

ITEM NO.302 (MM)

COURT NO.1

SECTION PIL

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

MAJOR MINERAL MATTERS

I.A.No.1785 in WRIT PETITION (CIVIL) NO(s). 4677 OF 1985

M.C.MEHTA

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(for directions on behalf Ridge Management Board)

AND I.A.No.1967 in I.A.NO.1785 in WRIT PETITION (CIVIL) NO(s). 4677 OF 1985

(For modification of court's order dt.06.05.2002)

AND I.A.NO.2152 in 1785 in WRIT PETITION (CIVIL) NO(s). 4677 OF 1985  
(For clarification of order dt.03.08.07 on behalf of Raman Kr.Sethi & Anr.)

AND I.A.Nos.1962&2143 in I.A.No.1785 in WRIT PETITION (CIVIL) NO(s). 4677 OF 1985

(For intervention and direction on behalf of Israel & Ors.)

AND I.A.NO.2443 in WRIT PETITION (CIVIL) NO(s). 4677 OF 1985

(For modification of Court's Order dt. On behalf of Om Prakash Seth)

AND I.A.No.2186 in WRIT PETITION (CIVIL) NO(s). 4677 OF 1985

(For modification of order dt.6.5.2002 on behalf of Patra Mines & Minerals (P) Ltd.)

AND I.A.NO.2444 in I.A.No.2186 in WRIT PETITION (CIVIL) NO(s). 4677 OF 1985

(For modification of Court's order dt.8.10.09 on behalf of Patra Mines & Minerals (P) Ltd.)

AND I.A.NO.2168 in WRIT PETITION (CIVIL) NO(s). 4677 OF 1985

(For intervention/direction on b/o.Pali Mohatababd Store Crushers Assn.)

AND I.A.NO.D75191 in WRIT PETITION (CIVIL) NO(s). 4677 OF 1985

(For modification of Ct's order dt.8.10.09 on behalf of Raman Kr. Seth, P.K. Sethi)

AND I.A.NO.1465, 2417, 2426-2427 & 2768-2769 in 828 in WRIT PETITION (CIVIL) NO(s). 202 OF 1995

(For impleadment and direction/permission to file addl. documents and modification of Order dt. 8.10.09)

AND I.A.NO.D76048 & 76051 in WRIT PETITION (CIVIL) NO(s). 202 OF 1995

(For modification of Order dt. 8.10.2009)

MINOR MINERAL & CONSTRUCTIN MATTERS

I.A.No.2269 in WRIT PETITION (CIVIL) NO(s). 4677 OF 1985

(For directions on b/o.of Administrator, Haryana Urban Development Authority, Faridabad)

AND I.A.No.2393 in I.A.2269 IN I.A.nO.1785 in W.P.(C)NO.4677/1985

(For direction-permission to execute basic infrastructure development work on behalf of Administrator Haryana Urban Development Authority, Faridabad)

AND I.A.No.2198 @ Conmt.Pet.No.125/2006 vide Court's order dt.25.10.2007 in WRIT PETITION (CIVIL) NO(s). 4677 OF 1985

(For direction on b/o.Devendra Badana)

AND I.A.NO.2270 in I.A.No.1785 in WRIT PETITION (CIVIL) NO(s). 4677 OF 1985  
(For clarification of court's order dt.10.05.96, 11.10.96 & 06.05.02 on behal fof Director, Town & Country Planning, Haryana)

AND Conmt. Pet.(C)no.186/2003 in WRIT PETITION (CIVIL) NO(s). 4677 OF 1985  
(With appln.(s) for exemption from filing O.T.)

and I.A.NO.1866 in WRIT PETITION (CIVIL) NO(s). 4677 OF 1985  
(For direction on be/o.of Mr.Som Prakash Sethi)

WITH I.A.No.1858-1859 in WRIT PETITION (CIVIL) NO(s). 4677 OF 1985  
(For impleadment & Directions & permission to file appln. for impleadment on b/o.Paryavaran Avam Van Vikas Morcha)

WITH I.A.NO.1886 in WRIT PETITION (CIVIL) NO(s). 4677 OF 1985  
(For directions (Arising out of Newspaper Clipping in Navbharat Times (Hindi) dt.05.07.04 reg. The Mining Authority in Mehrauli Ridge Area)

WITH I.A.NO.1888 in WRIT PETITION (CIVIL) NO(s). 4677 OF 1985  
(For direction reg. Implementation of court's order dt.10.05.96, 11.10.96 & 18.03.2004)

with I.A.NO.1891 TO 1893 in WRIT PETITION (CIVIL) NO(s). 4677 OF 1985  
(For impleadment, direction and exemption from filing O.T. on b/o.Manoj Kumar)

WITH I.A.NO.1895 in WRIT PETITION (CIVIL) NO(s). 4677 OF 1985  
(For intervention/direction on b/o.Gurgaon Stone Crushers Association c/o.Naurangpura, Crusher Union)

WITH I.A.No.1896 in WRIT PETITION (CIVIL) NO(s). 4677 OF 1985  
(For directions (arising out of Photographs given in Court by A.C.)

3

WITH I.A.No.1906 in WRIT PETITION (CIVIL) NO(s). 4677 OF 1985  
(For directions on b/o.Bandhua Mukti Morcha)

WITH I.A.No.1907-1908 in WRIT PETITION (CIVIL) NO(s). 4677 OF 1985  
(For directions/clarification and for permission to file appln. for directions/clarification)

WITH I.A.Nos.1911-1912 in WRIT PETITION (CIVIL) NO(s). 4677 OF 1985  
(For intervention/directions on b/o.of Mr.Krishan Pal Gujjar)

WITH I.A.Nos.1937 in WRIT PETITION (CIVIL) NO(s). 4677 OF 1985  
(For directions on b/o.of Mr.P.K.Sethi)

WITH I.A.Nos.1938 in WRIT PETITION (CIVIL) NO(s). 4677 OF 1985  
(For intervention on b/o.of Karamyogi Shelter)

WITH I.A.NOS.2306-2307 in WRIT PETITION (CIVIL) NO(s). 4677 OF 1985  
(For impleadment and permission to construct Sr.Secondary School on b/o. M/s.Progressive Charitable Trust)

WITH I.A.Nos.2308-2309 in WRIT PETITION (CIVIL) NO(s). 4677 OF 1985  
(For impleadment and directions on b/o.of Drishti India Ltd.)

WITH I.A.NO.1968 in WRIT PETITION (CIVIL) NO(s). 4677 OF 1985  
(For intervention on b/o.Pali Mohatabad Crushers Owners Association)

WITH I.A.Nos.2334-2335 in WRIT PETITION (CIVIL) NO(s). 4677 OF 1985  
(For impleadment and directions on b/o.Sat Veer Singh & Ors.)

WITH I.A.No.2336 in WRIT PETITION (CIVIL) NO(s). 4677 OF 1985

(For intervention on b/o.Shakti Vahini)

WITH I.A.NO.D 58737 in WRIT PETITION (CIVIL) NO(s). 4677 OF 1985  
(For intervention on b/o.South Eastern Coalfields Ltd.)

AND I.A.Nos.2374-2376 in I.A.1785 in W.P.(C)NO.4677/1985  
(For impleadment and directions and exemption from filing O.T.)

WITH I.A.Nos.2377-2380 in I.A.1785 in W.P.(C)NO.4677/1985  
(for permission, impleadment, seeking permission to file objections to the CEC report, interim stay, exemption on behalf of R.Kant & Co.)

WITH I.A.Nos.2381, 2382, 2383, 2384 IN I.A.1785 in W.P.  
(C)NO.4677/1985  
(for permission by impleadment, permission to file objections to the CEC report dt.15.1.2009, direction and exemption from filing c/delay of CEC report on behalf of Asha Upadhyay and ors.)

WITH I.A.Nos.2386-2387 in I.A.1785 in W.P.(C)NO.4677/1985  
(For permission for impleadment, seeking permission to file objections to the CEC report dt.15.1.09 on behalf of Lt.Col.B.B.Sharan(Retd.)

4

WITH I.A.No.2390 in I.A.1785 in W.P.(C)NO.4677/1985  
(For clarification on behalf of Mr.Raman Sethi)

WITH I.A.No.2392 in I.A.1785 in W.P.(C)NO.4677/1985  
(for impleadment/direction on behalf of Ashok Azad & Ors.)

WITH I.A.No.2415 in I.A.1785 in W.P.(C)NO.4677/1985  
(for intervention on behalf of Jitender Singh)

WITH I.A.NO.2450 IN I.A.NO.2385/2009 IN I.A.NO.1785/2002 IN W.P.(C)  
NO.4677/1985  
(For modification of Order dated 8.10.2009 on behalf of Ramesh Chander, Dhauj Silica Sand Mine)

WITH I.A.NO.2451 IN I.A.NO.1785/2002 IN W.P.(C) NO.4677/1985  
(For direction on behalf of Pali Mohabtabad Crushers Owners Asson.)

WITH I.A.No.2103 in W.P.(C)NO.4677/1985  
(for intervention/direction on behalf of Haryana Environmental Society, Gurgaon)

MINOR MINERALS AND CONSTRUCTION MATTERS IN HARYANA MINING

I.A.Nos.839, 840, 850, 853-854, 855-856, 866-868, 869-870, 871-872, 873-874, 875-876, 877-878, 879-880, 881-882, 891-892, 900, 905, 1276-1277, 1590, 1612-1613, 1700-1703, 2007-2008, 1488, 2138-2139 in 891-892, 2205, 2445, 2567, 2574 IN 875-876, 2536, 2636 in 879-880, 2658-2659, 2719 in 1488 in 828 & 2761 in 1612-1613, 2765 in 873-874, 2766 in 879-880, 2767 in 875-876 in W.P.(C)No.202/1995

(Monitoring report of C.E.C. reg. Illegal mining in Aravalli Hills and appln. for directions/impleadment/modification/clarification/exemption from filing O.T./permission to file addl. documents/additional submission/ additional facts and grounds)

WITH W.P.(C)No.624/2002

WITH W.P.(C)No.661/2002  
(With appln.(s) for ex-parte stay and directions and exemption from filing O.T.)

WITH W.P.(C)NO.428/2002  
(With appln.(s) for stay and directions and vacating stay and exemption from filing O.T. and intervention)

WITH CONMT.PET.(C)NO.568/2002 IN W.P.(C)No.428/2002

WITH CONMT.PET.(C)NO.542/2004 IN W.P.(C)NO.428/202

Date: 12/03/2010 These applns. were called on for hearing today.

5

CORAM :

HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE S.H. KAPADIA  
HON'BLE MR. JUSTICE AFTAB ALAM

Mr.Harish N.Salve, Sr.Adv.(A.C.)(NP)  
Mr.U.U.Lalit, Sr.Adv.(A.C.)(NP)  
Mr.Siddhartha Chowdhury, Adv.(A.C.)  
Mr.A.D.N.Rao, Adv. (A.C.)  
Mr.Ranjit Kumar, Sr.Adv.(A.C.)

For Petitioner(s) Petitioner-In-Person

For Respondent(s)/  
applicant(s) Mrs.Lalitha Kaushik, Adv.

Applicant-in-person

Mr. Mohan Jain, ASG  
Mr. D.K. Thakur, Adv.  
Ms. Rohini Mukherjee, Adv.  
Mr.S.W.A.Qadri, Adv.  
Mrs. Kiran Bhardwaj, Adv.  
Mr. M.P.S. Tomar, Adv.  
Ms. Gunwant Dara, Adv.  
Mr. Vibhav Misra, Adv.  
For Smt.Anil Katiyar, Adv.

Mr.D.N.Goburdhan, Adv.

Mr. K.B. Rohtagi, Adv.

Mr. D.S.Mahra, Adv.

Ms. Sheil Sethi, Adv.

Mr. T.V. George, Adv.

Mr.Vijay Panjwani, Adv.

I.A.No.1967 Mr.Anil B.Diwan, Sr.Adv.  
Mr.Dhruv Mehta, Sr. Adv.  
Mr.Yashraj Singh Deora, Adv.  
for M/s.K.L.Mehta & Co., Advs.

I.A.No.2186 Mr.S.K.Dubey, Adv.  
Mr.K.V.Mohan, Adv.  
Mr. Sanjay Malik, Adv.  
Mr. Jamal Akhtar, Adv.  
Mr. Vanshdeep Dalmia, Adv.

6

IA 1962 etc, Mr. Shekhar Kumar, Adv.

IA D75191 Mr.Anil B.Diwan, Sr.Adv.  
Mr.Dhruv Mehta, Sr. Adv.  
Mr.Yashraj Singh Deora, Adv.  
Mr. T.S. Sabasish, Adv.  
Mr. Sarv Mittar, Adv.  
For M/s. Mitter & Mitter Co., Advs.

Mr. B.K. Prasad, Adv.  
Mr. Ravindra Bana, Adv.  
Mr. Vijay Kumar, Adv.  
Mr. Pankaj Kumar, Adv.  
Mr. Vishwajit Singh, Adv.  
Mr. Arun Kr. Beriwal, Adv.  
Ms. Binu Tamta, Adv.  
Mr. Pravir Chaudhary, Adv.  
Ms. Kavita Wadia, Adv.  
Mr. K.K. Rai, Sr. Adv.  
Mr. S.K. Pandey, Adv.  
Mr. Krishnand Pandey, Adv.  
Mr. Raju Ramachandran, Sr. Adv.  
Mr. Manjit Singh, AAG  
For Mr. Kamal Mohan Gupta, Adv.

IA 2336 Mr. Rana S. Biswas, Adv.  
Mr. Ravi Kant, Adv.  
Mr. Sukumar, Adv.  
Ms. Sharmila Upadhyay, Adv.

Mr. Umesh Kumar Khaitan, Adv,

IA 2377-80 Mr. Piyush Sharma, Adv.  
Mr. Dinesh C. Pandey, Adv.  
Ms. Madhu Sikri, Adv.  
Mr. Somnath Mukherjee, Adv.  
Dr. Kailash Chand, Adv.  
Mr. V.K. Sharma, Adv.

I.A.No.1612-13 Mr.S.L.Kumar, Adv.  
Mr.B.V.K.Ahluwalia, Adv.

7

I.A.Nos.2334-2335 Mr.Rakesh Dwivedi, Sr.Adv.  
etc. Mr.Krishnan Venugopal, Sr.Adv.  
Mr. Manmdhit Singh Pal, Adv.  
Ms.Vijay Lakshmi Menon,Adv.

I.A.Nos.2374-2376 Mr.Umesh Kr.Khaitan, Adv.

I.A.No.D 58737 Mr.Amboj Kr.Sinha, Adv.

Mr.A.D.N.Rao, Adv.

M/s.Lawyers Knit & Co., Advs.

Mr.Haris Beeran, Adv.

Mr.Ashish Dholakia,Adv.

Mr.Adarsh Priyadarshi, Adv.

Ms.Sumita Hazarika, Adv.

Mr.P.K.Manohar, Adv.

Ms.Hemantika Wahi, Adv.  
Mr. Somanath Padhan,, Adv.

Mr.Ashok K.Mahajan, Adv.

I.A.NO.2310 Mr.Sanjay R.Hegde, Adv.  
Mr.R.Gopalakrishnan, Adv.

IA 1895 Mr. Bhupender Yadav, Adv.  
Mr. S.S. Shamsbery, Adv.  
Ms. Babita yadav, Adv.  
Mr. Debaleena Kilikdar, Adv.  
For Mr. R.C. Kohli, Adv.

IA 2415 Mr. Somnath Mukherjee, Adv.

I.A. No.2103 Mr. Ajay Pal, Adv.  
  
Mr. K.K. Venugopal, Sr. Adv.  
M/s. Shyam Mohan, Jayashree Wad, Anish Wad,  
Tamali Wad, Chirag S. Dave, Sameer, Advs.  
For M/s. J.B. Wad & Co., Advs.

IA 2768-69 Mr. Deepak Thukral, Adv.  
Mr. Amit Singh, Adv.  
Mr. Shreepal Singh, Adv.

8

2414-16 Mr. Mukul Rohatgi, Sr. Adv.  
Mr. Shail Kr. Dwivedi, AAG  
Ms. Vandana Mishra, Adv.  
Mr. Ashutosh K. Sharma, Adv.

IA 2451,2381-84 Mr. S.B. Upadhyay, Sr. Adv.  
Mr. Pawan Upadhyay, Adv.  
Mr. Param Mishra, Adv.  
For Mrs. Sharmial Upadhyay, Adv.

IA 1590 Mr. Dhruv Mehta, Sr. Adv.  
Mr. M.P. Jha, Adv.  
Mr. Ram Ekbal Roy, Adv.  
Mr. Harshvardhan Jha, Adv.  
Mr. Yashraj, Adv.

Mr. Amit Kumar, Adv.  
Mr. E.M.S. Anam, Adv.  
Mr. Surya Kant, Adv.  
Ms. Sumita Ray, Adv.  
Mr. Rajiv Mehta, Adv.  
Mr. Bimal Roy Jad, Adv.  
Mr. B.V. Balramdas, Adv.

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

List only Haryana mining matters on 9.4.2010.

(R.K.Dhawan)  
Court Master

(Veera Verma)  
Court Master