

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

**Original Application No. 111/2014
(M. A. No. 322/2014)**

Envionics Trust Vs. Union Of India & Ors.

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Original Application No. 113/2014

Amar Singh Vs. Union of India & Ors.

**CORAM: HON'BLE MR. JUSTICE U.D. SALVI, JUDICIAL MEMBER
HON'BLE MR. RANJAN CHATTERJEE, EXPERT MEMBER**

In Original Application No. 111/2014:

Present: Applicant/Appellant(s) : Mr. Rahul Choudhary, Mr Ritwick Dutta and Ms. Maneka Kour,Adv.s.
Respondent No.1 to 3 : Mr. Vikas Malhotra, Mr. M.P. Sahay, Adv.s
Respondent No. 4 : Mr. S.S. Shamsbery, AAG, Ms. Preeti Bhardwaj, Adv.
Respondent No. 5 : Mr. Guntur Prabhakar, Mr. Guntur Pramod Kumar and Mr. Prashant Mathur, Adv.s.
Respondent No. 9 : Mr. B. V. Niren, Adv.
Respondent No. 12 : Mr. Kumar Anurag Singh, Mr. Arvind Verma, Sr. Adv, Mr. Avi PANDey and Mr. Ajiya Tondon, Adv.s.

**Mr. Dhananjay Baijal and Mr. Nikhil Nayyar, Adv.s.for Andhra Pollution Control Board &Telangana Pollution Control Board
Mr. Devraj Ashok, Adv. for the State of Karnataka
Ms. Priyanka Sinha, Mr. Kumar Anurag Singh and Ms. Sonal Gupta**

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Mr. Devraj Ashok, Adv. for the State of Karnataka**

	Date and Remarks	Orders of the Tribunal
	Item No. 7&8 October 29, 2015	<p style="text-align: center;">Heard. Perused.</p> <p>Scientific closure of asbestos mines is the issue in the present case. Asbestos mining has been abandoned long back. However, it appears that mines were not scientifically closed before being abandoned.</p> <p style="text-align: center;">It is well known that asbestos has adverse impacts on the environment and as such the mines are</p>

required to be closed scientifically. We had, therefore, asked the Learned Counsel appearing for the State of Rajasthan, Karnataka and Jharkhand where asbestos mines have been abandoned without being scientifically closed to suggest measures for curtailing the adverse effects of the mines not scientifically closed on the environment and the scientific reasons, if any, for adopting no measures for such scientific closures.

In pursuance to our directions, only the State of Rajasthan and Jharkhand have placed their responses. What we find from perusal of their responses namely, affidavit dated 22nd September, 2015 and 20th October, 2015 of State of Jharkhand and State of Rajasthan respectively, that the mines have been abandoned long back, vegetation and plantation has grown on the pits as well as some portions of the over-burden and survey is being done. There is nothing to suggest how the scientific closures of these mines, if not done earlier is to be effected; and if such steps are not necessary the reasons therefor. We are informed by the applicant who is himself a Geologist that vegetation is likely to grow where asbestos is not present. However, the over-burden is a mixed material which consists of asbestos as well as the soil and as such vegetation may grow sparsely on the portions where the soil exists. According to him, the action that needs to be taken is site specific and study of each site needs to be done for coming to the conclusion as to whether any further steps are necessary and if necessary what are those steps.

We, therefore, direct that the States of Rajasthan,

Karnataka, Jharkhand and Andhra Pradesh to prepare lists of all abandoned asbestos mines or the mines from where the associated minerals were extracted, furnish such lists to the Indian Bureau of Mines (IBM), and in consultation with the Indian Bureau of Mines (IBM) formulate a programme of the visit and inspection of each mine. We further direct that Joint Team each for the purpose of Joint Inspection of Mines in their respective States be constituted by each of the respective States in consultation with IBM. Each Team shall comprise of the Senior Scientists from the Indian Bureau of Mines (IBM), and Seniors Scientists from each Department of Mine and Geology and State Pollution Control Boards of the respective States. Every such Team comprising of Senior Scientists shall visit every mine, make detailed observations and submit its pragmatic recommendations for the Steps necessary to be taken in the interest of the environment and its restoration. The Joint Inspection Report of every State shall be presented before us on the next date of hearing. Each State shall bear the cost of survey/inspection that is carried out within their respective States. Programme of Inspection shall published on the website of the IBM in advance.

List this matter on 10th December, 2015.

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(U.D. Salvi)

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(Ranjan Chatterjee)