

ITEM NO.9

COURT NO.4

SECTION XV

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 (C) No(s).34811/2013

(Arising out of impugned final judgment and order dated 21-10-2013 in DBCMA No. 250/2013 21-10-2013 in DBCWP No. 13189/2012 passed by the High Court of Judicature for Rajasthan at Jaipur)

NAVEEN SHARMA

Petitioner(s)

VERSUS

THE STATE OF RAJASTHAN AND ORS.

Respondent(s)

WITH

SLP(C) No. 34134/2013 (XV)

(WITH Application for Direction ON IA 9/2017, Application for Direction ON IA 10/2017, IA No.119289/2017-impleading party and IA No.119291/2017-CLARIFICATION/DIRECTION and IA No.119298/2017-impleading party and IA No.119300/2017-CLARIFICATION/DIRECTION and IA No.120769/2017-impleading party and IA No.120772/2017-CLARIFICATION/DIRECTION)

C.A. No. 9703-9706/2013 (XVII)C.A. No. 17379-17380/2017 (XVII)

(WITH IA No.111271/2017-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.111268/2017-EXEMPTION FROM FILING O.T. and IA No.111270/2017-APPROPRIATE ORDERS/DIRECTIONS and IA No.111269/2017-PERMISSION TO FILE ADDITIONAL DOCUMENTS)

Date : 16-11-2017 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE MADAN B. LOKUR  
HON'BLE MR. JUSTICE DEEPAK GUPTA

For Petitioner(s) Mr. Irshad Ahmad, AOR

Mr. S.S. Shamsbery, AAG Rajasthan  
Mr. Amit Sharma, Adv.  
Mr. Sandeep Singh, Adv.  
Mr. Ankit Raj, Adv.  
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Mr. Yashvardhan, Adv.

Mr. Ambuj Dixit, Adv.  
Mr. Merusagar Samantaray, AOR

Dr. Surender Singh Hooda, AOR  
Mr. Premtosh Mishra, Adv.

For Respondent(s) /  
applicant(s)

Mr. Ajit Kumar Sinha, Sr. Adv.  
Mr. Sarad Kumar Singhanian, Adv.  
Mr. Anis Kumar Gupta, Adv.  
Mr. G.S. Makker, Adv.

Mr. C.A. Sundaram, Sr. Adv.  
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Ms. Shubhangini Jain, Adv.

Mr. Ansar Ahmad Chaudhary, AOR

Mr. D. K. Devesh, AOR

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Mr. Umesh Pratap Singh, Adv.  
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Mrs. Rachna Gupta, Adv.  
Ms. Alka Sinha, Adv.  
Mr. Siddhant S. Malik, Adv.

Mr. Sanjeeb Panigrahi, AOR

Ms. Kiran Bhardwaj, AOR

Mr. Pradeep Misra, AOR  
Mr. Suraj Singh, Adv.

Ms. K. Enatoli Sema, AOR  
Mr. Edward Belho, Adv.  
Mr. Amit Kumar Singh, Adv.  
Mr. K. Luikang Michael, Adv.

Mr. Vijay Panjwani, AOR

Mr. Ritesh Khatri, AOR

Ms. Nandini Sen, Adv.  
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Ms. Rachana Srivastava, AOR  
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Ms. Aruna Mathur, Adv.  
Ms. Anuradha Arputham, Adv.  
for M/S. Arputham Aruna And Co

Mr. M. R. Shamshad, AOR

Mr. Anil Grover, AAG  
Mr. Vishal Chauhan, Adv.  
Mr. Sanjay Kumar Visen, AOR

Mr. M. Shoeb Alam, AOR

Ms. Shibani Ghosh, AOR

Ms. G. Indira, adv.  
Mr. K.V. Jagishvaran, Adv.  
Mr. Bhupesh Narula, Adv.

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

In these matters, SLP(C) No.34134 of 2013 (State of Rajasthan Vs. Nature Club of Rajasthan) should be taken as the main case. Accordingly, in the cause list this matter be shown as the main case.

We have heard learned counsel for the parties and we are horrified with what is happening in the State of Rajasthan with regard to *bajri* and sand mining/quarrying.

For several months, if not years, without any environmental clearance and without any scientific replenishment study, unabated mining is going on by 82 parties before us.

It is quite obvious that the Ministry of Environment, Forest and Climate Change is not concerned about the degradation of the environment in Rajasthan and what is even worse is that the State of Rajasthan is totally unconcerned about it.

In Court, serious allegations have been made that the State of Rajasthan is complicit with the miners/quarry holders and sand and *bajri* is being mined with impunity.

Without giving any credence to the allegations made until we hear from the Chief Secretary of Rajasthan on affidavit, we restrain all the 82 mining lease/quarry holders from carrying out mining of sand and *bajri* unless a scientific replenishment study is completed and the matter is fully and dispassionately considered by the Ministry of Environment, Forest and Climate Change and an environmental clearance is granted or rejected.

This order will come into force with immediate effect.

List the matters after the affidavit from the Chief Secretary of Rajasthan is filed.

C.A. No. 17379-17380/2017

Detag.

Reply be filed within four weeks.

List the matter immediately after four weeks.

(SANJAY KUMAR-I)  
AR-CUM-PS

(KAILASH CHANDER)  
COURT MASTER