

F. No. J-11011/106/2008-IA-II (I)
Government of India
Ministry of Environment, Forest and Climate Change
(Impact Assessment Division)

Indira Paryavaran Bhawan
Jor Bagh Road, Aliganj,
New Delhi – 110003

Dated: 31st October, 2022

To,

M/s MALCO Energy Limited,
SIPCOT Industrial Complex,
Madurai bypass road,
T.V Puram PO Tuticorin, Tamil Nadu
E-mail: sumit.Gupta@vedanta.co.in

Subject: Transfer of Environment Clearance titled “Expansion of Cobalt, Copper, Nickel and Sodium Sulphate Unit at Plot No. L-15,L-19 & L- 20 Cuncolim Industrial Estate, Cuncolim, Goa to M/s. NICOMET Industries Ltd.” from M/s. NICOMET Industries Ltd. to M/s MALCO Energy Limited – regarding.

Ref. : (i) Ministry’s EC letter No. J-11011/106/2008-IA-II (I)dated 28/10/2009

Sir,

Reference is invited to your online proposal no. IA/GA/IND/289878/2022 dated 29/09/2022 seeking transfer of Environment Clearance cited above from from M/s. NICOMET Industries Ltd. to M/s MALCO Energy Limited.

2. The Ministry of Environment, Forest and Climate Change (MoEF&CC) has examined the request submitted by you and the following points are noted:

- i. Environment clearance (EC) to the project cited above was initially accorded by the Ministry vide letter no letter no J-11011/106/2008-IA.II(I) dated 28/10/2009 in the name of M/s. NICOMET Industries Ltd under the provisions of the EIA Notification, 2006 for Expansion of Cobalt, Copper, Nickel and Sodium Sulphate Unit. The validity of the EC is over by 27/10/2014.
- ii. Detail of Consent to Operate:

Type of Order	Date	Details
CTO	13/04/2012	Consent to Establish pursuant to EC was obtained from GSPCB vide Order no. 5/1242/98-PCB/312 dated 13/04/2012 issued in the name of M/s. NICOMET Industries Ltd. for 1620 T of Cobalt products,2160 T of Nickel Products 3780 T of Copper products 9720 T of Sodium sulphate (by product).
CTO	09/06/2022	Latest Consent to Operate was obtained from GSPCB vide Consent Order no. 12/2022-PCB/1222718/R0009470 dated 09/06/2022 valid upto 08/12/2022 issued in the name of M/s. MALCO Energy Limited

- iii. According to the records made available by the project proponent, following is the present status of the project:

Products	Existing	Proposed	After Expansion EC 28/10/2009	Present Status As Per CTO dated 09/06/2022
Cobalt	600	1020	1620	7560
Copper	360	3420	3780	
Nickel	480	1680	2160	
Sodium sulphate (by product)	7200	2520	9720	9720

- iv. Reasons for transfer of EC:

By an order dated 14th December, 2018 the National Company Law Tribunal, Mumbai ('NCLT') has directed initiation of Corporate Insolvency Resolution Process (CIRP) against M/s. NICOMET Industries Ltd. During the CIRP, the Committee of Creditors (CoC) rejected all the three resolution proposals received for NIL and had approved liquidation of NIL NCLT by its order dated 16th Dec., 2020 taking note of the decision of CoC of NIL directed liquidation of NIL. Following the due procedure, the official liquidator conducted an E-auction of assets of NIL on 7th July, 2021. MEL was declared as the highest bidder for the assets of the NIL comprising of composite unit situated at Cuncolim Industrial Estate. Pursuant to the same, PP have executed sale certificate with the liquidator on 6th January 2022 for sale of assets to MEL. PP are now in the process of integrating the said industrial unit and are expecting commencement of operations.

S. No.	Name of Company	CIN No.	Status w.r.t. Change of ownership
A.	M/s MALCO Energy Limited	U31300TN2001PLC069645.	As per Sl. No. 1 (f) of Form-7, the project proponent has submitted that the proposal involves change of ownership. The CIN No. of both the companies are found to be different. In view of the same, the proposal involves transfer of Environment Clearance from M/s. NICOMET Industries Ltd. to M/s MALCO Energy Limited with change of ownership.
B.	M/s. NICOMET Industries Ltd.	U27200MH1993PLC071450	

- v. Documents submitted for EC transfer:

- i. Form No.7 for transfer of Environmental Clearance.

- ii. By an order dated 16th Dec.,2020 the National Company Law Tribunal, Murnbai ('NCLT') has directed liquidation of M/s. NICOMET Industries Ltd therefor NOC is not required.
- iii. Undertaking by way of affidavit in non-judicial stamp certificate dated 03/09/2022 by M/s MALCO Energy Limited stating that they will abide/obey all the conditions stipulated in the Environment Clearance by MoEF&CC vide letter no. J-11011/106/2018-IA. II (I) dated 28/10/2009.
- iv. Copy of the Sale Certificate dated 06/01/2022.
- v. Power of Attorney vide Certificate dated 23/11/2021 in the name of. Mr. Sumit Gupta, authorizing him to correspond and execute documents with MoEF&CC.
- vi. Certificate of Incorporation dated 02/12/2010 with CIN: U27200MH1993PLC071450 of M/s NICOMET Industries Limited from Assistant Registrar of Companies, Maharashtra.
- vii. Certificate of Incorporation Consequent upon Change of Name dated 24/10/2013 with CIN: U31300TN2001PLC069645 of M/s MALCO Energy Limited

3. This Ministry hereby accepts your request to transfer the Environment Clearance accorded by MoEF&CC vide letter no. No. J-11011/106/2008-IA-II (I) dated 28/10/2009 from M/s. NICOMET Industries Ltd. to M/s MALCO Energy Limited, subject to satisfactory compliance to all the stipulated specific and general conditions.

4. M/s MALCO Energy Limited shall comply with the all specific and general conditions stipulated in the Environment Clearance letter of even no. dated 28/10/2009.

5. In case, there is a change in the scope of the project, fresh Environment Clearance shall be obtained.

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

Yours faithfully,

(Dr. R.B. Lal)

Scientist 'E'/Additional Director

Tel: 011-20819346

Email- rb.lal@nic.in

Copy to:-

1. The Secretary, Department of Environment, Government of Goa, Panaji.
2. The Director General of Forest, Ministry of Environment, Forest and Climate Change, New Delhi
3. The Chief Wildlife Warden, Government of Goa, Panaji.
4. Regional Officer, Ministry of Environment, Forest and Climate Change, Integrated Regional Office, Kendriya Sadan, 4th Floor, E&F Wings, 17th Main Road, Koramangala II Block, Bangalore – 560034
5. The Chairman, Central Pollution Control Board, Parivesh Bhawan, CBD- The Cum-Office Complex, East Arjun Nagar, New Delhi-110 032.
6. The Chairman, Goa State Pollution Control Board, Dempo Tower, EDC Plaza, 1st Floor, Panaji, Goa- 403 001

7. The Member Secretary, Central Ground Water Authority, Jamnagar House, 18/11, Man Singh Road Area, New Delhi, Delhi 110001
8. District Collector, South Goa, Govt. of Goa.
9. M/s. NICOMET Industries Ltd.
10. Monitoring File/Guard File/ Record File/MoEF&CC Website/Parivesh Portal



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