

IN THE HIGH COURT OF JHARKHAND AT RANCHI

W.P.(PIL) No. 3924 of 2022

1. The Audyogic Swavalambi Co-operative Society Limited, Koderma, through its Member of Board of Directors, Shri Arun Virhor
2. Arun Virhor
3. Yashoda Devi
4. Suresh Turiya
5. Savita Devi
6. Saleha Khatun

..... Petitioners

Versus

1. The State of Jharkhand, through the Chief Secretary, Ranchi
2. The Chief Secretary, Government of Jharkhand, Ranchi
3. The Principal Secretary, Department of Mines and Geology, Government of Jharkhand, Ranchi
4. The Jharkhand State Mineral Development Corporation, through the Managing Director, Ranchi
5. The Managing Director, Jharkhand State Mineral Development Corporation, Ranchi
6. The Director, Geology, Government of Jharkhand, Ranchi
7. The Additional Chief Secretary, Department of Forest, Environment and Climate Change, Government of Jharkhand, Ranchi
8. The Principal Chief Conservator of Forest, Jharkhand, Ranchi
9. The Principal Chief Conservator of Forest-cum-Chief Wildlife Warden, Jharkhand, Ranchi
10. The Director General of Police, Jharkhand, Ranchi

..... Respondents

CORAM**HON'BLE THE CHIEF JUSTICE****HON'BLE MR. JUSTICE RAJESH SHANKAR**

For the Petitioners:	Mr. Anil Kumar Singh, Advocate
For the State:	Mr. Piyush Chitresh, A.C. to A.G.
For the Res.-JSMDC:	Mr. Aditya Raman, Advocate

09/21.11.2025

1. The instant writ petition has been filed for grant of following reliefs:

"A. For issuance of Writ of Mandamus directing the respondent authorities to forthwith implement the conditions contained in Para-3 to 6 and following the guiding principles contained in Appendix- I of the Jharkhand Minor Minerals Concession (Amendment) Rules, 2021 (Annexure-6) which requires to be implemented by the Respondent No. 4, the

Jharkhand State Mineral Development Corporation, Doranda, Ranchi and the same rule came into effect from 3rd March, 2022, the date of publication of the Notification in the Official Gazette of the State of Jharkhand; but the same is not being implemented by the respondent authorities concerned even after lapse of more than four months for the reason best known to them, leading to deprivation of the fair means of livelihood to the lakhs of unorganised labourers of Koderma and Giridih District of the State of Jharkhand and their criminalisation due to non- implementation of the aforesaid Rules by the Authorities of the State of Jharkhand.

B. For issuance of Writ of Mandamus directing the respondent authorities not to take any coercive action against the Dhibra Pickers from the areas outside forest till the Respondent Authorities operationalise the machineries to implement the aforesaid 2021 Rules, by fulfilling the conditions contained in paragraphs 3 to 6 and Appendix-I of the said 2021, Rules.”

2. In the counter affidavit filed on behalf of the respondent nos. 4 & 5, it has specifically come on record that the Government of India, Ministry of Mines, New Delhi vide its communication dated 21.02.2025, has informed all the State Governments and the Union Territories that the Central Government vide Notification No. S.O. 924(E) dated 20.02.2025, has omitted the minerals such as Barytes, Felspar, Mica and Quartz from the list of minor minerals. Accordingly, these minerals are now ‘minerals other than minor minerals’ i.e. major minerals w.e.f. 20.02.2025.
3. Obviously, the State of Jharkhand has no authority whatsoever to deal with Mica by treating the same as minor mineral and now the same would be governed by the provisions of the Mines and Minerals (Development & Regulation) Act, 1957 and the rules framed thereunder

and not by the Jharkhand Minor Mineral Concession Rules, 2004 as amended from time to time.

4. Under such circumstances, the present writ petition is clearly misconceived and the same is accordingly dismissed.

(TARLOK SINGH CHAUHAN, C.J.)

(RAJESH SHANKAR, J)

21st November, 2025
Satish/Vikas/

Uploaded on 25.11.2025