

IN THE JHARKHAND HIGH COURT AT RANCHI

W P (P I L)...../2012

Saryu Roy, Convenor, Save Saranda CampaignPetitioner

Versus

State of Jharkhand & ors Respondent

Sub. :

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IN THE JHARKHAND HIGH COURT AT RANCHI

W P (P I L)...../2012

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State of Jharkhand & Ors Respondent

S Y N O P S I S

In the instant PIL the petitioner named above prays for following reliefs :-

- i) To issue appropriate writ/direction/directions to the Govt. of Jharkhand to implement the proposal of Principal Chief conservator of Forests, Jharkhand to phase out economic activities from dense, reserve and protected forests like Saranda and adjoining areas. The proposal is pending before the Govt. of Jharkhand since February 2006.
- ii) To direct the Jharkhand Govt. to notify the list of virgin/ inviolate compartments in the official gazette which was prepared by the Department of Forest and Environment ,Govt.

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of Jharkhand and submitted before the Jharkhand Govt. in February 2006 and is still pending before the state government.

- iii) To direct the Govt. of India and the Govt. of Jharkhand to cancel the allotment/recommendations for iron ore mining/prospecting leases in such areas which falls wholly or partially in the virgin areas/inviolable compartment and/or overlap it in Saranda and adjoining Forests.
- iv) To direct the Govt. of Jharkhand to cancel/recall the fake geological reports prepared by the Assistant Director, Geology, Chaibasa regarding iron ore and manganese ore reserves and grades in various areas of Saranda and adjoining forests in West Singhbhum District as it has been prepared to suit the vested interests and are not based on proper geological exploration and/or supported by scientific investigations and/or even without field visits in such areas.
- v) To direct the Govt. of India and Govt. of Jharkhand to cancel/withdraw the allotments/recommendations of iron ore and manganese ore mining leases/prospecting licenses made on the basis of such fake geological reports prepared and submitted by the Assistant Director Geology, Chaibasa.

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- vi) To direct the Govt. of Jharkhand to conduct proper investigation to assess the quality and quantity of the iron ore/manganese ore reserves in Jharkhand.
- vii) To direct the Govt. of Jharkhand to prepare a scientific perspective plan for sustainable mining of iron ore and manganese ore based on actual requirements of the State and the nation.
- viii) To direct the Govt. of Jharkhand to take effective steps to protect, conserve, preserve and augment the natural resources such as forest, biodiversity and wildlife etc. in mining areas of Saranda and adjoining forests.
- ix) To direct the Govt. of Jharkhand to assess the extent of Natural Wealth, its quality and quantity, its economic value and its role in Environmental and Ecological conservation in the dense, protected and reserve forest areas.
- x) To direct the Govt. of Jharkhand to assess the impact of mining and other subsidiary economic activities on Ecology and Environment of Saranda and adjoining dense, reserve and protected forests areas.
- xi) To direct the Govt. of India and the Govt. of Jharkhand to prepare an exhaustive working plan to minimise the threat on Ecology and Environment in Saranda and adjoining areas and regulate the economic activities such as mining and others.

(iv)

- xii) To direct the Govt. of Indian and the Govt. of Jharkhand to enquire into the illegal allotments/ recommendations made for mining/prospecting leases of iron ore& manganese ore in Saranda and adjoining areas by a competent investigating agency of the Govt. of India.
- xiii) To direct the Govt. of India to fulfill the conditions on which 995 hectares of forest land was diverted to Steel Authority of India for mining in Chiria area of Saranda by the Minister of State , Ministry of Enviroment & Forests overturning the decision of Forest Advisory Committee, a statutory body, in 2011.
- xiv) To direct the Govt. of India and the Govt. of Jharkhand to explore possibility of underground mining of iron ore to save the natural resources overground.

Annexure-1 : The Director General of Forest cum special Secretary, Govt. of India on 16-04-2003 wrote a D.O. letter to the Chief Secretary, Govt. of Jharkhand that mining in reserve forest area is totally against the Principle of Forest Conservation and directed that commercial activities from dense and reserve forests be phased out.

Annexure-2 : As per direction of superior officers in the light of the letter of the Director General of Forests cum

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Special Secretary, Govt. of India the Deputy Advisor, Forests & Environment Department, Govt. of Jharkhand directed the Principal Chief Conservator of Forests, Jharkhand to take necessary steps in this matter and prepare a report consisting of the list of projects so that further action in this regard may be taken at state level.

Annexure-3 : In the light of above mentioned direction of the Deputy Advisor, Forest & Environment, Govt. of Jharkhand a meeting was held under the Chairmanship of the Principal Chief Conservator of Forests (PCCF) on 17-02-2005 in which modalities of phasing out mining/commercial activities from dense and reserve forests were decided. It was decided that diversion of forests land for mining will not be made to those users who does not have their own factories. They will have to give wind up plan and reclamation plan for 20 years and the users having their own factories will be asked to adopt underground mining.

Annexure-4 : One more meeting in this regard was held on 28/29-03-2005 under the Chairmanship of the Secretary, Dept. of Forest & Environment , Govt. of Jharkhand in which decisions taken in the meeting

under the Chairmanship of Principal Chief Conservator of Forests on 17-02-2005 was endorsed.

Annexure-5 : On the basis of the meetings held on 17-02-2005 and 28/29-03-2005 the Principal Chief Conservator of Forests, Jharkhand sent a proposal to the state government containing details of the decisions taken in the meetings through the Secretary, Dept. of Environment & Forest on 14-02-2006 and requested that the state government take necessary decision in this regard and notify the concerned forest areas as inviolate in the official gazette of the state.

Annexure-6 : The proposal of PCCF for phasing out economic activities/mining in dense and reserve forests was considered and endorsed by the Secretary, Forest & Environment Dept. A draft of notification was placed on the concerned file and the file was marked to the Chief Secretary to obtain consent of the Chief Minister as it was a policy matter. The Chief Secretary instead marked the file to industry department and mines department to obtain their opinions on the matter.

Annexure-7 : The file lost its way in the Forest Dept. and re-surfaced after 8 months with a note that "Yah Sanchika path bhrasht ho gayi thi".

Annexure-8 : The Principal Chief Conservator of Forests, Jharkhand sent a reminder letter to the Govt. on 17.07.2007 and requested the govt. to give serious consideration over the proposal of phasing out economic activities from dense and reserve forests in the interest of Environment, Biodiversity and Wildlife.

Annexure-9 : The petitioner in the capacity of convenor of the Environment & Pollution control committee of Jharkhand Assembly took up the matter and on his direction the Joint Secretary of the Legislative Assembly asked the government to provide a copy of the notification regarding phasing out economic activities from dense and reserve forests within a week, if it is made.

Annexure-10 : The Secretary, Forest & Environment Dept., Govt. of Jharkhand wrote a letter to his counterpart in the Mines Dept. and asked to provide opinion of his department about declaring virgin/enviolate compartments in Saranda, Kolhan and Porahat forests divisions.

Annexure-11 : The Minister of State, Ministry of Environment & Forests, Govt. of India overturned the recommendation of Forest Advisory Committee, a

statutory body, and granted permission for conversion of 995 hectares of forest land for mining in Chiria Mines area in Saranda on 09-02-2011 on the condition that Ministry of Environment & Forests will assume its direct responsibility and set up a multi-disciplinary expert group for monitoring. This group is not yet constituted.

Annexure-12 : The petitioner handed over a memorandum on 23-07-2010 to the advisor to Hon'ble Governor during President Rule in Jharkhand and requested him to ensure the notification of the proposal of virgin/inviolable compartment in the state gazette.

Annexure-13 : The petitioner meanwhile toured extensively the Saranda areas and found that owing to unscrupulous iron ore mining water bodies including river Karo and Koena were badly polluted and environment there is critically degraded.

Annexure-14 : The petitioner wrote a letter to the Secretary, Dept. of Forest & Environment and the Secretary, Mines & Geology, Govt. of Jharkhand on 09-05-2012 and urged to notify in the state gazette the proposal of PCCF regarding phasing out of economic activities from dense and reserve forest.

Annexure-15 : The petitioner on 23-07-2012 handed over memorandum to the Chief Secretary, Govt. of Jharkhand and acquainted him about his up till now fruitless effort in this regard and urged him to do the needfull in the interest of the people and environment.

Annexure-16 : Total area of Saranda Forest is about 81,901.57 hectares of which 9351.07 hectares has already been leased out to various companies of public and private sector.

Annexure-17 : According to the list prepared by the Distric Mining Officer of Chaibasa applications of 85 private sector companies involving 82,404.128 hectares area for Iron ore mining leases in Saranda Forest Divisions are pending under active consideration of the Govt. It means that if these leases are granted in future there will be no trace of Saranda on the world map of Forests .

Annexure-18 : The Forest & Environment Dept. of Jharkhand has identified 63,199.89 hectares of Saranda forest 58.600.14 hectares reserve and 11,406.0947 hectares protected forest Kolhan and 19,544.97 hectares Porahat forest divisions as virgin and proposed them to be notified as inviolate compartments in the

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official gazatte. The proposal is pending since February 2006 before the government will become meaningless unless need based phase wise sustainable mining planning is conceived and unscruplous mining as going on today is checked. .

Annexure-19 : The Govt. of Jharkhand with the consent of Govt. of India on 26.09.2001 declared entire Saranda Forest Division as a part of Singhbhum Elephant Reserve under Central Elephant Project with a view to protect the elephants and other wildlife habitat and their movement corridors and issued notification in this regard on 26.09.2001.

Annexure-20 : The Secretary, Forest & Environment, Govt. of Jharkhand on 11-12-2007 expressed his view in writting to the Chief Secretary that even if 25 to 30 million ton iron ore is produced annually the present iron ore reserve of existing lease hold areas in Saranda alone will serve the purpose and last for coming 100 years.

Annexure-21 : The petitioner publicly raised the issue of irregularity in allotment of iron ore/mangnese ore mines in Jharkhand through a press conference on 07-04-2008 and provided vivid details in this regard but no action was taken.

Annexure-22 : The petitioner informed the Prime Minister of India about gross irregularities in allotment of iron ore mines to private industrialist through a letter dated 17-05-2008 and requested CBI probe in the matter but no action was taken.

Annexure-23 : The petitioner also provided documentary proofs of irregularity and violation of Mines and Minerals (Development & Regulation Act) 1957 to the Secretary, Mines Dept., Govt. of India that illegal and irregular allotment of iron ore mines should be cancelled and action should be taken against guilty persons after thorough probe by a Central Investigation Agency but no action was taken.

Annexure-24 : Grant of iron ore mines in favour of a particular applicant is made on the basis of Geological Report prepared by a competent authority. But in case of recommendation of applications to Govt. of India by the Jharkhand Govt. for grant of iron ore leases Geological Reports accompanying the applications were not based on scientific exploration. Such Geological Reports were infact prepared sitting on the table in Chaibasa Office by an Assistant Director Geology, Govt. of Jharkhand. The Govt. of Jharkhand fails to provide the details of field tours

programs/reports of concerned official for this purpose to the petitioners when asked under RTI Act.

Annexure-25 : The Govt. of Jharkhand has prepared an exhaustive list of iron ore mines in Saranda forests containing areas, reserve and grades to facilitate recommendation of large number of applications for iron ore mines leases.

Annexure-26 : The Tate Steel was allotted an area of 900 hectares iron ore mines out of the way in irregular manner by the then Chief Minister of Jharkhand, Mr Madhu Koda without consideration in the selection Committee in the Mines Department, Govt. of Jharkhand. It was later cancelled by the Revision Authority of the Central Government after illegality was proved.

Annexure-27 : The Ministry of Mines, Govt. of India found fault with the recommendations sent by the Govt. of Jharkhand. It was intimated several times by the under Secretary of the Ministry that rejection of the applications were based on the grounds not acceptable and lacking merit. But the same applications later were accepted by the Ministry most of the times.

Annexure-28 : In course of investigation of iron ore scam in Jharkhand Income Tax investigation wing found alarming irregularities. In its appraisal report investigating authorities recommended to its assesees that all renewal/fresh mining leases recommended during Madhu Koda's period as Chief Minister be thoroughly examined and the finding of the scrutiny may be referred to the Ministry of Mines, Govt. of Jharkhand. The petitioner informed the Chief Minister of Jharkhand as well as the Minister of Mines, Govt. of India about it through a letter on 10-02-2011 and urged him to enquire the illegalities, irregularities and take necessary actions but nothing was done.

Annexure-29 : The petitioner requested the Prime Minister of India to take cognisance of the Income Tax investigation wing and requested him to direct the Ministry of Mines to get the matter probed and get the mines lease cancelled.

Annexure-30 : The petitioner again approached the Chief Minister, Jharkhand and apprised him about the adverse impact of large number of recommendation sent to the Govt. of India on the Sal Forests of Saranda and urged him to look into the matter in light of the direction of

Director General of Forests, Govt. of India in 2003. He reminded the Chief Minister about his earlier requests to him as well as to the Prime Minister of India regarding review/cancelation of recommendations for iron ore leases sent to the Govt. of India for approval in Koda regime and urged him that it is necessary not only as a measure against corrupt practices but also in the interest of preservation of Saranda Sal Forests.

Annexure-31 : In some of the countries in the world underground mining of iron ore is undertaken. One such mine in the Kiruna area of Sweden is running and making progress at different sub levels. To save the natural treasure of Saranda Forests, its biodiversity, ecology, wildlife etc. alternative of underground mining may be adopted. In a meeting chaired by the Principal Chief Conservator of Forests, Jharkhand held on 07.02.2005 also suggested to resort to underground mining of iron ore.

IN THE JHARKHAND HIGH COURT AT RANCHI

(Civil Writ Jurisdiction)

W P (P I L)...../2012

In the matter of :

An application under Article
226 of the Constitution of India

AND

In the matter of :

Saryu Roy S/o Late Keshaw Prasad Roy, resident of 402-A,
Lotus Appartment, Doranda, Ranchi (Jharkhand)

.....Petitioner

Versus

1. State of Jharkhand
2. Chief Secretary,
Govt. of Jharkhand
Project Bhawan, Ranchi

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3. Secretary,
Dept. of Forest & Environment,
Govt. of Jharkhand
Nepal House, Doranda, Ranchi
4. Secretary,
Dept. of Mines & Geology,
Govt. of Jharkhand,
Nepal House, Doranda, Ranchi
5. Secretary,
Dept. of Industries,
Govt. of Jharkhand,
Nepal House, Doranda, Ranchi
6. Secretary,
Dept. of Water Resources Development,
Govt. of Jharkhand,
Nepal House, Doranda, Ranchi
7. Secretary,
Ministry of Mines,
Govt of India, Shashtri Bhawan,
Rajendra Prasad Road, New Delhi
8. Principal Chief Conservator of Forests,
Govt of Jharkhand
Van Bhawan, Doranda, Ranchi

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9. Secretary,
Ministry of Environment & Forests,
Govt. of India, CGO Complex, New Delhi
10. Chairman,
Jharkhand State Pollution Control Board, Ranchi
.....Respondents

To,

The Hon'ble Chief Justice of the High Court of Jharkhand
and his companion Judges of the said Hon'ble Court.

The humble petition on behalf
of the petitioner above named:

Most humbly and respectfully sheweth —

1. That the petitioner wants to invoke the extraordinary jurisdiction of law to save, preserve, conserve and augment the valuable treasure of nature in Saranda and adjoining forest areas being threatened by unscrupulous mining practices and related economic activities therein and hence has no option but to file this writ petition.
2. That in the instant PIL the petitioner named above prays for following reliefs :-
 - i) To issue appropriate writ/direction/directions to the Govt. of Jharkhand to implement the proposal to phase out economic activities from dense, reserve

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and protected forests like Saranda and adjoining areas. The proposal is pending before the Govt. of Jharkhand since February 2006.

- ii) To direct the Jharkhand Govt. to notify the list of virgin/inviolable compartments in the official gazette which was prepared by the department of forest and environment , Govt. of Jharkhand and submitted before Jharkhand Govt. in February 2006 and is still pending before the state government.
- iii) To direct the Govt. of India and the Govt. of Jharkhand to cancel the allotment/recommendations for iron ore mining/prospecting leases in such areas which falls wholly or partially in the virgin areas/inviolable compartment and overlap it?
- iv) To direct the Govt. of Jharkhand to cancel/recall the fake geological reports prepared by the Assistant Director, Geology, Chaibasa regarding iron ore and manganese ore deposits in various areas of West Singhbhum District as it has been prepared to suit the vested interests and are not based on proper geological exploration and supported by scientific investigations or even without visiting such areas.

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- v) To direct the Govt. of India and Govt. of Jharkhand to cancel/withdraw the allotments/recommendations of iron and manganese ore mining leases/prospecting licenses made on the basis of such fake geological reports prepared and submitted by the Assistant Director Geology, Chaibasa.
- vi) To direct the Govt. of Jharkhand to conduct proper investigation to assess the quality and quantity of the iron ore/manganese ore reserves in Jharkhand.
- vii) To direct the Govt. of Jharkhand to prepare a scientific prospective plan for sustainable mining of iron ores and manganese ores based on actual requirements of the state and the nation.
- viii) To direct the Govt. of Jharkhand to take effective steps to protect, conserve, preserve and augment the natural resources such as forest, biodiversity and wildlife etc. in mining areas of Saranda and adjoining forests.
- ix) To direct the Govt. of Jharkhand to assess the extent of natural wealth, its quality and quantity, its economic value and its role in environmental and ecological conservation in the dense, protected and reserve forest areas.

(6)

- x) To direct the Govt. of Jharkhand to assess the impact of mining and other subsidiary economic activities on Ecology and Environment of Saranda and adjoining dense, reserve and protected forests areas.
- xi) To direct the Govt. of India and Jharkhand to prepare an exhaustive working plan to minimise the threat on Ecology and Environment in Saranda and adjoining areas and regulate the economic activities such as mining and others.
- xii) To direct the Govt. of Indian and the Govt. of Jharkhand to enquire enquire into the illigal allotments/ recommendation made for mining leases/ prospecting licenses of iron & manganes ore in Saranda and adjoining areas by a competent investigating agency of the Govt. of India.
- xiii) To direct the Govt. of India to fulfill the conditions on which 995 hectares of forest land was diverted to Steel Authority of India for mining in Chiria area of Saranda by the Minister of State , Ministry of Enviroment & Forests overturning the decision of Forest advisory committee,a statutory body, in 2011.
- xiv) To direct the Govt. of India and the Govt. of Jharkhand to explore possibility of underground

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mining of iron ore to save the natural resources overground.

3. That the petitioner is a citizen of India residing within the territorial jurisdiction of this Hon'ble Court and as entitled to be protected under the right and guarantee enshrined in the Constitution of India.
4. That the following points and the question of law arise in this context :-
 - i) Whether the Govt. of Jharkhand is bound to implement the provisions of Mines and Mineral (Development & Regulation) Act 1957 and Mineral Concession Rules 1960 while making recommendations in favour of a particular applicant for Mining Lease (ML) and/or Prospecting License (PL) over an area.
 - ii) Whether the Govt. of Jharkhand is bound to implement the provisions of Mineral Conservation and Development Rule, 1988 (MCDR, 1988) while making recommendations in favour of a particular applicant for Mining Lease (ML) and/or Prospecting License (PL) over an area.
 - iii) Whether the provisions of Water (Prevention & Control of Pollution) Act 1974 is effective in

Jharkhand and be taken into consideration while making recommendations for Mining Leases (ML) and/or Prospecting Licenses (PL).

- iv) Whether the provisions of the Forest Conservation Act 1980 is taken into consideration while making recommendations for Mining Lease (ML) and/or Prospecting License (PL) by the Jharkhand Govt.
- v) Whether the Environment Protection Act 1986 is effective in the state of Jharkhand and its relevant sections are considered in the process of grant/ recommendation for Mining Leases (ML) and/or Prospecting Licenses (PL) for Mining is dense and reserve forests like saranda.
- vi) Whether the Govt. of Jharkhand adopts a well defined policy under the Mining and Minerals (Development & Regulations) Act 1957 and Mineral Concession Rules 1960 for deciding the claims of applicants for Mining Leases (ML) and/or Prospecting Licenses (PL) for iron and manganese ore Mines.
- vii) Whether the Govt. of Jharkhand has taken appropriate steps to implement the provisions of Biodiversity Act- 2002 in course of mining with a

view to protect and conserve the immensely rich Biodiversity spread over the dense and reserve forest areas like Saranda.

- viii) Whether the Govt. of Jharkhand thinks it proper to implement the provisions of Wildlife (Protection) Act. 1972 in Jharkhand to safeguard the threatened wildlife habitats endangered due to mining process and related economic activities.
- ix) Whether the state government requires further more virgin areas of Saranda and adjoining forests to be brought under iron ore mining leases/ prospecting licenses..
- x) Whether the State Government requires more and more production of iron ore to meet the demand of Steel Plants of the State or the Nation. Presently state has two measure steel plants in the State namely Tata Steel Ltd. in private sector and Bokaro Steel Ltd. in public sector. Both these plants together have capacity of 15 MT steel production per annum which requires 22 MT of iron ore annually. Whereas more than 25 MT iron ore is produced from existing leases in their captive possession and 42 leases of other lessees.

- xi) Whether the mining companies are serious in putting value addition to upgrade low grade iron ores in Jharkhand where nearly 10 MT iron ore fines are generated annually in course of mining process.
 - xii) Whether Mining Companies are beneficiating and making pellet of iron ore fines for better conservation and sustainable utilization of iron ore resources of the state.
 - xiii) Whether the Govt. of India would implement effectively the conditions laid down by the Minister of State, Ministry of Environment & Forests, Govt. of India at the time of diversion of Forest land for iron ore mining in Chiria area of Saranda.
 - xiv) Whether the Govt. of Jharkhand would adopt underground mining of iron ore to save precious trasure of natural resources in Saranda.
5. That the petitioner, Saryu Roy, is a social and environmental activist of repute and is active in conservation of Natural Resources, Protection of Environment & Ecology, Control of Pollution, preservation of Water Bodies qualities etc. in the State of Jharkhand. After completing his post graduate education in Physics from Patna University, he dedicated himself

to Social, Political and Environmental activities. He was a Member of Bihar Legislative Council as well as a Member of Jharkhand Legislative Assembly. His struggle for farmers cause as Convenor of the Sone Area Farmers Action Committee was well appreciated even by Judiciary in the Civil Writ Jurisdiction Case No. 3521 of 1993 before the Patna High Court, Patna in which Judgement was delivered on 21.9. 2011. He also struggles for sanity in politics and was one of the petitioners in WP (PIL) No. 1617 before Patna High Court which lead to expose of the infamous Fodder Scam in Bihar.

6. That the petitioner as Convener of the Save Saranda Campaign works for preservation of the famous Sal Forest of Saranda, its rich Biodiversity, Wildlife Habitat and Water Bodies from all round assault of unscrupulous iron ore Mining and related unbridled Economic Activities both legal and illegal.
7. That the petitioner is trying hard to do his best to set the things right by means of approaching the concerned Govt. authorities in the state of Jharkhand and at centre. He has toured the Saranda forests extensively and submitted memoranda to the concerned officials but of no avail.
8. That the word Saranda literally means the “Area of Seven Hundred Hills” in local “HO” dialect. Spread over an area

of near about 81 thousand hectares comprising mainly Manoharpur and Nuamundi Blocks of West Singhbhum District of Jharkhand. Saranda is a dense reserve forest famous for its age old Sal trees in Asian subcontinent. Due to its special properties, the Sal trees are known as Green Steel. Moreover Saranda is very rich in Bio-diversity and variety of Wild lives. The two major rivers of Jharkhand namely Karo and Koyna pass through Saranda and are source of drinking water for human being and wild animals. Beneath the subsurface of the dense Sal Forests in Saranda also lies one more treasure of the Nature i.e. the Iron Ore spread almost all over the forest coverage area.

9. That the role of steel in modern developmental activities across world is well known and due to jump in demand of steel in last one decade, the mining of iron ore became excessive which lead to unscrupulous digging of the forest area leading to inhuman devastation of Saranda, its wild lives, its Bio-diversity and acute pollution of Water bodies including rivers Karo and Koyna.
10. That the State and the Central Govts. failed in its duty to prepare conjunctive plan for sustainable iron ore mining vis-a vis preservation of Forests, Ecology Environment

and plenty of Natural Resources in the region. Lopsided priority of extraction of iron ore, both legal and illegal, and recommendations of iron & manganese ore mines to various aspiring companies of different hues arbitrarily in utter violation of provisions of Mines and Minerals (Development & Regulation Act) 1957, Minerals Concession Rules 1960, Mineral Conservation & Development Rules 1988 and Environmental protection act, 1860 lead to large scale destruction and devastation to Saranda forest and its Natural resources. The Mines Department of Govt. of India too failed in its duty to regulate the process and became a party to accept the recommendations of state Govt. for mining and prospecting leases without proper scrutiny.

11. That even the letter of the Director General of Forests cum Special Secretary, Govt. of India for phasing out the economic activities from dense and reserve forests was ignored and the proposal of the Principal Chief Conservator of Forest (PCCF), Dept of Forest and Environment sent to the state govt. for publication of the identified inviolate compartments in the official gazette is lying pending since February 2006 with the Jharkhand Govt. On the other hand the areas identified as inviolate compartments in virgin areas are being leased out to the aspiring companies

in violation to the Mines and Mineral (Development & Regulation Act 1957, Minerals Concession Rules 1960 and Mineral Conservation & Development Rule 1988 impinging adversely on Ecology, Environment, Wildlife, Biodiversity and on the very existence of Saranda itself.

12. That out of total area of 81901.57 hectares of Saranda about 63199.89 hectares area is identified as virgin/ inviolate compartments in various blocks and about 9351.07 hectares area of it is already under mining lease to the companies of private as well as public sectors. The District Mining Officer of Chaibasa has forwarded a list of 85 companies whose applications for iron ore mining leases in Saranda Forest Division requires an area of 82,404.128 hectare whereas the total area of Saranda is 81901.57 hectares which alone is less than demand of these leases. Thus total area for iron ore requirement of these companies added together in Saranda region comes to nearly 82 thousand hectares. Whereas the total area of Saranda is only 81 thousand hectares. It clearly indicates that if allotment of iron ore mining leases in Saranda remains continued as usual then there will be no trace of Saranda on the forest map in near future and the green steel as well as precious treasure of natural resources here will soon become a thing of past to the detriment of humanity and national interest.

13. That in this background the Director General of Forests cum Special Secretary, Govt. of India vide his D.O. Letter No. 11 -28/2002 FC dated June 16, 2003 to the Chief Secretary, Govt. of Jharkhand mentioned that mining in reserve forest area is totally against the principles of Forest Conservation and that too for a longer period. He advised and Stressed to that it was need of the time that we should initiate steps to phase out commercial activities from the reserve and dense forests in a time bound manner.

Photocopy of the letter of DG
Forests-cum-Special Secretary,
Govt. of India dated June 16,
2003 is annexed and marked
annexure-1 with the petition.

14. That as per direction of the superior officers the Deputy Advisor, Dept. of Forests & Environment, Govt. of Jharkhand vide his letter no. Van Bhumi 6/2002-3348, dated 05-07-2003 directed the Principal Chief Conservator of Forests, Jharkhand to take necessary steps in the light of the guideline contained in the last paragraph of the above mentioned letter of the Director General of Forests and prepare a report containing self of projects according to the guidelines.

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Photocopy of the letter no. Van Bhumi 6/2002-3348, dated 05-07-2003 of the Deputy Advisor, Dept. of Forests & Environment Jharkhand Govt. in annexed and marked as annexure-2 with the petition.

15. That in response to the direction of the Deputy Advisor, Department of Forests & Environment, Govt. of Jharkhand the Principal Chief Conservator of Forests (PCCF), Jharkhand held various meetings in this connection and one such meeting was held on 17.02.2005 which was chaired by the Principal Chief Conservator of Forests (PCCF) himself. Modalities for phasing out economic activities from dense and reserve forests were discussed and formalised in this meeting. It was decided that in Saranda area diversion of forest land will not be made in favour of those mining lease holders who does not have their own factories and the lease holders having their own factories will be asked to adopt underground Mining. User agencies will have to submit reclamation plan and wind up plan of maximum 20 years. Leases/renewal of leases to a user agency will be granted

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on the condition that they will have to wind up their activities within this period.

Photocopy of minutes of meeting chaired by the PCCF, Govt. of Jharkhand held on 17.02.2005 is annexed and marks annexure-3 with the petition.

16. That it is stated that one more meeting was held on 28/29 03.2005 under chairmanship of the Secretary, Department of Forests & Environment in which the Director Mines, Govt. of Jharkhand also present . The decisions taken in the meeting held on 17.02.2005 were endorsed in this meeting. It was further discussed that Singhbhum Elephant Corridor in the Saranda Forest division is the First Elephant Reserved Core Area in the country where large number of elephants reside. This area is also rich in Biodiversity. It was felt that incident of human-elephant conflict is increasing day by day as elephant habitat is in danger due to mining activities. It was decided that wind up plan and reclamation plan submitted by user agencies will be monitored by the Forest Department and in case of any violation mining will be stopped forthwith. But no such step has been taken in the light of these decisions.

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Photocopy of minutes of this meeting held on 28/29.03.2005 under Chairmanship of the Secretary, Dept. of Forests & Environment, Govt. of Jharkhand is annexed and marked as annexure-4 with this petition.

17. It is stated that based on the decision of these meetings the Principal Chief Conservator of Forests (PCCF) Department of Forest & Environment, Govt. of Jharkhand sent a proposal vide his letter no. 19 M.-1(5)19/2003-642 dated 14.02.2006 to the Govt. of Jharkhand through the Secretary, Forest and Environment, Govt. of Jharkhand. This proposal contained details of phasing out of economic activities from the dense and reserve forests which included the lists of the “virgin/inviolable compartments” in the Saranda, Porahat and South Chaibasa Forest Divisions of West Singhbhum District. The State Govt. was requested to notify it in the official gazette of Jharkhand.

Photocopy of the letter of PCCF, Jharkhand to the Secretary, Dept. of Forest &

(19)

Environment, Govt. of Jharkhand dated 14.02.2006 making proposal of phasing out of Economic activities is annexed and marked as annexure-5 with the petition.

18. That the phasing out proposal of the Principal Chief Conservator of Forests, Jharkhand was considered and cleared by the Minister of Forests & Environment, Govt. of Jharkhand and a draft for publication of the gazette notification was placed in the concerned file for approval of the Chief Minister. The Secretary, Forests & Environment, Govt. of Jharkhand on 09.05.2006 put detail note on page no. 12 of the concerned file no. "Van bhumi - 12/ 2006" expressing his opinion and endorsed the file to the Chief Secretary to obtain consent of the Chief Minister as it was a policy matter. The Chief Secretary instead marked the file for opinion of Industry and Mines Department on 10.05.2006.

Photocopy of the relevant notes of the Secretary, Forests & Environment Dept. and the Chief Secretary, Govt. of

(20)

Jharkhand on page no.12 of file no. Van bhumi - 12/ 2006 on 10.05.2006 obtained through RTI is annexed and Marked annexure-6 with the petition.

19. That the movement of file Van bhumi-12/2006 remained stuck in the forest dept. for more than 9 months between 7.11.2006 to 31.8.2007 as the concerned file was declared lost. When the file resurfaced in the dept. after more than 9 months an interesting note on page 16 of the file was written that “YAH SANCHIKA PATH BHRASHT HO GAYI THI”.(The file lost the way). But it was not mentioned as to with which file or folder this file was tagged when it lost its way.

Photocopy of the relevant page of the file obtained through RTI is annexed herewith and marked as annexure-7 with the petition.

20. That the Principal Chief Conservator of Forests (PCCF) vide his letter no. 19 M- 1(5) 19/2003- 3479 dated 17.07.2007 reminded the State Govt. through the Secretary, Dept. of Forests & Environment about the

proposal to declare various segments of Saranda and adjoining forests as “virgin/inviolable compartments” and phasing out economic activities from dense and reserve forests. He requested the Govt. to give serious consideration over the proposal in the interest of conservation of environment, biodiversity and wildlife.

Photocopy of the concerned reminder letter of the PCCF, Jharkhand dated 17.07.2007 is annexed and marked annexure-8 with the petition.

21. That the petitioner as the Convenor of the Environment and Pollution control Committee of Jharkhand Legislative Assembly took up the matter with the State Govt. and on his direction the joint secretary of the assembly wrote letter no. प्रदूषण-01 / 08-3483 / वि.स., दिनांक 01-09-2008 to the secretary, Forests & Environment department, Govt. of Jharkhand and asked notification regarding inviolable compartments and phasing out of economic activities from dense and reserve forests has been made or not. He also requested the Secretary to provide a copy of the notification, if it is made, within a week.

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Photocopy of the letter of the Joint Secretary of the Jharkhand legislative assembly dated 01.09.2008 is annexed and marked as annexure-9 with the petition.

22. That the then Secretary, Forest & Environment Department, Govt. of Jharkhand, Shri Sukhdeo Singh wrote a letter no. अ.स. पत्र संख्या-वन भूमि-12/2007- 283, दिनांक 04-02-09 to Shri K.K. Khandelwal, the then Secretary, Dept. of Mines & Geology, Govt. of Jharkhand regarding notification of virgin/inviolate compartment in Saranda, Kolhan and Porahat Forest Divisions. Citing the previous communications in this connection he urged to make opinion of the industry dept. available to the Forest and Environment Department in this regard.

Photocopy of the draft letter of the Secretary, Forest and Environment Department dated 04.02.2009 to the Secretary, Mines and Geology, Govt. of Jharkhand is annexed and marked as annexure-10 with this petition.

23. That the Minister of State, Ministry of Environment & Forests, Govt. of India overturned the recommendation of the Forest Advisory Committee, a statutory body, and granted Forest Clearance in favour of SAIL (Steel Authority of India Limited) for diversion of 995 hectares of Forest land in Chiria Mines Area (25% of total Chiria Mines Area) in West Singhbhum District in Jharkhand for Mining on 09-02-2011 with certain specific conditions.

One such condition was that "Given the ecological sensitivity of the Saranda Forest area, the MoF&F will assume direct responsibility and set up a multi-disciplinary expert group (that would include not only ecologists but also anthropologists) to be responsible for this monitoring. The monitoring, evaluation and compliance reports will be made available in the public domain once a quarter. This committee will pay special attention to the concerns relating to the impact of mining on elephant habitats and migratory routes. No step has been taken by the Ministry of Environment & Forest for ,Govt. of India for compliance of this condition defeating the very purpose behind imposition of this condition at the time of granting permission for the Forest Clearance

against the advice of the Forest Advisory Committee, a statutory body.

Photocopy of the notification of the Ministry of Environment & Forests, Govt. of India signed by the Minister of State on 09-02-2011 is annexed and marked as annexure 11 with this petition.

24. That the petitioner handed over a memorandum to the then Advisor to the Hon'ble Governor, Jharkhand, Mr. V. S. Dubey on 23-07-2010 in the president rule in Jharkhand and urged him to expedite this matter in public interest and in the interest of Ecology, Environment, Biodiversity and wild life habitat in and around Saranda region.

Photocopy of the memorandum handed over to the Advisor to Governor of Jharkhand dated 23.07.2010 is annexed and marked as annexure-12 with the petition.

25. That the petitioner meanwhile toured the Saranda region twice and found that owing to unscrupulous iron ore mining the two major rivers of the area namely Karo and Koena

and also other water bodies have been badly polluted and Environment there is critically degraded.

A sheet of photographs depicting pollution of rivers Karo and Koena and degradation of Environment is annexed and marked as annexure-13 with the petition.

26. That the petitioner on 09.05.2012 wrote a letter to the Secretary, dept. of Forests and Environment, Govt. of Jharkhand who was also the Secretary, Mines and Geology, Govt. of Jharkhand at that time and urged him to take appropriate steps to notify in Jharkhand Gazette the proposal submitted by the Principal Chief Conservator of Forests, Govt. of Jharkhand for phasing out economic activities from dense and reserve Forests as per direction of the Director General Forests, Govt. of India. But no step was taken and the letter of the petitioner was not even acknowledged.

Photocopy of the letter to the Secretary Forests & Environment as well as Secretary, Mines & Geology, Govt. of Jharkhand is annexed

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and marked as Annexure-14
with the petition.

27. That the petitioner on 23.07.2012 handed over a memorandum to the Chief Secretary, Govt. of Jharkhand in this regard and requested him to exercise his good offices and perform his solemn duty to get notified in official gazette the proposal submitted by the Department of Forests & Environment, Govt. of Jharkhand for phasing out the economic activities from dense and reserve forests and declare the proposed segments of Saranda and adjoining forest divisions as virgin/inviolable compartments for shake of protection of Ecology & Environment, conservation of Biodiversity and preservation of Wildlife habitat in the region.

Photocopy of the memorandum handed over by the petitioner to the Chief Secretary, Govt. of Jharkhand dated 23.07.2012 is annexed and marked as annexure-15 with the petition.

28. That total area of Saranda Forest Division is about 81,901.57 hectares out of which an area of about 9351.07 hectare has already been leased out for iron ore mining

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in favour of different companies of private and public sector.

Photocopy of the list of existing iron ore/manganese ore leases in Saranda Forest Deivision prepared by Divisional Forest Officer of Saranda is annexed and marked as annexure-16 with this petition.

29. That the District Mining Officer, Chaibasa has submitted to the State Government a list of 'proposed mining lease areas' in favour of 85 Companies of Private Sector who has applied for mining lease of iron ore in Saranda Forest Division. The total area required for proposed mining by these companies amounts to 82,404.128 hectares which is more than the area of entire Saranda Forest Division.

Photocopy of the list of the proposed mining areas in Saranda provided by the district mining officer Chaibasa indicating areas required for proposed iron ore mining is annexed and Marked as annexure-17 with this petition.

30. That the Forest & Environment Department of Jharkhand Govt. has identified that 63,199.89 hectare out of Saranda Forest Division, 58,600.14 hectare area of reserve and 11,406.0947 hectare of protected forests of Kolhan division and 19,544.97 hectare of Porahat Forest Division are virgin and proposed it to be declared as “inviolable compartments” for the sake of conservation of Ecology & Environment, preservation of Biodiversity and protection of Wildlife habitat and other Natural Resources. The proposal is still pending before the state Govt. for gazette notification since February 2006. It is evident that unless unscrupulous mining going unabated in Saranda and adjoining areas is stopped and a comprehensive plan for sustainable mining is conceived and implemented such proposal will become meaningless and irrelevant. In course of time as large number of areas proposed to be notified virgin/ inviolable have already been recommended for grant of mining leases/prospecting licenses by the Jharkhand Government and several such proposal have been okayed by the Govt. of India

Photocopy of the list of areas of Saranda, Kolhan and Porahat forest division identified to be declared as virgin/inviolable

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compartments is annexed and marked as annexure-18 with the petition.

31. That the Govt. of Jharkhand after getting consent of the Govt. of India declared entire Saranda Forest Division as part of the Singhbhum Elephant Reserve under the Central Elephant Project of Govt. of India vide notification no. 3640 dated 26.9.2001 with a view to protect the elephant and other wild life habitat and allow their unhindered movement in this corridor areas.

Photocopy of the notification no. 3640, dt. 26.9.2001 in this regard is annexed and marked as annexure 19.

32. That the Secretary, Dept. of Forest & Environment, Govt. of Jharkhand put up a detailed note to the Chief Secretary, Govt. of Jharkhand on page no. 25 & 26 of the concerned file on 11-12-2007 in which he pointed out that total reserve of iron ore in the lease hold area of Saranda is nearly 3000 Million Ton. Even if 25 to 30 Million Ton iron ore is produced annually this reserve will last for coming 100 years. He further observed that the lease holder do not do any value addition to the iron ore.

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Photocopy of the note of the Secretary, Forest & Environment Department, Govt. of Jharkhand dated 11-12-2007 is annexed and marked as annexure 20.

33. That the petitioner held a press conference at Ranchi on 07-04-2008 and publicly raised the issue of irregularities in allotment of iron & manganese ore mines, favouritism and violation of relevant Act & Rule in recommendations of iron ore & manganese ore Mining Lease/Prospecting License applications by the Jharkhand Govt. to the Govt. of India on extraneous considerations but no action was taken.

Photocopy of the petitioner's press release on 07-04-2008 is annexed and marked annexure-21 with the petition.

34. That the Jharkhand Govt. has recommended the applications of several iron ore mine aspirants for grant of Mining Leases and Prospecting License in their favour in different segments of Saranda Forest Division to the Govt. of India in arbitrary manner without following

uniform and transparent norms. The petitioner drew the attention of the Prime Minister of India and also of the Secretary of Mines, Govt. of India towards such glaring irregularities as back as on May 17, 2008 but no action was taken.

Photocopies of letters written by the petitioner to the Prime Minister and to the Secretary Mines, Govt of India are annexed and marked as annexure 22 and 23 respectively with the petition.

35. That recommendations for Mining Lease/Prospecting License applications made to the Central Govt. by the Jharkhand Govt. for iron ore / manganese ore mines in favour of concerned particular applicants were based on fake geological reports. Such reports were used to be manufactured in the Chaibasa office of the Asst. Director, Geology of the Jharkhand Govt. The petitioner obtained about 100 such geological reports prepared by an Assistant Director, of West Singhbhum District, Chaibasa about availability, quality and quantity of iron ore/manganese ore in different areas through RTI. The reports are identical in nature and seems to be prepared sitting on the office

table without paying visit to the concerned areas. The Department of Mines, Govt. of Jharkhand failed to provide any detail of tour programme of the said Assistant Director Geology, Chaibasa in these areas. Moreover no prospecting about existence of iron ore, maganese etc. or trace of any mineralisation in these areas was ever done earlier.

Photocopy of one such geological reports is annexed and marked as annexure 24 with the petition.

36. That based on such fake geological reports and without any proper scientific exploration the Govt. of Jharkhand has prepared an exhaustive list of iron ore mining blocks, containing areas, reserves and grades of iron ore and manganese ore to be leased out to various aspirants/ applicants. Geographical area of most of these blocks overlap the areas of proposed virgin/inviolable compartments pending with the Govt. of Jharkhand for notification in the official gazette of the staff.

Photocopy of the list prepared by State Govt. containing names, areas, reserves and grades of iron ore and

manganese ore blocks is annexed and marked as annexure 25 with petition.

37. That a glaring example of gross irregularity in recommendation of Prospecting License in favour of Tata Steel Ltd in Ankua segment of Saranda forest has come to light in an order of the Revision Authority, Central Govt. passed on March 22, 2012. It was found that the committee formed by the Jharkhand Govt. for selection of applicants for recommendation of Mining Lease/ Prospecting License in Ankua reserve forest area selected Tata Steel Ltd. for recommendation of Prospecting License on an area of 905 hectares. When the file pertaining to this recommendation reached to the then Chief Minister Mr. Madhu Koda for his consent, the Tata Steel Ltd. handed over an application to Mr. Koda for allotment of additional 903 hectares iron ore area in its favour. Mr Koda obliged Tata steel and in addition to the 905 hectares area recommended by the selection committee, an additional adjoining chunk of 903 hectares was also added by him without consideration in the selection committee. Thus instead of 905 hectares a total of 1808 hectare area was recommended to the Govt. of India for grant of Prospecting License in favour of Tata Steel Ltd.

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Photocopy of the order of the Revision Authority, Central Govt. is annexed and marked annexure 26 with the petition.

38. That the process of recommendations in favour one applicant among many and rejection of others in course of preparation of statements of merit by the State Govt. was many times disputed by the concerned authorities of Ministry of Mines, Govt. of India in several cases. drew attention of the Secretary, Mines Dept., Govt. of Jharkhand. The Undersecretary of Ministry of Mines, Govt. of India in several cases drew attention of Secretary , Dept of Mines, Govt. of Jharkhand about such glaring anomalies but of no use.

Photocopy of two such letters written by the Under Secretary, Ministry of Mines, Govt. of India to the Secretary , Dept. of Mines and Geology, Govt. of Jharkhand is annexed and marked as annexure -27 with the petition.

39. That in course of investigation at the direction of the Hon'ble Jharkhand High Court at Ranchi the investigating wing of Income Tax (Bihar and Jharkhand) submitted an appraisal report and asked the assessing officers that :-

- (1) All renewal/fresh mining leases recommended in the Madhu Koda's period should be thoroughly examined.
- (2) The accounts and statements of payers of Shri Madhu Koda should be scrutinized.
- (3) The findings of the scrutiny may be referred to the Ministry of Mines.
- (4) In the background of statements of Shri Jai Shankar Tiwary and Shri Basant Bharracharya, other associated persons should also be examined.
- (5) Co-ordinated data analysis in connection with illegal mining obtained from Ports, Railways, Transporters covered under search & seizure operations and Jharkhand Space Centre to arrive the extent of illegal mining done by this group.

The petitioner on the basis of above recommendations of the Income Tax investigating wing wrote letters to the Chief Minister of Jharkhand and the Minister of Mines, Govt. of India on

10.02.2011 and urged them to take necessary action in the light of these recommendations but no step was taken in this regard.

Photocopy of the letter sent to the Chief Minister, Jharkhand/ Mines Minister, Govt. of India dated 10.02.2011 is annexed and marked as annexure-28 with the petition.

40. That when no action was taken at the level of Chief Minister, Jharkhand and the Mines Minister, Govt. of India, the petitioner was constrained to knock the doors of the Prime Minister .He wrote a letter to the Hon'ble Prime Minister of India in this regard on 10-04-2011. This letter of the petitioner was not even acknowledged.

Photocopy of this letter dated 10.04.2011 to the Prime Minister is annexed and marked annexure-29.

41. That the petitioner once again on 27-08-2011 reminded the Chief Minister of Jharkhand through a letter annexing the previous letters written to him in this regard on 10-04-2011 and also the letter written to the Prime

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Minister of India and tried to draw his attention for necessary action in this regard .He urged the Chief Minister of Jharkhand that such action is necessary not only as an anti corruption major but also in the interest of preservation of Saranda Sal Forest and Environment & Ecology therein.

Photocopy of the reminder letter written to the Chief Minister, Govt. of Jharkhand is annexed and marked as annexure-30 with the petition.

42. That it is stated that underground mining of iron ore is successfully done in other parts of the world. One such example is Kiruna Iron ore mines in Sweden. Its details are available on the website of Kiruna Mines. Such practices of underground mining as suggested in the meeting chaired by the Principal Chief Conservator of Forests on 17.02.2005 may be exercised in Jharkhand to preserve the precious Sal Forests of Saranda known as Green Steel and adjoining dense and reserve forests

Photocopy of the relevant extract from the website of the Kiruna iron ore mines is

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annexed and marked as
annexure -31 with this petition.

43. That gross irregularity in the form of proxy mining is rampant in iron ore rich areas of Jharkhand and the state government has failed to stop proxy mining of iron and manganese ore from Saranda Reserve Forest. Several Companies are doing proxy mining through agreements from granted lease hold areas of other lessees in violation of section 37 of Mineral Concession Rules Rule 1960. Proxy mining is still going on in the lease hold areas of M/s. Salil Kumar Ghosh, M/s. N.K.P.K. Jain, M/s. Singhbhum Minerals and others and is a matter of probe.
44. That the recommendation made by the state government for grant of Mining Lease/Prospecting License in various areas of Saranda and adjoining reserve and protected forests was in violation of section 5(2) of Mines and Minerals (Development & Regulation) Act 1957 At one hand recommendation for grant of Mining Leases were made in areas like Chattuburu, Kodalibad, Bokna, Ghatkuri, Latua, Meghahatuburu to various companies where exploration was never done. On the other hand recommendations for Prospecting License were made in such areas where prospecting was earlier done by a central

government organisation like Mineral Exploration Company Ltd. (MECL) in Ankua, Hatanaburu, Kasiapich.

45. That provisions of section 11(3) of Mines and Minerals (Development & Regulation) Act 1957 was grossly violated during recommendation for grant of Mining Lease in favour of such companies which do not have any proper experience of Mining, technical skill and adequate investment in comparison to those companies which has requisite mining experience, required technical skill and much more investment capacity.
46. That the proposal prepared by the PCCF at the direction of the Director General, Forests cum special secretary, Govt. of India for phasing out economic activities from dense and reserve forests and the proposal submitted for declaration of many segments of Saranda and adjoining forest divisions as inviolate compartments where ignored deliberately ignored by successive Jharkhand Govts. since last many years to facilitate the irregular, illegal and unlawful recommendations of Mining Lease/Prospecting License applications.
47. That Natural Resources in dense and reserve forests like Saranda are gift of Nature and requires considered steps to be taken by the government at Centre and State for its conservation, sustainable utilisation and equitable sharing

of the benefits arising out of utilisation of genetic resources according to the provision of Biological Diversity Act, 2002.

48. That the State and the Central Government has not examined desirability, need and necessity for grant of mining leases in dense, reserve and protected forest areas by soliciting expert opinions in the matter of competing priorities of conservation and development. The governments did not give proper consideration to the reality that conservation of forest wealth will result in conservation of the mineral wealth also and the state should refrain from trading short term gains for long term losses or eternal losses.
49. That petitioner craves leave of this Hon'ble Court to be allowed to file additional/ supplementary affidavit to the instant writ application if so required and/or if so directed by the Hon'ble Court.
50. That the petitioner has not filed any other petition and this petition is being filed bonafide and in the interest of justice.
51. That there is no any other equally efficacious alternative remedy than to file this write application.

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It is therefore prayed that your lordships may graciously be pleased to admit this applications, issue notice to the respondents as to show cause as to why the reliefs prayed for may not be granted to the petitioner and after the cause shown if any and after hearing the counsels for the parties be further pleased to grant the following reliefs :-

- i) To issue appropriate writ/ direction/directions to the Govt. of Jharkhand to implement the proposal to phase out economic activities from dense, reserve and protected forests like Saranda and adjoining areas. The proposal is pending before the Govt. of Jharkhand since February 2006.

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- ii) To direct the Jharkhand Govt. to notify the list of virgin / inviolate compartments in the official gazette which was prepared by the department of forest and environment Govt. of Jharkhand and submitted before Jharkhand Govt. in February 2006 and is still pending before the state government.

- iii) To direct the Govt. of India and Govt. of Jharkhand to cancel the allotment/ recommendations for iron ore mining/prospecting leases in such areas which falls wholly or partially in the virgin areas/inviolate compartment and overlap it?

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- iv) To direct the Govt. of Jharkhand to cancel/recall the fake geological reports prepared by the Assistant Director, Geology, Chaibasa regarding iron ore and maganese ore deposits in various areas of West Singhbhum District as it has been prepared to suit the vested interests and are not based on proper geological exploration and supported by sceintific investigations or even without visiting such areas.

- v) To direct the Govt. of India and the Govt. of Jharkhand to cancel/withdraw the allotments/recommendations of iron and maganese ore mining

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leases/prospects licenses made on the basis of such fake geological reports prepared and submitted by the Assistant Director Geology, Chaibasa.

- vi) To direct the Govt. of Jharkhand to conduct proper investigation to assess the quantity and quantity of the iron/ manganese ore reserves in Jharkhand.
- vii) To direct the Govt. of Jharkhand to prepare a scientific perspective plan for sustainable mining of iron ore and manganese ore based on actual requirements of the state and the nation.
- viii) To direct the Govt. of Jharkhand to take

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effective steps to protect, conserve, preserve and augments the natural resources such as forest, biodiversity and wildlife etc. in mining areas of Saranda and adjoining forests.

ix) To direct the Govt. of Jharkhand to assess the extent of natural wealth, its quality and quantity, its economic value and its role in environmental and ecological conservation in the dense, protected and reserve forest areas.

x) To direct the Govt. of Jharkhand to assess the impact of mining and other subsidiary economic activities on ecology and environment of Saranda and adjoining dense,

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reserve and protected forests areas.

- xi) To direct the Govt. of India and Jharkhand to prepare an exhaustive working plan to minimise the threat on ecology and environment in Saranda and adjoining areas and regulate the economic activities such as mining and others.
- xii) To direct the Govt. of Indian and Jharkhand to get enquired into the illegal allotments/ recommendation made for mining/prospective leases of iron & manganess ore in Saranda and adjoining areas by a competent investigating agency of the Govt. of India.

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xiii) To direct the Govt. of India to fulfill the conditions on which 995 hectares of forest land was diverted to Steel Authority of India for mining in Chiria area of Saranda by the Minister of State , Ministry of Enviroment & Forests overturning the decision of Forest advisory committee,a statutory body, in 2011.

xiv) To direct the Govt. of India and the Govt. of Jharkhand to explore possibility of underground mining of iron ore to save the natural resources overground.

AND

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after hearing the counsels
of the parties be further
pleased to pass such order
or orders as your
lordship may deem fit and
proper.

And for this the petitioner shall ever pray.

A F F I D A V I T

I, Saryu Roy, son of Late Keshaw Prasad Roy, Resident of 402-A, Lotus Appartment, Doranda, P.S. & P.O.-Doranda, District-Ranchi (Jharkhand), do hereby solemnly affirm and state as follows :-

1. That I am Petitioner in this case and as such I am well acquainted with the facts and circumstances of the case.
2. That the contents of this petition has been read over and explained to me and I have fully understood the same.
3. That the statement made in paragraph nos.....
.....are true to my knowledge and those made
in paragraph nos..... are true

(50)

to my information derived from the records of this case
and rest are by way of submission to this Hon'ble High
Court.

V E R I F I C A T I O N

I, hereby declare that the above contention of the affidavit is
true to my knowledge and I have sworn and signed the day of
.....2012 at Ranchi.