



13<sup>th</sup> March 2026

To:

The Special Rapporteur on the right to food and other mandate holders  
Office of the United Nations High Commissioner for Human Rights (OHCHR)  
Geneva, Switzerland

**Subject: Response to Communication Ref. AL OTH 142/2025 dated 17 November 2025 concerning JSW Utkal Steel Ltd. project in Jagatsinghpur District, Odisha, India**

Dear Sir/Madam,

We acknowledge receipt of your communication dated 17 November 2025 (Ref. AL OTH 142/2025) addressed to Mr. Jindal and concerning the integrated steel plant project and associated infrastructure being developed by M/s JSW Utkal Steel Ltd. (“**JUSL**”), a subsidiary within the JSW Group.

This response is provided without prejudice and without admission of liability, in good faith, and based on records available to the Company as of the date above.

*Defined terms:*

- “**JSW**” / “**JSW Group**” refers to JSW Steel Ltd. and its relevant subsidiaries.
- “**JUSL**” / “**Company**” refers to JSW Utkal Steel Ltd.
- “**Project**” refers to the integrated steel plant and associated infrastructure (including the captive jetty/cargo handling infrastructure as applicable), in Jagatsinghpur District, Odisha.
- “**UNGPs**” refers to the UN Guiding Principles on Business and Human Rights.

**Executive summary**

1. **Legal process and land status:** The Project is being developed primarily on Government land previously allocated for an integrated steel plant; the land had earlier been allotted to POSCO and reverted to the State following withdrawal in 2017. Possession/lease has been handed over to **JUSL** after due process under applicable law. There is no physical displacement of habitations from the Project site as per the Project land records.
2. **FRA compliance:** Compliance under the Forest Rights Act, 2006 was examined during the original forest diversion proceedings; the Collector certified that no eligible Scheduled Tribes (“**STs**”) or Other Traditional Forest Dwellers (“**OTFDs**”) were residing within the diversion area, and FRA compliance was treated as a precondition for final forest clearance. **JUSL** has provided required undertakings to comply with all subsisting conditions attached to approvals.



3. **Consultation and participation:** Public consultation was conducted in accordance with the EIA Notification, 2006, including a public hearing on 20 December 2019, with the draft EIA/SIA made available as required. Subsequent challenges have been examined by competent forum and approvals stand affirmed.
4. **Environment and public health:** The Project is being implemented strictly pursuant to statutory approvals/conditions (EC/CRZ/consents). Allegations of CRZ/mangrove/sand-dune/wildlife impacts have been reviewed by competent authorities/expert institutions and have not been substantiated in the manner alleged; the Company maintains monitoring, mitigation, and compliance reporting systems.
5. **Human rights due diligence, grievance mechanisms, and defenders:** JSW maintains UNGP-aligned policies/processes, operational grievance channels, and a clear non-retaliation approach. The Company expects employees, contractors, and security providers to respect rights-holders and civic space; it does not condone intimidation or harassment.

#### ***Responses to the mandate-holders' questions***

##### **(1) Additional information/comment(s) on the allegations**

###### **(a) Project background, land quantum, and "3,700 acres" figure referenced in the communication**

The communication refers to an estimated land requirement of approximately 3,700 acres with additional land for a rehabilitation colony and township. The Company clarifies that the current land required for the Project footprint is 1,193.974 hectares (approx. 2,950 acres), comprising 1,083.691 hectares forest land, 110.283 hectares non-forest land, and less than 1 hectare of private land.

The Project land has been leased/handed over after due legal process through the State's competent agency, and the Project does not entail physical displacement of habitations from the Project site.

Where third-party sources aggregate land associated with earlier proposals (including legacy POSCO-era components or ancillary planning assumptions), those aggregates may not reflect the present Project's legally demarcated footprint and approvals; the Company is prepared to share authenticated land schedules/maps as annexes.

###### **(b) Allegations regarding ST/OTFD presence, customary rights, and forest-rights settlement**

The Company recognizes the importance of the FRA framework and customary rights claims. In the Project's case, the competent District administration certified during forest diversion proceedings that no eligible STs or OTFDs were residing within the project area, and FRA compliance was treated as a mandatory precondition before final forest clearance was granted. Forest clearance was granted at Stage II in 2009 and reconfirmed in 2011 after scrutiny. Under Indian law and the applicable approval framework, once forest diversion approvals are granted and subsequently transferred to a new proponent, the proponent remains bound by subsisting conditions; JUSL has provided requisite undertakings and continues to comply with all applicable conditions.



Notwithstanding the above, the Company's engagement processes do not exclude any rights-holder group. The Company undertakes engagement with all potentially affected communities (including those who self-identify as tribal or traditional forest users) and provides access to grievance channels and remedial processes described below.

(c) Allegations of lack of consultation, inadequate access to EIA/SIA, and FPIC

Public consultation for the Project was conducted in accordance with the EIA Notification, 2006, including a public hearing held on 20 December 2019 chaired by the District Collector. The draft integrated EIA (including social assessment components) was submitted to the State Pollution Control Board and made available as required by law; written submissions were invited and incorporated into the final EIA/EMP.

Further, legal challenges relating to the consultation and appraisal process have been examined by the National Green Tribunal, the Expert Appraisal Committee (Industry-1) across multiple meetings, and the Supreme Court of India. Following detailed appraisal and additional safeguards, the Environmental Clearance dated 11 April 2022 was revalidated on 15 September 2023, and subsequent challenges were dismissed by competent forum.

(d) Allegations of CRZ/non-compliance, mangrove/sand-dune impacts, and coastal ecosystem harm (including Olive Ridley turtles)

The Project is being implemented in accordance with statutory approvals, including Environmental Clearance, CRZ clearance, and consents from the State Pollution Control Board. The Project design includes robust safeguards such as Zero Liquid Discharge, continuous ambient air and water monitoring, greenbelt development, and independent marine/coastal impact studies by recognized institutions.

Allegations relating to mangrove destruction, sand dune flattening, wildlife mortality and turtle nesting impacts have been reviewed by competent authorities/expert institutions and have not been substantiated in the manner alleged. The Company notes that the nearest mass nesting site for Olive Ridley turtles as stated, based on scientific studies relied upon in the Project appraisal record, is at a significant distance (over 100 km) from the Project area; the Company has implemented risk controls (including lighting management, timing protocols, and monitoring) consistent with conditions and best practice.

(e) Allegations involving intimidation, policing, and impacts on civic space

The Company recognizes the concerns raised regarding intimidation/harassment. The Company's position is that it does not condone threats, intimidation, or harassment of any rights-holders, community members, or human rights defenders. Any law-and-order deployment is within the jurisdiction of State authorities; however, the Company maintains a strict expectation that all interactions by Company personnel, contractors, and security providers respect rights, avoid escalation, and follow a non-retaliation approach. The Company has established channels for complaints and escalation (including anonymous reporting), and it undertakes review/investigation of credible complaints, with corrective action where warranted.



## **(2) Human rights due diligence policies and processes (UNGP-aligned)**

JSW Group maintains a rights-respecting governance framework aligned to UNGP Principles 15–21, with the following elements:

### **(a) Policy commitment**

- A Human Rights Policy aligned to the UNGPs applies to JSW operations, subsidiaries, and relevant business partners (contractors/security providers), including a non-retaliation and dignity-at-work commitment.
- The policy is communicated internally and externally, and is embedded through contractual clauses and training requirements.
- Human rights risk identification and assessment: For the Project, human rights and social risks are assessed through the integrated impact assessment framework (including environmental and social assessment components), with specific attention to salient risks commonly associated with large-scale industrial projects: land and resource access, livelihoods (agriculture/fisheries), water and health, cultural rights, and risks to defenders/civic space.
- Risk assessment is supported by stakeholder engagement inputs, monitoring data, and third-party expert studies (for environmental and coastal impacts).

### **(b) Integration into business processes and mitigation controls**

- Findings from assessments are integrated into the Project's Environment–Health–Safety–Sustainability governance, engineering controls, contractor management requirements, and community interface management.
- Contractors and security providers are subject to compliance requirements, including respect for rights-holders, restrictions on use of force, and incident reporting/escalation protocols.

### **(c) Tracking effectiveness**

- The Project maintains compliance monitoring systems, inspection readiness, internal audits, and corrective action tracking.
- Community engagement and grievance trends are reviewed periodically to identify recurring issues and prevention opportunities.



(d) Communication and transparency

- The Company communicates key safeguards and compliance posture through statutory disclosures, public consultation processes, and community interfaces (including local-language engagement measures).

(e) Remediation commitment (UNGP Principle 22)

- Where the Company identifies that it has caused or contributed to an adverse impact, it commits to provide or cooperate in remediation (financial and non-financial) through appropriate mechanisms, including operational-level grievance channels and cooperation with State-based mechanisms.

**(3) Measures for meaningful, good-faith consultations and FPIC**

(a) Meaningful and good-faith consultation

The Company has undertaken consultation measures consistent with domestic legal requirements and good-faith engagement standards, including:

- Public hearing under the EIA Notification, 2006 (20 December 2019), chaired by the District Collector;
- Availability of the draft EIA/SIA documents as required, solicitation of written submissions, and incorporation into final EIA/EMP;
- Continuing engagement with local stakeholders during Project implementation through community interface channels (including accessible points of contact and community meetings).

(b) FPIC (Free, Prior and Informed Consent)

The Company recognizes that FPIC is referenced in international standards in contexts involving Indigenous Peoples and customary rights. The Company's position is:

- Statutory processes applicable to the Project (including forest diversion proceedings and the EIA consultation framework) were implemented by competent authorities, including examination of FRA compliance as a precondition for approval.
- Beyond statutory steps, the Company undertakes informed engagement measures (local-language communication, accessible grievance channels, and documentation of consultations) to ensure participation is meaningful and not merely formal.
- Where any stakeholder asserts customary rights or impact concerns, the Company provides access to engagement and grievance mechanisms and cooperates with competent authorities for verification and resolution.



#### **(4) Measures to ensure adequate remedies for affected rights-holders**

The Company recognizes that remedy under the UNGPs can include restitution, rehabilitation, compensation, satisfaction, and guarantees of non-repetition, depending on the nature of impact. Measures in place include:

##### **(a) Rehabilitation and support measures (including livelihood assets)**

Although the Project land is Government-owned, the State administration approved a Rehabilitation & Resettlement (R&R) package for livelihood assets located on encroached land following consultations. Key measures include:

- Compensation for livelihood assets such as betel vine cultivation, ponds, fruit trees, and other assets;
- Financial assistance to eligible families (including ration-card holding families);
- Approximately INR 96 crore disbursed toward R&R;
- Priority local employment through contractors during the construction phase, with approximately 2,500 persons engaged.

##### **(b) Operational remedy framework (Company-level)**

To strengthen remedy in UNGP terms, the Company's operational remedy approach includes:

- A defined process to intake complaints/claims, assess eligibility and impact, provide reasoned outcomes, and offer escalation/appeal routes;
- Options for non-financial remedies where appropriate (e.g., restoration measures, access facilitation, corrective actions by contractors, health and safety interventions);
- Protection against retaliation for complainants, including confidential/anonymous channels.

##### **(c) Cooperation with State-based mechanisms**

The Company cooperates with legitimate State-based mechanisms, including regulatory authorities, courts/tribunals, and district administration processes, for any adjudication, verification, and enforcement required by law.

#### **(5) Steps to establish/implement/enforce an operational-level grievance mechanism (UNGP Principle 31)**

- (a) The Company has established an operational-level grievance mechanism accessible to local communities and other stakeholders, designed to align with the UNGP effectiveness criteria.
- (b) Consistent with the UNGPs, the Company cooperates with legitimate State-based remedial mechanisms (regulators/administration/tribunals/courts). Where an issue is "linked to" the Company through a business relationship, the Company uses leverage with contractors and relevant partners to prevent/mitigate impacts and to support remedy.



**(6) Measures to ensure human rights defenders and civil society can freely exercise their rights without intimidation**

The Company affirms that:

- It respects the rights to freedom of expression, peaceful assembly, and association, and it recognizes the important role of human rights defenders and civil society in raising concerns.
- It maintains a non-retaliation approach and does not tolerate harassment or intimidation by employees, contractors, or security providers.
- The Company periodically refreshes its human rights risk assessment for the Project, including stakeholder inputs and grievance trend analysis.
- The Company conducts an independent review/audit of key safeguards (environmental compliance and social/human rights process controls) at defined intervals, with corrective action tracking.

While policing decisions rest with State authorities, the Company does not seek or support any action that would unlawfully restrict peaceful civic space, and it remains available to engage with stakeholders to address concerns through lawful and constructive means.

**Conclusion:**

JSW Group and JUSL remain committed to responsible business conduct, compliance with applicable Indian law, and respect for human rights consistent with the UNGPs. The Project has been subject to extensive regulatory and judicial scrutiny, and the Company maintains ongoing safeguards to prevent adverse impacts and to provide remedy where appropriate.

We trust this response addresses the mandate-holders' questions. We remain available for further information and are willing to engage constructively with the mandate-holders or OHCHR as appropriate.

Yours sincerely,



Chief Sustainability Officer  
For and on behalf of JSW Utkal Steel Ltd.