



STATE POLLUTION CONTROL BOARD, ODISHA

[DEPARTMENT OF FOREST & ENVIRONMENT, GOVERNMENT OF ODISHA]

Paribesh Bhawan, A/118, Nilakantha Nagar, Unit – VIII
Bhubaneswar – 751 012, INDIA

No. 9342

IND-I-Con(M)1454

Date 30.09.2020

OFFICE MEMORANDUM

Guidelines for removal/transportation of already excavated mineral ore by the previous lessees from the mining leases which expired on 31.3.2020 or, any other date as per provisions of MMDR Act, 1957

Lease period of certain mining leases of iron ore, Manganese ore, Chromite ore has expired on 31.3.2020 and have been allotted through auction to the successful bidders. On expiry of the mining leases, no further excavation of mineral has been allowed by State Govt. in Steel & Mines department.

The concerned lessee shall be permitted as per Rule 12(1)(gg) of the Minerals (Other than Atomic and Hydro Carbons Energy Minerals) Concession Rules, 2016 to take down and remove for its own benefit, all or any ore mineral excavated during the currency of the lease, engines, machinery, plant, buildings structures, tramways, railways and other works, erections and conveniences which may have been erected, set up or placed by the lessee in or upon the leased lands and which the lessee is not bound to deliver to the State Government within six calendar months after paying the rents, rates and royalties payable under the Act and rules made there under or under the lease deed.

Accordingly, Steel & Mines Department have allowed removal of the ore minerals already excavated prior to expiry of the mining lease and lying in the leasehold area for a period of six months from the date of expiry of lease.

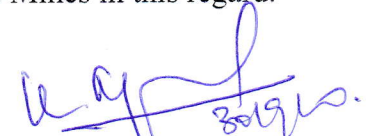
Keeping in mind the potential for water and air pollution due to activities related to transport of excavated ore, State Pollution Control Board, Odisha has earlier issued "Guidelines for removal/transportation of already excavated mineral ore by the previous lessees from the mining leases which expired on 31.3.2020" vide the Letter No. 4111/IND-I-Con(M)-1454 dated 17.04.2020.

In the meantime, a letter is received from the Director of Mines, Odisha vide letter no. MXIII-(b)-28/2016/6795/ DM dated 28.09.2020 exhibiting the validity of lease period of a mine in accordance to MMDR Act, 1957. As per the provisions under Section 8A(6) of

MMDR Act, 1957 , the period of the lease granted before MMDR Amendment Act, 2015, where mineral is used for other than captive purpose, shall be extended and be deemed to have been extended upto a period ending on 31.03.2020 w.e.f. date of expiry of the period of renewal last made, or till completion of renewal period , if any, or a period of 50 years from the date of grant of such lease whichever is later, subject to the condition that all the terms and conditions of the lease have been complied with.

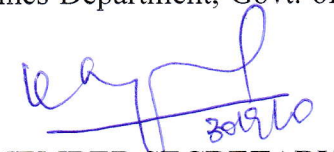
As the Board's Guideline dated 17.04.2020 is only applicable to the leases expiring on 31.3.2020, this guideline is issued and applicable to the leases which are expiring as per the provisions of MMDR Act, 1957, after 31.03.2020, and will carry out the evacuation activities as per the Rule 12(1)(gg) of the Minerals (Other than Atomic and Hydro Carbons Energy Minerals) Concession Rules, 2016, as explained in Para-2, with permission from Department of Steel & Mines, Govt. of Odisha. The outgoing lessee is not required to obtain Consent to Operate under the Water (PCP) Act, 1974 and the Air (PCP) Act, 1981 for evacuation and transportation of already excavated ore, since they have already obtained Consent to Operate for the production of ore during period of lease validity. However, all other conditions stipulated in the earlier Guideline dated 17.04.2020 shall be scrupulously followed for control of air and water pollution during carrying out these activities.

This guideline shall be applicable for the period of transportation of already excavated ore and is upto the period allowed by the Department of Steel & Mines, Govt. of Odisha, or as may be extended the State Government in Department of Steel & Mines in this regard.


MEMBER SECRETARY

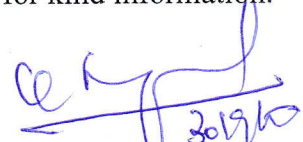
Memo No. 9343 /Dt. 30.09.2020

Copy forwarded to the Addl. Chief Secretary, Steel and Mines Department, Govt. of Odisha for kind information.


MEMBER SECRETARY

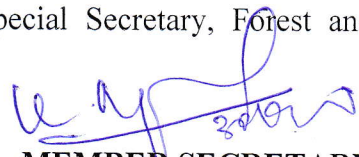
Memo No. 9344 /Dt. 30.09.2020

Copy forwarded to the Director of Mines, Govt. of Odisha for kind information.


MEMBER SECRETARY

Memo No. 9345 /Dt. 30.09.2020 /

Copy forwarded to the Director, Environment-cum-Special Secretary, Forest and Environment, Govt. of Odisha for kind information.



MEMBER SECRETARY

Memo No. 9346 /Dt. 30.09.2020 /

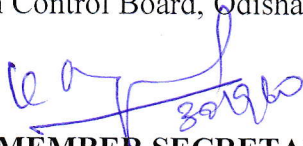
Copy forwarded to all the Branch Officers / SLO L-II, State Pollution Control Board, Odisha for information and necessary action.



MEMBER SECRETARY

Memo No. 9347 /Dt. 30.09.2020 /

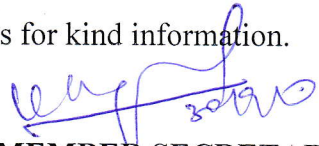
Copy forwarded to all the Regional Officer, State Pollution Control Board, Odisha for information and necessary action.



MEMBER SECRETARY

Memo No. 9348 /Dt. 30.09.2020 /

Copy forwarded to the all District Magistrate and Collectors for kind information.



MEMBER SECRETARY

Memo No. 9349 /Dt. 30.09.2020 /

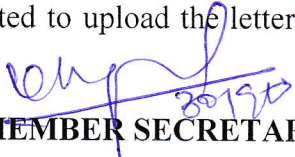
Copy forwarded to all the concerned Lessees for information and necessary action.



MEMBER SECRETARY

Memo No. 9350 /Dt. 30.09.2020 /

Copy forwarded to all the Smt. Mamata Pattnaik, Env. Engineer-cum-System Administrator for information and necessary action. She is requested to upload the letter in Board's website for public view.



MEMBER SECRETARY