

File No. 10-68/2018-IA.III.
[Proposal No. IA/OR/MIS/74417/2018]

Government of India
Ministry of Environment, Forest and Climate Change
(Impact Assessment Division)

Indira Paryavaran Bhawan,
Jor Bagh Road, Ali Ganj
New Delhi – 110 003

Dated: 31st January, 2024

To,

M/s JSW UTKAL STEEL LIMITED
JSW Utkal Steel Limited, Plot No. 3, Forest Park,
Bhubaneswar, Khordha, Orissa-751009.

Subject: Development of All-weather, Multi cargo, Greenfield Captive Jetty(ies) for handling capacity 52 MTPA at Jatadhari Muhan River, Dist. Jagatsinghpur, Odisha by M/s JSW Utkal Steel Ltd- Re-validation of Environmental Clearance reg.

Ref: (i) Ministry's EC vide letter No. 10-68/2018-IA-III dated 12th April, 2022.
(ii) Order of Hon'ble NGT dated 20.03.2023 [in the matter of Prafulla Samantray Vs. Union of India & Ors. vide Appeal No. 21 of 2022/EZ (I.A. No. 167/2022/EZ)].
(iii) Order of Hon'ble Supreme Court in Civil Appeal nos. 3657-3658 of 2023 dated 15-5-2023

Sir,

This is with reference to the Order of Hon'ble NGT dated 20.03.2023 [in the matter of Prafulla Samantray Vs. Union of India & Ors. vide Appeal No. 21 of 2022/EZ (I.A. No. 167/2022/EZ)] with regard to the above mentioned project. The Hon'ble NGT disposed the cases with certain directions to the EACs concerned. Further, the Hon'ble Supreme Court of India in its Order of Civil Appeal nos. 3657-3658 of 2023 dated 15-5-2023 also issued a direction in this regard. In this context, the Proposal was referred to the EAC (Infra- I) in compliance to the directions of the Hon'ble Supreme Court and that of NGT in respect of matter pertaining to it.

2. The Environment Clearance was granted to M/s. JSW Utkal Steel Limited [JSW USL] by the Ministry vide letter No. 10-68/2018-IA-III dated 12.04.2022 for development of All-weather, Multi cargo, Greenfield Captive Jetty(ies) for handling capacity 52 MTPA at Jatadhari Muhan River, Dist. Jagatsinghpur, Odisha by M/s JSW Utkal Steel Ltd.

3. It is mentioned that Appeals vide 21-22 of 2022 titled Prafulla Samantray Vs. Union of India & Ors. were filed before the Hon'ble National Green Tribunal (Eastern Zone). The Environment Clearance for setting up of the ISP and Cement Grinding Unit was challenged in Appeal No. 21/2022 and the Environment Clearance dated 12.04.2022 for setting up the Captive Jetty was challenged in Appeal No. 22/2022 before the same Bench. Both the Appeals were connected and were heard together at length during the proceedings.

4. The Hon'ble NGT, vide its judgment dated 20.03.2023 allowed the Appeals and suspended the Environment Clearance granted for both the projects. Accordingly, Hon'ble NGT remitted the matter to MoEF&CC for fresh appraisal and decision by MoEF&CC in the light of observations made in the judgement. Further, the Hon'ble Supreme Court of India in its Order related to the Civil Appeal nos. 3657-3658 of 2023 dated 15-5-2023 directed that *"after the appellants ventilate their grievances by raising complaints in the representation before the EAC within a period of three weeks from today, the EAC, when it passes an order which is a reasoned order as directed*



by the NGT, the same will be taken into consideration. The appeals are disposed of on the said terms”.

5. Accordingly, the matter has been examined in the Ministry and the matter was placed before the Expert Appraisal Committee (Infra-I) in its 324th meeting held on 21st April 2023, 330th EAC (Infra-I) meeting held on 19-20 June, 2023 and 349th EAC(Infra-I) meeting held on 15th December, 2023.

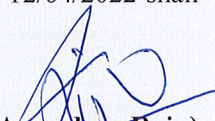
6. The EAC(Infra-I) Committee deliberated on the directions issued by the Hon'ble NGT and Hon'ble Supreme Court along with its concerned issues and the Committee was of the view that the concerns raised by Hon'ble NGT mostly related to the EAC – Industry-I sector.

7. Regarding the issue related to location of the Jetty, the NGT had noted Meena Gupta Committee Report dated 18.10.2010 which inter-alia mentioned that the Jetty referred to in the EC issued on 12.4.22, was located within 500 meters from the Paradeep Port. It was clarified by the PP during the meeting that Paradeep Port is located beyond 12 km from the proposed captive jetties of JSWUSL. PP also submitted necessary supporting documents in this regard. The Committee took note of the submissions made by the PP and found them in order.

8. The Ministry of Environment, Forest and Climate Change has considered the proposal based on the recommendations of the Expert Appraisal Committee (Infrastructure, CRZ and other Miscellaneous projects) and concluded that the EC issued for “All- weather, Multi cargo Greenfield Captive Jetty (ies) of handling capacity of 52 MTPA at JatadhariMuhan River, district Jagatsinghpur, Orissa”, dated 12.04.2022 by M/s. JSW Utkal Steel Limited" was in order and noted that no grievance had been submitted before the EAC(Infra -I) by the Appealant as directed by Hon'ble Supreme Court necessitating fresh appraisal or re-validation of its previously recommended EC.


9. Accordingly, in view of the factual position as outlined above, the terms and conditions mentioned in the EC & CRZ clearance vide letter no. 10-68/2018-IA-III dated 12/04/2022 shall remain unchanged.

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


(Amardeep Raju)
Scientist-E

Copy to:

1. The Secretary, Department of Environment, Government of Odisha, Bhubaneswar.
2. The Regional Officer, Ministry of Environment, Forest and Climate Change, IRO, A/3, Chandrasekharpur, Bhubaneswar-751 023.
3. The Chairman, Central Pollution Control Board, Parivesh Bhawan, CBD-cum-Office.
4. The Chairman, Odisha Pollution Control Board, Parivesh Bhawan, A/118 Nilakantha Nagar, New Delhi 751012.
5. Monitoring Cell, MoEF&CC, Indira Paryavaran Bhavan, New Delhi.
6. Guard File/Record File.
7. Notice Board.


(Amardeep Raju)
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