

ITEM NO.5

COURT NO.1

SECTION PIL

SUPREME COURT OF INDIA  
RECORD OF PROCEEDINGS

WRIT PETITION (CIVIL) NO(s). 381 OF 1997

HARADHAN ROY

Petitioner(s)

VERSUS

UOI &amp; ORS

Respondent(s)

(With appln(s) for directions and office report )

WITH T.C.(C) NO. 18 of 2003

(With office report)

T.C.(C) NO. 19 of 2003

(With office report)

T.C.(C) NO. 34 of 2007 (FOR PREL.HEARING)

(With office report)

T.C.(C) NO. 5 of 2003

(With appln.(s) for permission and c/delay and office report)

T.C.(C) NO. 56 of 2004

(With office report)

Date: 16/01/2008 These Petitions were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE R.V. RAVEENDRAN

HON'BLE MR. JUSTICE J.M. PANCHAL

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Mr.Tapash Ray, Sr.Adv.(A.C.)

For Petitioner(s) Mr. L.C. Agrawala,Adv.

Mr. Anip Sachthey, Adv.(NP)

Mr.Anukul Raj, Adv.  
For Mr. Gopal Singh, Adv.

Mr. S.K. Verma, Adv.

Petitioner-In-Person

For Respondent(s) Mr.Vikas Singh, ASG

Ms.Rajni Singh, Adv.

Mr.Suneel Roy,Adv.

Mrs.Vandana Mishra, Adv.  
Mr. B.V. Balaram Das ,Adv

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Mr. Anil K. Jha ,Adv(NP)

Mr. B.B. Singh ,Adv(NP)

State of W.B. Mr.Siddhartha Chowdhury, Adv.  
Ms. Radha Rangaswamy ,Adv

Mr.Ashok Bhan, Adv.  
Mrs.Sunita Sharma, Adv.  
Mr. D.S. Mahra ,Adv  
Mrs.Anil Katiyar, Adv.

Mr. Arvind Kumar Sharma ,Adv

State of Jharkhand Mr.Manish Kumar Saran ,Adv  
Mr.Nirmal Kumar Mishra, Adv.

For R.No.9 Mr.C.D.Singh, Adv.  
Mr.Vairagya Vardhan, Adv.  
Mr.Sunny Chowdhary, Adv.

Mr.Ashok Mathur, Adv.(NP)

Mr.Gopal Prasad, Adv.(NP)

Mr.Rajan Kumar Choudhuri, Adv.

UPON hearing counsel the Court made the following  
ORDER

As regards fires and subsidence of earth in the mining areas, two reports have  
been filed by the Committee appointed by this Court. One was in respect of leasehold area of  
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Eastern Coalfields Ltd. (ECL) and the other is in respect of leasehold area of Bharat Coking  
Coal Limited (BCCL). These coalfields fall in the States of West Bengal and Jharkhand. It is

pointed out by the learned Amicus Curiae that no serious steps have been taken either for

rehabilitation of the residents of the affected area or for controlling the fires in these are  
as. He

drew our attention to the comments made by the Committee.

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It was pointed out that many a time the remedial measures are not taken and whatever action is

taken so far, are not sufficient. The learned Amicus Curiae further suggested that there should

be a Central Committee to look into this question. The Union of India may also explore the possibility of constituting a High Powered Central Committee including the Director General of Mines Safety, the Chairmen of BCCL and ECL along with some technical experts.

The States of West Bengal and Jharkhand have not filed any response as to what steps they had taken in this regard, with reference to the deficiencies pointed out by the Committee constituted by this Court. It is pointed out by the learned Amicus Curiae that for the purpose of rehabilitation of persons who are directly affected by possible calamities on account of the fires, the concerned State Governments have to take steps. He also points out that oil pipelines and railway lines are passing very near to these areas, thereby posing a threat to Railway passengers and oil pipelines. The States of West Bengal and Jharkhand are directed to file their response as to what steps they have taken in this regard within a period of eight weeks.

The Union of India is directed to indicate its stand within a period of eight weeks.

List on 25.3.2008.

(G.V.Ramana)  
Court Master

(Veera Verma)  
Court Master