

Most Immediate/Supreme Court Order  
By Speed Post/FAX

F.No.7-19/2004-FC  
Government of India  
Ministry of Environment and Forests  
(FC Division)

Paryavaran Bhawan, C.G.O. Complex,  
Lodi Road, New Delhi-110003  
Dated:22-09-2005

23<sup>rd</sup>

To

1. The Principal Secretary (Forests),  
All States/UTs.
2. The Principal Chief Conservator of Forests,  
All States/UTs.

Sub: Supreme Court order dated 16-09-2005 in IA No.1000 in Writ Petition (C) No. 202 of 1995 -  
Jamwa Ramgarh Sanctuary matter.

Sir,

Please find enclosed herewith a copy of the above-mentioned order of the Supreme Court,  
which reads as follows:

" .....we again reiterate that without compliance of the environmental laws, in particular  
the permission under Forest (Conservation) Act, 1980 , no Temporary Working Permission or  
Temporary Permit or any other permission by whatever name called shall be granted for mining  
activities in the aforesaid areas (National Parks, Sanctuaries and forest area). We further direct  
that no mining activity would continue under any Temporary Working Permit or Permission which  
may have been granted....."

In compliance with the aforesaid order, the Central Government hereby, directs you to stop  
all mining operations in forest areas which are running on the strength of Temporary Working  
Permission (TWP) granted by this Ministry, with immediate effect till further orders. Only those  
mines shall be allowed to operate who have got clearances under Forest (Conservation) Act, 1980,  
and the Environment (Protection) Act, 1986 and have complied with the conditions stipulated by  
the Central Government. Further, in continuation of this Ministry's letters No.11-9/98-FC dated:  
04-05-2001 and 24-11-2003 and aforesaid order of the Apex Court, it is reiterated that all mining  
operations in National Parks and Sanctuaries shall continue to remain suspended.

Encl: Order as above.

  
23/9/05

(ANURAG BAJPAI)  
Asstt. Inspector General of Forests

Copy to:

1. Secretary, Ministry of Coal and Mines, Government of India, New Delhi.
2. Secretary, Ministry of Steel, Government of India, New Delhi.
3. Joint Secretary (CM), IA Division, Ministry of Environment and Forests.
4. All Regional Offices of Ministry of Environment and Forests.
5. Nodal Officers (FC), All States/UTs.
6. Director (FC)/AIGs (FC)
7. Shri A.D.N. Rao, Advocate, Supreme Court.
8. PPS to Secretary (E&F) for information.
9. Monitoring Cell to place it on website.
10. Guard file.

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AND

I.A.NO. 361 AND I.A.No.363 IN W.P.(C)NO. 3727/1985 -  
(Appln. for directions on behalf of Bokaro Thermal Power Station  
and for permission to file addl. documents on behalf of Bokaro  
Thermal Power Station)

\*\*Item No. 302 :

I.A.NOS.1315-1316 IN I.A.No.566 IN W.P.(C)NO. 202/1995 -  
(For impleadment and directions)

Date: 16/09/2003 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE Y.K. SABHARNAL  
HON'BLE MR. JUSTICE ARIJIT PASAYAT  
HON'BLE MR. JUSTICE S.H. KAPADIA

Mr. Harish N. Salve, Sr. Adv. (A.C.)  
Mr. U.U. Lalit, Sr. Adv. (A.C.)  
Mr. Sidhartha Choudhary, Adv. (A.C.)

For Applicant(s) :

In IAs 1123-1124 :

Mr. Vivek Tankha, Sr. Adv.  
Mr. Paras Khandelwal, Adv.  
Mr. Prateek Jalan, Adv.  
Ms. Malvika Coomar, Adv.  
Mr. Abhishak Kalla, Adv.  
for Mr. Tarun Johri, Adv.

In IAs 1212-1213 :

Mr. S.K. Kulkarni, Adv.  
Mr. M. Gireesh Kumar, Adv.  
Mr. Vijay Kumar, Adv.

In IAs 1210-1211 :

Mr. Ejaz Maqbool, Adv.  
Mr. Vikash Singh, Adv.  
Ms. Minakshi Nag, Adv.  
Ms. Taruna Singh, Adv.

In IAs 1246-1247 :

Mr. Ajay Kumar Misra, Adv.  
Mr. Krishna Kumar Tyagi, Adv.  
Mr. Iftexhar Ahmad, Adv.  
Ms. Abhilasha, Adv.  
Mr. P. Narasiman, Adv.

In IA 991 :

Mr. John Mathew, Adv.  
Mr. Sridhara Potaraju, Adv.  
Mr. Rohit Rao, Adv.  
Mr. P.S. Bundela, Adv.

Jamwa Kengarkh S.

.8.

I.A. NO. 1000 WITH 982-984, 1026-1028, 1123-1124 IN W.P. (C)  
202/1995

We have perused the affidavit dated 14.9.2005 filed by Mr. Anurag Bajpai on behalf of MoEF and the statement showing the grant of Temporary Working Permit in the last two years, i.e., from 1<sup>st</sup> January, 2003 to 31<sup>st</sup> December, 2004 in the National Parks, Sanctuaries and forest area. This is despite the order passed by this Court restraining the mining activities in these areas. Learned Amicus Curiae submits that the inspection of the Government record shows a dismal picture and he would shortly file an application for taking appropriate action against the concerned persons. Pending filing of the said application and further orders, we again reiterate that without compliance of the environmental laws, in particular the permission under Forest (Conservation) Act, 1980, no Temporary Working Permission or Temporary Permit or any other permission by whatever name called shall be granted for mining activities in the aforesaid areas. We further direct that no mining activity would continue under any Temporary Working Permit or Permission which may have been granted. It appears from the chart filed with the affidavit of Mr. Anurag Bajpai that no Temporary Working Permission is in operation as of today. If it is otherwise, an affidavit to that effect shall be filed within two weeks giving the particulars of such Permission.