

F. No. 8-56/2016-FC
Government of India
Ministry of Environment Forests & Climate Change
(FC Division)

Indira Paryavaran Bhawan,
Aliganj, Jor Bag Road,
New Delhi - 110003.

Dated: 7th July, 2017

To,
The Principal Secretary (Forests),
Government of Odisha,
Bhubaneswar .

Sub: Application of Sri Satyajit Pradhan (Legal heir of Late Dr. S. Pradhan and authorized applicant on behalf of all other legal heirs of Late Dr. S. Pradhan) of K-1, Kalpana Area, BJB Nagar, Bhubaneswar-751014 seeking approval of MoEF&CC under Section 2 (iii) of Forest Conservation Act, 1980 over entire forest land of 146.545 ha within total applied Mining lease area of 152.927 ha in Kalparbat Iron and manganese ore mines in Keonjhar district, Odisha.

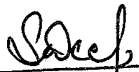
Sir,

I am directed to refer to the State Government's No. 10F (Cons)-528/2011/22132/F&E dated 28.11.2016 submitting above subject proposal for approval of the Central Government under Section- 2 (iii) of the Forest (Conservation) Act, 1980. This proposal has been considered in the Forest Advisory Committee (FAC) meetings held on 26.12.2016 and 16.05.2017. The detailed minutes of the FAC meetings held on 26.12.2016 and 16.05.2017 are placed on the website of this Ministry: www.forestclearance.nic.in.

After going through the judgement in the matter in FAC meeting held on 16.05.2017 , the committee observed that petitioner had contended that the provision of sub rule (4) of rule 8 is contrary to the provisions of section 10-A (2) (C) of MMDR Act and same could not be sustained in the eye of law. In this regards, FAC referred to Forest (Conservation) Act, 1980 guidelines 2.1 (vi) vide which *State Government are advised not to consider/ process cases, which are pending in various courts or sub-judice to avoid all sort of administrative and legal complications.* In this backdrop FAC recommended not to grant permission to the state Government under section 2(iii) of Forest (Conservation) Act, 1980 till the final order of the Hon'ble High Court and clarification regarding the applicability of provisions of section 10-A(2) (c) of MMDR Act.

In view of above, I am directed to convey the approval of competent authority for not to grant prior approval under section 2(iii) of Forest (Conservation) Act, 1980 concerning entire forest land of 146.545 ha within total applied Mining lease area of 152.927 ha in Kalparbat Iron and manganese ore mines in Keonjhar district, Odisha, till the final order of the Hon'ble High Court.

Yours faithfully,



(Sandeep Sharma) 7.7.17

Assistant Inspector General of Forests (FC)

Copy to:

1. The Principal Chief Conservator Forests, Government of Odisha, Bhubaneswar
2. Addl. Principal Chief Conservator of Forests (Central), Regional Office, Bhubaneswar
3. The Nodal Officer, O/o the PCCF, Government of Odisha, Bhubaneswar
4. User Agency
5. Monitoring Cell, FC Division, MoEF&CC




(Sandeep Sharma) 7.7.17
Assistant Inspector General of Forests (FC)