

ITEM NO.8

COURT NO.1

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). 10587/2019

(Arising out of impugned final judgment and order dated 09-04-2019 in DBCW No. 2996/2018 passed by the High Court Of Judicature For Rajasthan At Jodhpur)

BAJRI LEASE LOL HOLDERS WELFARE SOCIETY
THROUGH ITS PRESIDENT

Petitioner(s)

VERSUS

THE STATE OF RAJASTHAN & ORS.
(IA No. 100882/2019 - VACATING STAY)

Respondent(s)

WITH

CONMT.PET.(C) No. 674/2019 in SLP(C) No. 34811/2013 (XV)

(IA No. 76706/2019 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES)
SLP(C) No. 10670/2019 (XV)

CONMT.PET.(C) No. 607/2019 in SLP(C) No. 34134/2013 (XV)

SLP(C) No. 11510/2019 (XV)

SLP(C) No. 18202/2019 (XV)

SLP(C) No. 18754/2019 (XV)

SLP(C) No. 17993-18005/2019 (XV)

SLP(C) No. 18088/2019 (XV)

SLP(C) No. 19135/2019 (XV)

SLP(C) No. 19034/2019 (XV)

SLP(C) No. 30739/2019 (XV)

SLP(C) No. 30740/2019 (XV)

SLP(C) No. 30741/2019 (XV)

SLP(C) No. 30742/2019 (XV)

SLP(C) No. 28294/2019 (XV)

SLP(C) No. 30743/2019 (XV)

SLP(C) No. 4184/2020 (XV)
 (IA No.13819/2020-CONDONATION OF DELAY IN FILING and IA
 No.13820/2020-EXEMPTION FROM FILING O.T.)

Date : 19-02-2020 These matters were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
 HON'BLE MR. JUSTICE B.R. GAVAI
 HON'BLE MR. JUSTICE SURYA KANT

For Petitioner(s)

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 Mr. Chitrangda R., Adv.
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Petitioner-in-person

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For Respondent(s)

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Mr. Salvador Santosh Rebello, Adv.

Mr. Gurmeet Singh Makker, AOR

CEC

Mr. Mahendra Vyas, Adv.

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

We find that the issue of sand mining in the State of Rajasthan has become extremely complicated and probably chaotic. The parties before us blame each other for the present situation. In these circumstances, we consider it appropriate to accept the suggestion of Shri Naveen Sharma, the petitioner appearing in person in C.P. © No. 674/2019 in SLP© No. 34811/2013, that the CEC should be empowered to go into this issue and submit a report to this Court on the problems relating to sand mining that are faced by the traders, the consumers, the transporters, the State and other stakeholders. It would be necessary for the CEC to also go into the question of illegal mining and suggest measures for stopping such illegal mining.

Shri Mahendra Vyas, who is a member of the CEC is present before us and suggest that the CEC will carry out the mandate of this Court and submit a report along with recommendations within six weeks. The CEC shall have the power to summon any person, including, Government officials for the purpose of making the aforesaid enquiry for preparing the report. The CEC shall also hear the representatives of the State Government, Dastak NGO, the LOI holders, the stakeholders and Shri Naveen Sharma. The CEC shall be entitled to obtain copies of any court proceedings on the subject.

It is not disputed by anybody, including the State, that illegal sand mining is rampant in the State of Rajasthan. This cannot be allowed to continue. We, therefore, direct the State of Rajasthan and in particular, the Collector and the Superintendent of Police for each District in Rajasthan to take immediate steps for stopping illegal sand mining as there is no doubt that such unbridled sand mining is likely to damage the environment irreparably. The State of Rajasthan shall submit an action taken report to this Court within a period of four weeks from today.

Put up on a non miscellaneous day in end of April, 2020 along with SLP© Nos. 34811/2013, 34134/2013 and Civil Appeal No. 9703/2013.

Permission is granted to learned counsel for the petitioners in SLP© Nos. 30739, 30740, 30741 and 30742/2019 to file spare copies in the respective matters.

[CHARANJEET KAUR]
A.R. -CUM-P.S.

[INDU KUMARI POKHRIYAL]
ASSTT. REGISTRAR