



K BIRLA GROUP OF COMPANIES

MANIKGARH CEMENT

(A Division of Century Textiles & Industries Ltd.)

AN IS / ISO 9001 : 2008 & ISO 14001 COMPANY

P.O.: Gadchandur - 442 908, Tehsil : Korpana, District : Chandrapur (M.S.), India

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CIN-L17120MH1897PLC000163



Ref-MN/ DCF/2016-720

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The Deputy Conservator of Forests,
Central Chanda Division,
Chandrapur, Maharashtra,

Date: 03/08/2016

Subject: Re- Submission of proposal for Diversion of Forest land admeasuring 190.42 hectare for non forest purpose i.e. for mining of Limestone to M/s Manikgarh Cement, Gadchandur, (A Division of Century Textiles and Industries Limited) District Chandrapur, Maharashtra).

Reference: Your office Letter no. Ja kra/Kaksh/survey/1278 dated 27.07.2016

Dear Sir,

In reference to above referred letter we are re-submitting the proposal for 190.42 hectare area in view of the recent Judgment of Bombay High Court (Nagpur Bench) in respect of 63.62 Hectare Revenue and Patta land out of existing 302.58 Hectare Mining Lease for Mining of Limestone to M/s Manikgarh Cement inclusive of 38.58 hectare Revenue and Patta land of phase II and III.

In the aforesaid judgment "The designated honorable high court dismissed the writ petition No.913 of 2015 of petitioners from village Kusumbi" and passed on the significant judgment with the observation that the process of law is being abused. However, considering the fact that the petitioners appear to be poor persons, the said court dismiss their writ petition without any cost. (A copy of court order dated 27.06.2016 is enclosed herewith for your kind reference please).

In light of the above judgment and fact explained earlier vide reply of scrutiny comments letter dated 17.06.2016 in respect of legal status of 38.58 Hectare Revenue and Patta land. We request you to kindly process proposal for diversion of 190.42 hectare forest land for Mining of Limestone to M/s Manikgarh Cement, Gadchandur on priority.

Hope you will find our submission in order.

Thanking you,

Yours Faithfully,

R.K. UDGE

Executive President (Mines)

Manikgarh Cement, Gadchandur

(A Division of Century Textiles and Industries, Ltd.)

Encl: Copy of above referred High Court Judgments

and Six copies of proposal along with all enclosures and annexure including six copies of approved Mining plan.

2016
मध्य प्रदेश वनविभाग
मुख्य सचिव, बंदरपूर

NATURE IS GOD'S GIFT TO US

LET US PRESERVE & ENJOY IT. DON'T POLLUTE & DESTROY IT.

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IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
NAGPUR BENCH, NAGPUR

WRIT PETITION NO.913 OF 2015
Anandrao Maru Mesram and ors

..vs..

State of Maharashtra, through its Secretary, Revenue and Forest Department, Mantralaya,
Mumbai-32 and ors

Office Notes, Office Memoranda of Coram,
appearances, Court orders or directions
and Registrar's orders

Court's or Judge's Order

Shri P.V. Thakre, counsel for the petitioners.
Shri S.V. Manohar, counsel for R-3.
AGP for R-1 & 2.

CORAM : **B.P. DHARMADHIKARI &**
KUM. I.K. JAIN, JJ.

DATED : **JUNE 27, 2016.**

Heard.

The allotment of land, made way back in the year 1981 to respondent No.3 for mining purposes, is sought to be questioned by the petitioners who claim to be the lessees of that land. They do not dispute that the land has been acquired and they have received compensation.

Respondent Nos.1 and 2-The State of Maharashtra and the Collector, Chandrapur have pointed out that the mining activities are going on on the said land. Learned counsel Shri S.V. Manohar for respondent No.3 also supports the case of respondent Nos.1 and 2 and adds that the possession was handed over voluntarily. According to him, inclusion of area in which lands are located in

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scheduled part, enables the Governor to issue notification exempting it from operation of certain provisions/laws.

The period of about 34 years has expired and the petition has been filed in the year 2015. Only grievance is, the petitioners could not collect necessary information under the Right to Information Act. The steps taken by the petitioners, after 1981 and within reasonable time, are not placed on record. Mining is going on since decades.

We find that the process of law is being abused. However, considering the fact that the petitioners appear to be the poor persons, we dismiss their writ petition without any costs.

JUDGE

JUDGE

!! BRW !!