



W.P.Nos.33079 of 2024 etc., Batch

IN THE HIGH COURT OF JUDICATURE AT MADRAS

ORDERS RESERVED ON: 25.04.2025

ORDERS PRONOUNCED ON: 05.06.2025

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.Nos.33079, 33086, 33083, 33080, 33943, 33947, 33949, 33952, 35105, 35107, 35340, 35353, 35346, 35856, 35866, 36476, 37777, 37788, 37782, 38738, 38742, 38970, 39063, 39068, 39100, 39125, 39179, 39180, 39233 of 2024 & 423, 765, 942, 956, 2089, 2099, 2475, 2478, 3101, 3113, 3112, 3116, 3107, 3274, 3278, 3297, 3353, 3364, 3373, 3369, 3377, 3379, 3788, 4238, 3796, 3705, 3795, 3793, 4339, 4340, 4775, 5409, 5414, 5457, 5634, 6008, 9104, 9123, 9117, 9113, 9148, 9154, 9572, 9807, 11756, 12839, 14290 of 2025

and

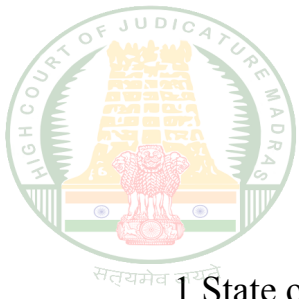
W.M.P.Nos.35834, 35840, 35842, 35836, 36757, 36762, 36771, 36764, 38032, 38034, 38232, 38220, 38228, 38728, 38717, 39329, 40852, 40862, 40854, 41946, 41949, 42206, 42315, 42321, 42348, 42372, 42434, 42432, 42493 of 2024 & 491, 931, 1147, 1162, 2467, 2458, 2785, 2789, 3423, 3409, 3420, 3416, 3402, 3631, 3637, 3658, 3728, 3739, 3737, 3735, 3744, 3743, 3748, 3742, 4213, 4739, 4738, 4089, 4211, 4208, 4206, 4856, 4857, 5294, 5959, 5960, 5963, 5962, 6014, 6011, 6219, 6221, 6611, 10223, 10219, 10231, 10225, 10251, 10250, 10261, 10260, 10735, 10995, 13301, 14383, 16087, 16086, 16085 of 2025

W.P.No.33079 of 2024:

Mathavakannan

.. **Petitioner**

Vs.



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1.State of Tamil Nadu
Rep.by Secretary to Government
Industries Department
Fort St.George
Chennai – 600 009.

2.The District Collector
Salem District
Salem.

3.The State Level Environmental -
Impact Assessment Authority (SEIAA)
Rep.by its Chairman, 3rd Floor
Panagal Maligai, No.1, Jeenis Road
Saidapet, Chennai – 600 015.

.. **Respondents**

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Certiorari to call for the records, relating to the 2nd respondent's impugned demand notice bearing Na.Ka.No.45/2018-7/Mines-G, dated 23.09.2024 pertaining to the lease granted government stone quarry lands measuring 2.00.0 Hectares, comprised in S.F.No.383/2B (Part) situated in Erumapalayam Village, Salem Taluk, Salem Dist, quash the same.

In all Writ Petitions:-

For the Petitioners

: Mr.A.L.Somayaji
Senior Counsel
for Mr.K.Ramakrishna Reddy
in W.P.Nos.33079, 33086, 33083,
33080 of 2024 and 4339, 4340, 9104,
9123, 9117 and 9113 of 2025



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W.P.Nos.33079 of 2024 etc., Batch

Mr.V.Sanjeevi

in W.P.Nos.33943, 33947, 33949, 33952, 35105, 35107, 35340, 35353, 35346, 35856, 35866, 38738, 38742, 39179 and 39180 of 2024 and 423, 2089, 2099, 3353, 3364, 3373, 3369 and 9572, 9807 of 2025

Ms.C.Uma in W.P.No.36476 of 2024

Mr.Lajapathi Roy

Senior Counsel

for Ms.T.Seeni Syed Amma

in W.P.Nos.3101, 3113, 3112, 3116, 3107 and 3274 of 2025

Mr.V.Elangovan

in W.P.Nos.39100, 39233, 37777, 37788 and 37782 of 2024 and 6008 of 2025

Mr.V.Sengutuvel

Senior Counsel

for Mr.P.S.Prabhu

in W.P.Nos.38970, 39125 of 2024 and 765, 942, 2475, 2478, 3297, 3788, 4238, 3796, 3705, 3795, 3793, 5409, 5414, 5457, 5634, 9148 and 9154 of 2025

Mr.Rahul Balaji

in W.P.Nos.3377, 3379, 14290 of 2025



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Mr.K.R.Nishanth
in W.P.Nos.39063 and 39068 of 2024

Mr.Vikram Veeraswamy
in W.P.No.956 of 2025

Mr.P.Tamilavel
in W.P.No.3278 of 2025

Mr.J.Saravanel
in W.P.No.4775 of 2025

Mr.K.Balakrishnan
in W.P.No.11756 of 2025

Mr.M.Santhanaraman
in W.P.No.12839 of 2025

For the Respondents : Mr.P.S.Raman
Advocate General
assisted by
Mr.Stalin Abhimanyu
Additional Government Pleader
for RR1 & 2
Mr.Venkataswamy Babu
CGSC for R3
in W.P.Nos.33079, 33086, 33083 and
33080 of 2024

Mr.P.S.Raman
Advocate General
assisted by
Mr.Stalin Abhimanyu
Additional Government Pleader



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for RR1 & 2
Mr.V.Chandrasekaran
CGSC for R3
in W.P.Nos.4339 and 4340 of 2025

Mr.P.S.Raman
Advocate General
assisted by
Mr.Stalin Abhimanyu
Additional Government Pleader
for RR1 & 2
Mr.K.S.Jayaganesan
Senior Panel Counsel for R3
in W.P.Nos.9123, 9117 and 9113 of
2025

Mr.P.S.Raman
Advocate General
assisted by
Mr.Stalin Abhimanyu
Additional Government Pleader
for RR1 – 2
Mr.K.S.Jayaganesan
Senior Panel Counsel for R4
in W.P.No.9154 of 2025

Mr.P.S.Raman
Advocate General
assisted by
Mr.Stalin Abhimanyu
Additional Government Pleader
for RR1 – 3
Mr.K.Srinivasa Murthy
Senior Panel Counsel for R4



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W.P.Nos.33079 of 2024 etc., Batch

in W.P.Nos.942, 5409, 5414 and 5457
of 2025

Mr.P.S.Raman
Advocate General
assisted by
Mr.Stalin Abhimanyu
Additional Government Pleader
for RR1 – 4
Mr.K.Srinivasa Murthy
Senior Panel Counsel for R5
in W.P.No.14290 of 2025

Mr.P.S.Raman
Advocate General
assisted by
Mr.Stalin Abhimanyu
Additional Government Pleader
for RR1 – 3
in W.P.Nos.33943, 33947, 33949,
33952, 35105, 35107, 35340, 35353,
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3353, 3364, 3373, 3369, 3377, 3379,
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9807 and 12839 of 2025



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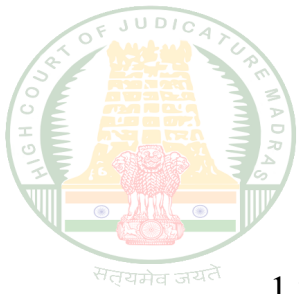
Mr.P.S.Raman
Advocate General
assisted by
Mr.Stalin Abhimanyu
Additional Government Pleader
for RR1 - 4
Mr.Venkataswamy Babu
CGSC for R5
in W.P.No.11756 of 2025

COMMON ORDER

A.The Writ Petitions:-

All these Writ Petitions are connected and, as such, are taken up and disposed of by this common order.

1.1. In all these Writ Petitions, the core issue involves the action of the respondents in passing individual orders that direct the Writ Petitioners, who are the licensees operating quarries without Environmental Clearance (in short, 'EC'), for the period from 15.01.2016 to 10.01.2017, thereby requiring them to pay 100% of the value of the mineral for the relevant period.



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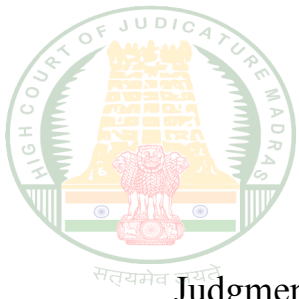
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1.2. All of these writ petitioners have been mining either major or minor minerals at the relevant time, and all have obtained licenses for areas of less than 5 hectares.

B.The Facts:-

2. The case in brief of the Petitioners is that they were quarrying minor minerals, and originally, there was no necessity for the persons engaged in this activity to obtain prior Environmental Clearance (in short 'EC'). Neither the Environment Protection Act, 1986 nor the Rules framed thereunder, including the notifications issued by the Ministry of Environment and Forests (in short 'MoEF'), Government of India, mandated the obtaining of EC. However, on 27.2.2012, the Hon'ble Supreme Court of India delivered a judgment in ***Deepak Kumar and Others Vs. State of Haryana***¹. According to the said judgment, the Hon'ble Supreme Court held that even in respect of quarrying of minor minerals, both areas of less than 5 hectares and more than 5 hectares need prior EC. However, it was specified that such EC is necessary at the time of renewal. Subsequently, on 18.05.2012, the MoEF issued a circular in compliance with the

¹ (2012) 4 SCC 629



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Judgment of the Hon'ble Supreme Court of India.

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2.1. Pursuant thereto, the State of Tamil Nadu introduced Rules 41 and 42 to the Tamil Nadu Minor Mineral Concession Rules, 1959, through an amendment made by G.O.(Ms) No. 79, Industries Department, dated 06.04.2015. Rule 42 (iii) and (iv) were introduced, directing the holders of licenses to quarry minor minerals, including granites, to submit applications for EC within 180 days from the date the said rules came into force. Failure to submit such an application entitled the District Collector to cancel the lease. The said rule came into effect from the date of publication of the amendment in the Gazette, i.e., 22.04.2015. Subsequently, by an amendment dated 29.05.2015, the period of 180 days was amended to 270 days, effective from 27.01.2016. Further, the period was extended to 390 days from 13.05.2016, then to 450 days and from 14.07.2016, to 630 days. Thus, the 630-day period granted by the State of Tamil Nadu for quarry operators to submit applications for EC lasted until 10.01.2017. From 10.01.2017, all quarrying operations were halted, and no one has quarried without the EC.

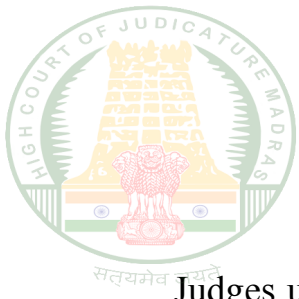


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2.2. In the meantime, on 15.01.2016, the Ministry of Environment and Forests, Government of India, amended sub-rule 3 of Rule 5 of the Environment Protection Rules, 1986, by introducing Rule 3A concerning the formation of the District Level Environment Impact Assessment Authority, while prescribing Form - VIII, application for mining of minor minerals under Category B2 for less than or equal to 5 hectares. On 18.04.2017, the National Green Tribunal, New Delhi, dismissed M.A. No. 260 of 2017 in O.A. No. 123 of 2014 filed by the State of Tamil Nadu, seeking an extension of time to implement the directions contained in the Tribunal's Judgment dated 13.01.2015, by one year or any other reasonable period.

2.3. Under these circumstances, in September 2019, the State of Tamil Nadu began issuing demand notices to those who had not submitted their applications for EC. Subsequently, notices were also issued to those who submitted applications by the cut-off date, which were pending consideration by the State Environmental Impact Assessment Authority of Tamil Nadu. Previously, when the respondents issued orders in some cases, the learned Single



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Judges upheld those orders. However, in other matters, the orders were quashed on the grounds of non-compliance with the principles of natural justice. All these matters were carried on appeal in a batch of Writ Appeals by both individuals and the State, with some Writ Petitions referred to the Division Bench. By the Judgment of the Hon'ble First Division Bench, dated 15.02.2024(in which I was also a member), it was held that the orders could not have been issued without hearing the writ petitioners. The court directed that the final orders passed by the respondents be treated as show cause notices, granting the writ petitioners the opportunity to submit their explanations and instructing the respondents to consider those explanations and issue orders accordingly. Consequently, all these impugned orders were passed, leading to the Writ Petitions.

2.4. Similar are the contentions regarding the Writ Petitioners who were quarrying major minerals, except for the rule position. They argue that at the relevant time, there was no mandate under the Mines and Minerals (Regulation and Development) Act, 1957, the rules framed thereunder, the Environment



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Protection Act, 1986, or the notifications issued in relation to leases under 5 hectares. This issue was not specifically addressed by the Hon'ble Supreme Court of India either. When it was made mandatory for the first time, the quarrying operations had already been halted. Therefore, their activities were never in violation of the law. Thus, the orders passed against them are bad in law.

2.5. Furthermore, both groups of Writ Petitioners contend that they submitted their application on time, but it was not considered promptly by the authorities. They cannot be held responsible for this delay, especially since the minerals were removed with the proper permits and payment of applicable fees.

C. Contentions made by the Petitioners:-

3. The impugned orders are inherently flawed, as the State itself extended the time up to 10.01.2017, before which there was no legal mandate to obtain EC. All these licensees were quarrying with valid licenses and after obtaining permissions from the respective District Collectors. The seignorage fee has also

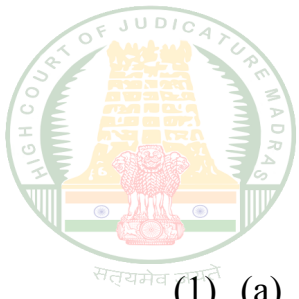


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been paid for the quarried minerals. Additionally, all other charges have been settled. When the State itself granted permission and collected the seignorage fee along with all the charges, and was advocating for these licensees by presenting the necessity to quarry in the interest of development before the National Green Tribunal while seeking an extension, there is no justification for turning around and imposing a compensation of hundred percent value of the mineral.

3.1. They further contend that their quarrying was not illegal, and therefore 100% of the mineral's value cannot be imposed on them. They argue that all these orders are stereotype orders, failing to consider the numerous factual circumstances relevant to each petitioner; thus, once again, the impugned orders suffer from a non-application of mind.

3.2. The case of the Writ Petitioners who were quarrying major minerals is that, for the first time, the Environment Impact Assessment (EIA) notification dated 27.01.1994 introduced the requirement to obtain an EC. Paragraph No.2



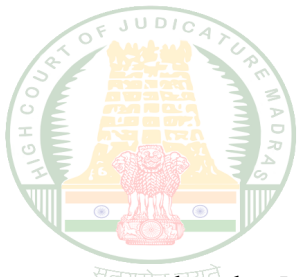
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(1) (a) provides for the requirements and procedure for seeking an EC.

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According to this provision, only new projects or the expansion and modernization of existing projects require an EC. The schedule to the notification listed the projects that require an EC, and Entry 20 to the Schedule mandated mining projects (major minerals) with leases of more than 5 hectares. Subsequently, the above notification was superseded by the Environment Impact Assessment (EIA) notification dated 14.09.2006. As per the EIA 2006, there was no requirement for an EC in respect of minerals mined in lease areas of less than 5 hectares. On 28.10.2004, the Government of India issued a Circular clarifying that all mining projects of major minerals of more than 5 hectares shall obtain an EC at the time of lease renewal.

3.3. While so, the Hon'ble Supreme Court of India in ***Deepak Kumar's case*** (cited supra) was dealing with minor minerals, wherein it held that leases for minor minerals, including their renewal for an area of less than 5 hectares, should be granted by the States / Union Territories only after obtaining EC from the MoEF. Subsequently, an Office Memorandum dated 18.05.2012 was issued



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by the MoEF, mandating EC in relation to minor minerals. When a doubt arose following the Judgment of the Hon'ble Supreme Court of India in ***Deepak Kumar's case*** (cited supra), the State Environment Impact Assessment Authority, Karnataka, sought clarification regarding the applicability of the rule relating to prior EC for licensees quarrying major minerals of less than 5 hectares. A clarification was issued by the MoEF on 04.01.2013, expressly stating that no prior EC is required for mining projects involving minor minerals with a lease area of less than 5 hectares. Thereafter, only by the EIA notification dated 17.10.2014 were all new mining operations required to obtain prior EC, even for mining areas of less than 5 hectares. However, the necessity will arise only at the stage of renewal of the mining lease or if the activity is enhanced.

3.4. Thus, on 13.01.2015, the National Green Tribunal in the case of ***Himmat Singh Shekhawat Vs. State of Rajasthan and Others*** (O.A.No.123 of 2014) held that obtaining an EC is mandatory for quarries smaller than 5 hectares concerning minor minerals. Once again, M/s Adhunik Cements, having a mining lease, sought clarification from the MoEF regarding the requirement of prior EC in cases where mining operations were being carried out and continued

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before the amendment of the EIA notification on 07.10.2014. The MoEF issued a clarification via letter dated 08.01.2016, stating that after 07.10.2014, all new mining operations required prior EC, and for existing mines, EC had to be obtained only at the time of renewal of mining leases. It categorically clarified that for major minerals, as long as they continued within their consented capacity and were operating before 07.10.2014, they need EC at the time of renewal. Subsequently, the MoEF also issued the EIA notification dated 15.01.2016, which made EC mandatory solely for minor minerals.

3.5. As a matter of fact, this position was recorded by the National Green Tribunal in *Jatinder Singh Vs. Union of India and Others*, (O.A.No.495 of 2015) which has held in paragraph No.13 that the necessary notification regarding the need for an Environmental Clearance (EC) for mining projects of major minerals with a lease area of less than 5 hectares would also be issued. Under these circumstances, on 02.08.2017, the Hon'ble Supreme Court of India delivered a Judgment in *Common Cause Vs. Union of India*². By this Judgment, the Hon'ble Supreme Court of India issued a series of directions

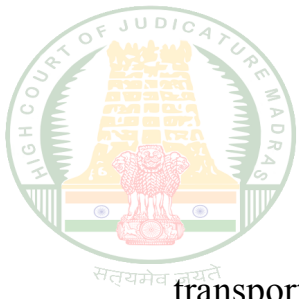
² (2017) 9 SCC 499



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concerning illegal mining of iron ore and manganese in the State of Odisha. It is pertinent to note that these directions were also issued for lease areas of more than 5 hectares.

3.6. The Hon'ble National Green Tribunal (Principal Bench) in ***Sathyendra Pandey Vs. MoEF and Others*** (O.A.No.186 of 2018) held that the EIA notification dated 15.01.2016 must align with the Judgment of the Hon'ble Supreme Court of India in ***Deepak Kumar's case*** (cited supra). Subsequently, the National Green Tribunal in ***Vikrant Tongad Vs. Union of India*** (E.A.No.55 of 2018 in O.A.No.520 of 2016) also suspended the operation of the EIA notification dated 15.01.2016, as it was contrary to the Judgment of the National Green Tribunal in O.A.No.186 of 2018. Given the ambiguity still persisting regarding major minerals in mining lease areas of less than 5 hectares, the State Environmental Impact Assessment Authority of Andhra Pradesh sought clarification through its letter dated 01.11.2018. However, in the interim, during January 2017, all the District Authorities directed lessees of major minerals with lease areas of less than 5 hectares to halt mining operations and refused to issue



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transport permissions, citing the EIA notification dated 15.01.2016.

Consequently, mining operations were suspended. On 03.04.2017, the MoEF clarified that the notification dated 15.01.2016 would apply to major minerals. Another notification dated 14.03.2017 was issued for granting EC to violators. Under these circumstances, for the period from 15.01.2016 to 10.01.2017, the full value of the minerals was sought from these licensees, thus they are before this Court.

3.7. The specific case of the Writ Petitioners is that the Judgment of the Hon'ble Supreme Court of India in *the Common Cause case* (cited supra) is not applicable to them. They contend that the respondents have consciously refused to publish or notify any mechanism for major minerals under 5 hectares to obtain EC, which amounts to a promise, leading the petitioners to have a substantive and legitimate expectation that no EC was required. Furthermore, they argue that the State of Tamil Nadu's pleading before the National Green Tribunal was otherwise, and a functional mechanism in the State Level Environment Impact Assessment Authority was also absent. Finally, the orders



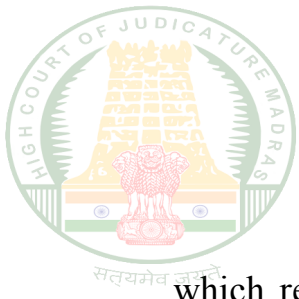
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were passed without specific consideration of their respective grounds, and they were issued without application of mind and without compliance with the principles of natural justice.

D.Case of the Respondents:-

4. The respondents resist the Writ Petitions by filing a common counter affidavit.

4.1. It is their case that after the Environment Protection Act, 1986, the mechanism for granting Environmental Clearances (EC) for mining activities came into effect with the notification from the Ministry of Environment and Forests (MoEF) dated 27.01.1994, issued under Rule 5 (3) of the Environment Protection Rules, 1986, in conjunction with Rule 3 (2) (v) of the Rules. This notification prescribes EC for major minerals mining projects exceeding 5 hectares. This notification was later superseded by a notification dated 14.09.2006 from the MoEF, which listed projects requiring prior EC in the schedule. The notification categorizes projects into two types: Category A,



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which requires prior EC from the MoEF, and Category B, which requires EC from the State Environment Impact Assessment Authority. According to the issued notification, projects covering an area greater than 50 hectares require EC from the MoEF, whereas areas ranging from 5 to 50 hectares must obtain EC from the State Environment Impact Assessment Authority. The procedure for granting EC from both the State and Central authorities is similar, involving screening, scoping, public consultation, appraisal, and recommendations from the Expert Appraisal Committee, which leads to the clearance decision. This process aligns with the requirements of the Environment Impact Assessment Appraisal. Projects under Category B are further sub-categorized into B1 and B2 categories.

4.2. Subsequently, on 27.02.2012, the Judgment of the Hon'ble Supreme Court of India in ***Deepak Kumar's case*** (cited supra) directed all the States and Union Territories to grant leases of minor minerals, including renewals of areas less than 5 hectares, only after obtaining EC from the MoEF. Through an Office Memorandum dated 18.05.2012, the MoEF issued a Circular to this effect,

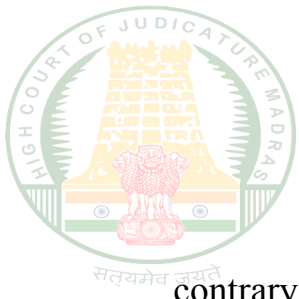


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stating that projects less than 5 hectares should be treated under Category B.

Thereafter, Rule 42 was inserted into the Tamil Nadu Minor Mineral Concession Rules, 1959, through G.O.Ms.No.79 dated 06.04.2015. Initially, 180 days were granted for existing mining leases to submit EC, which was extended on various occasions, finally extended to 630 days per G.O.Ms.No.105 (Industries Department) dated 14.07.2016, with a further extension on 10.01.2017.

4.3. The National Green Tribunal in *Ajay Tiwari Vs. State of UP*, by a Judgment dated 12. 02. 2013, held that exempting major minerals of less than 5 hectares would be against the spirit of the judgment in *Deepak Kumar's case* (cited supra). In *Jatinder Singh's case* (O. A. No. 495 of 2015), the National Green Tribunal, by an order dated 09.02.2016, mandated that all applicants seek EC for carrying out mining activities for minor or major minerals, even if the lease area is less than 5 hectares. It expressly held that the judgment in *Deepak Kumar' s case* (cited supra) would apply to both minor and major minerals. Thereafter, on 04.05.2016, in *Naresh Zargar Vs. State of Madhya Pradesh* (O.A.No. 34 of 2016), the National Green Tribunal ruled that all circulars issued



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contrary to the Tribunal's orders are illegal and directed all mine owners who had not submitted their applications as of 31.03.2016 to the SEIAA, DEIAA, and DEAC to shut down forthwith and not to carry on mining activities. To implement the above directions of the NGT, the Commissioner of Geology and Mining sent a letter dated 11.01.2017 to all District Collectors to ensure compliance with the directives of the Hon'ble Supreme Court of India and the NGT in both letter and spirit. Consequently, the issuance of transport permits was halted for mining and quarrying leases that do not possess EC. However, in the interest of the public, the State filed M.A.No.260 of 2017 in O.A.No.123 of 2014 in ***Himmat Singh Shekhawat' s case*** before the NGT, New Delhi. The MoEF, via a letter dated 03.04.2017, clarified that according to the notification in S.O.141 (E) dated 15.01.2016, all mining leases (both major and minor minerals) operating in the country are required to obtain EC after 15.01.2016, as per the provisions in the EIA notification 2016 as amended. It further stated that no mining lease shall operate without prior EC, and those in operation before 15.01.2016 must stop their mining activities and apply to the appropriate agency seeking EC.

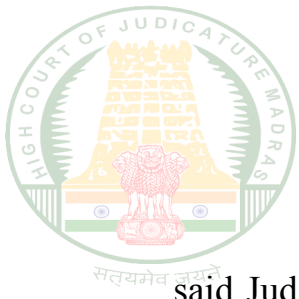


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4.4. Subsequently, in a letter dated 18.04.2017, concerning M.A.No.260 of 2017, the NGT reiterated while dismissing the application filed by the State of Tamil Nadu that mine holders would be required to obtain EC, regardless of whether the area involved is more or less than 5 hectares. The Hon'ble Supreme Court of India, in the Judgment of ***Common Cause*** (cited supra), has categorically held that even if minerals are extracted without EC, even within the licensed area, 100% of the price of the illegally extracted mineral should be collected as compensation. The MoEF subsequently issued directions via its Office Memorandum dated 30.05.2018, directing the concerned State Governments to ensure that mining operations do not commence until the entire compensation levied is paid by the project proponents.

4.5. At this stage, when penalties were levied, the petitioners approached this Court. While some Writ Petitions were allowed, others were dismissed with costs. Finally, in W.A.No.671 of 2020, etc., Batch, the Division Bench directed that an opportunity be granted, and the issue be decided afresh thereafter. The



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said Judgment was passed on 15.02.2024. Meanwhile, on 30.06.2020, the NGT passed orders in O.A.No.136 of 2017, categorically stating that existing mining lease holders should submit an application to obtain an EC, as per the amended EIA notification dated 15.01.2016. It clarified that those who filed an application on or before 31.03.2016 shall not be treated as violators. In light of all the directions from the NGT and the Hon'ble Supreme Court of India, especially considering the dictum laid down in the *Common Cause case* (cited supra), the petitioners are directed to pay 100% of the value of the mineral. This directive was issued after due consideration of the explanation submitted by the petitioners, with careful application of mind regarding the rules, clarifications, and various explanations provided by them. The demand is justified according to the law. The Writ Petitions lack merit and should therefore be dismissed.

E.Rejoinder by the Petitioners:-

5. Reply affidavits were filed by the petitioners, through which they presented additional details and sought to distinguish the judgments relied upon by the respondent authorities. They also contended that many grounds raised by



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them were not considered in the impugned orders.

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F. The Arguments:

5.1. Heard, *Mr.A.L.Somayaji*, the learned Senior Counsel; *Mr.Lajapathi Roy*, the learned Senior Counsel; *Mr.V.P.Sengottuvel*, the learned Senior Counsel; *Mr.V.Sanjeevi*, the learned counsel; *Ms.C.Uma*, the learned counsel; *Mr.V.Elangovan*, the learned counsel; *Mr.Rahul Balaji*, the learned counsel; *Mr.K.R.Nishanth*, the learned counsel; *Mr.Vikram Veeraswamy*, the learned counsel; *Mr.P.Tamilavel*, the learned counsel; *Mr.J.Saravanel*, the learned counsel; *Mr.K.Balakrishnan*, the learned counsel; *Mr.M.Santhanaraman*, the learned counsel; *Mr.P.S.Raman*, the learned Advocate General; *Mr.K.Srinivasa Murthy*, the learned Senior Panel Counsel; *Mr.Venkataswamy Babu*, the learned Central Government Standing Counsel; *Mr.V.Chandrasekaran*, the learned Central Government Standing Counsel and *Mr.K.S.Jayaganesan*, the learned Central Government Senior Panel Counsel.

5.2. To avoid overlap, all submissions made on behalf of the petitioners



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are collated and presented below. With reference to major minerals the following contentions were made. The first contention is that all these Writ Petitioners operate in an area of less than 5 hectares. There is no provision in the MMDR Act or any related rule requiring prior EC concerning major minerals. The requirement for obtaining EC was introduced in 1994 and applied only to leases exceeding 5 hectares. When the EIA notification was subsequently superseded in 2006 and again in 2014, no specific provision was made for obtaining EC regarding major minerals for projects under 5 hectares.

5.3. The Judgment of the Hon'ble Supreme Court of India in ***Deepak Kumar's case*** (cited supra) did not address the case of major minerals. The Judgment of the Hon'ble Supreme Court of India in ***Common Cause*** (cited supra) also did not address leases involving less than 5 hectares. In this context, a specific clarification was made by the MoEF on 29.01.2013 that EC was not necessary. As of 17.10.2014, according to the EIA notification, new mining leases or those needing renewal had to obtain EC, even if they were less than 5 hectares. The EIA notification dated 15.01.2016 was initially issued only with



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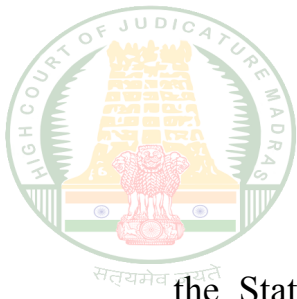
reference to minor minerals. Thus, it is clear that only by the notification dated 14.03.2017 and the clarification letter dated 03.04.2017 was the EIA notification clarified to apply to major minerals, by which time the quarries had already been closed as of 10.01.2017. Therefore, the imposition of compensation for the value of minerals is unwarranted.

5.4. The stand taken by the State of Tamil Nadu in M.A.No.260 of 2017 in O.A.No.123 of 2014, whereby they sought time to comply with the orders of the Tribunal, by pointing out 441 existing mines of major minerals and their action of issuing permits etc, would operate as a bar in claiming such compensation on the principles of promissory estoppel as well as the doctrine of legitimate expectation.

5.5. The following Judgments were relied upon in support of the arguments relating to legitimate exception;

(i) ***State of Jharkhand and Others Vs. Brahmputra Metalics Limited³***, more specifically paragraph Nos.22, 24, 40 to 51 to contend that the conduct of

³ 2023 (10) SCC 634



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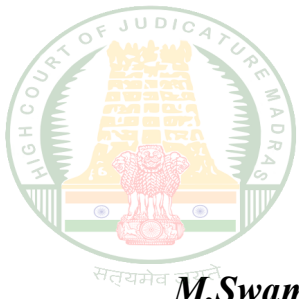
the State cannot turn around and seek compensation, having permitted the quarries to run and collected the seignorage fee and other charges and their action would be violative of Article 14 of the Constitution of India.

(ii) The Judgment in *Army Welfare Education Society, New Delhi Vs. Sunil Kumar Sharma*⁴ is also relied upon.

5.6. The further argument made is that in the absence of the rule position, the contention of the State of Tamil Nadu, based on the Judgment rendered by the NGT, Principal Bench in O.A.No.136 of 2017, should not be considered. The contention is based on the principle that once the South Zone Bench at Chennai was formed, the jurisdiction over the Southern States of Tamil Nadu, Kerala, Andhra Pradesh, Karnataka, and the Union Territory of Puducherry and Lakshadweep was vested in the South Zone Bench. In the absence of any orders being passed by the said Bench, the earlier directions cannot be held to be binding, as they were passed without hearing the affected parties.

5.7. The Judgment of the Division Bench of this Court in

⁴ 2024 SCC Online SC 1683



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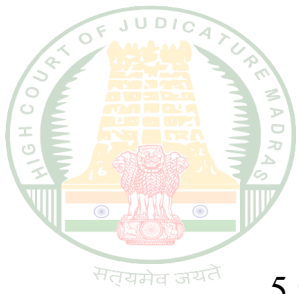
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M.Swaminathan Vs. State of Tamil Nadu dated 25.01.2022 and the Judgment of the Supreme Court in ***Tamil Nadu Pollution Control Board Vs. Sterlite Industries (India) Limited and Others***⁵ are relied upon in this regard.

5.8. The next contention of the Writ Petitioners is that they submitted their applications well in advance, in the year 2015 itself. An appropriate mechanism to consider their applications was absent, and the State Environment Impact Assessment Authority was also non-functional. The fact that the authority was not functioning during the relevant period is acknowledged in the common counter-affidavit. Therefore, the State cannot now turn back and argue that compensation should be paid, especially without making the necessary arrangements. The Judgment of the Hon'ble Supreme Court of India in ***State of Punjab Vs. Nestle India Limited***⁶ is cited for reliance. The plea of proportionality is also made specifically with reference to the Judgment in ***Brahmputra Metalics Limited's case*** (cited supra).

5 (2019) 19 SCC 479

6 (2004) 6 SCC 465



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5.9. Finally, all the Writ Petitioners contend that the specific grounds raised by them have not been considered, indicating a complete non-application of mind, and that the specific circumstances of each of their cases have not been individually addressed. The stereotypical orders have been passed in all the cases, and therefore, the orders lack reasoning. The Judgment of the Hon'ble Supreme Court of India in *Whirlpool Corporation Vs. Registrar of Trade Marks, Mumbai and Others*⁷, more specifically paragraph No.15, is relied upon to contend that the respondents' plea of alternative remedy should be rejected.

5.10. With reference to minor minerals, the following submissions were made:

The first submission is that the authorities lack jurisdiction to levy compensation for the cost of the mineral, since the requirement for the quarry to be in operation with prior EC came into existence only from 11.01.2017. From that date, none of the petitioners extracted or quarried any mineral without EC. The activities were stopped on 10.01.2017. It is their case that the rule, namely Rule 41 of the Tamil Nadu Minor Mineral Concession Rules, 1959, requiring the

⁷ (1998) 8 SCC 1



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submission of a mining plan, and Rule 42, requiring EC, was inserted for the first time only by G.O.(Ms.) No.79, notified on 22.04.2015. Originally, 180 days were given, which was subsequently extended to a total period of 630 days, expiring only on 10.01.2017. After the granted time, quarrying was never permitted. Therefore, the quarrying that occurred within the granted time cannot be termed illegal. Thus, no compensation could have been levied.

5.11. The impugned orders have been passed as if directions were issued by the Hon'ble Supreme Court of India in the cases of **Deepak Kumar's case** (cited supra) as well as the Judgment in **Common Cause** (cited supra). The Judgment in **Common Cause** (cited supra) dealt with a case of major minerals. Although the Judgment in **Deepak Kumar's case** (cited supra) directed that even minor minerals of less than 5 hectares should have EC, it did not mandate anything concerning the existing leases. It directed that fresh licenses should be granted or renewals should be permitted only after obtaining EC. These petitioners were all existing licensees; therefore, the impugned orders that were issued solely based on the directions of the Hon'ble Supreme Court of India stem



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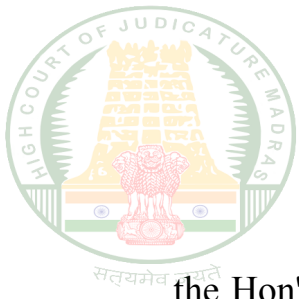
from an erroneous consideration of the dictum of the Hon'ble Supreme Court of India.

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5.12. It is the further contention that the State's actions in allowing these quarries to operate even after 15.01.2016, by issuing permits and collecting fees, would amount to estoppel, and therefore the State cannot subsequently impose compensation.

5.13. Their next contention is that the State Government filed an application in M.A.No.260 of 2017 before the NGT, Principal Bench, in which it is specifically pleaded that the closure of the mines will have a catastrophic effect on industrial growth and will also result in heavy unemployment and a non-supply of raw materials for production. Since the application was filed based on the conduct of the State, these petitioners have a legitimate expectation that compensation will not be claimed against them.

5.14. The next contention is that in order to implement the Judgment of



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the Hon'ble Supreme Court of India in **Deepak Kumar's case** (cited supra), the MoEF issued notification dated 15.01.2016, providing the mechanism and procedures for getting EC in respect of lease area of less than 5 hectares. However, by the Judgment of the NGT dated 13.09.2018, in **Satendra Pandey Vs. MOEF & others** (O.A. No. 186 of 2016 etc) the said notification was held to be illegal by holding that the same was not in conformity with the letter and spirit of the order passed by the Hon'ble Supreme Court of India in **Deepak Kumar's case** (cited supra). Further, by another order dated 11.12.2018, in **Vikrant Tongad Vs. Union of India** (Execution Application No. 55 of 2018 in Original Application No. 520 of 2016) the said notification was held to be illegal and in violation of the Judgment of the NGT.

5.15. The NGT suspended the notification in question and insisted that a fresh notification be issued by the MoEF. Therefore, imposing compensation based on the notification dated 15.01.2016, which has already been set aside, cannot be accepted. Consequently, the only ground available pertains to the rules that are framed by the State of Tamil Nadu. However, that can only apply



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after 10.01.2017. The rule cannot be applied retrospectively to existing leases.

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Any legislation can only be prospective. The Judgment of the Hon'ble Supreme Court of India in *Khemka & Co Agencies Vs. State of Maharashtra*⁸ is cited to argue that any ambiguity in the position should result in favour of the petitioners.

5.16. The next contention on behalf of the petitioners is that in order to impose compensation under Section 21 (5) of the MMDR Act, 1957, the minerals should have been raised without any lawful authority. An explanation was inserted on 28.03.2021 with reference to the term 'without lawful authority'. An amendment was introduced with a view to bring clarity and certainty to the mining sector. The same is categorically mentioned in the objects and reasons. Therefore, when an amendment is clarificatory in nature, the same would operate retrospectively. The Judgment of the Hon'ble Supreme Court of India in *University of Kerala and others Vs. Merlin J.N. & others*⁹ more specifically paragraph No.23 and the Judgment reported in *Ghanshyam Mishra and Sons*

⁸ (1975 2 SCC 22)

⁹ (2022) 9 SCC 389



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Private Limited Vs. Edelweiss Asset Reconstruction Company¹⁰ more

specifically paragraph Nos.76 and 94 are relied upon.

5.17. Therefore, when the petitioners have operated only with the license and have complied with all the rules made thereunder, for any other violation of the Circular or the EIA notification, etc, cannot come within the scope of Section 21 (5) MMDR Act, 1957 and therefore, the impugned orders are illegal.

5.18. The further contention on behalf of the petitioners is that while determining the cost of the mineral, the seignorage fee and the royalty paid are not deducted. Additionally, the production cost was not deducted. Therefore, the full value of the mineral, which includes the seignorage fee and *excludes* the production cost, cannot be imposed.

5.19. The next contention made is that all the petitioners submitted their EC in 2015, and when they applied with all the requirements, the matters were kept pending solely due to the non-functioning of the SEIAA. Therefore,

¹⁰ (2021) 9SCC 657)



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because of the State's failure to consider, process applications, and grant EC in a timely manner, the petitioners cannot be faulted. The State cannot impose compensation without even appointing a Chairperson to the SEIAA. It is further contended that in some cases, EC was granted on time. Yet, without acknowledging this, the orders were passed.

G.Contentions made by the Respondents:-

6. *Mr.P.S.Raman*, the learned Advocate General appearing for the State, would first invite the attention of this Court to the power of the Union vis-à-vis the State in respect of the regulation of minerals. He would submit that as far as the regulation of Mines and Minerals (Development and Regulation) is concerned, it is in Entry 54 of List I of the Union List. The same reads as under:-

“54. Regulation of mines and mineral development to the extent to which such regulation and development under the control of the Union is declared by Parliament by law to be expedient in the public interest.”

6.1. Thus, only to the extent, the Parliament does not enact the law in that regard. The State has powers under List – II Entry 23, which reads as under:-



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“23. Regulation of mines and mineral development subject to the provisions of List I with respect to regulation and development under the control of the Union.”

6.2. The Parliament has enacted the MMDR Act, 1957. According to Section 15, the State Government is empowered to make rules regarding minor minerals. By virtue of the power conferred / delegated to the State Government, it has the authority to frame rules only within the scope of Section 15 of the MMDR Act, 1957. Accordingly, the State has framed the Tamil Nadu Minor Minerals (Concession) Rules, 1959.

6.3. While so, the Parliament enacted the Environment Protection Act, 1986, and the Central Government also framed the Environment Protection Rules, 1986, exercising the powers under Section 3 (2) (v) of the Environment Protection Act, read with Rule 5 (3) (d) of the Environment Protection Rules, 1986.

6.4. The MoEF notified the Environmental Impact Assessment of Developmental Projects through the first notification dated 27.01.1994. Under this notification, all the projects listed in Schedule – I require EC, specifically



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Item 20 – Mining Projects (Major Minerals) with leases exceeding 5 hectares included. This notification was later superseded by S.O.153 (E) dated 14.09.2006. According to this notification, the projects in the Schedule are categorized into A and B. For Category A projects, prior EC from the MoEF is necessary, while for Category B projects, clearance from the State Level Environment Impact Assessment Authority is required. According to the Schedule, mining of minerals with a lease area exceeding 50 hectares and asbestos mining regardless of the mining area is classified as Category A; mining with a lease area greater than 5 hectares up to 50 hectares is classified as Category B.

6.5. In this context, where obtaining EC was avoided by securing leases for 4.5 hectares, the matter was considered by the Hon'ble Supreme Court of India in **Deepak Kumar's case** (cited supra). The Hon'ble Supreme Court of India reviewed the detailed recommendations made by the Department of Mines regarding the reclassification of minerals into major and minor categories, the proposed minimum size of mining leases (5 hectares), the suggested lease period



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(5 years), cluster mining, the necessity of a mining plan, the establishment of a separate corpus fund for the reclamation and rehabilitation of mines, the depth of mining, and other related aspects. The Court instructed the States and Union Territories to adopt these guidelines and directed the Central Government to take steps to implement the Minor Mineral Conservation and Development Rules at the earliest.

6.6. In the meantime, the Hon'ble Supreme Court of India laid down that even leases of mines and minerals, including their renewal for an area less than 5 hectares, must be granted by the States and Union Territories only after obtaining EC from the MoEF. In compliance, the Government of India issued an Office Memorandum dated 18.05.2012, indicating that mining projects of minor minerals with lease areas less than 5 hectares would also be classified as category B. It was also explicitly clarified by an office memorandum dated 04.01.2013 that these directions would not include major mineral leases of less than 5 hectares. The EIA notification was further amended by the MoEF through S.O.2601 (E) dated 07.10.2014. Consequently, all mining leases for both major



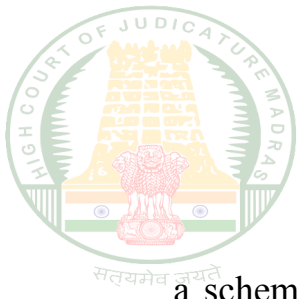
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and minor minerals of less than 50 hectares require EC.

6.7. The learned Advocate General would thus submit that, as of 07.10.2014, both major and minor minerals, regardless of the lease area, require EC. He would further submit that the EIA notification was amended by S.O.141 (E) dated 15.01.2016. It categorizes Category B into B1 and B2, and establishes District-level Environmental Impact Assessment Authorities, with the procedure for considering these applications also laid down.

6.8. Under the said circumstances, the Tamil Nadu Small Mine Owners Federation, in which most of the petitioners are members, has moved O.A.No.136 of 2017 before the National Green Tribunal (Southern Zone), Chennai. Their case was that concerning the existing leases, they were not required to obtain an EC as per the EIAA notification mandated by 15.01.2016; therefore, they challenged the clarification issued by the MoEF on 03.04.2017, which stated that even the existing mines operational prior to 15.01.2016 were required to cease their mining activity and seek an EC. They further prayed that

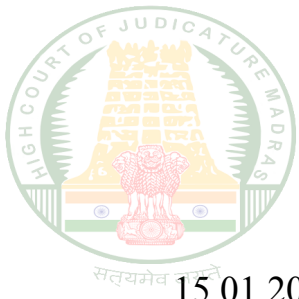


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a scheme and a uniform practice for granting EC be established. Additionally, they sought a declaration that the existing mines operational before the EIA notification dated 07.10.2014 would require an EC only at the time of renewal, extension, or increase in production capacity. The application was considered in detail, and the office memorandum dated 03.04.2017 was upheld. However, it was clarified that individuals who had already filed applications for EC as of 31.03.2016 could not be treated as violators and their applications should be regarded as non-violation applications. Those who filed applications for EC after 31.03.2016 could be considered violation applications, and those applications could also be disposed of in accordance with the law. It was expressly clarified that all mining leases, whether major or minor, even for areas less than 5 hectares, were required to apply for and obtain an EC according to the amended EIA notification dated 15.01.2016. This applies to the existing mining leases as well, and accordingly, the point was addressed.

6.9. It was further clarified that since the EC is necessary, even for existing leases of less than 5 hectares, from the EIA notification dated

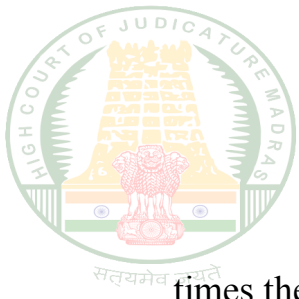


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15.01.2016, no mining, whether minor or major, shall be allowed to operate after that date. Thus, as of 15.01.2016, any mining operation became illegal, rendering the State Government's periodic extensions unnecessary. While it is true that the State Government filed applications for time extensions, these were ultimately dismissed. When the State itself acts as a delegatee and is mandated by the Central Government to obtain the EC from a specific date, granting extensions under the rules cannot change this situation. The Hon'ble Supreme Court of India, in the case of *Common Cause* (cited supra), has made it clear that for any violation of the clause relating to the EC, 100% compensation must be levied. Therefore, there is no escape for the petitioners from paying the 100% cost of the minerals as directed by the Hon'ble Supreme Court of India.

6.10. The learned Advocate General would also reiterate his submissions regarding the maintainability of the Writ Petitions, which was decided by a preliminary order of this Court concerning the power being exercised under Rule 36-A of the Tamil Nadu Minor Mineral Concession Rules, in relation to the minor mineral leases. He would submit that alternatively, the penalty of up to 15



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times the seignorage fee can also be levied.

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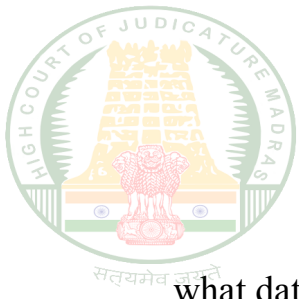
6.11. He would specifically point out the Judgment in *Common Cause* (cited supra) to contend that merely because the State has levied a seignorage fee and collected it, it cannot impede the collection of the mineral's value as a penalty. He would submit that all these factors have been duly considered and a reasoned order has been passed. Therefore, there are no grounds for interference, and he would plead that the Writ Petitions be dismissed.

H.The Questions:-

7. After reviewing the material records and the submissions made, the following questions emerge for consideration in these Writ Petitions:

(i) Whether the extraction of minerals without an EC would constitute unlawful extraction, thereby attracting recovery under Section 21 (5) of the MMDR Act, 1957?

(ii) Is there a mandate to obtain EC for leases of major minerals covering an area of less than 5 hectares that existed prior to 17.10.2014, and if so, from



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what date?

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(iii) Is there a mandate to obtain EC regarding the leases of minor minerals in areas of less than 5 hectares that existed prior to 17.10.2014, and if so, from what date?

(iv) Should the impugned orders imposing compensation be quashed based on the principles of promissory estoppel and the doctrine of legitimate expectation?

(v) Are the impugned orders subject to being quashed due to the SEIAA or DEAC's failure to process the applications timely?

(vi) Are the impugned orders liable to be quashed for non-application of mind and non-consideration of the grounds raised by the petitioners?

(vii) To what other relief are the parties entitled?

I.Question No.(i):

8. At the outset, Section 21 (5) of the MMDR Act, 1957 and the explanation thereunder are extracted hereunder for ready reference:-

“Section 21:.....

(5) Whenever any person raises, without any lawful authority, any



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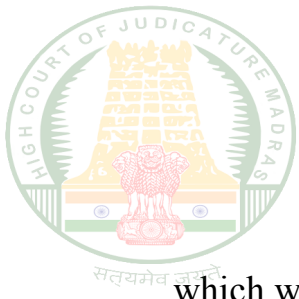


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mineral from any land, the State Government may recover from such person the mineral so raised, or, where such mineral has already been disposed of, the price thereof, and may also recover from such person, rent, royalty or tax, as the case may be, for the period during which the land was occupied by such person without any lawful authority.

[Explanation.—On and from the date of commencement of the Mines and Minerals (Development and Regulation) Amendment Act, 2021, the expression “raising, transporting or causing to raise or transport any mineral without any lawful authority” occurring in this section, shall mean raising, transporting or causing to raise or transport any mineral by a person without prospecting licence, mining lease or composite licence 3 [exploration licence] or in contravention of the rules made under section 23C.]”

8.1. It can be seen that the explanation seeks to restrict the meaning of the expression 'raising, transporting, causing to raise or to transport any mineral without any lawful authority' only if it is done without a prospecting licence, mining lease, composite licence, exploration licence, or in contravention of the rules made under Section 23 (C) of the Act. It is contended that the Rules made under Section 23 (C), viz Rule 42 (iii) of the Tamilnadu Minor Mineral Concession Rules, 1959, granted 630 days' time to the existing lessees, that is, up to 10.01.2017, and therefore, there will be a violation of the rules only if the mineral was extracted after 10.01.2017. However, it can be seen that the said argument is based on the explanation to Section 21 (5) of the MMDR Act, 1957,



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which was extracted above. The said explanation was inserted by Act 16 of 2021 and came into force on 28.03.2021. In this regard, the contention on behalf of the petitioners is that the amendment, being clarificatory in nature, would always be retrospective. The Statement of Objects and Reasons of the amending Act explicitly mentions that the amendment is intended to provide clarification. Therefore, the explanation should be applied retrospectively. If applied retrospectively, only the violations of the provisions of the Act, viz., the MMDR Act and the rules made thereunder, can attract Section 21 (5) of the MMDR Act.

8.2. There can be no dispute regarding the proposition that any clarificatory amendment can be treated as retrospective. However, the power of the State to make it prospective cannot be denied. The general rule for legislation is that it operates prospectively, although the legislature is empowered to expressly make it retrospective. In the same way, a clarificatory amendment is considered retrospective, but the State is empowered to specifically render it prospective. Naturally, such an exercise of power by the State may always be challenged on the grounds of interference with vested



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rights or other applicable grounds. Nevertheless, in this case, the State's action in explicitly making the explanation prospective is not under challenge. The legislature has expressly chosen to make it prospective, effective from the date of commencement of the Mines and Minerals Development (Amendment) Act 2021, i.e., effective only from 28.03.2021. Therefore, the entire cause of action in this case refers to the period from 15.01.2016 to 10.01.2017, and thus the explanation would not be applicable.

8.3. The next submission made in this regard references the applicability of the Judgment in *Deepak Kumar's case* (cited supra) as well as the Judgment in the *Common Cause case* (cited supra). It is settled law that the Judgments of the Courts cannot be read like a statute; they must be understood as a whole, with only the ratio to be ascertained and applied. In *Deepak Kumar's case* (cited supra), the Court was concerned about miners exploiting the 5-hectare rule. The case specifically addressed sand mining, classified as a minor mineral. However, the issue the Court addressed involved the causes of environmental degradation, threats to biodiversity, destruction of riverine vegetation, erosion, and pollution



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of water sources, among others. After considering the model rules and proposals made by the authorities, it was concluded that an effective framework for a mining plan is highly necessary, one that considers all environmental issues and promotes a long-term rationale for the sustainable use of the natural resource base as well as the bio-assessment protocol. In the final paragraph, after directing the appropriate governments to frame rules in accordance with the recommendations/model rules, the Court ordered that, until such rules are framed, no renewal or grant of leases for minor minerals of less than 5 hectares shall be made except upon obtaining Environmental Clearance (EC) from the MoEF. This does not imply that the ratio of the Judgment applies only to the grant of fresh leases. The principle established is that no environmental degradation should result from mining activities, and that one of the key measures to ensure sustainable development is the adoption of a mining plan.

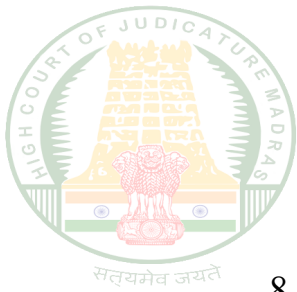
8.4. Similarly, in the Judgment made in ***Common Cause*** (cited supra), the Court was concerned with the indiscriminate extraction of iron ore and manganese ore (major minerals) in several districts of Odisha and elsewhere.



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While addressing this issue, the Court considered the relevant rules, namely, the Mineral Concession Rules of the Central Government and the Environment Impact Assessment notifications requiring EC, and established under what circumstances the ECs were required. The Court held that violating other requirements would also constitute unlawful extraction of minerals. It further clarified the meaning of Section 21 (5) of the MMDR Act, noting that unlawful extraction of minerals does not only refer to activities outside the mining area; it also applies to activities within the mining area for which a lease is granted. If any rule, including those related to obtaining EC, is violated, it would be deemed an unlawful activity. This would amount to the raising of minerals without lawful authority. The Court also emphasized that there can be no compromise where minerals have been unlawfully extracted, and that 100% compensation must be recovered. This interpretation of Section 21 (5) of the MMDR Act, including the expression 'illegal mining' and the quantum of compensation, cannot be claimed to apply only to major minerals extracted in leases over 5 hectares. It would be applicable to all cases of mining leases.



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8.5. It was also held that there cannot be any ex-post facto grant of EC. It is essential to extract paragraph No.129 of the Judgment in *Common cause* (cited supra), which reads as follows:-

“129. The simple reason for not accepting this interpretation is that Rule 2(ii-a) of the MCR was inserted by a Notification dated 26-7-2012 while we are concerned with an earlier period. That apart, as mentioned above, the holder of a mining lease is required to adhere to the terms of the mining scheme, the mining plan and the mining lease as well as the statutes such as the EPA, the FCA, the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981. **If any mining operation is conducted in violation of any of these requirements, then that mining operation is illegal or unlawful. Any extraction of a mineral through an illegal or unlawful mining operation would become illegally or unlawfully extracted mineral.**”

(Emphasis supplied)

8.6. Thus, it can be seen that if the mining operation is conducted in violation of the Environmental Protection Act, 1986 that is, without EC that is prescribed, pursuant to the rules framed under the Act, then the mining operation is illegal and unlawful. This is made even more explicitly clear in paragraph No.186 of the Judgment in *Common Cause case* (cited supra), which is as follows:-

“186. There may be some overlap in the period when mining operations were conducted by the mining leaseholders without an EC and/or an FC. **We make it clear that mineral extracted either without an EC or without an FC or without**



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both would attract the provisions of Section 21(5) of the MMDR Act and 100% of the price of the illegally or unlawfully mined mineral must be compensated by the mining leaseholder. To the extent of the overlap or the common period, obviously only one set of compensation is payable by the mining leaseholder to the State of Odisha. We order accordingly. However, we make it clear that whatever payment has already been made by the mining leaseholders towards NPV, additional NPV or penal compensatory afforestation is neither adjustable nor refundable since that falls in a different category altogether.”

(Emphasis supplied)

8.7. Thus, if there is a requirement of obtaining an EC and the mining activity had continued without the same, there is absolutely no doubt whatsoever that the same would attract the provisions of Section 21 (5) of the MMDR Act, thereby, not only entitling the State, but making it mandatory that 100 % value of the minerals be recovered as compensation. In this regard, it is essential to extract paragraph No.153 and 154 that read as follows:-

“153. The learned counsel for the petitioners and the learned Amicus were of the opinion that the provisions of Section 21(5) of the MMDR Act require that the entire price of the illegally mined ore should be recovered from each defaulting lessee. Similarly, in its affidavit, the Union of India differs with the recommendation of CEC. According to the affidavit of the Union of India this would be contrary to the statutory scheme and in fact 100% recovery should be made under the provisions of Section 21(5) of the MMDR. We may note that only to this extent, the learned Attorney General differed with the view



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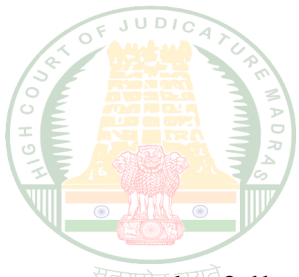
expressed by the Union of India and submitted that the recommendation of CEC to recover only 30% of the value of the illegally mined ore should be accepted.

154. **In our opinion, there can be no compromise on the quantum of compensation that should be recovered from any defaulting lessee — it should be 100%. If there has been illegal mining, the defaulting lessee must bear the consequences of the illegality and not be benefited by pocketing 70% of the illegally mined ore.** It simply does not stand to reason why the State should be compelled to forego what is its due from the exploitation of a natural resource and on the contrary be a party in filling the coffers of defaulting lessees in an ill-gotten manner.”

8.8. It is again relevant to extract paragraph No.185, which reads as follows:-

“185.For the reasons that we have already expressed above, we are not in agreement with CEC that only a part of the notional value (in this case 70 %) of the iron ore and manganese ore produced by the mining leaseholders should be recovered. We are of the view that Section 21 (5) of the MMDR Act should be given full effect and so we reiterate that the recovery should be to the extent of 100%.”

8.9. Thus, I answer the question that if there is a requirement of EC for the petitioners who are lessees of both major and minor minerals of an extent of less than 5 hectares for the relevant period, i.e., from 15.01.2016 to 10.01.2017, then the violation of the same would attract Section 21 (5) and that the State would



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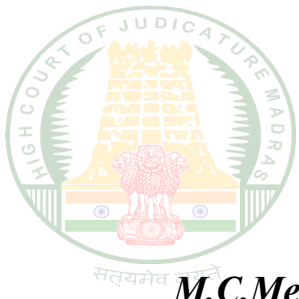
be fully justified in demanding 100 % value of the mineral as compensation.

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J.Question Nos.(ii) & (iii):

9. Although there are some differences regarding the requirements of EC for major and minor minerals, these questions can be addressed together to avoid repetition. In this case, we are focused on the period from 15.01.2016 to 10.01.2017 alone. However, for the sake of completeness, the situation from the beginning can be briefly mentioned.

9.1. Originally, there was no provision for obtaining EC for mining leases under the MMDR Act, 1957. After the enactment of the Environment (Protection) Act, 1986, and the framing of the Environmental Protection Rules, 1986, the Environment Impact Assessment notification dated 27.01.1994 was issued for the first time. Under the same, Item No. 20 of Schedule I included mining projects with leases of an area greater than 5 hectares as projects requiring EC. Thereafter, the Circular dated 12.02.2002 clarified the applicability concerning the renewal. The question was first considered in



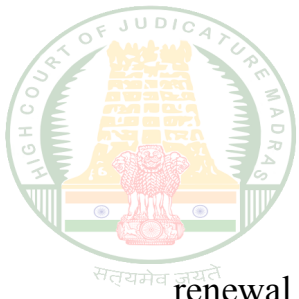
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M.C.Metha Vs. Union of India and Others¹¹, where it was held to be mandatory for any fresh lease or renewal coming after the date of notification, and no mining activity in violation of this can be permitted.

9.2. A clarification was issued on 28.10.2004, based on the said Judgment, stating that all leases over 5 hectares that have commenced production and are increasing their production or renewing their leases after the notification must obtain clearance. Subsequently, the EIAA notification of 1994 was superseded by the EIAA notification of 2006 dated 14.09.2006. According to the notification, mining activities were categorized as Category A and Category B. Coal mining leases exceeding 150 hectares and other mines over 100 hectares were classified as Category A, while the remaining were classified as Category B. Category B was further divided into B1 and B2. On 02.07.2007, a clarification was issued stating that mining projects of less than 5 hectares for major minerals and the mining leases for minor minerals could continue to operate without EC, provided there was no increase in lease area or enhancement of production. They were required to secure EC only at the time of

¹¹ (2004) 12 SCC 118



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renewal. It was specifically clarified that leases of 5 hectares need not obtain clearance if they were operational prior to 14.09.2006. Following this, the EIA notification of 2009 amended the notification from 2006. This amendment brought leases over 50 hectares under Category A while those from 5 hectares to 50 hectares fell under Category B. There was no distinction between major and minor minerals. The clause requiring the acquisition of EC at the time of renewal was added by a further amendment dated 04.04.2011. It was at this stage that the judgment of the Hon'ble Supreme Court of India in the **Deepak Kumar's case** (cited supra) was rendered.

9.3. Thereafter, an Office Memorandum dated 18.05.2012 was issued by the MoEF, based on the Judgment in **Deepak Kumar's case** (cited supra), stating that minor mineral projects of less than 5 hectares would also be treated as Category B. This notification did not mention anything regarding major minerals.



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9.4. On 04.01.2013, another Office Memorandum was issued by MoEF specifically stating that major minerals in lease areas less than 5 hectares do not need to obtain any prior EC from the State Government or the Central Government. Another amendment to the EIA notification 2006 was issued on 09.09.2013, further modifying the Schedule. It was made clear in Column 5 of the Schedule that prior EC is required at the stage of renewal of the mining lease, for which an application must be submitted up to two years before the renewal date. Additionally, a two-year period from 04.04.2011 was also provided for obtaining EC for all mining leases that were operational as of 04.04.2011, which had fallen due for renewal on that date. The EIA 2006 notification was further amended pursuant to the notification dated 07.10.2014. Consequently, mining leases less than 50 hectares were classified under Category B, and general conditions were exempted for projects or activities involving less than 5 hectares of mining lease area. A note stated that prior EC is required at the stage of renewal of a mining lease, for which an application must be made two years prior to the renewal due date. It is essential to extract Item 1A of the Schedule, which reads as follows:



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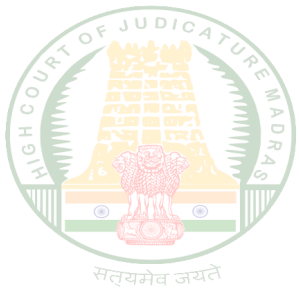
(1)	(2)	(3)	(4)	(5)
1(a)	(i) mining of minerals (ii) Slurry pipelines (coal lignite and other ores) passing through national parks or sanctuaries or coal reefs, ecologically sensitive areas.	>50 ha of mining lease area in respect of non coal mine lease >150 ha of mining lease area in respect of coal mine lease Asbestos mining irrespective of mining area All projects	<50 ha of mining lease area in respect of non coal mine lease. <ha of mining lease area in respect of local mine lease	General conditions shall apply except; (i)for project or activity of mining or minor minerals of category 'B2' (upto 25 ha of mining lease area); (ii)River bed mining projects on account of inter state boundary. Note: (1)Mineral prospecting is exempted (2)The prescribed procedure for environmental clearance for mining of minor minerals including cluster situation is given in Appendix XI. (3)The mining lease which have obtained environmental clearance under Environment Impact



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(1)	(2)	(3)	(4)	(5)
				Assessment Notification, 1994 and Environment Impact Assessment Notification 2006 shall not require fresh environmental clearance during renewal provided the project has valid and subsisting environmental clearance.

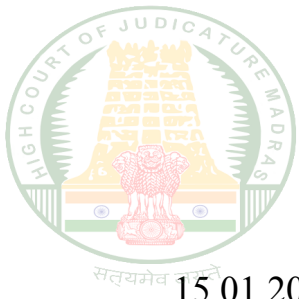
9.5. Thus, it can be seen that the notification does not make any exemptions for leases up to 5 hectares. While it did not explicitly make clear that all the existing leases should immediately obtain EC, at the same time, previous provisions regarding the general conditions of activities for mining lease areas of less than 5 hectares and the requirement to submit an application at the time of renewal, as well as the timeline originally prescribed in the successive notification preceding the notification for making applications at the time of renewal, were all expressly removed.



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9.6. As a matter of fact, subsequently, by an office note dated 14.08.2018, all doubts were clarified explicitly, making it clear that all mining activities, both existing and new, were required to obtain an Environmental Clearance (EC) and could not proceed with mining without it. However, the NGT, Principal Bench, in the matter of *Naresh Zargar's case* (cited supra), considered the issue in detail and, by an order dated 13.01.2015, held that no mining activity, including existing units, would be permitted to continue without obtaining EC. It also directed the disposal of the applications that were pending within a period of six months. Subsequently, when a clarification was issued by the MoEF on 03.04.2017, it was challenged by the *Tamil Nadu Small Mine Owners Federation, represented by its Secretary*, before the NGT, Southern Zone, Chennai, stating that the EIA notification 2006, as amended on 15.01.2006, cannot be construed to require the existing lessees of less than 5 hectares to obtain EC, except at the time of renewal. This was again considered by the NGT, Southern Zone, and after reviewing the provisions of the earlier notifications, the purpose of the amendment, and the actual amendment carried out on

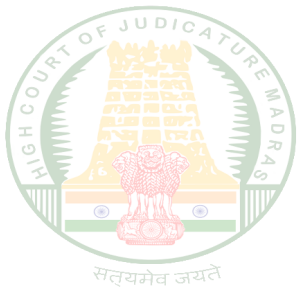


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15.01.2016, the NGT examined the cases of both major and minor minerals in detail. It held that due to the deletion of the period prescribed to apply at the time of renewal and the specific deletion of general conditions relating to mining leases of less than 5 hectares, on a combined reading of the successive notifications effective from 15.01.2006, all existing mines must immediately obtain EC without waiting for renewal. The relevant portion of paragraph No.59 of the said judgment is extracted hereunder:-

“59.Further, it is clear from the observations made above that even in 2014, when 2006 Notification was amended, the distinction between major and minor minerals was taken away and any mining lease of non coal product, having less than 5 hectares, has been brought under the regime of Environment Clearance. Further, as per 2016 Notification, the time limit for filing application provided for the purpose of renewal, has been taken away perhaps, for the reason that by amending the Mines and Minerals (Development and Regulation) Act, 1957, the period of lease has been extended upto 50 years from 20 years. That may be reason why the MoEF & CC has thought that existing mines also has to obtain Environment Clearance after 15.1.2016 and they need not wait for renewal. Further, the National Green Tribunal in the decision stated supra, has categorically stated that no mining activity should be carried out in India without obtaining Environment Clearance that includes the existing mining leases as well, irrespective of its character viz., minor or major and it is further held that those minors who have not filed application prior to 31.3.2016 were completely debarred from operating mining operations. So under these circumstances, the cut off date for filing the application has to be limited upto 31.3.2016 and those minors who have filed application thereafter, will be treated as violators and their applications will have to be treated as violation applications and disposes of in accordance with law.



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9.7. After holding so, the conclusion that is reached in paragraph No.61

(3) is extracted hereunder:-

“(iii) It is also made clear that all mining leases, either major or minor, even less than 5 hectares area, has to apply and get Environment Clearance as per the amended EIA Notification dated 15.1.2016. This will apply to the existing mining leases as well. The points are answered accordingly.”

9.8. Therefore, there cannot be any doubt that the petitioners are required to obtain an EC as of 15.01.2016. The additional points regarding the State Government's applications to the NGT for extensions and the granting of extensions under the Tamil Nadu Minor Mineral Concession Rules also cannot be upheld. This is because, effective from 12.01.2015, Section 20 (a) was inserted into the MMDR Act, 1959, which grants specific powers to the Central Government to issue directives for the scientific and sustainable development and exploitation of mineral resources. The entire Section 20 (a) is extracted hereunder:-

“[20A. Power of Central Government to issue directions.-
(1) Notwithstanding anything contained in this Act, the Central Government may issue such directions to the State Governments, as may be required for the conservation of mineral resources, or on any policy matter in the national interest, and for the scientific and



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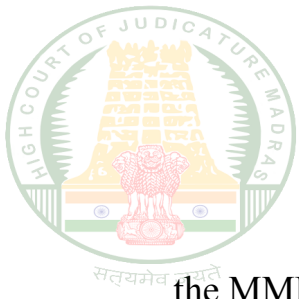
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sustainable development and exploitation of mineral resources.

(2) In particular, and without prejudice to the generality of the foregoing powers, the Central Government may also issue directions in respect of the following matters, namely:-

- (i) improvement in procedure for grant of mineral concessions and to ensure co-ordination among agencies entrusted with according statutory clearances;
- (ii) maintenance of internet-based databases including development and operation of a mining tenement system;
- (iii) implementation and evaluation of sustainable development frameworks;
- (iv) reduction in waste generation and related waste management practices and promotion of recycling of materials;
- (v) minimising and mitigating adverse environmental impacts particularly in respect of ground water, air, ambient noise and land;
- (vi) ensuring minimal ecological disturbance, in terms of bio-diversity, flora, fauna and habitat;
- (vii) promoting restoration and reclamation activities so as to make optimal use of mined out land for the benefit of the local communities; and
- (viii) such other matters as may be necessary for the purposes of implementation of this Act.]”

9.9. In view thereof, the Central Government was empowered to issue directions to implement and evaluate sustainable development frameworks, ensuring minimal ecological disturbance concerning biodiversity, flora, fauna, and habitat. Thus, it can be seen that it was introduced pursuant to the directive principles of the State policy contained under Article 48-A and integrates the purposes of the Environment Protection Act, 1986. As a matter of fact, the same was also considered by the Hon'ble Supreme Court of India in *the Common Cause case* (cited supra), and it was held as follows regarding the objective of



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the MMDR Act, with the relevant portion extracted hereunder:-

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“84. Briefly therefore, the overall purpose and objective of the MMDR Act as well as the Rules framed thereunder is to **ensure that mining operations are carried out in a scientific manner with a high degree of responsibility including responsibility in protecting and preserving the environment and the flora of the area. Through this process, the holder of a mining lease is obliged to adhere to the standards laid down under the Environment (Protection) Act, 1986** or the EPA as well as the laws pertaining to air and water pollution and also by necessary implication, the provisions of the Forest (Conservation) Act, 1980 (for short “the FC Act”). Exploitation of the natural resources is ruled out. If the holder of a mining lease does not adhere to the provisions of the statutes or the rules or the terms and conditions of the mining lease, that person is liable to incur penalties under Section 21 of the MMDR Act. In addition thereto, Section 4-A of the MMDR Act which provides for the termination of a mining lease is applicable. This provides that where the Central Government, after consultation with the State Government is of the opinion that it is expedient in the interest of regulation of mines and mineral development, preservation of natural environment, prevention of pollution, etc. then the Central Government may request the State Government to prematurely terminate a mining lease.”

(Emphasis supplied)

9.10. Thus, as rightly contended by the learned Advocate General, the mere filing of an application by the State of Tamil Nadu or the framing of a rule granting time beyond the mandatory limit will not alter the requirement of obtaining EC and refraining from any mining activity. Therefore, by virtue of the authoritative pronouncement of the Judgment of the Hon'ble Supreme Court of



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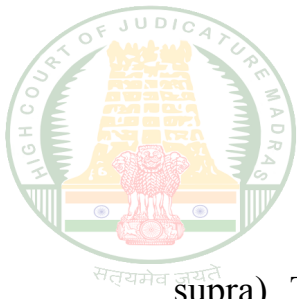
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India in *the Common Cause case* (cited supra), read with Section 20(a) of the MMDR Act, it can be seen that the State of Tamil Nadu, as a delegatee in framing rules relating to minor minerals, could not have created any contra rules that overreach or supersede the notifications issued by the Government of India. Consequently, notwithstanding Rule 42 (iii) of the Tamil Nadu Minor Mineral Concession Rules, 1959, which grants 630 days of time, I hold that both the lessees of major minerals and those of minor minerals of less than 5 hectares are mandated to obtain the EC, even if they are existing lessees and their renewal is not due as of 15.01.2016; accordingly, the questions are answered.

K.Question No.(iv):

10. It is evident that all the petitioners were aware of the mandatory requirement of EC and that they all submitted applications. Once it has been established that it is a mandate of law, merely because there were some actions taken by the State Government and the MoEF in issuing certain clarifications, it cannot be claimed that Section 21 (5) of the MMDR Act, 1957 cannot be enforced. In fact, this issue is *no longer res integra* and has been settled by the Judgement of the Hon'ble Supreme Court of India in *Common Cause* (cited

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supra). Therefore, it is essential to extract paragraph Nos. 100 and 101 of the said Judgment, which are provided below:-

“100. It was submitted that **in view of these ambiguous and unclear signals emanating from the MoEF which resulted in confusion being worse confounded, the mining leaseholders were not clear whether or not they were required to obtain an EC** particularly in respect of pre-EIA 1994 mining leases and operations.

101. As mentioned above, these dates and the text of the circulars were emphasised by the learned counsel for the leaseholders to contend that it was not obligatory for the mining leaseholders, who did not expand their mining operations, to obtain an EC and in any event the period for obtaining an EC was extended till 31-3-2003 with ex post facto approval. In this context, reliance was placed on M.C. Mehta [M.C. Mehta v. Union of India, (2004) 12 SCC 118] referred to above.”

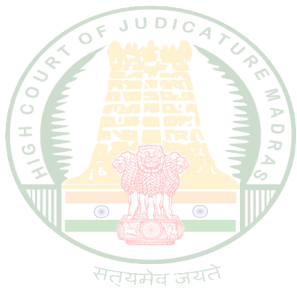
(Emphasis supplied)

10.1. In that context it was held in paragraph No.106 as follows:

“106. **It is clear from the decision rendered by this Court that EIA 1994 is mandatory in character**; that it is applicable to all mining operations—expansion of production or even increase in lease area, modernisation of the extraction process, new mining projects and renewal of mining leases. A mining leaseholder is obliged to adhere to the terms and conditions of a mining lease and the applicable laws and the mere fact that a mining plan has been approved does not entitle a mining leaseholder to commence mining operations. In M.C. Mehta [M.C. Mehta v. Union of India, (2004) 12 SCC 118] this Court concluded that EIA 1994 is clearly applicable to the renewal of a mining lease.”

(Emphasis Supplied)

and in paragraph No.108, it was finally concluded as follows:-



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“108. It was submitted on behalf of the mining leaseholders that the possibility of getting an ex post facto EC was a signal to the mining leaseholders that obtaining an EC was not mandatory or that if it was not obtained, the default was retrospectively condonable. We do not agree. We have referred to various provisions of the MMDR Act and the Rules framed thereunder to indicate the statutory importance given to the protection and preservation of the environment. This was also emphasised in M.C. Mehta [M.C. Mehta v. Union of India, (2004) 12 SCC 118] in which it was also stated that: (SCC p. 161, para 37)

“37. ... It does not appear that MoEF intended to legalise the commencement or continuance of mining activity without compliance of stipulations of the notification.”

It appears to us that the MoEF was, in a sense, cajoling the mining leaseholders to comply with the law and EIA 1994 rather than use the stick. **That the mining leaseholders chose to misconstrue the soft implementation as a licence to not abide by the requirements of the law is unfortunate and was an act of omission or commission by them at their own peril.** We cannot attribute insensitivity to the MoEF or even to the mining leaseholders to environment protection and preservation, but at the same time we cannot overlook the obligation of everyone to abide by the law. That the MoEF took a soft approach cannot be an escapist excuse for non-compliance with the law or EIA 1994.”
(Emphasis supplied)

10.2. Thus, it can be seen that while starting from *Deepak Kumar's case* (cited supra) and the successive orders of the NGT, the law has been laid down to comply with and strictly enforce the law relating to Environmental Impact Assessment, the State authorities were only attempting a soft implementation of the same in the name of economic development, which can never aid the



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petitioners. Any illegality or impropriety on the part of the State can never be perpetuated in the name of promissory estoppel, nor can the expectation arising out of the same be held to be legitimate. Thus, those principles cannot be applied to the facts and circumstances of the case, and the contentions made merely on the basis that the State filed applications, issued permits, and collected seignorage fees will not, in any manner, come to the aid of the petitioners.

L.Question No.(v):

11. Regarding the contention of the SEIAA's non-functioning and the delayed consideration of applications, the petitioners do not claim that they ceased quarrying as of 15.01.2016 and resumed operations only after the SEIAA's deadline expired. Furthermore, the established and consistent legal stance is that when an activity requires Environmental Clearance (EC), the petitioners must resolve their grievances through the appropriate process to obtain the EC. The inaction or non-functioning of the SEIAA cannot create a right to continue mining activities without securing the EC. The SEIAA's inefficiency, delays in application reviews, or any related irregularities cannot



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justify or serve as a legal basis for committing another offense, specifically quarrying without EC. Thus, the various individual contentions about the application date, improper return of the application, and the SEIAA's inaction will only support a Mandamus to the SEIAA to consider the application and potential claims for lost time. Nonetheless, these points do not, in any way, legitimize the continuation of mining activities without EC.

M.Question No.(vi):

12. From the above discussion, it is clear that the entire liability to pay the value of the mineral rests on the question of whether there was any mandate regarding the mining leases of less than 5 hectares to obtain EC, and if so, from what date?

12.1. Any specific individual pleadings regarding the filing of the application and other grievances, such as communications issued to them, will not influence the ultimate decision made by the authorities. Once the authorities have considered the legal position and issued all these orders, even if a



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grievance is raised that other grounds were not considered, since they do not affect the ultimate decision reached, I reject the submission that every ground raised by the petitioners should have been considered. If, regarding a primary legal question, liability must be established, the consideration of the factual scenarios concerning each of the petitioners will not change the outcome. Therefore, in this case, the issuance of similar orders in all cases cannot be deemed illegal or without application of mind. Accordingly, this question is answered.

N.Question No.(vii):

13. This is a case, where the quarrying operations were done after the leases and the minerals were removed with permit and the seignorage fee and the other charges have already been paid. In respect of the minor mineral, the seignorage fee is prescribed in Appendix 2 of the Tamil Nadu Minor minerals Rules and in respect of the major minerals, the same is prescribed under the Mineral Concession Rules, 1960.



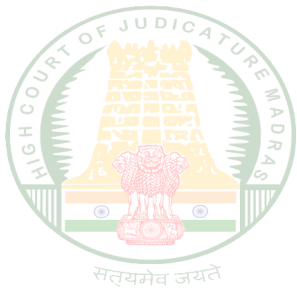
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13.1. In this regard, the matter is no longer *res integra* and is considered in detail by the Judgment of the Hon'ble Supreme Court of India in ***Common Cause case*** (cited supra). The relevant portions which deal with the issue are paragraph Nos.152 to 154. Ultimately, when it was proposed that only 30% of the value be recovered, it was held that the State should not be compelled to forego what is rightfully due from the exploitation of natural resources and, on the contrary, become a party to enriching the defaulting lessee in an ill-gotten manner. On a combined reading of paragraph Nos.185, 186 and 197 of the said Judgment, it can be seen that there need not be any overlap and the State will be entitled for 100 % value of the unlawfully mined mineral.

13.2. As a matter of fact, in the conclusion in paragraph No.188 (5), it has been again held as follows:-

“(5) Any iron ore or manganese ore extracted contrary to EIA 1994 or EIA 2006 would constitute illegal or unlawful mining (as understood and interpreted by us) and compensation at 100% of the price of the mineral should be recovered from 2000-2001 onwards in terms of Section 21(5) of the MMDR Act, if the extracted mineral has been disposed of. **In addition, any rent, royalty or tax for the period that such mining activity was carried out outside the mining lease area should be recovered.**”



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(Emphasis supplied)

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13.3. Similarly in paragraph Nos.188 (8) and 188 (9), it has been held as follows:-

“(8) Any mining activity carried on after 7-1-1998 without an FC amounts to illegal or unlawful mining in terms of the provisions of Section 21(5) of the MMDR Act attracting 100% recovery of the price of the extracted mineral that is disposed of.

(9) In the event of any overlap, that is, illegal or unlawful mining without an FC or without an EC or without both would attract only 100% compensation and not 200% compensation. In other words, only one set of compensation would be payable by the mining leaseholder.”

13.4. Thus, it can be seen that if only the mineral is extracted outside the mining lease area, the State will be entitled to any rent, royalty, or tax over and above 100% of the value of the mineral. The total amount of compensation will be 100% of the mineral, and only one set of compensation would be payable, i.e., as contemplated under Section 21 (5) of the MMDR Act, 1957. When the rules, depending on the mineral, impose a seignorage fee of 30% of the value of the mineral, then, in the facts and circumstances of the case, I believe that all these Writ Petitioners will be entitled to deduct the seignorage fee that has been paid and pay the balance amount. The conduct of the State, as narrated above, is



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taken into account, and in this context, it would only be fair to consider the seigniorage fee already paid as part of the value of the mineral, with only the balance amount to be collected from the petitioners. Two months' time is granted for the petitioners to make the payment, immediately upon receipt of the website-uploaded copy of this order. It will be open for the authorities to inform the respective petitioners of the exact amount that is payable after deducting the seigniorage fee that has been paid by the petitioners. The petitioners would be entitled to the relief as stated above.

O.The Result:-

14. In view thereof, all the Writ Petitions are disposed of on the following terms:-

(i) The individual orders challenged in these Writ Petitions, which impose a compensation of 100% of the mineral's value under Section 21(5) of the MMDR Act, 1957, are upheld;

(ii) However, in the final calculation of the amount, the seigniorage fee that has already been paid or recovered by the respondents shall be credited, and



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only the balance of the compensation is recoverable. Within three weeks from the date of receipt of the website-uploaded copy of this order, individual communications shall be sent to the petitioners regarding the exact amount payable by them.

(iii) The petitioners are granted two months' time thereafter to make the payment as per the impugned orders, after deducting the seignorage fee as may be intimated by the respondents via their communication;

(iv) No costs. Consequently, the associated miscellaneous petitions are closed.

05.06.2025

Neutral Citation : Yes

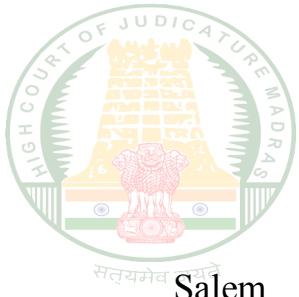
Jer

To

1.The Secretary to Government
State of Tamil Nadu
Industries Department
Fort St.George
Chennai – 600 009.

2.The District Collector
Salem District

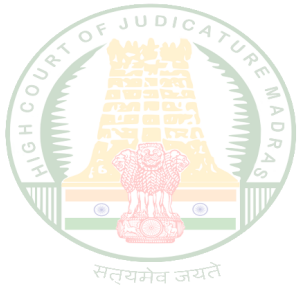
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Salem.
WEB COPY

3.The State Level Environmental -
Impact Assessment Authority (SEIAA)
Rep.by its Chairman, 3rd Floor
Panagal Maligai, No.1, Jeenis Road
Saidapet, Chennai – 600 015.



WEB COPY



W.P.Nos.33079 of 2024 etc., Batch

D.BHARATHA CHAKRAVARTHY, J.

Jer

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05.06.2025

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