

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

Petition(s) for Special Leave to Appeal (Civil) Nos.7366-7367/2010

(From the judgement and order dated 26/02/2010 in WP No.25910/2009 and WP No.26083/2009 of The HIGH COURT OF A.P. AT HYDERABAD)

GOVT.OF A.P.& ORS.

Petitioner(s)

VERSUS

M/S OBULAPURAM MINIG.CO.P.LTD.& ORS. ETC.

Respondent(s)

(With appln(s) for exemption from filing c/c of the impugned judgment, directions, impleadment and office report)

With Writ Petition (C) No.562 of 2009

(With appln(s) for clarification of Court's Order dated 06/05/2011, permission to file additional documents, exemption from filing O.T., impleadment, directions, vacating stay, intervention, interim directions, permission to file affidavit and modification)

Date: 20/04/2012 These Matters were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE AFTAB ALAM
HON'BLE MR. JUSTICE SWATANTER KUMAR

Mr. Shyam Divan, Sr. Adv. (A.C.)
Mr. A.D.N. Rao, Adv. (A.C.)
Mr. Siddharth Chaudhary, Adv. (A.C.)

For Petitioner(s)
In SLP 7366-67/2010:

Mr. T.V. Ratnam, Adv.

In WP 562/2009:

Mr. Prashant Bhushan, Adv.
Mr. Pranav Sachdeva, Adv.

Mr. S. Ganesh, Sr. Adv.
Mr. Syed Naqvi, Adv.
Ms. Namrata K. Sharma, Adv.
Mr. P.P. Kanwar, Adv.
Mr. Kunal Verma, Adv.

For Respondent(s)

Mr. Sridhar Potaraju, Adv.
Mr. Gaichjangrou Gongmei, Adv.

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For MoEF: Mr. Gourab Banerjee, ASG.
Mr. Sahil Tagotra, Adv.
Mr. Harris Beeran, Adv.
Mr. Nishanth Patil, Adv.
Mr. B.K. Prasad, Adv.
Mr. Mushtaq Salim, Adv.

Mr. H.P. Raval, ASG.
Mr. Srinivas, Adv.
Mr. A. Deb Kumar, Adv.
Ms. Asha G. Nair, Adv.
Mr. D.S. Mahra, Adv.

Mr. Altaf Ahmed, Sr. Adv.
Mr. C. Paramasivam, Adv.

Mr. P. Ramesh, Adv.
Mr. M.P. Parthiban, Adv.
Mr. Rakesh K. Sharma, Adv.

Mr. K.K. Venugopal, Sr. Adv.
Mr. P.V. Dinesh, Adv.
Mr. Siddhartha, Adv.

For Karnataka: Mr. Raju Ramachandran, Sr. Adv.
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Ms. Anitha Shenoy, Adv.
Ms. Vishruti Vijay, Adv.

Mr. G.N. Reddy, Adv.

Mr. Satya Siddiqui, Adv.
Mr. S.K. Mishra, Adv.
Mr. B.K. Prasad, Adv.

Mr. C.A. Sundaram, Sr. Adv.
Mr. C.S. Vaidyanathan, Sr. Adv.
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for M/s. Khaitan & Co., Advs.

For FIMI: Mr. T.R. Andhyarujina, Sr. Adv.
Ms. Kiran Suri, Adv.
Mr. S.J. Amith, Adv.

Mr. F.S. Nariman, Sr. Adv.
Mr. Sunil Dogra, Adv.
for M/s. Lawyers Knit and Co., Advs.

Ms. Aparna Bhat, Adv.

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Mr. Badri Vishal, Adv.
Mr. B.S. Iyengar, Adv.
Mr. Prashant Kumar, Adv.
for M/s. AP & J Chambers, Advs.

Mr. C.S. Vaidyanathan, Sr. Adv.
Mr. Sanjay R. Hegde, Adv.
Mr. B.M. Rajesh, Adv.
Mr. S. Nithin, Adv.
Mr. Tenzin Tsering, Adv.
Mr. Anil Kumar Mishra-I, Adv.

Mr. Mukul Rohatgi, Sr. Adv.
Mr. D.L.N. Rao, Sr. Adv.
Mr. S.K. Kulkarni, Adv.
Mr. M. Gireesh Kumar, Adv.
Mr. Ankur S. Kulkarni, Adv.

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For NMDC Ltd.: Mr. Arvind Datar, Sr. Adv.
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Mr. Anand Sukumar, Adv.
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Mr. N.L. Ganapathi, Adv.
Ms. Pallavi Tayal, Adv.
Mr. Zaki Ahmed Khan, Adv.

Mr. Shekhar G. Devasa, Adv.
Mr. Rohit Pandey, Adv.
Mr. D.K. Garg, Adv.

For Mysore Minerals
Ltd.

Mr. Balaji Srinivasan, Adv.
Mr. A.K. Vasanth, Adv.
Mr. K. Vijay Kumar, Adv.
Ms. Jaikriti Jadeja, Adv.

M/s. Suresh A. Shroff & Co., Adv.

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Mr. P. Ramesh Kumar, Adv.
Mr. Ranvir Singh, Adv.

Mr. Krishan Venugopal, Sr. Adv.
Ms. Kiran Suri, Adv.
Mr. K.N. Phanindra, Adv.
Mr. S.J. Amith, Adv.
Mr. Rohit Bhat, Adv.

For Sesa Goa &
V.S. Lad:

Mr. K.K. Venugopal, Sr. Adv.
Ms. Kiran Suri, Adv.
Mr. K.N. Phanindra, Adv.
Mr. S.J. Amith, Adv.
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Mr. K. Shivraj Choudhuri, Adv.
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Mr. Varun Kumar Chopra, Adv.

Mr. Mukul Rohatgi, Sr. Adv.
Mr. Naveen R. Nath, Adv.
Ms. Lalit Mohini Bhat, Adv.
Ms. Amrita Sharma, Adv.
Mr. Darpan K.M., Adv.

Mr. V. Giri, Sr. Adv.
Mr. Rajesh Mahale, Adv.
Mr. Prabhuling K. Navadgi, Adv.
Mr. Krutin Joshi, Adv.

For DMC.:

Mr. Pallav Shisodia, Sr. Adv.
Mr. Bhargava V. Desai, Adv.
Mr. Avijit Bhushan, Adv.
Mr. S.P. Suman, Adv.

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Mr. Sandeep Narain, Adv.
for M/s. Narain & Co., Adv.

Mr. K. Dheeraj Kumar, Adv.
Mr. K. Subba Rao, Adv.
Ms. K. Radha, Adv.
Mr. A.P. Mayee, Adv.

Mr. Snehasish Mukherjee, Adv.

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In I.A. No.85/2012: Mr. Kuriakose Varghese,Adv.
Mr. Neeraj Shekhar,Adv.

Mr. Vikas Mehta,Adv.
Mr. R. Ravishankar,Adv.
Mr. Uday Joshi,Adv.

Dr. Adish C. Agrawala,Sr.Adv.
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Ms. Savitri Pandey,Adv.

Mr. T.V. Ratnam,Adv.
Mr. Munawwar Naseem,Adv.

Mr. Krishan Venugopal,Sr.Ads. v.
Mr. Gaurav Goel,Adv.
Mr. Mahesh Agarwal,Adv.
Mr. Rishi Agrawala,Adv.
Mr. E.C. Agrawala,Adv
Ms. Neeha Nagpal,Adv.

Mr. Shailesh Madiyal,Adv.

M/s. Parekh & Co.,Advs.

Mr. C.U. Singh,Sr.Adv.
Ms. Neha Gaur,Adv.
Ms. Pallavi Tayal,Adv.

Mr. Krishan Venugopal,Sr.Asdv.
Ms. Uttara Babbar,Adv.
Ms. Udyati Tiwari,Adv.

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

In continuation of our Order dated 13th April, 2012, as far as Category 'A' is concerned, Recommendations made by Central Empowered Committee in Paragraph 14 of its Report dated 18th April, 2012, is accepted with a specific clarification that individual Reclamation and Rehabilitation report for each mining lease(s) would specify unbroken forest area. Mining which is to be resumed in appropriate cases falling in Category ...6/-

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'A', however, shall not extend to unbroken forest areas. Further, we direct Ministry of Environment and Forests to re-visit the statutory clearances earlier granted by it in the light of Reclamation and Rehabilitation Plan.

Sale of iron ore lying at various cancelled stockyards is permitted through E-auction by Monitoring Committee with the condition that sale proceeds not found to be involved in any illegality will be reimbursed to the respective stockyards.

Report of Central Empowered Committee dated 13th March, 2012, is accepted in respect of ML 2581 of M/s. SMIORE.

Learned counsel appearing in I.A. Nos.47 and 48 submits that these interlocutory applications be dismissed as not pressed. We order accordingly.

[T.I. Rajput]
A.R.-cum-P.S.

[Madhu Saxena]
Assistant Registrar