

T.N. GODAVARMAN THIRUMULPAD

v.

UNION OF INDIA & ORS

(Supreme Court Of India)

HON'BLE MR. JUSTICE K. G. BALAKRISHNAN CJI HON'BLE MR. JUSTICE S.H. KAPADIA
HON'BLE MR. JUSTICE AFTAB ALAM

T.N. GODAVARMAN THIRUMULPAD v. UNION OF INDIA & ORS

Interlocutory Application No. 1868, 2091, 2225-2227, 2380 & 2568 In Writ Petition (Civil)
No(S).202 Of 1995 | 05-02-2010

The C.E.C. has filed a report concerning the mining activities carried on by the applicant - M/s.Lafarge Umiam Mining Pvt. Ltd. on their "Nongtraï Limestone Mine" in Meghalaya.

As early as on April 30, 2007, the Ministry of Environment and Forests had directed the closure of the mining activities in those areas as it is a forest area and there was no requisite permission by the appropriate authorities. No other order by the Ministry of Environment and Forests subsequent to the one dated April 30, 2007 was brought to our notice.

We are further informed that apart from M/s.Lafarge Umiam Mining Pvt. Ltd., there are four other companies/agencies engaged in mining activities in that area. These operators also deliver the mined products to Bangladesh. In the C.E.C. report there is no mention of any mining activities carried on by any company/agency other than M/s.Lafarge Umiam Mining Pvt. Ltd. The C.E.C. is directed to furnish further report concerning the mining activities of the four companies/agencies other than M/s.Lafarge Umiam Mining Pvt. Ltd.

In view of these facts, for the time being, M/s.Lafarge Umiam Mining Pvt. Ltd. is directed to stop the mining activities in the State of Meghalaya.

The company will be at liberty to move any mined material that might be lying there subject to furnishing accounts but no further mining activities shall be carried on till further orders. Further, the company will inform the C.E.C. about the mined materials lying with it within three days.

List on 19.03.2010. I.A.Nos.2079-80, 2301-2303, 2546, 2760 in W.P.(C)NO.202/1995 & W.P.(C)No.301/2008:

Mr.Harish N.Salve, learned senior counsel and amicus curiae started his arguments at 2.30 p.m. and was on his legs, when the Court rose for the day, leaving the matter as partheard.

List on 19.03.2010 as part-heard.

I.A.Nos.2228-2229, 2575-2576, 2577-2578 in W.P.(C)No.202/1995:

List on 26.03.2010.

I.A.Nos.2609-2610 in W.P.(C)No.202/1995:

List on 12.03.2010 on top of the Board.

C.A.Nos.8133, 8134 & 8135/2003:

Adjourned.