

W.P.No.16965 of 2020

THE HON'BLE CHIEF JUSTICE
and
P.D.AUDIKEVALU, J.

(Order of the Court was made by the Hon'ble Chief Justice)

A status report through the Principal Secretary in the Industries Department has been filed. According to such report, all illegal mining activities in the area have been stopped, criminal complaints have been lodged against the relevant persons and further steps are contemplated to recover damages.

2. The petitioner complains that the impact to the environment as a consequence of the illegal mining activities undertaken by several persons in the locality has not been attempted to be assessed. The petitioner also alleges that the colossal biodegradation that was caused as a result of the illegal mining activities has neither been studied nor any person held accountable.

3. Learned Advocate-General submits that in addition to criminal complaints, primarily under Section 379 of the Penal Code, being filed, steps are being taken against those involved with illegal mining to

recover the money made by them in their illegal operations and also appropriately penalise them.

4. The State's plan of action against the relevant entities should be charted out and placed before this court when the matter appears a week hence. It will not do for the State to merely report that the illegal mining activities undertaken by certain persons have been stopped. So that it is a deterrent to future intruders, the State has to realise due compensation from the perpetrators of illegal mining, including on account of the desecration of the ecology and the biodegradation. It calls for some serious action from the State and not merely a knee-jerk reaction to suddenly wake up and stop the illegal mining activities at the prodding of the court. It is only fair that a person who has indulged in illegal mining for a considerable period before being caught, should be made to pay, including for the harm done to the environment and ecology as a consequence of the illegal activities.

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5. It is for such purpose that the petition is kept pending for the

court to assess whether serious and punitive measures have been taken by the State against those who conducted illegal mining activities and whose mining activities have now been stopped, according to the State. List the matter four weeks hence.

List on 02.11.2021.

sra



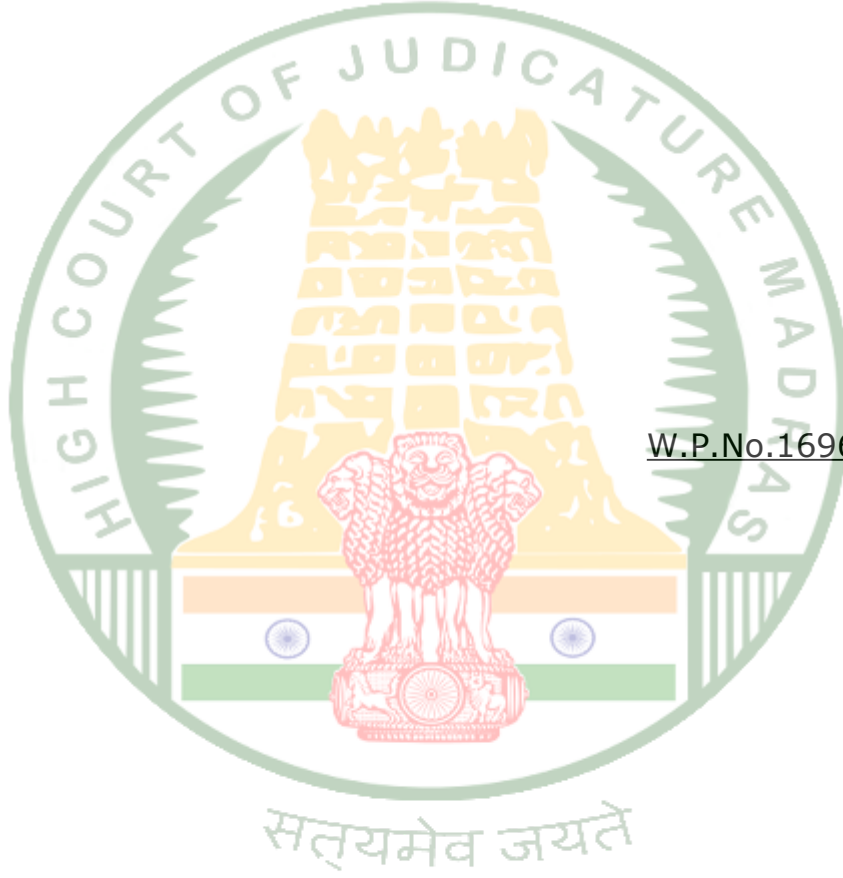
(S.B., CJ.) (P.D.A., J.)
21.09.2021

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