

ITEM NO.102

COURT NO.3

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Writ Petition(s) (Civil) No(s). 381/1997

HARADHAN ROY

Petitioner(s)

VERSUS

UOI &amp; ORS.

Respondent(s)

([ TO GO BEFORE THREE HONBLE JUDGES ])

WITH

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

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

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

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

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

T.C. (C) No. 5/2003 (XVI-A)

( and IA No.126638/2017-EARLY HEARING APPLICATION)

C.A. No. 7437/2018 (XVII)

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

Date : 13-12-2018 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.K. SIKRI

HON'BLE MR. JUSTICE S. ABDUL NAZEER

HON'BLE MR. JUSTICE R. SUBHASH REDDY

For Petitioner(s) Mr. Anjani Kumar Mishra, AOR  
Ms. Hardeep Kaur, Adv.  
Mr. G.Vetri, Adv.  
Mr. Mahesh Kaushik, Adv.  
Mr. Dipak Bhattacharya, Adv.

Mr. L. C. Agrawala, AOR

Mr. Gaurav Agrawal, AOR

Mr. Anip Sachthey, AOR

Petitioner-in-person

Mr. Gopal Singh, AOR

Mr. S. K. Verma, AOR

Ms. Anitha Shenoy, AOR

For Respondent(s)

Mr. Anip Sachthey, AOR

Ms. Anjali Chauhan, Adv.

Ms. Ria Sachthey, Adv.

Ms. Madhumita Bhattacharjee, AOR

Mr. Tapes Kumar Singh, AOR

Mr. Ashwani Bhardwaj, AOR

Mr. Anil K. Jha, AOR

Ms. Radha Rangaswamy, AOR

Mr. Arvind Kumar Sharma, AOR

Mr. Gopal Prasad, AOR

Mr. S.K. Singh, Adv.

Mr. Jayesh Gaurav, Adv.

Mr. Manish Kumar Saran, AOR

Mr. Ratan Kumar Choudhuri, AOR

Ms. Kiran Bhardwaj, Adv.

Ms. Sunita Sharma, Adv.

Mr. Raj Bahadur, Adv.

Mr. Arun Kumar Yadav, Adv.

Mrs. Anil Katiyar, AOR

Mr. G. S.Makker, Adv.

Mr. Ashok Mathur, AOR

Mr. Tejaswi Kumar Pradhan, AOR

Mr. Manoranjan Paikaray, Adv.

Mr. M. Yogesh Kanna, AOR

Mr. Rajarajeshwaran. S., Adv.

Mr. Nikhil Nayyar, AOR

Mr. Tapes Kumar Singh, Adv.

Mr. Aditya Pratap Singh, Adv.

M/S. S.M. Jadhav And Company, AOR

Mr. Avijit Roy, AOR

Mr. Anupam Lal Das, AOR

Mr. Anirudh Singh, Adv.

Mr. K. Barua, Adv.

Ms. Yogmaya Agnihotri, Adv.

Mr. Rohit Singh, AOR

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

Mr. Anip Sachthey, learned advocate has drawn our attention to the order dated 06.02.2004 whereby this Court had directed the Government of India to take such steps as are necessary for giving effect to the action plan which was submitted by the Government of India. He has also referred to the order dated 03.05.2005. In the said order this Court appointed the Director General of Mines, Safety, Dhanbad to go through the Action Plan and subsequent affidavit filed by the Union of India in regard to the steps taken pursuant to the said Plan and to verify the same and file a report to this Court within three months of the passing of that order. The Director General was also authorised to constitute a Committee if he thinks necessary of such persons he thinks fit to help him in preparing the report. Another order which is referred to is dated 31.03.2009 as per which the Union of India was directed to file an affidavit as to what steps have been taken to rehabilitate the persons affected by the mining of coal in the States of Jharkhand and West Bengal and also as to what steps have been taken to avoid subsidence and fire. It seems that nothing substantial had happened

thereafter. In these circumstances, it would be better to have the present state of affairs which should be brought on record.

Having regard to the aforesaid three orders we direct the Director General of Mines Safety, Dhanbad (Respondent No.9) to submit the latest report about the steps taken pursuant to the directions given to him in the orders referred hereinabove. We also direct the Union of India to file an affidavit indicating the steps which have been taken pursuant to the Action Plan and also qua the rehabilitation of persons affected by the mining as directed in the aforesaid orders.

Needful be done within a period of two months.

List these matters on 18.02.2019.

C.A. No. 7437/2018

Before the next date of hearing the respondents, particularly BCCI, shall also file reply to the aforesaid appeal.

(ASHWANI THAKUR)  
COURT MASTER (SH)

(RAJINDER KAUR)  
BRANCH OFFICER