kiln on receipt of EC for the expansion project.

Observations of the Committee

8. The Committee noted the following:
- M/s. MSP Sponge Iron Limited has been obtained standard Terms of Reference from MoEF&CC vide letter no J-11011/116/2011-IA.II(I) dated 03/08/2021 and submitted application for seeking amendment in ToR subject as "Expansion of existing Iron Ore Beneficiation- 10,00,000 TPA throughput, Iron Ore Pellets 6,00,000 TPA, Sponge Iron- 54,000 TPA, SMS- 50,400 TPA, Rolled Products- 42,000 TPA, Producer Gas Plant- 17,100 Nm³/hr, Pulverized Coal Ignition- 4.16 TPH & Slag Crusher- 1.25 TPH to Proposed final capacity of Beneficiation plant- 20,00,000 TPA throughput, Iron Ore Grinding- 15,00,000 TPA, Iron Ore Pellets- 18,00,000 TPA, Sponge Iron- 3,72,900 TPA, SMS- 50,400 TPA, Rolled Products- 4,10,000 TPA, CPP- 44 MW (30 MW WHRB & 14 MW AFBC), PGP Plant- 17,100 Nm³/hr; PCI Plant- 13.16 TPH & Slag Crushing Plant- 11.25 TPH by M/s. MSP Sponge Iron Ltd. located at Village- Haldiaguna, P.O- Gobardhan, Tehsil- Keonjhar Sadar, District- Keonjhar, Odisha".

ToR amendment for the project titled "Expansion of existing Iron Ore Beneficiation- 10,00,000 TPA throughput, Iron Ore Pellets 6,00,000 TPA, Sponge Iron- 54,000 TPA, SMS- 50,400 TPA, Rolled Products- 42,000 TPA, Producer Gas Plant- 17,100 Nm³/hr, Pulverized Coal Ignition- 4.16 TPH & Slag Crusher- 1.25 TPH to Proposed final capacity of Beneficiation plant- 20,00,000 TPA throughput, Iron Ore Grinding- 15,00,000 TPA, Iron Ore Pellets- 18,00,000 TPA, Sponge Iron- 3,72,900 TPA, SMS- 50,400 TPA, Rolled Products- 4,10,000 TPA, CPP- 44 MW (30 MW WHRB & 14 MW AFBC), PGP Plant- 17,100 Nm³/hr; PCI Plant- 13.16 TPH & Slag Crushing Plant- 11.25 TPH by M/s. MSP Sponge Iron Ltd. located at Village- Haldiaguna, P.O- Gobardhan, Tehsil- Keonjhar Sadar, District- Keonjhar, Odisha".

- ii. The proponent has been proposed for ground water abstraction for proposed expansion project.

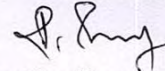
Recommendations of the Committee

9. In view of the foregoing and after deliberations, the Committee recommended for amendment of ToR dated 03/08/2021 as mentioned at para no. 8 above subject to stipulation of following additional specific ToRs:
- Project proponent shall submit a scheme for phasing out existing DRI Kilns of 2x40 TPD and 2x50 TPD with 1x200 TPD.
 - Action plan for gradual phasing out of ground water abstraction for the existing and proposed expansion project shall be submitted.

Decision of MoEF&CC

10. The Ministry of Environment, Forest and Climate Change (MoEF&CC) has considered the aforesaid proposal based on the recommendations of the Expert Appraisal Committee (Industry 1) and hereby decided to grant amendment in the ToR dated 03/08/2021 as mention in table given at the paragraph 8 above.
11. All other terms and conditions mentioned in the earlier TOR letter no. J-11011/116/2011-IA.II(I) dated 03/08/2021 shall remain unchanged.
12. The PP shall obtain fresh Terms of Reference in case of change in scope of the project if any.
13. This issues with the approval of the Competent Authority.

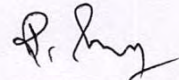
Yours faithfully,



(Sundar Ramanathan)
Scientist 'E'

Copy to: -

- Secretary, Department of Environment, Government of Odisha, Secretariat, Bhubaneswar.
- Chairman, Central Pollution Control Board, Parivesh Bhawan, CBD-cum-Office Complex, East Arjun Nagar, Delhi-110032.
- Regional Officer, Ministry of Environment, Forest and Climate Change, Integrated Regional Office, A/3, Chandrasekharpur, Bhubaneswar – 751023.
- Chairman, Odisha State Pollution Control Board, Parivesh Bhawan, A/118 Nilakantha Nagar, Unit-VIII, Bhubaneswar-751012.
- Chief Wildlife Warden, Govt. of Odisha, 5th Floor, BDA Apartments, Prakruti Bhawan, Nilakantha Nagar, Nayapalli, Bhubaneswar-751012
- Member Secretary, Central Ground Water Authority, A2, W3 Curzon Road Barracks, K.G. Marg, New Delhi-110001.
- District Collector, Keonjhar District, Odisha.
- Guard File/Record File/Monitoring File.
- MoEF&CC Website



(Sundar Ramanathan)
Scientist 'E'

ToR amendment for the project titled "Expansion of existing Iron Ore Beneficiation- 10,00,000 TPA throughput, Iron Ore Pellets 6,00,000 TPA, Sponge Iron- 54,000 TPA, SMS- 50,400 TPA, Rolled Products- 42,000 TPA, Producer Gas Plant- 17,100 Nm³/hr, Pulverized Coal Ignition- 4.16 TPH & Slag Crusher- 1.25 TPH to Proposed final capacity of Beneficiation plant- 20,00,000 TPA throughput, Iron Ore Grinding- 15,00,000 TPA, Iron Ore Pellets- 18,00,000 TPA, Sponge Iron- 3,72,900 TPA, SMS- 34,000 TPA, Rolled Products- 4,10,000 TPA, CPP- 44 MW (30 MW WHRB & 14 MW AFBC), PGP Plant- 17,100 Nm³/hr; PCI Plant- 13.16 TPH & Slag Crushing Plant- 11.25 TPH by M/s. MSP Sponge Iron Ltd. located at Village- Haldiaguma, P.O- Gobardhan, Tehsil- Keonjhar Sadar, District- Keonjhar, Odisha".



MSP SPONGE IRON LIMITED

Registered Office : 16/S, Block-A, New Alipore, Kolkata-700 053, Phone: 033 4005 7777
Fax: 033 2398 2239 | E-mail: contactus@mspsteel.com | Website: www.mspsteel.com

ANNEXURE 9

- 28 -

Date : 28.08.2023

To,
The Member Secretary, IA Division (Industry-I),
 Ministry of Environment, Forest & Climate Change,
 IndiraParyavaranBhawan, JorBagh Road,
 Ali Ganj, New Delhi - 110003.
 Email : monitoring-ec@nic.in/rb.lal@nic.in

Sub: Submission of Form-3 for modification ToR issued by the Ministry on 03.08.2021 & 16.11.2021 issued for grant of Environment Clearance for expansion of existing 1.0 MTPA Iron ore Beneficiation to 2.0 MTPA, Iron Ore Grinding- 1.5 MTPA, Iron Ore Pellet from 0.75 MTPA to 1.8 MTPA, Sponge Iron from 0.067 to 0.3729 MTPA, SMS (IF & CCM) from 0.063 to 0.4835 MTPA, Hot Rolling Mill from 0.052 to 0.410 MTPA, Captive Power Plant- 44 MW (WHRB- 30 MW & AFBC- 14 MW), Producer Gas Plant- 17,100 Nm³/Hr, PCI from 4.16 TPH to 13.16 TPH & Slag Crusher from 1.25 TPH to 11.25 TPH proposed by M/s MSP Sponge Iron Ltd., situated at village - Haldiaguna, PO-Gobardhan, Dist-Keonjhar, Odisha.

Ref: 1. 1st EC bearing F. No. J-11011/116/2011-IA-II (I) Dt.10.10.2012 expired on 10.10.2019.

2. Standard ToR dated 03.08.2021 issued vide Proposal No. IA-OR/IND/220161/2021 Dt.30.07.2021.
3. Amended ToR issued vide proposal no. IA/OR/IND/231821/2021 dt. 16.11.2021.
4. Public Hearing Proceeding dated 03.05.2023 for PH held on 05.04.2023.

Dear Sir,

M/s. MSP Sponge Iron Ltd., do hereby submit its formal application in *Form-3* online in PARIVESH Portal for modification of ToR (under reference 2 & 3 above) for the sake of regularization of non-compliance violation at Scoping stage before Public Hearing, as permissible under EIA Notification dated 7th July, 2021. In view of better appreciation of this proposal of ToR modification / amendment, the PP beg to draw kind attention of the Ministry to the chronology of factual position that lead to such non-compliance as stated hereunder :

Initial EC dtd. 10.10.2012 expired on 10.10.2019 :

Applicant Company has been operating Pellet, DRI and IF base Steel unit at Haldiaguna village, based on the Environment Clearance (EC) granted earlier for expansion vide File No. J-11011/116/2011-IA-II (I) Dt.10.10.2012 (expired on 10.10.2019) on approved site comprising of 74.19 Acres land situated at village Haldiaguna in the District of Keojhar, Odisha.

Land approved under EC but partly vacant for unimplemented projects :

The PP could not set up a substantial part of the projects approved under said EC such as 1 x 350 TPD DRI kiln, 0.6 MTPA Pellet & 20 MW CPP within the validity period of EC i.e. 10th Oct'19 for some reasons beyond the control of PP. Consequently about 16 acres land approved and acquired for the project was lying vacant and unutilized.

Rejection of EC validity extension proposal :

Proposal IA/OR/IND/118760/2019 dt.21.09.2019 submitted for extension of validity of said initial EC was rejected by the Ministry on Dt.18.12.2020 for some technical deficiency in the application made through an empanelled EC Consultant.

Fresh issue of ToR & EC for expansion :

Therefore, in order to make the unit viable, PP further applied for expansion of its plant facilities with CPP as mentioned in the subject above vide its proposal no. IA/OR/IND/220161/2021 Dt.30.07.2021. Standard ToR was issued by the Ministry on 03.08.2021 and an amended ToR was also issued thereafter on 16.11.2021.

Submission of draft EIA Report of SPCB :

Pursuant to said ToR, PP submitted its application with draft EIA Report to the Member Secretary, SPCB, Odisha for accomplishment of the process of Public Hearing formalities, vide its letter dated 15.03.2022.

12 months delay in fixation of date for Public Hearing :

Unfortunately, there was prolonged uncertainty with regard to fixation of the date of Public Hearing by the State functionaries, though this Ministry, vide its Extra Ordinary Notification of 1st Dec, 2009 under Clause 7, has prescribed a time stipulation of 45 days for completion of Public Hearing from the date of submission of Draft EIA Report i.e.

15.03.2022. However, after 12-long months the date of Public Hearing was scheduled on 5th April, 2023 and the PH was concluded successfully without any simple pinch of objection.

Event of non-compliance:

Under said situation of continued uncertainty and unreasonable delay in scheduling Public Consultation, we regretfully beg to submit that, for the sake of saving the project from delay awaiting for Public Hearing, the PP has undertaken some civil work of foundational nature (about 20-25% of total volume) within the existing factory premises on the land approved under previous EC dated 10.10.2012 without affecting the existing greenbelt or without any adverse impact on the environment. No further work is done from April'23.

Request for regularisation:

PP, hereby, undertakes to abide by the Ministry's EIA Notification on SOP prescribed & notified for dealing with the cases of such non-compliance vide Office Memorandum dated 07.07.2021 and further, benignly request the Ministry to consider the instant application for modification of TOR without any rigour of PH and enable us to prepare the final EIA Report for final consideration required for grant of EC by the Ministry in respect of expansion project proposed by the PP.

The PP further, undertakes to furnish necessary information, documents and explanation if desired.

We shall be highly grateful for your kind consideration.

Yours faithfully,

For MSP Sponge Iron Ltd.,



P.K. Dey
Director

Encl: Submitted as per the requirements of Parivesh Portal through online application.



File No.: IA-J-11011/116/2011-IA-II(IND-I)
Government of India
Ministry of Environment, Forest and Climate Change
IA Division



Dated 23/10/2023



To,

M/s. MSP SPONGE IRON
 Vill- Haldiaguna, PO-Gobardhan, Dist-Keonjhar , Haldiaguna, KENDUJHAR, ODISHA, Near NH 215
 (20), 758013
 Email: mspkjrodisha.moef@mspsteel.com

Subject: **Expansion of existing Integrated steel plant to final capacity of Iron Ore Beneficiation- 2.0 MTPA throughput, Iron Ore Grinding- 1.5 MTPA throughput, Pellet- 1.8 MTPA, Sponge Iron- 0.3729 MTPA, Billet (IF&CCM)- 0.4835 MTPA, Hot Rolled Products- 0.410 MTPA, CPP- 44 MW (WHRB- 30 MW & AFBC- 14 MW), PGP- 17,100 Nm³/Hr, PCI- 13.16 TPH, Slag Crusher- 11.25 TPH by M/s MSP Sponge Iron, Located at Village- Haldiaguna, Tehsil- Keonjhar Sadar, District- Keonjhar, Odisha - Consideration of Amendment in TOR as per SOP 07.07.2021 [Violation case] - regarding.**

Sir/Madam,

This is in reference to your application submitted to the Ministry vide proposal number IA/OR/IND1/442226/2023 dated 9/09/2023 along with the application in prescribed format - Form 3 (CAF, Form – I Part A & B) and revised PFR and sought for amendment in Standard Terms of Reference accorded by the Ministry vide No. J-11011/116/2011-IA.II(I) dated 03.08.2021 and subsequent amendment dated 16.11.2021 w.r.t. appraisal of proposal under Violation Category as per Ministry's SOP dated 07.07.2021 [SOP for identification and handling for the projects under Violation].

2. The particulars of the proposal are as below :

(i) ToR Identification No.	TO23A1001OR5164029A
(ii) File No.	IA-J-11011/116/2011-IA-II(IND-I)
(iii) Clearance Type	Amendment in ToR
(iv) Category	A

(v) Schedule No./ Project Activity	3(a) Metallurgical Industries (ferrous and non ferrous),2(b) Mineral beneficiation,1(d) Thermal Power Plants,1(d) Thermal Power Plants
(vi) Sector	Industrial Projects - 1 Expansion of existing Integrated steel plant to final capacity of Iron Ore Beneficiation- 2.0 MTPA throughput, Iron Ore Grinding- 1.5 MTPA throughput, Pellet- 1.8 MTPA, Sponge Iron- 0.3729 MTPA, Billet (IF&CCM)- 0.4835 MTPA, Hot Rolled Products- 0.410 MTPA, CPP- 44 MW (WHRB- 30 MW & AFBC- 14 MW), PGP- 17,100 Nm ³ /Hr, PCI- 13.16 TPH, Slag Crusher- 11.25 TPH Located at Village- Haldiaguna, Tehsil- Keonjhar Sadar, District- Keonjhar, Odisha.
(vii) Name of Project	
(ix) Location of Project (District, State)	KENDUJHAR, ODISHA
(x) Issuing Authority	MoEF&CC
(xii) Applicability of General Conditions	No

3. The proposal cited above was considered in 45th meeting of Expert Appraisal Committee (Industry-1 Sector) held on 22nd September, 2023. The proceeding of the said meeting is given as below:

Details submitted by the project proponent:

4. M/s MSP Sponge Iron, had initially applied for Terms of Reference vide Proposal No. IA/OR/IND/220161/2021, dated 30.07.2021 for Expansion of existing Iron Ore Beneficiation 10,00,000 TPA throughput, Iron Ore Pellets 6,00,00 TPA, Sponge Iron- 59,400 TPA, MS Billets- 49,500 TPA, Rolled Products- 42,000 TPA, Producer Gas Plant- 17,100 Nm³/hr, Pulverized Coal Ignition- 4.16 TPH & Slag Crusher- 1.25 TPH to Proposed final capacity of Beneficiation plant- 20,00,000 TPA throughput, Iron Ore Grinding- 15,00,000 TPA, Iron Ore Pellets- 18,00,000 TPA, Sponge Iron- 3,72,900 TPA, MS Billets (Induction Furnace & CCM)- 4,83,500 TPA. Accordingly, ToR was granted by the Ministry vide no. No. J-11011/116/2011-IA.II(I) dated 03.08.2021. Subsequently, PP obtained amendment in Terms of Reference vide letter dated 16.11.2021 w.r.t. amendment in ToR subject as “Expansion of existing Iron Ore Beneficiation- 10,00,000 TPA throughput, Iron Ore Pellets 6,00,000 TPA, Sponge Iron- 54,000 TPA, SMS- 50,400 TPA, Rolled Products- 42,000 TPA, Producer Gas Plant- 17,100 Nm³/hr, Pulverized Coal Ignition- 4.16 TPH & Slag Crusher- 1.25 TPH to Proposed final capacity of Beneficiation plant- 20,00,000 TPA throughput, Iron Ore Grinding- 15,00,000 TPA, Iron Ore Pellets- 18,00,000 TPA, Sponge Iron- 3,72,900 TPA, SMS 4,34,000 TPA, Rolled Products- 4,10,000 TPA, CPP- 44 MW (30 MW WHRB & 14 MW AFBC), PGP Plant- 17,100 Nm³/Hr; PCI Plant- 13.16 TPH & Slag Crushing Plant- 11.25 TPH by M/s. MSP Sponge Iron Ltd. located at Village- Haldiaguna, P.O- Gobardhan, Tehsil- Keonjhar Sadar, District- Keonjhar, Odisha.”

5. The instant proposal is for amendment in Terms of Reference accorded by the Ministry vide No. J-11011/116/2011-IA.II(I) dated 03.08.2021 and subsequent amendment dated 16.11.2021 w.r.t. appraisal of proposal under Violation Category as per Ministry’s SOP dated 07.07.2021 [SOP for identification and handling for the projects under Violation] as PP has reported that they

have started construction activities of some facilities prior to grant of EC.

6. There is no amendment in production capacity and configuration.

Violation Details:

7. The PP has reported the following Violation details:

1. 20-25% of civil foundation work done along with construction of raw material storage bin, finished product bin, coal shed, DRI & MCC Room prior to grant of EC.
2. 20-25% construction of 15 MW CPP (AFBC-7 MW & WHRB- 8 MW) civil foundation work done (Boiler, STG & Cooling Tower) prior to grant of EC.
3. Civil construction work carried out: 6200 CuM (DRI- 3701 CuM & CPP- 2499 CuM) which is of 20-25% of the entire civil construction work were undertaken as shown in Chartered Engineer Certificate Dt.17.08.2023 without affecting existing plantation/ greenbelt area.
4. The total investment made for this civil foundation work is estimated as Rs.9.26 Crore as per the CE Certificate dt.17.08.2023
5. This is due to 12 months delay in fixation of date of Public Hearing by the State Govt. (from submission of application to Member Secretary, SPCB, Odisha on 15.03.2022 and date of Public Hearing fixed and held on 05.04.2023.
6. And due to financial pressure of the stakeholders, financial institutions and other lending partners, the company started the construction activities to match the project timeline.
7. However, construction activities were stopped after about one year in order to regularize the proposal under violation as per Ministry's Circular dt.07.07.2021.

Deliberation by the Committee:

8. The Committee noted the following:

1. M/s MSP Sponge Iron, had initially applied for Terms of Reference vide Proposal No. IA/OR/IND/220161/2021, dated 30.07.2021 for Expansion of existing Iron Ore Beneficiation 10,00,000 TPA throughput, Iron Ore Pellets 6,00,00 TPA, Sponge Iron- 59,400 TPA, MS Billets- 49,500 TPA, Rolled Products- 42,000 TPA, Producer Gas Plant- 17,100 Nm³/hr, Pulverized Coal Ignition- 4.16 TPH & Slag Crusher- 1.25 TPH to Proposed final capacity of Beneficiation plant- 20,00,000 TPA throughput, Iron Ore Grinding- 15,00,000 TPA, Iron Ore Pellets- 18,00,000 TPA, Sponge Iron- 3,72,900 TPA, MS Billets (Induction Furnace & CCM)- 4,83,500 TPA. Accordingly, ToR was granted by the Ministry vide no. No. J-11011/116/2011-IA.II(I) dated 03.08.2021. Subsequently, PP obtained amendment in Terms of Reference vide letter dated 16.11.2021 w.r.t. amendment in ToR subject as "*Expansion of existing Iron Ore Beneficiation- 10,00,000 TPA throughput, Iron Ore Pellets 6,00,000 TPA, Sponge Iron- 54,000 TPA, SMS- 50,400 TPA, Rolled Products- 42,000 TPA, Producer Gas Plant- 17,100 Nm³/hr, Pulverized Coal Ignition- 4.16 TPH & Slag Crusher- 1.25 TPH to*

Proposed final capacity of Beneficiation plant- 20,00,000 TPA throughput, Iron Ore Grinding- 15,00,000 TPA, Iron Ore Pellets- 18,00,000 TPA, Sponge Iron- 3,72,900 TPA, SMS4,34,000 TPA, Rolled Products- 4,10,000 TPA, CPP- 44 MW (30 MW WHRB & 14 MW AFBC), PGP Plant- 17,100 Nm³/Hr; PCI Plant- 13.16 TPH & Slag Crushing Plant- 11.25 TPH by M/s. MSP Sponge Iron Ltd. located at Village- Haldiaguna, P.O- Gobardhan, Tehsil- Keonjhar Sadar, District- Keonjhar, Odisha.”

2. The instant proposal is for amendment in Terms of Reference accorded by the Ministry vide No. J-11011/116/2011-IA.II(I) dated 03.08.2021 and subsequent amendment dated 16.11.2021 w.r.t. appraisal of proposal under Violation Category as per Ministry's SOP dated 07.07.2021 [SOP for identification and handling for the projects under Violation as PP has reported that they have started construction activities of some facilities prior to grant of EC.
3. The PP reported that they have started construction activities of some facilities without obtaining Environmental Clearance for the reasons stated at para 45.5.6 above. Now the construction has been stopped. PP has now requested for appraisal of instant proposal under Violation Category as per Ministry's SOP dated 07.07.2021 [SOP for identification and handling for the projects under Violation]. PP is ready to comply all the points of TOR for Violation Project and will follow SOP dated 07.07.2021 for identification & handling of Violation cases under EIA notification 2006.
4. The EAC also deliberated on the Violation reported by the project proponent and is agreed that project proponent has committed a violation by undertaking project implementation of its expansion proposal for which the company obtained ToR i.e. the plant activities were started without having any prior EC. Therefore, the proposal shall be appraised under violation category as per the provisions contained in the MoEF&CC Standard Operating Procedure dated 07.07.2021.
5. The EAC also took into consideration the undertaking by way of affidavit affirming the capacity of plant facilities submitted by the project proponent as written representation.
6. PP also reported that Baseline data was collected from October to December 2021 and the Public hearing was completed on 05.04.2023.
7. The EAC directed the PP to submit the EC application immediately after the compliance of SOP dated 07.07.2021.

Recommendations of the Committee:

9. After deliberations, the Committee recommended the proposal for amendment in ToR granted vide no. J-11011/116/2011-IA.II(I) dated 03.08.2021 and subsequent amendment dated 16.11.2021 and w.r.t. appraisal of proposal under Violation Category as per Ministry's SOP dated 07.07.2021 [SOP for identification and handling for the projects under Violation] with stipulation of following additional conditions. The other terms and conditions of ToR dated 03.08.2021 and 16.11.2021 shall remain the same:

1. **The PP needs to comply all the points of TOR for Violation Project and follow SOP dated 07.07.2021 issued by the Ministry of Environment, Forest & Climate Change, for**

identification & handling of Violation cases under EIA notification 2006.

2. The State Government/SPCB to take action against the project proponent under the provisions of the Environment (Protection) Act, 1986, and further no consent to operate to be issued till the project is granted EC for the Unit which violated under the provision of the EIA Notification 2006. The Ministry shall write to State Government for credible action in this regard.
3. 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).
4. 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.
5. The remediation plan and the natural and community resource augmentation plan to be prepared as an independent chapter (13) in the EIA report by the accredited consultants.
6. Budget of remediation plan and natural and community resource augmentation plan corresponding to the ecological damage shall be completed within three years and to be prepared accordingly.
7. The project proponent shall require to submit a bank guarantee equivalent to the amount of remediation plan and natural and community resource augmentation plan with the CPCB prior to the grant of EC as per SOP dated 07.07.2021. 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.
8. **Project proponent shall implement penalty provisions i.e., 1% of project cost attributable to the expansion, incurred up to the date of filing of application along with the EIA/EMP report as contained in the paragraph 12 of the Standard Operating Procedure dated 7/07/2021 shall be complied with.**
9. Project proponent shall submit a study report on Decarbonisation program, which would essentially consist of company's carbon emissions, carbon budgeting/ balancing, carbon sequestration activities and carbon capture, use and storage after offsetting strategies. Further, the report shall also contain time bound action plan to reduce its carbon intensity of its operations and supply chains, energy transition pathway from fossil fuels to Renewable energy etc. All these activities/ assessments should be measurable and monitorable with defined time frames.

Decision of MoEF&CC:

10. The Ministry of Environment, Forest and Climate Change (MoEF&CC) has considered the aforesaid proposal based on the recommendations of the Expert Appraisal Committee (Industry 1) and hereby decided to grant amendment in the ToR dated dated 03.08.2021 and subsequent amendment dated 16.11.2021 and w.r.t. appraisal of proposal under Violation Category as

mention above.

11. All terms and conditions mentioned in the earlier TOR letter no. letter no. J-11011/116/2011-IA.II(I) dated 03.08.2021 and subsequent amendment dated 16.11.2021 shall remain unchanged.

12. The PP shall obtain fresh Terms of Reference in case of change in scope of the project if any.

13. This issues with the approval of the Competent Authority.

(Dr. R. B. Lal)
Scientist 'F'/ Director
 Tel: 011-20819346
 Email-rb.lal@nic.in

Copy
To

1. The Principal Secretary, Department of Forest and Environment, Government of Odisha, Bhubaneswar, Odisha
2. Director General of Forest, Ministry of Environment, Forest and Climate Change, New Delhi
3. Principal Chief Conservator of Forests & HoFF, Aranya Bhawan, Chandrasekharpur, Bhubaneswar - 751 023, Odisha
4. The Regional Officer, Ministry of Environment, Forest And Climate Change, Integrated Regional Office, A/3, Chandrasekharpur, Bhubaneswar – 751023 ODISHA
5. The Member Secretary, Central Pollution Control Board, Parivesh Bhawan, CBD-cum-Office Complex, East Arjun Nagar, Delhi – 32
6. The Member Secretary, Central Ground Water Authority, Jamnagar House, 18/11, Man Singh Road Area, New Delhi, Delhi 110001
7. The Member Secretary, Odisha State Pollution Control Board, Paribesh Bhawan, A/118, Nilakantha Nagar, Unit - VIII, Bhubaneswar -12 Odisha.-**The State Government/SPCB to take action against the project proponent under the provisions of the Environment (Protection) Act, 1986, and further no consent to operate to be issued till the project is granted EC for the Unit which violated under the provision of the EIA Notification 2006. The Ministry shall write to State Government for credible action in this regard.**
8. Monitoring Cell, Ministry of Environment, Forest and Climate Change, Indira Paryavaran Bhawan, Jor Bagh Road, New Delhi.
9. District Collector, Keonjhar, Odisha.
10. Guard File/Monitoring File/ Parivesh Portal /Record File.

Annexure 1

Additional EC Conditions

This is granted subject to final outcome of Hon'ble Supreme Court of India, Hon'ble High Court, Hon'ble NGT and any other Court of Law, if any, as may be applicable to this project.



Signature Not Verified

Digitally Signed by : Dr R B Lal
Member Secretary, MoEFCC (EC)

Date: 23/10/2023

F. No. IA3-3/4/2024-IA.III [E 230791]
Government of India
Ministry of Environment, Forest and Climate Change
(Impact Assessment Division)

Indira Paryavaran Bhawan
Aliganj, Jorbagh Road
New Delhi-110 003

Dated: 8th January, 2024

OFFICE MEMORANDUM

Sub: Stay imposed by Hon'ble Supreme Court with reference to the SOP dated 7th July 2021 and OM dated 28th January 2022 – reg.

The Ministry issued a Standard Operating Procedure (SOP) dated 7th July 2021 bearing the file number 22-21/2020-IA.III, for identification and handling of violation cases under EIA Notification 2006 in compliance to order of the Hon'ble National Green Tribunal in Appeal No. 34/2020 (WZ) titled Tanaji B. Gambhire Vs Chief Secretary, Government of Maharashtra.

2. The SoP was challenged in the Madurai Bench of the High Court of Madras in the matter W.P.(MD) No. 11757 of 2021 titled Fatima Vs Union of India and was interim stayed vide order dated 15th July 2021.


3. Subsequently, in the Order dated 9th December 2021 in the matter of Civil Appeal Nos. 7576-7577 of 2021 in Electrosteel Steels Limited Vs Union of India and Ors., the Hon'ble Supreme Court of India *inter-alia* observed the following:

"93. The interim order passed by the Madras High Court appears to be misconceived. However, this Court is not hearing an appeal from that interim order. The interim stay passed by the Madras High Court can have no application to operation of the Standard Operating Procedure to projects in territories beyond the territorial jurisdiction of Madras High Court. Moreover, final decision may have been taken in accordance with the Orders/Rules prevailing prior to 7th July, 2021."

4. In this regard, the Ministry issued an OM dated 28th January, 2022 for circulating the above order of the Hon'ble Supreme Court to all the EACs and SEIAAs/SEACs. In view of the above observations of the Hon'ble Supreme Court, violation proposals

pertaining to all the States except the State of Tamil Nadu were being appraised at the Central level and the respective SEIAAs/SEACs.

5. However, the Hon'ble Supreme Court in W.P.(C) No. 1394/2023 titled Vanashakti vs. Union of India, has stayed the operation of both the Office Memoranda dated 7th July 2021 and dated 28th January 2022 issued by this Ministry.
6. The copy of the order which is self-explanatory is enclosed herewith for necessary action.
7. This is issued with the approval of the competent authority.


(Sundar Ramanathan)
Scientist E

Encl: As above.

To

1. Chairperson/ Member Secretaries of all Expert Appraisal Committees
2. Chairperson/ Member Secretaries of all SEIAAs/SEACs
3. All Officers of IA Division

Copy for information to

1. PS to Hon'ble MEF&CC
2. PS to Hon'ble MoS, EF&CC
3. PPS to Secretary, EF&CC
4. PPS to AS (TK)/JS (SKB)
5. Website, MoEF&CC /Guard file

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Writ Petition(s)(Civil) No(s). 1394/2023

VANASHAKTI

Petitioner(s)

VERSUS

UNION OF INDIA

Respondent(s)

(FOR ADMISSION
ORDERS/DIRECTIONS)

and IA

No.257416/2023-APPROPRIATE

Date : 02-01-2024 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.R. GAVAI

HON'BLE MR. JUSTICE SANDEEP MEHTA

For Petitioner(s) Mr. Gopal Sankaranarayanan, Sr. Adv.
Mr. Vanshdeep Dalmia, AOR
Ms. Anisha Jian, Adv.
Ms. Tanya Shrivastava, Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

1. Issue notice returnable in four weeks.
2. Until further orders, there shall be stay of operation of the Office Memoranda dated 7th July, 2021 and 28th January, 2022 issued by the Ministry of Environment, Forest and Climate Change.

(ASHA SUNDRIYAL)
ASTT. REGISTRAR-cum-PS

(BEENA JOLLY)
COURT MASTER (NSH)

Signature Not Verified
Digitally signed by
ASHA SUNDRIYAL
Date: 2024.01.05
16:37:29 IST
Reason

Date: 29.07.2024

To
The Secretary,
Ministry of Environment, Forest and Climate Change,
Indira Paryavaran Bhawan, Jor Bagh,
New Delhi- 110003
Email : secy-moef@nic.in

Sub: Request for processing our Application dated 22.01.2021 for amendment of Environment Clearance dated 10.10.2012 of MSP Sponge Iron Ltd. in view of Ministry's Office Memorandum dated 08.01.2024 communicating the Stay imposed by Hon'ble Supreme Court of India on operation of the SOP vide OM dated 07.07.2021 and 28.01.2022 vide Orders dated 02.01.2024 & 02.02.2024 in Vanashakti vs. Union of India and Others in WP (C) No. 1394 of 2023.

Respected Sir/ Madam,

We beg to draw your kind attention to our earlier representation vide letter dated 30.05.2024 on the above mentioned subject of revival of application dtd. 22.01.2021 for validity extension of EC dtd. 10.10.2012.

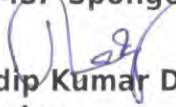
Esteemed ministry, by the time, might have considered our submission for revival of our said EC validity extension for appraisal by the Expert Appraisal Committee of the Ministry on its merit, more specifically, in view of the order of the Hon'ble Supreme Court of India vide orders dated 02.01.2024 and 02.02.2024 in Vanashakti vs. Union of India and others in WP (C) No. 1394 of 2023.

Early action at your end would be an enabler for the PP to implement expansion in respect of one DRI (350 TPD) & 15 MW CPP projects on unutilization part of the land acquired for the purpose in 2012 approved under the initial E C dated 10.10.2012.

We shall be grateful for your early action taken in this regard.

Thanking you,

Yours faithfully,
For **MSP Sponge Iron Ltd.**


Pradip Kumar Dey,
Director.

Encl: Earlier representation dtd. 30.05.2024 as stated above.

CC to : (1) **Mr. Sujit kumar Bajpayee, Jt. Secretary,** }
Email: sujit.baju@gov.in } MoEF& CC,
(2) **The Member Secretary,** IA Division, } New Delhi - 110003
Email : rb.lal@nic.in

..... For your kind information and necessary action please.

Date: 30.05.2024

To
The Secretary,
Ministry of Environment, Forest and Climate Change,
Indira Paryavaran Bhawan, Jor Bagh,
New Delhi- 110003
Email : secy-moef@nic.in

Subject: Request for processing our Application dated 22.01.2021 for amendment of Environment Clearance dated 10.10.2012 of MSP Sponge Iron Ltd. in view of Ministry's Office Memorandum dated 08.01.2024 communicating the Stay imposed by Hon'ble Supreme Court of India on operation of the SOP vide OM dated 07.07.2021 and 28.01.2022 vide Orders dated 02.01.2024 & 02.02.2024 in Vanashakti vs. Union of India and Others in WP (C) No. 1394 of 2023.

Reference(s):

1. Our Environment Clearance vide F.No. J-11011/116.2011-IA-II(I) dated 10.10.2012 to MSP Sponge Iron Ltd.
2. Application dated 22.01.2021 for amendment of EC dated 10.10.2012 granted to MSP Sponge Iron Ltd.
3. Order dated 02.01.2024 passed by the Hon'ble Supreme Court of India (W.P.(C) No.1394/2023)
4. Order dated 02.02.2024 by the Hon'ble Supreme Court in I.A. No. 25150 of 2024 in Van Shakti v. Union of India and Others (Writ Petition (C) No.1394/2023)

Respected Sir/Madam,

This is concerning the processing of the Application dated 22.01.2021 for Amendment of Environmental Clearance (EC) dated 10.10.2012 granted to M/s MSP Sponge Iron Ltd (hereinafter 'the Undersigned') for the expansion of its existing integrated steel plant for increase in the capacity i.e 1,59,000 TPA for Sponge Iron plant (54, 000 TPA existing + 1,05,000 TPA proposed) , 2,64,000 TPA of SMS (MS INGOT) (50,400 existing + 2,13,000 TPA proposed), 42000 TPA of rolling mill (TMT Bar) , 23,664 TPA m3/hour for producer gas, 12,00,000 TPA of Iron Ore Pelletization

Page 1 of 10

Plant, 10,00,000 TPA of Iron Ore Beneficiation Plant, 20 MW of CPP, 6,00,000 TPA for Coal Beneficiation, 4,16,000 TPA of Sinter Plant and 2,00,000 TPA of Mini Blast Furnace which is located at Village- Haldiaguna, Tehsil- Keonjhar Sadar, District- Keonjhar, Odisha. The copy of Application dated 22.01.2021 for amendment of EC dated 10.10.2012 is marked and annexed as **ANNEXURE-A**.

As understood by the Undersigned that further processing of its application dated 09.09.2023 followed by issue of ToR dated 23.10.2023 vide proposal No. IA/OR/IND1/442226/2023 for grant of EC in respect of proposed expansion, which partially includes the projects approved under EC dated 10.10.2012, may be kept in abeyance by the Ministry in view of your Office Memorandum dated 08.01.2024 vide F. No. IA3-3/4/2024-IA.III [E 230791] issued, allegedly, owing to the order dated 08.01.2024 and 02.02.2024 passed by the Hon'ble Supreme Court of India in Vahashakti vs. Union of India in W.P.(C) No. 1394 of 2023 and IA No. 257416 of 2023 staying operation of the SOP dated 07.07.2021 bearing the F. No. 22-21/2020-IA.III. The said Order dated 02.01.2024 was followed by Order dated 02.02.2024, in IA No. 2510 of 2024 wherein the Hon'ble Apex Court was pleased to clarify the position as laid down in Order dated 02.01.2024 and held that:

.....5. *"Our orders dated 02nd January, 2024 would not come in the way of the competent authorities in considering the proposals for modifications/alterations in the Environmental Clearances if area of such projects had any valid environmental clearances prior to 07th July, 2021.*
6. *Needless to state that such applications for modification/alteration would be considered by the competent authorities strictly in accordance with law as it existed prior to 07th July, 2021."*

A copy of the Order dated 02.01.2024 & 02.02.2024 in the matter titled Vanshakti vs Union of India and Others (Writ Petition No. 1394/2023) are marked and annexed as **ANNEXURE- B & C** respectively.

This representation seeks to clarify this position and bring on record the fact that the project of the Undersigned satisfies the condition as laid down by the Hon'ble

Supreme Court vide the afore-mentioned Order dated 02.02.2024 and is liable to be exempted from the ambit of Order dated 02.01.2024. The Undersigned is accordingly submitting the chronological history of the development of the plant facilities for reference of your good office and for facilitating the consideration of the application for EC of the Undersigned in accordance with the Environment Impact Assessment Notification, 2006.

A. BRIEF OVERVIEW OF THE PROJECT AND DEVELOPMENT OF PLANT FACILITIES OF MSP SPONGE IRON LTD.

The Undersigned having its registered office at 10th Floor, South City Business Park, 770, Anandapur Road, Kolkata-700107, (Previously at 1 Crooked Lane, Kolkata - 700069) purchased about nine acres of private land at village Haldiaguna in 2000 for setting up an Small Scale Industry (SSI) category Sponge Iron manufacturing unit with two 50 TPD under (Phase-I) and two 40 TPD Kiln under (Phase-II) for an annual capacity of 54,000 TPA (180 TPD) for sponge iron plant.

Plant facilities in operation before EIA Notification 2006:

The Sponge iron plant was set up pursuant to a Consent to Establish issued by the Orissa State Pollution Control Board on 04.05.2000 (for 30,000 TPA) and 17.02.2004 (for 24,000 TPA). The CTO dated 21.02.2004 for the operation of 54000 TPA of Sponge Iron Plant.

Thereafter, in April 2006, the Undersigned took over an SSI unit, adjoining its south boundary in an area of about four acres , having three Induction Furnace of 5 MT capable of producing 50,400 TPA MS Billet and a Hot Rolling Mill of 42,000 TPA TMT Bar/Road. The CTE for the same was obtained by the previous owner on 26.11.2001 and the Consent to Operate for the same was obtained on 31.07.2002 for 22,200 TPA SMS (MS INGOT) and 19,800 for Rolling Mill (TMT Bar). The CTO for 50,400 TPA of SMS (MS INGOT) and 42,000 Rolling Mill was obtained on 21.08.2007.

Environment Clearance dated 10.10.2012 for expansion project:

Considering mineral potentiality in the district of Keonjhar and Sundergarh for Iron Ore & Coal, the Undersigned sought expansion of its project in 2012. In April 2012, MSP further acquired 61 acres of land through IDCO (Industrial Infrastructure Development Corporation). The Undersigned thereafter duly complied with the procedure for preparation of EIA/EMP, Public Hearing as per the EIA Notification of 2006 and was granted the Environment Clearance vide F.No. J-11011/116.2011-IA-II(I) on 10.10.2012 for 1,59,000 TPA for sponge iron plant (54,000 TPA existing + 1,05,000 TPA proposed), 2,64,000 TPA of SMS (MS INGOT) (50,400 existing + 2,13,000 TPA proposed), 42,000 TPA of rolling mill (TMT Bar), 23,664 TPA m³/hour for producer gas, 12,00,000 TPA of Iron Ore Pelletization Plant, 10,00,000 TPA of Iron Ore Beneficiation Plant, 20 MW of CPP, 6,00,000 TPA for coal beneficiation, 4,16,000 TPA of Sinter Plant and 2,00,000 TPA of mini blast furnace, by your good office.

Projects implemented under EC Dt.10.10.2012:

Pursuant to the EC dated 10.10.2012, the Undersigned established 6,00,000 TPA of Iron Ore Pellet and thereafter 10,00,000 TPA of Iron Ore Beneficiation plant by utilizing about 20 Acres land out of an acquired area of about 61 acres. The iron ore pellet and beneficiation plant came into operation vide CTO dated 24.11.2012 and 21.10.2013, respectively. The said CTO's were renewed from time to time. The CTO for 14,250 m³/hour producer gas was obtained on 21.10.2013 and for 2850 m³/hour was obtained on 09.03.2017.

Unimplemented Projects approved under EC of 2012:

However, due to financial concerns, the Undersigned could not establish 1,05,000 TPA (1 x 350 TPD Kiln) of Sponge Iron Plant, 2,13,000 TPA of SMS (MS- INGOT), 5,700 m³/hour Producer Gas, 6,00,000 TPA of Iron Pelletization plant, 20 MW of CPP (WHRB - 8 MW + AFBC - 12 MW), 6,00,000 TPA for Coal Beneficiation, 4,16,000 TPA of Sinter Plant and 2,00,000 TPA of Mini Blast Furnace in pursuance of its EC dated 10.10.2012.

It is pertinent to note that the EC of the Undersigned dated 10.10.2012 was valid till 10.10.2017 as per the Environment Impact Assessment Notification of 2006. However, the validity of the said EC was extended from five to seven years vide the EIA (Amendment) Notification dated 29.04.2015. Thus, the validity of the EC dated 10.10.2012 of the Undersigned was extended till 09.10.2019.

B. THE UNDERSIGNED SUBMITTED THREE APPLICATIONS FOR EXTENDING THE VALIDITY OF ITS ENVIRONMENT CLEARANCE

Validity extention proposal fo EC dated 10.10.2012.

On 20.09.2019, the Undersigned sought for extension of the validity of its Environment Clearance along with modernisation of the project for 1,59,000 TPA for sponge iron plant (54, 000 TPA existing + 1,05,000 TPA proposed) , 2,64,000 TPA of SMS (MS INGOT) (50,400 existing + 2,13,000 TPA proposed), 42000 TPA of rolling mill , TMT Bar , 23,664 TPA m3/hour for producer gas, 12,00,000 TPA of IO Pelletization Plant, 10,00,000 TPA of IO Beneficiation Plant, 20 MW of CPP, 6,00,000 TPA for coal beneficiation, 4,16,000 TPA of Sinter Plant and 2,00,000 TPA of mini blast furnace. This also included the completion of projects that could not be undertaken due to the non-availability of the land.

EDS dated 15.10.2019 & its compliance:

Subsequently, your good office vide EDS dated 15.10.2019 requested further details regarding the water utilisation, and expansion project, among others for processing the application for EC. The Underisgned submitted the response to the EDS dated 15.10.2019 on 14.07.2020.

EDS dated 15.07.2020 & its compliance:

However, on 15.07.2020, your office raised another EDS wherein it was stated that the present project will not fall under para 7(ii) of the EIA Notification 2006 as the validity of the existing EC dated 10.10.2012 has expired. The EDS further recommended the Undersigned to obtain fresh TOR for the proposed

expansion/modernisation. Note that there was no mention of the consideration of the validity of EC vide this EDS.

In pursuance of the EDS raised on 15.07.2020, the Undersigned submitted another proposal (IA/OR/IND/1199663/2019) on 11.08.2020 again requesting for extension of validity of EC along with modernisation under para 7(ii) of the EIA Notification for expansion of its existing mini steel plant into integrated steel plant along with 20 MW captive power plant. However, the Reconstituted Expert Appraisal Committee in its meeting on 26.08.2020 recommended rejection of the said proposal under para 7(ii) of the EIA Notification as the envisaged expansion is 300% more than the existing capacity. It is pertinent to note that the REAC did not raise any objections with respect to the validity of the EC. Minutes of the REAC Meeting is marked and annexed as **ANNEXURE-D**

In the meantime, due to certain financial constraints, the Undersigned could not procure more land nor could set up remaining plant facilities such as Coal Beneficiation, Sinter Plant, Mini Blast Furnace, Coal Washery, SMS with CCM, CPP and Pelletization (2nd Module) among other facilities which were included in the EC dated 10.10.2012. Thus, about 20 acres remained unutilized after Green Belt coverage of about 25 acres, being 33% of the total project area of 74.19 Acres (Pre-existing 13 + 61 Acquired).

Application in Form-6 Post-Covid:

On 31.10.2020, the Undersigned resubmitted Form 6 along with requisite documents and again with a request for consideration of the validity of EC with respect to its existing expansion facilities of Direct Reduced Iron (DRI) kiln & SMS and CPP. It is pertinent to note that the said application was in continuance of the application submitted on 20.09.2019. The letter dated 31.10.2020 further apprised your office that a major part of the project such as Mini Blast Furnace (MBF), Sinter and Coal Washery will not be undertaken. However, on 09.11.2020, your office rejected the proposal by wrongly referring to the Minutes of the REAC meeting on 26.08.2020. Copy of the Letter dated 31.10.2020 and response dated 09.11.2020 is annexed as **ANNEXURE- E**

Carificatory explanation of EC validity extension proposal:

It is pertinent to highlight here that the application for modernisation and extension for validity of EC was made much before the expiry of the EC on 09.10.2019. Subsequently, the same was being appraised by your office till 15.07.2020. Thereafter, another application for modernisation along with extension for validity of EC was made on 11.08.2020 regarding the same project, which was considered

by the Reconstituted EAC on 26.08.2020. During the pendency of the said applications, the validity of the EC dated 10.10.2012 of the Undersigned expired. Thereafter the corrected request and proposal were submitted on 31.10.2020 for extension of validity as well as modernisation. However, your office, without considering the change in the request, merely rejected the same based on the minutes of the REAC dated 26.08.2020. As stated earlier the REAC did not consider the question of validity.

A third request was again made by the Undersigned for consideration of its application for extension of the validity of EC on 10.12.2020. However, on 18.12.2020 the Undersigned received another EDS from your office stating that the proposal has been rejected as - i) the EC validity extension has not been applied as per the provisions of the EIA Notification within 90 days after the validity period of EC; (ii) As EC validity has already expired, **only implemented part of the project will have perpetual validity**. Copy of the EDS dated 18.12.2020 is marked and annexed as **ANNEXURE- F**. It is reiterated that the validity of EC expired during the pendency of the application before your good office. Further, the subsequent requests dated 11.08.2020 and 10.12.2020 were in continuation of the first application dated 20.09.2019. However, the same were wrongly rejected by the Ministry on the ground of application of EC post-expiration of the validity.

On 13.01.2021, the Undersigned enquired from your office, whether in view of the EDS dated 18.12.2020, configuration change proposed in existing 4 DRI Kilns with WHRB and configuration change in existing 3 induction furnaces is allowed or not.

On 15.01.2021, the said corrections were rejected by referring to the Minutes of the EAC meeting on 26.08.2020 and stating that a similar proposal was rejected as it did not qualify under para 7(ii) of the EIA Notification, 2006. Thus, despite correcting the first application dated 20.09.2019, the said application was rejected on 15.01.2021 by referring it to the other application for EC dated 11.08.2020.

Processing of Application dated 22.01.2021.:

The Undersigned submitted a fourth application yet again for an extension of the validity of EC on 22.01.2021 under para 9 of the EIA Notification, 2006. However, the said application was recommended to be rejected by the EAC in its 30th meeting on 10-11.02.2021 on the ground that the project proponent had not applied for an extension of the validity of its EC on time.

It is evident that the application for extension and modernisation of EC was made before the expiry of the EC and ought to have been considered in appropriate manner, instead the same was repeatedly rejected on wrong grounds as demonstrated above.

It is the humble submission of the Undersigned that the application for extension of the validity was made well within time and ought to have been extended for a further period of three years from 09.10.2019 up to 09.10.2022. However, the same were wrongly rejected by your office. It is the submission of the Undersigned, that had the application been processed in accordance with the law, the Undersigned would have had a valid clearance for the entire area of the project for which a fresh application was submitted on 22.01.2021.

Application for grant of ToR:

With no other alternative, post the rejection of the application dated 22.01.2021, the Undersigned applied for Terms of Reference on 30.07.2021 and the standard TOR was issued by your office on 03.08.2021 and an amended TOR was also issued on 16.11.2021. On 15.03.2022, the Undersigned submitted its EIA Report to the Odisha Pollution Control Board for fixing the date of Public Consultation within forty five days as per the EIA Notification 2006. However, the Odisha State Pollution

Control Board did not fix the date of the Public Hearing for almost a year and the Public Consultation was fixed for 5th April, 2023.

Due to the delay in organising the public hearing by the Odisha State Pollution Control Board, the Undersigned was under pressure from the Banks to comply with the loan requirements and implement the project within the timeline submitted for the completion of the project. To ensure compliance with the loan requirements, the Undersigned undertook some civil foundation work in respect of 350 DRI Kiln & 15 MW – CPP (WHRB -8 MW & AFBC- 7 MW) from September 2022 to March 2023, which were approved in the initial EC dated 10.10.2012 on the unutilized vacant area of 20 acres of land already approved under said EC.

Post the conclusion of the Public Hearing on 05.04.2023, the Undersigned duly informed your office vide letter dated 28.08.2023 of the construction undertaken during the pendency of the present application for amendment of EC dated 10.10.2012 and sought regularisation of the same. A copy of the said Letter dated 28.08.2023 is marked and annexed as **Annexure- G**

Accordingly, your office has amended the Terms of Reference dated 03.08.2021 along with the 16.11.2021 TOR amendment, on 23.10.2023, including the appraisal of the application of the Undersigned as a violation case.

It is submitted that our case is not of a violation as had the application which was submitted on time processed in accordance with law there would be no occasion of committing any violation.

Be that as it may, our application post the grant of TOR has been kept pending in view of the Order dated 02.01.2024 of the Hon'ble Supreme Court. It is reiterated that the said Order was subsequently clarified on 02.02.2024 whereby the Hon'ble Supreme Court has clarified that - *proposals for modifications/alterations in the Environmental Clearances if area of such projects had any valid environmental clearances prior to 07th July, 2021.*

In view of the same, the Undersigned submits that for the implemented part of the project, the Undersigned has a valid Environment Clearance as was also noted by your good office vide EDS dated 18.12.2020. For the un-implemented part of the project, the Undersigned had submitted a request for the same, which was wrongly rejected by your office, without assigning any reasons on merits.

Moreover, till 09.10.2019, the Undersigned had a valid EC for the land area being approved under the initial EC which is now being wrongly considered as a violation case. The Judgment of the Hon'ble Supreme Court merely states that the proposals 'had' any valid environment clearance prior to 07.07.2021 for the area in which modification/alteration is sought. It does mandate that a 'subsisting' valid Environment Clearance should be in existence for the area in which modification/alteration is being sought. Thus, even though the EC validity expired on 09.10.2019, the Undersigned had a valid EC for the area over which civil construction in respect of the EC approved project has been undertaken pending the fresh application for EC.

In view of the same, the application dated 22.01.2021 read with application dated 09.09.2023 of the Undersigned may be considered as falling within the ambit of the Order dated 02.02.2024 of the Hon'ble Supreme Court in the Vanashakti Case (W.P. (C) No 1394 of 2024) and not as a violation case and processed in accordance with the EIA Notification, 2006.

Thanking you for your kind consideration at the earliest possible convenience.

Yours faithfully,
For **MSP Sponge Iron Ltd.**



Pradip Kumar Dey,
Director.

Enclosure(s): Annexure "A" to "G" as stated above.

CC to : **The MS-Director, IA Division,**
MoEF& CC, Indira Paryavaran Bhawan,
New Delhi - 110003, **Email : rb.lal@nic.in**

..... For your kind information please.



145

no date of application for copy → 22.10.24
 b) Date fixed for notifying the receipt number of folios → 22.10.24
 c) Date of the receipt → 22.10.24
 d) Date when copy was ready for the court → 22.10.24
 e) Date of making over the copy to the court → 22.10.24

Cost of Rs. 11/-

ORDER-SHEET FOR MAGISTRATE'S RECORDS
 DISTRICT: KEONJHAR
 IN THE COURT OF CHIEF JUDICIAL MAGISTRATE OF
 KEONJHAR.
2 (C) C.C. CASE NO. 33 OF 2024

The State of Odisha

.....Complainant

-Versus-

M/S. MSP Sponge Iron Limited
 Vill.- Haladiaguna, P.O.- Gobardhan,
 Dist.-Keonjhar.

.....Accused Person

Order dated 21.10.2024

Ld. Counsel for the accused as well as the authorized person representing the accused company are present. Authorized person Sri Pradip Kumar Dey, Director of the Company filed a plead guilty memo. Statement of the authorized person of the accused company is recorded u/s 313 CrPC. Put up later for order.

Dictated.

Sd/-

C.J.M., Keonjhar.

Later 21.10.2024

Authorized Agent Sri Pradip Kumar Dey, Director of company M.S.P. Sponge Iron Ltd., Village- Haladiaguna, P.O.- Gobardhan, Dist.- Keonjhar is present and filed a plead guilty memo. On being asked he pleaded that M.S.P. Sponge Iron Ltd., Village- Haladiaguna, P.O.- Gobardhan,



Dist.- Keonjhar started construction activities i.e. 20 to 25 percent of Civil foundation work (boiler, STG and cooling tower) along with construction of raw material storage, finished the product bin, coal shed DRI & MCC room prior to grant of environment clearance during the period 15.03.2022 to 05.04.2023 and he admitted the guilty on behalf of the company. Thus the company has not complied E.I.A. Notification 2006 Clause I (ii) and (III)(b) and is liable u/s-15(I) of the Act. Hence, the company is held guilty u/s 241 of CrPC and is sentenced to pay fine of Rs. 1, 00,000/ (Rupees one Lakh) for offence u/s 15 (I) of EP Act. 1986.

Dictated.
Sd/-
C.J.M., Keonjhar.

Later 21.10.2024

Fine amount of Rs. 1, 00,000/- (Rupees one lakh) only is paid on behalf of the the accused and the fine cheque duly received by Nazir is tagged with the case record.

The case is closed.

Dictated.
Sd/-
C.J.M., Keonjhar

Typed By:- *l. Bahoo*

Comp. By:- *D. Moh*



Certified the copy & found that the amount of court fees stamps & No. of follio required have been realise.

Manayon Datta
Head comparing clerk 22 10 24

Verified to be true Copy
Dibakar Jena
Head Clerk 22/10/24
Authorised U/S 76 Act. 71

Comp. & found correct:-

A
22 10 24



Schedule XLIII- High Court (M)3[Old(M)85]

2(c) C.C. No. 33 of 2024

FORM OF RECORDING EXAMINATION OF ACCUSED

The examination Pradip Kumar Dey, Director, M.S.P. Sponge, Iron Ltd, aged about 62 years,

taken before me Sri Himansu Sekhar Biswal, C.J.M.-cum-A.S.J., Keonjhar on the 21st day of October, 2024 in the English language interpreted by me into Oriya.

My name is Pradip Kumar Dey, my father's name is Lt. S.C. Dey

My home is at mouza AKASH Enclave, 22/B, by occupation Director, M.S.P. Sponge Iron Ltd, Police Station Behela, District Koikata.

I reside at Haladiaguna, Sadar, Keonjhar.

Q. No.1 M.S.P. Sponge Iron Ltd., Village- Haladiaguna, P.O.-Gobardhan, District- Keonjhar started construction activities i.e. 20 to 25 percent of civil foundation work (boiler, STG and cooling tower) along with construction of raw material storage, finished the product bin, coal shed DRI & MCC room prior to grant of environment clearance during the period 15.03.2022 to 05.04.2023. What have you got to say ?

Ans : ଅନୁରୂପେ କିଛି କହିବୁନି

Q. No.2 What else have you got to say ?

Ans : ଅନ୍ୟ କିଛି କହିବୁନି

Pradip Kumar Dey
(Signature or mark of the accused)

Sd/-
21/10/24
Chief Judicial Magistrate,
Keonjhar.

Due to pressure of work and due to pain in my hand, I exercise my discretion of getting examination of accused typed on computer. The statement of him u/s.313 Cr. P.C. was recorded under my direction and superintendence by my Stenographer appointed in this behalf as per GL No.2 of 1976. The above examination was taken in my presence and hearing and contains a full and true account of the statement made by the accused. It was read over to the accused or interpreted to him in the language which he understands and was admitted by him to be correct.

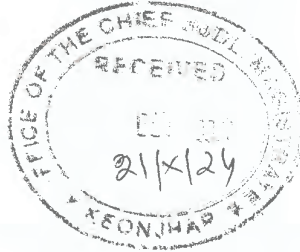
Sd/-
21/10/24
Chief Judicial Magistrate,
Keonjhar.

Certified the copy & found that the amount of court fees stamps & No. of follio required have been realise.
Narayan Rout
22.10.24
Head comparing clerk



Certified to be true Copy
Sd/-
21/10/24
Head Clerk
Authorised U/S 76 Act. 71.

Comp. & found correct:-
22.10.24



To the Court of Co. CM, for.

22 to 23/2024.

State - SDAE -- Complaint.

vs.

Msp. -- Acc.

Memo.

On behalf of the And, Company
the representative of the And
pleads guilty of the offence.

Pradip Kumar Das  21/10/2024

Representative
of the And company.

Seen
for Adm. pp
21/10/24

Certified the copy & found
that the amount of court fees
stamps & No. of folio
required have been realise.

Abanjan Das
Head comparing clerk
22 10 24

Comp. & found correct:-

22 10 24



Certified to be true Copy

Abanjan Das
Head Clerk
21/10/24
Authorised U/S 76 Act.

CA 2292/24 (cost) dt. 22.10.24

Application for copy	Rs	1	P	50
Searching	Rs	0	P	50
Extra fol	Rs	4	P	00
Photo of copy	Rs	4	P	00
Xerox cost	Rs	1	P	00
Other items	Rs	1	P	00
Total	Rs	11	P	00

(Rupees Eleven) only

22.10.24

CERTIFIED TRUE COPY OF THE RESOLUTION PASSED BY THE BOARD OF DIRECTORS OF MSP SPONGE IRON LIMITED ON MONDAY, 23RD SEPTEMBER, 2024 HELD AT THE REGISTERED OFFICE AT 770 ANANDAPUR, SOUTH CITY BUSINESS PARK, EM BYPASS, 10TH FLOOR, KOLKATA 700107 AT 11:00AM

The Chairman in pursuance of the existing Board Resolution dated 19th April, 2021 placed a further proposal for expansion of the existing mini steel unit of the company i.e. existing facilities of Iron Ore Benefication, Pellet, DRI, SMS & Hot Rolling Mill with Captive Power Plant partly in existing premises and remaining facilities on the new land to be acquired situated adjoining to north boundary of existing premises, in Haldiaguna, Keonjhar, Odisha before the Board so as to integrate the entire product chain with Captive Power Plant (CPP) facilities.

"RESOLVED THAT this proposal is hereby adopted, superseding all previous resolutions on the matter since procuring additional quantum of new land for entire expansion project approved under prior Environment Clearance dated 10th October, 2012 could not be possible during EC validity period, it has been resolved to restructure the expansion proposal by dropping unimplemented projects such as Iron Ore Sinter, Pig Iron and Coal Benefication plant approved under EC dated 10.10.2012, and expansion of the existing facilities of Benefication, Pellet, DRI, SMS & Hot Rolling Mill with Captive Power Plant partly on the unutilized vacant area approved earlier by MoEF&CC within existing premises, and for which, the company shall initiate necessary steps for acquiring additional land and for obtaining all requisite licenses / consent/ clearance/ approval/ sanctions/ permissions of State Government, Central Government and the Local bodies for land, water, power, other resources/ infrastructure facilities and environment clearance etc."

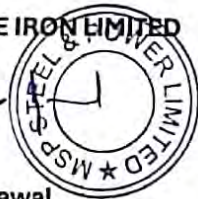
"FURTHER RESOLVED THAT in supersession of all earlier resolutions passed in this regard Mr. Pradip Kumar Dey, Director of the Company, is and hereby authorized to do and perform all the things and matters aforesaid and therefore, to state, sign, verify, affirm, submit /withdraw any statement, applications, declarations, undertakings, representation before any/ all departments of Government of Odisha, CGWA, MoEF&CC, Govt. of India required for expansion projects including initiating any legal steps / cases against any/ all departments of Govt. of India or Govt. of Odisha and signing / swearing any plaint, petition, Affidavit, undertaking or such other Instrument including engaging/ disengaging any Advocate/Solicitor wherever required for and on behalf of the Company as and when so required, for the best interest of the Company".

"RESOLVED FURTHER a true copy of this resolution duly certified by any of the Director of the Company shall be furnished before the appropriate public authority / court wherever & whenever so required."

Certified True Copy:

FOR MSP SPONGE IRON LIMITED

Suresh Kumar



Director
Suresh Kumar Agrawal
DIN: 00587623

IN THE NATIONAL GREEN TRIBUNAL

ORIGINAL APPLICATION NO. OF 2024

IN THE MATTER OF:

M/S MSP Sponge Iron Ltd.

Petitioner (s)
Appellant (s)

-VERSUS -

Ministry of Environment, Forest and Climate Change and Others

Respondent(s)
Defendant (s)

VAKALATNAMA

I, Pradip Kumar Dey S/o S.C. Dey aged about 61 Akash Enclave, 22, B, N. C. Das Road PS Behala Kolkata 700034 (West Bengal), DEFENDANT / RESPONDENT/ PETITIONER /OPPOSITE PARTY, in the above application/ suit/appeal/petition/ reference do hereby appoint and return **Eisha Krishn /Mansi Bachani/ Saumitra Jaiswal/Gitanjali Sanyal/ Shubham Upadhyay/ Surya Gupta** Advocates of the National Green Tribunal, to act and appear for me/us in the above application/ suit/petition/appeal reference and on my/our behalf to conduct and prosecute or defend or with draw the same and all proceedings that may be taken in respect of any application connected with the same or any decree or order passed therein, including proceedings in taxation and application for Review to file and obtain return of documents and to deposit and receive money on my / our behalf in the Application/Suit/Petition/Appeal reference and application for Review, and to represent me/us and to take all necessary steps on my/our behalf in the above matter. I/We agree to ratify all acts done by the aforesaid advocate, in pursuance of this authority.



Dated this the 18th December' 2024

Accepted Identified By

Advocate,

M. Bachani
WJ

Pradip Kumar Dey
(Petitioner (s) / Appellant (s)
Respondent (s) / Defendant(s) / Opposite Party

MEMO OF APPEARANCE

To,

The Registrar,
National Green Tribunal
Eastern Zone, Kolkata

Sir,



Kindly enter my appearance in the above matter on behalf of the Petitioner / Appellant / Respondent.

Dated: 18.12.2024

WJ
M. Bachani
Advocate for the
Petitioner(s)/Appellant(s)/Respondent(s)