

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

....2/-

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 Sidiqi, Adv.  
Mr. D.S. Mahra, Adv.

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.

....4/-

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 15<sup>th</sup> 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."

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

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., 6<sup>th</sup> May, 2011.

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

[ Kanchan Jain ]  
Assistant Registrar