

ITEM NO.103

COURT NO.6

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 (Civil) No. 381/1997

HARADHAN ROY (DEAD)

Petitioner(s)

VERSUS

UOI & ORS.

Respondent(s)

[TO GO BEFORE THREE HON'BLE JUDGES][AS FIRST CASE]

WITH

T.C.(C) No. 5/2003 (XVI-A)
(IA No.126638/2017-EARLY HEARING APPLICATION)

T.C.(C) No. 18/2003 (XVI-A)

T.C.(C) No. 19/2003 (XVI-A)

T.C.(C) No. 56/2004 (XVI-A)

T.C.(C) No. 34/2007 (XVI-A)

W.P.(C) No. 112/2012 (PIL-W)

C.A. No. 7437/2018 (XVII)
[PAPER BOOKS OF W.P.(C)NO.381/1997 IS TO BE PLACED WITH THIS
MATTER]

(IA No. 76531/2018 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES)

Date : 20-09-2022 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE K.M. JOSEPH
HON'BLE MR. JUSTICE ANIRUDDHA BOSE
HON'BLE MR. JUSTICE HRISHIKESH ROY

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Mr. Sanjeev Kumar Mahara, Adv.

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

We have perused the directions which have been sought
for by Shri Gaurav Agarwal, learned Amicus Curiae.

They read as follows:

"a) The Master Plan of 2009 has come to an end and in any event of the matter, it would not have been possible to implement the Master Plan 2009 because of the increase in number of Non Title Holders (NTH) and also because of the fact that the Master Plan did not give sufficient incentive to the legal title holders and non-legal title holders to vacate the lands and move elsewhere.

b) In the last one year, the Government of India, Ministry of Coal has examined the matter and the Secretary (Coal) has made certain suggestions for rehabilitation of persons affected by the fires in Jharia coalfields. The said proposals are pending for approval.

c) The problem of controlling coal fires and rehabilitation of families affected can only be tackled by the cooperation of the Central Government and the State Government. The actionable points prepared by the Secretary (Coal) with timelines and

responsibilities, if implemented in letter in spirit, may address large number of issues raised in the Writ Petition.

d) Since an Action Plan has been finalised by the Secretary(Coal), the Central Government may consider taking a quick decision on the Action Plan proposed and put the Action Plan in implementation, as soon as possible."

We have heard learned Amicus Curiae, learned counsel appearing on behalf of the petitioner and the learned counsel representing the respondent-Union. What is to be noted is that a meeting is to take place on 07.10.2022. The meeting is scheduled to be held for the purpose of constituting and deciding on future fate of the Action Plan.

We would expect that the Committee will come up with a definite timeline and a course of action which will be geared to produce results on the ground so that the problems which are the subject matter of the petition can be adequately and effectively dealt with.

The respondent-Union will place the result of the deliberations before this Court within a period of one week from 07.10.2022.

List the matter on 18.10.2022.

(NIDHI AHUJA)
AR-cum-PS

(RENU KAPOOR)
ASSISTANT REGISTRAR