



ଓଡ଼ିଶା ସରକାର

GOVERNMENT OF ODISHA

ବନଖଣ୍ଡ ଅଧିକାରୀ ତଥା ବନ୍ୟପ୍ରାଣୀ ଉଦ୍ଭାବଧାରକଙ୍କ କାର୍ଯ୍ୟାଳୟ, କଟକ ବନଖଣ୍ଡ , କଟକ

**OFFICE OF THE DIVISIONAL FOREST OFFICER: CUTTACK FOREST DIVISION**

**AT: - GHATAKULA, NUAPADA, CUTTACK 753010**

**Tel:- 0671-2957611, Control Room:- 0671-2340343, Toll Free No.18003457473**

**Email: - dfo.cuttack@odisha.gov.in**

**Memo No. 4178 /5F (Forest Diversion) 107/2019**

**Dated, Cuttack the 26 th May, 2023.**

To

The Regional Chief Conservator of Forests,  
Angul Circle, Angul.

Sub:-

Proposal for diversion of 23.80ha of forest land (as per Sabik records as on 25.10.1980) including 2.240ha forest land in safety zone area for Chromite ore mining of Kalarangiatta Chromite Mines of M/s Ferro Alloys Corporation Ltd. (FACOR) in Cuttack Forest Division coming under jurisdiction of Sukinda Tahasil of Jajpur District, Odisha.

Ref:

(i) Your Office Memo No. 2057 dt.26.05.2023.

(ii) This Office Memo No.4072 dt.23.05.2023.

(iii) Memo No. 8713 dt.06.05.2023 of Principal Chief Conservator of Forests, Forest Diversion & Nodal Officer, FC Act, O/o the PCCF & HoFF, Bhubaneswar, Odisha

In continuation to this office Memo No.4072 dt.23.05.2023 and with reference to above cited subject and memo under reference it is to say that as per Para1.21(ii) of the Handbook of Forest (Conservation) Act, 1980 dt.28.03.2019 the following penal provision may be imposed on the user agency for violation of Forest Conservation Act, 1980. Penalty for violation may be equal to NPV of the forest land used for mining for each year violation. This may be imposed as per guideline dt.28.03.2019.

This is for favour of kind information and necessary action.

  
Divisional Forest Officer,  
Cuttack Forest Division.

Copy for kind information to:

The Principal Chief Conservator of Forests, Forest Diversion & Nodal Officer, FC Act, O/o the PCCF & HoFF, Bhubaneswar, Odisha.



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**Memo No. 4072 /5F (Forest Diversion) 107/2019**

**Dated, Cuttack the 23<sup>rd</sup> May, 2023.**

To

The Regional Chief Conservator of Forests,  
Angul Circle, Angul.

Sub:-

Diversion of 23.80 of forest land (as per Sabik records as on 25.10.1980) including 2.240ha forest land in safety zone area for Chromite ore mining from their Kalarangiatta Chromite Mines by M/s Ferro Alloys Corporation Ltd. (FACOR) in Cuttack Forest Division coming under jurisdiction of Sukinda Tahasil of Jajpur District, Odisha-GOI observations regarding.

Ref:

(i)Memo No. 8713 dt.06.05.2023 of Principal Chief Conservator of Forests (Forest Diversion & Nodal Officer, FC Act), O/o the PCCF & HoFF, Bhubaneswar, Odisha to your address.

(ii)Your good office Memo No.1783 dt.10.05.2023.

In inviting a kind reference to the memo cited above on the captioned subject, it is to inform you that, the mining lease area over 39.318ha has been granted for mining lease on dt.06.11.2001 to M/s FACOR Ltd. But, the user agency has surrendered 15.518 ha & the balance 23.80 ha has been used for mining operation being non-forest status of the land as per HAL records. Pursuant to the guidelines dtd. 10.03.2015, the status of said land is forest Kissam as on dt.25.10.1980. The user agency has submitted the diversion proposal on dt.11.11.2015. But, the proposal has not yet been granted Stage-I approval. Meanwhile the Hon'ble High Court has directed to maintain status quo on mining operation and accordingly the user agency i.e. M/s FACOR Ltd. kept operating the mining operation till dt.09.03.2023.

In the instant case as the Hon'ble High Court has clearly said that forest clearance is mandatory for mining activity in forest land. Hence for the days the User Agency has taken up the mining over above said land having the sabik forest, should have mandatorily the forest clearance, otherwise it deems to constitute violations. As the Hon'ble High Court gave the interim order of maintaining the status quo, for which the User Agency continued the mining activity without the forest clearance, so also the status quo of committing violations too got continued over the period of mining without forest clearance.

In this context, it is to mention here that, the violation on Forest Conservation Act, 1980 beyond dt.31.12.2016 is established . The user agency should pay penal NPV/ penal CA for such violation.

This is for favour of kind information and necessary action.

  
Divisional Forest Officer,  
Cuttack Forest Division.

Copy for kind information to:

The Principal Chief Conservator of Forests (Forest Diversion & Nodal Officer, FC Act),

O/o the PCCF & HoFF, Bhubaneswar, Odisha.