



Government of Maharashtra

Industry, Energy, Labour and Mining Department,

1st Floor, Annex Building, Hutatma Rajguru chowk, Mantralaya, Mumbai- 32.

Email ID :- laxmikant.dhoke@nic.in

Tel.No.- 022-22824519

No.- MMN-0518/C.R.30/Ind-9(A)

Date :- 19/07/2024

To,
The Secretary
Government of India
Ministry of Mines
Shastri Bhawan, Dr. Rajendra Prasad Road
New Delhi – 110 001
Email: secy-mines@nic.in

Subject: Condonation of 21 months and 17 days in the 5 Years Period of LOI for Guguldoh Manganese Ore Block on account of delay in issuance of LOI Extension for Guguldoh Manganese Ore Block.

Ref.:- 1) Director General, Directorate of Geology and Mining, Maharashtra State, Nagpur Letter no. MLV/N / 996/ (18) / 2024/1123 dt.03/04/2024.
2) Under Secretary, Ministry of Mines, Govt. of India, Letter no.16/51/2023-Mines VI dt.9/04/2024
3) Our office Letter no. MMN-0518/C.R.30/Ind-9(A) dated 28/05/2024.
4) Request letter of Shanti G.D.Ispat and Power Pvt.Ltd. dated 08/07/2024

Respected Sir,

Pursuant to the fourth phase of E-auction of major minerals under the MMDR Amendment Act 2015 and the policy of the Central Government, M/s. Shanti G.D. Ispat and Power Pvt.Ltd. over an Area of 105 hector at Guguldoh, Tah. Ramtek, Dist. Nagpur have been approved for ML of Manganese mineral. LOI was granted to the company as per Government letter dated 05/06/2018. Further on the request of the company, the said Letter of Intent has been extended twice up to 04/06/2023 as per Government letter dated 21/03/2022 and upto 04/12/2023, as per Central Government letter dated 07/07/2023.

Vide letter dated 24/05/2024 it has been informed by the State Government that the Company has fulfilled the following terms and conditions as per the terms of Letter of Intent:-

1. First installment Rs.6,14,215/- of upfront payment dated 03/05/2018 and second installment of Rs.6,14,218/- of upfront payment dated 14/05/2022 have been deposited to the government.

2. IBM Nagpur has approved the mining plan on 18/09/2019
3. NOC obtained from Mandri Gramsabha on 05/03/2020
4. NOC obtained from Groundwater Department
5. Public hearing was conducted on 10/07/2023. The minutes of meeting of the said hearing have been forwarded from Maharashtra State pollution Control Board Nagpur to Maharashtra State pollution Control Board Mumbai and is pending for further action.

At present, due to the expiry of the timeline mentioned in the Letter of Intent, the bidder has to stop the activities like process of obtaining FC and EC. As per their references Bidder has requested to exclude the Covid period from the period of Letter of Intent. Also on 20/10/2023 as per the instructions given in the meeting held with the Hon'ble Secretary, Ministry of Mines, New Delhi, it was directed that the issue of extending the period of Letter of Intent should be referred as a special case to Ministry of Mines. Therefore, the above facts are being already submitted for necessary action vide letter dated 24/05/2024 to Government.

After that, the Bidder has again requested the State Government vide letter dated 08/07/2024 to send the proposal under section 31 of MMDR Act to the Central Government for seeking extension of 21 months and 17 days to the LoI. Therefore, the State Government wants to seek guidance on this issue of extension to Letter of Intent as per Section 31 of the Mines and Minerals (Development and Regulation) Amendment Act, 2015. Hence, in the interest of Mineral Development and delay happened due to Covid-19 period, the Government of India is being requested to guide on this issue and allow further extension to the Letter of Intent as requested by the Bidder.

Yours sincerely



(Laxmikant Dhoke)

Joint Secretary

Government of Maharashtra

Encl: As above

Copy to:

M/s Shanti G. D. Ispat and Power Pvt. Ltd., 504, 4th Floor, Rajiv Gandhi Complex, Kutchery Chowk, Raipur, (CG) – 492 001.



Government of Maharashtra

Industry, Energy, Labour and Mining Department,

1st Floor, Annex Building, Hutatma Rajguru chowk, Mantralaya, Mumbai- 32.

Email ID :- laxmikant.dhoke@nic.in

Tel.No.- 022-22824519

No.- MMN-0518/C.R.30/Ind-9(A)

Date :- 28/05/2024

To,
The Secretary
Government of India
Ministry of Mines
Shastri Bhawan, Dr. Rajendra Prasad Road
New Delhi – 110 001
Email: secy-mines@nic.in

Subject: Condonation of 21 months and 17 days in the 5 Years Period of LOI for Guguldoh Manganese Ore Block on account of delay in issuance of LOI Extension for Guguldoh Manganese Ore Block.

Ref.:- 1) Director General, Directorate of Geology and Mining, Maharashtra State, Nagpur Letter no.MLV/N / 996/ (18) / 2024/1123 dt.03/04/2024.
2) Under Secretary, Ministry of Mines, Govt. of India, Letter no.16/51/2023-Mines VI dt.9/04/2024

Respected Sir,

Pursuant to the fourth phase of E-auction of major minerals under the MMDR Amendment Act 2015 and the policy of the Central Government, M/s. Shanti G.D. Ispat and Power Pvt.Ltd. over an Area of 105 hector at Guguldoh, Tah. Ramtek, Dist. Nagpur have been approved for ML of manganese mineral. LOI was granted to the company as per Government letter dated 05/06/2018. Further on the request of the company, the said letter of intent has been extended twice up to 04/06/2023 as per Government letter dated 21/03/2022 and upto 04/12/2023, as per Central Government letter dated 07/07/2023.

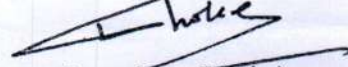
The Company has fulfilled the following terms and conditions as per the terms of Letter of Intent:-

1. First installment Rs.6,14,215/- of upfront payment dated 03/05/2018 and second installment of Rs.6,14,218/- of upfront payment dated 14/05/2022 have been deposited to the government.
2. IBM Nagpur has approved the mining plan on 18/09/2019
3. NOC obtained from Mandri Gramsabha on 05/03/2020
4. NOC obtained from groundwater Department
5. Public hearing was conducted on 10/07/2023. The minutes of meeting of the said hearing have been forwarded from Maharashtra State pollution Control

Board Nagpur to Maharashtra State pollution Control Board Mumbai and is pending for further action.

At present, due to the expiry of the Letter of Intent, the bidder have to stop the activities like process of obtaining FC and EC. As per their references bidder has requested to exclude the Covid period from the period of Letter of Intent. Also on 20/10/2023 as per the instructions given in the meeting held with the Hon'ble Secretary, Ministry of Mines, New Delhi, it was directed that the issue of extending the period of Letter of Intent should be referred as a special case to Ministry of Mines. Therefore, the above facts are being submitted for necessary action.

Yours sincerely



(Laxmikant Dhoke)

Joint Secretary

Government of Maharashtra

3C

Encl: As above

Copy to:

M/s Shanti G. D. Ispat and Power Pvt. Ltd., 504, 4th Floor, Rajiv Gandhi Complex, Kutchery Chowk, Raipur, (CG) – 492 001.

मेल के ल 1
29/05/24
(12:43 PM)
निर्गमित के ल
29/05/24

SHANTI G.D. ISPAT & POWER PRIVATE LIMITED

CIN : U23201CT1994PTC008192



RE: 07/SGDIPL/GOMB/ACS/2024

Raipur, Dated 8th July, 2024

To,

The Additional Chief Secretary (Mining)

Government of Maharashtra

Industry, Energy, Labour and Mining Department, Mantralaya

1st Floor, Annex Building, Mantralaya

Hutatma Rajguru Chowk, Mumbai – 400 032

Email: psec.industry@maharashtra.gov.in

Subject: Condonation of 21 Months and 17 Days in the 5 Years Period of
LOI for Guguldoh Manganese Ore Block on account of delay
in issuance of LOI Extension.

Reference: Your Letter No. MMN-0518/C.R.30/Ind-9(A), dated 28.05.2024
addressed to the Secretary, Government of India, Ministry of
Mines, Shastri Bhawan, New Delhi (Copy enclosed).

Respected Sir,

Your kind attention is drawn towards your referred letter on the above-mentioned subject. As you are well aware that the LOI period for Guguldoh Manganese Ore Block has already expired on dated 04.12.2023, consequently all further actions namely; the pending matters of Forest Clearance, Wildlife Clearance and Environmental Clearance could not be progressed for want of validity of LOI of this Guguldoh Manganese Ore Block.

Therefore, it is our humble submission that the Government of Maharashtra may please consider to forward a request to the Secretary, Government of India, Ministry of Mines in continuation of the above mentioned letter to pass an order under Section 31 of the Mines and Minerals (Development and Regulation)

Head Office: 402, 504, Rajiv Gandhi
Kutchery Chowk, Raipur 492001 (C.G.)



SHANTI
DEFINED BY GROWTH

T 0771 4243000/01/02
F 0771 4243031

Page 1 of 2
E 15mw.project@gmail.com
W www.shantigd.com

Site Address : Village-Mahuda, Tehsil - Champa, Dist.- Janjgir-Champa (C.G.)

Power | Oil & Gas | Mining | Commodity Trading | Skill Development

Amendment Act, 2015 allowing additional time of 21 months and 17 days from the date of order of the Central Government on the basis of delay caused in this case due to administrative reasons at the level of the Government of Maharashtra.

With Regards

Sincerely yours

For, M/s Shanti G. D. Ispat and Power Pvt. Ltd.

(S. K. Pandey)
President & CEO



Enclosure: As above

CC:

1. The Secretary, Government of India, Ministry of Mines, Shastri Bhawan, Dr. Rajendra Prasad Road, New Delhi – 110 001. Email: secy-mines@nic.in
For information and consideration, please.
2. Director General, Directorate of Geology and Mining, Government of Maharashtra, "Khanij Bhawan", Plot No.27, Shivaji Nagar, Cement Road, Nagpur: – 440 010, Email: dg@mahdgm.gov.in
In reference to their Letter No. MLV/N/996/(18)/2024/1123, dated 03.04.2024 addressed to the Additional Chief Secretary (Mining), Government of Maharashtra, Industry, Energy, Labour and Mining Department for information and necessary action, please.

66/8/2024



880615

Government of Maharashtra

Industry, Energy, Labour and Mining Department,

1st Floor, Annex Building, Hutatma Rajguru chowk, Mantralaya, Mumbai- 32.

Email ID :- laxmikant.dhoke@nic.in

Tel.No.-022-22824519

No.-MMN-0518/C.R.30/Ind-9(A)

Date :-28/05/2024

To,
The Secretary
Government of India
Ministry of Mines
Shastri Bhawan, Dr. Rajendra Prasad Road
New Delhi – 110 001
Email: secy-mines@nic.in

Subject: Condonation of 21 months and 17 days in the 5 Years Period of LOI for Guguldoh Manganese Ore Block on account of delay in issuance of LOI Extension for Guguldoh Manganese Ore Block.

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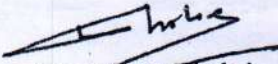
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Yours sincerely



(Laxmikant Dhoke)

Joint Secretary

Government of Maharashtra

Encl: As above

Copy to:

M/s Shanti G. D. Ispat and Power Pvt. Ltd., 504, 4th Floor, Rajiv Gandhi Complex, Kutchery Chowk, Raipur, (CG) - 492 001.



Government of Maharashtra

Industry, Energy and Labour Department.

Ground Floor, Annex Building, Hutatma Rajguru Chowk, Mantralaya, Mumbai-32.

Email ID :- ravindra.gurav@nic.in

Mob.No.-8652835960

No.-MNG-0518/C.R.30/Ind-9(A)

Date :- 19 May, 2023.

To.

The Secretary,
Ministry of Mines,
Government of India,
Shastri Bhawan, Dr. Rajendra Prasad Road,
New Delhi - 1010 001.

Sub.-Exemption for 21 months and 17 days in the 5 Years Period of
LOI for Guguldoh Manganese Ore Block on account of delay in
issuance of LOI Extension.

Ref.-P.G.Portal Application No. PMOPG/F/2023/0018975 forwarded
to this Office through the Ministry of Mines, Government of
India.

Res. Sir,

M/s Shanti G. D. Ispat and Power Pvt. Ltd. has been allotted Guguldoh Manganese Ore Block for Mining Lease in the State of Maharashtra through e-Auction process and Letter of Intent (LOI) is issued vide Letter No. MMN-0518/C.R.30/Industry-9 dated 05.06.2018 for 2 years period, which was valid up to 04.06.2020. The allottee has deposited Rs. 12,28,436 to the Government of Maharashtra as First and Second Installments of Upfront Payments.

This Guguldoh Manganese Ore Block has been prospected by the Geological Survey of India. On the basis of the Geological Report of GSI the Mining Plan is approved by the Indian Bureau of Mines on 18.09.2019.

The Block is having a total area of 105 Hectares out of which 99.95 Hectares is a Forest Land. Therefore, the project proponent was required to obtain Forest Clearance. Although the Block is outside of the Buffer Zone/ ESZ area, the Forest Department has pointed out the occasional movement of Schedule -I Wildlife in the eastern part of this Block. Hence, the project proponent was required to obtain Forest Clearance as well as Wildlife Clearance also.

After approval of the Principal Chief Conservator of Forest & Head of Forest Force (PCCF) the proposal for the Forest Clearance has been forwarded to the Forest Department Government of Maharashtra, on 27.04.2023 for further necessary action.

The project proponent has submitted the Wildlife Mitigation Plan which was put up before the State Wildlife Board in the meeting held on 21.09.2022. In this meeting it was suggested by the State Wildlife Board that the Wildlife Mitigation Plan be prepared through reputed and experienced agency. As suggested by the Board, the Wildlife Mitigation Plan was got technically verified from the Chandrapur Forest Academy of Administration and Management of Government of Maharashtra. The Wildlife Clearance proposal was again submitted, which was considered in the State Wildlife Board Meeting held on 02.05.2023.

The project proponent got the No-Objection Certificate from the concerned Gram Sabha. No Objection Certificate (NOC) for Ground Water Abstraction has been obtained from the Central Ground Water Authority (CGWA). The Terms of Reference (TOR) for the Environment Clearance has been issued by the Ministry of Environment, Forest and Climate Change (MoEF & CC). The EIA/EMP Reports have been submitted to the Maharashtra Pollution Control Board. The date of Public Hearing is expected soon.

In the light of period consumed in getting the Forest, Wildlife and Environmental Clearances, the project proponent has requested for extension of period of LOI for further 3 years as per rules on dated 12.05.2020, before the expiry of validity years period that was due on 04.06.2020.

Unfortunately, in the year 2020 the pandemic Covid-19 broke out and lockdown was imposed from 24.03.2020 in the entire country. The Maharashtra State also badly suffered from Covid-19 pandemic. The frequent lockdowns and other restrictions remained continued for about 2 years, which adversely affected the working at the field level as well as at the office levels also. Therefore, the Order of Extension in LOI was issued by Government of Maharashtra on 21.03.2022. As a result, the project proponent could not take up any activity from 04.06.2020 to 21.03.2022 for a period of 21 months and 17 days. Therefore, the process of Forest, Wildlife and Environmental Clearances remained in abeyance.

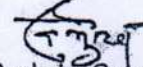
The project proponent has also drawn the attention towards the Force Majeure Clause of "epidemic or pandemic" mentioned in the Mine Development and Production Agreement (MDPA), in Clause 17 and have requested for the exemption of the period from 05.06.2020 to 21.03.2022 (21 months and 17 days delay in renewal of LOI) on account of Covid-19 pandemic.

In support of their argument for the said exemption, the allottee company has also drawn the attention towards the Order, dated 10.01.2022 passed in Suo Motu writ petition (C) 3/2020 by the Hon'ble Supreme Court of India. (Copy enclosed)

Looking to the sincere efforts being made by the allottee company, and, the delay caused in issuance of extension of validity of LOI due to unavoidable reasons of Covid-19 pandemic, it seems pertinent that the exemption of the requested period from 05.06.2020 to 21.03.2020 (21 months and 17 days delay) may be condoned.

Hence you have requested to look into the matter and guide to us on this issue with your opinion.

Yours Sincerely


(Ravindra Guxay)
Joint Secretary,

Government of Maharashtra.

Encl.-As above

Copy to:
Shri. S.K. Pandey, President & CEO
M/S. SHANTI G.D. ISPAT & POWER PVT. LTD.
402, 504, Rajiv Gandhi Complex,
Bal Ashram Compound, Kutchery Chowk,
Raipur-492001 (Chattisgarh)



Government of Maharashtra
Industry, Energy and Labour Department
Ground Floor, Annex Building, Hutatma Rajguru Chowk
Mantralaya, Mumbai- 32.
ID :- Laxmikant.Dhoke@nic.in Mob No.9819177640



:MNG -0518/C.R.30/Ind-9(A)

Date :11.9.2023

To,

The Secretary
Government of India
Ministry of Mines
Shastri Bhawan, Dr. Rajendra Prasad Road
New Delhi - 1010 001
Email: secy-mines@nic.in

Subject: Exemption for 21 months and 17 days in the 5 Years Period of
LOI for Guguldoh Manganese Ore Block on account of delay in
issuance of LOI Extension.

Reference: Our letter Dated 19.05.2023

Respected Sir,

In this regard, please refer this office letter No. MNG-0518/C.R.30/Ind-9(A), dated 19.05.2023 on the subject mentioned above. It is to bring to your kind notice that the Preferred Bidder of Guguldoh Manganese Ore Block M/s Shanti G. D. Ispat and Power Pvt. Ltd. is constantly requesting the Government of Maharashtra for taking an early decision in their case so that the activities for various statutory clearances may be taken up.

As we have already mentioned in our earlier Letter dated 19.05.2023, the Project Proponent was initially granted LOI for 2 years period, which was valid up to 04.06.2020. Unfortunately, in the year 2020 the pandemic Covid-19 broke out and lockdown was imposed from 24.03.2020 in the entire country. The Maharashtra State also badly suffered from Covid-19 pandemic. The frequent lockdowns and other restrictions remained continued for about 2 years, which adversely affected the working at the field level as well as at the office levels also. Therefore, the Order of Extension in LOI could be issued on dated 21.03.2022. As a result, the project proponent could not take up any activity from 04.06.2020 to 21.03.2022 for a period of 21 months and 17 days in the Block. Therefore, the process of Forest, Wildlife and Environmental Clearances remained in abeyance.

The Project Proponent has so far made the following progress in this e-Auctioned Mineral Block

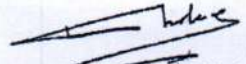
- i. Deposited Rs. 12.28.436 to the Government of Maharashtra as First and Second Instalments of Upfront Payments

- ii. Got the Mining Plan prepared and approved by the Indian Bureau of Mines(IBM)
- iii. Got the Wildlife Mitigation Plan prepared through expert by incurring sizable expenditure
- iv. The proposal for Wildlife Clearance was put up before the State Board of Wildlife which has been considered by the Board and will be forwarded to the National Board of Wildlife Board for its approval. but pending for want valid LOI
- v. The proposal for forest Clearance was forwarded to the GOI for approval Butthe MoEF&CC needs the valid LOI for processing the case.
- vi. Mauja Guguldoh. Manegaon Dist Ramtek. Dist Nagpur 99 95 Hectares of 105 Hectares of Manganese Ore falls under Forest Land Area According to Swachh Association. Nagpur. Public Interest Litigation No.34/2023 has been filed as Mine Area is harmful to forest and environment and total of 13 defendants including 1.Environment Department. 2 Revenue and Forest Department 3.Directorate. Directorate of Geology and Mining Nagpur. 4 M Shati G.D. Ispat and Power Pvt Ltd The hearing of the said Public Interest Litigation was held on 05.07.2023 and at present the said Public Interest Litigation is pending

Looking to the sincere efforts are being made by the allottee company and, the delay caused in issuance of extension of validity of LOI due to unavoidable reasons of Covid-19 pandemic, it seems pertinent that the exemption of the requested period from 05.06.2020 to 21.03.2022(21 months and 17 days delay) may be condoned

Hence you are requested to look into the matter and guide to us on this issue with your opinion.

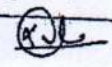
Yours sincerely


(Laxmikant Dhoke)

Joint Secretary
Government of Maharashtra

Copy to:

M/s Shanti G.D.Ispat and Power Pvt. Ltd., 504, 4th Floor, Rajiv Gandh Complex, Kutchery Chowk, Raipur, (CG)-492 001
Email: sgdiplmining@gmail.com

टपालाईले निगमिन
12/9/2023 

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3001783

M.VI-16/51/2023-Mines VI

I/3011783/2023

No. 16/51/2023-Mines VI

Government of India

Ministry of Mines

Shastri Bhawan, New Delhi

Dated the 24th October, 2023

To

The Principal Secretary,
Department of Industries and Mining,
Government of Maharashtra,
Mantralaya, Mumbai - 32.

Subject: Exemption for 21 months and 17 days in the 5 years period of LOI for Guguldoh manganese ore block on account of delay in issuance of LOI extension.

Sir,

I am directed to refer to letter No. MNG-0518/C.R.30/Ind-9(A) dated 11.09.2023 received from Government of Maharashtra on the subject mentioned above and to state that the matter has already been clarified by this Ministry vide letter of even number dated 07.07.2023 (copy enclosed).

Yours faithfully,

Encl.: As stated above

(Vinod Kumar)

Under Secretary to the Govt. of India

Tel. No.: 011 23383946

Email: vinod.kr71@nic.in

Copy to: Joint Secretary, Industry, Energy & Labour Department, Government of Maharashtra.

Signed by Vinod Kumar

Date: 24-10-2023 10:24:59

Reason: Approved

214/15
2004

No. 16/51/2023-Mines VI
Government of India
Ministry of Mines

Shastri Bhawan, New Delhi
Dated: 7th July, 2023

To
Principal Secretary,
Department of Industries and Mining,
Government of Maharashtra

Subject: Exemption for 21 months and 17 days in the 5 years period of LOI for Guguldoh manganese ore block on account of delay in issuance of LOI extension.

Sir,

I am directed to refer to letter dated 19.05.2023 received from Government of Maharashtra on the above mentioned subject and to say that as per first proviso to Rule 10(6) of the Mineral (Auction) Rules, 2015, a mining lease is required to be executed within a period of three years from the date of the LOI. The second proviso to Rule 10(6) of the said rules provide for a further period of two years for execution of the mining lease if the reasons for delay were beyond the control of the preferred bidder. The State Government has informed that the maximum period of 5 years for execution of mining lease has been granted to the preferred bidder.

2. Further, this Ministry vide order no. 16/44/2020-Mines VI dated 14.10.2021 (copy enclosed) issued under Section 20A of the MMDR Act, 1957, for the reasons mentioned therein has *inter-alia* directed that, "In cases where valid letter of intent existed as on the 1st April, 2020 and where period for execution of mining lease prescribed under the first proviso to sub-rule (6) of rule 10 of the Mineral (Auction) Rules or such extended period allowed by the State Government under the second proviso of the said sub-rule is or was expiring after the 1st April, 2020, the period for execution of mining lease shall be deemed to have been extended for the period of six months from the date of expiry of the period prescribed or allowed under the said sub-rule."

-2/-

3. In view of above the LOI dated 05.06.2018 issued by the State Government would be valid till 04.12.2023. It is informed that the entire period of 21 months and 17 days cannot be condoned or exempted from the 5 years period of LOI as per the extant rules.

4. This issues with the approval of the competent authority.

Encl: As above

Yours faithfully,



(Mustaq Ahmad)

Director

Tel No- 011 23383576

Email- mustaqahmad.dad@gov.in

SHANTI G.D. ISPAT & POWER PRIVATE LIMITED

CIN: U23201CT1994PTC008192

RE: 02/SGDIPL/GOMB/LOI/DGM-MH/2024
Raipur, Dated 23rd February, 2024

To,

The Director
Directorate of Geology and Mining
Government of Maharashtra
"Khanij Bhawan", Plot No.27
Shivaji Nagar, Cement Road
Nagpur - 440 010
director@mahadgm.gov.in, mineralblockauction@mahadgm.gov.in

मिशन १ खनिज संपदा

मिशन २ खनिज संपदा

मासिक १२७१

दिनांक २९ FEB २०२४

Subject: Regarding Condonation of Delay in the 5 Years Period of LOI for Guguldoh Manganese Ore Block from dated 05.06.2020 to 21.03.2022 (for 21 months and 17 days) in issuance of LOI Extension.

Dear Sir,

Please find enclosed herewith a copy of our Letter No. 01/SGDIPL/GOMB/LOI/MOM/2023, dated 09.10.2023 addressed to the Secretary, GOI, MOM, New Delhi and copy endorsed to the Additional Chief Secretary, Government of Maharashtra, Industry, Energy and Labour Department, Mantralaya, Mumbai (Annexure-1).

As mentioned in our enclosed Letter that M/s Shanti G. D. Ispat and Power Pvt. Ltd. has been allotted Guguldoh Manganese Ore Block for Mining Lease in the State of Maharashtra through e-Auction process. As per the provisions contained in Rule 10 (6) of the Mineral (Action) Rules, 2015 the initial LOI was to be issued for 3 years, but in our case the LOI was issued for 2 years only. The initial period of the LOI granted to us was valid up to 04.06.2020 only and as we were not able to get the Forest and Environmental Clearances during this period, we requested for the extension in the period of LOI for further 3 years vide our letter dated 12.05.2020. But the order for extension of the period of our LOI could not be issued till 21.03.2022 despite 9 reminders sent from our side to the Maharashtra Government. As we could not get the extension order in-time, therefore all activities remained in abeyance from 05.06.2020 to 21.03.2022 for 21 months and 17 days period. Due to this delay, we could effectively get only about 3 years effective working period. Therefore, we are requesting for the condonation of delay of 21 months and 17 days occurred at the level of Government of Maharashtra in issuing LOI extension.

As per Sr. No. 3 (ii) 3 of the Minutes of Virtual Meeting dated 30.01.2024 chaired by the Hon'ble Secretary, GOI, MOM (copy enclosed for ready reference as Annexure-2), during discussion the Secretary was briefed as under:

"DGM informed that LOI extension has been granted from Central Govt. for 6 months. Considering this as a special case, further extension has been sought"

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Raipur 492 001 (C.G.)

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from the Central Govt. JS(Polcy), MoM informed that the proposal has been examined in the Ministry and the State Govt. has been requested to get assurance from the bidder if they will be able to execute the mining lease immediately."

In the Column of Action Point it is mentioned that:

"Secy (Mines) assured the bidder that his case will be further discussed."

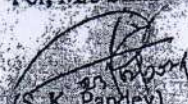
From the Minutes of the Meeting, it appears that our case of Guguldoh Manganese Ore Block is being considered for extension of LOI period beyond 5 years, while we are requesting for Condonation of delay of 21 months and 17 days took place in extension of LOI period after 2 years for which the LOI was initially granted. The initial LOI period expired on 04.06.2020 and the Extension Order was issued on dated 21.03.2022, but the period from 05.06.2020 to 21.03.2022 (21 months and 17 days) was not condoned. Therefore, our case for statutory clearances remained pending during this period. Resultantly, we could only get 3 years 2 months and 13 days effective period against the 5 years period as per Rule 10(6) of the Mineral (Auction) Rules, 2016.

Therefore, we are requesting to grant condonation of 21 months and 17 days period of delay as mentioned in above para so that we may be able to get complete 5 years' period of LOI for getting Forest, Wildlife and Environmental Clearances for Guguldoh Manganese Ore Block and get the Mining Lease Executed by complying with the required statutory provisions.

Thanking you,

Sincerely yours

For, M/s Shanti G. D. Ispat and Power Pvt. Ltd.


(S. K. Pandey)
President & CEO

Enclosures: As above.

CC:

1. The Secretary, Government of India, Ministry of Mines, Shastri Bhawan, New Delhi - 110 001, Email: secy-mines@nic.in
2. The Additional Chief Secretary, Government of Maharashtra, Industry, Energy and Labour Department, Mantralaya, Ground Floor, Extension Building, Hutatma Rajguru Chowk, Mumbai - 400 032. Email: psec.industry@maharashtra.gov.in

For information and necessary action, please.

SHANTI G.D. ISPAT & POWER PRIVATE LIMITED

CIN : U23201CT1964PTC008192

Annexure-1

REF: 01/SGDIPL/GOMB/LOI/MoM/2023
Raipur. Dated 9th October, 2023

To,

The Secretary
Government of India
Ministry of Mines
Shastri Bhawan
New Delhi - 110 001
Email: secy-mines@nic.in

Subject: Request for the Exemption in the 3 Years Period of LOI for
Guguldoh Manganese Ore Block from dated 05.06.2020 to
21.03.2022 (for 21 months and 17 days) on account of delay in
issuance of LOI Extension.

Dear Sir,

Please refer Government of Maharashtra, Industry, Energy and Labour
Department Letter No. MNG-0518/C.R.30/Ind-9(A), dated 11.09.2023 on the
subject mentioned above.

It is to bring to your kind notice that M/s Shanti G. D. Ispat and Power Pvt. Ltd.
has been allotted Guguldoh Manganese Ore Block for Mining Lease in the State
of Maharashtra through e-Auction process. As per the provisions contained in
Rule 10 (6) of the Mineral (Action) Rules, 2015 the initial LOI was to be issued
for 3 years, but in our case the LOI was issued for 2 years only. The initial
period of the LOI granted to us was valid up to 04.06.2020 only and as we were
not able to get the Forest and Environmental Clearances during this period, we
requested for the extension in the period of LOI for further 3 years vide our
letter dated 12.05.2020. But the order for extension of the period of our LOI
could not be issued till 21.03.2022 despite 9 reminders sent from our side to the
Maharashtra Government. As we could not get the extension order in time,
therefore all activities remained in abeyance from 05.06.2020 to 21.03.2022 for
21 months and 17 days period. Due to this delay, we could effectively get only
about 3 years effective working period.

SHANTI
G.D. ISPAT & POWER PRIVATE LIMITED

Page 1 of 3

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Although, we are not sure but presumption is that this 21 months and 17 days delay in issuance of the extension of LOI period happened mainly due to adverse situation prevailing on account of pandemic Covid-19. Therefore, we are seeking exemption of this period from the total 5 years period of LOI. It is well known that the pandemic Covid-19 has created an unprecedented situation where all the activities not only in the mining but in all the sectors and departments were remained stand still for about almost 2 years period our demand for this exemption is quite reasonable. It is also pertinent to mention here that Clause 17 of MDPA mentions about the Events of Force Majeure wherein Clause 17.1(ii) is related to "epidemic or pandemic" as has been mentioned that the period from March, 2020 to February 2022 was a period which was completely affected from pandemic Covid-19. During this period frequent lockdowns and other restrictions were imposed by the Government, which adversely affected the performance in every sector. Because pandemic Covid-19 was beyond the control of the allottee. Therefore, the delay caused due to pandemic Covid-19 is a clear-cut event of Force Majeure which hindered and delayed our performance for fulfilling the LOI conditions. The exemption of delay of 21 months and 17 days occurred at the level of Government of Maharashtra in issuing LOI extension is totally justified. Copy of the Clause 17 of MDPA is annexed herewith as Annexure No. 1 for ready reference.

In this regard we would also like to draw your kind attention towards the Order, dated 10.01.2022 passed in *Suo Motu* Writ Petition (C) 3/2020 passed by the Supreme Court of India wherein the period from 15.03.2020 till 28.02.2022 has been excluded in computing the limitation for instituting proceedings under various statutes. A copy of the said Order of the Supreme Court of India is annexed as Annexure No. 2.

In the light of the above-mentioned facts, it is evident that we only got about 3 years effective period for complying with the requisite statutory clearances while we were eligible for 5 years period as per Proviso of Rule 10(6) of the Mineral (Auction) Rules, 2015. As a result, the process of getting Forest, Wildlife and Environmental Clearances although is in advance stage but not yet completed. It is also pertinent to bring to your kind notice that out of total area of 105 Hectares of this Block 99.95 Hectares is Reserve Forest area and the presence of Wildlife is also reported there. Therefore, we were required to make Wildlife Mitigation Plan and get it approved from reputed Government Institution which took a lot of time. Our extended LOI period has expired on

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dated 04.06.2023. Even after making regular requests to Government of Maharashtra as well to Government of India for permission to utilize the 21 months and 17 days balance period in 5 years, we are unable to get orders so far. For want of requested exemption in the LOI period all the efforts made by us and sizable expenditure incurred for obtaining various clearances is going to become waste.

Therefore, you are requested to grant us 21 months and 17 days exemption so that we may be able to get complete 5 years period of LOI for getting Forest, Wildlife and Environmental Clearances for Guguldh Manganese Ore Block and get the Mining Lease Executed by complying with the required statutory provisions. We also draw your kind attention that after expiry of extended LOI period on 04.06.2023, we are not again able to take up any further activity. Hence, the period from 04.06.2023 up to issuance of exemption order may also please be considered for adding in the total exemption period.

Thanking you,

Sincerely yours

For, M/s Shanti G. D. Ispat and Power Pvt. Ltd.


(S. K. Pandey)
President & CEO

Enclosures: As above mentioned.

CC:

The Additional Chief Secretary, Government of Maharashtra, Industry, Energy and Labour Department, Mantralaya, Ground Floor, Extension Building, Hutatma Rajguru Chowk, Mumbai - 400 032. Email: psec.industry@maharashtra.gov.in

Annexure No. 1

Tender Document for Auction of Guguluth Mineral Blocks

17. EVENT OF FORCE MAJEURE

17.1. Event of Force Majeure means any of the following events or circumstances or combination of the following events or circumstances which are beyond the reasonable control of the Successful Bidder, which could not have been prevented by Good Industry Practice or by the exercise of reasonable skill and care and which or any consequences of which, have a material and adverse effect upon the performance by the Successful Bidder of its obligations or enjoyment of its rights:

- (i) acts of God, flood, drought, earthquake or other natural disaster;
- (ii) epidemic or pandemic;
- (iii) terrorist attack, civil war, civil commotion or riots, war, threat of or preparation for war, armed conflict, imposition of sanctions, embargo, or breaking off of diplomatic relations;
- (iv) nuclear, chemical or biological contamination or sonic boom;
- (v) collapse of buildings, fire, explosion or accident; or
- (vi) any labour or trade dispute, strikes, industrial action or lockouts (other than those solely affecting Successful Bidder claiming the same as an Event of Force Majeure and attributable to such Successful Bidder's policies regarding labour, compensation or employment or labour related conditions).

17.2. Provided it has complied with Clause 17.3, if the Successful Bidder is prevented, hindered or delayed in or from performing any of its obligations under this Agreement by an Event of Force Majeure, the Successful Bidder shall not be in breach of this Agreement or otherwise liable for any such failure or delay in the performance of such obligations.

17.3. Upon occurrence of an Event of Force Majeure, the Successful Bidder shall:

- (i) as soon as reasonably practicable after the start of the Event of Force Majeure but no later than thirty days from its start, notify the State Government in writing of the Event of Force Majeure, the date on which it started, its likely or potential duration, and the effect of the Event of Force Majeure on its ability to perform any of its obligations under this Agreement; and
- (ii) use all reasonable endeavours to mitigate the effect of the Event of Force Majeure on the performance of its obligations including following of Good Industry Practice.

17.4. If an obligation is suspended by reason of an Event of Force Majeure for more than [one] month continuously, the Parties shall enter into good faith negotiations to revise the terms of this Agreement to reflect the changed circumstances, provided that this Agreement shall remain in effect during the period during which the Parties are negotiating the terms of any such revision.

863/14
2245

No. MLV/N/996/(18)/2024/ 1123
Directorate of Geology and Mining,
Government of Maharashtra,
27, "Khanij Bhavan", Cement Road,
Shivaji Nagar, Nagpur-440010
Dated :- 03 APR 2024

To,
✓ The Additional Chief Secretary (Mining)
Industry, Energy, Labour and Mining,
Government of Maharashtra, Mantralaya,
Mumbai-400032.

Subject :- Extension/Exemption for the period from 05/06/2020 to 21/03/2022 (21 months and 17 days) in the letter of intent for manganese mineral over an Area of 105 Hect. at Guguldoh, Tah. Ramtek Dist. Nagpur.

Ref. :- (1) M/s. Shanti G.D. Ispat and Power Pvt. Ltd. letter 23/02/2024
(2) M/s. Shanti G.D. Ispat and Power Pvt. Ltd. letter 11/12/2023
(3) Govt. letter No. MMN-0518/C.No.30/Ind.9, Dt. 27/10/2023
(4) Ministry of Mines New Delhi letter Dt. 07/07/2023 & 24/10/2023
(5) Govt. letter No. MMG-0518/C.No.30/Ind.9, Dt. 11/09/2023
(6) M/s. Shanti G.D. Ispat and Power Pvt. Ltd. letter 12/04/2023
(7) M/s. Shanti G.D. Ispat and Power Pvt. Ltd. letter 30/08/2022
(8) Govt. letter No. MMN-0518/C.No.30/Ind.9, Dt. 21/03/2022
(9) Govt. letter No. MMN-0518/C.No.30/Ind.9, Dt. 05/06/2018

Sir,

Pursuant to the fourth phase of E-auction of major minerals under the MMDR Amendment Act 2015 and the policy of the Central Government, M/s. Shanti GD Ispat and Power Private Limited Ltd. over an Area of 105 hectare at Guguldoh, Tah. Ramtek, Dist. Nagpur have been approved for ML of manganese mineral. LOI was granted to the company as per government letter dated 05/06/2018. Further on the request of the company, the said letter of intent has been extended twice up to 04/06/2023 as per Government letter dated 21/03/2022 and up to 04/10/2023, as per Government letter 27/10/2023.

The Company has fulfilled the following terms and conditions during the term of letter of intent

- 1) First installment Rs 614215 of upfront payment dated 03/05/2018 and second installment Rs 614218 of upfront payment dated 14/05/2022 have been deposited to the government.
- 2) IBM Nagpur has approved the mining plan on 18/09/2019
- 3) NOC obtained from Mandri Gramsabha on 05/03/2020
- 4) NOC obtained from groundwater Department

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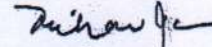
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- 5) Public hearing was conducted on 10/07/2023. The minutes of meeting of the said hearing have been forwarded from Maharashtra State pollution Control Board Nagpur to Maharashtra State pollution Control Board Mumbai and is pending for further action.

At present, due to the expiry of the Letter of Intent, the bidder have to stop the activities like FC & EC. As per their references bidder requested to exclude the covid period from the period of letter of intent. Also on 20/10/2023 as per the instructions given in the meeting held with the Hon'ble Secretary Ministry of Mines, New Delhi, it was directed that the issue of extending the letter of intent should be referred as a special case to Ministry of Mines. (Copy of Ministry of Mines letter enclosed).

Accordingly, the above proposal is sent to the State Government for forwarding it to the Central Government.

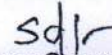
Yours,



Director General,

Directorate of Geology and Mining,
Government of Maharashtra, Nagpur.

Copy to, M/s. Shanti G.D. Ispat and Power Pvt. Ltd. 402, 504, Rajiv Gandhi Complex, Kutchey Chowk, Raipur-492001.



Director General,

Directorate of Geology and Mining,
Government of Maharashtra, Nagpur.