

KARNATAKA MINING

SC raises annual iron ore output cap for 3 districts

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The Supreme Court on Friday raised the ceiling limit of iron ore mining for Ballari, Chitradurga and Tumakuru districts in Karnataka, saying conservation of the ecology and environment must go hand in hand with the spirit of economic development.

The apex court raised the ceiling limit of iron ore mining from 28 million tonnes (mt) to 35 mt for Ballari district, and from 7 mt to 15 mt for Chitradurga and Tumakuru districts.

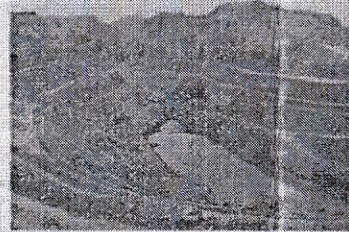
Seeking fine balance

"Conservation of the ecology and environment must go hand in hand with the spirit of economic development and the fine balance between the

two goals is what is sought to be achieved even now," a Bench headed by Chief Justice NV Ramana said. The Bench, also comprising Justices Hima Kohli and CJ Ravikumar, passed the order on pleas seeking lifting of the ceiling limits of iron ore mining in these districts.

The Bench referred to the history of ceiling limits on the production of iron ore through court orders and noted that on July 29, 2011, and August 26, 2011, the apex court had imposed a ban on mining in these three districts based on the report of the Centrally Empowered Committee (CEC).

"In 2017, this court was of the view that the situation had vastly changed in the state of Karnataka and had therefore allowed an increase in the ceiling



limit. We are now in the year 2022," the apex court said. The Bench said it can be no one's case that the situation subsisting in Karnataka currently is the same as had existed when the matter was first taken up or when the court had passed the order in 2017, relaxing the ceiling limit to some extent.

"This is also clear from the changed stance of the state of Karnataka and the CEC before this court. In 2017, the CEC had recommended a cumulative increase in the ceiling limit up to

5 mt, whereas now, the CEC supports the view that the ceiling limit need not continue," it observed.

Removal of ceiling limit

The Bench noted that in 2017, Karnataka had submitted before it that the ceiling limit may be raised to 40 mt, and gradually increased later to 50 mt.

"However, the state of Karnataka is now in favour of a complete removal of the ceiling limit," it said.

The top court said it appeared that the CEC, the state, the Ministry of Steel, Karnataka Iron and Steel Manufacturers Association, and mining lease holders are all "ad idem" (in agreement) that the changed situation on ground warrants a complete removal of ceiling limits that were imposed by the

court. The Bench said advocate Prashant Bhushan, appearing for the original petitioner, has objected to the request for the lifting of the ceiling limit, on principles.

Good work due to petitioner

It added the concerns of the original petitioner and the monitoring committee merit due consideration.

"Much good work has been done in the state of Karnataka, because of the action initiated by the original petitioner and the subsequent judicial interventions by this court. In fact, it is this progress made steadily over the past decade that weighed with this court to even consider the relief regarding the raising of the ceiling limit sought by the present applicants," it said.