

**Government of India**  
**Ministry of Environment, Forest and Climate Change**  
**(Forest Conservation Division)**

\*\*\*\*\*

**Indira Paryavaran Bhawan,**  
Jor Bag Road, Aliganj,  
New Delhi – 110003  
**Dated: As per E-sign**

To,

**The Principal Secretary (Forests),**  
Government of Maharashtra,  
Mumbai.

**Subject: Proposal for prior approval under section 2 (1) (iii) of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for 153.09 ha forest land for Iron Ore mining at village Surjagad Wooria Hill Bhamragad, Tahsil Etapali, Dist. Gadchiroli in Maharashtra State in favour of M/s Gopani Iron & Power (India) Pvt. Ltd - regarding.**

Madam/Sir,

I am directed to refer to the Government of Maharashtra's letter No. FLD-36A16/CR-402/F-10 dated 26.09.2024 forwarding the information on the above subject seeking prior approval of the Central Government under section 2 (1) (iii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980. After examining the information, the following shortcomings have been observed:

- i. The Ministry vide its letter dated 22.01.2018 and dated 16.08.2018 communicated to the State Government that the present application under section 2(iii) may be kept in abeyance till a speaking order regarding validity of letter of intent (LOI) in favour of M/S Gopani Iron & Power (India) Pvt. Ltd valid after 11.01.17 is received from the competent authority in the State Government in compliance of the Court order dated 12.09.2017. Now, the State Government has informed that the LOI is still valid without any reference letter from the Ministry of Mines, Government of India. Further, the Section 10-A(2)(c) of the amended provision of the MMDR Act, 2015 says that "*where the Central Government has communicated previous approval as required under sub-section (1) of section 5 for grant of a mining lease, or if a*

*letter of intent (by whatever name called) has been issued by the State Government to grant a mining lease, before the commencement of the Mines and Minerals (Development and Regulation) Amendment Act, 2015, the mining lease shall be granted subject to fulfilment of the conditions of the previous approval or of the letter of intent within a period of two years from the date of commencement of the said Act*” and the cut-off date set for the LOI issued in the instant project as per Section 10-A(2)(c) of the amended provision of the MMDR Act, 2015 was 11.01.2017. Therefore, the State Government shall examine the matter and furnish their comments in this regard.

- ii. The State Government has informed that out of 153.09 ha area of the project, the proposal may be considered for an area of 145.231 ha forest land as 7.859 ha forest land was diverted to different agencies. Moreover, Stage-I approval for an area of 19.227 ha forest land vide proposal No FP/MH/OTHERS/467926/2024 has been issued which is passing through the instant project. Therefore, the state govt. also need to examine the validity of the Lol in view of the reduced forest area.
- iii. The State Govt. shall submit the copies of the approval given under section 2(1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for an area of 7.859 ha and 19.227 ha forest land from the instant project along with KML files/ Maps etc. The KML file of the revised forest area now proposed for diversion shall also be submitted.
- iv. It has been informed that 19.227 ha forest land has been given In-Principle/ Stage-I approval in favour of M/s Lloyds for the construction of Road, Conveyor and Transmission line. However, neither this area has been excluded from the proposed diversion, nor any re-diversion of the 19.227 ha area has been proposed. The state needs to examine the matter holistically and take action accordingly as per Rules.
- v. The instant matter involving the proposed forest area comprising 153.09 ha forest land was subjudice in the Hon’ble Bombay High Court since the year 2017. Therefore, it shall be clarified whether any court case is still pending or otherwise.
- vi. The State Govt. shall provide justification how the proposal for diversion of forest land (7.859 ha + 19.227 ha) was submitted as the matter was sub-judice in the Hon’ble court.
- vii. Reasons and Justification for non-obtaining the Forest clearance on time by the user agency keeping in view that the LOI was issued by the State Government on 04.09.2006 needs to be submitted.
- viii. As per the DSS analysis, the proposed forest area is in the high conservation

zone. The State Govt. shall submit its justification in this regard.

Accordingly, it is requested to furnish the above mentioned information to this Ministry for further consideration of the proposal.

Yours sincerely,

Signed by

Suneet Bhardwaj

Date: 29-10-2024 13:10:12

(Suneet Bhardwaj)

**Assistant Inspector General of Forests**

**Copy to:**

1. The PCCF (HoFF), Department of Forest, Government of Maharashtra, Nagpur;
2. The Dy. DGF (Central), Regional Office, MoEF&CC, Nagpur;
3. The Nodal Officer, Department of Forest, Government of Maharashtra, Nagpur;
4. User Agency;
5. Monitoring Cell, FC Division, MoEF&CC, New Delhi for uploading on PARIVESH portal.