

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

I.A No.22
IN
WRIT PETITION (CIVIL) NO.562 OF 2009

SAMAJ PARIVARTANA SAMUDAYA & ORS.

Petitioner(s)

VERSUS

STATE OF KARNATAKA & ORS.

Respondent(s)

(C.E.C. Report dated 18/08/2011)

Date: 02/09/2011 This Matter was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE AFTAB ALAM
HON'BLE MR. JUSTICE SWATANTER KUMAR

Mr. Shyam Divan, Sr. Adv. (A.C.)
Mr. A.D.N. Rao, Adv. (A.C.)
Mr. Siddharth Chaudhary, Adv. (A.C.)

For Petitioner(s)

Mr. Prashant Bhushan, Adv.
Mr. Pranav Sachdeva, Adv.

For Respondent(s)
For Karnataka:

Mr. Raju Ramachandran, Sr. Adv.
Ms. Anitha Shenoy, Adv.
Ms. Rashmi Nandakumar, Adv.
Mr. Gautam, Adv.

Ms. C.K. Sucharita, Adv.

Ms. Aparna Bhat, Adv.

Mr. S.N. Terdal, Adv.

For FIMI:

Mr. Sunil Dogra, Adv.
Ms. Kiran Suri, Adv.
Ms. Aparna Mattoo, Adv.
Mr. S.J. Amith, Adv.

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Mr. Krishnan Venugopal, Sr. Adv.
Ms. Kiran Suri, Adv.
Mr. K.N. Phanindra, Adv.

For Sesa Goa:

Mr. C.A. Sundaram, Sr. Adv.
Ms. Kiran Suri, Adv.
Mr. K.N. Phanindra, Adv.
Ms. Aparna Mattoo, Adv.
Mr. S.J. Amith, Adv.

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Mr. K.N. Phanindra, Adv.
Ms. Aparna Mattoo, Adv.
Mr. S.J. Amith, Adv.

M/s. Suresh A. Shroff, Advs.

Mr. G.N. Reddy, Adv.

Mr. A.K. Sharma, Adv.

Mr. Sanjay R. Hegde, Adv.
Mr. Anil Kumar Mishra, Adv.

Mr. Jay Savla, Adv.
Mr. D. Julius Raimei, Adv.
Mr. Sumit Ghosh, Adv.
Ms. Renuka Sahu, Adv.

Mr. Shekhar G. Devasa, Adv.
Mr. Sagar Kumar Pradhan, Adv.
Mr. Rohit Pandey, Adv.
Mr. Aljo K. Joseph, Adv.
Mr. D.K. Garg, Adv.

Mr. Sashi Karan Shetty, Adv.
Dr. Sushil Balwada, Adv.

Mr. F.S. Nariman, Sr. Adv.
Mr. Sunil Dogra, Adv.
for M/s. Lawyers Knit and Co., Adv.

Mr. Badri Vishal, Adv.
Mr. B.S. Iyengar, Adv.
for M/s. AP & J Chambers, Adv.

For Mysore Minerals
Ltd.

Mr. Balaji Srinivasan, Adv.
Mr. A.K. Vasanth, Adv.
Mr. B.D. Vivek, Adv.

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Mr. Mahesh Agarwal, Adv.
Mr. Rishi Agarwal, Adv.
Mr. E.C. Agrawala, Adv.
Mr. Akhil Anand, Adv.
Mr. Pravin Sehrawat, Adv.
Ms. Neeha Nagpal, Adv.
Mr. Gaurav Goel, Adv.

For All India Mini
Blast Furnace Assn.

Mr. Aspi Chinoy, Sr. Adv.
Mr. R.S. Suri, Sr. Adv.
Mr. N.L. Ganapathi, Adv.
Mr. K.S. Prasad, Adv.
Ms. Pallavi Tayal, Adv.

Mr. S. Ganesh, Sr. Adv.
Mr. Syed Naqvi, Adv.
Ms. Namrata Kapoor Sharma, Adv.
Mr. Prem Prakash, Adv.
Ms. Tina Chakma, Adv.

Mr. K.K. Venugopal, Sr. Adv.
Mr. Arvind Savant, Sr. Adv.
Mr. Sanjeev K. Kapoor, Adv.
Mr. Rajat Jariwal, Adv.
for M/s. Khaitan & Co., Adv.

Mr. D.L.N. Rao, Sr. Adv.
Mr. S.K. Kulkarni, Adv.
Mr. M. Gireesh Kumar, Adv.
Mr. Ankur S. Kulkarni, Adv.

For NMDC Ltd.:

Mr. Parag P. Tripathi, ASG.
Mr. K. Raghavacharayulu, Adv.
Mr. Devadatt S. Kamat, Adv.

Mr. Anand Sukumar, Adv.
Mr. Bhupesh Kumar Pathak, Adv.
Ms. Meera Mathur, Adv.

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

The recommendations of the Central Empowered Committee contained in its Report dated 1st September, 2011, are accepted, subject to the following clarification:

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[a] Paragraph (5) of the Report shall not apply to leases which are exclusively for Manganese ore;

[b] In clause (ix) of Paragraph (2), the words "to the Government", shall read as "to the State of Karnataka"; and

[c] The Accounts of the sale proceeds shall be periodically audited by the Accountant General of the State of Karnataka;

[2] Paragraph (v) of the Order passed by this Court on 26th August, 2011, reads as follows:

"[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."

The above-quoted paragraph of the Order dated 26th August, 2011, needs to be slightly modified as regards the period within which the Report is to be submitted in respect of Districts of Tumkur and Chitradurga. We hereby extend the period for carrying out macro level EIA study and to submit reclamation and rehabilitation plan in respect of Districts of Tumkur and Chitradurga by three months from the date of Order, i.e., 26th August, 2011.

Since the exercise of carrying out macro level EIA study will be highly expensive, we direct that the said expenses shall be incurred under the ad-hoc CAMPA Scheme as per the decision of the ad-hoc CAMPA Committee.

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

[Madhu Saxena]
Assistant Registrar