

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, prayer for interim relief and office report)

With S.L.P. (C) Nos.32690-32691/2010
(With prayer for interim relief and office report)

W.P. (Crl.) No.66 of 2010
(With appln(s) for directions and office report)

S.L.P. (C) Nos.17064-17065 of 2010
(With prayer for interim relief and office report)

Writ Petition (C) No.562 of 2009
(With appln(s) for ex-parte stay, permission to file additional documents and exemption from filing O.T.)

S.L.P. (C) No...../2010 (CC 16829/2010)
(With appln(s) for c/delay in filing SLP and office report)

S.L.P. (C) No...../2010 (CC 16830/2010)
(With appln(s) for c/delay in filing SLP and office report)
[For directions]

Writ Petition (C) No.411 of 2010
(With appln.(s) for directions and office report)

S.L.P. (C) No.353 of 2011
(With prayer for interim relief and office report)

Date: 29/04/2011 These Matters were called on for hearing today.

CORAM :
HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE AFTAB ALAM
HON'BLE MR. JUSTICE K.S. PANICKER RADHAKRISHNAN

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Mr. Harish N. Salve,Sr.Adv.(A.C.) (N/P)
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 SLP 17064-65/2010: Mr. Parag P. Tripathi,ASG.
Mr. T.V. Ratnam,Adv.

In SLP 32690-91/2010: Mr. Sindhu T.P.,Adv.
Mr. P.V. Vinod,Adv.
Mr. P.V. Dinesh,Adv.

In WP 66/2010: Mr. Prashant Kumar, Adv.
Ms. Triveni Potekar, Adv.
Ms. I. Bimla Devi, Adv.

In WP 562/2009: Mr. Prashant Bhushan, Adv.
Mr. Pranav Sachdeva, Adv.

In CC 16829/2010 and 16830/2010: Mr. K. Raghavacharayulu, Adv.
Mr. Pragyan Sharma, Adv.
Mr. Sridhar Potaraju, Adv.
Mr. D. Julius, Adv.
Mr. Gaochangpou Gangmei, Adv.

In WP 411/2010: Mr. Anil B. Divan, Sr. Adv.
Mr. K. Gooptu, Adv.
Mr. Ranvir Singh, Adv.
Mr. Rohit Kumar Singh, Adv.

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

In SLP 353/2011: Mr. G. Umapathy, Adv.
Ms. Sudha Umapathy, Adv.
Mr. S. Ramsubramanian, Adv.
Mr. Rakesh K. Sharma, Adv.

For Respondent(s) Mr. Mukul Rohtagi, Sr. Adv.
Mr. K. Raghavacharayulu, Adv.
Mr. Sridhar Potaraju, Adv.
Mr. D. Julius Riamei, Adv.
Mr. Gaochangpou Gangmei, Adv.

Mr. T.S. Doabia, Sr. Adv.
Mr. Aman Ahluwlia, Adv.
Ms. Asha G. Nair, Adv.
Mr. Satya Siddiqui, Adv.
Mr. D.S. Mahra, Adv.

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Mr. Rakesh K. Sharma, Adv.

Mr. P.V. Dinesh, Adv.
Ms. T.P. Sindhu, Adv.
Mr. P.V. Vinod, Adv.

Mr. Ashok Haranahalli, AG.
Mr. R.G. Kolle, Adv.
Ms. Anitha Shenoy, Adv.
Ms. Rashmi Nandakumar, Adv.
Mr. Gautam, Adv.

Mr. G.N. Reddy, Adv.
Mr. V. Pattabhiram, Adv.

Mr. P.P. Malhotra, ASG.
Ms. Sukhbeer Kaur Bajwa, Adv.
Mr. Gaurav Sharma, Adv.
Mr. S.N. Terdal, Adv.

Mr. Harin P. Raval, ASG.
Mr. Ashok K. Srivastava, Adv.
Mr. B.K. Prasad, Adv.

Mr. C.A. Sundaram, Sr. Adv.
Mr. Manu Nair, Adv.
Mr. Anuj Berry, Adv.
for M/s. Suresh A. Shroff & Co., Adv.

For FIMA: Mr. D.A. Dave, Sr. Adv.
Ms. Kiran Suri, Adv.
Mr. K.N. Phanindra, Adv.
Mr. Vijay Verma, Adv.

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

Mr. Ashok H. Harnahalli, AG, Karnataka
Ms. Anitha Shenoy, Adv.

Ms. C.K. Sucharita, Adv.

Mr. A.K. Sharma, Adv.

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Mr. K.K. Venugopal, Sr. Adv.
Mr. Sanajy R. Hegde, Adv.
Mr. Rajesh D.M., Adv.
Mr. Rajesh S.U., Adv.
Mr. Krutin R. Joshi, Adv.
Mr. Anil Kumar Mishra, Adv.

Mr. Parag P. Tripathi, ASG.
Mr. Anuj Bhandari, Adv.

Mr. Ranjit Kumar, Sr. Adv.
Mr. Jay Savla, Adv.
Mr. D. Julius Raimei, Adv.
Mr. Sumit Ghosh, Adv.
Ms. Renuka Sahu, Adv.

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

The applications for impleadment/
intervention filed by lessees/sub-lessees are taken
on record.

The Central Empowered Committee in its
Report dated 15th April, 2011, [Report No.1] has
recommended that mining operations in the cases of
fifteen mining lease holders be suspended with
immediate effect to which the response of the State
of Karnataka is as follows:

"The recommendations made by CEC are
acceptable to the State Government. In
respect of certain recommendations,
necessary steps have to be initiated.

However, the State is committed to curb the
menace of illegal mining and will take all
necessary action in this behalf, including
those steps which are recommended by CEC."

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In view of the said response of the State
Government, we direct, by an ad-interim order, that
no mining operations and transportation in respect
of mining leases given to following fifteen mining
lease holders shall be carried out till further
orders. The fifteen mining lease holders are as
follows:

- [1] Shri Ram Rao M. Poal
- [2] Adarsha Enterprises
- [3] J.M. Vrushbhendraiah
- [4] Sparkline Mining Corporation
- [5] Shiva Vilas Trust
- [6] J.M. Vrushbhendraiah
- [7] Jai Santoshi Matha Mining Enterprises

- [8] D. Ramesh
[9] VSL Mining Company.
[10] Karthikeshwar Mining & Iron Ore
Company (P) Ltd.
[11] Sri A. Arogayya Das
[12] Sri A Arogayya Das
[13] G. Praveen Kumar Nikkam
[14] B. Rudragowda
[15] Mithra Mineral Enterprises

Under CEC Report No.2, we direct, by ad-
interim order suspension of mining operations
[including transportation] in respect of mining
leases given to the following lessees:

- [1] S.B. Minerals
[2] M/s. Muneer Enterprises/Minerals
[3] M/s. Trident Minerals
[4] M/s. Veeyam Pvt. Ltd.

As far as Report Nos.3 and 4 of Central
Empowered Committee are concerned, we are informed
that, out of 68 mining lease holders, the High
Court of Karnataka has passed final orders in
respect of approximately 30 lease holders. In some
cases, review petitions have been filed and they

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are pending in the High Court. Learned Amicus
Curiae states that CEC will be filing
appeal(s)/transfer petition(s) within one week.
Learned Advocate General appearing for the State of
Karnataka states that he will furnish requisite
details of the above matters to the learned Amicus
Curiae within two days.

Place the matter regarding Report Nos.3 and
4 on next Friday, i.e., 6th May, 2011.

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

[Kanchan Jain]
Assistant Registrar