

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

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, 81253/2023 AND 113069/2024

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'

[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 "ONLY" ARE LISTED IN W.P.(C) No. 202/1995

Mr. Harish N. Salve, Sr. Adv. [A.C.], (Not Present)

Ms. Aparajita Singh, Sr. Advocate [A.C.] (Not Present)

Date : 09-05-2024 These petitions were called on for hearing today.

CORAM :

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

Counsel for parties

Mr. S. Guru Krishna Kumar, Sr. Advocate (A.C.)
Ms. Anitha Shenoy, Sr. Advocate (A.C.)
Mr. A.D.N. Rao, Sr. Advocate (A.C.)
Mr. Siddhartha Chowdhury, Advocate (A.C.)

Mr. Harish N. Salve, Sr. Adv. [A.C.], (N.P.)

Ms. Aparajita Singh, Sr. Advocate [A.C.] (N.P.)

Mr. K. Parameshwar, Advocate [A.C.]
Mr. M.V. Mukunda, Adv.
Ms. Kanti, Adv.
Ms. Aarti Gupta, Adv.
Mr. Chinmay Kalgaonkar, Adv.

Mr. Atmaram N.S. Nadkarni, Sr. Adv.
Mr. Salvador Santosh Rebello, Dv.
Ms. Deepti Arya, Adv.
Mr. Arzu Paul, Adv.
Ms. Himanshi Nagpal, Adv.
Ms. Sumita Hazarika, Adv.

Ms. Aishwarya Bhati, A.S.G.
Ms. Archana Pathak Dave, Sr. Adv.
Mr. Gurmeet Singh Makker, AOR
Ms. Suhashini Sen, Adv.
Mr. Rajat Nair, Adv.
Ms. Ruchi Kohli, Adv.
Mr. B K Satija, Adv.
Ms. Swarupama Chaturvedi, Adv.

Ms. Shagun Thakur, Adv.
Ms. Chitragda Rastravara, Adv.
Ms. Chinmayee Chandra, Adv.

Mr. Tushar Mehta, Solicitor General
Mrs. Aishwarya Bhati, A.S.G.
Mr. Amrish Kumar, AOR
Mrs. Suhasini Sen, Adv.
Mr. Rajesh Kumar Singh, Adv.
Mr. Rajat Nair, Adv.
Mr. S.s Rebello, Adv.
Mr. T S Sabarish, Adv.
Mr. Navanjay Mahapatra, Adv.

Ms. Anil Katiyar, AOR

Mr. Raj Bahadur Yadav, AOR

Mr. Sanjay Kumar Visen, AOR

Mr. Tushar Mehta, A.S.G.
Mr. Lokesh Sinhal, Sr. A.A.G.
Mr. B.k. Satija, A.A.G.
Mr. Rahul Khurana, Adv.
Mr. Rajat Nair, Adv.
Ms. Himanshi Khurana, Adv.
Mr. Nikunj Gupta, Adv.
Dr. Monika Gusain, AOR

Ms. Binu Tamta, AOR

Mr. Yashraj Singh Deora, Adv.
Ms. Sonal K Chopra, Adv.
Mr. Abhishek Singh, Adv.
M/S. Mitter & Mitter Co., AOR

Mr. Shekhar Kumar, AOR

Petitioner-in-Person

Mr. M.C. Dhingra, AOR

Mr. Vishwajit Singh. AOR

Mr. Yashpal Singh Deora, AOR

Mr. Pravir Chaudhary, AOR

Mr. R.C. Kohli, AOR

Mr. T.V. George, AOR

Ms. Sharmila Upadhyay, AOR

Ms. Sharmila Upadhyay, Adv.
Mr. Pawan Upadhyay, Adv.
Mr. Sarvjit Pratap Singh, Adv.
For M/S. Unuc Legal LLP

Mr. Ambhoj Kumar Sinha, AOR

Ms. Madhu Sikri, AOR

Mr. Ravindra Kumar, Sr. Adv.
Mr. Binay Kumar Das, AOR
Ms. Priyanka Das, Adv.
Ms. Neha Das, Adv.
Mr. Shivam Saxena, Adv.

Mr. Somnath Mukherjee, AOR

Mr. Ajit Sharma, AOR

Mr. Arun Kumar Beriwal, AOR

Ms. Kaveeta Wadia, AOR

Mr. Krishnanand Pandey, AOR

Mr. Kamal Mohan Gupta, AOR

Mr. Umesh U. Khaitan, AOR

Applicant In Person

Ms. Vijaylakshmi Menon, AOR

Mr. Ajay Pal, AOR

Mr. Manoj K. Mishra, AOR
Mr. A. Baskar, Adv.
Mr. B.p. Singh Parihar, Adv.
Ms. Pooja Agarwal, Adv.
Mr. Vishal, Adv.
Ms. Uma Tripathi, Adv.

Mr. Satyendra Kumar, AOR

Ms. S. Janani, AOR

Mr. Tejaswi Kr. Pradhan, AOR

Mr. Devashish Bharuka, AOR

Ms. Anuradha Mutatkar, AOR

Mr. Haresh Raichura, AOR

Dr. Surender Singh Hooda, AOR

Mr. Kiran Kumar Patra, AOR

Mr. Sunil Mund, Adv.

Mr. Sujit Kumar, Adv.

Mr. Vedant Mund, Adv.

Mr. Naveen R. Nath, AOR

Ms. Shobha, AOR

Mr. V.K. Verma, AOR

Ms. Prerna Mehta, AOR

Mr. Sanjeev Kumar Dubey, Sr. Adv.

Mr. K. V. Mohan, AOR

Mr. K.v. Mohan, Adv.

Ms. Pushpam Arya, Adv.

Mr. Guntur Pramod Kumar, AOR

Mr. Sanjay Upadhyay, Sr. Adv.

Ms. Mayuri Raghuvanshi, AOR

Mr. Vyom Raghuvanshi, Adv.

Mr. Shubham Upadhyay, Adv.

Mr. Saumitra Jaiswal, Adv.

Mr. Surya Gupta, Adv.

Mr. Sunny Choudhary, AOR

Mr. Sandeep Sharma, Adv.

Mr. Tarun Gupta, AOR

Mr. Hirday Virdi, Adv.

Mr. Bhuwan Vats, Adv.

Mr. Atul Kumar, Adv.

Mr. Yatinder Chaudhary, Adv.

Mr. Davinder Singh Khurana, Adv.

Mr. Manish Bansal, Adv.

Mr. Karunakar Rath, Adv.

Mr. Abhishek Sharma, Adv.

Mr. Manoj Rajpoot, Adv.

Mr. Vikrant, Adv.

Mr. Kaushal Yadav, AOR

Mr. A. Karthik, AOR

Mr. K. Parameshwar, leaned A.C.

Mr. M.V. Mukunda, Adv.

Ms. Kanti, Adv.
Ms. Aarti Gupta, Adv.
Mr. Chinmay Kalgaonkar, Adv.

Mr. Chanchal Kumar Ganguli, AOR

M/S. PLR Chambers and Co., AOR

Mr. Syed Mehdi Imam, AOR
Mr. T. Harish Kumar, AOR

Dr. Abhishek Manu Singhvi, Adv.
Mr. Dhruv Mehta, Sr. Adv.
Mr. Yashraj Singh Deora, Adv.
Ms. Sonal K Chopra, Adv.
Mr. Abhishe Singh, Adv.
Mr. Priyesh Mohan Srivastava, Adv.
M/S. Mitter & Mitter Co., AOR

M/S. Lawyer S Knit & Co, AOR

Ms. Srishti Agnihotri, Adv.
Ms. T. Elizabeth Kurien, Adv.

Ms. Aishwarya Bhati, A.S.G.
Mr. Gurmeet Singh Makker, AOR
Ms. Archana Pathak Dave, Adv.
Ms. Suhashini Sen, Adv.
Mr. S. S. Rebello, Adv.
Mr. Shyam Gopal, Adv.
Mr. Raghav Sharma, Adv.
Mr. Sughosh Subramanyam, Adv.
Ms. Ruchi Kohli, Adv.
Mr. RAi Bahadur Yadav, Adv.

Mr. Gaichangpou Gangmei, AOR
Mr. Raj Kishor Choudhary, AOR

Mr. Nalin Kohli, Sr. A.A.G.
Mr. Shuvodeep Roy, AOR
Mr. Nimisha Menon, Adv.
Mr. Anshul Malik, Adv.
Mr. Shruti Agrawal, Adv.
Mr. Ayuushman Aroraa, Adv.
Mr. Kartikey Sen, Adv.
Ms. Ruchira Gupta, Adv.
Ms. Pooja Tripathi, Adv.
Mr. Shishir Deshpande, AOR
Ms. Harshita Sharma, Adv.
Mr. Amit Kumar, Adv.
Mr. Anshul Malik, Adv.

Mr. E. C. Agrawala, AOR
Mr. Kuldip Singh, AOR
Mr. Ranjan Mukherjee, AOR
Mr. K. V. Vijayakumar, AOR
Mr. P. N. Gupta, AOR
Mr. Sarad Kumar Singhania, AOR
Ms. Jyoti Mendiratta, AOR
Mr. S.. Udaya Kumar Sagar, AOR
Ms. Madhu Moolchandani, AOR
Mr. Ashok Mathur, AOR
Mr. Rajat Joseph, AOR
Mr. Gopal Prasad, AOR
Mrs. Nandini Gore, AOR
Mr. Raj Kumar Mehta, AOR
M/S. M. V. Kini & Associates, AOR
Mr. T. Mahipal, AOR
Ms. S. Janani, AOR
M/S. Arputham Aruna And Co, AOR
Mr. E. C. Vidya Sagar, AOR
Mr. Amit Anand Tiwari, AOR
Mr. Rakesh K. Sharma, AOR
Mr. Tejaswi Kumar Pradhan, AOR
Mrs. Kanchan Kaur Dhodi, AOR
Mr. Surya Kant, AOR
Mr. P. Parmeswaran, AOR
Ms. Sujata Kurdukar, AOR
Ms. Pratibha Jain, AOR
Mr. Rajeev Singh, AOR
Mr. Prashant Kumar, AOR

Mr. Dharmendra Kumar Sinha, AOR
Mrs. Deepmala, Adv.

Mr. Vikrant Singh Bais, AOR
Mr. Shiva Pujan Singh, AOR
Ms. Sharmila Upadhyay, AOR
Mr. Kamal Mohan Gupta, AOR

Mr. Sudarsh Menon, AOR
Mr. Samarendra Beura, Adv.
Mr. Shine P. Sasidhar, Adv.
Mr. Rajesh Rathod, Adv.

Mr. Ramesh Babu M. R., AOR
M/S. Corporate Law Group, AOR
Mr. Lakshmi Raman Singh, AOR
Mr. Rajesh Singh, AOR

Mr. Pallav Shishodia, Sr. Adv.
Mr. SANTosh Mishra, AOR
Mr. Rishabh Sancheti, Adv.
Mr. Dinesh Depura, Adv.

Mrs. B. Sunita Rao, AOR
Mr. Gunmaya S Mann, Adv.
Mr. Roop Narain, Adv.
Mr. Vineet Kumar, Adv.
Mr. Hokesh Kumar, Adv.
Mr. Kuldeep, Adv.
Mr. Sambhav Jain, Adv.

Mr. M. C. Dhingra, AOR
Mr. Ejaz Maqbool, AOR
Mr. Rajesh, AOR
Ms. Abha R. Sharma, AOR
Mr. Abhishek Chaudhary, AOR
Mr. Himanshu Shekhar, AOR
Mrs. Manik Karanjawala, AOR

Mr. Bhavanishankar V.gadnis, Adv.
Mr. A. Venayagam Balan, AOR
Mr. Gaurav Pal, Adv.

Mr. C. L. Sahu, AOR
Ms. Sumita Hazarika, AOR

Mr. Neeraj Shekhar, AOR
Mr. Amrendra Singh, Adv.
Mr. Ram Bachan Choudhary, Adv.
Mr. Rajeev N Kumar, Adv.
Mrs. Kshama Sharma, Adv.
Mr. Kartik Kamar, Adv.
Mr. Chandra Pratap, Adv.
Mr. Niranjana Swami, Adv.

Ms. Asha Gopalan Nair, AOR
Ms. Surabhi Singh, Adv.

Mr. S. R. Setia, AOR
Ms. Charu Mathur, AOR
Mr. Rajiv Mehta, AOR
Mr. T. V. George, AOR
Mr. Krishnanand Pandeya, AOR
Mr. Ratan Kumar Choudhuri, AOR
Mr. Sudhir Kulshreshtha, AOR
Mr. E. M. S. Anam, AOR
Ms. K. V. Bharathi Upadhyaya, AOR
Mr. T. N. Singh, AOR
Mr. Punit Dutt Tyagi, AOR
Mr. Rathin Das, AOR
Mr. Irshad Ahmad, AOR
Mr. G. Prakash, AOR
Ms. Binu Tamta, AOR
Mr. B V Deepak, AOR

Mr. Gopal Singh, AOR
Mr. Sudhir Kumar Gupta, AOR
Mr. A. N. Arora, AOR
Ms. Malini Poduval, AOR
Ms. C. K. Sucharita, AOR
Mrs. Anjani Aiyagari, AOR

Mrs. Rekha Pandey, AOR
Ms. Sharmistha Choudhury, Adv.
Mr. Raghav Pandey, Adv.
Ms. Gauri Pandey, Adv.

Mr. Mohd. Irshad Hanif, AOR
Mr. P. V. Yogeswaran, AOR
Mr. Jitendra Mohan Sharma, AOR
Ms. A. Sumathi, AOR
Mr. Jai Prakash Pandey, AOR
Mr. Ajit Pudussery, AOR
Ms. Hemantika Wahi, AOR
Mr. Pradeep Kumar Bakshi, AOR
Mr. K. L. Janjani, AOR
Mr. Naresh K. Sharma, AOR
Mr. Tarun Johri, AOR
Mr. Radha Shyam Jena, AOR
Mr. Ram Swarup Sharma, AOR
Ms. Sushma Suri, AOR
Mrs. Rani Chhabra, AOR
Ms. Divya Roy, AOR
Mr. V. Balachandran, AOR
Mr. S. C. Birla, AOR
Mr. P. R. Ramasesh, AOR
Mrs. Bina Gupta, AOR
M/S. Parekh & Co., AOR
M/S. K J John And Co, AOR
Mr. H. S. Parihar, AOR
Ms. Baby Krishnan, AOR
Ms. Bina Madhavan, AOR
Mr. Shibashish Misra, AOR
Mr. Umesh Bhagwat, AOR
Mrs. M. Qamaruddin, AOR
Mr. M. Yogesh Kanna, AOR

Mr. Rajeev Kumar Dubey, Adv.
Mr. Kamendra Mishra, AOR

Mr. Somesh Chandra Jha, AOR
Mr. Siddhartha Jha, AOR
M/S. V. Maheshwari & Co., AOR
Mr. Rajeev Singh, AOR

Ms. Parul Shukla, AOR
Ms. Shubhangi Pandey, Adv.

Ms. Tanvi Chuphal, Adv.

Mr. P. C Sen, Sr. Adv.
Mr. Shivanshu Singh, Adv.
Mr. P. S. Sudheer, AOR
Mr. Rishi Maheshwari, Adv.
Ms. Anne Mathew, Adv.
Mr. Bharat Sood, Adv.
Mr. Paul P. Abraham, Adv.
Ms. Miranda Solaman, Adv.

Mr. Sunny Choudhary, AOR
Mr. Ramesh Thakur, Adv.

Mr. Vinod Sharma, AOR
Ms. Surbhi Mehta, AOR
Mr. Rajiv Kumar Choudhry , AOR
Mr. Anurag Tandon, AOR

Dr. Monika Gusain, AOR

Mr. P. K. Manohar, AOR
Mr. S. Gowthaman, AOR
Mr. A. Karthik, AOR
Mr. Siddharth Sharma, AOR

Mrs. Aishwrya Bhati, A.S.G.
Mr. Archana Pathak Dave, Sr. Adv.
Mr. Raj Bahadur Yadav, AOR
Mrs. Ruchi Kohli, Adv.
Mr. Uday Prakash Yadav, Adv.
Mr. Suhasini Sen, Adv.
Mr. S S Rebello, Adv.
Mr. Shyam Gopal, Adv.
Mr. Raghav Sharma, Adv.
Mr. Sughosh Subramaniam, Adv.

Mr. Naveen Kumar, AOR
Mr. James P. Thomas, AOR
Mr. Sunil Kumar Sharma, AOR

Ms. Swati Ghildiyal, AOR
Ms. Devyani Bhatt, Adv.

Mr. Krishna Ballabh Thakur, AOR

Mr. S. Nirajan Reddy, Sr. Adv.
Ms. Aruna Gupta, AOR
Mr. Ramesh Allanki, Adv.
Mr. Syed Ahmad Naqvi, Adv.

Mr. B. K. Pal, AOR
Mr. Sekhar Naphade, Sr. Adv.
Mr. Chnmoy Khaladkar, Adv.

Ms. Shalini Kaul, AOR

Mr. Nishe Rajen Shonker, AOR
Ms. Anu K Joy, Adv.
Mr. Alim Anvar, Adv.

Mr. Nishit Agrawal, AOR
Mr. Romy Chacko, AOR

Mr. Sravan Kumar Karanam, AOR
Ms. Shireesh Tyagi, Adv.
Ms. Tayade Pranali Gowardhan, Adv.
Mr. Aniket Singh, Adv.

Mr. Shubhranshu Padhi, AOR
Ms. Deepanwita Priyanka, AOR

Mr. Raghvendra Kumar, AOR
Mr. Anand Kumar Dubey, Adv.
Mr. Devvrat Singh, Adv.

Mr. Dinesh Chandra Pandey, AOR
Mrs. Pragya Baghel, AOR

Mr. Sarvam Ritam Khare, AOR
Ms. Jayasree Narasimhan, Adv.
Ms. Meena Sehwat, Adv.
Mr. Akash Shukla, Adv.

Mr. Shreekant Neelappa Terdal, AOR
Ms. Sunieta Ojha, AOR

Mr. Anirudh Sanganeria, AOR
Mr. Chinmay Deshpande, Adv.

Mr. Siddharth Bhatnagar, Sr. Adv.
Mr. Yash Prashant Sonavane, Adv.
Mr. Gopal Balwant Sathe, AOR

Mr. Aravindh S., AOR
Ms. Ekta Moyal, Adv.

Mrs. Kirti Renu Mishra, AOR
Mrs. Apurva Upmanyu, Adv.

Mr. Atul Sharma, AOR

Mr. Renjith B. Marar, Adv.
Ms. Lakshmi N. Kaimal, AOR
Mr. Rajkumar Pavothil, Adv.
Mr. Arun Poomulli, Adv.
Mr. Keshavraaj Nair, Adv.
Mr. Avinash Krishnakumar, Adv.
Mr. Harsh Vardhan Shah Shyam, Adv.

Mr. Kaushik Choudhury, AOR
Ms. Mrinal Gopal Elker, AOR
Mr. Dhaval Mehrotra, AOR

Mr. Ravindra Kumar, Sr. Adv.
Mr. Binay Kumar Das, AOR
Ms. Priyanka Das, Adv.
Ms. Neha Das, Adv.
Mr. Shivam Saksena, Adv.
Mr. Vipin Kumar Saxena, Adv.

Mr. Chandra Bhushan Prasad, AOR
Mr. Abhishek Atrey, AOR

Mr. V. N. Raghupathy, AOR
Mr. Manendra Pal Gupta, Adv.

M/S. D.s.k. Legal, AOR
Ms. Shibani Ghosh, AOR
Ms. Rashmi Nandakumar, AOR
Mr. Naveen Kumar, AOR

Ms. Aishwariya Bhati, A.S.G.
Mr. Shiv Mangal Sharma, A.A.G.
Mr. Saurabh Rajpal, Adv.
Mr. Amogh Bansal, Adv.
Mr. Sandeep Kumar Jha, AOR

Mr. Shiv Mangal Sharma, A.A.G.
Mr. Milind Kumar, AOR

Mr. Mohit Paul, AOR

Mr. K.m. Natraj, A.S.G.
Mr. Mukesh Kumar Maroria, AOR
Mrs. Mrinal Elkar Mazumdar, Adv.
Mr. Mukesh Kumar Verma, Adv.
Mr. Neeraj Kumar Sharma, Adv.
Mr. Harish Pandey, Adv.
Ms. Indira Bhakar, Adv.

Mr. Shashwat Parihar, Adv.
Mr. Piyush Beriwal, Adv.
Mr. Vinayak Sharma, Adv.
Mr. Anuj Srinivas Udupa, Adv.

Dr. Surender Singh Hooda, AOR
M/S. Cyril Amarchand Mangaldas Aor, AOR
Mr. M. R. Shamshad, AOR
Mr. Amrish Kumar, AOR

Ms. Purnima Krishna, AOR
Mr. M.f. Philip, Adv.
Mr. Karamveer Singh Yadav, Adv.

Mr. T. R. B. Sivakumar, AOR

Mr. Sujit Kumar Mishra, AOR
Mr. Anil Kumar, Adv.
Mr. Pankaj Balwan, Adv.

Ms. Adarsh Nain, AOR
Mr. Guntur Pramod Kumar, AOR

Ms. Anzu. K. Varkey, AOR

Ms. Astha Sharma, AOR
Ms. Lihzu Shiney Konyak, Adv.

Mr. Gurminder Singh, Sr. Adv. (A.G.)
Mr. Karan Sharma, AOR
Ms. Urvi Kashiwal, Adv.
Mr. Rishabh Sharma, Adv.
Mr. Princy Sharma, Adv.

Ms. Hemantika Wahi, AOR
Mr. Amit Kumar, AOR
Mr. Shashi B. Upadhyay, AOR
Mr. E.M.S. Aman, AOR
Mr. Surya Kant, AOR
M/S. J.S. Wad And Co., AOR
Ms. Madhu Sikri, AOR
Mr. Ashok K. Mahajan, AOR
Ms. Sumita Ray, AOR
Mr. Sri Pal Singh,
Ms. Jyoti Mendiratta, AOR
Mr. Kamal Mohan Gupta, AOR
Dr. Monika Gusain, AOR
Ms. Diksha Rai, AOR
Mr. Tarun Gupta, AOR
Ms. Ruchi Kohli, AOR
Ms. Sumita Hazarika, AOR
Ms. Sandhya Goswami, AOR

Ms. Shobha, AOR
Mr. V. Balachandran, AOR
Mr. Anil Nag, AOR
Mr. Praveen Jain, AOR
Mr. K. Rajeev, AOR
Mr. S.K. Sinha, AOR
Ms. Binu Tamta, AOR
Mr. Sarad Kumar Singhanian, AOR
Group Captain Karan Singh Bhati, AOR
Ms. Aruna Gupta, AOR
Mr. Naveen Chawla, AOR
Ms. A. Sumathi, AOR
Mr. Syed Mehdi Imam, AOR
Ms. Aishwarya Bhati, AOR
Ms. Suruchi Aggarwal, AOR
Mr. Satya Mitra, AOR
Mr. Aruneshwar Gupta, AOR
Ms. Aruna Gupta, AOR
Mr. Ashutosh Dubey, AOR
Mr. Chandra Bhushan Prasad, AOR

Mr. Karan Sharma, AOR
Ms. Sugandha Anand , AOR
Ms. Seita Vaidyalingam, AOR

Mr. Kumar Anurag Singh, Adv.
Mr. Anando Mukherjee, AOR
Mrs. Tulika Mukherjee, Adv.
Mr. Shwetank Singh, Adv.

Mr. Ajay Marwah, AOR

Mr. Ravindra S. Garia, AOR
Mr. Shashank Singh, Adv.
Mr. Madan Chandra Karnatak, Adv.
Ms. Vidhya, Adv.

Mr. Sudeep Kumar, AOR
Ms. Rani Mishra, AOR
Nishanth Patil, AOR
M/S. Venkat Palwai Law Associates, AOR

Mr. Sanjay Upadhyay, Sr. Adv.
Ms. Mayuri Raghuvanshi, AOR
Mr. Vyom Raghuvanshi, Adv.
Ms. Eisha Krishna, Adv.
Ms. Mansi Bachani, Adv.
Ms. Gitanjali Sanyal, Adv.
Mr. Shubham Upadhyay, Adv.

Mr. Vivek Jain, AOR

Mr. Parth Awasthi, Adv.
Mr. Pashupathi Nath Razdan, AOR
Ms. Maitreyee Jagat Joshi, Adv.
Mr. Astik Gupta, Adv.

Mr. Tarun Gupta, AOR
Mr. Hirday Virdi, Adv.
Mr. Atul Kumar, Adv.
Mr. Bhuwan Vats, Adv.
Mr. Yatinder Chaudhary, Adv.
Mr. Davinder Singh Khurana, Adv.
Mr. Manish Bansal, Adv.
Mr. Karunakar Rath, Adv.
Mr. Manoj Rajpoot, Adv.
Mr. Abhishek Sharma, Adv.
Mr. Vikrant, Adv.

Ms. Vanshaja Shukla, AOR
Ms. Ankeeta Appanna, Adv.
Mr. Siddhant Yadav, Adv.

Mr. Chirag M. Shroff, AOR
Mr. Dhananjay Kataria, Adv.

Ms. Ruchira Goel, AOR

Mr. Siddharth Dharmadhikari, Adv.
Mr. Aaditya Aniruddha Pande, AOR
Mr. Bharat Bagla, Adv.
Mr. Sourav Singh, Adv.
Mr. Aditya Krishna, Adv.
Ms. Preet S. Phanse, Adv.
Mr. Adarsh Dubey, Adv.
Ms. Yamini Singh, Adv.

Mr. Mayank Aggarwal, AOR
Mr. Sanjeev Kumar, AOR

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

1. Since certain matters from State of Rajasthan with regard to mining in Aravalli Ranges and Hills were pending before the Bench presided over by one of us (B.R. Gavai, J.) and other matters from State of Haryana were pending before the Bench presided over by one of us (Abhay S. Oka, J.), the matter was referred to the Hon'ble the Chief Justice of India with an observation that it will be appropriate that all the matters are heard together so that the

issues are addressed commonly.

2. Accordingly, a Special Bench consisting of the two of us has been constituted under the orders of the Hon'ble the Chief Justice of India.

3. There are certain issues with regard to illegal mining as well as mining under the permissions granted by the States in Aravalli Hills/Ranges. One of the major issues is with regard to the different definitions of "Aravalli Hills/Ranges", as adopted by different States. The learned Amicus Curiae states that insofar as the State of Haryana is concerned, there is not even a definition of Aravalli hills and ranges.

4. The Central Empowered Committee (CEC) has submitted its Report No.3/2024, wherein certain aspects have been pointed out. The Report also points out various illegal mining activities carried out throughout the State of Rajasthan, district wise details have been given with regard to the areas under illegal mining.

5. In the report of the CEC, a report prepared by the FSI is annexed. As per the Report of the FSI the definition of Aravalli hills has been given as the hill as well as the uniform 100 meter wide buffer surrounding the downside of the hills.

6. We find that the issue with regard to the mining activities in the Aravalli Hills and Ranges needs to be addressed jointly by the Ministry of Environment, Forest and Climate Change (MoEFCC) as well as all the four State Governments i.e. the Government of National Capital Territory of Delhi (GNCTD) and the States of Rajasthan, Haryana and Gujarat.

7. We, therefore, direct that a Committee be constituted comprising of the following officers/officials to have a **uniform definition of the Aravalli hills and ranges**:-

- i. Secretary, Ministry of Environment, Forest and Climate Change, Government of India.
- ii. Secretaries of the Department of Forests, Government of National Capital Territory of Delhi and the States of Haryana, Rajasthan and Gujarat.
- iii. A representative of the Forest Survey of India.

- iv. A representative of the Central Empowered Committee.
- v. A representative of the Geological Survey of India.
- vi. Joint Secretary, Ministry of Environment, Forest and Climate Change, Government of India, shall be the convenor of the Committee.

8. The said Committee shall submit its report within a period of two months from today.

9. In the meantime, we also issue the following directions, as suggested by Shri P. Parameshwar, learned Amicus Curiae, to which Shri Tushar Mehta, learned Solicitor General of India appearing for the State of Haryana and Shri K.M. Natraj, learned Additional Solicitor General of India appearing for the State of Rajasthan, do not have any objection:-

i. Direct the Union of India through the MoEFCC, State of Rajasthan, State of Haryana and GNCTD to file affidavits with details comments on the CEC Report No.3/2024 and also the issues identified hereinabove.

ii. The States of Haryana and Rajasthan should specifically indicate what steps for compliance of 15 (fifteen) Judgments/Orders of this Court's have been taken by the respective States.

iii. The States of Haryana and Rajasthan should specifically state what action has been taken on the CAG/CEC Reports on illegal mining and whether prosecution under the relevant State Laws and Recovery Process has been undertaken.

iv. The State of Rajasthan to specifically state the actions taken pursuant to the FSI Report dated 22.02.2018 where illegal mining polygons have been identified.

v. The State of Rajasthan be directed to reply to the FSI Report submitted to this Court pursuant to Order

dated 19.02.2010. The FSI Report dated 25.08.2010 and the CEC Report thereon dated 25.10.2010 were shared with the State of Rajasthan way back in 2010.

vi. The States of Rajasthan and Haryana shall also state the extent and mapping of all boundaries of mining areas (mentioned in the mining leases) within the area of the State.

10. Shri K. Parameshwar, learned Amicus Curiae, has further submitted that until further orders are passed by this Court, no fresh mining leases or renewal of existing mining leases should be permitted in Aravalli Ranges and Hills in the States of Haryana and Rajasthan.

11. The said suggestion is opposed by Shri Tushar Mehta, learned Solicitor General of India and Shri K.M. Natraj, learned Additional Solicitor General of India and **Shri A.N.S. Nadkarni, learned senior counsel appearing for the Federation of Associations of Mining in Rajasthan.** It is submitted that millions of labourers are dependent upon the mining activities carried out in these States. It is submitted that if the order, as sought by the learned Amicus Curiae is passed, it would have a cascading effect on the livelihood of millions of labourers.

12. According to our experience and as has been pointed out by this Court, in the judgment of this Court dated 10.11.2021 passed in C.A. No.3661-3662/2020, a total ban on mining is not conducive even to the interest of the environment, inasmuch as it gives scope for illegal mining.

13. In that view of the matter, to balance the competing interest, we find that the following direction would subserve the purpose:-

Until further orders, though all the States in which Aravalli Ranges and Hills are situated would be at **liberty to consider and process the applications for grant of mining leases and also for renewal thereof** including obtaining

statutory clearances from the various authorities, no final permission shall be granted for mining in the Aravalli Hills/Ranges, as defined in the FSI Report dated 25.08.2010, without permission from this Court.

14. Needless to state that this order in no way shall be construed as prohibiting the legal mining activities which are being carried out in accordance with the valid permits/licences.

15. Needless further to state that our orders are restricted only to the mining in the Aravalli hills/ranges.

(NARENDRA PRASAD)
DEPUTY REGISTRAR

(ANJU KAPOOR)
COURT MASTER