

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

**Original Application No. 111/2014  
(M.A. NO. 322/2014)  
And  
Original Application No. 113/2014**

**Environics Trust V/s Union of India & Ors.  
And  
Amar Singh V/s Union of India & Ors.**

**CORAM: HON'BLE MR. JUSTICE U.D. SALVI, JUDICIAL MEMBER  
HON'BLE DR. D.K. AGRAWAL, EXPERT MEMBER**

**Present:**

<b>Applicant / Appellant</b>	<b>:Mr. Rahul Choudhary, Adv., Ms. Pallavi Talwar, Adv.</b>
<b>Respondent No. 1, . 2 &amp; 3</b>	<b>: Mr. Vikas Malhotra and Mr. M.P. Sahay, Advs., Mr.C.S. Thakur, Under Secretary.</b>
<b>Respondent No. 4</b>	<b>: Mr. S.S. Shamsery AAG and Ms. Preeti Bhardwaj, Advs.</b>
<b>Respondent No. 5</b>	<b>:Mr. Guntur Pramod Kumar, Adv., Mr. Gutur Prabhakar, Adv., Mr. Prashant Mathur, Adv.</b>
<b>Respondent No. 6</b>	<b>: Mr. Shibashish Misra, Adv.(State of Odisha)</b>
<b>Respondent No. 9</b>	<b>: Mr. A.K. Panda, Sr. Adv. and Mr. S. Panda and Mr. M. Paikaray, Advs.,</b>
<b>Respondent No. 10</b>	<b>: Mr.B.V. Niren, Adv.</b>
<b>Respondent No. 11</b>	<b>: Mr. C.K. Sudarita, Adv.</b>
<b>State of Jharkhand</b>	<b>: Ms. Priyanka Sinha, Adv., Mr. Kumar Singh, Adv.</b>
	<b>:Mr. Alok Kumar, Mr. D.K. Tahkur for Mr. Daman Diu, Advs.</b>
	<b>:Mr. Devraj, Adv.</b>

<b>Date and Remarks</b>	<b>Orders of the Tribunal</b>
<b>Item Nos. 9 and 10 July 8<sup>th</sup>, 2015</b>	Heard. Perused. These applications seek directions to the authorities: <ol style="list-style-type: none"><li>1. To stop all asbestos mining.</li><li>2. Identify mines of associated minerals being mined from the mines where asbestos is present and direct closure of the same.</li><li>3. For scientific closure, restitution and restoration of all abandoned and operational mines in the country.</li><li>4. For soil and air testing and medical check up of the workers and people living around the mining</li></ol>

area.

As regards the stopping of asbestos mining and mining of associate minerals where asbestos is present, a statement on instructions is made by Learned Counsel appearing for the Indian Bureau of Mines that there is no asbestos mining presently operational anywhere in the country and the operations of the mines of associated minerals with asbestos has also been halted.

This statement is endorsed by the Learned Counsel appearing on behalf of the respective States. Going by this statement the prayers in that regard stands satisfied.

However, Learned Counsel appearing on behalf of the applicant submits that even after shutting down the operations in all such mines from which asbestos was won over or found as associated minerals, they are required to be closed scientifically. He draws our attention to an article "Asbestos problem" in India by V. Subramanian and N. Madhavan published in the journal Lung Cancer (2005) 49 S1, S9-S12 published by Elsevier, wherein instance of the adverse impact of keeping the asbestos mixed with chromite exposed at the hill top on the health of the communities living at the foothill in the village Roro, State of Jharkhand has been mentioned. It points out that there are likely to be adverse health impacts of such asbestos mixed with chromite lying exposed to the atmosphere

particularly on the hill tops as this waste has a propensity of seeping into the land, water ,homes and bodies of the persons living at the foothills in the vicinity thereof.

According to the learned Counsel appearing for the applicant the asbestos mines and associated minerals mines are therefore, required to be closed scientifically after the operations therein are stopped.

In the instant case none of the mines both asbestos and associated minerals have been closed scientifically. Final mining closure plans have also not been submitted by the concerned lessees. This can be a matter of concern. We therefore, direct the respective States to cause the survey of all the asbestos mines as well as of associated minerals with asbestos and state before us the impact of overburden lying at the said mines and the pits existing there as of today, and if the overburden and such pits are noted then what the State proposes to do about restoration and restitution of the said area.

Dr. A.N. Murthy (Geologist IBM) who is present today in the Court and submits that there is no standard for meager amount of asbestos in cases of wining over of the associated mineral. Mr. C.S. Thakur, Under Secretary MoEF is also present before us, who apologises and explains his previous absence.

List the case on 12<sup>th</sup> August, 2015.

.....,JM  
(U.D. Salvi)

.....,EM  
(Dr. D.K. Agrawal)

