

THE HON'BLE SRI JUSTICE A.V. SSHA SAI

WRIT PETITION No.5976 of 2009

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking the following relief:

“to issue writ of mandamus to declare the action of the Respondents in not considering and disposing of prospecting License dated 8.2.2006 made by Sri P. Sreedhar Reddy for grant of Quartz & Feldspar mineral over an extent of Ac.250 in Sy.Nos.38 (entire extent) 39, 40, 41, 43, 44, 45, 50, 57 & 60 situated at Munimosham Village, Hanwad Mandal, Mahabubnagar District as per the provisions of the M&M (R&D) Act, 1957 and Mineral Concession Rules, 1960 as illegal, and further direct the respondents herein to consider and dispose of the same as per Law and further direct the respondents herein not to grant any mining lease or prospecting license in respect of P.L. Application made by Sri P. Sreedhar Reddy over an extent of Ac.250 in SY.Nos.38 (entire extent) 39, 40, 41, 43, 44, 45, 50, 57 & 60 situated at Munikoksham village, Hanwad Mandal, Mahabubnagar District to any third party pending disposal of the said P.L. Application.”

When the matter is called today, a brief report furnished by the Assistant Director of Mines and Geology, Mahabubnagar is placed on record by the learned Government Pleader for Mines and Geology.

The said report to the extent of its relevancy reads as under:

“Further, it is submitted that there are 3 more applications pending in the same area for grant of Prospecting Licence/ Mining Leases. The details are submitted below.

<i>Sl. No.</i>	<i>Name of the Applicant</i>	<i>Date of Application</i>	<i>Location</i>
1.	<i>Sri Abdul Khaliq (PL)</i>	<i>03-01-2005</i>	<i>Sy.No.38, 40 to 42, 57 & 58 of Munimoksham (V), Hanwada (M)</i>
2.	<i>Sri M.A. Asif (PL)</i>	<i>04-01-2005</i>	<i>Sy.No.38 to 45, 50, 57, 58 & 60 of Munimoksham (V), Hanwada (M)</i>
3.	<i>Sri B. Vamshi Krishna (ML)</i>	<i>16-02-2005</i>	<i>Sy.No.33 to 97 of Munimoksham (V), Hanwada (M)</i>
4.	<i>Sri P. Sridhar Reddy (PL)</i>	<i>08-02-2006</i>	<i>Sy.No.38 to 41, 43 to 45, 50, 57, 58 & 60 of Munimoksham (V), Hanwada (M)</i>
5.	<i>M/s.Adarsh India Minerals Pvt. Ltd. (ML)</i>	<i>22-02-2006</i>	<i>Sy.No.38/1, 5, 15, 19 to 29, 18 & 19 of Munimoksham (V), Hanwada (M)</i>

Further, it is submitted that as per MMDR Amendment Act and Rules, 2015 the 31 Major Minerals are declared as Minor Minerals by Mom, Gol which includes Quartz & Feldspar minerals. In this regard, the Director of Mines and Geology, Hyderabad vide Circular Memo No.14774/P/2015, Dt.24.11.2015 directed to immediately process all the pending applications filed for the 31 declared Minor Minerals and other Minor Minerals duly following procedure and submit proposals to the Director of Mines and Geology, Hyderabad.

The Government vide G.O.Ms.No.15, Industries & Commerce (Mines.I) Department Dt:16-03-2016 ordered to regulate the said (31) minerals on par with Granite useful for cutting & polishing and Marble as per Rule 12(5) of the existing Telangana Minor Mineral Concession Rules, 1966 on case to case basis, until the “Telangana State Mineral Policy” and “Telangana Minor Mineral Concession, Conservation and Development Rules-2016” are announced.

In this regard, it is submitted that as per rules, the applications filed in same survey number will be processed on priority basis.”

In view of the above, the writ petition is disposed of, directing the respondents to pass appropriate orders on the application of the petitioner, dated 08-02-2006, in accordance with law, as expeditiously as possible, preferably within a period of three (3) months from the date of receipt of a copy of this order.

Miscellaneous Petitions pending, if any, shall stand closed.
There shall be no order as to costs.

A.V. SESA SAI, J

June 30, 2016
Note: Furnish C.C. in
one week. B/o.Pn

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