

JUSTIFICATION FOR LOCATING THE PROJECT IN FOREST LAND

Hon'ble Supreme Court of India vide its judgment dt.12.12.1996 in the W.P. No.202 of 1995 made it clear that provisions of Forest Clearance Act-1980 extend to inter-alia all those areas which on or after the day the FC Act came into force (i.e. 25th October 1980) were recorded as 'Forest' in Govt. record irrespective of the ownership.

The Directorate of Estate and Ex-Officio, Joint Secretary to Government, General Administration Department, Govt. of Odisha has executed the lease deed on dtd. 12.01.1988 over an area of 1.49 Acres in favour of M/s. Ferro Alloys Corporation Ltd. in Plot no.GD-2/10, Unit-16, Jayadev Vihar, Bhubaneswar for a period of Ninety Nine (99) years for office-cum residential purpose of the said land. Pertinent to mention here that at the time of execution of deed, the schedule land was not declared as a forest land.

Subsequently it is revealed from the letter no.8172 dtd 07.03.2020 issued by the General Administration and Public Grievance Department of Govt. of Odisha that a case has been initiated before the National Green Tribunal, Eastern Zone Kolkata bearing OA no.29/2019. Wherein the complainant Mr. Subash Mohapatra has alleged that the said land is coming under "Forest" prior to 1980. As such the lease land of 1.49 Acres is attracting Forest Conservation Act-1980.

Pursuant to the order of National Green Tribunal Kolkata bench and in compliance to the letter issued by the General Administration and Public Grievance Department of Govt. of Odisha, we are applying Forest Diversion Proposal against the said lease land for the non-forest purpose as required under Forest Conservation Act-1980.

Hence in order to comply the order of National Green Tribunal Kolkata bench as well as to respect the order of Hon'ble Apex Court of India, we are filing herewith the Forest Diversion Proposal for 1.49 Acres of Forest land.

For Ferro Alloys Corporation Ltd.



Authorized Signatory

