

(2011) 08 SC CK 0048

In the Supreme Court Of India

Case No : I.A. No. 22 in Writ Petition (C) No. 562 of 2009, SLP (C) No"s. 7366-7367 of 2010, SLP (C) No"s. 32690-32691 of 2010, W.P. (Criminal) No. 66 of 2010, SLP (C) No"s. 17064-17065 of 2010, SLP (C) No... of 2010 (CC 16829 of 2010) , SLP (C) No... of 2010 (C

Samaj Parivartana Samudaya and Others APPELLANT
Vs

State of Karnataka and Others RESPONDENT

Date of Decision : 26-08-2011

Acts Referred:

Citation : (2011) 10 SCALE 100

Hon'ble Judges : S.H. Kapadia, C.J.;Swatanter Kumar, J;Aftab Alam, J

Bench : Full Bench

Final Decision : Dismissed

Judgement

1. On going through the Report of Central Empowered Committee ('CEC', for short), we extend the Order passed by this Court on 29th July, 2011, to the mining leases in Districts Tumkur and Chitradurga. Consequently, pending further orders, there will be a ban on mining in Districts Tumkur and Chitradurga.

(ii) According to the CEC Report, which is based on lease-wise information compiled by the Department of Mines and Geology, Karnataka, a stock of 25 million tonnes of iron ore extracted from various mining leases in Districts Bellary, Tumkur and Chitradurga is available. The question is, how much quantity could be released from the existing stock of 25 million tonnes of iron ore so that the Steel Industry is not starved. We have requested the learned Amicus Curiae and learned Attorney General to submit to this Court the quantity which could be released from the existing stock of 25 million tonnes of iron ore, subject to reclamation and rehabilitation plan(s) being submitted. In that regard, the lessees, Association of Steel Industry and all other affected parties as well as the Petitioner, will submit requisite inputs to CEC within two days from today so that the quantity to be released from the existing stock could be decided by this Court. Needless to add that, apart from the quantification of the stock to be

released, the modalities of sale and transportation of such stock will also be formulated and submitted to the Court on the next date of hearing. For that purpose, place the matter on 2nd September, 2011.

(iii) By Order dated 6th May, 2011, we had directed the Joint Team to carry out survey and demarcation of 99 mining leases in District Bellary. We direct that the said Order shall also stand extended to the mining leases in Districts Tumkur and Chitradurga and for the remaining mines in District Bellary.

(iv) On the next date, i.e., 2nd September, 2011, CEC will also furnish to this Court the name of the Government Agency which would be in-charge of effecting sale(s) of the existing stock and keeping Accounts of the sale proceeds [including royalty payable at the rate of ten per-cent of the market price].

(v) We also hereby extend our Order dated 5th August, 2011, to the Districts of Tumkur and Chitradurga, by which we had directed ICFRE to undertake macro level EIA study in respect of district Bellary and to submit reclamation and rehabilitation plan. Consequently, the said order shall equally apply to the Districts of Tumkur and Chitradurga.

2. Subject to above, place the matter on 16th September, 2011.