

ITEM NO.1

COURT NO.1

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Writ Petition(s)(Civil) No(s). 114/2014

COMMON CAUSE

Petitioner(s)

VERSUS

UNION OF INDIA &amp; ORS.

Respondent(s)

WITH

(1) I.A. NO.30915/2019 AND 153946/2019 (APPLNS. FOR DIRECTIONS AND SEEKING LEAVE TO PLACE ON RECORD ADDL. DOCUMENTS ON B/O MIDEAST INTEGRATED STEELS LTD.)

(2) I.A. NO.186810/2019 (APPLICATION FOR DIRECTIONS) ON BEHALF OF M/S SARDA MINES PRIVATE LIMITED

(3) I.A. NO.157635/2019 (APPLICATION FOR DIRECTIONS) ON BEHALF OF ORISSA MINING CORPORATION LIMITED

"ONLY" IN W.P.(C) NO. 114/2014 ARE LISTED TODAY.

THE NAMES OF THE FOLLOWING ADVOCATES MAY BE TREATED TO HAVE BEEN SHOWN IN THE LIST: MR. HARISH N. SALVE, SR. ADVOCATE (A.C.) MS. APARAJITA SINGH, SR. ADVOCATE (A.C.) MR. A.D.N. RAO, ADVOCATE (A.C.) MR. SIDDHARTHA CHOWDHURY, ADVOCATE (A.C.) MR. PRASHANT BHUSHAN MR. B.K. PRASAD MR. GURMEET SINGH MAKKER MS. KIRTI R. MISHRAMR. MR. L.R. SINGH, ADVOCATES. )

Date : 08-01-2020 These matters were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE B.R. GAVAI  
HON'BLE MR. JUSTICE SURYA KANT

Counsel for the parties

Mr. Harish N. Salve, Sr. Adv. (A.C.) (N.P.)

Ms. Aparajita Singh, Sr. Adv. (A.C.)

Mr. ADN Rao, Adv. (A.C.)

Mr. Siddhartha Chowdhury, Adv. (A.C.)

Mr. Prashant Bhushan, AOR  
Mr. Pranav Sachdeva, Adv.  
Mr. Hemanth Pothula, Adv.

Mr. B.K. Prasad, AOR

Ms. Pinky Anand, ASG  
Ms. V. Mohna, Sr. Adv.  
Mr. Atulesh Kumar, Adv.  
Mr. Raj Bahadur, Adv.  
Mr. R.R. Rajesh, Adv.  
Mr. D.V. Rao, Adv.  
Mr. Tarkeshwar Nath, Adv.  
Ms. Saudimini Sharma, Adv.  
Mr. Hemand Arya, Adv.

Mr. Mukesh Kumar Maroria, AOR

Mr. Atmaram N.S. Nadkarni, ASG  
Ms. Chinmayee Chandra, Adv.  
Mr. S.S. Rebello, Adv.  
Ms. Arzu Paul, Adv.  
Mr./Ms. Neeleshwar Pavani, Adv.  
Ms. Riya Soni, Adv.  
Ms. Shivikka Agrawal, Adv.  
Mr. Gurmeet Singh Makker, AOR

Ms. Kirti R. Mishra, AOR  
Ms. Apurva Upmany, Adv.

Mr. Vikas Singh, Sr. Adv.  
Mr. L.R. Singh, AOR  
Mr. Satwik Misra, Adv.  
Ms. Udit Singh, Adv.  
Ms. Deepeika Kalia, Adv.  
Ms. Shweta Priya, Adv.  
Mr. Vivek Singh, Adv.

Mr. Mahesh Jethmalani, Sr. Adv.  
Mr. Parag Tripathi, Sr. Adv.  
Mr. Gopal Jain, Sr. Adv.  
Mr. Navin Kumar, AOR  
Mr. Manish Kharbanda, Adv.  
Mr. Saurabh Ajay Gupta, Adv.  
Ms. Natasha Sehrawat, Adv.  
Mr. Pranav Sood, Adv.  
Ms. Priya Singh, Adv.  
Mr. Karanveer Singh, Adv.  
Ms. Nikita Mehta, Adv.  
Mr. Vineet Kumar, Adv.

Mr. Raj Kumar Mehta, AOR  
Ms. Himanshi Andley, Adv.

UPON hearing the counsel the Court made the following  
O R D E R

In the course of hearing, this Court on 16.01.2019 passed an order taking cognizance of the deleterious effect of mining on vegetation, after mining activities are over. In particular, it is observed that an area which is mined results in complete elimination of grass which in turn denies fodder to the herbivores. The only solution can be re-grassing of such mined areas. It is not in dispute that re-grassing technology is available in this country.

We see no reason why the area which has been mined should not be restored so that grass and other vegetations including trees can grow in the mining area for the benefits of animals.

We are of the view that this can be achieved by directing the Union of India to impose a condition in the mining lease and a similar condition in the environmental clearance and the mining plan to the effect that the mining lease holders shall, after ceasing mining operations, undertake re-grassing the mining area and any other area which may have been disturbed due to their mining activities and restore the land to a condition which is fit for growth of fodder, flora, fauna etc.

The Union of India may devise appropriate methods for ensuring compliance of this condition after the mining activity is over at the cost of the mining lease holders. This condition shall be in addition to those conditions which have already been imposed for achieving the same purpose under the mine closure plan. This condition shall not be imposed in derogation of any conditions

which are already in force.

Order accordingly.

The Union of India will report the action taken within a period of three weeks from today.

List the matter thereafter.

I.A. NOS.30915/2019 AND 153946/2019 (APPLNS. FOR DIRECTIONS AND SEEKING LEAVE TO PLACE ON RECORD ADDL. DOCUMENTS ON B/O MIDEAST INTEGRATED STEELS LTD.

Arguments concluded.

Orders reserved.

I.A. NO.186810/2019 (APPLICATION FOR DIRECTIONS) ON BEHALF OF M/S SARDA MINES PRIVATE LIMITED

Arguments concluded.

Orders reserved.

I.A. NO.157635/2019 (APPLICATION FOR DIRECTIONS) ON BEHALF OF ORISSA MINING CORPORATION LIMITED

Issue notice returnable after two weeks.

In the meantime, the respondent(s) may file their respective reply affidavits, if any.

(SANJAY KUMAR-II)  
COURT MASTER (SH)

(INDU KUMARI POKHRIYAL)  
ASSISTANT REGISTRAR