

Serial No.....16.....

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
EASTERN ZONE, KOLKATA BENCH**

O.A. NO. 167 OF 2025/EZ



In the matter of:
Satrugan Meher

...Applicant

-Versus-

The State of Odisha & Ors.

...Respondents

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Date: 07/02/2026

Place: Kolkata.



Filed by:

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Before the Hon'ble National Green Tribunal,
Eastern Zone, Kolkata Bench

Original Application No. 167/2025/EZ

Satrughan Meher



..Applicant

Vs

State of Odisha & Ors

..Respondents

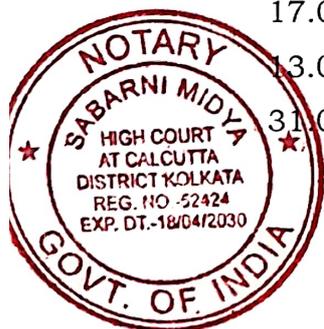
Counter Affidavit on behalf of Respondent no. 9

I, Deepak Kumar Pathre, son of Shri Binod Kumar Pathre, aged about 39 years, by faith – Hindu, by Occupation – Service, working for gain at M/s Orissa Metaliks Private Limited (OMPL), having its address at 39, Shakespeare Sarani, Kolkata – 700 017 do hereby solemnly affirm and state as under:

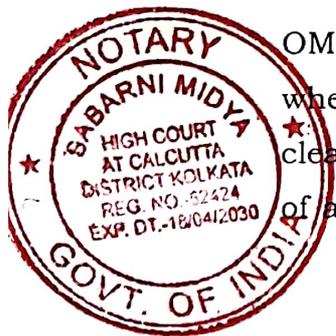
1. That the authorized signatory of the respondent no. 9 herein being on behalf of OMPL. I am well conversant with the facts of the case, which are based on the Company's records and are true to my knowledge, information, and belief. **Copy of the board resolution is annexed hereto and marked with Annexure A.**
2. That the present affidavit is being filed pursuant to the directions passed by this Hon'ble Tribunal.
3. Before dealing with the various statements and allegations made by the Applicant in the instant OA No. 167 / 2025/EZ, the Respondent No. 9, begs to state and submit the following Preliminary Submissions as stated hereinbelow.
4. That M/s MSP Metalics Ltd. was incorporated on 29th November, 1996 in the name of 'Adhunik Industries Pvt. Ltd.' with the object

of carrying on the business of Integrated Steel Plant with Captive Power Plant at Jharsuguda, Orissa.

5. That subsequently, the name of the company has been changed to MSP *Metallics Private Limited* on 27th December, 2001. The company again changed its name to MSP *Metallics Limited* on 21st June, 2004, that is the word 'private' was dropped from the name of the said Company.
6. That at the outset, the respondent no. 9 states that the subject unit was originally owned by M/s. MSP *Metallics Limited*, which had been granted Environmental Clearance (EC) on 13.07.2009, Consent to Establish (CTE) on 24.08.2006, and phased Consent to Operate (CTO) on 21.04.2011 and 31.03.2015 by the State Pollution Control Board, Odisha. Regarding forest land, the Divisional Forest Officer, Jharsuguda, had pointed out certain lapses in the forest diversion proposal for 5.299 ha via letter dated 05.11.2014 and subsequently returned the proposal for resubmission via letter dated 26.05.2015. The respondent being OMPL had no information regarding any document prior to the purchase of the assets of MSP *Metallics Limited* and no suppression has been done by OMPL in any manner whatsoever.
7. That OMPL purchased the assets of MSP *Metallics Limited* on an 'assets sale basis' pursuant to being declared the 'Successful Bidder' in an E-Auction held on 06.05.2022, under the orders of the National Company Law Tribunal, Kolkata Bench, in CP (IB) No. 580/KB/2020, with the sale being confirmed on 11.07.2022. Post-acquisition, OMPL undertook revamping work and applied for renewals of its Consent to Operate, which were granted by the Odisha State Pollution Control Board in a phased manner on 17.08.2022, 07.01.2023, 22.03.2023 (valid until 31.03.2024), and 13.06.2023, 30.03.2024, 27.03.2025, 28.03.2025 (valid until 31.03.2026) for various plant components.



8. M/s MSP Metallics Ltd went into CIRP vide order dated 25.11.2021 passed by Hon'ble NCLT, Kolkata. Orissa Metaliks Private Limited (OMPL/ Respondent No. 9) came into the picture by taking over MSP Metallics Ltd (MSP) on 11.07.2022 by virtue of the order of NCLT, Kolkata for approval of Resolution Plan submitted by OMPL.
9. M/s OMPL has purchased/acquired the assets of MSP Metallics Limited under the order dated 11.07.2022 in the connecting I.A No. 616/KB/2022 with CP (IB) No. 580/KB/2020 of the NCLT, Kolkata with 100% voting by the Committee of Creditors.
10. It is pertinent to mention that under the above order dated 11.07.2022 in Para 28 (Reliefs and Concessions – Section D of Resolution Plan), Sl No. 15 records that :-
“Neither shall the Resolution Applicant, nor the Company, nor their respective directors, officers and employee appointed on and as of the Closing date be liable for any violations, liabilities, penalties or fines with respect to or pursuant to the Company not having in place requisite licenses and approvals required to undertake its business as per Applicable Law, or any non-compliances of Applicable Law by the Company.
Further, the relevant Governmental Authorities will provide a reasonable period of time after the Effective Date, for the Resolution Applicant to assess the status of any non-compliances under the Applicable Law (including with respect to applicable environmental laws, directions or orders by the Ministry of Environment and Forest, permits clearances and forest related clearances) and to procure that the Company regularizes such non-compliances under the Applicable Law existing prior to the Effective Date” is granted by Hon'ble NCLT, Kolkata vide order dated 11.07.2022.
11. Thus, it can be seen from the facts as set out hereinabove that OMPL had acquired the assets of MSP Metallics Limited on 'as is, where is, whatever there is' basis free from encumbrances and on a clean slate basis, without the burden of any past liability on account of any violation of law by the erstwhile management of Corporate



Debtor company. **Copy of the Order of the Ld. NCLT is annexed hereto and marked with Annexure B.**

12. That the Ministry of Environment, Forest & Climate Change (MoEF&CC) transferred the Environmental Clearance in favour of OMPL vide letter dated 23.10.2023, directing OMPL to obtain the CTO in its own name. Consequently, OMPL applied for a name change with the Odisha Industrial Infrastructure Development Corporation on 05.12.2023 and was granted a fresh CTO for the existing unit by the SPCB, Odisha, valid until 31.03.2025, vide order dated 30.03.2024.
13. That OMPL also applied for an expanded EC. During this process, it submitted letters dated 01.02.2024 issued by the office of the DFO, Jharsuguda, confirming that the proposed expansion project is not located on forest land and that there is no National Park, Wildlife Sanctuary, or Wildlife Corridor within a 10 km radius. The expanded EC was subsequently granted by the MoEF&CC. **Copies of the DFO letter dated 01.02.2024 is annexed herewith and marked as Annexure C.**
14. In the letter dated 01.02.2024 of DFO for giving NOC, it has been clearly mentioned that MSP Metallics Ltd project area is not falling under national park, or wildlife sanctuary as per the GIS Map & DLC category of land. Also, from the Topo Map (10 KM Buffer Zone of the Project Location) prepared by Centre for Envotech & Management Consultancy Pvt. Ltd. Bhubaneswar, it is apparent that within 10 kms radius of the project area, there exists no forest land.
15. Further, even the images taken out from the website of 'Parivesh Portal' clearly show that there is no forest land involved in the vicinity of the plant area far less within the project area. Also, as per supplementary information available on parivesh.nic.in, applicability of "Forest Clearance" with respect to the aforesaid



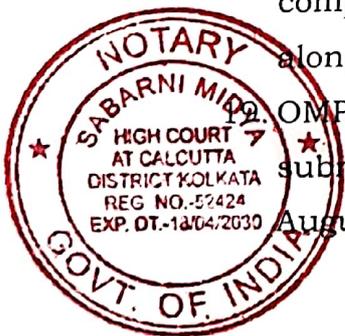
project shows "No", implying that no forest clearance with respect to the said project area is required to be taken, because no forest land is involved. **A copy of the Screen Shot taken from the Parivesh Portal is annexed herewith and marked as Annexure D.**

16. Further, also, as per Topo Map (10 KM Buffer Zone of the Project Location) prepared by Centre for Envotech & Management Consultancy Pvt. Ltd. Bhubaneswar, it is apparent that within 10 kms radius of the project area, there does not exist any forest land. **A copy of the Topo Map (10 Km Buffer Zone) is annexed herewith and marked as Annexure E.**

17. The answering respondent therefore had no occasion to even suspect that any alleged forest land would be or is involved in the project / plant area of the MSP Metallics Ltd. now acquired by the respondent no.9 OMPL, through the NCLT route on a clean slate basis. Consequently, the answering respondent did not have any opportunity or occasion to initiate any corrective steps for regularization etc, if any discrepancies as alleged were correct.

18. In the above background, it is obvious that the respondent no. 9 /OMPL could not have known about the alleged inactions/omissions and alleged non-compliances, if any, by the management of the erstwhile MSP Metallics Ltd, (which is not admitted in any manner whatsoever) until and after the acquisition of the assets of the said MSP Metallics Ltd. through the NCLT route, not to mention that such acquisition by virtue of the NCLT order dated 11.07.2022 protected the acquirer OMPL and the CD Company MSP Metallics Ltd., from any prosecution or liability in respect of any past violation arising from environmental non-compliances, amongst other reliefs and concessions that came along with such acquisition.

OMPL learnt of the forest land issue and the requirement of submission of Forest land Diversion Proposal, sometime in July-August 2025. Upon learning of the possible infraction and/or

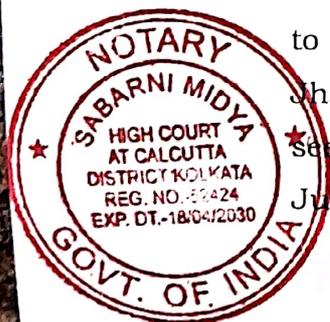


violation, the answering respondent immediately began gathering relevant information, inter alia, from concerned state departments and sought professional advice on further alternatives and corrective measures in the matter.

20. Accordingly, by a letter dated 06.08.2025, OMPL informed the Chief General Manager (Land), IDCO, that it had now acquired MSP Metallics Ltd. through the NCLT route and is already in the process of regularizing statutory licenses and approvals etc running the business of the now acquired Company. By such communication OMPL/respondent no.9 also sought details of the land measuring 12.24 acres, alleged to be forest land, while undertaking to abide by the applicable laws for the purpose of diversion of forest land, if necessary, upon furnishing of such details. **A copy of OMPL's Letter dated 06.08.2025 issued to Chief General Manager (Land) is annexed herewith and marked as Annexure F.**

21. That vide letter dated 16.09.2025 addressed to Land Officer, Orissa Industrial Infrastructure Development Corporation, OMPL further informed that the new management of the Respondent no.9 OMPL wished to pursue FC proposal and hence without prejudice requested IDCO to take necessary action for making FC proposal for diversion of the 12.24 acres of Gramya Jungle kism land as per Van (Sanrakshan Evam Samvardhan) Adhinyam, 1980. OMPL also undertook to pay all such costs as may be necessary for preparation & submission of FC proposal. **A copy of OMPL's Letter dated 16.09.2025 addressed to Land Officer, Orissa Industrial Infrastructure Development Corporation is annexed herewith and marked as Annexure G.**

22. Further, without prejudice and in order to avoid any statutory non-compliance, the respondent vide letter dated 11.10.2025 addressed to Divisional Forest Officer, Jharsuguda Forest Division, Jharsuguda Odisha, OMPL informed that the new management was seeking ex-post facto approval in respect of diversion of Gramya Jungle kism of land admeasuring 4.953 ha (12.24 acres approx.) for

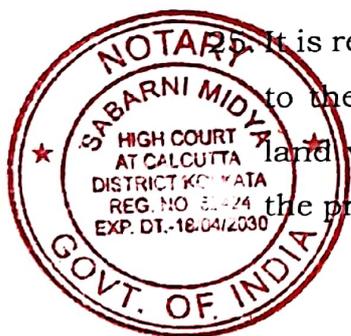


non-forestry purpose. In this relation, the application of forest diversion has been submitted for approval under Section 2(ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980. **A copy of OMPL's letter dated 11.10.2025 addressed to Divisional Forest Officer, Jharsuguda Forest Division, Jharsuguda, Odisha is annexed herewith and marked as Annexure H.**

23. That vide letter no 5788/4F(Misc) dated 17.10.2025, Office of the Divisional Forest Officer, Jharsuguda Forest Division informed OMPL that after scrutiny of the forest diversion proposal submitted by OMPL in Parivesh Portal, some shortfalls were noticed. Thus, it was requested to comply with the above shortfalls and resubmit the same in the Parivesh Portal as well as in hardcopy to this office for further necessary action. **A copy of the letter issued by Office of the Divisional Forest Officer, Jharsuguda Forest Division bearing letter no 5788/4F Misc, dated 17.10.2025, is annexed herewith and marked as Annexure I.**

24. It is respectfully submitted that from the above stated facts, thus it is apparent that since early August 2025, the answering respondent has taken requisite steps and is continuing to pursue all necessary applications and remedies for approval of the alleged diversion of forest land, in accordance with law, without any laxity ever since it became aware of the past violations and infractions in this regard of the erstwhile management of MSP Metallics Ltd. The answering respondent relied on the documents placed before a Court of Law being the Hon'ble National Company Law Tribunal (NCLT) and in no manner had any information regarding any acts of the erstwhile management of MSP Metallics Ltd. The answering respondent has taken all steps in Bonafide manner without prejudice to its rights and contentions in law.

It is respectfully submitted that the facts and circumstances leading to the present status of OMPL's application for diversion of forest land would reveal that its conduct does not lack bonafides and if the prayers of the Applicant in the instant O.A. are allowed then the

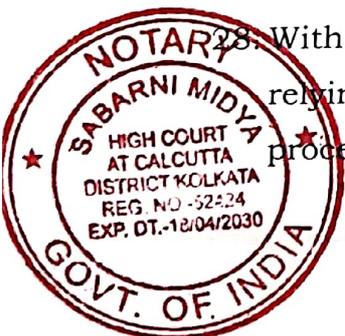


answering respondent shall suffer irreparable loss and injury for no fault on its part. It is most respectfully submitted that holding OMPL/respondent no.9 vicariously liable for the acts and omissions of the erstwhile management of MSP Metallics Ltd. would result in gross miscarriage of justice and in these exceptional facts and circumstances of the case and so as to avoid no-fault liability upon OMPL, it would be just and fair to view OMPL's case for diversion and regularization of forest land on a sympathetic, lenient and considerate footing.

26. That during the pendency of the present application, the respondent is in receipt of the purported assessment/order dated 06.01.2026 issued by the Additional Tahasildar, Jharsuguda. The same was issued without any show cause and in violation of the laid down procedure of law. It is submitted that the same is baseless, without merit, and is categorically denied. The said order, which allegedly contradicts the earlier certifications from the forest department, has been challenged by OMPL before the Learned Appellate Authority for reasons as morefully stated therein on the grounds, stated therein, wherein prayers have been made for its quashing and for a stay of its operation. Therefore, the said purported assessment is sub-judice, and no reliance can be placed on it in the present proceedings. **Copy of the appeal and stay are annexed hereto and marked with Annexure J.**

27. That it is respectfully submitted that OMPL's application for expansion is pending consideration before the MoEF&CC. For its expeditious disposal and in light of the challenged order dated 06.01.2026, OMPL is also the process of challenging the same before the appropriate Court of Law.

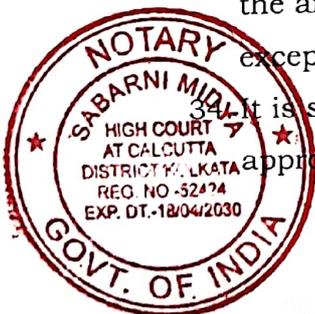
28. Without prejudice to what has been stated herein above, but fully relying upon the same, the answering Respondent now begs to proceed and reply to the various statements and allegations as



made in the instant O.A. 167 / 2025/EZ with reference to the numbered paragraphs of the same.

29. With regard to the statements made in and the contents of paragraph 1 of the O.A. No. 167/2025 (hereinafter the "said O.A."), the answering respondent denies and disputes the same save and except what are matters of record and what transpires therefrom. The respondent no.9, however, states and submits in the context that the Applicant was engaged with the erstwhile company for acquisition of the land when OMPL took over the company through NCLT. Towards the middle of the year 2025, the applicant/petitioner approached the management of the respondent OMPL and demanded some money against safe-keeping of certain confidential information which he had gathered during his employment with MSP Metallics Ltd. When the management of OMPL enquired as to what kind of confidential information was he blackmailing about, he refused to share details with warning that such information will soon surface before statutory authorities.
30. With regard to the statements made in paragraph 2 of the said O.A. the answering respondent denies and disputes the same, save and except what are matters of record and what transpires therefrom.
31. With regard to the statements made in paragraph 3 of the said O.A. the answering respondent denies and disputes the same, save and except what are matters of record and what transpires therefrom.
32. The answering respondent states that the applicant /petitioner has alleged in para 3 that OMPL has taken the plant in 2023 and EC was transferred in the name of OMPL from MSP Metallics Ltd. Thus, admittedly, irregularities, if any has to be on account of the acts or omissions of the erstwhile MSP metallics Ltd and not OMPL.
33. With regard to the statements made in paragraph 4 of the said O.A. the answering respondent denies and disputes the same, save and except what are matters of record and what transpires therefrom.

It is stated that OMPL has submitted expansion plan based on the approval accorded in the year 2006 & 2009 from the MoEF&CC by



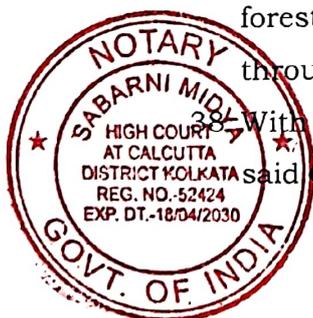
MSP. In the approval dated 01.10.2024 (Annexure 2 of the O.A.), DFO has mentioned no forest land was involved in 34.20 KMs radius.

35. With regard to the statements made in paragraph 5 of the said O.A. the answering respondent denies and disputes the same, save and except what are matters of record and what transpires therefrom.

36. It is stated that the Approved Plan Layout which is a part of Consent to Establish granted vide Board's Order No 2517 dated 20.02.2010, clearly shows the plot nos. 132, 138, 199, 202, 204, 205, 206, 381, 464, 466, 470, 472 (situated in the 500-acre project area of M/s MSP Metallics Ltd) having existing installation/structure and/or proposed expansions undertaken by M/s MSP Metallics Ltd. Those lands have not been acquired or approved for fresh CTE in favour of OMPL, these lands were granted in favour of MSP and acquired by OMPL by virtue of the order dated 11.07.2022 passed by the NCLT, Kolkata. Thus, the allegation of encroach at the hands of the management of OMPL/ respondent no.9 is false and false to the knowledge of the applicant. The applicant having been in the employment of the erstwhile MSP Metallics Ltd. is fully aware that these pre-existing structures and Units were commissioned and built by MSP Metallics Ltd. and not OMPL. OMPL by reason of the NCLT acquisition as aforesaid has merely inherited the defects of the past management of MSP Metallics Ltd. The applicant while being fully aware of such fact is seeking to make OMPL vicariously liable with an ulterior and extortionate motive.

37. With regard to the statements made in paragraph 6 of the said O.A. the answering respondent denies and disputes the same, save and except what are matters of record and what transpires therefrom. The answering respondent has learnt of the various aspect of the forest land issue only after it came to acquire MSP Metallics Ltd. through the NCLT, and not beforehand.

38. With regard to the statements made in paragraphs 7, 8 and 9 of the said O.A., the answering respondent denies and disputes the same,



save and except what are matters of record and what transpires therefrom. It is stated that the contents of such paragraphs under reply are a narration of sequence of events to the knowledge of the applicant in order to canvas his case.

39. The respondent respectfully states and submits that with reference to the contents of paragraph 9 of the OA, it is apparent that the response to the applicant's RTI was received by him only on 02.08.2025. However, even before he could obtain firm information about the status of the Forest clearance in favour of the user agency, he had filed the two complaints dated 08.07.2025 and 21.07.2025, respectively, as mentioned by the applicant himself in paragraphs 8 and 7 of the O.A. This leads to the inescapable conclusion that he had filed the complaints before the said authorities as mentioned by him in paragraphs 7 and 8, much before he could confirm the relevant information through RTI, which implies that he had filed the complaints based on his personal and confidential knowledge of the project gathered by him during his employment with the erstwhile MSP Metallics Ltd. and that at the relevant point of time the applicant himself was complicit in the violation of the law alongwith the then management of MSP Metallics, which he now seeks to espouse not only in breach of confidentiality but also with an ulterior and extortionate motive.

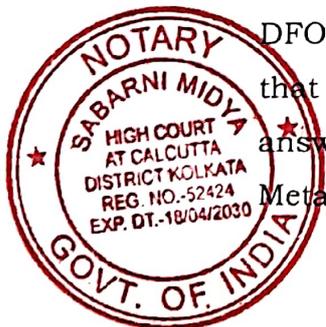
40. With regard to the statements made in paragraphs 10, 11 and 12 of the said O.A., the answering respondent denies and disputes the same, save and except what are matters of record and what transpires therefrom. The answering respondent states that timeline of events stated in the paragraphs under reply appear to be of 2014/2015, about which the answering respondent is not in a position to comment, because such events in any case pre-date the acquisition of MSP Metallics Ltd by OMPL with an intervening period of more than 8 years. It has already been stated in the preceding paragraph as to how the applicant even without waiting for the confirmation through RTI, filed a few complaints in advance in his



enthusiasm to advance his ulterior motives. In any view of the matter, allegations pertaining to mistaken executive action on the part of the government agencies/authorities cannot be invoked to hold the answering respondents liable for events that took place in 2014/2015. Further, it is apparent that for the inaction of the erstwhile MSP Metallics Ltd, during the relevant point of time, OMPL cannot be now held liable or responsible, more so in view of the order dated 11.07.22 as passed by the NCLT, Kolkata.

41. That it is pertinent to mention that from the contentions made in paragraph nos. 10, 11 and 12, it is apparent that the applicant is deliberately attempting to mislead this Hon'ble Tribunal, by citing information obtained through RTI and relying upon the RTI response dated 02.08.2025, when in fact such RTI response does not at all pertain to OMPL/respondent no.9. in effect, such RTI response dated 02.08.2025 is wholly inapplicable to the case as sought to be made out by the applicant. The answering respondent begs to state and submit that the very fulcrum of the applicant's case rests on the said RTI response dated 2.08.2025. it is respectfully submitted that such RTI response or any part of the pleadings in the O.A. based upon such RTI response ought to be considered as wholly inapplicable to the present *lis* before this Hon'ble Tribunal.

42. With regard to the statements and allegations made in paragraphs 13 and 14 of the said O.A., the answering respondent denies and disputes the same, save and except what are matters of record and what transpires therefrom. It is stated that the allegations made in such paragraphs under reply are again substantially based upon the RTI response dated 02.08.2025, which is wholly inapplicable to the answering respondent no.9. Insofar as allegation pertaining to DFO Jharsugda Division are concerned, it is stated and submitted that the applicant cannot be permitted to foist liability upon the answering respondent either for the past lapses of the erstwhile MSP Metallics Ltd. or even for any alleged inadvertence of any executive



action or decision of any government authority or government agency.

43. Moreover, with particular reference to the allegations made in paragraph 14, that the User Agency referred to by the applicant is with reference to events prior to acquisition of the said company by OMPL/respondent no.9. Thus by reference to the context of the documents relied upon by the applicant himself, the term User Agency has to mean by necessary implication, the then User Agency, i.e. MSP Metallics Ltd., and not OMPL. As such any past lapses or acts of omission/commission cannot be construed as the action or lapses of OMPL/respondent no.9, particularly with reference to allegations pertaining to the time period before the acquisition of erstwhile MSP Metallics by OMPL.

44. With regard to the statements and allegations made in paragraphs 16 to 22 of the said O.A., the answering respondent denies and disputes the same, save and except what are matters of record and what transpires therefrom. With particular reference to the first part of paragraph 19, it is categorically stated that the answering respondent inherited the pre-existing structures and units as constructed by the erstwhile management of MSP Metallics Ltd., inasmuch OMPL acquired the said MSP Metallics Ltd. through the NCLT route vide order dated 11.07.2022 as passed by the NCLT, Kolkata, on a clean slate basis.

45. With regard to the legal submissions and precedents cited by the applicant in the paragraphs under reply, the answering respondent craves leave to make appropriate legal submissions and rely upon suitable precedents at the time of hearing.

46. It is submitted that the entire case of the applicant hinges on the legal submission that since ex-post facto approval cannot be

accorded under any circumstances and therefore the EC granted by MoEFCC is liable to be withdrawn. However, such submission of the applicant is fallacious and falls foul of the recent Hon'ble Supreme



Court Judgement, which the respondent no. 9 craves leave to refer and rely upon at the time of hearing.

47. It is most humbly stated and submitted that the issue concerning grant of ex post facto approval pertaining to environmental clearances is still res integra and is yet to be finally decided by the Hon'ble Supreme Court as can be gathered by reference to the Judgment at the Hon'ble Apex Court passed in Vanashakti review, whereby the Writ Petition challenging the grant or not grant of ex post facto approval relating to environmental clearances has been restored to its original file. As such the Writ Petition (CIVIL) 1394/2023 as originally filed is still pending for adjudication before the Hon'ble Supreme Court.

48. It is most respectfully submitted that the point in issue regarding ex post facto approval invoked by the applicant in the instant OA No. 167 of 2025 in support of his Application and Prayers made therein is now also substantially and directly an issue before the Hon'ble Supreme Court.

49. In view of the above, till the time such issue of ex post facto is decided by the Hon'ble Supreme Court, the Applicant / Petitioner cannot be allowed/ be heard by this Hon'ble Tribunal in order to proceed in the instant OA based on the ground of impossibility of grant of ex post facto approval, which ground he has relied upon on the basis of a judgment rendered by the Hon'ble National Green Tribunal, Principal Bench in OA 37/2015 (SP Muthuraman vs UOI).

50. That since the applicant's case in the instant OA heavily relies upon such past precedent of grant of no scope or grant of ex post facto



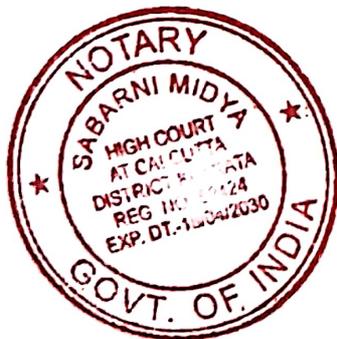
- approval, same has to be treated at large and kept open ended in view of the pendency of the Writ Petition before the Supreme Court.
51. As such the instant petition in its present form deserved to be dismissed and/ or kept in abeyance till the disposal of aforesaid Writ Petition by the Supreme Court.
52. It is most respectfully submitted that the applicant's O.A. is motivated, extortionate and not sustainable as against the answering respondent. As such the applicant is neither entitled to relief, whether interim or final.
53. In view of the facts and circumstance stated above, the answering respondent denies and disputes each and every ground relied upon by the applicant.
54. It is most respectfully submitted and prayed that the instant O.A. be dismissed with costs, in view of the several facts and circumstances as mentioned hereinabove.
55. That the facts stated above are true and correct to the best of my knowledge and belief. Nothing material has been concealed.
56. That the statements made in paragraph nos. 1,2, 3, 10, 11 to 50 are true to my knowledge and the statements made in paragraph nos. 4 to 9 are information derived from record which I believe to be true and the rest thereof are my humble submissions before this Hon'ble Tribunal.

Prepared in my Office

Ghanshyam Pandey
Advocate

For ORISSA METALIKS PVT. LTD.

Deepak Kumar Sathya
DEPONENT
Authorised Signatory/Director



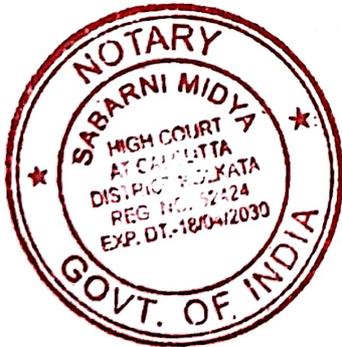
VERIFICATION

Verified at Kolkata on this the 7th day of February, 2026, that the contents of this affidavit are true and correct to the best of my knowledge and belief, no part of it is false, and nothing material has been concealed therefrom.

For ORISSA METALIKS PVT. LTD.
Deepak Kumar Pathre
Authorised Signatory/Director
DEPONENT

Identified by me
Ghanshyam Pandey
Advocate F/2627/21

Solemnly Affirmed & Declared
before me on identification
Somy
Sabarni Midya Notary
Reg. No.-52424 Govt. of India
High Court at Calcutta



07 FEB 2026

Annexure A

ORISSA METALIKS PRIVATE LIMITED

REGD. OFFICE : 1, GARSTIN PLACE, 'ORBIT HOUSE', 3RD FLOOR, ROOM NO. 3B, KOLKATA - 700 001, INDIA
 Phone : +91-33-2243-8518, Fax : +91-33-2243-8517, E-mail : sc_ompl@orissametaliks.com
 Website : www.orissametaliks.com, CIN : U27109WB2006PTC111146

EXTRACTS OF THE MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS OF ORISSA METALIKS PRIVATE LIMITED HELD AT ITS REGISTERED OFFICE AT 1, GARSTIN PLACE, 'ORBIT HOUSE', 3RD FLOOR, ROOM NO. 3B, KOLKATA - 700001 ON 20TH AUGUST, 2019.

AUTHORISATION IN FAVOUR OF MR. DEEPAK PATHRE, AUTHORISED OFFICIAL TO DEAL WITH LEGAL MATTERS FOR AND ON BEHALF OF THE COMPANY.

The Chairman informed the Board that in the Board Meeting dated 1st May, 2019, Mr. Deepak Kumar Pathre was authorised to deal with all legal matters in connection with any writ petition, suit(s) or other legal proceeding(s) filed by or against the Company before Hon'ble High Court at Calcutta and other court(s) of land or any tribunal or any quasi-judicial or statutory or administrative authority for and on behalf of the Company.

The Chairman further informed the Board that the residential address of Mr. Deepak Kumar Pathre has been changed from 60 Chowringhee Road, Kolkata-700020, to 368, B.B.D Road, Uttarpara Kotrung, Uttarpara, Hooghly-712233, recently. Suitable modification needs to be made in the previous resolution passed by the Directors.

The Board discussed the matter and passed the following resolution:

"RESOLVED THAT in partial modification of the earlier resolutions passed by the Directors, Mr. Deepak Kumar Pathre, S/o Mr. Binod Kumar Pathre, residing at 368, B.B.D Road, Uttarpara Kotrung, Uttarpara, Hooghly-712233, West Bengal, Authorised Official of the Company be and is hereby empowered to appear, sign, verify, declare, affirm, make, present, submit and files all necessary notices, writ petitions, plaints, petitions, written statements, affidavits, undertakings, vakalatnamas, declarations, Appeals, Revisions, applications, statements, complaints, papers and documents and all proceedings and matters in connection with any suit(s) or proceeding(s) filed by or against the Company before Hon'ble High Court at Calcutta and other court(s) of land or any tribunal or any quasi-judicial or statutory or administrative authority for and on behalf of the Company and to do all such acts, things, deeds as may be necessary.

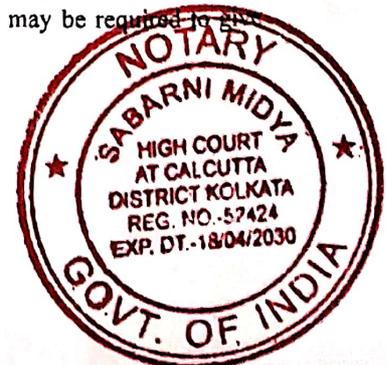
RESOLVED FURTHER THAT aforesaid power entrusted to the said official shall be valid unless revoked otherwise by the Board and shall be exercisable by him so long as he associated with the Company."

RESOLVED FURTHER THAT any of the Directors or the Company Secretary of the Company, be and is hereby severally authorised to do all such acts, deeds and things, as may be required to give effect to the above resolution."

CERTIFIED TRUE COPY

For Orissa Metaliks Private Limited

Padi Lakshmi
 Company Secretary





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ORDER

Per Harish Chander Suri, Member (Technical)

1. This Court convened through hybrid mode.
2. I.A. (IB) No. 616/KB/2022 is an application under Section 30 (6) and Section 31 of the Code after approval of the resolution plan by the Committee of Creditors ["CoC"].
3. This Application was moved by Mrs. Meena Sureka, Resolution Professional of MSP Metallics Limited (CIN: U27109WB1996PLC082138), by invoking the provisions of Section 30(6) and Section 31 of the Insolvency and Bankruptcy Code, 2016 [hereinafter referred to as "the Code" or "IBC"] read with regulation 39(4) of the Insolvency and Bankruptcy Board of India (Insolvency Resolution Process for Corporate Persons) Regulations, 2016 [hereinafter referred to as "CIRP Regulations"] for approval of a Resolution Plan in respect of MSP Metallics Limited.
4. The underlying Company Petition in C.P. (IB) No. 580/KB/2020 was filed by Central Bank of India (which was further assigned to CFM Asset Reconstruction Private Limited by way of Deed of Assignment dated 04.06.2021 and thereafter confirmed vide order dated 22.07.2021) against MSP Metallics Limited, this Adjudicating Authority directed commencement of Corporate Insolvency Resolution Process (hereinafter referred to as 'CIR Process') of the MSP Metallics Ltd (Corporate Debtor hereafter) by an order dated 25.11.2021 and appointed Mr. Dipti Ranjan Nath to act as the Interim Resolution Professional herein.
5. The IRP made public announcement on 27.11.2021 in 2 newspapers namely, Financial Express (English) and Aajkal (Bengali) regarding initiation of Corporate Insolvency Resolution Process [hereinafter referred to as "CIRP"] and called proof of claims from the financial and operational creditors, workers and employees of the Company in the specified form till 09.12.2021.
6. The Applicant states that a total of 11 CoC meetings have been held during the CIRP period, as follows:





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Particulars	Date of CoC meetings
1 st CoC Meeting	23.12.2021
2 nd CoC Meeting	30.12.2021
3 rd CoC Meeting	17.01.2022
4 th CoC Meeting	04.02.2022
5 th CoC Meeting	14.03.2022
6 th CoC Meeting	02.04.2022
7 th CoC Meeting	13.04.2022
8 th CoC Meeting	29.04.2022
9 th CoC Meeting	09.05.2022
10 th CoC Meeting	26.05.2022 & 30.05.2022
11 th CoC Meeting	10.06.2022

7. Pursuant to receipt of the claims, the IRP duly constituted the Committee of Creditors ('CoC') of the Corporate Debtor under Section 21 of the I & B Code, 2016 and filed a report on 17.12.2021 certifying constitution of the CoC of the Corporate Debtor before this Adjudicating Authority in accordance with Regulation 17 (1) of the Insolvency and Bankruptcy Board of India (Insolvency Resolution Process for Corporate Persons) Regulations, 2016.
8. Thereafter, the CoC, in its 3rd meeting held on 17.01.2022, duly appointed Mrs. Meena Sureka, the applicant herein, to act as the resolution professional of the corporate debtor. Pursuant thereto, this Adjudicating Authority vide its order dated 04.03.2022 duly confirmed the appointment of the applicant to act as the resolution professional for conducting the CIR Process of the corporate debtor.
9. The Applicant submits that as per the requirements of Section 25(2)(h) of the IBC, 2016 read with regulation 36A(1) of the CIRP Regulations, 2016, invitations in Form 'G' for Expression of Interest (EOIs) from potential resolution applicants were issued on 08.02.2022 in Business Standard -





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English (all India Edition), Aajkal -Bengali (All West Bengal Edition) and Dharitri - Odia (All Odisha Edition) newspapers with the last date for submission of resolution plans on 09.04.2022. It has been informed that the last date for submissions of the resolution plans by the prospective resolution applicants was extended on numerous occasions, i.e., 15.04.2022; 29.04.2022; and lastly for 06.05.2022.

10. It has been informed that 6 prospective resolution applicants duly submitted their EoIs along with Earnest Money Deposit of Rs. 1,00,00,000/- (Rupees One Crore only), however, only one resolution plan has been received by the Applicant.
11. Pursuant to receipt of EoI and EMD, the Applicant duly shared the Information Memorandum and RFRP with one Orissa Metalliks Private Limited [CIN: U27109WB2006PTC111146] (hereinafter referred to as the '**Resolution Applicant**') vide email dated 16.03.2022.
12. The Applicant submits that pursuant to appointment of valuers in accordance with Regulation 27 and 35 of the Insolvency & Bankruptcy Board of India (Insolvency Resolution Process for Corporate Persons) Regulations, 2016 the fair market value and liquidation value of the Corporate Debtor, as per the valuation reports, is as under:

S. No.	Valuer	Fair Market Value (Rs./Cr.)	Liquidation Value (Rs./Cr.)
a)	RBSA Advisor	Rs. 510 Crore	Rs. 334 Crore
b)	Fintech Valuation Advisory LLP	Rs. 480.42 Crore	Rs. 360.05 Crore
	Total Average Value	Rs. 495.21 Crore	Rs. 347.02 Crore

13. It is stated that the Applicant received one resolution plan on the last date fixed for submission of resolution plan, i.e. on 06.05.2022. The said resolution plan has been submitted by Orissa Metaliks Private Limited.





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14. Accordingly, the said resolution plan of Orissa Metaliks Private Limited was duly placed by the Applicant before the CoC in sealed envelope in the 9th meeting of the CoC held on 9th May 2022.
15. It is imperative to mention here that in the interregnum, since the 180 days' period for completion of CIR Process was expiring on 24.05.2022, the CoC, pursuant to the 9th meeting held on 9th May 2022 duly e-voted in favour of seeking extension under Section 12 (2) read with Section 12 (3) of the I & B Code, 2016 in light of the fact that a prospective resolution applicant has submitted a resolution plan and there are chances of resolution of corporate debtor.
16. Accordingly, the Applicant/ RP herein duly filed an interlocutory application being I.A. (IB) No. 481/KB/2022 for seeking extension of time for completion of CIR Process of Corporate Debtor. This Tribunal, vide its order dated 20.06.2022 allowed the application of the Applicant/ RP under Section 12 and directed that the CIR Process of Corporate Debtor shall end on 22.08.2022. The timeline of CIR Process of MSP Metaliks Limited is reproduced hereunder:

Date	Timeline
25.11.2021	Admission of Corporate Insolvency Resolution Process of MSP Metaliks Limited
21.05.2022	Application under Section 12 (2) read with Section 12 (3) of the I & B Code, 2016 filed by the Applicant/ RP being I.A. (IBC) No. 481/KB/2022
24.05.2022	Completion of 180 days' time
22.08.2022	Completion of 270 days' time





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17. The Successful Resolution Applicant presented the entire resolution plan, including the feasibility and viability and other requirements for resolution of the Corporate Debtor before the Committee of Creditors of MSP Metalics Limited in the 10th meeting of the CoC held on 26.05.2022 and thereafter reconvened on 30th May 2022. The CoC, in the said meeting, advised the prospective resolution applicant to increase the offer value and further advised the resolution applicant to modify and amend the resolution plan in terms of the negotiations and discussions held during the 10th meeting of the CoC. In furtherance to the deliberations, negotiations and amendments proposed by the CoC in the 10th meeting, the Resolution Applicant duly submitted its modified resolution plan initially on 01.06.2022 and subsequently on 08.06.2022. The said modified and final resolution plan dated 08.06.2022 was placed for consideration of the CoC in the 11th meeting held on 10.06.2022. Pursuant to series of deliberations and negotiations amongst the members of the Committee of Creditors and the Resolution Applicant, the final resolution plan of the Resolution Applicant was duly put to voting on 10.06.2022 and the voting was kept open until 12.06.2021.
18. The Committee of Creditors duly approved the Resolution Plan of Orissa Metaliks Private Limited by 100% voting on 12.06.2021.
19. Applicant further submits that the Successful Resolution Applicant has also duly furnished Performance Bank Guarantee to the tune of Rs. 50,00,00,000/- (Rupees Fifty Crore only) in accordance with the terms and conditions of the IM and RFRP document.
20. The Resolution Plan of Orissa Metaliks Private Limited stipulates constitution of Working Committee and Monitoring Committee to facilitate implementation of the Resolution Plan being approved.
21. The Successful Resolution Applicant proposes a financial outlay of Rs. 800.02 Crore in the resolution plan.
22. The Applicant submits details of various compliances envisaged within the Code and the CIRP Regulations which requires a Resolution Plan to adhere to, which is reproduced hereunder:





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I. Submission of Resolution Plan in terms of Section 30 (2) of the Code:

Clause of S. 30 (2)	Requirement	How dealt with in the Resolution Plan
(a)	Plan must provide for payment of CIRP cost in priority to repayment of other debts of CD in the manner specified by the Board.	Clause 3.2
(b)	(i) Plan must provide for repayment of debts of OCs in such manner as may be specified by the Board which shall not be less than the amount payable to them in the event of liquidation u/s 53; or (ii) Plan must provide for repayment of debts of OCs in such manner as may be specified by the Board which shall not be less than amount that would have been paid to such creditors, if the amount to be distributed under the resolution plan had been distributed in accordance with the order of priority in sub Section(1) of Section 53, which ever is higher and (iii) Provides for payment of debts of financial creditors who do not vote in favour of the resolution plan, in such manner as may be specified by the Board.	Clause 3.3 & Clause 3.4
(c)	Management of the affairs of the Corporate Debtor after approval of the Resolution	Clause 5





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	Plan.	
(d)	Implementation and Supervision of the Resolution Plan.	Clause 6
(e)	Plan does not contravene any of the provisions of the law for the time being in force.	Clause 7.8
(f)	Confirms to such other requirements as may be specified by the Board.	Clause 7.17.7

II. Measures, as may be necessary, for insolvency resolution, in terms of Regulation 37 of CIRP Regulations:

Regulation	Particulars	Comments	Reference
Regulation 37 (a) & (b)	Transfer/ sale of all or part of the assets of the Company to one or more persons;	The Resolution Plan does not envisage transfer or sale of any of the assets of the corporate debtor upto settlement date. However, post settlement date, RA may carry out transfers/ sale during the normal course of business. The Resolution Plan does not envisage transfer or sale of any of the assets of the corporate debtor upto settlement date. However, post settlement date, RA may carry out transfers/ sale during the normal course of business	Chart @ pg. 92 of application





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Regulation 37 (ba)	Restructuring of the Corporate Debtor, by way of merger, amalgamation and demerger	The Resolution Plan does contemplate restructuring through reverse merger	<i>Annexure 2 of resolution plan</i>
Regulation 37 (c)	The substantial acquisition of shares of the Corporate Debtor, or the merger or consolidation of the Corporate Debtor with one more person	Please refer to Annexure 2 structure for acquisition of control over the Corporate Debtor by the Resolution Applicant	<i>Annexure 2 of resolution plan</i>
Regulation 37 (ca)	cancellation or delisting of any shares of the corporate debtor, if applicable	Please refer to Annexure 2 structure for acquisition of control over the Corporate Debtor by the Resolution Applicant	<i>Annexure 2 of resolution plan</i>
Regulation 37 (d)	Satisfaction or modification of any security interest	Please refer to Annexure 2 structure for acquisition of control over the Corporate Debtor by the Resolution Applicant	<i>Clause (IX) @ pg. 155</i>
Regulation 37 (e)	curing or waiving of any breach of the terms of any debt due from the Company	Please refer to Annexure 2 structure for acquisition of control over the Corporate Debtor by the Resolution Applicant	<i>Annexure 2 of resolution plan</i>
Regulation 37 (f)	Reduction in the amount payable to the creditors	Please refer to Annexure 2 structure for acquisition of control over the Corporate Debtor by the Resolution Applicant	<i>Annexure 2 of resolution plan</i>





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Regulation 37 (g)	Extension of a maturity date or a change in interest rate or other terms of a debt due from the Company	Please refer to Annexure 2 structure for acquisition of control over the Corporate Debtor by the Resolution Applicant	<i>Annexure 2 of resolution plan</i>
Regulation 37 (h)	Amendment of the constitutional documents of the Company	Constitutional documents of corporate debtor are proposed to be amended appropriately as per requirements of the plan	<i>Chart @ pg. 92 of application</i>
Regulation 37 (i)	Issuance of securities of the Company, for cash, property, securities, or in exchange for claims or interests or other appropriate purpose.	Shares of any kind as permitted under the law shall be issued	<i>Chart @ pg. 92 of application</i>
Regulation 37 (j)	Change in portfolio of goods or services produced or rendered by the corporate debtor	The Resolution Plan does not envisage any change in portfolio of goods or services produced or rendered by the corporate debtor. Post Submission and approval of the Resolution Plan, the RA shall have the right to make change in portfolio of goods or services produced in any manner as they desire	<i>Chart @ pg. 92 of application</i>





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Regulation 37 (k)	Change in technology used by the corporate debtor	The Resolution Plan does not envisage any change in technology used by the corporate debtor. Post Submission and approval of the Resolution Plan, the RA shall have the right to make change in technology used which may be deemed more beneficial for the Company by them	Chart @ pg. 92 of application
Regulation 37 (l)	Obtaining necessary approvals from the Central and State Governments and other authorities.	Requisite approvals/ licenses, if any, shall be obtained by RA from Central/ State Government and/ or other authorities, by seeking help of the Monitoring Agency, as is required to be obtained under law.	Chart @ pg. 92 of application

III. Mandatory contents of Resolution Plan in terms of Regulation 38 of CIRP Regulations:

Reference to relevant Regulation	Requirement	How dealt with in the Plan
38 (1)	The amount due to the operational creditors under a resolution plan shall be given priority in payment	Clause 3.3





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	over financial creditors.	
38 (1A)	A resolution plan shall include a statement as to how it has dealt with the interests of all stakeholders, including financial creditors and operational creditors of the corporate debtor.	Clause 3.5
38 (1B)	A resolution plan shall include a statement giving details if the resolution applicant or any of its related parties has failed to implement or contributed to the failure of implementation of any other resolution plan approved by the Adjudicating Authority at any time in the past.	Clause 4.2
38 (2)	A resolution plan shall provide: (a) the term of the plan and its implementation schedule;	Clause 4.1
	(b) the management and control of the business of the corporate debtor during its term; and	Clause 5.1.1
	(c) Adequate means for supervising its implementation.	Clause 6.1
38 (3)	A resolution plan shall demonstrate that– (a) it addresses the cause of default;	Clause 6.11
	(b) it is feasible and viable;	Clause 6.11
	(c) it has provisions for its effective implementation;	Clause 4





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	(d) it has provisions for approvals required and the timeline for the same; and	Clause 4.4
	(e) the Resolution Applicant has the capability to implement the resolution plan	Section B

IV. Mandatory contents of Resolution Plan in terms of Regulation 39 of CIRP Regulations

Reference to relevant Regulation	Requirement	How dealt with in the Plan
39 (1) (a)	An affidavit stating RA is eligible under section 29A to submit resolution plans;	Refer Affidavit of resolution applicant declaring eligibility under Section 29A of the I & B Code, 2016
39 (1) (c)	An undertaking by the prospective resolution applicant that every information and records provided in connection with or in the resolution plan is true and correct and discovery of false information and record at any time will render the applicant ineligible to continue in the corporate insolvency resolution process, forfeit any refundable deposit, and attract penal action under the Code.	Refer undertaking by Successful Resolution Applicant





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23. Applicant submits that the Successful Resolution Applicant has submitted an affidavit of eligibility under Section 29A of the Code, which has been annexed as to the Application.
24. Applicant submits that the RP has submitted the certificate certifying and confirming the eligibility of the SRA under Section 29A of the Code, which has been annexed to the Application.
25. The Applicant has filed a compliance certificate in the prescribed form, i.e., Form 'H' in compliance with Regulation 39(4) of the CIRP Regulations which has been annexed as to with the Application.

Details of Resolution Plan/ Payment Schedule

26. The Applicant submits the relevant information with regard to the amount claimed, amount admitted and the amount proposed to be paid by the Successful Resolution Applicant i.e. Orissa Metaliks Private Limited, under the said Resolution Plan is tabulated as under:

S. No.	Particulars	Amount Claimed (in Crore)	Amount Admitted (in Crore)	Amount in the Plan (in Crore)
1	CIRP Cost	Actual		Actual
2	Financial Creditors			
	- Secured Financial Creditors	2670.13	2688.23	499.27
	- Unsecured Financial Creditors	5.35	5.35	0.27
3	Operational Creditors (other than workmen & employees & government/ statutory	47.80	41.03	0.40





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	dues)			
4	Workmen & Employee dues	1.25	0.12	0.06
5	Other Creditors	0.002	0.002	0.0002
6	Capex/ Restart Cost (within 6 months)			200.00
7	Working Capital (within 6 months)			100.00
	Total Resolution Plan value			800.02

27. Details on Management/ Implementation and Reliefs as per the Resolution Plan – Salient Features

The Resolution Plan also provides for –

- a. Management of Company after resolution in Clause 5 and 6;
- b. Term of the resolution plan in Clause 4; and
- c. Implementation and Supervision of the resolution plan in Clause 4.

28. Reliefs and Concessions (Section D of Resolution Plan)

Sl. No.	Relief and/ or Concessions Sought	Orders Thereon
1	Licenses and approvals held by the Company, which expire prior to Effective Date or within a period of 6 (six) months thereafter, shall be renewed/extended by the relevant Governmental Authorities, and the Company shall be permitted to continue its business and assets in the manner operated prior to submission this plan until the renewal/extension of such licenses and approvals. The relevant Governmental Authorities will provide a reasonable period of time after the Effective Date in order for the Resolution	Granted.





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	<p>Applicant to:</p> <p>a. Assess the status of licenses and approvals required by the Company and to procure that the Company applies for the same; and</p> <p>b. Regularize any non-compliances under the Applicable Law (including non-registration, inadequate/non-stamping of documents as required under Applicable Law) existing prior to the Closing Date.</p>	
2	Direction to authorities for providing key infrastructure facilities and approvals like Consent to Establish, Consent to Operate, electricity power approval, Water approval, Railways approval, approval for operating the mines etc.	Granted.
3	Direction to Resolution Professional and CoC to provide full access to information, promises and assets to Resolution Applicant.	Granted.
4	Upon approval of this Resolution Plan, all investments (including but not limited to the investment in key infrastructure facilities), statutory rights, licenses, lease agreements, agreements, registrations or any similar approval by whatever name called and fundamental for running the business on going concern shall be in complete force and valid.	Granted.





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5	The RP and CoC shall allow possession of the premises/offices of the Corporate Debtor, all passwords, bank account details, cheque books, statutory registers, minute books, financial records, all communication with vendors, customers, government and regulatory authorities and all other documents pertaining to the Corporate Debtor and all its business divisions information technology systems (including all software and hardware), access to ERP system, etc. to the RA within 30 days of the Effective Date	Granted.
6	Approval of this Resolution Plan by the AA and serving of the certified copy of the order approving the Resolution Plan shall serve as sufficient notice to the Electricity Department towards supplying of uninterrupted electricity connection to all the manufacturing units of the Corporate Debtor.	Granted.
7	The approval of the Adjudicating Authority and the CoC shall constitute adequate approval and cancellation of the existing share capital and accordingly, no approval/consent shall be necessary from any other Person / Governmental Authority in relation to either of these actions under any agreement, the constitutional documents or under any Applicable is also clarified that the Resolution Applicant shall not be required to deal with the dissenting /abstaining Financial Creditors in any manner other than as provided under the	Granted.





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	Code.	
8	Approval of this plan shall be deemed approval for waiver from filing of statutory returns (including but not limited to any filings for Registrar of Companies, Direct & Indirect Tax authorities, plant related annual filings, etc), for a period prior to Effective Date. A certified copy of the order approving Resolution Plan shall be a direction on such statutory authorities to allow the Company to do compliance(s) with effect from and after the date of approval of Resolution Plan by the Adjudicating Authority.	Granted, subject to the law and applicable Regulations.
9	Approval of this plan shall be deemed approval for removal of Directors from the record of the Company as appearing on the MCA portal/ website/ income tax web site/ Any Indirect website. A certified copy of the order approving the Resolution Plan shall be a direction on such statutory authorities to do the needful.	Granted.
10	The approval of this Plan by the Adjudicating Authority shall be deemed to have waived all the procedural requirements in terms of Section 66, Section 42 and Section 62(1Xe) of the Companies Act, 2013 and other Applicable Law (including LODR Regulations and ICDR Regulations) for reduction of share capital, issuance of Non-Convertible Debenture and issuance of equity shares to the Resolution Applicant and/or the Financial Creditors.	Granted.
11	An order approving the Resolution Plan shall be a	Granted.



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	deemed order upon Financial Creditors to cancel all pledge/ lien/ other encumbrances upon the issued share capital of the Company to enable corporate action as envisaged in the Resolution Plan.	
12	The Ministry of Corporate Affairs and/ or the Adjudicating Authority shall exempt compliance with the provisions of Chapter XV of the Companies Act, 2013 (and the corresponding rules issued under the Companies Act, 2013), in respect of schemes of arrangement contemplated under the Plan.	Granted, subject to the law and applicable applicable
13	To direct/grant all approvals required for consummating the scheme of arrangement presented in Annexure-2.	Granted, subject to the law and applicable applicable
14	To direct/grant all approvals required for undertaking the schemes of capital reduction envisaged in Annexure-2 of the Resolution Plan.	Granted, subject to the law and applicable applicable
15	The relevant Governmental Statutory Regulatory Authorities shall not initiate any investigations, actions or proceeding in relation to any non-compliance with Applicable Law by the Company during the period prior to the Closing Date. Neither shall the Resolution Applicant, nor the Company, nor their respective directors, officers and employee appointed on and as of the Closing Date be liable for any violations, liabilities, penalties or fines with respect to or pursuant to the Company not having in place requisite licenses and approvals required to undertake its business as per Applicable	Granted.

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	Law, or any non-compliances of Applicable Law by the Company. Further, the relevant Governmental Authorities will provide a reasonable period of time after the Effective Date, for the Resolution Applicant to assess the status of any non-compliances under the Applicable Law (including with respect to applicable environmental laws, directions or orders by the Ministry of Environment and Forest, permits clearances and forest related clearances) and to procure that the Company regularizes such non-compliances under the Applicable Law existing prior to the Effective. Date	
16	Withdrawal of litigations initiated by the Financial Creditors against Corporate Debtor, Issue no-dues certificate(s) in favour of Corporate Debtor and release their respective charges on the securities in full and complete satisfaction of all debts owed to the Financial Creditors by Corporate Debtor, including all guarantees by Corporate Debtor which may have been provided to the Financial Creditors, for credit facilities availed by Corporate Debtor.	Granted.
17	Any and all dues to, liabilities or obligations payable to, claims, counter-claims, demands, actions or penalties, made or imposed by or any arrears, dividend or obligations owed or payable to (including but not limited to all interests, damages, losses, expenses and third party claims), and any right, title, interest enjoyed by, any actual or	Granted in terms of the Ghanashyam Mishra and Sons Pvt Ltd v Edelweiss Asset Reconstruction Company Ltd, wherein the Hon'ble





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<p>potential other stakeholders of the Corporate Debtor including any group companies whether under law or otherwise, whether or not claimed, whether or not filed, whether or not crystalized, whether or not secured, whether or not admitted, whether or not notional, whether or not known, whether due or contingent, whether or not disputed, present or future, whether or not being adjudicated in any proceedings, whether or not decreed, whether or not reflected in the financial statements of the Corporate Debtor, or whether or not reflected in any record, document, statement, statutory or otherwise, arising prior to or after the Effective Date, but pertaining to period prior to the Effective Date, and/ or arising in connection with Assignment or acquisition of shares of the company by the investors or conversion of the Conversion Debt into Equity or in any other manner as a result of or in connection with this Plan, shall be deemed to have been irrecoverably waived and permanently extinguished and written off in full with effect from the Effective Date. To give effect to such waiver and extinguishment, any contract, agreement, deed or document, whether oral or written, expressed or implied, statutory or otherwise, pursuant to which any such dues, liabilities, obligations, claims, counterclaims, demands, actions, penalties, right, title or interest in claimed (other than as specifically mentioned herein) shall stand modified with effect from the</p>	<p>Supreme Court has held in para 95(i) that once a resolution plan is duly approved by the Adjudicating Authority under subsection (1) of section 31, the claims as provided in the resolution plan shall stand frozen and will be binding on the Corporate Debtor and its employees, members, creditors, including the Central Govt, any State Govt or any local authority, guarantors and other stakeholders.</p>
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	Effective Date without any further act, deed and approval of the Resolution Plan by Adjudicating Authority shall be deemed to be sufficient notice which may be required to be given to any person for such matters and no further notice shall be required to be given.	
18	Relinquishment of all/ any promise to pay towards any obligation including corporate guarantee, pledge on any shares, mortgage or charge on any specific asset, etc. issued by Corporate Debtor in favour of or on behalf of any of its subsidiaries, associates, group) companies or any third party.	Granted in terms of the Ghanashyam Mishra and Sons Pvt Ltd v Edelweiss Asset Reconstruction Company Ltd, wherein the Hon'ble Supreme Court has held in para 95(i) that once a resolution plan is duly approved by the Adjudicating Authority under subsection (1) of section 31, the claims as provided in the resolution plan shall stand frozen and will be binding on the Corporate Debtor and its employees, members, creditors,





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		including the Central Govt, any State Govt or any local authority, guarantors and other stakeholders.
19	Specific waiver of transaction costs related to the implementation of the Resolution Plan including but not limited to any incidence of Stamp Duty, ROC Fee, Income Tax, any Statutory Levy, Renewal Charges, etc.	Granted, subject to the law and applicable regulation.
20	Directions from Adjudicating Authority that other than actions taken by the CoC/Resolution Professional against the personal guarantees extended by the Existing Promoter group which have been initiated prior to the approval by the Adjudicating Authority, all legal suits, proceedings, certificate proceedings and/or quasi-legal proceedings that have been initiated against Corporate Debtor or the Incumbent Promoter Group, Subsidiaries / Associates / related party(ies) of the Incumbent Promoter Group, which may have an adverse impact on Corporate Debtor of any nature whatsoever, shall stand quashed, including but not limited to: for recovery of any debts and dues (including but not limited to statutory dues like Central/State Sales Tax/value-added tax/Central Excise/Service Tax/ Goods and Services Tax, Income Tax, Customs Duty, etc. or	Granted.





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	any other statutory dues) pending against OISL and 100% waiver of all such claims/dues thereunder, b. those related to taxation, related to environment and forest laws, railway claims/disputes proceedings under the Foreign Exchange Management Act 1999, Prevention of Money Laundering Act 2002, criminal matters, etc.	
21	As per Section 32A of the IBC, the Resolution Applicant and the Corporate Debtor shall have immunity from any actions and penalties (of any nature) under any laws for any non compliance of laws in relation to the Corporate Debtor or by the Corporate Debtor, as well as with the terms of any agreement or arrangement entered into by the Corporate Debtor, which was existing as on the Completion Date and which continues for a period of up to 2 months after the acquisition of control by the Resolution Applicant over the Corporate Debtor, Without any liability for the non-compliance during the time specified above, the Resolution Applicant undertakes to cause the Corporate Debtor to expeditiously identify such non compliances, evaluate the steps required to address such non-compliances and take steps to remedy such non-compliances to the extent practically possible. The Resolution Applicant and the Corporate Debtor shall be entitled to apply to and approach the Adjudicating Authority for relief for continued implementation of the approved Resolution Plan before or after any coercive action	Granted.





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In
CP (IB) NO. 580/KB/2020

	is taken against the Corporate Debtor or the Resolution Applicant, especially in view of the limited due diligence offered to the Resolution Applicant.	
22	This Resolution Plan will be implemented pursuant to an order of the Adjudicating Authority, and all actions stated in this Resolution Plan shall be deemed to be approved by the Adjudicating Authority. Accordingly, any action or implementation of this Resolution Plan shall not be a ground for termination of any contracts entered into by the Corporate Debtor.	Granted.
23	All contracts between the Corporate Debtor and related parties (as defined in Section 5(24) of the Code shall stand terminated with effect from the Effective Date unless otherwise notified by the Resolution Applicant by the Effective Date, and the Corporate Debtor shall not be liable towards any claims with respect to termination of such contracts, including but not limited to, any claims, penalty, damages (liquidated or otherwise), arbitration claims, claims for specific performance or claims for interim relief.	Granted.
24	All financial obligations under any contract to which the Corporate Debtor is a party, relating to a period prior to the Effective Date, if not provided for under this Resolution Plan, shall stand extinguished.	Granted in terms of the Ghanashyam Mishra and Sons Pvt Ltd v Edelweiss Asset Reconstruction Company Ltd,





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		<p>wherein the Hon'ble Supreme Court has held in para 95(i) that once a resolution plan is duly approved by the Adjudicating Authority under subsection (1) of section 31, the claims as provided in the resolution plan shall stand frozen and will be binding on the Corporate Debtor and its employees, members, creditors, including the Central Govt, any State Govt or any local authority, guarantors and other stakeholders.</p>
25	<p>Any reassessment, revision or other proceedings under the provisions of the Applicable Laws relating to Taxes would be deemed to be barred in relation to any period prior to the Effective Date, by virtue of the order of the Adjudicating Authority approving this Resolution Plan.</p>	Granted.



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IN THE NATIONAL COMPANY LAW TRIBUNAL
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26	All assessment/re-assessment/revision/penalty/appellate or other proceedings pending in the case of the Corporate Debtor as on the Effective Date, relating to the period prior to that date, shall stand terminated and all consequential liabilities, if any, shall be waived and shall be considered to be not payable by the Corporate Debtor by virtue of the NCLT order approving this Resolution Plan.	Granted, subject to the law and applicable Regulations.
27	All notices issued under the provisions of the respective Acts to initiate any proceedings viz. assessment/reassessment/revision/penalty/etc. against the Corporate Debtor in relation to the period prior to the Effective Date shall be considered withdrawn and shall not be proceeded against.	Granted.
28	No notices should be issued under the provisions of the respective Acts to initiate any proceedings viz. assessment/reassessment/revision/penalty/etc, against the Corporate Debtor in relation to the period prior to the Effective Date.	Granted.
29	Any proceedings which were kept in abeyance in view of the insolvency process or otherwise shall not be revived post the order of the NCLT.	Granted.
30	No further demand for period prior to the Effective Date shall be raised by the respective Departments.	Granted in terms of the Ghanashyam Mishra and Sons Pvt Ltd v Edelweiss Asset Reconstruction





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		Company Ltd, wherein the Hon'ble Supreme Court has held in para 95(i) that once a resolution plan is duly approved by the Adjudicating Authority under subsection (1) of section 31, the claims as provided in the resolution plan shall stand frozen and will be binding on the Corporate Debtor and its employees, members, creditors, including the Central Govt, any State Govt or any local authority, guarantors and other stakeholders.
31	AA to pass necessary orders/ give appropriate directions to direct tax authorities/ Principal Commissioner of Income-tax to not apply/ invoke section 79 of IT Act on implementation of the Resolution Plans and allow benefit of carry forward and setoff of losses of Corporate Debtor	Granted.





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	existing and arising pursuant to implementation of Resolution Plan post change in majority shareholding.	
32	AA to pass necessary orders/ give appropriate directions to direct tax authorities to grant waiver from getting No Objection Certificate from direct tax authorities as contemplated under section 281 of IT Act. Similar directions to be given to indirect tax authorities as well	Granted in terms of the Ghanashyam Mishra and Sons Pvt Ltd v Edelweiss Asset Reconstruction Company Ltd, wherein the Hon'ble Supreme Court has held in para 95(i) that once a resolution plan is duly approved by the Adjudicating Authority under subsection (1) of section 31, the claims as provided in the resolution plan shall stand frozen and will be binding on the Corporate Debtor and its employees, members, creditors, including the Central Govt, any State Govt or any local





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		authority, guarantors and other stakeholders.
33	<p>With the approval of this Resolution Plan by the Adjudicating Authority, it is assumed that an exemption shall be deemed to have been granted to the Corporate Debtor from the obligation to pay taxes in accordance with the exemptions granted under the relevant provisions of Income Tax Act.</p> <p>a. With the approval of this Resolution Plan by the Adjudicating Authority, it is assumed that, proper reasonable opportunity of being heard given to the jurisdictional Principal Commissioner or Commissioner as per Section 79 of the Income Tax Act;</p> <p>b. The Corporate Debtor shall be entitled to carry forward the unabsorbed depreciation and accumulated losses under Income Tax and Minimum Alternate Tax and to utilize such amounts to set off future tax obligations, c. The brought forward Business Loss & Unabsorbed Depreciation as on the Effective Date shall be deemed to be the Business Loss & Unabsorbed Depreciation for the previous year in which the Effective Date falls and accordingly, the period allowed for setting off such loss/unabsorbed depreciation shall be counted from the AY in which the Effective Date falls.</p>	<p>Granted, subject to the law and applicable Regulations.</p>





IN THE NATIONAL COMPANY LAW TRIBUNAL
KOLKATA BENCH

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In
CP (IB) NO. 580/KB/2020

Findings:

29. On hearing the submissions made by the Ld. Senior Counsel for the Resolution Professional, and perusing the record, we find that the Resolution Plan has been approved with 100% voting share. As per the CoC, the plan meets the requirement of being viable and feasible for revival of the Corporate Debtor and the same has been duly recorded in the 11th minutes of the CoC held on 10.06.2022. By and large, all the compliances have been done by the RP and the Resolution Applicant for making the plan effective after approval by this Bench.
30. On perusal of the documents on record, we are also satisfied that the Resolution Plan is in accordance with sections 30 and 31 of the IBC and also complies with regulations 38 and 39 of the IBBI (Insolvency Resolution Process for Corporate Persons) Regulations, 2016.
31. As far as the question of granting time to comply with the statutory obligations/seeking sanctions from governmental authorities is concerned, the Resolution Applicant is directed to do the same within one year as prescribed under section 31(4) of the Code.
32. In case of non-compliance of this order or withdrawal of Resolution Plan, the CoC shall invoke the Performance Bank Guarantee furnished by the Resolution Applicant.
33. Subject to the observations made in this Order, the Resolution Plan in question is hereby **approved** by this Bench. **The Resolution Plan shall form part of this Order.**
34. The Resolution Plan is binding on the Corporate Debtor and other stakeholders involved so that revival of the Debtor Company shall come into force with immediate effect.
35. The Moratorium imposed under section 14 shall cease to have effect from the date of this order.
36. The Resolution Professional shall submit the records collected during the commencement of the proceedings to the Insolvency & Bankruptcy Board of





IN THE NATIONAL COMPANY LAW TRIBUNAL
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I.A. NO. 616/KB/2022
In
CP (IB) NO. 580/KB/2020

- India for the record and also unto the Resolution Applicant or New Promoters.
37. Certified copy of this Order be issued on demand to the concerned parties, upon due compliance.
38. Liberty is hereby granted for moving any Application if required in connection with implementation of this Resolution Plan.
39. A copy of this Order is to be submitted in the Office of the Registrar of Companies, West Bengal.
40. The Resolution Professional shall stand discharged from his duties with effect from the date of this Order.
41. The Resolution Professional is further directed to handover all records, premises/factories/documents to the Resolution Applicant to finalise the further line of action required for starting of the operation. The Resolution Applicant shall have access to all the records/premises/factories/documents through the Resolution Professional to finalise the further line of action required for starting of the operation.
42. IA (IB) 616/KB/2022 along with C.P. (IB) No. 580/KB/2020 shall stand disposed of accordingly.
43. The Registry is directed to send e-mail copies of the order forthwith to all the parties and their Ld. Counsel for information and for taking necessary steps.
44. Certified copy of this order may be issued, if applied for, upon compliance of all requisite formalities.
45. File be consigned to the record.


Harish Chander Suri
Member (Technical)


Rohit Kapoor
Member (Judicial)

The Order is pronounced on 11 day of July, 2022

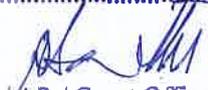
S. LRA





CERTIFIED TO BE TRUE COPY

No..... 844 / 2022
Date of Presentation
of application for Copy..... 19/7/2022
No. of Pages..... 22 pages + 1
Copying Fee..... 5/-
Registration & Postage Fee..... 7/-
Total ₹..... 165/-
Date of Receipt &
Record of Copy..... 21/07/2022
Date of Preparation of Copy..... 21/07/2022
Date of Deliver of Copy..... 21/07/2022


DD / DR / AR / Court Officer
National Company Law Tribunal
Kolkata Bench

Furthermore, as seen from Topo Sheet (*Annexure-IV*), the distance from project area to nearest forest block boundary are given below: (i)Malda DPF-4.40 Kms, (ii)Katikela RF-11.00Kms, (iii) Badkhalia PRF-12.20 Kms, (iv) Rajpur PRF-5.47 Kms, (v)Ullap PRF-7.95 Kms, (vi) Kechhobahal (B) PF-8.43 Kms, (vii) Kechhobahal (A) PF-11.00 Kms, (viii) Kandakuda DPF-11.50 Kms.

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

Memo No. 670 /Dated 01.02.2024.

Copy forwarded to the Principal Chief Conservator of Forests (WL) & CWLW, Odisha, Bhubaneswar for favour of kind information and necessary action.


Divisional Forest Officer,
Jharsuguda Forest Division.

Memo No. 671 /Dated 01.02.2024.

Copy forwarded to the Principal Chief Conservator of Forests (Forest Diversion & Nodal Officer, FC Act, O/o the PCCF & HoFF, Odisha, Bhubaneswar for favour of kind information and necessary action.


Divisional Forest Officer,
Jharsuguda Forest Division.

Memo No. 672 /Dated 01.02.2024.

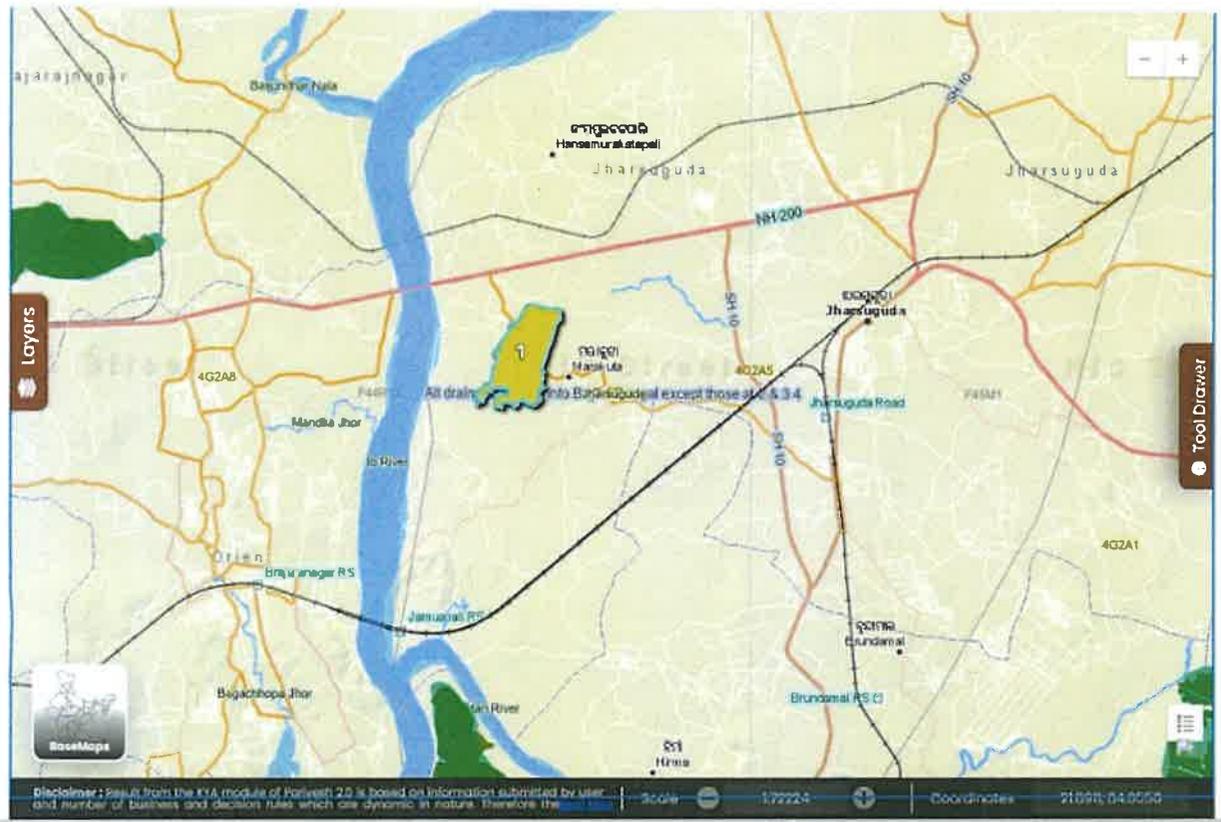
Copy forwarded to the Executive Director (Works), M/s. Orissa Metaliks Private Ltd., Marakuta, Jharsuguda for information and necessary action.


Divisional Forest Officer,
Jharsuguda Forest Division.


Divisional Forest Officer,
Jharsuguda Forest Division.

Home / Know Your Approvals / Generate Report

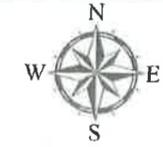
Know Your Approvals - Tentative Applicability of Green Clearances



Project/Activity	Sub Activity	Project Capacity/Extent	
Metallurgical Industries (ferrous and non ferrous)	Primary Metallurgical Industry - All Projects	2 MTPA	
Tentative Clearances			
S.No	Approval	Applicability	Remarks
1	Environmental clearance	Yes	All Ferro ... More
2	Forest Clearance	No	Project ar.. More
3	Wildlife Clearance	No	Project ar.. More
4	Coastal Regulation Clearance	No	Project ar.. More

55

TOPO MAP (10 KM BUFFER ZONE OF THE PROJECT LOCATION)

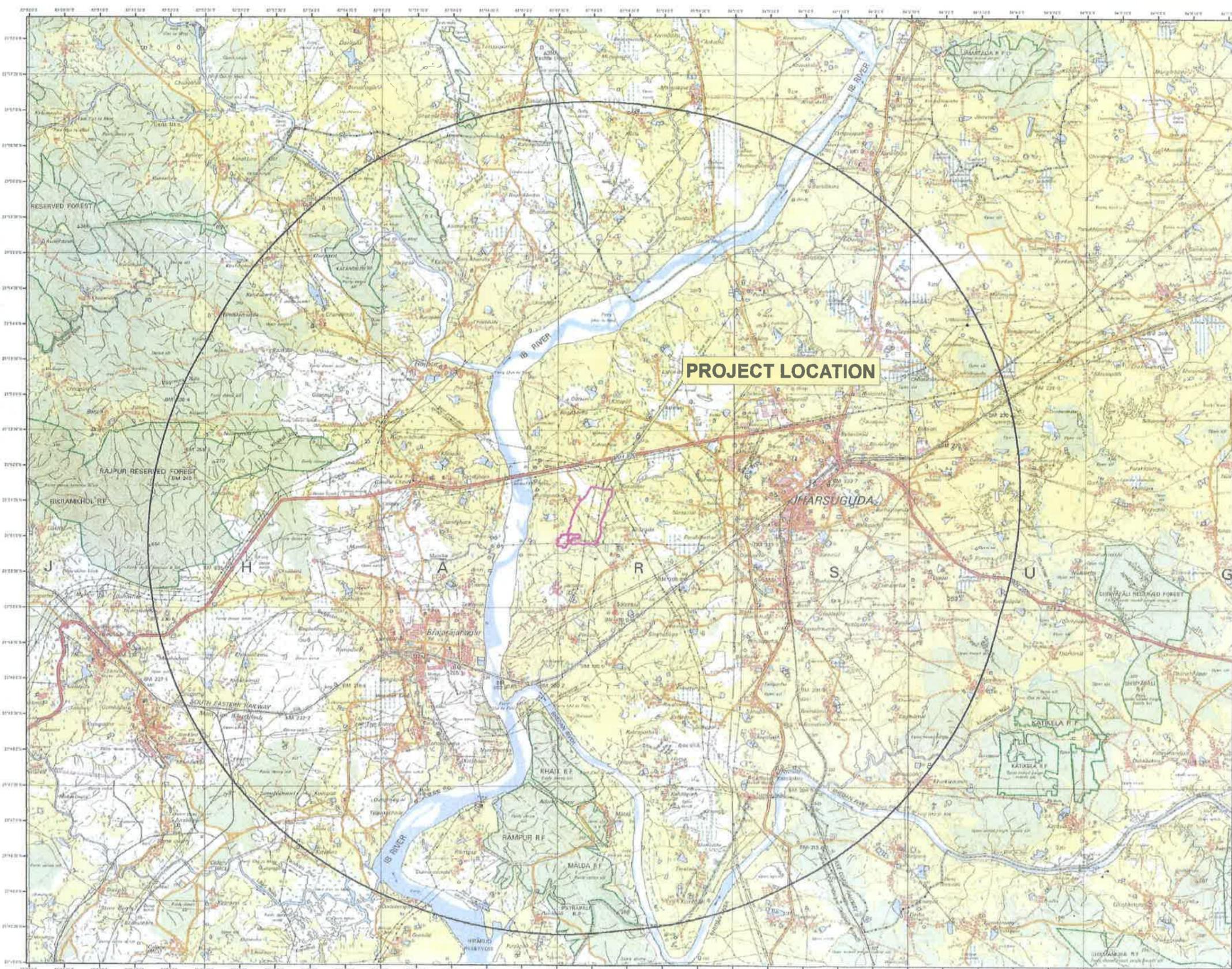


REFERENCE
OPEN SERIES MAP NO :- F45M1 , F44R13

PROJECT NAME
ORISSA METALIKS PRIVATE LIMITED
MARAKUTA, JHARSUGUDA, ORISSA.

CONVENTIONAL SYMBOLS

Express highway: with toll; with bridge; with distance stone	
Road metalled: according to importance	
Road double cartage way: according to importance	
Unmetalled road. Cart-track. Pack-track and pass. Foot-path	
Stream: with track to bed; undrained. Canal	
Dam: masonry or rock-faced; earthwork. Weir	
River: dry with water channel; with island & rocks. Tidal river	
Submerged rocks. Shoal. Swamp. Flood	
Well: lined; unlined. Tube-well. Spring. Tanka: perennial; dry	
Enclosure: road or rail; tank. Broken ground	
Railways, broad gauge: double; single with stacking under cover	
Railways, other gauge: double; single with distance stone, etc.	
Mineral: iron ore; limestone. Kite. Cutting with tunnel	
Contours with sub-features. Rocky slopes. Cliff	
Sand features: (Wind-blown-hill (permanent) (Dunes) (shifting)	
Town or Village: inhabited; deserted. Fort	
Hub: permanent; temporary. Tower. Antenna	
Temple. Chhat. Church. Mosque. Idgah. Tomb. Graves	
Lighthouse. Lightship. Buoy: lighted; unlighted. Anchorage	
Mine. Vao on trails. Grass. Scrub	
Plant: palm; other. Plantain. Coffee. Bamboo. Other trees	
Area: cultivated; wooded. Surveyed tree	
Boundary, international	
Boundary, state: demarcated; undemarcated	
Boundary, village: surveyed; unlocated	
Height, triangulated: station; point; approximation	
Bench-mark: geodetic; tertiary; canal	
Post office. Telegraph office. Overhead tank	
Rest house or inspection bungalow. Circuit house. Police station	
Camping ground. Forest: reserved; protected	
Special names: administrative; locality or label	
Hospital. Dispensary. Veterinary Hospital / Dispensary	
Aerodrome. Helipad. Tourist site	
Power line: with pylons surveyed; with poles unsurveyed	



Legend

10 KM BUFFER

PROJECT LOCATION

Ajit Kumar Singh
Sr. VP (Commercial)
Orissa Metaliks Private Limited
Jharsuguda, Odisha

PREPARED BY :-
Centre for Envotech & Management
Consultancy Pvt. Ltd. Bhubaneswar.

Date: 06.08.2025

To,
The Chief General Manager (Land)
 Odisha Industrial Infrastructure Development Corporation
 IDCO Tower, Janpath,
 Bhubaneswar

Sub: Furnishing the details land measuring 12.24 Acres in Village Marakuta under Jharsuguda Tehsil in the district of Jharsuguda.

Dear Sir,

M/s. Orissa Metaliks Private Limited (Formerly, M/s. MSP Metaliks Limited) is operating a steel plant with CPP at Village Marakuta under Jharsuguda Tehsil in the district of Jharsuguda, Orissa after obtaining necessary statutory clearances.

Here, we would like to state that M/s.' MSP Metaliks ' Limited has gone in 'Liquidation' and M/s. Orissa Metaliks Private Limited has purchased/acquired the assets of company on "Asset sale basis" under liquidation under the order (I.A. NO. 616/KB/2022 dated, 11.07.2022) connected with CP (IB) No. 580/KB/2020 of the National Company Law Tribunal, Kolkata Bench after being a 'Successful Bidder' on relation to E auction held on 06.05.2022.

Post-acquisition based on the information available with the new management, the company has started to regularise all the statutory licenses. After meticulous search of the records available in the record room, we came to know about a letter issued by Land Officer, IDCO, Bhubaneswar requesting to furnish the detail of utilization of lands which has been allotted along with status of forest land measuring 12.24 Acres in Village Marakuta under Jharsuguda Tehsil in the district of Jharsuguda.

As the new management wants to operate the plant by abiding the law of land, we request you to please furnish the detail of land measuring 12.24 Acres (Stated as Forest Land). If the said plots/land are within the project area, the new management will take necessary action for the diversion of the same as per Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980.

We are requesting your kind support from your good office.

With warm regards,

Thanking you,

For, **M/s. Orissa Metaliks Private Limited**

ORISSA METALIKS (P) LTD.



Authorised Signatory

Authorised Signatory


Encl. Stated as above

OMPL/BBS/25-26/07

Date: 16.09.2025

To,
Land Officer,
Orissa Industrial Infrastructure Development Corporation,
IDCO Tower, Janpath,
Bhubaneswar

Sub: Submission of all land status measuring Ac. 12.24 in village Marakuta under Jharsuguda Tahasil in the District of Jharsuguda

Ref:

1. Your office letter no. IDCO/P&A/LA-E/7713/2013-25/25679, dated 30.08.2025
2. OMPL letter No. OMPL/BBS/25-26/06 Date-04.09.2025

Dear Madam,

Inviting your kind attention to the subject, letters under reference above and in continuation to our letter dated 04.09.2025 this is in response to the information sought in relation with all land within project boundary of Orissa Metaliks Private Limited (Formerly, MSP Metaliks Limited).

It is humbly submitted that MSP Metaliks Limited has been allotted a total of 229.08 acre of land by IDCO for establishment of industries, out of 229.08 acres land, 2.86 acres of land was surrendered, and land measuring 226.22 acres land is in possession with the company management within the project boundary wherein the existing facilities of integrated steel plant are under operation after obtaining valid CTE & CTO, & some other facilities are under execution (expansion and development) phase with valid CTE.

Also, this is being informed that the total area of project boundary extends to approx. 279.07 Acres comprising 226.22 acres of land allotted by IDCO & 52.85 acres of gochar land /private land/rakhit kism land.

In view of the finding of IDCO's FC application of 5.229 ha (Project area - 4.953 ha & Transmission line - 0.276 Ha) at CCF, Bhubaneswar on behalf of MSP Metaliks Ltd, the present management has worked out on all land RoRs within the project boundary, and found 12.24 acres (4.953 ha) of Gramya Jungle kism land which may attract forest diversion for non-forestry purpose.

Now, the new management wants to pursue FC proposal and hence, we humbly request IDCO to take necessary action for making FC proposal for diversion of the 12.24 acres of Gramya Jungle kism land (enclosed a copy of Forest Land Schedule, and Mouza map showing project boundary and Gramya Jungle plots), as per Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and its amendments.

Orissa Metaliks Private Limited undertakes/agrees to pay all such cost as necessary for preparation & submission of FC proposal.

We will be highly obliged for your kind support in this regard.

With Warm regards,

Thanking you,
For, **Orissa Metaliks Private Limited**

B K Bhujabal
Vice President (Corporate Affairs)
Encl. Stated as above





(FORMERLY MSP METALLICS LTD)

Vill. & P.O.: Marakuta, Dist.: Jharsuguda, Pin-768202, Odisha
Ph.: 8093089903, Email : sc_ompl@orissametaliks.com, edoffice@mspsteeljsg.com
CIN No. U27109WB2006PTC111146

Annexure-I

CHECK LIST SERIAL NUMBER- 2

Date: 11.10.2025

To,

**Divisional Forest Officer,
Jharsuguda Forest Division,
Jharsuguda, Odisha**

Subject: The proposal seeking prior approval under section 2 (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for diversion of 4.953 Ha forest land for non-forestry use within 112.940 Ha project area for Integrated Steel Plant, Captive Power Plant and Cement Grinding Unit of M/s Orissa Metaliks Private Limited (Formerly M/s MSP Metallics Private Ltd.) situated in villages- Marakuta and Budipadar of Tehsil- Jharsuguda, in District- Jharsuguda in the state of Orissa.
– **Submission of online application for FC proposal under Ex-post facto condition.**

Dear Sir,

This is to submit that M/s Orissa Metaliks Private Limited (OMPL) has purchased/acquired the assets of MSP Metallics Limited on “assets sale basis” under liquidation under the order (I.A No. 616/KB/2022, dated 11th July 2022) connected with CP (IB) No. 580/KB/2020 of the National Company Law Tribunal (NCLT) Kolkata bench, Kolkata after being a ‘Successful Bidder’ on relation to E-Auction.

M/s MSP Metallics Ltd. ("MSPML" or the "Company") was incorporated on 29th November, 1996 in the name of ‘Adhunik Industries Pvt. Ltd.’ with the object of carrying on the business of Integrated Steel Plant with Captive Power Plant in Jharsuguda, Orissa. Subsequently, the name of the company has been changed to MSP Metallics Pvt. Ltd on 28th December, 2001. The company was further changed to MSP Metallics Limited (a public limited company) on 21st June, 2004.

Post-acquisition, new management of the company started revamping work of the units and applied for renewal of consent to operate to OSPCB with requisite fees. OSPCB issued renewal of consent to operate in phased manner. The consent of the plant is valid till 31.03.2026.

While going through Record of Rights of the land of the project area, it came to the knowledge of the new management that 4.953 ha (12.24 Acres) of Gramya Jungle Kism land is falling inside the project area, and the land use of said Gramya Jungle kism land is changed by the old management.

On pursuing with forest department of Government of Odisha and IDCO, it was informed that a forest diversion proposal was submitted on 18.3.2008 by IDCO for land measuring 5.229 ha (Project area 4.953 ha + Transmission line 0.276 Ha) (vide proposal State Sl. no. 254/08) which was returned on 23.5.2015 due to pending compliance over 2 months, along with the advice to resubmit fresh application online.

In view of the above, now the new management is seeking post facto diversion of Gramya Jungle kism of land admeasuring 4.953 ha for non-forestry purpose. In this relation this application of forest diversion is submitted for approval under section 2 (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980.



ORISSA METALIKS PRIVATE LIMITED 2095

(FORMERLY MSP METALLICS LTD)

Vill. & P.O.: Marakuta, Dist.: Jharsuguda, Pin-768202, Odisha
Ph.: 8093089903, Email : sc_ompl@orissametaliks.com, edoffice@mspsteeljsg.com
CIN No. U27109WB2006PTC111146

Please find enclosed herewith, 6 sets of hard copy of main application form in part-I of Form-A, checklist with documents/information in prescribed format required for diversion of forest land for non- forest use under Forest Conservation Act for kind prior approval from the authority concerned.

We would be highly grateful for your early action in this regard.

Thanking You,

M/S ORISSA METALIKS PVT. LTD
(Formerly M/s MSP Metaliks Pvt. Ltd.)
Sr. VP (Commercial)

Orissa Metaliks Private Limited
Jharsuguda, Odisha



Form-A (Part-I): Diversion of Forest Land

Project Name:	The proposal seeking prior approval under section 2 (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for diversion of 4.953 Ha forest land for non-forestry use within 112.940 Ha project area for Integrated Steel Plant, Captive Power Plant and Cement Grinding Unit of M/s Orissa Metaliks Private Limited (Formerly M/s MSP Metaliks Private Ltd.) situated in villages- Marakuta and Budipadar of Tehsil- Jharsuguda, in District- Jharsuguda in the state of Orissa.	Single Window Number:	SW/262748/2025
State:	ODISHA	Proposal Number:	FP/OR/IND/554770/2025
Submission Date:	10/10/2025	Current Status:	DRAFT
		Area (in ha):	4.953

Common Application Form

Project Details

1. Details of Project

1.1. Name of the Project	The proposal seeking prior approval under section 2 (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for diversion of 4.953 Ha forest land for non-forestry use within 112.940 Ha project area for Integrated Steel Plant, Captive Power Plant and Cement Grinding Unit of M/s Orissa Metaliks Private Limited (Formerly M/s MSP Metaliks Private Ltd.) situated in villages- Marakuta and Budipadar of Tehsil- Jharsuguda, in District- Jharsuguda in the state of Orissa.
1.2. Project Proposal For	Expansion
1.3. Whether proposal expansion is made under 7 (ii) (a)?	NO
1.4. Project ID (Single Window Number)	SW/262748/2025
1.5. Description of Project	The proposal seeking prior approval under section 2 (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for diversion of 4.953 Ha forest land for non-forestry use within 112.940 Ha project area for Integrated Steel Plant, Captive Power Plant and Cement Grinding Unit of M/s Orissa Metaliks Private Limited (Formerly M/s MSP Metaliks Private Ltd.) situated in villages- Marakuta and Budipadar of Tehsil- Jharsuguda, in District- Jharsuguda in the state of Orissa.

2. Details of the Company/Organization/User Agency making application

2.1. Legal Status of the Company/Organization/User Agency	Company
2.2. Name of the Company/ Organization/User agency	ORISSA METALIKS PRIVATE LIMITED
Registered address	
2.3. Address	GRASTIN PLACE, ORBIT 3RD FLOOR ROOM NO . 3B, KOLKATA
2.4. Village /Town / City	Kolkata
2.5. State	WEST BENGAL
2.6. District	KOLKATA
2.7. Pin Code	700001
2.8. Landmarks	NEAR BANSAL COURT
2.9. E-mail address	orissametalikspvtltd@gmail.com
2.10. Landline Number	03322895200
2.11. Mobile number	xxxxxx4519

3. Details of the person making application

3.1. Name	Jai Prakash Sharma
3.2. Designation	Director

Correspondence address

3.3. Address	GRASTIN PLACE, ORBIT 3RD FLOOR ROOM NO . 3B, KOLKATA
3.4. Village /Town / City	kolkata
3.5. State	WEST BENGAL
3.6. District	KOLKATA
3.7. Pin Code	700001
3.8. Landmarks	Near Bansal court
3.9. E-mail address	orissametalikspvtltd@gmail.com

Project Location

4. Location of the Project or Activity

4.1. Upload KML

10.10.2025 final.kml

4.2. Whether the project/activity falling in the state/UT sharing international borders

NO

5. Shape of the Project

Non - Linear

Location Details

Toposheet No	State/UT	District	Sub District	Village	Plot/Survey/Khasra No.
F44R13	ODISHA	Jharsuguda	Jharsuguda	BUDIPADAR	531
F44R13	ODISHA	Jharsuguda	Jharsuguda	MAR>KUTA	270

Remarks

The total area of project boundary extends to approx. 279.07 Acres comprising 226.22 acres of land allotted by IDCO & 52.85 acres of gochar land /private land/rakhit kism land.

6. Land Requirement (in Ha) of the project or activity

Nature of Land involved in (Ha)	Area Existing in Ha [X]	Additional Area Proposed in Ha [Y]	Total Area required after expansion in Ha [X+Y]
Non-Forest Land [A]	98.867	9.12	107.987
Forest Land [B]	4.953	0	4.953
Total [A+B]	103.82	9.12	112.94

Project Activity Cost

7. Project/Activity Cost

7.1. Cost of the Existing Project at current price level (in Lakhs) [A]

96131

7.2. Cost of the proposed expansion/ modernization of Project at current price level (in Lakhs) [B]

150000

7.3. Total Cost of the project/ Activity (in lakhs) [A+B]

246131

8. Employment likely to be generated

8.1. During construction phase

Permanent employment

8.1.1. No. of permanent employment (No.s) [A]

200

8.1.2. Period of employment (No. of days) [B]

365

8.1.3. No. of man-days [X]=[A]*[B]

73000

Temporary employment

8.1.4. Temporary / Contractual employment (No. of Man days) [Y]

292000

8.1.5. Total [X] +[Y]

365000

8.2. During operational phase

Permanent employment

	Existing	Proposed	Total
8.2.1. No. of permanent employment (No.s) [A]	200	200	400
8.2.2. Period of employment (No. of days) [B]	300	30	330
8.2.3. No. of man-days [X]=[A]*[B]	60000	6000	132000

Temporary employment

8.2.4. Temporary / Contractual employment (No. of Man days) [Y]

270000

264000

534000

8.2.5. Total [X] +[Y]

330000

270000

666000

Others

9. Whether Rehabilitation and Resettlement (R&R) involved?

NO

10. Whether project area involves shifting of watercourse/road/rail/Transmission line/water pipeline, etc. required?

NO

11. Whether any alternative site(s) examined or part thereof for the non-site-specific

NO

11. Whether any alternative site(s) examined or part thereof for the non-site-specific component?

NO

6X

2098

11.1. Reason thereof

IDCO has allotted land based on location advantage for for infrastructure and related the project in the area.

12. Whether there is any Government Order or Policy/ Court order relevant or restricting to the site?

NO

13. Whether there is any litigation pending against the project and/or land in which the project is proposed to be set up?

NO

14. Whether the proposal involves violation of Act/Rule/Regulation/Notification of Central/State Government?

YES

Act	Type of violation	Year	Direction Issued By	Direction Details	Direction Copy	Summary	Report
Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980	NA	2023			N/A	Violation by previous management of MSP Metllics Ltd.	justification compressed.pdf

Form-A (Part-I): Diversion of Forest Land

Project Details

1. Forest Clearance

1.1. State ODISHA

1. Upload a copy of note containing justification for locating the Project in forest land justification compressed.pdf

1.3. Project Category Industry

1.4. Exempted Category NA

1.5. Is Related to Encroachment? Yes

1.6. Whether any proposal seeking prior approval of Central Government under the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for diversion of forest land required for this project has been submitted in the past? Yes

Proposal No.	Proposal Status.	Project Name	MoEFCC File No	Area proposed for Diversion (ha)	Area Diverted (ha)	Recommended Area For Diversion	Date of in-principle approval	Date of final approval	Date of Application
State SI No. 254/08	Submitted and under process	Proposal for diversion of 5.229 ha of forest land in Jharsuguda District of Orissa Expansion of an existing steel plant of MSP Metalics Ltd, Offline proposal submitted by IDCO. on 18.03.2008	NIL	5.229	NA	NA			18/03/2008

Proposed Land

2. Details of Forestland proposed to be diverted (Village / Division / District Wise Breakup)

2.1. Total area of forestland proposed for diversion (ha.) 4.953

2.2. Total area of non- forestland required for this project (ha.) 107.987

2.3. Legal Status of forest land proposed for diversion

Area (ha)	Legal Status of Forest Land
4.953	Kism Gramya Jungle (Khata Rakhit)

2.3.1. Total Area (ha) 4.9530

2.4. Total period for which the forestland is proposed to be diverted (No. of years) 99

KML Details

Division Jharsuguda Division

No. of Patches 19

Location Details

Toposheet No.	District	Village	Range	Forest land proposed for diversion (ha)	Non Forest Land (ha)
F44R13	Jharsuguda	BUDIPADAR	Jharsuguda	0	.49
F44R13	Jharsuguda	MAR>KUTA	Jharsuguda	4.953	107.497

Patch Details

Patch/ Segment ID	Forest Area (ha)	Non-Forest Area (ha)	Remarks if any
1	0.093	0	Plot No. 132, Khata No. 282
2	0.04	0	Plot No. 138, Khata No. 282
3	0.121	0	Plot No. 199, Khata No. 282
4	0.243	0	Plot No. 202, Khata No. 282
5	0.688	0	Plot No. 204, Khata No. 282
6	0.125	0	Plot No. 205, Khata No. 282
7	1.327	0	Plot No. 206, Khata No. 282
8	0.045	0	Plot No. 350, Khata No. 282
9	0.057	0	Plot No. 352, Khata No. 282
10	0.295	0	Plot No. 356, Khata No. 282
11	0.874	0	Plot No. 381, Khata No. 282
12	0.405	0	Plot No. 464, Khata No. 282
13	0.049	0	Plot No. 466, Khata No. 282
14	0.283	0	Plot No. 470, Khata No. 282
15	0.101	0	Plot No. 472, Khata No. 282
16	0.049	0	Plot No. 135/2735, Khata No. 282
17	0.053	0	Plot No. 135/2736, Khata No. 282
18	0.105	0	Plot No. 143/2738, Khata No. 282
19	0	0	

Remarks Details

Total project area 112.940

Total Patch-wise Forest Land in the division (ha)

2.5. Total Forest Land Area (ha) 4.9530

2.6. Total Non Forest Land Area (ha) 0.0000

Total KML-wise Forest Land in the division (ha.)

2.7. Total Forest Land Area (ha) 4.953

2.8. Total Non Forest Land Area (ha) 107.987

2.9. Total Area (ha) 112.94

3. Component Wise Break Up (Including underground works such as tunnel and similar purpose)-if applicable

Component	Forest Land Proposed for Diversion (ha)	Non-forest Land (ha)
Industry and allied purpose	4.953	107.987
4. Total Forest Land (ha)	4.953	
5. Total Non Forest Land (ha)	107.9870	
6. Upload map of the forest land proposed to be diverted prepared by using DGPS or Total Station (pdf only)	forest_compressed (1).pdf	



7. Details of land identified for Compensatory Afforestation

7.1. Whether Compensatory Afforestation is applicable or not?	Yes
7.1.1. Type of Compensatory Afforestation	Non-forest Land
7.1.1.1. Whether Non-forest land is available?	No

Others

8. Cost-Benefit analysis

8.1. Whether Cost-Benefit analysis for the Project has been made?	N/A
---	-----

9. Environmental clearance Details

9.1. Whether the Project requires Clearance under the Environment (Protection) Act 1986 (Environmental clearance)?	Yes
9.1.1. Status of Environmental Clearance	EC granted
9.1.1.1. Proposal No.	IA/OR/INDI/465768/2024
9.1.1.2. Date of issue of environmental clearance	01/10/2024
9.1.1.3. MoEFCC / SEIAA File Number	IA-J-11011/494/2007-IA-II(IND-I)
9.1.1.4. Upload EC Letter	xix ec_ia_or_indl_465768_2024_53063848.pdf

10. Wildlife clearance Details

10.1. Whether the Project or a part thereof is located in any Protected Area or their Eco sensitive zone?	No
---	----

Category Specific Details

N/A

11. Copy of Additional Information, if any

S. No.	Document Name	Remark	Document
1	Demand Letter	Application Letter for submission of Online Application	demand letter (3).pdf
2	Declaration regarding Old Director	Declaration regarding Old Director as applicant in Form A Part I, Copy of Board Resolution	declaration for old director.pdf
3	Forest Patch Map	Forest Patch Map	forest.pdf
4	Project Layout map	Project Layout map	layout.pdf
5	Toposheet map 10 km	Toposheet map 10 km showing project boundary	topo sheet.pdf
6	Non forest land schedule	Non forest land schedule	vii.pdf
7	Common Undertaking	Note on project, details of forest and non forest land, justification, certificate for minimum use, NPV, Ad. NPV., Tree enumeration, FRA, statutory permissions	iii (4)_merged.pdf
8	Undertaking for NOC from SPCB, Tribal affairs ,ESZ	Undertaking for NOC from SPCB, Tribal affairs ,NO ESZ with 10 kms	xx.pdf
9	EC copy	EC copy	xix ec_ia_or_indl_465768_2024_53063848.pdf
10	Authorization	Board Resolution	xxiii oml br authorization.pdf
11	Campa account	Undertaking for payment in CAMPA account	xxvii.pdf
12	Undertaking for SSWLCP & Catchment treatment plan	Undertaking for SSWLCP & Catchment treatment plan	xxviii_xxi_merged.pdf
13	Undertaking reg. providing NFL for CA & cost	Undertaking for cost of CA, NFL CA land, Certificate from DFO of suitability, Penal CA & Payment in CAMPA.	x.pdf

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 is 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 the above, I hereby give undertaking that no activity/construction/expansion has been taken up

12. Name	Jai Prakash Sharma
13. Designation	Director
14. Company	ORISSA METALIKS PRIVATE LIMITED
15. Address	GRASTIN PLACE, ORBIT 3RD FLOOR ROOM NO . 3B, KOLKATA
16. Date	10/10/2025


M/S ORISSA METALIKS PVT. LTD
(Formerly M/s MSP Metalics Pvt, Ltd.)
Sr. VP (Commercial)
Orissa Metaliks Private Limited
Jharsuguda, Odisha



Forest, Environment and Climate Change Department, Odisha
OFFICE OF THE DIVISIONAL FOREST OFFICER
JHARSUGUDA FOREST DIVISION

Email - dfo.jharsuguda@odisha.gov.in

Ph - 06645 - 295040

Letter No. 5788 /4F (Misc) Dated. 17/10/2025

To,

The Director,
Orissa Metaliks Private Limited,
Jharsuguda, Odisha.

Sub: - Proposal for seeking prior approval under section 2 (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for diversion of 4.953 Ha forest land for non-forestry use within 112.940 Ha project area for Integrated Steel Plant, Captive Power Plant and Cement Grinding Unit of M/s Orissa Metaliks Private Limited (Formerly M/s MSP Metaliks Private Ltd.) situated in villages- Marakuta and Budipadar of Tehsil- Jharsuguda, in District- Jharsuguda in the state of Orissa.

Ref: - (i) **Proposal Number:** FP/OR/IND/554770/2025.
(ii) **Single Window Number:** SW/262748/2025

Sir,

With reference subject cited above, this is to inform you that, after scrutiny of above forest diversion proposal submitted by you in Parivesh Portal, following shortfalls have been noticed-

1. In respect to points No.5, of Form-A (Part-I): Diversion of Forest Land, Common Application Form, Khata No. of the mentioned Plots not provided.
2. In respect to points No.5, of Form-A (Part-I): Diversion, *Patch Details*, Area, Khata No & Plot No. of Non- Forest land involved in the project must be provided.
3. In respect to points No. 2.6, Total Non-Forest Land Area (ha) need to provided.
4. In respect to Points No.6, uploaded DGPS Map need to be certified by the ORSAC, Bhubaneswar, further need to authenticated by Forest & Revenue Staff. Only User Agency has been authenticated the same.
5. In respect of afforestation details in Form-A (Part-I): Diversion, the User Agency (UA) has mentioned in Point No. 7.1 that Compensatory Afforestation (CA) is applicable in the project. Further, the type of land for CA has been mentioned as non-forest land as per Point No. 7.1.1. However, under Point No. 7.1.1.1, where the availability of non-forest land is to be indicated, the UA has mentioned "No." If the CA land is non-forest land, then the availability of non-forest land cannot be "No." The same should be rectified and corrected.
6. Details of forest land involved in the project with due authentication of Revenue & Forest Department need to provided. (as per check list sl no.07)
7. Details of non-forest land involved in the project authenticated by concerned Tahasildar need to provided. (as per check list sl no.8)
8. Species and Girth class wise enumeration list of trees standing over forest and non-forest land along with its abstract with due authentication of Forest & revenue Department need to provided separately.
9. Status of land as on prior to 25.10.1980 should be provided with due authentication of all concerned.
10. Whether, DLC Forest land available in the proposed are need to provided.
11. Certificate for minimum use of forest land need to provided with due authentication of User Agency.

12. Geo-referenced map of the project site showing boundaries of forest land proposed to be diverted prepared by using DGPS and authenticated by ORSAC duly signed by the User Agency, Forest and Revenue Officials need to provided.
13. Original Survey of India Toposheet (1:50000) indicating boundary of the project site showing boundaries of forest land proposed to be diverted duly signed by the User Agency, Revenue & Forest Officials.
14. Lay out Plan Map of the project site approved by competent authority duly signed by the User Agency and Forest Officials need to provided.
15. Details of non-forest land identified for CA identified against above project with due authentication of User Agency; Revenue & Forest Official should be provided.
16. DGPS Map of CA land vetted by ORSAC duly signed by User Agency, Revenue & Forest officials should be provided.
17. Survey of India Toposheet (1:50000) depicting CA land duly signed by the User Agency, Forest and Revenue Officials.
18. Shape/KML file of CA site in polygon shape must be provided.
19. Certificate from Competent Authority in the prescribed format regarding all forest rights under FRA,2006 have been settled in respect of the forest area proposed for diversion need to submit. (Where ever applicable)
20. In case FRA certificate not obtained at the time of filing application, the User Agency has to submit an authenticated document that he has applied to competent authority for settlement of rights under FRA and furnish an undertaking for giving the same before the final approval.
21. Undertaking regarding bearing the cost of Net Present Value, Additional Net Present Value, Penal Net Present Value, Additional Compensatory Afforestation, Site Specific Wildlife Conservation Plan, Regional Wildlife Management Plan should be provided.
22. Minimum distance of the proposed site from Wildlife Sanctuary and National Park/ Eco-Sensitive Zone with due authentication of all concerned to be provided.
23. An undertaking duly signed by the User Agency to submit Stage-I compliance within one year and half year of the Stage-I approval to be provided.
24. Sanction Order or Administrative Approval of the project by Competent Authority of Concerned Department should be provided.
25. Brief description of the proposal/project need to provided.
26. The UA is requested to provide justification for the reason that earlier, the UA had submitted a proposal for diversion of 5.229 ha of forest land for expansion purposes, but now the UA has applied for diversion of 4.953 ha of forest land. Why has the same land area as earlier proposed not been applied for in the present proposal?

Hence, you are requested to comply the above shortfalls and resubmit the same in the Parivesh Portal as well as in hardcopy to this office for further necessary action.

Yours faithfully,


Divisional Forest Officer,
Jharsuguda Forest Division

Memo No. 5789 /Dated. 17/10/2025

Copy forwarded to the Principal Chief Conservator of Forests (Forest Diversion and Nodal Officer, FC Act), O/o the PCCF & HoFF, Odisha, Bhubaneswar for favour of kind information and necessary action.


Divisional Forest Officer,
Jharsuguda Forest Division

Memo No. 5790 /Dated. 17/10/2025

Copy forwarded to the Regional Chief Conservator of Forest, Sambalpur Circle for favour of kind information and necessary action.


Divisional Forest Officer,
Jharsuguda Forest Division

BEFORE THE COURT OF SUB-COLLECTOR, JHARSUGUDA

Appeal No. _____ of 2026

Orissa Metaliks Private Limited.....Appellant

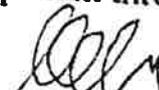
-Versus-

Tahasildar, JharsugudaRespondent

INDEX

Serial	Subject	Annexure	Page No.
1	APPEAL MEMO		1 to 7
2	Copy of the order dated 11.07.2022	A	9 to 42
3	Copy of the show cause notice i.e., PR No. 665/8101 dated 21.11.2025 issued by the Additional Tahasildar, Jharsuguda for initiation of proceedings under Section 4 and 6 of the Odisha Land Prevention of Unauthorized Encroachment Act, 1972.	B	43
4	Copy of the letter No. OMPL/JSG/2025-26/9-L/445 dated 6th December, 2025.	C	44 to 45
5	Copy of the application for ex-post facto approval in respect of diversion of Gramya Jungle Kism of land admeasuring 4.953 ha (12.24 acres approx.) for non-forestry purpose being the said land mentioned in the show-cause notice.	D	46 to 51
6	An order passed in PR No. 8272 dated 06.01.2026	E	52
7	VAKALATNAMA		

Date: 04.02.2026 8. STAY APPLICATION By the Appellant through
Place: Jharsuguda


Advocate

BEFORE THE COURT OF SUB-COLLECTOR, JHARSUGUDA
Appeal No of 2026



In the matter of:-

An appeal under Section 12(1) of the
Orissa Prevention of Land
Encroachment Act, 1972;

-And-

In the matter of:-

Notice/order of eviction bearing no.
PR No. 8272 dated 6th January,
2026 purportedly issued under
Section 7 of the said Act by the
Additional Tahasildar, Jharsuguda;

-And-

In the matter of:-

Orissa Metaliks Private Limited, an
existing company within the
meaning of the Companies Act,
2013 having its registered office at
1, Grastin Place, Orbit House, 3rd
Floor, Room No. 3B, Kolkata, West
Bengal - 700 001;

....Appellant

-Versus-

The Tahasildar, Jharsuguda

....Respondent



BEFORE THE SUB-DIVISIONAL OFFICER, AT JHARSUGUDA

Appeal No of 2026

In the matter of:-

An appeal under Section 12(1) of the
Orissa Prevention of Land
Encroachment Act, 1972;

-And-

In the matter of:-

Notice/order of eviction bearing no.
PR No. 8272 dated 6th January,
2026 purportedly issued under
Section 7 of the said Act by the
Additional Tahasildar, Jharsuguda;

-And-

In the matter of:-

Orissa Metaliks Private Limited, an
existing company within the
meaning of the Companies Act,
2013 having its registered office at
1,Grastin Place, Orbit House, 3rd
Floor, Room No. 3B, Kolkata, West
Bengal - 700 001;

....Appellant

-Versus-

The Tahasildar, Jharsuguda

....Respondent



....Appellant

-Versus-

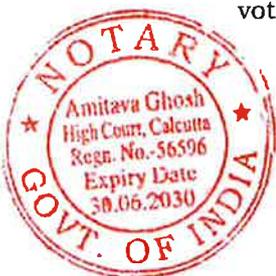
The Tahasildar, Jharsuguda

....Respondent

The humble memorandum of Appeal on
behalf of the Appellant above named

Most Respectfully Sheweth:-

1. The Appellant is an existing company within the meaning of Companies Act, 2013 having its registered address mentioned in the cause title herein above.
2. The Appellant further states that M/s MSP Metallics Ltd. was incorporated on 29th November, 1996 in the name of 'Adhunik Industries Pvt. Ltd with the object of carrying on the business of Integrated Steel Plant with Captive Power Plant at Jharsuguda, Orissa. Subsequently, the name of the company has been changed to MSP Metallics Pvt. Ltd to on 27th December, 2001. The company changed its name to MSP Metallics Limited on 21st June, 2004.
3. Thereafter, M/s MSP Metallics Ltd went into CIRP vide order dated 25.11.2021 passed by Hon'ble NCLT, Kolkata. Orissa Metaliks Private Limited (OMPL) came into the picture by taking over MSP Metallics Ltd (MSP) on 11.07.2022 by virtue of the order of NCLT, Kolkata for approval of Resolution Plan submitted by OMPL (Appellant). M/s OMPL has purchased/acquired the assets of MSP Metallics Limited under the order dated 11.07.2022 in the connecting I.A No. 616/KB/2022 with CP (IB) No. 580/KB/2020 of the NCLT, Kolkata with 100% voting by the Committee of Creditors.



✕

A copy of the said order dated 11.07.2022 is annexed herewith and is marked with letter "A".

4. The land area in issue falls with the factory area of Integrated Steel Plant and Captive Power Plant of MSP Metallica Limited at Jharsuguda, Odhisa which has now taken over by the Appellant herein.
5. The Appellant states that sometimes on 21st November, 2025, a show cause notice bearing PR No. 665/8101 dated 21.11.2025 was issued by the Additional Tahesildar, Jarsuguda for initiation of proceedings under Section 4 and 6 of the Odisha Land Prevention of Unauthorized Encroachment Act, 1972.

A copy of the said notice is annexed herewith and is marked with letter "B".

6. The Appellant herein, vide its letter bearing No. OMPL/JBG/2025-26/9-L/445 dated 6th December, 2025, issued a response to the said show cause notice, inter alia, contending primarily on two grounds, namely:

(i) that the alleged encroachment on the land mentioned in the said show cause notice is directly and substantially in issue in a pending proceeding before the Hon'ble National Green Tribunal, Kolkata, being O.A. No. 167 of 2025 (Satrugan Meher – versus – State of Odisha & Ors.); and

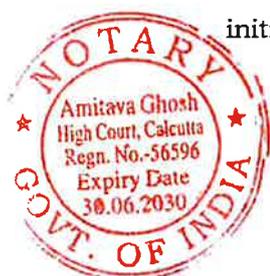
(ii) that the Appellant had acquired MSP Metallica Limited under the CIRP proceedings, pursuant to the order dated 11th July, 2022 passed by the Hon'ble National Company Law Tribunal, Kolkata Bench, on an "as is where is", "whatever there is" and "clean slate" basis, and therefore, any allegation of encroachment is per se not maintainable against the Appellant herein.



✕

A copy of the said reply dated 6th December, 2025 is annexed herewith and is marked with letter "C".

7. In the said appeal , it was inter alia further contended that the Appellant had applied for ex-post facto approval in respect of diversion of Gramya Jungle Kism of land admeasuring 4.953 ha (12.24 acres approx.) for non-forestry purpose being the said land mentioned in the show-cause notice. A copy of the said application is annexed herewith and is marked with letter "D".
8. The Appellant states that adjudication on the said show cause notice and the reply submitted thereto is presently pending.
9. The Appellant states that thereafter on or about 6th January, 2026, the Appellant had received an order bearing PR NO. 8272 dated 06.01.2026 whereby the Appellant has been directed to vacate the schedule land within 30 days or else the Appellant shall be completely evicted from the said land and the crops or crops grown on the land and the house or things kept thereon will be confiscated. A copy of the said notice dated 6th January, 2026 is annexed herewith and is marked with letter "E"
10. The Appellant states that aforesaid order has been passed in gross violation of the law as well as the principal of natural justice.
11. The Appellant states that Section 9 of the Act of 1972 provide that before taking proceedings under Section 6 or 7 of the said Act, the Tehesildar Shall issue a show cause notice. In the present case, before directing eviction, no show cause notice was issued.
12. The Appellant further submits that, in respect of the eviction proceedings, no show cause notice was ever issued. In the absence of any show cause notice initiating proceedings under Section 7 of the said Act of 1972, the entire



X

proceedings stand vitiated due to non-compliance with the mandatory statutory provisions.

13. The Appellant further submits that no independent enquiry was conducted by the Tehsildar prior to purportedly forming any opinion regarding the alleged encroachment, and that no documents or materials evidencing such enquiry have ever been furnished to the Appellant.
14. The Appellant states that the show cause notice issued for the proceedings under Section 4 & 6 of the said Act of 1972 cannot be substituted for a notice required under Section 7 of the said Act of 1972.
15. The Appellant further submits that the alleged encroachment on the land mentioned in the said show cause notice is directly and substantially in issue in a pending proceeding before the Hon'ble National Green Tribunal, Kolkata, being O.A. No. 167 of 2025 (Satrugan Meher – versus – State of Odisha & Ors.).
16. The Appellant had acquired MSP Metallics Limited under the CIRP proceedings, pursuant to the order dated 11th July, 2022 passed by the Hon'ble National Company Law Tribunal, Kolkata Bench, on an "as is where is", "whatever there is" and "clean slate" basis, and therefore, any allegation of encroachment is per se not maintainable against the Appellant herein.
17. The Appellant states that the present appeal has been filed within the statutory period of 30 days provided under the said Act of 1972.
18. The Appellant submits that in the interest of justice , the purported order dated 6th January, 2026 be stayed till the disposal of the present appeal .
19. The Appeal is made bona fide and for the ends of justice

Under the aforesaid circumstances, the Appellant prays for following reliefs :-

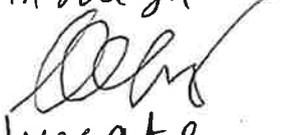


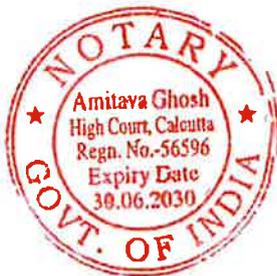
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- a. An order be passed allowing the appeal thereby setting aside Notice/order of eviction bearing no. PR No. 8272 dated 6th January, 2026 purportedly issued under Section 7 of the said Act by the Additional Tahasildar, Jharsuguda;
- b. Call for records ;
- c. Interim order of stay on the operation of the Notice/order of eviction bearing no. PR No. 8272 dated 6th January, 2026 purportedly issued under Section 7 of the said Act by the Additional Tahasildar, Jharsuguda be passed till the disposal of the case.
- d. Pass such other or further order as You deem fit and proper.

Date: 04.02.2026

Place: Jharsuguda

By the Appellant
through

Advocate



VERIFICATION

I, Shri Deepak Kumar Pathre, son of Shri. Binod Kumar Pathre, aged about 39 years, by faith – Hindu, by occupation service, residing at Premises No. 368, BBD Road, Parivar Renovia Apartment, 3rd Floor, Flat No. 401, Hindmotor, Police Station – Uttarpara, Post office – Hindmotor, Hoogly – 712223, do hereby solemnly affirm and say as follows:

- 1. That I am the Authorised Signatory of Appellant Company above named and I am well acquainted with the facts and circumstances of the case.
- 2. I am duly authorised by the Appellant Company above named to make and affirm this affidavit on behalf of the Appellant.
- 3. The statements made in paragraphs 1 to 19 of the forgoing petition are true to my knowledge and thereof are my humble submissions before this Ld. Court.

Deepak Kumar Pathre

DEPONENT

SL. NO. 001 OF 01-2026

Identified by me

 SOMA DUTTA
 Advocate
 F/1498/21
 C.J.M. Court, Kol-1
 Advocate

Solemnly Affirmed & Declared Before me on Identification of Ld. Advocate

A Ghosh

AMITAVA GHOSH
NOTARY, GOVT. OF INDIA
REGN NO. 56596
HIGH COURT, CALCUTTA



31 JAN 2026

ORISSA METALIKS PRIVATE LIMITED

REGD. OFFICE : 1, GARSTIN PLACE, 'ORBIT HOUSE', 3RD FLOOR, ROOM NO. 3B, KOLKATA - 700 001, INDIA
 Phone : +91-33-2243-8518, Fax : +91-33-2243-8517, E-mail : sc_ompl@orissametaliks.com
 Website : www.orissametaliks.com, CIN : U27109WB2006PTC111146

EXTRACTS OF THE MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS OF ORISSA METALIKS PRIVATE LIMITED HELD AT ITS REGISTERED OFFICE AT 1, GARSTIN PLACE, 'ORBIT HOUSE', 3RD FLOOR, ROOM NO. 3B, KOLKATA – 700001 ON 20TH AUGUST, 2019.

AUTHORISATION IN FAVOUR OF MR. DEEPAK PATHRE. AUTHORISED OFFICIAL TO DEAL WITH LEGAL MATTERS FOR AND ON BEHALF OF THE COMPANY.

The Chairman informed the Board that in the Board Meeting dated 1st May, 2019, Mr. Deepak Kumar Pathre was authorised to deal with all legal matters in connection with any writ petition, suit(s) or other legal proceeding(s) filed by or against the Company before Hon'ble High Court at Calcutta and other court(s) of land or any tribunal or any quasi-judicial or statutory or administrative authority for and on behalf of the Company.

The Chairman further informed the Board that the residential address of Mr. Deepak Kumar Pathre has been changed from 60 Chowringhee Road, Kolkata-700020, to 368, B.B.D Road, Uttarpara Kotrung, Uttarpara, Hooghly-712233, recently. Suitable modification needs to be made in the previous resolution passed by the Directors.

The Board discussed the matter and passed the following resolution:

“RESOLVED THAT in partial modification of the earlier resolutions passed by the Directors, Mr. Deepak Kumar Pathre, S/o Mr. Binod Kumar Pathre, residing at 368, B.B.D Road, Uttarpara Kotrung, Uttarpara, Hooghly-712233, West Bengal, Authorised Official of the Company be and is hereby empowered to appear, sign, verify, declare, affirm, make, present, submit and files all necessary notices, writ petitions, plaints, petitions, written statements, affidavits, undertakings, vakalatnamas, declarations, Appeals, Revisions, applications, statements, complaints, papers and documents and all proceedings and matters in connection with any suit(s) or proceeding(s) filed by or against the Company before Hon'ble High Court at Calcutta and other court(s) of land or any tribunal or any quasi-judicial or statutory or administrative authority for and on behalf of the Company and to do all such acts, things, deeds as may be necessary.

RESOLVED FURTHER THAT aforesaid power entrusted to the said official shall be valid unless revoked otherwise by the Board and shall be exercisable by him so long as he associated with the Company.”

RESOLVED FURTHER THAT any of the Directors or the Company Secretary of the Company, be and is hereby severally authorised to do all such acts, deeds and things, as may be required to give effect to the above resolution.”



CERTIFIED TRUE COPY

For Orissa Metaliks Private Limited

Padi Lakshmi
Company Secretary

Unit - I : Mathurakismat, P.O. : Shyamraipur, P.S. : Kharagpur (L), Dist. - Paschim Medinipur (W.B.)

Unit - II : Chaksonadhar, NH-6, Gokulpur, P.O. : Shyamraipur, P.S. : Kharagpur (L), Dist. - Paschim Medinipur (W.B.)



**IN THE NATIONAL COMPANY LAW TRIBUNAL
KOLKATA BENCH
KOLKATA**

**I.A. NO. 616/KB/2022
IN
CP (IB) NO. 580/KB/2020**

In the matter of:

An Application under Section 30 (6) read with Section 31 (1) of the Insolvency and Bankruptcy Code, 2016 for approval of Resolution Plan

and

In the matter of:

CFM Asset Reconstruction Private LimitedFinancial Creditor

versus

MSP Metallics Limited Corporate
Debtor

and

In the matter of:

Meena Sureka

Resolution Professional of MSP Metallics Limited

..... Applicant/ Resolution Professional

Order reserved on: 04 July, 2022

Order pronounced on: 11 July, 2022

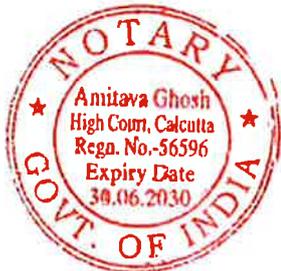
Coram:

Shri Rohit Kapoor, Member (Judicial)

Shri Harish Chander Suri, Member (Technical)

Appearances:

For RP : Mr. Ratnanko Banerji, Sr. Adv.
Mr. Sidhartha Sharma, Adv.
Mr. Arjun Asthana, Adv.
Ms. Shalini Basu, Adv.





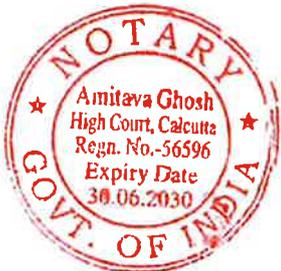
IN THE NATIONAL COMPANY LAW TRIBUNAL
KOLKATA BENCH

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ORDER

Per Harish Chander Suri, Member (Technical)

1. This Court convened through hybrid mode.
2. LA. (IB) No. 616/KB/2022 is an application under Section 30 (6) and Section 31 of the Code after approval of the resolution plan by the Committee of Creditors ["CoC"].
3. This Application was moved by Mrs. Meena Sureka, Resolution Professional of MSP Metallics Limited (CIN: U27109WB1996PLC082138), by invoking the provisions of Section 30(6) and Section 31 of the Insolvency and Bankruptcy Code ,2016 [hereinafter referred to as "the Code" or "IBC"] read with regulation 39(4) of the Insolvency and Bankruptcy Board of India (Insolvency Resolution Process for Corporate Persons) Regulations, 2016 [hereinafter referred to as "CIRP Regulations"] for approval of a Resolution Plan in respect of MSP Metallics Limited.
4. The underlying Company Petition in C.P. (IB) No. 580/KB/2020 was filed by Central Bank of India (which was further assigned to CFM Asset Reconstruction Private Limited by way of Deed of Assignment dated 04.06.2021 and thereafter confirmed vide order dated 22.07.2021) against MSP Metallics Limited, this Adjudicating Authority directed commencement of Corporate Insolvency Resolution Process (hereinafter referred to as 'CIR Process') of the MSP Metallics Ltd (Corporate Debtor hereafter) by an order dated 25.11.2021 and appointed Mr. Dipti Ranjan Nath to act as the Interim Resolution Professional herein.
5. The IRP made public announcement on 27.11.2021 in 2 newspapers namely, Financial Express (English) and Aajkal (Bengali) regarding initiation of Corporate Insolvency Resolution Process [hereinafter referred to as "CIRP"] and called proof of claims from the financial and operational creditors, workers and employees of the Company in the specified form till 09.12.2021.
6. The Applicant states that a total of 11 CoC meetings have been held during the CIRP period, as follows:



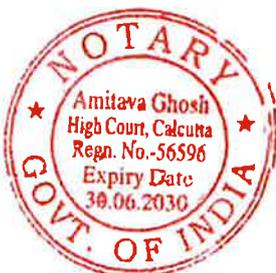


IN THE NATIONAL COMPANY LAW TRIBUNAL
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Particulars	Date of CoC meetings
1 st CoC Meeting	23.12.2021
2 nd CoC Meeting	30.12.2021
3 rd CoC Meeting	17.01.2022
4 th CoC Meeting	04.02.2022
5 th CoC Meeting	14.03.2022
6 th CoC Meeting	02.04.2022
7 th CoC Meeting	13.04.2022
8 th CoC Meeting	29.04.2022
9 th CoC Meeting	09.05.2022
10 th CoC Meeting	26.05.2022 & 30.05.2022
11 th CoC Meeting	10.06.2022

7. Pursuant to receipt of the claims, the IRP duly constituted the Committee of Creditors ('CoC') of the Corporate Debtor under Section 21 of the I & B Code, 2016 and filed a report on 17.12.2021 certifying constitution of the CoC of the Corporate Debtor before this Adjudicating Authority in accordance with Regulation 17 (1) of the Insolvency and Bankruptcy Board of India (Insolvency Resolution Process for Corporate Persons) Regulations, 2016.
8. Thereafter, the CoC, in its 3rd meeting held on 17.01.2022, duly appointed Mrs. Meena Sureka, the applicant herein, to act as the resolution professional of the corporate debtor. Pursuant thereto, this Adjudicating Authority vide its order dated 04.03.2022 duly confirmed the appointment of the applicant to act as the resolution professional for conducting the CIR Process of the corporate debtor.
9. The Applicant submits that as per the requirements of Section 25(2)(h) of the IBC,2016 read with regulation 36A(1) of the CIRP Regulations, 2016, invitations in Form 'G' for Expression of Interest (EoIs) from potential resolution applicants were issued on 08.02.2022 in Business Standard -



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IN THE NATIONAL COMPANY LAW TRIBUNAL
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English (all India Edition), Aajkal -Bengali (All West Bengal Edition) and Dharitri - Odia (All Odisha Edition) newspapers with the last date for submission of resolution plans on 09.04.2022. It has been informed that the last date for submissions of the resolution plans by the prospective resolution applicants was extended on numerous occasions, i.e., 15.04.2022; 29.04.2022; and lastly for 06.05.2022.

10. It has been informed that 6 prospective resolution applicants duly submitted their EoIs along with Earnest Money Deposit of Rs. 1,00,00,000/- (Rupees One Crore only), however, only one resolution plan has been received by the Applicant.
11. Pursuant to receipt of EoI and EMD, the Applicant duly shared the Information Memorandum and RFRP with one Orissa Metalliks Private Limited [CIN: U27109WB2006PTC111146] (hereinafter referred to as the 'Resolution Applicant') vide email dated 16.03.2022.
12. The Applicant submits that pursuant to appointment of valuers in accordance with Regulation 27 and 35 of the Insolvency & Bankruptcy Board of India (Insolvency Resolution Process for Corporate Persons) Regulations, 2016 the fair market value and liquidation value of the Corporate Debtor, as per the valuation reports, is as under:

S. No.	Valuer	Fair Market Value (Rs./Cr.)	Liquidation Value (Rs./Cr.)
a)	RBSA Advisor	Rs. 510 Crore	Rs. 334 Crore
b)	Fintech Valuation Advisory LLP	Rs. 480.42 Crore	Rs. 360.05 Crore
	Total Average Value	Rs. 495.21 Crore	Rs. 347.02 Crore

13. It is stated that the Applicant received one resolution plan on the last date fixed for submission of resolution plan, i.e. on 06.05.2022. The said resolution plan has been submitted by Orissa Metalliks Private Limited.





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14. Accordingly, the said resolution plan of Orissa Metaliks Private Limited was duly placed by the Applicant before the CoC in sealed envelope in the 9th meeting of the CoC held on 9th May 2022.
15. It is imperative to mention here that in the interregnum, since the 180 days' period for completion of CIR Process was expiring on 24.05.2022, the CoC, pursuant to the 9th meeting held on 9th May 2022 duly e-voted in favour of seeking extension under Section 12 (2) read with Section 12 (3) of the I & B Code, 2016 in light of the fact that a prospective resolution applicant has submitted a resolution plan and there are chances of resolution of corporate debtor.
16. Accordingly, the Applicant/ RP herein duly filed an interlocutory application being I.A. (IB) No. 481/KB/2022 for seeking extension of time for completion of CIR Process of Corporate Debtor. This Tribunal, vide its order dated 20.06.2022 allowed the application of the Applicant/ RP under Section 12 and directed that the CIR Process of Corporate Debtor shall end on 22.08.2022. The timeline of CIR Process of MSP Metaliks Limited is reproduced hereunder:

Date	Timeline
25.11.2021	Admission of Corporate Insolvency Resolution Process of MSP Metaliks Limited
21.05.2022	Application under Section 12 (2) read with Section 12 (3) of the I & B Code, 2016 filed by the Applicant/ RP being I.A. (IB) No. 481/KB/2022
24.05.2022	Completion of 180 days' time
22.08.2022	Completion of 270 days' time





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17. The Successful Resolution Applicant presented the entire resolution plan, including the feasibility and viability and other requirements for resolution of the Corporate Debtor before the Committee of Creditors of MSP Metallics Limited in the 10th meeting of the CoC held on 26.05.2022 and thereafter reconvened on 30th May 2022. The CoC, in the said meeting, advised the prospective resolution applicant to increase the offer value and further advised the resolution applicant to modify and amend the resolution plan in terms of the negotiations and discussions held during the 10th meeting of the CoC. In furtherance to the deliberations, negotiations and amendments proposed by the CoC in the 10th meeting, the Resolution Applicant duly submitted its modified resolution plan initially on 01.06.2022 and subsequently on 08.06.2022. The said modified and final resolution plan dated 08.06.2022 was placed for consideration of the CoC in the 11th meeting held on 10.06.2022. Pursuant to series of deliberations and negotiations amongst the members of the Committee of Creditors and the Resolution Applicant, the final resolution plan of the Resolution Applicant was duly put to voting on 10.06.2022 and the voting was kept open until 12.06.2021.
18. The Committee of Creditors duly approved the Resolution Plan of Orissa Metaliks Private Limited by 100% voting on 12.06.2021.
19. Applicant further submits that the Successful Resolution Applicant has also duly furnished Performance Bank Guarantee to the tune of Rs. 50,00,00,000/- (Rupees Fifty Crore only) in accordance with the terms and conditions of the IM and RFRP document.
20. The Resolution Plan of Orissa Metaliks Private Limited stipulates constitution of Working Committee and Monitoring Committee to facilitate implementation of the Resolution Plan being approved.
21. The Successful Resolution Applicant proposes a financial outlay of Rs. 800.02 Crore in the resolution plan.
22. The Applicant submits details of various compliances envisaged within the Code and the CIRP Regulations which requires a Resolution Plan to adhere to, which is reproduced hereunder:





IN THE NATIONAL COMPANY LAW TRIBUNAL
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I. Submission of Resolution Plan in terms of Section 30 (2) of the Code:

Clause of S. 30 (2)	Requirement	How dealt with in the Resolution Plan
(a)	Plan must provide for payment of CIRP cost in priority to repayment of other debts of CD in the manner specified by the Board.	Clause 3.2
(b)	(i) Plan must provide for repayment of debts of OCs in such manner as may be specified by the Board which shall not be less than the amount payable to them in the event of liquidation u/s 53; or (ii) Plan must provide for repayment of debts of OCs in such manner as may be specified by the Board which shall not be less than amount that would have been paid to such creditors, if the amount to be distributed under the resolution plan had been distributed in accordance with the order of priority in sub Section(1) of Section 53, which ever is higher and (iii) Provides for payment of debts of financial creditors who do not vote in favour of the resolution plan, in such manner as may be specified by the Board.	Clause 3.3 & Clause 3.4
(c)	Management of the affairs of the Corporate Debtor after approval of the Resolution	Clause 5





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	Plan.	
(d)	Implementation and Supervision of the Resolution Plan.	Clause 6
(e)	Plan does not contravene any of the provisions of the law for the time being in force.	Clause 7.8
(f)	Confirms to such other requirements as may be specified by the Board.	Clause 7.17.7

II. Measures, as may be necessary, for insolvency resolution, in terms of Regulation 37 of CIRP Regulations:

Regulation	Particulars	Comments	Reference
Regulation 37 (a) & (b)	Transfer/ sale of all or part of the assets of the Company to one or more persons;	The Resolution Plan does not envisage transfer or sale of any of the assets of the corporate debtor upto settlement date. However, post settlement date, RA may carry out transfers/ sale during the normal course of business. The Resolution Plan does not envisage transfer or sale of any of the assets of the corporate debtor upto settlement date. However, post settlement date, RA may carry out transfers/ sale during the normal course of business	Chart @ pg. 92 of application

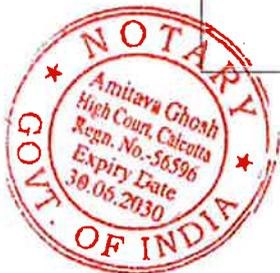




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Regulation 37 (ba)	Restructuring of the Corporate Debtor, by way of merger, amalgamation and demerger	The Resolution Plan does contemplate restructuring through reverse merger	<i>Annexure 2 of resolution plan</i>
Regulation 37 (c)	The substantial acquisition of shares of the Corporate Debtor, or the merger or consolidation of the Corporate Debtor with one more person	Please refer to Annexure 2 structure for acquisition of control over the Corporate Debtor by the Resolution Applicant	<i>Annexure 2 of resolution plan</i>
Regulation 37 (ca)	cancellation or delisting of any shares of the corporate debtor, if applicable	Please refer to Annexure 2 structure for acquisition of control over the Corporate Debtor by the Resolution Applicant	<i>Annexure 2 of resolution plan</i>
Regulation 37 (d)	Satisfaction or modification of any security interest	Please refer to Annexure 2 structure for acquisition of control over the Corporate Debtor by the Resolution Applicant	<i>Clause (IX) @ pg. 155</i>
Regulation 37 (e)	curing or waiving of any breach of the terms of any debt due from the Company	Please refer to Annexure 2 structure for acquisition of control over the Corporate Debtor by the Resolution Applicant	<i>Annexure 2 of resolution plan</i>
Regulation 37 (f)	Reduction in the amount payable to the creditors	Please refer to Annexure 2 structure for acquisition of control over the Corporate Debtor by the Resolution Applicant	<i>Annexure 2 of resolution plan</i>

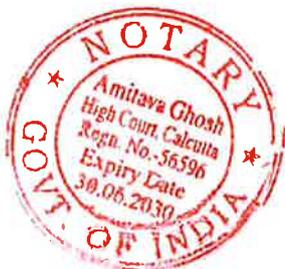




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Regulation 37 (g)	Extension of a maturity date or a change in interest rate or other terms of a debt due from the Company	Please refer to Annexure 2 structure for acquisition of control over the Corporate Debtor by the Resolution Applicant	<i>Annexure 2 of resolution plan</i>
Regulation 37 (h)	Amendment of the constitutional documents of the Company	Constitutional documents of corporate debtor are proposed to be amended appropriately as per requirements of the plan	<i>Chart @ pg. 92 of application</i>
Regulation 37 (i)	Issuance of securities of the Company, for cash, property, securities, or in exchange for claims or interests or other appropriate purpose.	Shares of any kind as permitted under the law shall be issued	<i>Chart @ pg. 92 of application</i>
Regulation 37 (j)	Change in portfolio of goods or services produced or rendered by the corporate debtor	The Resolution Plan does not envisage any change in portfolio of goods or services produced or rendered by the corporate debtor. Post Submission and approval of the Resolution Plan, the RA shall have the right to make change in portfolio of goods or services produced in any manner as they desire	<i>Chart @ pg. 92 of application</i>





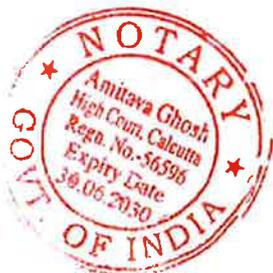
**IN THE NATIONAL COMPANY LAW TRIBUNAL
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Regulation 37 (k)	Change in technology used by the corporate debtor	The Resolution Plan does not envisage any change in technology used by the corporate debtor. Post Submission and approval of the Resolution Plan, the RA shall have the right to make change in technology used which may be deemed more beneficial for the Company by them	Chart @ pg. 92 of application
Regulation 37 (l)	Obtaining necessary approvals from the Central and State Governments and other authorities.	Requisite approvals/ licenses, if any, shall be obtained by RA from Central/ State Government and/ or other authorities, by seeking help of the Monitoring Agency, as is required to be obtained under law.	Chart @ pg. 92 of application

III. Mandatory contents of Resolution Plan in terms of Regulation 38 of CIRP Regulations:

Reference to relevant Regulation	Requirement	How dealt with in the Plan
38 (1)	The amount due to the operational creditors under a resolution plan shall be given priority in payment	Clause 3.3





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	over financial creditors.	
38 (1A)	A resolution plan shall include a statement as to how it has dealt with the interests of all stakeholders, including financial creditors and operational creditors of the corporate debtor.	Clause 3.5
38 (1B)	A resolution plan shall include a statement giving details if the resolution applicant or any of its related parties has failed to implement or contributed to the failure of implementation of any other resolution plan approved by the Adjudicating Authority at any time in the past.	Clause 4.2
38 (2)	A resolution plan shall provide: (a) the term of the plan and its implementation schedule;	Clause 4.1
	(b) the management and control of the business of the corporate debtor during its term; and	Clause 5.1.1
	(c) Adequate means for supervising its implementation.	Clause 6.1
38 (3)	A resolution plan shall demonstrate that– (a) it addresses the cause of default;	Clause 6.11
	(b) it is feasible and viable;	Clause 6.11
	(c) it has provisions for its effective implementation;	Clause 4





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	(d) it has provisions for approvals required and the timeline for the same; and	Clause 4.4
	(e) the Resolution Applicant has the capability to implement the resolution plan	Section B

IV. Mandatory contents of Resolution Plan in terms of Regulation 39 of CIRP Regulations

Reference to relevant Regulation	Requirement	How dealt with in the Plan
39 (1) (a)	An affidavit stating RA is eligible under section 29A to submit resolution plans;	Refer Affidavit of resolution applicant declaring eligibility under Section 29A of the I & B Code, 2016
39 (1) (c)	An undertaking by the prospective resolution applicant that every information and records provided in connection with or in the resolution plan is true and correct and discovery of false information and record at any time will render the applicant ineligible to continue in the corporate insolvency resolution process, forfeit any refundable deposit, and attract penal action under the Code.	Refer undertaking by Successful Resolution Applicant





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23. Applicant submits that the Successful Resolution Applicant has submitted an affidavit of eligibility under Section 29A of the Code, which has been annexed as to the Application.
24. Applicant submits that the RP has submitted the certificate certifying and confirming the eligibility of the SRA under Section 29A of the Code, which has been annexed to the Application.
25. The Applicant has filed a compliance certificate in the prescribed form, i.e., Form 'H' in compliance with Regulation 39(4) of the CIRP Regulations which has been annexed as to with the Application.

Details of Resolution Plan/ Payment Schedule

26. The Applicant submits the relevant information with regard to the amount claimed, amount admitted and the amount proposed to be paid by the Successful Resolution Applicant i.e. Orissa Metaliks Private Limited, under the said Resolution Plan is tabulated as under:

S. No.	Particulars	Amount Claimed (in Crore)	Amount Admitted (in Crore)	Amount in the Plan (in Crore)
1	CIRP Cost	Actual		Actual
2	Financial Creditors			
	- Secured Financial Creditors	2670.13	2688.23	499.27
	- Unsecured Financial Creditors	5.35	5.35	0.27
3	Operational Creditors (other than workmen & employees & government/ statutory	47.80	41.03	0.40





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	dues)			
4	Workmen & Employee dues	1.25	0.12	0.06
5	Other Creditors	0.002	0.002	0.0002
6	Capex/ Restart Cost (within 6 months)			200.00
7	Working Capital (within 6 months)			100.00
	Total Resolution Plan value			800.02

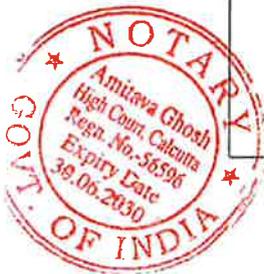
27. Details on Management/ Implementation and Reliefs as per the Resolution Plan – Salient Features

The Resolution Plan also provides for –

- a. Management of Company after resolution in Clause 5 and 6;
- b. Term of the resolution plan in Clause 4; and
- c. Implementation and Supervision of the resolution plan in Clause 4.

28. Reliefs and Concessions (Section D of Resolution Plan)

SL No.	Relief and/ or Concessions Sought	Orders Thereon
1	Licenses and approvals held by the Company, which expire prior to Effective Date or within a period of 6 (six) months thereafter, shall be renewed/extended by the relevant Governmental Authorities, and the Company shall be permitted to continue its business and assets in the manner operated prior to submission this plan until the renewal/extension of such licenses and approvals. The relevant Governmental Authorities will provide a reasonable period of time after the Effective Date in order for the Resolution	Granted.





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	<p>Applicant to:</p> <p>a. Assess the status of licenses and approvals required by the Company and to procure that the Company applies for the same; and</p> <p>b. Regularize any non-compliances under the Applicable Law (including non-registration, inadequate/non-stamping of documents as required under Applicable Law) existing prior to the Closing Date.</p>	
2	<p>Direction to authorities for providing key infrastructure facilities and approvals like Consent to Establish, Consent to Operate, electricity power approval, Water approval, Railways approval, approval for operating the mines etc.</p>	Granted.
3	<p>Direction to Resolution Professional and CoC to provide full access to information, promises and assets to Resolution Applicant.</p>	Granted.
4	<p>Upon approval of this Resolution Plan, all investments (including but not limited to the investment in key infrastructure facilities), statutory rights, licenses, lease agreements, agreements, registrations or any similar approval by whatever name called and fundamental for running the business on going concern shall be in complete force and valid.</p>	Granted.





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5	The RP and CoC shall allow possession of the premises/offices of the Corporate Debtor, all passwords, bank account details, cheque books, statutory registers, minute books, financial records, all communication with vendors, customers, government and regulatory authorities and all other documents pertaining to the Corporate Debtor and all its business divisions information technology systems (including all software and hardware), access to ERP system, etc. to the RA within 30 days of the Effective Date	Granted.
6	Approval of this Resolution Plan by the AA and serving of the certified copy of the order approving the Resolution Plan shall serve as sufficient notice to the Electricity Department towards supplying of uninterrupted electricity connection to all the manufacturing units of the Corporate Debtor.	Granted.
7	The approval of the Adjudicating Authority and the CoC shall constitute adequate approval and cancellation of the existing share capital and accordingly, no approval/consent shall be necessary from any other Person / Governmental Authority in relation to either of these actions under any agreement, the constitutional documents or under any Applicable is also clarified that the Resolution Applicant shall not be required to deal with the dissenting /abstaining Financial Creditors in any manner other than as provided under the	Granted.



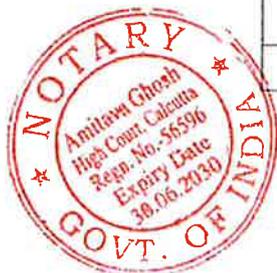
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	Code.	
8	Approval of this plan shall be deemed approval for waiver from filing of statutory returns (including but not limited to any filings for Registrar of Companies, Direct & Indirect Tax authorities, plant related annual filings, etc), for a period prior to Effective Date. A certified copy of the order approving Resolution Plan shall be a direction on such statutory authorities to allow the Company to do compliance(s) with effect from and after the date of approval of Resolution Plan by the Adjudicating Authority.	Granted, subject to the law and applicable Regulations.
9	Approval of this plan shall be deemed approval for removal of Directors from the record of the Company as appearing on the MCA portal/ website/ income tax web site/ Any Indirect website. A certified copy of the order approving the Resolution Plan shall be a direction on such statutory authorities to do the needful.	Granted.
10	The approval of this Plan by the Adjudicating Authority shall be deemed to have waived all the procedural requirements in terms of Section 66, Section 42 and Section 62(1Xe) of the Companies Act, 2013 and other Applicable Law (including LODR Regulations and ICDR Regulations) for reduction of share capital, issuance of Non-Convertible Debenture and issuance of equity shares to the Resolution Applicant and/or the Financial Creditors.	Granted.
11	An order approving the Resolution Plan shall be a	Granted.



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	deemed order upon Financial Creditors to cancel all pledge/ lien/ other encumbrances upon the issued share capital of the Company to enable corporate action as envisaged in the Resolution Plan.	
12	The Ministry of Corporate Affairs and/ or the Adjudicating Authority shall exempt compliance with the provisions of Chapter XV of the Companies Act, 2013 (and the corresponding rules issued under the Companies Act, 2013), in respect of schemes of arrangement contemplated under the Plan.	Granted, subject to the law and applicable applicable
13	To direct/grant all approvals required for consummating the scheme of arrangement presented in Annexure-2.	Granted, subject to the law and applicable applicable
14	To direct/grant all approvals required for undertaking the schemes of capital reduction envisaged in Annexure-2 of the Resolution Plan.	Granted, subject to the law and applicable applicable
15	The relevant Governmental Statutory Regulatory Authorities shall not initiate any investigations, actions or proceeding in relation to any non-compliance with Applicable Law by the Company during the period prior to the Closing Date. Neither shall the Resolution Applicant, nor the Company, nor their respective directors, officers and employee appointed on and as of the Closing Date be liable for any violations, liabilities, penalties or fines with respect to or pursuant to the Company not having in place requisite licenses and approvals required to undertake its business as per Applicable	Granted.





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	Law, or any non-compliances of Applicable Law by the Company. Further, the relevant Governmental Authorities will provide a reasonable period of time after the Effective Date, for the Resolution Applicant to assess the status of any non-compliances under the Applicable Law (including with respect to applicable environmental laws, directions or orders by the Ministry of Environment and Forest, permits clearances and forest related clearances) and to procure that the Company regularizes such non-compliances under the Applicable Law existing prior to the Effective. Date	
16	Withdrawal of litigations initiated by the Financial Creditors against Corporate Debtor, Issue no-dues certificate(s) in favour of Corporate Debtor and release their respective charges on the securities in full and complete satisfaction of all debts owed to the Financial Creditors by Corporate Debtor, including all guarantees by Corporate Debtor which may have been provided to the Financial Creditors, for credit facilities availed by Corporate Debtor.	Granted.
17	Any and all dues to, liabilities or obligations payable to, claims, counter-claims, demands, actions or penalties, made or imposed by or any arrears, dividend or obligations owed or payable to (including but not limited to all interests, damages, losses, expenses and third party claims), and any right, title, interest enjoyed by, any actual or	Granted in terms of the Ghanashyam Mishra and Sons Pvt Ltd v Edelweiss Asset Reconstruction Company Ltd, wherein the Hon'ble





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<p>potential other stakeholders of the Corporate Debtor including any group companies whether under law or otherwise, whether or not claimed, whether or not filed, whether or not crystallized, whether or not secured, whether or not admitted, whether or not notional, whether or not known, whether due or contingent, whether or not disputed, present or future, whether or not being adjudicated in any proceedings, whether or not decreed, whether or not reflected in the financial statements of the Corporate Debtor, or whether or not reflected in any record, document, statement, statutory or otherwise, arising prior to or after the Effective Date, but pertaining to period prior to the Effective Date, and/ or arising in connection with Assignment or acquisition of shares of the company by the investors or conversion of the Conversion Debt into Equity or in any other manner as a result of or in connection with this Plan, shall be deemed to have been irrecoverably waived and permanently extinguished and written off in full with effect from the Effective Date. To give effect to such waiver and extinguishment, any contract, agreement, deed or document, whether oral or written, expressed or implied, statutory or otherwise, pursuant to which any such dues, liabilities, obligations, claims, counterclaims, demands, actions, penalties, right, title or interest in claimed (other than as specifically mentioned herein) shall stand modified with effect from the</p>	<p>Supreme Court has held in para 95(i) that once a resolution plan is duly approved by the Adjudicating Authority under subsection (1) of section 31, the claims as provided in the resolution plan shall stand frozen and will be binding on the Corporate Debtor and its employees, members, creditors, including the Central Govt, any State Govt or any local authority, guarantors and other stakeholders.</p>
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	Effective Date without any further act, deed and approval of the Resolution Plan by Adjudicating Authority shall be deemed to be sufficient notice which may be required to be given to any person for such matters and no further notice shall be required to be given.	
18	Relinquishment of all/ any promise to pay towards any obligation including corporate guarantee, pledge on any shares, mortgage or charge on any specific asset, etc. issued by Corporate Debtor in favour of or on behalf of any of its subsidiaries, associates, group) companies or any third party.	Granted in terms of the Ghanashyam Mishra and Sons Pvt Ltd v Edelweiss Asset Reconstruction Company Ltd, wherein the Hon'ble Supreme Court has held in para 95(i) that once a resolution plan is duly approved by the Adjudicating Authority under subsection (1) of section 31, the claims as provided in the resolution plan shall stand frozen and will be binding on the Corporate Debtor and its employees, members, creditors,





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		including the Central Govt, any State Govt or any local authority, guarantors and other stakeholders.
19	Specific waiver of transaction costs related to the implementation of the Resolution Plan including but not limited to any incidence of Stamp Duty, ROC Fee, Income Tax, any Statutory Levy, Renewal Charges, etc.	Granted, subject to the law and applicable regulation.
20	Directions from Adjudicating Authority that other than actions taken by the CoC/Resolution Professional against the personal guarantees extended by the Existing Promoter group which have been initiated prior to the approval by the Adjudicating Authority, all legal suits, proceedings, certificate proceedings and/or quasi-legal proceedings that have been initiated against Corporate Debtor or the Incumbent Promoter Group, Subsidiaries / Associates / related party(ies) of the Incumbent Promoter Group, which may have an adverse impact on Corporate Debtor of any nature whatsoever, shall stand quashed, including but not limited to: for recovery of any debts and dues (including but not limited to statutory dues like Central/State Sales Tax/value-added tax/Central Excise/Service Tax/ Goods and Services Tax, Income Tax, Customs Duty, etc. or	Granted.

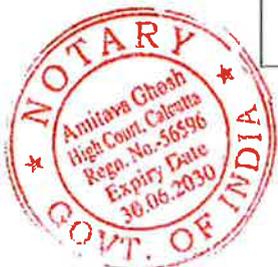




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	any other statutory dues) pending against OISL and 100% waiver of all such claims/dues thereunder, b. those related to taxation, related to environment and forest laws, railway claims/disputes proceedings under the Foreign Exchange Management Act 1999, Prevention of Money Laundering Act 2002, criminal matters, etc.	
21	As per Section 32A of the IBC, the Resolution Applicant and the Corporate Debtor shall have immunity from any actions and penalties (of any nature) under any laws for any non compliance of laws in relation to the Corporate Debtor or by the Corporate Debtor, as well as with the terms of any agreement or arrangement entered into by the Corporate Debtor, which was existing as on the Completion Date and which continues for a period of up to 2 months after the acquisition of control by the Resolution Applicant over the Corporate Debtor, Without any liability for the non-compliance during the time specified above, the Resolution Applicant undertakes to cause the Corporate Debtor to expeditiously identify such non compliances, evaluate the steps required to address such non-compliances and take steps to remedy such non-compliances to the extent practically possible. The Resolution Applicant and the Corporate Debtor shall be entitled to apply to and approach the Adjudicating Authority for relief for continued implementation of the approved Resolution Plan before or after any coercive action	Granted.



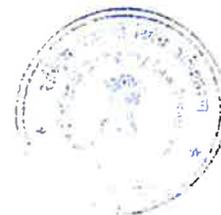
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	is taken against the Corporate Debtor or the Resolution Applicant, especially in view of the limited due diligence offered to the Resolution Applicant.	
22	This Resolution Plan will be implemented pursuant to an order of the Adjudicating Authority, and all actions stated in this Resolution Plan shall be deemed to be approved by the Adjudicating Authority. Accordingly, any action or implementation of this Resolution Plan shall not be a ground for termination of any contracts entered into by the Corporate Debtor.	Granted.
23	All contracts between the Corporate Debtor and related parties (as defined in Section 5(24) of the Code shall stand terminated with effect from the Effective Date unless otherwise notified by the Resolution Applicant by the Effective Date, and the Corporate Debtor shall not be liable towards any claims with respect to termination of such contracts, including but not limited to, any claims, penalty, damages (liquidated or otherwise), arbitration claims, claims for specific performance or claims for interim relief.	Granted.
24	All financial obligations under any contract to which the Corporate Debtor is a party, relating to a period prior to the Effective Date, if not provided for under this Resolution Plan, shall stand extinguished.	Granted in terms of the Ghanashyam Mishra and Sons Pvt Ltd v Edelweiss Asset Reconstruction Company Ltd,

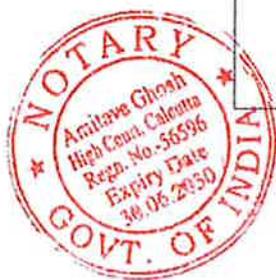




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		<p>wherein the Hon'ble Supreme Court has held in para 95(i) that once a resolution plan is duly approved by the Adjudicating Authority under subsection (1) of section 31, the claims as provided in the resolution plan shall stand frozen and will be binding on the Corporate Debtor and its employees, members, creditors, including the Central Govt, any State Govt or any local authority, guarantors and other stakeholders.</p>
25	<p>Any reassessment, revision or other proceedings under the provisions of the Applicable Laws relating to Taxes would be deemed to be barred in relation to any period prior to the Effective Date, by virtue of the order of the Adjudicating Authority approving this Resolution Plan.</p>	<p>Granted.</p>



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26	All assessment/re-assessment/revision/penalty/appellate or other proceedings pending in the case of the Corporate Debtor as on the Effective Date, relating to the period prior to that date, shall stand terminated and all consequential liabilities, if any, shall be waived and shall be considered to be not payable by the Corporate Debtor by virtue of the NCLT order approving this Resolution Plan.	Granted, subject to the law and applicable Regulations.
27	All notices issued under the provisions of the respective Acts to initiate any proceedings viz. assessment/reassessment/revision/penalty/etc. against the Corporate Debtor in relation to the period prior to the Effective Date shall be considered withdrawn and shall not be proceeded against.	Granted.
28	No notices should be issued under the provisions of the respective Acts to initiate any proceedings viz. assessment/reassessment/revision/penalty/etc, against the Corporate Debtor in relation to the period prior to the Effective Date.	Granted.
29	Any proceedings which were kept in abeyance in view of the insolvency process or otherwise shall not be revived post the order of the NCLT.	Granted.
30	No further demand for period prior to the Effective Date shall be raised by the respective Departments.	Granted in terms of the Ghanashyam Mishra and Sons Pvt Ltd v Edelweiss Asset Reconstruction





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		Company Ltd, wherein the Hon'ble Supreme Court has held in para 95(i) that once a resolution plan is duly approved by the Adjudicating Authority under subsection (1) of section 31, the claims as provided in the resolution plan shall stand frozen and will be binding on the Corporate Debtor and its employees, members, creditors, including the Central Govt, any State Govt or any local authority, guarantors and other stakeholders.
31	AA to pass necessary orders/ give appropriate directions to direct tax authorities/ Principal Commissioner of Income-tax to not apply/ invoke section 79 of IT Act on implementation of the Resolution Plans and allow benefit of carry forward and setoff of losses of Corporate Debtor	Granted.



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	existing and arising pursuant to implementation of Resolution Plan post change in majority shareholding.	
32	AA to pass necessary orders/ give appropriate directions to direct tax authorities to grant waiver from getting No Objection Certificate from direct tax authorities as contemplated under section 281 of IT Act. Similar directions to be given to indirect tax authorities as well	Granted in terms of the Ghanashyam Mishra and Sons Pvt Ltd v Edelweiss Asset Reconstruction Company Ltd, wherein the Hon'ble Supreme Court has held in para 95(i) that once a resolution plan is duly approved by the Adjudicating Authority under subsection (1) of section 31, the claims as provided in the resolution plan shall stand frozen and will be binding on the Corporate Debtor and its employees, members, creditors, including the Central Govt, any State Govt or any local

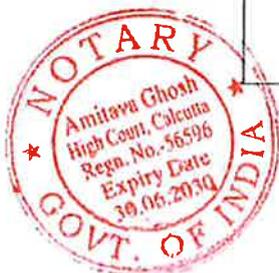




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		authority, guarantors and other stakeholders.
33	<p>With the approval of this Resolution Plan by the Adjudicating Authority, it is assumed that an exemption shall be deemed to have been granted to the Corporate Debtor from the obligation to pay taxes in accordance with the exemptions granted under the relevant provisions of Income Tax Act.</p> <p>a. With the approval of this Resolution Plan by the Adjudicating Authority, it is assumed that, proper reasonable opportunity of being heard given to the jurisdictional Principal Commissioner or Commissioner as per Section 79 of the Income Tax Act;</p> <p>b. The Corporate Debtor shall be entitled to carry forward the unabsorbed depreciation and accumulated losses under Income Tax and Minimum Alternate Tax and to utilize such amounts to set off future tax obligations, c. The brought forward Business Loss & Unabsorbed Depreciation as on the Effective Date shall be deemed to be the Business Loss & Unabsorbed Depreciation for the previous year in which the Effective Date falls and accordingly, the period allowed for setting off such loss/unabsorbed depreciation shall be counted from the AY in which the Effective Date falls.</p>	Granted, subject to the law and applicable Regulations.





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Findings:

29. On hearing the submissions made by the Ld. Senior Counsel for the Resolution Professional, and perusing the record, we find that the Resolution Plan has been approved with 100% voting share. As per the CoC, the plan meets the requirement of being viable and feasible for revival of the Corporate Debtor and the same has been duly recorded in the 11th minutes of the CoC held on 10.06.2022. By and large, all the compliances have been done by the RP and the Resolution Applicant for making the plan effective after approval by this Bench.
30. On perusal of the documents on record, we are also satisfied that the Resolution Plan is in accordance with sections 30 and 31 of the IBC and also complies with regulations 38 and 39 of the IBBI (Insolvency Resolution Process for Corporate Persons) Regulations, 2016.
31. As far as the question of granting time to comply with the statutory obligations/seeking sanctions from governmental authorities is concerned, the Resolution Applicant is directed to do the same within one year as prescribed under section 31(4) of the Code.
32. In case of non-compliance of this order or withdrawal of Resolution Plan, the CoC shall invoke the Performance Bank Guarantee furnished by the Resolution Applicant.
33. Subject to the observations made in this Order, the Resolution Plan in question is hereby **approved** by this Bench. **The Resolution Plan shall form part of this Order.**
34. The Resolution Plan is binding on the Corporate Debtor and other stakeholders involved so that revival of the Debtor Company shall come into force with immediate effect.
35. The Moratorium imposed under section 14 shall cease to have effect from the date of this order.
36. The Resolution Professional shall submit the records collected during the commencement of the proceedings to the Insolvency & Bankruptcy Board of





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- India for the record and also unto the Resolution Applicant or New Promoters.
37. Certified copy of this Order be issued on demand to the concerned parties, upon due compliance.
38. Liberty is hereby granted for moving any Application if required in connection with implementation of this Resolution Plan.
39. A copy of this Order is to be submitted in the Office of the Registrar of Companies, West Bengal.
40. The Resolution Professional shall stand discharged from his duties with effect from the date of this Order.
41. The Resolution Professional is further directed to handover all records, premises/factories/documents to the Resolution Applicant to finalise the further line of action required for starting of the operation. The Resolution Applicant shall have access to all the records/premises/factories/documents through the Resolution Professional to finalise the further line of action required for starting of the operation.
42. IA (IB) 616/KB/2022 along with C.P. (IB) No. 580/KB/2020 shall stand disposed of accordingly.
43. The Registry is directed to send e-mail copies of the order forthwith to all the parties and their Ld. Counsel for information and for taking necessary steps.
44. Certified copy of this order may be issued, if applied for, upon compliance of all requisite formalities.
45. File be consigned to the record.


Harish Chander Suri
Member (Technical)


Rohit Kapoor
Member (Judicial)

The Order is pronounced on 11 day of July, 2022

S. LRA



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 of application for Copy 19/7/2022
 No. of Pages 32 pages + 1
 Copying Fee ₹
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 Total ₹ 165/-
 Date of Receipt &
 Remittal of Copy 21/07/2022
 Date of Preparation of Copy 21/07/2022
 Date of Deliver of Copy 21/07/2022

[Signature]
 DD / DR / AR / Court Officer
 National Company Law Tribunal
 Kolkata Bench



ଅନୁସୂଚୀ XIV--ପାଠନ ପଠ.୯୩୧ (Revised)

ଅନ୍ୟାୟକାଣ୍ଡ କେସ୍ ନଂ- 665/2025

ପର୍ଯ୍ୟାୟ

PR No. 665 ୫୧୦୧ / ୨୧.୧୧.୨୦୨୫

ଓଡ଼ିଶା ରୁମି ଅନୁଧିକାର ଦଖଲ ନିବାରଣ ଅଧିନିୟମ, ୧୯୭୨ ଧାରା ୨ ଅନୁଯାୟୀ ନୋଟିସ

[ନିୟମ.6(1) ବ୍ରଷଣ୍ୟ]

ପ୍ରପେକ

ଏମ. ଏସ. ଓଡ଼ିଶା ମେଟାଲିକ୍ସ ଲିମିଟେଡ୍

ଠିକଣା: ଝି. କଟାପାଲି, ଝାରସୁଗୁଡ଼ା

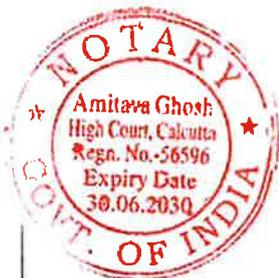
ଯେହେତୁ ପ୍ରତୀତ ହୋଇଅଛି ଯେ, ଆପଣ ନିମ୍ନ ଅନୁସୂଚୀରେ ବର୍ଣ୍ଣାୟାଯିଥିବା ସରକାରୀ ରୁମିକୁ ଅନୁମତି ବିନା ଦଖଲ କରିଅଛନ୍ତି | ଆପଣଙ୍କ ପ୍ରତି ଏତଦ୍ୱାରା ଏହି ଆଦେଶ ହେଉଅଛି ଯେ ଆପଣ ସ୍ୱୟଂ ବା ଆପଣଙ୍କର କ୍ଷମତାପନ୍ନ ପ୍ରତିନିଧିକ ଭାବରେ ତା 06 | 12 | 2025 ରିଖ 11.00 AM ସମୟରେ ନିମ୍ନ ସ୍ୱାକ୍ଷରକାରୀଙ୍କ ସମ୍ମୁଖରେ ହାତର ହୋଇ ଓଡ଼ିଶା ରୁମି ଅନୁଧିକାର ଦଖଲ ନିବାରଣ ଅଧିନିୟମ, 1972 ର ଧାରା 4 ଏବଂ 6 ଅନୁଯାୟୀ କାହିଁକି ଆପଣଙ୍କ ପ୍ରତି କାର୍ଯ୍ୟାନୁଷ୍ଠାନ କରାଯିବ ତାହାର କାରଣ ବର୍ଣ୍ଣାୟାକରେ |

ଅନୁସୂଚୀ

ଗ୍ରାମ, ଥାନା ଓ ବିଲ୍ଡା ର ନାମ	ଖସଡ଼ା ସଂଖ୍ୟା	ବିବରଣୀ	ପଞ୍ଜାରେ ଦରଜ କରାଯାଇଥିବା ମୁତାବକ ଖସଡ଼ାର ସମୁଦାୟ ରକମ	ଅନୁମତି ବିନା ଦଖଲ କରିଥିବା ଜମିର ପରିମାଣ	ଦଖଲ କରିଥିବା ରୁମି ବିରୁଦ୍ଧ ବ୍ୟବହୃତ ହୋଇଛି
୧	୨	୩	୪	୫	୬
ଝି. କଟାପାଲି ଝାରସୁଗୁଡ଼ା	282	ପ୍ଲଟ ନଂ- 132, 138, 199, 202, 204, 205, 206, 381, 464, 466, 470, 472 କିସମ ଗ୍ରା.ଜ	Ac0.23, Ac0.10, Ac0.30, Ac0.60, Ac1.70, Ac0.31, Ac3.28, Ac2.16, Ac1.00, Ac0.25, Ac0.70, Ac 0.12	Ac 0.23, Ac 0.10, Ac 0.30, Ac 0.60, Ac 1.70, Ac 0.31, Ac 3.28, Ac 2.16, Ac 0.84, Ac 0.25, Ac 0.70, Ac 0.12	କାରଖାନା

ସ୍ୱାକ୍ଷର ଶାଳ- ଚନ୍ଦ୍ରକାନ୍ତ କାପାସକର, ଝାରସୁଗୁଡ଼ା

Handwritten signature and date 02/11/25
Addl. Tahasildar Jharsuguda





ORISSA METALIKS PRIVATE LIMITED

(FORMERLY MSP METALLICS LTD)

Vill. & P.O.: Marakuta, Dist.: Jharsuguda, Pin-768202, Odisha

Ph.: +91 80930 89922, Email : sc_ompl@orissametaliks.com, edoffice@mspsteeljsg.com

CIN No. U27109WB2006PTC111146

OMPL/JSG/2025-26/9-L/445

06th December 2025

To,
Additional Tehsildar,
Jharsuguda,
KM Road, Badheimunda,
Jharsuguda, Odisha - 768201

In re: Your Show Cause Notice bearing PR No. 665; 8101/21.11.2025 under the Odisha Land Encroachment Prevention Act, 1962.

Sub: Reply to the Show Cause Notice bearing PR No. 665; 8101 dated 21.11.2025 under the Odisha Land Encroachment Prevention Act, 1962.

Sir,

With reference to the above, at the very outset, kindly note that the subject-matter of the alleged encroachment in respect of the plots of land as alleged in your said show cause Notice, are directly and substantially in issue in a pending litigation before the Hon'ble National Green Tribunal, Kolkata (NGT, Kolkata), viz., **O.A. 167/2025 [Satrugan Meher - Vs - State of Odisha & Ors.]**. Such pending litigation before the Hon'ble NGT, Kolkata, is still at a preliminary stage for completion of pleadings and the next date in the matter has been fixed as on 09.02.2026. A copy of the order dated 28.11.2025 passed by Hon'ble NGT, Kolkata, in the said O.A. No. 167/2025, is enclosed herewith for ready reference (**Annexure 1**).

In view of the above, **Orissa Metaliks Pvt. Ltd. (OMPL)** which has been arraigned as respondent No. 9, in the said O.A. No. 167/2025, reserves its right to advert to and put on record its defence and objections in full before the Hon'ble Tribunal.

However, in order to avoid the criticism of non-compliance, albeit in a *sub judice* matter, OMPL begs to state and submit its reply to the show-cause in the manner hereinafter following for the limited purpose of compliance with the instant show-cause.

With respect to the alleged and reported structural encroachment as mentioned in your Show-cause under reply, OMPL states and submits as follows: -

A. OMPL took over MSP Metaliks Ltd. only in 2022 vide order dated 11.07.2022 passed by the NCLT, Kolkata (Copy enclosed as **Annexure 2**). The alleged encroachment as mentioned in your Show-cause Notice, are all pre-existing structures as per the Consent to Establishment (CTE) dated 24th August 2006, as commissioned and **built by MSP Metaliks Limited** way back **in the year 2006**, and whose assets under Corporate Insolvency Resolution Process (CIRP) later came to be acquired by Orissa Metaliks Private Limited (OMPL), only in the year 2022 vide Order dated 11th July 2022 passed by the Hon'ble National Company Law Tribunal (NCLT), Kolkata, as mentioned above.

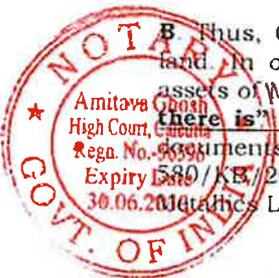
B. Thus, OMPL did not make any construction or encroachment on the alleged plots of land. In other words, Orissa Metaliks Private Limited (OMPL) merely succeeded to the assets of MSP Metaliks Ltd. vide the said NCLT order on "as is, where is", and "whatever there is" and **"Clean Slate"** basis. Neither the Information Memorandum nor any other documents disclosed by Resolution Professional qua the said NCLT proceedings [CP (IB) No. 580/KE/2020] revealed or disclosed any forest land comprising in the said assets of MSP Metaliks Limited.

[Signature]

Page 1 of 2

REGISTERED ADDRESS : 1, Garstin Place, orbit House, 3rd Floor, Room No.- 3B, Kolkata - 700 001, India

CORPORATE ADDRESS : Premlata Building, 39, Shakespeare Sarani, 6th Floor, Room No.: 3 & 4, Kolkata - 700 017



C. In fact, the said order dated 11th July 2022, as passed by the NCLT, Kolkata, has expressly granted relief to OMPL and the company MSP Metalics Limited, by granting protection from any violation, liability, penalty or fine, for not having in place requisite licenses and approvals or for non-compliance of any Applicable Law, including that of Environmental Laws, directions or orders by the Ministry of Environment and Forest (MoEF) or forest related clearance amongst others. The instant Show cause notice cannot be carried forward against OMPL, to attach vicarious liability upon OMPL for acquiring the assets of MSP Metalics Limited through the NCLT route, in accordance with law. It may be appreciated that OMPL came into possession of the said plots of land as mentioned the said Show-cause along with the alleged encroachments on "as is where is" basis and "whatever there is" basis as a consequence of the said order passed by the Hon'ble NCLT, Kolkata.

D. On a correct appreciation of the facts and the applicable law it would transpire that acquisition by OMPL is further insulated by Order dated 11th July 2022 passed by NCLT, Kolkata. Thus, as a matter of fact, the allegations of encroachment *per se* as against OMPL are neither maintainable in fact nor in law. It is humbly submitted that any other construction or interpretation contrary to the above proposition would tantamount to affixing vicarious liability upon the *bonafide* conduct of OMPL. In fact, it can be seen from a correct appreciation of the facts that no case is made out against OMPL for any direct violation or encroachment on the part of the OMPL on account of any independent action of OMPL.

E. Further, it may be pertinent to mention in the context that OMPL has already applied for *ex-post facto approval* in respect of diversion of Gramya Jungle kism of land admeasuring 4.953 ha (12.24 acres approx.) for non-forestry purpose, being the said plots of land mentioned in the Show-cause under reference. In this relation, the application of forest diversion has been submitted for approval under Section 2(ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980.

A copy of OMPL's application dated 10.10.2025 with Project ID/ Single Window No. SW/262748/2025 is annexed herewith and marked as Annexure 3.

In view of the statements and submissions made hereinabove, you are therefore **requested** to accept our reply in satisfaction to the instant show-cause notice and **not to proceed against OMPL** for alleged violation of Odisha Prevention of Land Encroachment Act, 1962, and it is further prayed that encroachments, if any, on account of the past management of MSP Metalics Ltd. may be considered for regularization in the case of OMPL, inasmuch as OMPL has merely taken over the former MSP Metalics Ltd., through the NCLT route in accordance with the provisions of the IBC, 2016, on a clean slate basis, as would be reflected from the order dated 11.07.2022, passed by the Hon'ble NCLT, Kolkata (already enclosed above as **Annexure 2**).

We further request you to give a personal hearing in the matter, whereupon, representatives of OMPL, would be able to offer further and better particulars and/or explanation in support of its reply and the prayers made herein, so that OMPL is not made vicariously liable for the actions of the erstwhile management of MSP Metalics Ltd.

Thanking you,

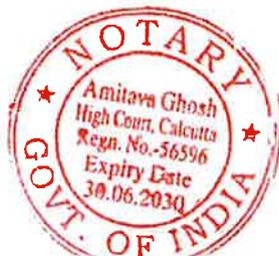
Yours Sincerely

For Orissa Metaliks Private Limited


Ajit Kumar Singh
Sr. Vice President



Encl. as above



Form-A (Part-I): Diversion of Forest Land



Project Name:	The proposal seeking prior approval under section 2 (i) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for diversion of 4.953 Ha forest land for non-forestry use within 112.940 Ha project area for Integrated Steel Plant, Captive Power Plant and Cement Grinding Unit of M/s Orissa Metaliks Private Limited (Formerly M/s MSP Metaliks Private Ltd.) situated in villages- Marakuta and Budipadar of Tehsil- Jharsuguda in District- Jharsuguda in the state of Orissa	Single Window Number:	SW/26274B/2025
State:	ODISHA	Proposal Number:	FP/OR/IND/554770/2025
Submission Date:	10/10/2025	Current Status:	SKM1
		Area (in ha):	4.953

Common Application Form

Project Details

1. Details of Project

1.1. Name of the Project

The proposal seeking prior approval under section 2 (i) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for diversion of 4.953 Ha forest land for non-forestry use within 112.940 Ha project area for Integrated Steel Plant, Captive Power Plant and Cement Grinding Unit of M/s Orissa Metaliks Private Limited (Formerly M/s MSP Metaliks Private Ltd.) situated in villages- Marakuta and Budipadar of Tehsil- Jharsuguda, in District- Jharsuguda in the state of Orissa

1.2. Project Proposal For

Expansion

1.3. Whether proposal expansion is made under 7 (ii) (a)?

NO

1.4. Project ID (Single Window Number)

SW/26274B/2025

1.5. Description of Project

The proposal seeking prior approval under section 2 (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for diversion of 4.953 Ha forest land for non-forestry use within 112.940 Ha project area for Integrated Steel Plant, Captive Power Plant and Cement Grinding Unit of M/s Orissa Metaliks Private Limited (Formerly M/s MSP Metaliks Private Ltd.) situated in villages- Marakuta and Budipadar of Tehsil- Jharsuguda, in District- Jharsuguda in the state of Orissa

2. Details of the Company/Organization/User Agency making application

2.1. Legal Status of the Company/Organization/User Agency

Company

2.2. Name of the Company/ Organization/User agency

ORISSA METALIKS PRIVATE LIMITED

Registered address

2.3. Address

GRASTIN PLACE, ORBIT 3RD FLOOR ROOM NO . 3B, KOLKATA

2.4. Village /Town / City

Kolkata

2.5. State

WEST BENGAL

2.6. District

KOLKATA

2.7. Pin Code

700001

2.8. Landmarks

NEAR BANSAL COURT

2.9. E-mail address

orissametalikspvtltd@gmail.com

2.10. Landline Number

03322895200

2.11. Mobile number

xxxxxx4519

3. Details of the person making application

3.1. Name

Jai Prakash Sharma

3.2. Designation

Director

Correspondence address

3.3. Address

GRASTIN PLACE, ORBIT 3RD FLOOR ROOM NO 3B, KOLKATA

3.4. Village /Town / City

kolkata

3.5. State

WEST BENGAL

3.6. District

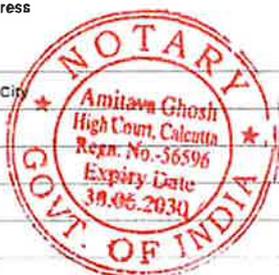
KOLKATA

3.7. Pin Code

700001

3.8. Landmarks

Near Bansal court



3.9. E-mail address	orissametalikspvtltd@gmail.com
3.10. Landline Number	22436518
3.11. Mobile number	xxxxx4519

Project Location

4. Location of the Project or Activity

4.1. Upload KML	10.10.2025 final.kml
4.2. Whether the project/activity falling in the state/UT sharing international borders	NO
5. Shape of the Project	Non - Linear

Location Details

Toposheet No	State/UT	District	Sub District	Village	Plot/Survey/Khasra No.
F44R13	ODISHA	Jharsuguda	Jharsuguda	BUDIPADAR	531
F44R13	ODISHA	Jharsuguda	Jharsuguda	MAR>KUTA	270

Remarks

The total area of project boundary extends to approx. 279.07 Acres comprising 226.22 acres of land allotted by IDCO & 52.85 acres of gochar land /private land/rakhit kism land.

6. Land Requirement (In Ha) of the project or activity

Nature of Land Involved In (Ha)	Area Existing in Ha [X]	Additional Area Proposed in Ha [Y]	Total Area required after expansion in Ha [X+Y]
Non-Forest Land [A]	98.867	9.12	107.987
Forest Land [B]	4.953	0	4.953
Total [A+B]	103.82	9.12	112.94

Project Activity Cost

7. Project/Activity Cost

7.1. Cost of the Existing Project at current price level (in Lakhs) [A]	96131
7.2. Cost of the proposed expansion/ modernization of Project at current price level (in Lakhs) [B]	150000
7.3. Total Cost of the project/ Activity (in lakhs) [A+B]	246131

8. Employment likely to be generated

8.1. During construction phase

Permanent employment

8.1.1. No. of permanent employment (No.s) [A]	200
8.1.2. Period of employment (No. of days) [B]	365
8.1.3. No. of man-days [X]=[A]*[B]	73000

Temporary employment

8.1.4. Temporary / Contractual employment (No. of Man days) [Y]	292000
8.1.5. Total [X] +[Y]	365000

8.2. During operational phase

Permanent employment

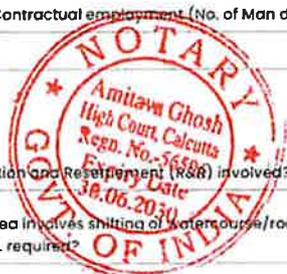
	Existing	Proposed	Total
8.2.1. No. of permanent employment (No.s) [A]	200	200	400
8.2.2. Period of employment (No. of days) [B]	300	30	330
8.2.3. No. of man-days [X]=[A]*[B]	60000	6000	132000

Temporary employment

8.2.4. Temporary / Contractual employment (No. of Man days) [Y]	270000	264000	534000
8.2.5. Total [X] +[Y]	330000	270000	666000

Others

9. Whether Rehabilitation and Resettlement (R&R) involved?	NO
10. Whether project area involves shifting of water course/road/rail/Transmission line/water pipeline, etc. required?	NO
11. Whether any alternative site(s) examined or part thereof for the non-site-specific	NO



11. Whether any alternative site(s) examined or part thereof for the non-site-specific component?	NO
11.1. Reason thereof	IDCO has allotted land based on location advantage for for infrastructure and need for the project in the area
12. Whether there is any Government Order or Policy/ Court order relevant or restricting to the site?	NO
13. Whether there is any litigation pending against the project and/or land in which the project is proposed to be set up?	NO
14. Whether the proposal involves violation of Act/Rule/Regulation/Notification of Central/State Government?	YES

Act	Type of violation	Year	Direction Issued By	Direction Details	Direction Copy	Summary	Report
Van (Sanrakshan Evam Samvardhan) Adhinyam, 1980	NA	2023			N/A	Violation by previous management of MSP Metalics Ltd	justification compressed pdf

Form-A (Part-I): Diversion of Forest Land

Project Details

1. Forest Clearance

1.1. State	ODISHA
1. Upload a copy of note containing justification for locating the Project in 2. forest land	justification compressed.pdf
1.3. Project Category	Industry
1.4. Exempted Category	NA
1.5. Is Related to Encroachment?	Yes
1.6. Whether any proposal seeking prior approval of Central Government under the Van (Sanrakshan Evam Samvardhan) Adhinyam, 1980 for diversion of forest land required for this project has been submitted in the past?	Yes

Proposal No.	Proposal Status.	Project Name	MoEFCC File No	Area proposed for Diversion (ha)	Area Diverted (ha)	Recommended Area For Diversion	Date of in-principle approval	Date of final approval	Date of Application
State SI No. 254/08	Submitted and under process	Proposal for diversion of 5.229 ha of forest land in Jharsuguda District of Orissa Expansion of an existing steel plant of MSP Metalics Ltd, Offline proposal submitted by IDCO. on 18.03.2008	NIL	5.229	NA	NA			18/03/2008

Proposed Land

2. Details of forestland proposed to be diverted (Village / Division / District Wise Breakup)

2.1. Total area of forestland proposed for diversion (ha.)	4.953
2.2. Total area of non- forestland required for this project (ha.)	107.987
2.3. Legal Status of forest land proposed for diversion	
Area (ha)	Legal Status of Forest Land
4.953	Kism Gramya Jungle (Khata Rakhit)
2.3.1. Total Area (ha)	4.9530
2.4. Total period for which the forestland is proposed to be diverted (No. of years)	99

KML Details

Division	Jharsuguda Division
No. of Patches	19



No. of Patches

KML

13

137855568_FC_KML_1760115721253_18 (1).kml



Location Details

Toposheet No.	District	Village	Range	Forest land proposed for diversion (ha)	Non Forest Land (ha)
F44R13	Jharsuguda	BUDIPADAR	Jharsuguda	0	.49
F44R13	Jharsuguda	MAR>KUTA	Jharsuguda	4.953	107.497

Patch Details

Patch/ Segment ID	Forest Area (ha)	Non-Forest Area (ha)	Remarks if any
1	0.093	0	Plot No. 132, Khata No. 282
2	0.04	0	Plot No. 138, Khata No. 282
3	0.121	0	Plot No. 199, Khata No. 282
4	0.243	0	Plot No. 202, Khata No. 282
5	0.688	0	Plot No. 204, Khata No. 282
6	0.125	0	Plot No. 205, Khata No. 282
7	1.327	0	Plot No. 206, Khata No. 282
8	0.045	0	Plot No. 350, Khata No. 282
9	0.057	0	Plot No. 352, Khata No. 282
10	0.295	0	Plot No. 356, Khata No. 282
11	0.874	0	Plot No. 381, Khata No. 282
12	0.405	0	Plot No. 464, Khata No. 282
13	0.049	0	Plot No. 466, Khata No. 282
14	0.283	0	Plot No. 470, Khata No. 282
15	0.101	0	Plot No. 472, Khata No. 282
16	0.049	0	Plot No. 135/2735, Khata No. 282
17	0.053	0	Plot No. 135/2736, Khata No. 282
18	0.105	0	Plot No. 143/2738, Khata No. 282
19	0	0	

Remarks Details

Total project area 112.940

Total Patch-wise Forest Land in the division (ha)

2.5. Total Forest Land Area (ha)	4.9530
2.6. Total Non Forest Land Area (ha)	0.0000

Total KML-wise Forest Land in the division (ha.)

2.7. Total Forest Land Area (ha)	4.953
2.8. Total Non Forest Land Area (ha)	107.987
2.9. Total Area (ha)	112.94

3. Component Wise Break Up (Including underground works such as tunnel and similar purpose) -if applicable

Component	Forest Land Proposed for Diversion (ha)	Non-forest Land (ha)
Industry and allied purpose	4.953	107.987
4. Total Forest Land (ha)	4.953	
5. Total Non Forest Land (ha)		107.9870
6. Upload map of the forest land proposed to be diverted prepared by using DGPS or Total Station (pdf only).	forest_compressed (1).pdf	



Afforestation Details

7. Details of land identified for Compensatory Afforestation

50

7.1. Whether Compensatory Afforestation is applicable or not?

Yes

7.1.1. Type of Compensatory Afforestation

Non-forest Land

7.1.1.1. Whether Non-forest land is available?

No

Others

8. Cost-Benefit analysis

8.1. Whether Cost-Benefit analysis for the Project has been made?

N/A

9. Environmental clearance Details

9.1. Whether the Project requires Clearance under the Environment (Protection) Act 1986 (Environmental clearance)?

Yes

9.1.1. Status of Environmental Clearance

EC granted

9.1.1.1. Proposal No.

IA/OR/INDI/465768/2024

9.1.1.2. Date of issue of environmental clearance

01/10/2024

9.1.1.3. MoEFCC / SEIAA File Number

IA-J-11011/494/2007-IA-II(IND-I)

9.1.1.4. Upload EC Letter

xix ec_ia_or_indi_465768_2024_53063848.pdf

10. Wildlife clearance Details

10.1. Whether the Project or a part thereof is located in any Protected Area or their Eco sensitive zone?

No

Category Specific Details

N/A

11. Copy of Additional Information, if any

S. No.	Document Name	Remark	Document
1	Demand Letter	Application letter for submission of Online Application	demand letter (3).pdf
2	Declaration regarding Old Director	Declaration regarding Old Director as applicant in Form A Part I, Copy of Board Resolution	declaration for old director.pdf
3	Forest Patch Map	Forest Patch Map	forest.pdf
4	Project Layout map	Project Layout map	layout.pdf
5	Toposheet map 10 km	Toposheet map 10 km showing project boundary	topo sheet.pdf
6	Non forest land schedule	Non forest land schedule	vii.pdf
7	Common Undertaking	Note on project, details of forest and non forest land, justification, certificate for minimum use, NPV, Ad. NPV, Tree enumeration, FRA, statutory permissions	iii (4)_merged.pdf
8	Undertaking for NOC from SPCB, Tribal affairs, ESZ	Undertaking for NOC from SPCB, Tribal affairs, NO ESZ with 10 kms	xx.pdf
9	EC copy		xix ec_ia_or_indi_465768_2024_53063848.pdf
10	Authorization	Board Resolution	xxiii ompf br authorization.pdf
11	Campa account	Undertaking for payment in CAMPA account	xxvii.pdf
12	Undertaking for SSWLCP & Catchment treatment plan	Undertaking for SSWLCP & Catchment treatment plan	xxviii_xxi_merged.pdf
13	Undertaking reg. providing NFL for CA & cost	Undertaking for cost of CA, NFL CA land, Certificate from DFO of suitability, Penal CA & Payment in CAMPA.	x.pdf



Undertaking

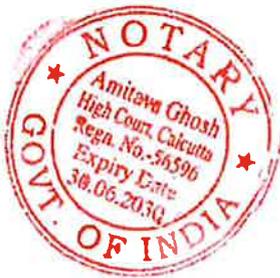
X

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 is 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 the above, I hereby give undertaking that no activity/construction/expansion has been taken up

12. Name	Jai Prakash Sharma
13. Designation	Director
14. Company	ORISSA METALIKS PRIVATE LIMITED
15. Address	GRASTIN PLACE, ORBIT 3RD FLOOR ROOM NO . 3B, KOLKATA
16. Date	10/10/2025

(Handwritten Signature)

M/S ORISSA METALIKS PVT. LTD
 (Formerly M/s MSP Metallics Pvt. Ltd.)
 Sr. VP (Commercial)
 Orissa Metaliks Private Limited
 Jharsuguda, Odisha





Schedule XIV-Form No. 932

ଅନ୍ୟାୟକାଠ କେସ୍ ନଂ- 665/2025

PR No. 872 / 06.12.2024

ଫର୍ମ 'ଖ'

9/7(1) ଧାରା ଅନୁଯାୟୀ ନୋଟିସ୍ (OPLE Act, 1972)

[ନିୟମ 6(1) ଦ୍ରଷ୍ଟବ୍ୟ]

ପ୍ରାପ୍ତେଶୁ

ଏମ. ଏସ. ଓଡ଼ିଶା ନେଗୋଲିଜ୍ଠ ଲିମିଟେଡ୍

ଠିକଣା: ଝି. କଟାପାଲି, ଝାରସୁଗୁଡ଼ା

ଯେହେତୁ ବିଧିବଦ୍ଧ ଅନୁସନ୍ଧାନ ପରେ ନିମ୍ନ ସ୍ୱାକ୍ଷରକାରୀଙ୍କର ଏହା ପ୍ରତ୍ୟକ୍ଷ ହୋଇଅଛି ଯେ, ଆପଣ ନିମ୍ନ ଡିଫିନିସନ୍ରେ ଉଲ୍ଲେଖ କରିଥିବା ସରକାରୀ ଜମିକୁ ବାମା ଅନୁମତି ରେ ଦଖଲ କରିଅଛନ୍ତି । ଏତଦ୍ୱାରା ଆପଣଙ୍କୁ ଏହି ନୋଟିସ୍ ଦିଆଯାଇଅଛି ଯେ, ଆପଣ ଉକ୍ତ ନୋଟିସ୍ ଦିଆଯାଇଅଛି ଯେ, ଆପଣ ଉକ୍ତ ନୋଟିସ୍ ପାଇବାର ୩୦ ଦିନ ମଧ୍ୟରେ ଅବରୋଧ କରିଥିବା ପ୍ରୋକ୍ତ ଜମିରୁ ଅପସରି ନଗଲେ ଆପଣଙ୍କୁ ଉକ୍ତ ଜମିରୁ ସଂପୂର୍ଣ୍ଣ ରୂପେ ବେଦଖଲ କରି ଦିଆଯିବ ଏବଂ ସେ ଜମିରେ କରାଯାଇଥିବା ଶସ୍ୟ କିମ୍ବା ଅନ୍ୟ କୌଣସି ଫସଲ ତଥା ସେଥିରେ ନିର୍ମାଣ କରାଯାଇଥିବା ଗୃହ ବା ରଖାଯାଇଥିବା ଜିନିଷ ବାଜ୍ୟାସ୍ତି କରାଯିବ ।

ଅନୁସୂଚୀ

ଗ୍ରାମ, ଥାନା ଓ ଜିଲ୍ଲାର ନାମ	ଖସଡ଼ାର ବିବରଣୀ	ପଟାରେ ଦରଜ ମୁତାବକ ଖସଡ଼ାର ସମୁଦାୟ ରକବା(Ac.)	ବେଆଇନ ଦଖଲ କରିଥିବା ଜମିର ପରିମାଣ(Ac.)	ଦଖଲ କରିଥିବା ଜମି କିଭଳି ବ୍ୟବହୃତ ହୋଇଛି
୧	୨	୩	୪	୫
ଝି. କଟାପାଲି ଝାରସୁଗୁଡ଼ା	ଖାତା ନଂ- 282 ପୁଚ୍ଚ ନଂ- 132,138,199,202,204,205,206,381 464,466,470,472 କିସମ ଗ୍ରା.ଜ	Ac0.23, Ac0.10, Ac0.30, Ac0.60, Ac 1.70, Ac0.31, Ac3.28, Ac2.16, Ac1.00, Ac 0.25, Ac0.70, Ac 0.12 Ac 10.75	Ac 0.23, Ac 0.10, Ac 0.30, Ac 0.60, Ac 1.70, Ac 0.31, Ac 3.28, Ac 2.16, Ac 0.84, Ac 0.25, Ac 0.70, Ac 0.12 Ac 10.59	କାରଖାନା



Handwritten signature and initials on the bottom left.

- 7 JAN 2026

Handwritten signature and date 06/04/26, along with a blue stamp: ଡିପ୍ୟୁଟି ମୁଖ୍ୟ ଝାରସୁଗୁଡ଼ା ଜିଲ୍ଲା, Tahasildar, Jharsuguda

BEFORE THE COURT OF SUB-COLLECTOR, JHARSUGUDA

Appeal No. _____ of 2026

Orissa Metaliks Private Limited.....Appellant

-Versus-

Tahasildar, JharsugudaRespondent

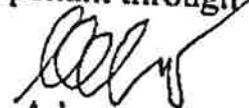
INDEX

Serial	Subject	Annexure	Page No.
1	STAY APPLICATION		1 to 7
2	Copy of the order dated 11.07.2022	A	9 to 42
3	Copy of the show cause notice i.e., PR No. 665/8101 dated 21.11.2025 issued by the Additional Tahasildar, Jharsuguda for initiation of proceedings under Section 4 and 6 of the Odisha Land Prevention of Unauthorized Encroachment Act, 1972.	B	43
4	Copy of the letter No. OMPL/JSG/2025-26/9-L/445 dated 6th December, 2025.	C	44 to 45
5	Copy of the application for ex-post facto approval in respect of diversion of Gramya Jungle Kism of land admeasuring 4.953 ha (12.24 acres approx.) for non-forestry purpose being the said land mentioned in the show-cause notice.	D	46 to 51
6	An order passed in PR No. 8272 dated 06.01.2026	E	52
7	VAKALATNAMA		

Date: 04.02.2026

Place: Jharsuguda

By the Appellant through



Advocate



1x4

1



2159

BEFORE THE COURT OF SUB-COLLECTOR, JHARSUGUDA
Appeal No of 2026

In the matter of:-

An appeal under Section 12(1) of the
Orissa Prevention of Land
Encroachment Act, 1972;

-And-

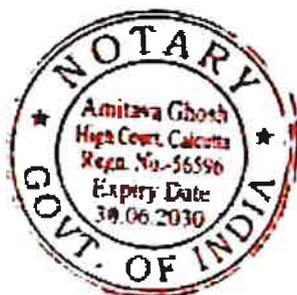
In the matter of:-

Stay Application against notice/order of
eviction bearing no. PR No. 8272 dated
6th January, 2026 purportedly issued
under Section 7 of the said Act by the
Additional Tahasildar, Jharsuguda;

-And-

In the matter of:-

Orissa Metaliks Private Limited, an
existing company within the meaning of
the Companies Act, 2013 having its
registered office at 1, Grastin Place, Orbit
House, 3rd Floor, Room No. 3B, Kolkata,
West Bengal - 700 001;



BEFORE THE SUB-DIVISIONAL OFFICER, AT JHARSUGUDA

Appeal No of 2026

In the matter of:-

An appeal under Section 12(1) of the Orissa Prevention of Land Encroachment Act, 1972;

-And-

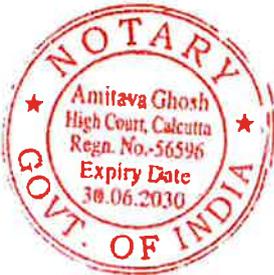
In the matter of:-

Stay Application against notice/order of eviction bearing no. PR No. 8272 dated 6th January, 2026 purportedly issued under Section 7 of the said Act by the Additional Tahasildar, Jharsuguda;

-And-

In the matter of:-

Orissa Metaliks Private Limited, an existing company within the meaning of the Companies Act, 2013 having its registered office at 1,Grastin Place, Orbit House, 3rd Floor, Room No. 3B, Kolkata, West Bengal – 700 001;



....Appellant

-Versus-

The Tahasildar, Jharsuguda

....Respondent

The humble memorandum of Appeal on
behalf of the Appellant above named

Most Respectfully Sheweth:-

1. The Appellant is an existing company within the meaning of Companies Act, 2013 having its registered address mentioned in the cause title herein above.
2. The Appellant further states that M/s MSP Metallics Ltd. was incorporated on 29th November, 1996 in the name of 'Adhunik Industries Pvt. Ltd with the object of carrying on the business of Integrated Steel Plant with Captive Power Plant at Jharsuguda, Orissa. Subsequently, the name of the company has been changed to MSP Metallics Pvt. Ltd to on 27th December, 2001. The company changed its name to MSP Metallics Limited on 21st June, 2004.
3. Thereafter, M/s MSP Metallics Ltd went into CIRP vide order dated 25.11.2021 passed by Hon'ble NCLT, Kolkata. Orissa Metaliks Private Limited (OMPL) came into the picture by taking over MSP Metallics Ltd (MSP) on 11.07.2022 by virtue of the order of NCLT, Kolkata for approval of Resolution Plan submitted by OMPL (Appellant). M/s OMPL has purchased/acquired the assets of MSP Metallics Limited under the order dated 11.07.2022 in the connecting I.A No. 616/KB/2022 with CP (IB) No. 580/KB/2020 of the NCLT, Kolkata with 100% voting by the Committee of Creditors.



A copy of the said order dated 11.07.2022 is annexed herewith and is marked with letter "A".

4. The land area in issue falls with the factory area of Integrated Steel Plant and Captive Power Plant of MSP Metalics Limited at Jharsuguda, Odhisa which has now taken over by the Appellant herein.
5. The Appellant states that sometimes on 21st November, 2025, a show cause notice bearing PR No. 665/8101 dated 21.11.2025 was issued by the Additional Tahesildar, Jarsuguda for initiation of proceedings under Section 4 and 6 of the Odisha Land Prevention of Unauthorized Encroachment Act, 1972.

A copy of the said notice is annexed herewith and is marked with letter "B".

6. The Appellant herein, vide its letter bearing No. OMPL/JBG/2025-26/9-L/445 dated 6th December, 2025, issued a response to the said show cause notice, inter alia, contending primarily on two grounds, namely:

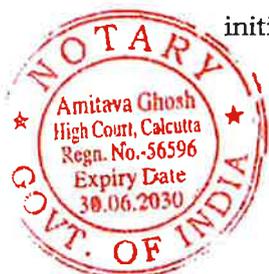
(i) that the alleged encroachment on the land mentioned in the said show cause notice is directly and substantially in issue in a pending proceeding before the Hon'ble National Green Tribunal, Kolkata, being O.A. No. 167 of 2025 (Satrughan Meher – versus – State of Odisha & Ors.); and

(ii) that the Appellant had acquired MSP Metalics Limited under the CIRP proceedings, pursuant to the order dated 11th July, 2022 passed by the Hon'ble National Company Law Tribunal, Kolkata Bench, on an "as is where is", "whatever there is" and "clean slate" basis, and therefore, any allegation of encroachment is per se not maintainable against the Appellant herein.



A copy of the said reply dated 6th December, 2025 is annexed herewith and is marked with letter "C".

7. In the said appeal , it was inter alia further contended that the Appellant had applied for ex-post facto approval in respect of diversion of Gramya Jungle Kism of land admeasuring 4.953 ha (12.24 acres approx.) for non-forestry purpose being the said land mentioned in the show-cause notice. A copy of the said application is annexed herewith and is marked with letter "D".
8. The Appellant states that adjudication on the said show cause notice and the reply submitted thereto is presently pending.
9. The Appellant states that thereafter on or about 6th January, 2026, the Appellant had received an order bearing PR NO. 8272 dated 06.01.2026 whereby the Appellant has been directed to vacate the schedule land within 30 days or else the Appellant shall be completely evicted from the said land and the crops or crops grown on the land and the house or things kept thereon will be confiscated. A copy of the said notice dated 6th January, 2026 is annexed herewith and is marked with letter "E"
10. The Appellant states that aforesaid order has been passed in gross violation of the law as well as the principal of natural justice.
11. The Appellant states that Section 9 of the Act of 1972 provide that before taking proceedings under Section 6 or 7 of the said Act, the Tehesildar Shall issue a show cause notice. In the present case, before directing eviction, no show cause notice was issued.
12. The Appellant further submits that, in respect of the eviction proceedings, no show cause notice was ever issued. In the absence of any show cause notice initiating proceedings under Section 7 of the said Act of 1972, the entire



proceedings stand vitiated due to non-compliance with the mandatory statutory provisions.

13. The Appellant further submits that no independent enquiry was conducted by the Tehsildar prior to purportedly forming any opinion regarding the alleged encroachment, and that no documents or materials evidencing such enquiry have ever been furnished to the Appellant.
14. The Appellant states that the show cause notice issued for the proceedings under Section 4 & 6 of the said Act of 1972 cannot be substituted for a notice required under Section 7 of the said Act of 1972.
15. The Appellant further submits that the alleged encroachment on the land mentioned in the said show cause notice is directly and substantially in issue in a pending proceeding before the Hon'ble National Green Tribunal, Kolkata, being O.A. No. 167 of 2025 (Satrugan Meher – versus – State of Odisha & Ors.).
16. The Appellant had acquired MSP Metallica Limited under the CIRP proceedings, pursuant to the order dated 11th July, 2022 passed by the Hon'ble National Company Law Tribunal, Kolkata Bench, on an "as is where is", "whatever there is" and "clean slate" basis, and therefore, any allegation of encroachment is per se not maintainable against the Appellant herein.
17. The Appellant states that the present appeal has been filed within the statutory period of 30 days provided under the said Act of 1972.
18. The Appellant submits that in the interest of justice, the purported order dated 6th January, 2026 be stayed till the disposal of the present appeal.
19. The Appeal is made bona fide and for the ends of justice

Under the aforesaid circumstances, the Appellant prays for following reliefs :-



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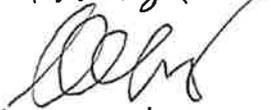
- a. An order be passed allowing the appeal thereby setting aside Notice/order of eviction bearing no. PR No. 8272 dated 6th January, 2026 purportedly issued under Section 7 of the said Act by the Additional Tahasildar, Jharsuguda;
- b. Call for records ;
- c. Interim order of stay on the operation of the Notice/order of eviction bearing no. PR No. 8272 dated 6th January, 2026 purportedly issued under Section 7 of the said Act by the Additional Tahasildar, Jharsuguda be passed till the disposal of the case.
- d. Pass such other or further order as You deem fit and proper.

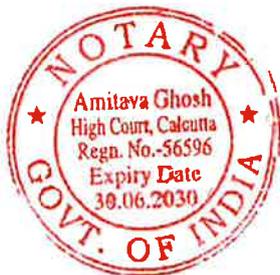
Date: 04.02.2026

Place : Jharsuguda

By the Appellant

through


Advocate



AFFIDAVIT

I, Shri Deepak Kumar Pathre, son of Shri. Binod Kumar Pathre, aged about 39 years, by faith – Hindu, by occupation service, residing at Premises No. 368, BBD Road, Parivar Renovia Apartment, 3rd Floor, Flat No. 401, Hindmotor, Police Station – Uttarpara, Post office – Hindmotor, Hoogly – 712223, do hereby solemnly affirm and say as follows:

1. That I am the Authorised Signatory of Appellant Company above named and I am well acquainted with the facts and circumstances of the case.
2. I am duly authorised by the Appellant Company above named to make and affirm this affidavit on behalf of the Appellant.
3. The statements made in paragraphs 1 to 19 of the forgoing petition are true to my knowledge and thereof are my humble submissions before this Ld. Court.

Deepak Kumar Pathre

DEPONENT

SL. NO. *007* OF *01-2026*

Identified by me



Soma Dutta
Advocate



Identified by me

Soma Dutta
Advocate
J.M Court, Kolkata-
Regn. No.-F-1496/21

Solemnly Affirmed & Declared Before me on Identification of Ld. Advocate

A Ghosh
AMITAVA GHOSH
NOTARY, GOVT. OF INDIA
REGN NO. 56596
HIGH COURT, CALCUTTA

31 JAN 2026

ORISSA METALIKS PRIVATE LIMITED

REGD. OFFICE : 1, GARSTIN PLACE, 'ORBIT HOUSE', 3RD FLOOR, ROOM NO. 3B, KOLKATA - 700 001, INDIA
 Phone : +91-33-2243-8518, Fax : +91-33-2243-8517, E-mail : sc_ompl@orissametaliks.com
 Website : www.orissametaliks.com, CIN : U27109WB2006PTC111146

EXTRACTS OF THE MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS OF ORISSA METALIKS PRIVATE LIMITED HELD AT ITS REGISTERED OFFICE AT 1, GARSTIN PLACE, 'ORBIT HOUSE', 3RD FLOOR, ROOM NO. 3B, KOLKATA – 700001 ON 20TH AUGUST, 2019.

AUTHORISATION IN FAVOUR OF MR. DEEPAK PATHRE, AUTHORISED OFFICIAL TO DEAL WITH LEGAL MATTERS FOR AND ON BEHALF OF THE COMPANY.

The Chairman informed the Board that in the Board Meeting dated 1st May, 2019, Mr. Deepak Kumar Pathre was authorised to deal with all legal matters in connection with any writ petition, suit(s) or other legal proceeding(s) filed by or against the Company before Hon'ble High Court at Calcutta and other court(s) of law or any tribunal or any quasi-judicial or statutory or administrative authority for and on behalf of the Company.

The Chairman further informed the Board that the residential address of Mr. Deepak Kumar Pathre has been changed from 60 Chowringhee Road, Kolkata-700020, to 368, B.B.D Road, Uttarpara Kotrung, Uttarpara, Hooghly-712233, recently. Suitable modification needs to be made in the previous resolution passed by the Directors.

The Board discussed the matter and passed the following resolution:

“**RESOLVED THAT** in partial modification of the earlier resolutions passed by the Directors, Mr. Deepak Kumar Pathre, S/o Mr. Binod Kumar Pathre, residing at 368, B.B.D Road, Uttarpara Kotrung, Uttarpara, Hooghly-712233, West Bengal, Authorised Official of the Company be and is hereby empowered to appear, sign, verify, declare, affirm, make, present, submit and files all necessary notices, writ petitions, plaints, petitions, written statements, affidavits, undertakings, vakalatnamas, declarations, Appeals, Revisions, applications, statements, complaints, papers and documents and all proceedings and matters in connection with any suit(s) or proceeding(s) filed by or against the Company before Hon'ble High Court at Calcutta and other court(s) of law or any tribunal or any quasi-judicial or statutory or administrative authority for and on behalf of the Company and to do all such acts, things, deeds as may be necessary.

RESOLVED FURTHER THAT aforesaid power entrusted to the said official shall be valid unless revoked otherwise by the Board and shall be exercisable by him so long as he associated with the Company.”

RESOLVED FURTHER THAT any of the Directors or the Company Secretary of the Company, be and is hereby severally authorised to do all such acts, deeds and things, as may be required to give effect to the above resolution.”



CERTIFIED TRUE COPY

For Orissa Metaliks Private Limited

Padi Lakshmi
Company Secretary

Unit - I : Mathuraklsmat, P.O. : Shyamraipur, P.S. : Kharagpur (L), Dist. - Paschim Medinipur (W.B.)

Unit - II : Chaksonadhar, NH-6, Gokulpur, P.O. : Shyamraipur, P.S. : Kharagpur (L), Dist. - Paschim Medinipur (W.B.)



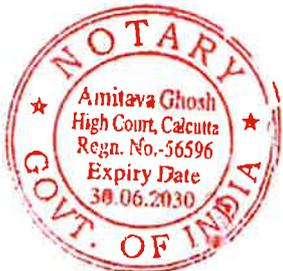
IN THE NATIONAL COMPANY LAW TRIBUNAL
KOLKATA BENCH

I.A. NO. 616/KB/2022
In
CP (IB) NO. 580/KB/2020

ORDER

Per Harish Chander Suri, Member (Technical)

1. This Court convened through hybrid mode.
2. LA. (IB) No. 616/KB/2022 is an application under Section 30 (6) and Section 31 of the Code after approval of the resolution plan by the Committee of Creditors ["CoC"].
3. This Application was moved by Mrs. Meena Sureka, Resolution Professional of MSP Metallics Limited (CIN: U27109WB1996PLC082138), by invoking the provisions of Section 30(6) and Section 31 of the Insolvency and Bankruptcy Code ,2016 [hereinafter referred to as "the Code" or "IBC"] read with regulation 39(4) of the Insolvency and Bankruptcy Board of India (Insolvency Resolution Process for Corporate Persons) Regulations, 2016 [hereinafter referred to as "CIRP Regulations"] for approval of a Resolution Plan in respect of MSP Metallics Limited.
4. The underlying Company Petition in C.P. (IB) No. 580/KB/2020 was filed by Central Bank of India (which was further assigned to CFM Asset Reconstruction Private Limited by way of Deed of Assignment dated 04.06.2021 and thereafter confirmed vide order dated 22.07.2021) against MSP Metallics Limited, this Adjudicating Authority directed commencement of Corporate Insolvency Resolution Process (hereinafter referred to as 'CIR Process') of the MSP Metallics Ltd (Corporate Debtor hereafter) by an order dated 25.11.2021 and appointed Mr. Dipti Ranjan Nath to act as the Interim Resolution Professional herein.
5. The IRP made public announcement on 27.11.2021 in 2 newspapers namely, Financial Express (English) and Aajkal (Bengali) regarding initiation of Corporate Insolvency Resolution Process [hereinafter referred to as "CIRP"] and called proof of claims from the financial and operational creditors, workers and employees of the Company in the specified form till 09.12.2021.
6. The Applicant states that a total of 11 CoC meetings have been held during the CIRP period, as follows:



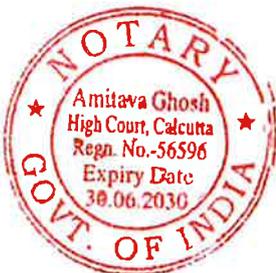


**IN THE NATIONAL COMPANY LAW TRIBUNAL
KOLKATA BENCH**

I.A. NO. 616/KB/2022
In
CP (IB) NO. 580/KB/2020

Particulars	Date of CoC meetings
1 st CoC Meeting	23.12.2021
2 nd CoC Meeting	30.12.2021
3 rd CoC Meeting	17.01.2022
4 th CoC Meeting	04.02.2022
5 th CoC Meeting	14.03.2022
6 th CoC Meeting	02.04.2022
7 th CoC Meeting	13.04.2022
8 th CoC Meeting	29.04.2022
9 th CoC Meeting	09.05.2022
10 th CoC Meeting	26.05.2022 & 30.05.2022
11 th CoC Meeting	10.06.2022

7. Pursuant to receipt of the claims, the IRP duly constituted the Committee of Creditors ('CoC') of the Corporate Debtor under Section 21 of the I & B Code, 2016 and filed a report on 17.12.2021 certifying constitution of the CoC of the Corporate Debtor before this Adjudicating Authority in accordance with Regulation 17 (1) of the Insolvency and Bankruptcy Board of India (Insolvency Resolution Process for Corporate Persons) Regulations, 2016.
8. Thereafter, the CoC, in its 3rd meeting held on 17.01.2022, duly appointed Mrs. Meena Sureka, the applicant herein, to act as the resolution professional of the corporate debtor. Pursuant thereto, this Adjudicating Authority vide its order dated 04.03.2022 duly confirmed the appointment of the applicant to act as the resolution professional for conducting the CIR Process of the corporate debtor.
9. The Applicant submits that as per the requirements of Section 25(2)(h) of the IBC,2016 read with regulation 36A(1) of the CIRP Regulations, 2016, invitations in Form 'G' for Expression of Interest (EoIs) from potential resolution applicants were issued on 08.02.2022 in Business Standard -





IN THE NATIONAL COMPANY LAW TRIBUNAL
KOLKATA BENCH

LA. NO. 616/KB/2022
In
CP (IB) NO. 580/KB/2020

English (all India Edition), Aajkal -Bengali (All West Bengal Edition) and Dharitri - Odia (All Odisha Edition) newspapers with the last date for submission of resolution plans on 09.04.2022. It has been informed that the last date for submissions of the resolution plans by the prospective resolution applicants was extended on numerous occasions, i.e., 15.04.2022; 29.04.2022; and lastly for 06.05.2022.

10. It has been informed that 6 prospective resolution applicants duly submitted their EoIs along with Earnest Money Deposit of Rs. 1,00,00,000/- (Rupees One Crore only), however, only one resolution plan has been received by the Applicant.
11. Pursuant to receipt of EoI and EMD, the Applicant duly shared the Information Memorandum and RFRP with one Orissa Metalliks Private Limited [CIN: U27109WB2006PTC111146] (hereinafter referred to as the 'Resolution Applicant') vide email dated 16.03.2022.
12. The Applicant submits that pursuant to appointment of valuers in accordance with Regulation 27 and 35 of the Insolvency & Bankruptcy Board of India (Insolvency Resolution Process for Corporate Persons) Regulations, 2016 the fair market value and liquidation value of the Corporate Debtor, as per the valuation reports, is as under:

S. No.	Valuer	Fair Market Value (Rs./Cr.)	Liquidation Value (Rs./Cr.)
a)	RBSA Advisor	Rs. 510 Crore	Rs. 334 Crore
b)	Fintech Valuation Advisory LLP	Rs. 480.42 Crore	Rs. 360.05 Crore
	Total Average Value	Rs. 495.21 Crore	Rs. 347.02 Crore

13. It is stated that the Applicant received one resolution plan on the last date fixed for submission of resolution plan, i.e. on 06.05.2022. The said resolution plan has been submitted by Orissa Metalliks Private Limited.





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14. Accordingly, the said resolution plan of Orissa Metaliks Private Limited was duly placed by the Applicant before the CoC in sealed envelope in the 9th meeting of the CoC held on 9th May 2022.
15. It is imperative to mention here that in the interregnum, since the 180 days' period for completion of CIR Process was expiring on 24.05.2022, the CoC, pursuant to the 9th meeting held on 9th May 2022 duly e-voted in favour of seeking extension under Section 12 (2) read with Section 12 (3) of the I & B Code, 2016 in light of the fact that a prospective resolution applicant has submitted a resolution plan and there are chances of resolution of corporate debtor.
16. Accordingly, the Applicant/ RP herein duly filed an interlocutory application being LA. (IB) No. 481/KB/2022 for seeking extension of time for completion of CIR Process of Corporate Debtor. This Tribunal, vide its order dated 20.06.2022 allowed the application of the Applicant/ RP under Section 12 and directed that the CIR Process of Corporate Debtor shall end on 22.08.2022. The timeline of CIR Process of MSP Metaliks Limited is reproduced hereunder:

Date	Timeline
25.11.2021	Admission of Corporate Insolvency Resolution Process of MSP Metaliks Limited
21.05.2022	Application under Section 12 (2) read with Section 12 (3) of the I & B Code, 2016 filed by the Applicant/ RP being LA. (IB) No. 481/KB/2022
24.05.2022	Completion of 180 days' time
22.08.2022	Completion of 270 days' time





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17. The Successful Resolution Applicant presented the entire resolution plan, including the feasibility and viability and other requirements for resolution of the Corporate Debtor before the Committee of Creditors of MSP Metalics Limited in the 10th meeting of the CoC held on 26.05.2022 and thereafter reconvened on 30th May 2022. The CoC, in the said meeting, advised the prospective resolution applicant to increase the offer value and further advised the resolution applicant to modify and amend the resolution plan in terms of the negotiations and discussions held during the 10th meeting of the CoC. In furtherance to the deliberations, negotiations and amendments proposed by the CoC in the 10th meeting, the Resolution Applicant duly submitted its modified resolution plan initially on 01.06.2022 and subsequently on 08.06.2022. The said modified and final resolution plan dated 08.06.2022 was placed for consideration of the CoC in the 11th meeting held on 10.06.2022. Pursuant to series of deliberations and negotiations amongst the members of the Committee of Creditors and the Resolution Applicant, the final resolution plan of the Resolution Applicant was duly put to voting on 10.06.2022 and the voting was kept open until 12.06.2021.
18. The Committee of Creditors duly approved the Resolution Plan of Orissa Metaliks Private Limited by 100% voting on 12.06.2021.
19. Applicant further submits that the Successful Resolution Applicant has also duly furnished Performance Bank Guarantee to the tune of Rs. 50,00,00,000/- (Rupees Fifty Crore only) in accordance with the terms and conditions of the IM and RFRP document.
20. The Resolution Plan of Orissa Metaliks Private Limited stipulates constitution of Working Committee and Monitoring Committee to facilitate implementation of the Resolution Plan being approved.
21. The Successful Resolution Applicant proposes a financial outlay of Rs. 800.02 Crore in the resolution plan.
22. The Applicant submits details of various compliances envisaged within the Code and the CIRP Regulations which requires a Resolution Plan to adhere to, which is reproduced hereunder:





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I. Submission of Resolution Plan in terms of Section 30 (2) of the Code:

Clause of S. 30 (2)	Requirement	How dealt with in the Resolution Plan
(a)	Plan must provide for payment of CIRP cost in priority to repayment of other debts of CD in the manner specified by the Board.	Clause 3.2
(b)	(i) Plan must provide for repayment of debts of OCs in such manner as may be specified by the Board which shall not be less than the amount payable to them in the event of liquidation u/s 53; or (ii) Plan must provide for repayment of debts of OCs in such manner as may be specified by the Board which shall not be less than amount that would have been paid to such creditors, if the amount to be distributed under the resolution plan had been distributed in accordance with the order of priority in sub Section(1) of Section 53, which ever is higher and (iii) Provides for payment of debts of financial creditors who do not vote in favour of the resolution plan, in such manner as may be specified by the Board.	Clause 3.3 & Clause 3.4
(c)	Management of the affairs of the Corporate Debtor after approval of the Resolution	Clause 5





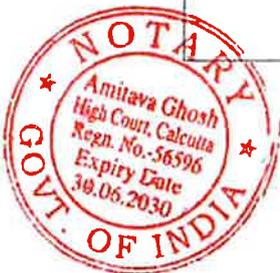
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	Plan.	
(d)	Implementation and Supervision of the Resolution Plan.	Clause 6
(e)	Plan does not contravene any of the provisions of the law for the time being in force.	Clause 7.8
(f)	Confirms to such other requirements as may be specified by the Board.	Clause 7.17.7

II. Measures, as may be necessary, for insolvency resolution, in terms of Regulation 37 of CIRP Regulations:

Regulation	Particulars	Comments	Reference
Regulation 37 (a) & (b)	Transfer/ sale of all or part of the assets of the Company to one or more persons;	The Resolution Plan does not envisage transfer or sale of any of the assets of the corporate debtor upto settlement date. However, post settlement date, RA may carry out transfers/ sale during the normal course of business. The Resolution Plan does not envisage transfer or sale of any of the assets of the corporate debtor upto settlement date. However, post settlement date, RA may carry out transfers/ sale during the normal course of business	Chart @ pg. 92 of application





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Regulation 37 (ba)	Restructuring of the Corporate Debtor, by way of merger, amalgamation and demerger	The Resolution Plan does contemplate restructuring through reverse merger	<i>Annexure 2 of resolution plan</i>
Regulation 37 (c)	The substantial acquisition of shares of the Corporate Debtor, or the merger or consolidation of the Corporate Debtor with one more person	Please refer to Annexure 2 structure for acquisition of control over the Corporate Debtor by the Resolution Applicant	<i>Annexure 2 of resolution plan</i>
Regulation 37 (ca)	cancellation or delisting of any shares of the corporate debtor, if applicable	Please refer to Annexure 2 structure for acquisition of control over the Corporate Debtor by the Resolution Applicant	<i>Annexure 2 of resolution plan</i>
Regulation 37 (d)	Satisfaction or modification of any security interest	Please refer to Annexure 2 structure for acquisition of control over the Corporate Debtor by the Resolution Applicant	<i>Clause (IX) @ pg. 155</i>
Regulation 37 (e)	curing or waiving of any breach of the terms of any debt due from the Company	Please refer to Annexure 2 structure for acquisition of control over the Corporate Debtor by the Resolution Applicant	<i>Annexure 2 of resolution plan</i>
Regulation 37 (f)	Reduction in the amount payable to the creditors	Please refer to Annexure 2 structure for acquisition of control over the Corporate Debtor by the Resolution Applicant	<i>Annexure 2 of resolution plan</i>





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Regulation 37 (g)	Extension of a maturity date or a change in interest rate or other terms of a debt due from the Company	Please refer to Annexure 2 structure for acquisition of control over the Corporate Debtor by the Resolution Applicant	<i>Annexure 2 of resolution plan</i>
Regulation 37 (h)	Amendment of the constitutional documents of the Company	Constitutional documents of corporate debtor are proposed to be amended appropriately as per requirements of the plan	<i>Chart @ pg. 92 of application</i>
Regulation 37 (i)	Issuance of securities of the Company, for cash, property, securities, or in exchange for claims or interests or other appropriate purpose.	Shares of any kind as permitted under the law shall be issued	<i>Chart @ pg. 92 of application</i>
Regulation 37 (j)	Change in portfolio of goods or services produced or rendered by the corporate debtor	The Resolution Plan does not envisage any change in portfolio of goods or services produced or rendered by the corporate debtor. Post Submission and approval of the Resolution Plan, the RA shall have the right to make change in portfolio of goods or services produced in any manner as they desire	<i>Chart @ pg. 92 of application</i>





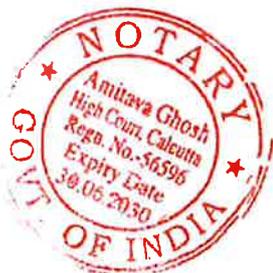
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Regulation 37 (k)	Change in technology used by the corporate debtor	The Resolution Plan does not envisage any change in technology used by the corporate debtor. Post Submission and approval of the Resolution Plan, the RA shall have the right to make change in technology used which may be deemed more beneficial for the Company by them	Chart @ pg. 92 of application
Regulation 37 (l)	Obtaining necessary approvals from the Central and State Governments and other authorities.	Requisite approvals/ licenses, if any, shall be obtained by RA from Central/ State Government and/ or other authorities, by seeking help of the Monitoring Agency, as is required to be obtained under law.	Chart @ pg. 92 of application

III. Mandatory contents of Resolution Plan in terms of Regulation 38 of CIRP Regulations:

Reference to relevant Regulation	Requirement	How dealt with in the Plan
38 (1)	The amount due to the operational creditors under a resolution plan shall be given priority in payment	Clause 3.3





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	over financial creditors.	
38 (1A)	A resolution plan shall include a statement as to how it has dealt with the interests of all stakeholders, including financial creditors and operational creditors of the corporate debtor.	Clause 3.5
38 (1B)	A resolution plan shall include a statement giving details if the resolution applicant or any of its related parties has failed to implement or contributed to the failure of implementation of any other resolution plan approved by the Adjudicating Authority at any time in the past.	Clause 4.2
38 (2)	A resolution plan shall provide: (a) the term of the plan and its implementation schedule;	Clause 4.1
	(b) the management and control of the business of the corporate debtor during its term; and	Clause 5.1.1
	(c) Adequate means for supervising its implementation.	Clause 6.1
38 (3)	A resolution plan shall demonstrate that- (a) it addresses the cause of default;	Clause 6.11
	(b) it is feasible and viable;	Clause 6.11
	(c) it has provisions for its effective implementation;	Clause 4





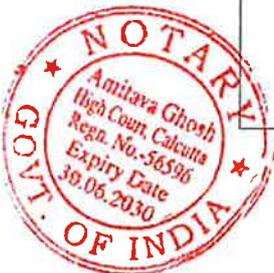
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	(d) it has provisions for approvals required and the timeline for the same; and	Clause 4.4
	(e) the Resolution Applicant has the capability to implement the resolution plan	Section B

IV. Mandatory contents of Resolution Plan in terms of Regulation 39 of CIRP Regulations

Reference to relevant Regulation	Requirement	How dealt with in the Plan
39 (1) (a)	An affidavit stating RA is eligible under section 29A to submit resolution plans;	Refer Affidavit of resolution applicant declaring eligibility under Section 29A of the I & B Code, 2016
39 (1) (c)	An undertaking by the prospective resolution applicant that every information and records provided in connection with or in the resolution plan is true and correct and discovery of false information and record at any time will render the applicant ineligible to continue in the corporate insolvency resolution process, forfeit any refundable deposit, and attract penal action under the Code.	Refer undertaking by Successful Resolution Applicant





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23. Applicant submits that the Successful Resolution Applicant has submitted an affidavit of eligibility under Section 29A of the Code, which has been annexed as to the Application.
24. Applicant submits that the RP has submitted the certificate certifying and confirming the eligibility of the SRA under Section 29A of the Code, which has been annexed to the Application.
25. The Applicant has filed a compliance certificate in the prescribed form, i.e., Form 'H' in compliance with Regulation 39(4) of the CIRP Regulations which has been annexed as to with the Application.

Details of Resolution Plan/ Payment Schedule

26. The Applicant submits the relevant information with regard to the amount claimed, amount admitted and the amount proposed to be paid by the Successful Resolution Applicant i.e. Orissa Metaliks Private Limited, under the said Resolution Plan is tabulated as under:

S. No.	Particulars	Amount Claimed (in Crore)	Amount Admitted (in Crore)	Amount in the Plan (in Crore)
1	CIRP Cost	Actual		Actual
2	Financial Creditors			
	- Secured Financial Creditors	2670.13	2688.23	499.27
	- Unsecured Financial Creditors	5.35	5.35	0.27
3	Operational Creditors (other than workmen & employees & government/ statutory	47.80	41.03	0.40





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	dues)			
4	Workmen & Employee dues	1.25	0.12	0.06
5	Other Creditors	0.002	0.002	0.0002
6	Capex/ Restart Cost (within 6 months)			200.00
7	Working Capital (within 6 months)			100.00
	Total Resolution Plan value			800.02

27. Details on Management/ Implementation and Reliefs as per the Resolution Plan – Salient Features

The Resolution Plan also provides for –

- Management of Company after resolution in Clause 5 and 6;
- Term of the resolution plan in Clause 4; and
- Implementation and Supervision of the resolution plan in Clause 4.

28. Reliefs and Concessions (Section D of Resolution Plan)

Sl. No.	Relief and/ or Concessions Sought	Orders Thereon
1	Licenses and approvals held by the Company, which expire prior to Effective Date or within a period of 6 (six) months thereafter, shall be renewed/extended by the relevant Governmental Authorities, and the Company shall be permitted to continue its business and assets in the manner operated prior to submission this plan until the renewal/extension of such licenses and approvals. The relevant Governmental Authorities will provide a reasonable period of time after the Effective Date in order for the Resolution	Granted.





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	<p>Applicant to:</p> <p>a. Assess the status of licenses and approvals required by the Company and to procure that the Company applies for the same; and</p> <p>b. Regularize any non-compliances under the Applicable Law (including non-registration, inadequate/non-stamping of documents as required under Applicable Law) existing prior to the Closing Date.</p>	
2	Direction to authorities for providing key infrastructure facilities and approvals like Consent to Establish, Consent to Operate, electricity power approval, Water approval, Railways approval, approval for operating the mines etc.	Granted.
3	Direction to Resolution Professional and CoC to provide full access to information, promises and assets to Resolution Applicant.	Granted.
4	Upon approval of this Resolution Plan, all investments (including but not limited to the investment in key infrastructure facilities), statutory rights, licenses, lease agreements, agreements, registrations or any similar approval by whatever name called and fundamental for running the business on going concern shall be in complete force and valid.	Granted.





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5	The RP and CoC shall allow possession of the premises/offices of the Corporate Debtor, all passwords, bank account details, cheque books, statutory registers, minute books, financial records, all communication with vendors, customers, government and regulatory authorities and all other documents pertaining to the Corporate Debtor and all its business divisions information technology systems (including all software and hardware), access to ERP system, etc. to the RA within 30 days of the Effective Date	Granted.
6	Approval of this Resolution Plan by the AA and serving of the certified copy of the order approving the Resolution Plan shall serve as sufficient notice to the Electricity Department towards supplying of uninterrupted electricity connection to all the manufacturing units of the Corporate Debtor.	Granted.
7	The approval of the Adjudicating Authority and the CoC shall constitute adequate approval and cancellation of the existing share capital and accordingly, no approval/consent shall be necessary from any other Person / Governmental Authority in relation to either of these actions under any agreement, the constitutional documents or under any Applicable is also clarified that the Resolution Applicant shall not be required to deal with the dissenting /abstaining Financial Creditors in any manner other than as provided under the	Granted.



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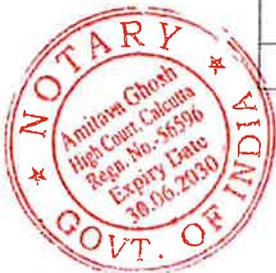




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	Code.	
8	Approval of this plan shall be deemed approval for waiver from filing of statutory returns (including but not limited to any filings for Registrar of Companies, Direct & Indirect Tax authorities, plant related annual filings, etc), for a period prior to Effective Date. A certified copy of the order approving Resolution Plan shall be a direction on such statutory authorities to allow the Company to do compliance(s) with effect from and after the date of approval of Resolution Plan by the Adjudicating Authority.	Granted, subject to the law and applicable Regulations.
9	Approval of this plan shall be deemed approval for removal of Directors from the record of the Company as appearing on the MCA portal/ website/ income tax web site/ Any Indirect website. A certified copy of the order approving the Resolution Plan shall be a direction on such statutory authorities to do the needful.	Granted.
10	The approval of this Plan by the Adjudicating Authority shall be deemed to have waived all the procedural requirements in terms of Section 66, Section 42 and Section 62(1Xe) of the Companies Act, 2013 and other Applicable Law (including LODR Regulations and ICDR Regulations) for reduction of share capital, issuance of Non-Convertible Debenture and issuance of equity shares to the Resolution Applicant and/or the Financial Creditors.	Granted.
11	An order approving the Resolution Plan shall be a	Granted.



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	deemed order upon Financial Creditors to cancel all pledge/ lien/ other encumbrances upon the issued share capital of the Company to enable corporate action as envisaged in the Resolution Plan.	
12	The Ministry of Corporate Affairs and/ or the Adjudicating Authority shall exempt compliance with the provisions of Chapter XV of the Companies Act, 2013 (and the corresponding rules issued under the Companies Act, 2013), in respect of schemes of arrangement contemplated under the Plan.	Granted, subject to the law and applicable applicable
13	To direct/grant all approvals required for consummating the scheme of arrangement presented in Annexure-2.	Granted, subject to the law and applicable applicable
14	To direct/grant all approvals required for undertaking the schemes of capital reduction envisaged in Annexure-2 of the Resolution Plan.	Granted, subject to the law and applicable applicable
15	The relevant Governmental Statutory Regulatory Authorities shall not initiate any investigations, actions or proceeding in relation to any non-compliance with Applicable Law by the Company during the period prior to the Closing Date. Neither shall the Resolution Applicant, nor the Company, nor their respective directors, officers and employee appointed on and as of the Closing Date be liable for any violations, liabilities, penalties or fines with respect to or pursuant to the Company not having in place requisite licenses and approvals required to undertake its business as per Applicable	Granted.

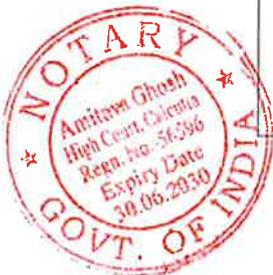




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	Law, or any non-compliances of Applicable Law by the Company. Further, the relevant Governmental Authorities will provide a reasonable period of time after the Effective Date, for the Resolution Applicant to assess the status of any non-compliances under the Applicable Law (including with respect to applicable environmental laws, directions or orders by the Ministry of Environment and Forest, permits clearances and forest related clearances) and to procure that the Company regularizes such non-compliances under the Applicable Law existing prior to the Effective Date	
16	Withdrawal of litigations initiated by the Financial Creditors against Corporate Debtor, Issue no-dues certificate(s) in favour of Corporate Debtor and release their respective charges on the securities in full and complete satisfaction of all debts owed to the Financial Creditors by Corporate Debtor, including all guarantees by Corporate Debtor which may have been provided to the Financial Creditors, for credit facilities availed by Corporate Debtor.	Granted.
17	Any and all dues to, liabilities or obligations payable to, claims, counter-claims, demands, actions or penalties, made or imposed by or any arrears, dividend or obligations owed or payable to (including but not limited to all interests, damages, losses, expenses and third party claims), and any right, title, interest enjoyed by, any actual or	Granted in terms of the Ghanashyam Mishra and Sons Pvt Ltd v Edelweiss Asset Reconstruction Company Ltd, wherein the Hon'ble





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<p>potential other stakeholders of the Corporate Debtor including any group companies whether under law or otherwise, whether or not claimed, whether or not filed, whether or not crystalized, whether or not secured, whether or not admitted, whether or not notional, whether or not known, whether due or contingent, whether or not disputed, present or future, whether or not being adjudicated in any proceedings, whether or not decreed, whether or not reflected in the financial statements of the Corporate Debtor, or whether or not reflected in any record, document, statement, statutory or otherwise, arising prior to or after the Effective Date, but pertaining to period prior to the Effective Date, and/ or arising in connection with Assignment or acquisition of shares of the company by the investors or conversion of the Conversion Debt into Equity or in any other manner as a result of or in connection with this Plan, shall be deemed to have been irrecoverably waived and permanently extinguished and written off in full with effect from the Effective Date. To give effect to such waiver and extinguishment, any contract, agreement, deed or document, whether oral or written, expressed or implied, statutory or otherwise, pursuant to which any such dues, liabilities, obligations, claims, counterclaims, demands, actions, penalties, right, title or interest in claimed (other than as specifically mentioned herein) shall stand modified with effect from the</p>	<p>Supreme Court has held in para 95(i) that once a resolution plan is duly approved by the Adjudicating Authority under subsection (1) of section 31, the claims as provided in the resolution plan shall stand frozen and will be binding on the Corporate Debtor and its employees, members, creditors, including the Central Govt, any State Govt or any local authority, guarantors and other stakeholders.</p>
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	Effective Date without any further act, deed and approval of the Resolution Plan by Adjudicating Authority shall be deemed to be sufficient notice which may be required to be given to any person for such matters and no further notice shall be required to be given.	
18	Relinquishment of all/ any promise to pay towards any obligation including corporate guarantee, pledge on any shares, mortgage or charge on any specific asset, etc. issued by Corporate Debtor in favour of or on behalf of any of its subsidiaries, associates, group) companies or any third party.	Granted in terms of the Ghanashyam Mishra and Sons Pvt Ltd v Edelweiss Asset Reconstruction Company Ltd, wherein the Hon'ble Supreme Court has held in para 95(i) that once a resolution plan is duly approved by the Adjudicating Authority under subsection (1) of section 31, the claims as provided in the resolution plan shall stand frozen and will be binding on the Corporate Debtor and its employees, members, creditors,





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		including the Central Govt, any State Govt or any local authority, guarantors and other stakeholders.
19	Specific waiver of transaction costs related to the implementation of the Resolution Plan including but not limited to any incidence of Stamp Duty, ROC Fee, Income Tax, any Statutory Levy, Renewal Charges, etc.	Granted, subject to the law and applicable regulation.
20	Directions from Adjudicating Authority that other than actions taken by the CoC/Resolution Professional against the personal guarantees extended by the Existing Promoter group which have been initiated prior to the approval by the Adjudicating Authority, all legal suits, proceedings, certificate proceedings and/or quasi-legal proceedings that have been initiated against Corporate Debtor or the Incumbent Promoter Group, Subsidiaries / Associates / related party(ies) of the Incumbent Promoter Group, which may have an adverse impact on Corporate Debtor of any nature whatsoever, shall stand quashed, including but not limited to: for recovery of any debts and dues (including but not limited to statutory dues like Central/State Sales Tax/value-added tax/Central Excise/Service Tax/ Goods and Services Tax, Income Tax, Customs Duty, etc. or	Granted.

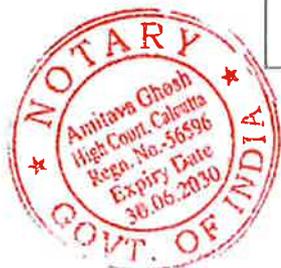




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	any other statutory dues) pending against OISL and 100% waiver of all such claims/dues thereunder, b. those related to taxation, related to environment and forest laws, railway claims/disputes proceedings under the Foreign Exchange Management Act 1999, Prevention of Money Laundering Act 2002, criminal matters, etc.	
21	As per Section 32A of the IBC, the Resolution Applicant and the Corporate Debtor shall have immunity from any actions and penalties (of any nature) under any laws for any non compliance of laws in relation to the Corporate Debtor or by the Corporate Debtor, as well as with the terms of any agreement or arrangement entered into by the Corporate Debtor, which was existing as on the Completion Date and which continues for a period of up to 2 months after the acquisition of control by the Resolution Applicant over the Corporate Debtor, Without any liability for the non-compliance during the time specified above, the Resolution Applicant undertakes to cause the Corporate Debtor to expeditiously identify such non compliances, evaluate the steps required to address such non-compliances and take steps to remedy such non-compliances to the extent practically possible. The Resolution Applicant and the Corporate Debtor shall be entitled to apply to and approach the Adjudicating Authority for relief for continued implementation of the approved Resolution Plan before or after any coercive action	Granted.



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	is taken against the Corporate Debtor or the Resolution Applicant, especially in view of the limited due diligence offered to the Resolution Applicant.	
22	This Resolution Plan will be implemented pursuant to an order of the Adjudicating Authority, and all actions stated in this Resolution Plan shall be deemed to be approved by the Adjudicating Authority. Accordingly, any action or implementation of this Resolution Plan shall not be a ground for termination of any contracts entered into by the Corporate Debtor.	Granted.
23	All contracts between the Corporate Debtor and related parties (as defined in Section 5(24) of the Code shall stand terminated with effect from the Effective Date unless otherwise notified by the Resolution Applicant by the Effective Date, and the Corporate Debtor shall not be liable towards any claims with respect to termination of such contracts, including but not limited to, any claims, penalty, damages (liquidated or otherwise), arbitration claims, claims for specific performance or claims for interim relief.	Granted.
24	All financial obligations under any contract to which the Corporate Debtor is a party, relating to a period prior to the Effective Date, if not provided for under this Resolution Plan, shall stand extinguished.	Granted in terms of the Ghanashyam Mishra and Sons Pvt Ltd v Edelweiss Asset Reconstruction Company Ltd,

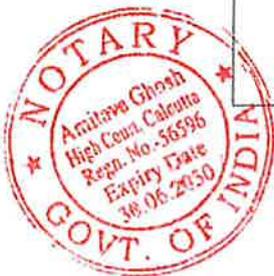




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		<p>wherein the Hon'ble Supreme Court has held in para 95(i) that once a resolution plan is duly approved by the Adjudicating Authority under subsection (1) of section 31, the claims as provided in the resolution plan shall stand frozen and will be binding on the Corporate Debtor and its employees, members, creditors, including the Central Govt, any State Govt or any local authority, guarantors and other stakeholders.</p>
25	<p>Any reassessment, revision or other proceedings under the provisions of the Applicable Laws relating to Taxes would be deemed to be barred in relation to any period prior to the Effective Date, by virtue of the order of the Adjudicating Authority approving this Resolution Plan.</p>	<p>Granted.</p>



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IN THE NATIONAL COMPANY LAW TRIBUNAL
KOLKATA BENCH

L.A. NO. 616/KB/2022
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CP (IB) NO. 580/KB/2020

26	All assessment/re-assessment/revision/penalty/appellate or other proceedings pending in the case of the Corporate Debtor as on the Effective Date, relating to the period prior to that date, shall stand terminated and all consequential liabilities, if any, shall be waived and shall be considered to be not payable by the Corporate Debtor by virtue of the NCLT order approving this Resolution Plan.	Granted, subject to the law and applicable Regulations.
27	All notices issued under the provisions of the respective Acts to initiate any proceedings viz. assessment/reassessment/revision/penalty/etc. against the Corporate Debtor in relation to the period prior to the Effective Date shall be considered withdrawn and shall not be proceeded against.	Granted.
28	No notices should be issued under the provisions of the respective Acts to initiate any proceedings viz. assessment/reassessment/revision/penalty/etc, against the Corporate Debtor in relation to the period prior to the Effective Date.	Granted.
29	Any proceedings which were kept in abeyance in view of the insolvency process or otherwise shall not be revived post the order of the NCLT.	Granted.
30	No further demand for period prior to the Effective Date shall be raised by the respective Departments.	Granted in terms of the Ghanashyam Mishra and Sons Pvt Ltd v Edelweiss Asset Reconstruction





**IN THE NATIONAL COMPANY LAW TRIBUNAL
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		<p>Company Ltd, wherein the Hon'ble Supreme Court has held in para 95(i) that once a resolution plan is duly approved by the Adjudicating Authority under subsection (1) of section 31, the claims as provided in the resolution plan shall stand frozen and will be binding on the Corporate Debtor and its employees, members, creditors, including the Central Govt, any State Govt or any local authority, guarantors and other stakeholders.</p>
31	<p>AA to pass necessary orders/ give appropriate directions to direct tax authorities/ Principal Commissioner of Income-tax to not apply/ invoke section 79 of IT Act on implementation of the Resolution Plans and allow benefit of carry forward and setoff of losses of Corporate Debtor</p>	<p>Granted.</p>



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IN THE NATIONAL COMPANY LAW TRIBUNAL
KOLKATA BENCH

L.A. NO. 616/KB/2022
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CP (IB) NO. 580/KB/2020

	existing and arising pursuant to implementation of Resolution Plan post change in majority shareholding.	
32	AA to pass necessary orders/ give appropriate directions to direct tax authorities to grant waiver from getting No Objection Certificate from direct tax authorities as contemplated under section 281 of IT Act. Similar directions to be given to indirect tax authorities as well	Granted in terms of the Ghanashyam Mishra and Sons Pvt Ltd v Edelweiss Asset Reconstruction Company Ltd, wherein the Hon'ble Supreme Court has held in para 95(i) that once a resolution plan is duly approved by the Adjudicating Authority under subsection (1) of section 31, the claims as provided in the resolution plan shall stand frozen and will be binding on the Corporate Debtor and its employees, members, creditors, including the Central Govt, any State Govt or any local





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		authority, guarantors and other stakeholders.
33	<p>With the approval of this Resolution Plan by the Adjudicating Authority, it is assumed that an exemption shall be deemed to have been granted to the Corporate Debtor from the obligation to pay taxes in accordance with the exemptions granted under the relevant provisions of Income Tax Act.</p> <p>a. With the approval of this Resolution Plan by the Adjudicating Authority, it is assumed that, proper reasonable opportunity of being heard given to the jurisdictional Principal Commissioner or Commissioner as per Section 79 of the Income Tax Act;</p> <p>b. The Corporate Debtor shall be entitled to carry forward the unabsorbed depreciation and accumulated losses under Income Tax and Minimum Alternate Tax and to utilize such amounts to set off future tax obligations, c. The brought forward Business Loss & Unabsorbed Depreciation as on the Effective Date shall be deemed to be the Business Loss & Unabsorbed Depreciation for the previous year in which the Effective Date falls and accordingly, the period allowed for setting off such loss/unabsorbed depreciation shall be counted from the AY in which the Effective Date falls.</p>	Granted, subject to the law and applicable Regulations.





IN THE NATIONAL COMPANY LAW TRIBUNAL
KOLKATA BENCH

I.A. NO. 616/KB/2022
In
CP (IB) NO. 580/KB/2020

Findings:

29. On hearing the submissions made by the Ld. Senior Counsel for the Resolution Professional, and perusing the record, we find that the Resolution Plan has been approved with 100% voting share. As per the CoC, the plan meets the requirement of being viable and feasible for revival of the Corporate Debtor and the same has been duly recorded in the 11th minutes of the CoC held on 10.06.2022. By and large, all the compliances have been done by the RP and the Resolution Applicant for making the plan effective after approval by this Bench.
30. On perusal of the documents on record, we are also satisfied that the Resolution Plan is in accordance with sections 30 and 31 of the IBC and also complies with regulations 38 and 39 of the IBBI (Insolvency Resolution Process for Corporate Persons) Regulations, 2016.
31. As far as the question of granting time to comply with the statutory obligations/seeking sanctions from governmental authorities is concerned, the Resolution Applicant is directed to do the same within one year as prescribed under section 31(4) of the Code.
32. In case of non-compliance of this order or withdrawal of Resolution Plan, the CoC shall invoke the Performance Bank Guarantee furnished by the Resolution Applicant.
33. Subject to the observations made in this Order, the Resolution Plan in question is hereby approved by this Bench. **The Resolution Plan shall form part of this Order.**
34. The Resolution Plan is binding on the Corporate Debtor and other stakeholders involved so that revival of the Debtor Company shall come into force with immediate effect.
35. The Moratorium imposed under section 14 shall cease to have effect from the date of this order.
36. The Resolution Professional shall submit the records collected during the commencement of the proceedings to the Insolvency & Bankruptcy Board of





IN THE NATIONAL COMPANY LAW TRIBUNAL
KOLKATA BENCH

L.A. NO. 616/KB/2022
In
CP (IB) NO. 580/KB/2020

India for the record and also unto the Resolution Applicant or New Promoters.

37. Certified copy of this Order be issued on demand to the concerned parties, upon due compliance.
38. Liberty is hereby granted for moving any Application if required in connection with implementation of this Resolution Plan.
39. A copy of this Order is to be submitted in the Office of the Registrar of Companies, West Bengal.
40. The Resolution Professional shall stand discharged from his duties with effect from the date of this Order.
41. The Resolution Professional is further directed to handover all records, premises/factories/documents to the Resolution Applicant to finalise the further line of action required for starting of the operation. The Resolution Applicant shall have access to all the records/premises/factories/documents through the Resolution Professional to finalise the further line of action required for starting of the operation.
42. IA (IB) 616/KB/2022 along with C.P. (IB) No. 580/KB/2020 shall stand disposed of accordingly.
43. The Registry is directed to send e-mail copies of the order forthwith to all the parties and their Ld. Counsel for information and for taking necessary steps.
44. Certified copy of this order may be issued, if applied for, upon compliance of all requisite formalities.
45. File be consigned to the record.


Harish Chander Suri
Member (Technical)


Rohit Kapoor
Member (Judicial)

The Order is pronounced on 11 day of July, 2022

S. LRA



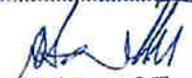
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NO. 844/2022
 Date of Presentation
 of application for Copy... 19/7/2022
 No. of Pages... 22 Pages + 1
 Copying Fee... 5/-
 Registration & Postage Fee... 7
 Total ₹... 165/-
 Date of Receipt &
 Record of Copy... 21/07/2022
 Date of Preparation of Copy... 21/07/2022
 Date of Deliver of Copy... 21/07/2022


 DD / DR / AR / Court Officer
 National Company Law Tribunal
 Kolkata Bench



ଅନୁସୂଚୀ XIV--ପାଠନ ସଂ.୯୩୧ (Revised)

ଅନ୍ୟାୟକାଞ୍ଚ କେସ୍ ନଂ- 665/2025

4X

ପର୍ଯ୍ୟାୟ

PR No. 665 6101 / 21.11.2025

ଓଡ଼ିଶା ରୁମି ଅନଧିକାର ଦଖଲ ନିବାରଣ ଅଧିନିୟମ, ୧୯୭୨ ଧାରା ୨ ଅନୁଯାୟୀ ନୋଟିସ

[ନିୟମ 6(1) ଦ୍ୱାରେ]

ପ୍ରପେକ

ଏମ. ଏସ. ଓଡ଼ିଶା ମେଟାଲିକ୍ ନିର୍ମିତେଡ଼

ଠିକଣା: ଝି. କଟାପାଲି, ଝାରସୁଗୁଡ଼ା

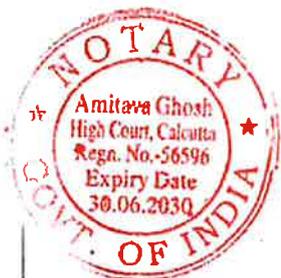
ଯେହେତୁ ପ୍ରତୀତ ହୋଇଅଛି ଯେ, ଆପଣ ନିମ୍ନ ଅନୁସୂଚୀରେ ଦର୍ଶାଯାଇଥିବା ସରକାରୀ ରୁମିକୁ ଅନୁମତି ବିନା ଦଖଲ କରିଅଛନ୍ତି | ଆପଣଙ୍କ ପ୍ରତି ଏତଦ୍ୱାରା ଏହି ଆଦେଶ ହେଉଅଛି ଯେ ଆପଣ ସ୍ୱୟଂ ବା ଆପଣଙ୍କର କ୍ଷମତାପତ୍ର ପ୍ରତିନିଧିତ୍ୱ କରିଅଛନ୍ତି ତା 06/12/2025 ରିଖ 11.00 AM ସମୟରେ ନିମ୍ନ ସ୍ୱାକ୍ଷରକାରୀଙ୍କ ସମ୍ମୁଖରେ ହାଜର ହୋଇ ଓଡ଼ିଶା ରୁମି ଅନଧିକାର ଦଖଲ ନିବାରଣ ଅଧିନିୟମ, 1972 ର ଧାରା 4 ଏବଂ 6 ଅନୁଯାୟୀ କାହିଁକି ଆପଣଙ୍କ ପ୍ରତି କାର୍ଯ୍ୟାନୁଷ୍ଠାନ କରାଯିବ ତାହାର କାରଣ ଦର୍ଶାଇବେ |

ଅନୁସୂଚୀ

ଗ୍ରାମ, ଥାନା ଓ ବିଲ୍ଡା ର ନାମ	ଖସଡ଼ା ସଂଖ୍ୟା	ବିବରଣୀ	ପଟାରେ ଦରଜ କରାଯାଇଥିବା ମୂତାବକ ଖସଡ଼ାର ସମୁଦାୟ ରକମ	ଅନୁମତି ବିନା ଦଖଲ କରିଥିବା ଜମିର ପରିମାଣ	ଦଖଲ କରିଥିବା ରୁମି ବିଲ୍ଡା ବ୍ୟବହୃତ ହୋଇଛି
୧	୨	୩	୪	୫	୬
ଝି. କଟାପାଲି ଝାରସୁଗୁଡ଼ା	282	ପୁଟ ନଂ- 132, 138, 199, 202, 204, 205, 206, 381, 464, 466, 470, 472 କିସମ ଗ୍ରା.ବ	Ac0.23, Ac0.10, Ac0.30, Ac0.60, Ac1.70, Ac0.31, Ac3.28, Ac2.16, Ac1.00, Ac0.25, Ac0.70, Ac 0.12	Ac 0.23, Ac 0.10, Ac 0.30, Ac 0.60, Ac 1.70, Ac 0.31, Ac 3.28, Ac 2.16, Ac 0.84, Ac 0.25, Ac 0.70, Ac 0.12	କାରଖାନା

ସ୍ୱାକ୍ଷରୀ ସ୍ଥାନ- ଦକ୍ଷିଣ କାର୍ଯ୍ୟାଳୟ, ଝାରସୁଗୁଡ଼ା

Handwritten signature and date 02/11/25
Addl. Tahasildar Jharsuguda





ORISSA METALIKS PRIVATE LIMITED

(FORMERLY MSP METALLICS LTD)

Vill. & P.O.: Marakuta, Dist.: Jharsuguda, Pin-768202, Odisha

Ph.: +91 80930 89922, Email : sc_ompl@orissametaliks.com, edoffice@mspsteeljsg.com

CIN No. U27109WB2006PTC111146

OMPL/JSG/2025-26/9-L/445

06th December 2025

To,
Additional Tehsildar,
Jharsuguda,
KM Road, Badheimunda,
Jharsuguda, Odisha - 768201

In re: **Your Show Cause Notice bearing PR No. 665; 8101/21.11.2025 under the Odisha Land Encroachment Prevention Act, 1962.**

Sub: **Reply to the Show Cause Notice bearing PR No. 665; 8101 dated 21.11.2025 under the Odisha Land Encroachment Prevention Act, 1962.**

Sir,

With reference to the above, at the very outset, kindly note that the subject-matter of the alleged encroachment in respect of the plots of land as alleged in your said show cause Notice, are directly and substantially in issue in a pending litigation before the Hon'ble National Green Tribunal, Kolkata (NGT, Kolkata), viz., **O.A. 167/2025 [Satrugan Meher - Vs - State of Odisha & Ors.]**. Such pending litigation before the Hon'ble NGT, Kolkata, is still at a preliminary stage for completion of pleadings and the next date in the matter has been fixed as on 09.02.2026. A copy of the order dated 28.11.2025 passed by Hon'ble NGT, Kolkata, in the said O.A. No. 167/2025, is enclosed herewith for ready reference (**Annexure 1**).

In view of the above, **Orissa Metaliks Pvt. Ltd. (OMPL)** which has been arraigned as respondent No. 9, in the said O.A. No. 167/2025, reserves its right to advert to and put on record its defence and objections in full before the Hon'ble Tribunal.

However, in order to avoid the criticism of non-compliance, albeit in a *sub judice* matter, OMPL begs to state and submit its reply to the show-cause in the manner hereinafter following for the limited purpose of compliance with the instant show-cause.

With respect to the alleged and reported structural encroachment as mentioned in your Show-cause under reply, OMPL states and submits as follows: -

A. OMPL took over MSP Metaliks Ltd. only in 2022 vide order dated 11.07.2022 passed by the NCLT, Kolkata (Copy enclosed as **Annexure 2**). The alleged encroachment as mentioned in your Show-cause Notice, are all pre-existing structures as per the Consent to Establishment (CTE) dated 24th August 2006, as commissioned and **built by MSP Metaliks Limited** way back **in the year 2006**, and whose assets under Corporate Insolvency Resolution Process (CIRP) later came to be acquired by Orissa Metaliks Private Limited (OMPL), only in the year 2022 vide Order dated 11th July 2022 passed by the Hon'ble National Company Law Tribunal (NCLT), Kolkata, as mentioned above.

B. Thus, OMPL did not make any construction or encroachment on the alleged plots of land. In other words, Orissa Metaliks Private Limited (OMPL) merely succeeded to the assets of MSP Metaliks Ltd. vide the said NCLT order on "as is, where is", and "whatever there is" and "Clean Slate" basis. Neither the Information Memorandum nor any other documents disclosed by Resolution Professional qua the said NCLT proceedings [CP (IB) No. 580/KE/2020] revealed or disclosed any forest land comprising in the said assets of MSP Metaliks Limited.

[Signature]

Page 1 of 2



C. In fact, the said order dated 11th July 2022, as passed by the NCLT, Kolkata, has expressly granted relief to OMPL and the company MSP Metallica Limited, by granting protection from any violation, liability, penalty or fine, for not having in place requisite licenses and approvals or for non-compliance of any Applicable Law, including that of Environmental Laws, directions or orders by the Ministry of Environment and Forest (MoEF) or forest related clearance amongst others. The instant Show cause notice cannot be carried forward against OMPL, to attach vicarious liability upon OMPL for acquiring the assets of MSP Metallica Limited through the NCLT route, in accordance with law. It may be appreciated that OMPL came into possession of the said plots of land as mentioned in the said Show-cause along with the alleged encroachments on "as is where is" basis and "whatever there is" basis as a consequence of the said order passed by the Hon'ble NCLT, Kolkata.

D. On a correct appreciation of the facts and the applicable law it would transpire that acquisition by OMPL is further insulated by Order dated 11th July 2022 passed by NCLT, Kolkata. Thus, as a matter of fact, the allegations of encroachment *per se* as against OMPL are neither maintainable in fact nor in law. It is humbly submitted that any other construction or interpretation contrary to the above proposition would tantamount to affixing vicarious liability upon the *bonafide* conduct of OMPL. In fact, it can be seen from a correct appreciation of the facts that no case is made out against OMPL for any direct violation or encroachment on the part of the OMPL on account of any independent action of OMPL.

E. Further, it may be pertinent to mention in the context that OMPL has already applied for *ex-post facto* approval in respect of diversion of Gramya Jungle kism of land admeasuring 4.953 ha (12.24 acres approx.) for non-forestry purpose, being the said plots of land mentioned in the Show-cause under reference. In this relation, the application of forest diversion has been submitted for approval under Section 2(ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980.

A copy of OMPL's application dated 10.10.2025 with Project ID/ Single Window No. SW/262748/2025 is annexed herewith and marked as Annexure 3.

In view of the statements and submissions made hereinabove, you are therefore **requested** to accept our reply in satisfaction to the instant show-cause notice and **not to proceed against OMPL** for alleged violation of Odisha Prevention of Land Encroachment Act, 1962, and it is further prayed that encroachments, if any, on account of the past management of MSP Metallica Ltd. may be considered for regularization in the case of OMPL, inasmuch as OMPL has merely taken over the former MSP Metallica Ltd., through the NCLT route in accordance with the provisions of the IBC, 2016, on a clean slate basis, as would be reflected from the order dated 11.07.2022, passed by the Hon'ble NCLT, Kolkata (already enclosed above as **Annexure 2**).

We further request you to give a personal hearing in the matter, whereupon, representatives of OMPL, would be able to offer further and better particulars and/or explanation in support of its reply and the prayers made herein, so that OMPL is not made vicariously liable for the actions of the erstwhile management of MSP Metallica Ltd.

Thanking you,

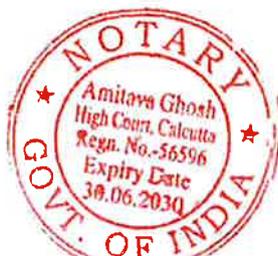
Yours Sincerely

For Orissa Metallica Private Limited


Ajit Kumar Singh
Sr. Vice President



Encl. as above



Form-A (Part-I): Diversion of Forest Land



Project Name:	The proposal seeking prior approval under section 2 (i) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for diversion of 4.953 Ha forest land for non-forestry use within 112.940 Ha project area for Integrated Steel Plant, Captive Power Plant and Cement Grinding Unit of M/s Orissa Metaliks Private Limited (Formerly M/s MSP Metaliks Private Ltd.) situated in villages- Marakuta and Budipadar of Tehsil- Jharsuguda in District- Jharsuguda in the state of Orissa	Single Window Number:	SW/262748/2025
State:	ODISHA	Proposal Number:	FP/OR/IND/554770/2025
Submission Date:	10/10/2025	Current Status:	DRAFT
		Area (in ha):	4.953

Common Application Form

Project Details

1. Details of Project

1.1. Name of the Project	The proposal seeking prior approval under section 2 (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for diversion of 4.953 Ha forest land for non-forestry use within 112.940 Ha project area for Integrated Steel Plant, Captive Power Plant and Cement Grinding Unit of M/s Orissa Metaliks Private Limited (Formerly M/s MSP Metaliks Private Ltd.) situated in villages- Marakuta and Budipadar of Tehsil- Jharsuguda, In District- Jharsuguda in the state of Orissa
1.2. Project Proposal For	Expansion
1.3. Whether proposal expansion is made under 7 (ii) (a)?	NO
1.4. Project ID (Single Window Number)	SW/262748/2025
1.5. Description of Project	The proposal seeking prior approval under section 2 (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for diversion of 4.953 Ha forest land for non-forestry use within 112.940 Ha project area for Integrated Steel Plant, Captive Power Plant and Cement Grinding Unit of M/s Orissa Metaliks Private Limited (Formerly M/s MSP Metaliks Private Ltd.) situated in villages- Marakuta and Budipadar of Tehsil- Jharsuguda, in District- Jharsuguda in the state of Orissa.

2. Details of the Company/Organization/User Agency making application

2.1. Legal Status of the Company/Organization/User Agency	Company
2.2. Name of the Company/ Organization/User agency	ORISSA METALIKS PRIVATE LIMITED
Registered address	
2.3. Address	GRASTIN PLACE, ORBIT 3RD FLOOR ROOM NO . 3B, KOLKATA
2.4. Village /Town / City	Kolkata
2.5. State	WEST BENGAL
2.6. District	KOLKATA
2.7. Pin Code	700001
2.8. Landmarks	NEAR BANSAL COURT
2.9. E-mail address	orissametalikspvtltd@gmail.com
2.10. Landline Number	03322895200
2.11. Mobile number	xxxxxx4519

3. Details of the person making application

3.1. Name	Jai Prakash Sharma
3.2. Designation	Director

Correspondence address

3.3. Address	GRASTIN PLACE, ORBIT 3RD FLOOR ROOM NO 3B, KOLKATA
3.4. Village /Town / City	kolkata
3.5. State	WEST BENGAL
3.6. District	KOLKATA
3.7. Pin Code	700001
3.8. Landmarks	Near Bansal court



3.9. E-mail address	orissametalikspvtltd@gmail.com
3.10. Landline Number	22438518
3.11. Mobile number	xxxxxx4519

Project Location

4. Location of the Project or Activity

4.1. Upload KML	10.10.2025 final.kml
4.2. Whether the project/activity falling in the state/UT sharing international borders	NO

5. Shape of the Project	Non - Linear
-------------------------	--------------

Location Details

Toposheet No	State/UT	District	Sub District	Village	Plot/survey/Khasra No.
F44R13	ODISHA	Jharsuguda	Jharsuguda	BUDIPADAR	531
F44R13	ODISHA	Jharsuguda	Jharsuguda	MAR-KUTA	270

Remarks

The total area of project boundary extends to approx. 279.07 Acres comprising 226.22 acres of land allotted by IDCO & 52.85 acres of gochar land /private land/rakhit kism land.

6. Land Requirement (in Ha) of the project or activity

Nature of Land involved in (Ha)	Area Existing in Ha [X]	Additional Area Proposed in Ha [Y]	Total Area required after expansion in Ha [X+Y]
Non-Forest Land [A]	98.867	9.12	107.987
Forest Land [B]	4.953	0	4.953
Total [A+B]	103.82	9.12	112.94

Project Activity Cost

7. Project/Activity Cost

7.1. Cost of the Existing Project at current price level (In Lakhs) [A]	96131
7.2. Cost of the proposed expansion/ modernization of Project at current price level (in Lakhs) [B]	150000
7.3. Total Cost of the project/ Activity (In lakhs) [A+B]	246131

8. Employment likely to be generated

8.1. During construction phase

Permanent employment

8.1.1. No. of permanent employment (No.s) [A]	200
8.1.2. Period of employment (No. of days) [B]	365
8.1.3. No. of man-days [X]=[A]*[B]	73000

Temporary employment

8.1.4. Temporary / Contractual employment (No. of Man days) [Y]	292000
8.1.5. Total [X] +[Y]	365000

8.2. During operational phase

Permanent employment

	Existing	Proposed	Total
8.2.1. No. of permanent employment (No.s) [A]	200	200	400
8.2.2. Period of employment (No. of days) [B]	300	30	330
8.2.3. No. of man-days [X]=[A]*[B]	60000	6000	132000

Temporary employment

8.2.4. Temporary / Contractual employment (No. of Man days) [Y]	270000	264000	534000
8.2.5. Total [X] +[Y]	330000	270000	666000

Others

9. Whether Rehabilitation and Resettlement (R&R) involved?	NO
10. Whether project area involves shifting of water course/road/rail/Transmission line/water pipeline, etc. required?	NO
11. Whether any alternative site(s) examined or part thereof for the non-site-specific	NO



11. Whether any alternative site(s) examined or part thereof for the non-site specific component? NO

11.1. Reason thereof IDCO has allotted land based on location advantage for for infrastructure and need for the project in the area

12. Whether there is any Government Order or Policy/ Court order relevant or restricting to the site? NO

13. Whether there is any litigation pending against the project and/or land in which the project is proposed to be set up? NO

14. Whether the proposal involves violation of Act/Rule/Regulation/Notification of Central/State Government? YES

Act	Type of violation	Year	Direction Issued By	Direction Details	Direction Copy	Summary	Report
Van (Sanrakshan Evam Samvardhan) Adhinyam, 1980	NA	2023			N/A	Violation by previous management of MSP Metalics Ltd	justification compressed pdf

Form-A (Part-I): Diversion of Forest Land

Project Details

1. Forest Clearance

1.1. State ODISHA

1. Upload a copy of note containing justification for locating the Project in forest land justification compressed.pdf

1.3. Project Category Industry

1.4. Exempted Category NA

1.5. Is Related to Encroachment? Yes

1.6. Whether any proposal seeking prior approval of Central Government under the Van (Sanrakshan Evam Samvardhan) Adhinyam, 1980 for diversion of forest land required for this project has been submitted in the past? Yes

Proposal No.	Proposal Status.	Project Name	MoEFCC File No	Area proposed for Diversion (ha)	Area Diverted (ha)	Recommended Area For Diversion	Date of in-principle approval	Date of final approval	Date of Application
State SI No. 254/08	Submitted and under process	Proposal for diversion of 5.229 ha of forest land in Jharsuguda District of Orissa Expansion of an existing steel plant of MSP Metalics Ltd, Offline proposal submitted by IDCO. on 18.03.2008	NIL	5.229	NA	NA			18/03/2008

Proposed Land

2. Details of Forestland proposed to be diverted (Village / Division / District Wise Breakup)

2.1. Total area of forestland proposed for diversion (ha.) 4.953

2.2. Total area of non- forestland required for this project (ha.) 107.987

2.3. Legal Status of forest land proposed for diversion

Area (ha)	Legal Status of Forest Land
4.953	Kism Gramya Jungle (Khata Rakhit)

2.3.1. Total Area (ha) 4.9530

2.4. Total period for which the forestland is proposed to be diverted (No. of years) 99

KML Details

Division Jharsuguda Division
No. of Patches 19



NO. of Patches

KML

15

I37855568_FC_KML_1760115721253_18 (1).kml

Location Details

19

Toposheet No.	District	Village	Range	Forest land proposed for diversion (ha)	Non Forest Land (ha)
F44RI3	Jharsuguda	BUDIPADAR	Jharsuguda	0	.49
F44RI3	Jharsuguda	MAR>KUTA	Jharsuguda	4.953	107.497

Patch Details

Patch/ Segment ID	Forest Area (ha)	Non-Forest Area (ha)	Remarks if any
1	0.093	0	Plot No. 132, Khata No. 282
2	0.04	0	Plot No. 138, Khata No. 282
3	0.121	0	Plot No. 199, Khata No. 282
4	0.243	0	Plot No. 202, Khata No. 282
5	0.688	0	Plot No. 204, Khata No. 282
6	0.125	0	Plot No. 205, Khata No. 282
7	1.327	0	Plot No. 206, Khata No. 282
8	0.045	0	Plot No. 350, Khata No. 282
9	0.057	0	Plot No. 352, Khata No. 282
10	0.295	0	Plot No. 356, Khata No. 282
11	0.874	0	Plot No. 381, Khata No. 282
12	0.405	0	Plot No. 464, Khata No. 282
13	0.049	0	Plot No. 466, Khata No. 282
14	0.283	0	Plot No. 470, Khata No. 282
15	0.101	0	Plot No. 472, Khata No. 282
16	0.049	0	Plot No. 135/2735, Khata No. 282
17	0.053	0	Plot No. 135/2736, Khata No. 282
18	0.105	0	Plot No. 143/2738, Khata No. 282
19	0	0	

Remarks Details

Total project area 112.940

Total Patch-wise Forest Land in the division (ha)

2.5. Total Forest Land Area (ha)	4.9530
2.6. Total Non Forest Land Area (ha)	0.0000

Total KML-wise Forest Land in the division (ha.)

2.7. Total Forest Land Area (ha)	4.953
2.8. Total Non Forest Land Area (ha)	107.987
2.9. Total Area (ha)	112.94

3. Component Wise Break Up (Including underground works such as tunnel and similar purpose) -if applicable

Component	Forest Land Proposed for Diversion (ha)	Non-forest Land (ha)
Industry and allied purpose	4.953	107.987
4. Total Forest Land (ha)	4.953	
5. Total Non Forest Land (ha)	107.9870	
6. Upload map of the forest land proposed to be diverted prepared by using DGPS or Total Station (pdf only)	forest_compressed (1).pdf	



Afforestation Details

7. Details of land identified for Compensatory Afforestation

X

7.1. Whether Compensatory Afforestation is applicable or not?	Yes
7.1.1. Type of Compensatory Afforestation	Non-forest Land
7.1.1.1. Whether Non-forest land is available?	No

Others

8. Cost-Benefit analysis

8.1. Whether Cost-Benefit analysis for the Project has been made?	N/A
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9. Environmental clearance Details

9.1. Whether the Project requires Clearance under the Environment (Protection) Act 1986 (Environmental clearance)?	Yes
9.1.1. Status of Environmental Clearance	EC granted
9.1.1.1. Proposal No.	IA/OR/INDI/465768/2024
9.1.1.2. Date of issue of environmental clearance	01/10/2024
9.1.1.3. MoEFCC / SEIAA File Number	IA-J-11011/494/2007-IA-II(IND-I)
9.1.1.4. Upload EC Letter	xix ec_ia_or_indl_465768_2024_53063848.pdf

10. Wildlife clearance Details

10.1. Whether the Project or a part thereof is located in any Protected Area or their Eco sensitive zone?	No
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Category Specific Details

N/A

II. Copy of Additional Information, if any

S. No.	Document Name	Remark	Document
1	Demand Letter	Application Letter for submission of Online Application	demand letter (3).pdf
2	Declaration regarding Old Director	Declaration regarding Old Director as applicant in Form A Part I, Copy of Board Resolution	declaration for old director.pdf
3	Forest Patch Map	Forest Patch Map	forest.pdf
4	Project Layout map	Project Layout map	layout.pdf
5	Toposheet map 10 km	Toposheet map 10 km showing project boundary	topo sheet.pdf
6	Non forest land schedule	Non forest land schedule	vii.pdf
7	Common Undertaking	Note on project, deials of forest and non forest land, justification, certificate for minimum use, NPV, Ad. NPV, Tree enumeration, FRA, statutory permissions	iii (4)_merged.pdf
8	Undertaking for NOC from SPCB, Tribal affairs .ESZ	Undertaking for NOC from SPCB, Tribal affairs ,NO ESZ with 10 kms	xx.pdf
9	EC copy	EC copy	xix ec_ia_or_indl_465768_2024_53063848.pdf
10	Authorization	Board Resolution	xxiii ompl br authorization.pdf
11	Campa account	Undertaking for payment in CAMPA account	xxvii.pdf
12	Undertaking for SSWLCP Catchment treatment plan	Undertaking for SSWLCP & Catchment treatment plan	xxviii_xxi_merged.pdf
13	Undertaking reg. providing NPL for CA & cost	Undertaking for cost of CA, NFL CA land, Certificate from DFO of suitability, Penal CA & Payment in CAMPA.	x.pdf



Undertaking

X

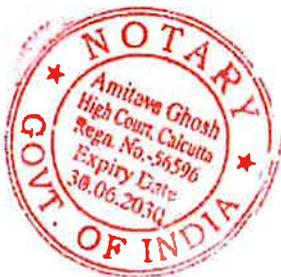
I hereby give undertaking that the data and information given in the application and enclosures are true to be best of my knowledge and belief and I am aware that if any part of the data and information is found to be false or misleading at any stage, the project will be rejected and clearance given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

12. Name	Jai Prakash Sharma
13. Designation	Director
14. Company	ORISSA METALIKS PRIVATE LIMITED
15. Address	GRASTIN PLACE, ORBIT 3RD FLOOR ROOM NO . 3B, KOLKATA
16. Date	10/10/2025



M/S ORISSA METALIKS PVT. LTD
 (Formerly M/s MSP Metallies Pvt. Ltd)
 Sr. VP (Commercial)

Orissa Metaliks Private Limited
 Jharsuguda, Odisha



Schedule XIV-Form No. 932

ଅନ୍ୟାୟକାଣ୍ଡ କେସ୍ ନଂ- 665/2025

PR No. 8272 / 06.12.2026

ଫର୍ମ 'ଖ'

9/7(1) ଧାରା ଅନୁଯାୟୀ ନୋଟିସ (OPLE Act, 1972)

[ବିଭାଗ 6(1) ଦ୍ରଷ୍ଟବ୍ୟ]

ପ୍ରାପ୍ତପୁଣ୍ଡ

ଏମ. ଏସ. ଓଡ଼ିଶା ନେତାଳିକା ଲିମିଟେଡ୍

ଠିକଣା: ଛ. କଟାପାଲି, ଝାରସୁଗୁଡ଼ା

ଯେହେତୁ ବିଧିବଦ୍ଧ ଅନୁସନ୍ଧାନ ପରେ ନିମ୍ନ ସ୍ୱାକ୍ଷରକାରୀଙ୍କର ଏହା ପ୍ରତ୍ୟୟ ହୋଇଅଛି ଯେ, ଆପଣ ନିମ୍ନ ତଦ୍ୱାରା ଉଲ୍ଲେଖ କରାଯାଇଥିବା ସରକାରୀ ଜମିକୁ ବାଦା ଅନୁମତି ରେ ବଖାଇ କରିଅଛନ୍ତି | ଏତଦ୍ୱାରା ଆପଣଙ୍କୁ ଏହି ନୋଟିସ ଦିଆଯାଇଅଛି ଯେ, ଆପଣ ଉକ୍ତ ନୋଟିସ ଦିଆଯାଇଅଛି ଯେ, ଆପଣ ଉକ୍ତ ନୋଟିସ ପାଇବାର ୩୦ ଦିନ ମଧ୍ୟରେ ଅବରୋଧ କରିଥିବା ପ୍ରୋକ୍ତ ଜମିରୁ ଅପସରି ନଗଲେ ଆପଣଙ୍କୁ ଉକ୍ତ ଜମିରୁ ସଂପୂର୍ଣ୍ଣ ରୂପେ ବେଦଖଲ କରି ଦିଆଯିବ ଏବଂ ଯେ ଜମିରେ କରାଯାଇଥିବା ଶସ୍ୟ କିମ୍ବା ଅନ୍ୟ କୌଣସି ଫସଲ ତଥା ସେଥିରେ ନିର୍ମାଣ କରାଯାଇଥିବା ଗୃହ ବା ରଖାଯାଇଥିବା ଜିନିଷ ବାକ୍ୟାସ୍ତି କରାଯିବ |

ଅନୁସୂଚୀ

ଗ୍ରାମ, ଥାନା ଓ ଜିଲ୍ଲାର ନାମ	ଖସଡ଼ାର ବିବରଣୀ	ପକାରେ ଦରକ ମୂତାବକ ଖସଡ଼ାର ସମୁଦାୟ ରକମ (Ac.)	ବେଆଇନ ଦଖଲ କରିଥିବା ଜମିର ପରିମାଣ (Ac.)	ଦଖଲ କରିଥିବା ଜମି କିଭଳି ବ୍ୟବହୃତ ହୋଇଛି
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ଛ. କଟାପାଲି ଝାରସୁଗୁଡ଼ା	ଖାତା ନଂ- 282 ପୁଟ ନଂ- 132,138,199,202,204,205,206,381 464,466,470,472 କିସମ ଗ୍ରା.କ	Ac0.23, Ac0.10, Ac0.30, Ac0.60, Ac 1.70, Ac0.31, Ac3.28, Ac2.16, Ac1.00, Ac 0.25, Ac0.70, Ac 0.12 Ac 10.75	Ac 0.23, Ac 0.10, Ac 0.30, Ac 0.60, Ac 1.70, Ac 0.31, Ac 3.28, Ac 2.16, Ac 0.84, Ac 0.25, Ac 0.70, Ac 0.12 Ac 10.59	କାରଖାନା



OK
[Signature]

- 7 JAN 2026

[Signature]
06/01/26
Addl. Tahasildar
Jharsuguda