



ANNEXURE - XVII

The Additional Secretary to Govt.  
Steel & Mines Department,  
Govt. of Odisha  
Bhubaneswar

No.TSL/ML/ 0925 /2014  
31 May, 2014

Ref. L.No.4076 dtd. 31.5.2014

Sub: Application for 3<sup>rd</sup> Renewal of Mining Lease dated 05.01.1999 over an area of 464 hectares in village- Bamebari, Jaribahal and Baneikala (Bamebari Mines), Keonjhar District.

Dear Sir

This has reference to your above referred letter received by us on 31<sup>st</sup> May'14. We accept the Terms and Conditions mentioned therein.

We would request you to kindly allow us to restart the operations of our above Mine with immediate effect, since they are closed with effect from 17<sup>th</sup> May, 2014 and any further delay will lead to severe operational difficulties in our plants due to acute shortage of raw materials.

Thanking you

Yours sincerely

Rajeev Singh  
Vice President (Raw Materials)

**TATA STEEL LIMITED**

Office of the Chief Resident Executive 273 Bhoama Nagar Unit IV Bhubaneswar 751001 India  
Tel 91 674 2293225 2513104 Fax 91 674 2513169  
Registered Office Bombay House 24 Hornby Road Street Mumbai 400 001

GOVERNMENT OF ODISHA  
STEEL & MINES DEPARTMENT

No. 4076 /SM. Bhubaneswar, the 31.5-20/4  
III (A) SM-06/2006

Sub: Application for 3<sup>rd</sup> Renewal of Mining Lease dated 05.01.1999 submitted by **M/s TISCO Ltd** in respect of an area of 464 ha in Village Bamebari, Jaribahal and Baneikala (**Bamebari Mines**), district -Keonjhar.

**Order:**

Whereas a mining lease was granted in favour of M/s. TISCO Ltd over an area of 1150.550 ha for iron & manganese in village - Bamebari, Jaribahal and Baneikala of Keonjhar district for 30 years from 01.04.1930 to 31.03.1960;

Whereas the said lease expired on 31.03.1960;

Whereas, the 1<sup>st</sup> renewal of lease was granted for the entire area over 1150.550 ha for 20 years from 01.04.1960 to 31.03.1980 in favour of the applicant company;

Whereas, the 2<sup>nd</sup> renewal of lease was granted for the entire area over 1150.550 ha for 20 years from 01.04.1980 to 31.03.2000 and lease deed was executed 15.05.1985 and registered on 14.10.1985;

Whereas the applicant filed application for 3<sup>rd</sup> renewal of the mining lease on 05.01.1999 for iron & manganese over an area of 464 ha out of the original granted area of 1150.550 ha which is before one year prior to the expiry of the 2<sup>nd</sup> RML period;

Whereas the mineral in the land in respect of which the renewal application has been submitted belongs to the State Government;

Whereas, the applicant has carried on mining operations in a scientific and systematic manner as per approved plans of IBM. IBM vide their report has submitted that Government of India has granted relaxation of the provision u/s 6(1)(b) of MMDR Act. IBM has further reported that keeping in view the availability of the mineral, satisfactory compliance of statutory provisions, 3<sup>rd</sup> renewal is worth consideration;



Whereas the State Government have in the interest of mineral development, decided to consider 3<sup>rd</sup> renewal of ML over the area of 464 ha under the provisions of Section 8(3) of M&M(D&R) Act, 1957 and rule 24A(3) of M.C. Rules, 1960 for the following reasons;

- i. The applicant has put up beneficiation plants for up-gradation of the low grade ore and has adopted scientific mining in the interest of mineral conservation;
- ii. The IBM officials have inspected the mines from time to time under MCDR, 1988 and have reported satisfactory compliance. The Chief Controller of Mines, IBM, Nagpur has recommended to consider 3<sup>rd</sup> renewal of the mining leases in favour of Tata Steel, keeping in view the availability of mineral and satisfactory compliance of statutory provisions.
- iii. The company is committed to utilize the raised minerals for captive consumption in their plants for value addition in line with the stated policy of Government of Orissa. Some of such plants area also located outside the State;
- iv. Since the lessee-company has been utilizing the minerals for captive consumption in its plants and is committed to continue with this practice, as per provisions of rule 24(B) of M.C. Rules, 1960, the applicant-company is entitled for the renewal;

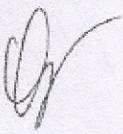
Whereas, the applicant has valid Forest Clearance for part forest area involved and has paid the required NPV for the forest area involved, valid Environmental Clearance, Consent to Operate and valid mining plan for the proposed renewal;

Whereas, any stoppage of supply of Iron & Manganese Ore to the Steel Plant established by the applicant will not only jeopardize the operation of the said plant and endangering thousands of jobs but will also result in loss to the State as well as national exchequer. Moreover, prolonged closure of the units like Blast Furnace may permanently damage the health of the equipments beyond revival;

Whereas, the continuation of mining operation in the applied area is critical to the availability of raw material for the steel industry of the applicant;

Therefore, the State Government are hereby pleased to order that 3<sup>rd</sup> renewal of mining lease in respect of an area of 464 hectares in village Bamebari, Baneikala and Jaribahal of Keonjhar district be granted to M/s. TISCO Ltd under section 8 (3) of M&M (D&R) Act, subject to the acceptance of the following terms and conditions by the applicant.



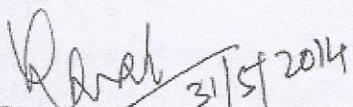
- i) Royalty and dead rent shall be paid at rates provided in the Mines and Minerals (Development & Regulation) Act, 1957 and as amended from time to time. Further, the applicant shall promptly and duly make payment of any fee, rent, cess, charge, levy or imposition pursuant to any new enactment or amendment of an existing enactment or any further directions of the Government from time to time.
  - ii) Surface rent should be paid at the rate as may be fixed from time to time by Government.
  - iii) The period of the grant of the renewal of mining lease will be ordinarily reckoned as 20 years from the date immediately following the expiration of the previous lease, but the lease deed will be executed prospectively for the balance period available as on the date of the execution of the lease deed out of the said 20 years. The period prior to the date of execution of the deed will be decided later according to law.
  - iv) An amount of Rs. 10,000/- (Ten thousand) should be deposited towards security deposit for due observance of the terms and conditions stated above. The deposit shall be forfeited to the State if the conditions are not observed in addition to such other remedies or action as may be available under the law.
  - v) The proposed assignment will be liable to cancellation if it be found that it was in excess of the limits of the authority possessed by the State Government.
  - vi) The proposed assignment will be subject to the result of any appeal or revision that may be preferred by any aggrieved applicant against the decision of the State Govt. granting lease and in the event of cancellation of the assignment or the decision of Govt. of Odisha to lease out the area to the applicant either on such appeal or in revision, the applicant shall not be entitled to compensation for anything done or attempted to be done in pursuance of the order.
  - vii) The applicant shall not cut any tree or clear the forest during the mining operation without prior approval of the Central Government. He shall not also cause damage to any objectionable land during mining operation.
  - viii) The area should be surveyed and demarcated by the State Govt. at the expense of the applicant as required under rule 33 of the Mineral Concession Rules, 1960. The applicant should deposit the required amount of survey and demarcation fees within two weeks of the receipt of the grant order.
  - ix) The mined out area shall be reclaimed to the satisfaction of the State Govt. before the pits are abandoned.
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- x) The assignment is subject to the conditions that, subject to the provisions of Article-226 of the Constitution of India, any suit/petition in relation to any dispute arising out of or in connection with the grant and operation of the mining lease shall be filed in only the Civil Courts in the State of Odisha.
- xi) The assignment is subject to the conditions stipulated by MoEF, Govt. of India in their letter No. F-No-8-72/2004-FC, dated-25.01.2007.
- xii) The applicant company shall have to fulfill all the statutory /regulatory requirements under M&M (D&R) Act, 1957, Mineral Concession Rules, 1960 and Mineral Conservation & Development Rules, 1988 as well as other Acts, Rules and Regulations and Govt. Notifications / procedures governing establishment and operation of mines during the period of lease.
- xiii) The grant of renewal shall also be subject to outcome of the proceedings on the findings, contained in the report furnished by the Commission of Inquiry established under Justice M.B. Shah, which is under judicial scrutiny.
- xiv) In particular, the grant of renewal shall be subject to the provisions of the Odisha Scheduled Areas Transfer of Immovable Property (by Scheduled Tribes) Regulation, 1956 (Odisha Regulation 2 of 1956) and the Forest (Conservation) Act, 1980 and the area proposed to be demised under the mining lease will automatically exclude such area(s) in respect of which the applicant fails to obtain clearances under the said Acts.
- xv) The Grant of renewal is subject to compliance of Rule 29 and 29A of MCR 1960 regarding surrender of the area.
- xvi) The proposed assignment shall further be subject to due compliance of decision in judicial/quasi-judicial proceedings on the demand raised u/s 21(5) of the MMDR Act for excess production.
- xvii) The applicant shall pay Stamp duty and registration fees as applicable on the date of execution of renewal lease deed.
- xviii) The assignment proposed herein is without prejudice to the rights and contentions of the State Govt. in pending proceedings, if any, whether administrative, judicial or quasi-judicial.
- xix) The mineral raised will be for exclusive use of existing industry in terms of resolution No. 7264-IV (AB) SM-10/2011-SM dated 03.10.2012 and will not be sold or exported. The mineral raised will be used in the 3 MTPA plant at Kalingnagar, Jajpur which is to be enhanced to 6 MTPA and also for meeting the captive requirement for other existing steel plants belonging to Tata Steel located within the country.
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- xx) The applicant company shall undertake a detailed exploration of the left out areas in respect of both forest and non forest areas following due procedure of law within a period of 5 years from the date of grant of renewal.

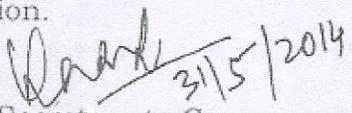
The applicant will be allowed to resume operations on acceptance of above terms and conditions. A mining lease deed shall be executed within three months of the receipt of communication from the applicant signifying the acceptance of the above terms and conditions.

By Order of the Governor

  
Additional Secretary to Government

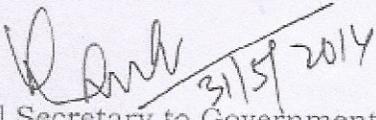
Memo No. 4077/SM Date 31-5-2014

Copy forwarded to M/s TATA IRON & STEEL CO LTD. Mines Division, Office of the General Manager, Ore Mines & Quarries. AT/Po-Noamundi-833217, Dist-West Singhbhum (Bihar) for information.

  
Additional Secretary to Government

Memo No. 4078/SM Date 31-5-2014

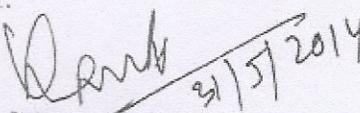
Copy forwarded to the Director of Mines, Odisha, Bhubaneswar / Collector, Keonjhar / DDM, Joda for information and necessary action.

  
Additional Secretary to Government

Memo No. 4079/SM

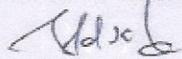
Date 31-5-2014

Copy forwarded to the Special Secretary, Forest & Environment Department / Member Secretary, SPCB / Regional Controller of Mines, IBM, Bhubaneswar for information and necessary action.

  
Additional Secretary to Government

FOR TATA STEEL LTD.

By their Constituted Attorney



(GANESH PRASAD SAHU)

Head (Ferro Alloys Production)  
Ferro Alloys & Minerals Division)