

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

WRIT PETITION(S)(CIVIL) NO(S). 4677/1985

M.C.MEHTA

PETITIONER(S)

VERSUS

UNION OF INDIA & ORS.

RESPONDENT(S)

(HARYANA MINING MATTERS

I.A.No. 1785, 1967, 2152 IN 1967, 1962, 2443, 2186, 2444, 2168, IA D. NO. 75191, 2484, 2527 AND 2582 IN IA D. NO. 75191, 1866, 1858 and 1859, , 1891, 1892 and 1893, 1895, 1896, 1906, 1907 AND 1908, 1968, 2451, 2336, IA D. NO. 58737, 2390, 2450 IN IA NO. 2385, 2454, 2455, 2486, 2487, 2488 AND 2492, 2385, 2143, 2623, 2624, 1937, 2415, 2579, 2780, 2781, 2782, 2783, 2784 AND 2785, 32531/2021, 32532/2021 IN IA NO. 2450, 28631 AND 28637/2021, 31357 AND 31360/2021, 35779 AND 35781/2021, 43525/2021 IN IA D. NO. 75191, 44798/2021 IN 31360/2021, I.A. NO. 93600/2021, 92854 AND 92850/2023, 81251 AND 81253/2023

CONTRUCTIONS MATTERS I.A.No. 2198, 1888, 1911 AND 1912, 2306 AND 2307, 2308 AND 2309 IN IA NO. 1888 AND 2386 AND 2387, 2388, 2392, 2103, 2355, 2356 AND 2357, 2577 AND 2578, 2575 AND 2576, 1894, 2497 AND 2498, 2514, 2515, 2595, 2596, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 1938, 2684, 2685, 2686 AND 2687, 2720, 2721, 2758, 2759, 2760, 2761, 66059/2017, 66071/2017, 81981 AND 81982/2017, 134492 AND 134499/2017, 67457 AND 67458/2019, 128127 AND 134352/2020, 97884, 97894, 97887, 97899/2021 (APPLICATIONS FOR DIRECTIONS AND MODIFICATION/CLARIFICATION OF COURT'S ORDER DATED 06/05/2002, 8/10/2009, 18/03/2004, INTERVENTION AND IMPLEADMENT, PERMISSION TO FILE ADDITIONAL DOCUMENTS AND EXEMPTION FROM FILING O.T. AND INTERIM STAY AND PERMISSION TO FILE REPLY AFFIDAVIT AND APPLNS. RAISING OBJECTIONS AGAINST CEC REPORTS) IN W.P.(C) NO. 4677/1985

WITH

WRIT PETITION(S)(CIVIL) NO(S). 202/1995 (PIL-W)

WITH APPLN(S).

[1] I.A. NO. 105701/2024 (CEC REPORT NO. 03/2024) [CEC Report No. 3 dt. 07.03.2004 regarding in compliance of the order dt.10.01.2024 of the Hon'ble Court. Accordingly, the CEC is of the opinion that these three I.As Nos. 87550, 107909 and 112526 of 2023 may be considered after this Hon'ble Court considers and decides on the broader issues about mining in Aravali Hill and Ragnges.

[2] In Re: Mining in Aravalli in the State of Haryana I. A. NOS. 828, 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, 1465, 1488, 1590, 1612-1613, 1700, 1701, 1702, 1703, 2007-2008,

2138-2139, 2205, 2417, 2426-2427, 2445, 2536, 2567, 2574, 2636, 2658-2659, 2719, 2761, 2765, 2766, 2767, 2768-2769, 128672 and 128673/2019 IN 2858/2010, 2872-2873, 2932, 2933, 2934, 2874, 2876, 2877 and 2879/2010, 2877-2879/2010, 3086/2010, 3089-3090/2011, 3091, 3137, I.A. D. NO. 76048/2009, 3597, I. A. D. No. 76051/2009, 3605, 3606, 3780-3782/2014, 3811-3812/2014, 3815, 32330/2021 AND 40279/2021 I.A. RELATED TO CONSTRUCTION 1276-1277 [Second Monitoring Report dt. 28.10.2002 of CEC regarding large scale illegal mining of stones in the forest area in aravali hills around kot village located off the road mid-way between ballabgarh-sohna road near dhauj, and Applications for Impleadment, Intervention, Directions, Modification/directions of court's order dt. 30.10.2002, Clarification/Modification of Order's dated 29.10.2002 AND 09.12.2002, 16.12.2002, Permission, permission to file additional affidavit/documents, exemption from filing O.T., Clarification/Modification of Order's dated 08.10.2009 and applications for recalling of Court's Order dated 12.12.2018 in I.A. NO. 2858/2010]

[3] In Re: Mining in Rajasthan 828/02 in W.P.(C) No. 202/1995 and 833/02, 834-835/02, 837/02, 846-847/02, 893-894/02, 901-902/03, 903-904/03 in 828/02, 1310/05 in 833/02, 1329/05 in 1310/05, 1331/05 in 1310/05, 1450-1452/05 in 1310/05, 2447/08 in 828/02, 2602/09 in 828/02, 2758-2759/09 in 828/02, 2803/10 & 3210/11 in 2758-2759/09, 2814/10 in 1310/05, 2834, 2836/10 in 1310/05, 2837, 2839/10 in 1310/05, 2840/10 in 2814/10, 2874, 2876/10 in 828/02, 2877, 2879/10 in 828/02, 2883-2885/10 in 1310, 2887-2889/10 in 1310, () 2891, 2893/10, 3125/11 in 2877-2879/10, 3129/11 in 2874-2876/10, alongwith Rajasthan Mining, 3281/11 in 2834-2836, 3296/11 in 1310(fresh), 3361-3362/12, 3394, 3396/12 in 1310, 3397/12 in 828, 3919-3920/2015 in 2891-2893, 3951 in 834-835, 3952 in 2814-2815 in 1310 I.A.No. 3957 In I.A.No. 828 In W.P.(C)No. 202/1995 I.A.No. 27190 AND 46116 of 2019, 49985/2019 (App. For O/T) in I.A. no. 3361-3363, 50600, 50604, 57647/2019, 57468, 57653/2019, 60991, 60995, 60999/2019, 141355/2019 in I.A. NO. 50600 AND 50610 OF 2019, 153523 AND 153524/2019, 90862 & 90864/2021 in I. A. No. 828 [Second Monitoring Report dated 28.10.2002 of Central Empowered Committee and Applications for Further Directions, Modification/Clarification of Order dated 30.10.2002 and Amendment of I.A.No. 833, Impleadment, Modification/Clarification of Order dated 29/30.10.2002, Modification/Clarification, Exemption from filing O.T., Modification/ Directions, Directions, Intervention, Clarification/Modification of Order dated 08.04.2005, Interim Directions, Stay, Modification of Order dated 19.02.2010 , Permission to file Additional Documents and Early Hearing of I.A.No. 828] AND

[4] I. A. NOS. 87544, 87550 AND 91723 OF 2023 [APPLICATIONS FOR IMPLEADMENT, DIRECTIONS AND EXEMPTION FROM FILING O.T.] IN RE : M/S. KRISHNA MINERS AND TRADERS, RAJASTHAN AND

[5] I. A. NOS. 107906 AND 107909/2023 [APPLICATIONS FOR IMPLEADMENT AND DIRECTIONS] IN RE : M/S NALWAYA MINERALS INDUSTRIES

P. LTD. RAJASTHAN AND

[6] I. A. NOS. 112525, 112526 AND 112527/2023 [APPLICATIONS FOR IMPLEADMENT, DIRECTIONS AND EXEMPTION FROM FILING O.T.] IN RE : M/S NALWAYA MINERALS INDUSTRIES P. LTD. RAJASTHAN AND

[7] I. A. NOS. 254548, 254550 AND 254551/2023 [APPLICATIONS FOR IMPLEADMENT, DIRECTIONS AND EXEMPTION FROM FILING O.T.] IN RE : GURPREET SINGH SONI AND ORS. AND

[8] I. A. NOS. 69040, 69044 AND 69050/2024 [APPLICATIONS FOR DIRECTIONS, EXEMPTION FROM FILING O.T. AND IMPLEADMENT] IN RE : JAIN KUMAR JAIN AND

[9] I. A. NOS. 8156, 8157 AND 8155 OF 2024 [APPLICATIONS FOR DIRECTIONS, EXEMPTION FROM FILING O.T. AND IMPLEADMENT, AND IN RE : M/S. SHIV GRIT UDYOG, RAJASTHAN IN WRIT PETITION (CIVIL) NO. 202/1995

Date : 02-05-2024 These matters were called on for hearing today.

**CORAM : HON'BLE MR. JUSTICE B.R. GAVAI
HON'BLE MR. JUSTICE ABHAY S. OKA**

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

1. Certain issues have been flagged by Shri K. Parameshwar, learned Amicus Curiae, with regard to unreasonable classification method adopted by the State of Rajasthan for distinguishing Aravalli Hills from Aravalli Ranges, insofar as banning of mining activities is concerned.
2. He has also brought to our notice a report of the Forest Survey of India (FSI), which shows that district-wise illegal mining is still continuing in the State of Rajasthan in spite of the orders passed by this Court.
3. Learned Solicitor General of India states that since he has been engaged in the matter recently, he would require some time to take instructions from the State of Rajasthan as well as Haryana and respond to the issues flagged by the learned Amicus Curiae.
4. List on 09.05.2024 at 3.00 P.M.

(NARENDRA PRASAD)
DEPUTY REGISTRAR

(ANJU KAPOOR)
COURT MASTER