2025 INSC 1338

REPORTABLE

IN THE SUPREME COURT OF INDIA
INHERENT/ORIGINAL JURISDICTION

IN RE : ISSUE RELATING TO DEFINITION OF ARAVALI HILLS AND RANGES

I.A. NO.105701 OF 2024
(CEC REPORT NO. 03 OF 2024)

IN

WRIT PETITION (C) NO.202 OF 1995

IN RE: T.N. GODAVARMAN THIRUMULPAD
...PETITIONER

VERSUS

UNION OF INDIA AND OTHERS ...RESPONDENTS

J U D G M E N T

B.R. GAVAI, CJI

IMPORTANCE OF ARAVALIS

1. In the present matter, we are concerned with the definition of Aravali Hills and Ranges and the need for the proper conservation of the same in the States of Delhi, Haryana, Gujarat and Rajasthan.

2. The Aravali Range spanning across the aforesaid four States is one of the oldest geological features on planet Earth.

It is one of the oldest fold mountains in India. It is rich in wildlife, flora and fauna, and significantly influences the climate and biodiversity across North India.

3. The scientific assessments of the Aravali Range establish the fact that the Aravali ecosystem acts as a *"green barrier"* and forms an effective *"shield"* against desertification by preventing the eastward spread of the Thar Desert towards the Indo-Gangetic plains, Haryana and western Uttar Pradesh.

PREVENTION OF DESERTIFICATION AND LAND DEGRADATION

4. The *United Nations Convention on Combat Desertification*[1] was ratified by India on 17th December 1996.

5. Article 4 of the said Convention requires the States, which are parties to it, to *inter-alia* adopt an integrated approach to address the physical, biological and socio-economic aspects of desertification, promote the conservation of land and water resources as they relate to desertification, and to determine institutional mechanisms for the same.

6. As per Article 5 of the said Convention, India as a signatory to the UNCCD, is required to strengthen the existing laws, enact new laws as may be needed, and undertake long-

[1] **Hereinafter, "UNCCD".**

term policy measures and action programmes to combat desertification.

7. A perusal of Articles 10(2)(c) and 10(4) of the said Convention would reveal that national action programmes in this regard are required to be framed and particular attention must be given to preventive measures for lands that are not yet degraded, or which are only slightly degraded.

8. In order to give effect to its commitments under the UNCCD, the Ministry of Environment, Forest and Climate Change[2] issued a *National Action Plan to Combat Desertification and Land Degradation* through Forestry Interventions in 2023. The said Plan highlights the need for a synergistic and convergent implementation of eco-restoration initiatives in the country.

9. In recognition of the ecological importance of the Aravali Ranges, the MoEF&CC has also launched the *"Aravali Green Wall Project"*, an initiative aimed at restoring degraded land, preventing desertification, enhancing green cover and improving the ecological health of the Aravali landscape.

[2] **Hereinafter, "MoEF&CC".**

10. These cumulative obligations in international law require that a uniform and streamlined approach be taken towards the preservation and restoration of the Aravali ecosystem including regulation of exploitation of the Aravali Hills in a scientific and sustainable manner, guided by the precautionary principle.

PROCEEDINGS BEFORE THIS COURT

11. This Court is seized of the issues with regard to the Aravali Hills and Ranges in two sets of proceedings. The first is in ***M.C. Mehta v. Union of India and Others***[3] and the second one is in ***T.N. Godavarman Thirumalpad v. Union of India and Others***[4].

12. When ***T.N. Godavarman Thirumalpad*** was listed before this Court on 10th January 2024, an issue arose for consideration as to whether some of the mining activities were falling in the Aravali Hills or beyond it.

13. The learned Senior Counsel appearing for the State of Rajasthan on that day had raised an issue as to whether the classification between the Aravali Hills and Aravali Ranges,

[3] **WP(C) No.4677 of 1985**
[4] **WP(C) No.202 of 1995**

insofar as the mining activities are concerned, needs to be finally decided by this Court.

14. On similar lines, the learned *Amicus Curiae* had also raised an issue as to whether continuation of the mining activities in Aravali Hills and Ranges was in the larger public interest or not. The learned *Amicus* had therefore suggested that it will be appropriate if all the issues with regard to the Aravali Hills and Ranges be examined by the Central Empowered Committee[5] and directions be issued by this Court in that regard.

15. We had, therefore, *vide* our order dated 10th January 2024 requested the CEC to examine as to whether the classification of Aravali Hills and Ranges insofar as permitting mining is concerned, needs to be continued or not. We had also requested the CEC to take on board the experts in geology before finalising its report.

16. *Vide* the said order, this Court also noticed that the issues with regard to the mining in Aravali Hills and Ranges in the State of Haryana were placed before another Bench of this Court hearing ***M.C. Mehta*** *(supra)* and the issues with

[5] **"Hereinafter, "CEC".**

regard to mining in Aravali Hills and Ranges in the State of Rajasthan was being considered by this Court in the present proceedings. We had, therefore, directed that both the matters be placed before the then Hon'ble Chief Justice of India for placing the same before one and the same Bench so as to avoid any conflicting order(s).

17. In pursuance to the order passed by this Court on 10th January 2024, the CEC submitted its report on 7th March 2024 (CEC Report No.3 of 2024).

18. It will be relevant to refer to the recommendations made by the CEC in its report *i.e.*, CEC Report No. 3 of 2024, which read thus:

> "**I. RECOMMENDATIONS**
>
> i) Mapping of the entire Aravalli Hill Range should be undertaken and completed within a period of six months by the Forest Survey of India, as per the norms followed for the State of Rajasthan. The National CAMPA may be directed to release funds required for the mapping purpose. All the mapped areas should be geo-tagged.
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> ii) Macro-level EIA study of all mining affected districts of Rajasthan falling in Aravalli Hill Ranges should be done by ICFRE and/or any other competent national level central government institution as was done in case of Karnataka in compliance of the orders of this Hon'ble Court in WP(C) 562/2009 dated 05.08.2011. The level of mineral extraction should also be analysed along with EIA study, on the basis of local requirement of

minerals, available infrastructure and environmental concerns. This study can be completed in six months period. The funds can be made available by MoEFCC from the National CAMPA. Till this exercise is completed no new mining leases or renewals of old mining leases should be allowed in the Aravalli Hill Ranges.

iii) Mining should be strictly prohibited in following areas falling under such mapped Aravalli Hill Range:

a) Protected Areas including Tiger Reserves declared under Wild Life Protection Act 1972.

b) where ESZs of protected areas mentioned in (i) above have been notified - within ESZ and up to 1 km from the boundary of these ESZ; and within 10 kms of boundary of protected areas mentioned in (i) where ESZ has not been notified.

c) all identified Tiger Corridors.

d) within 2 km radius/boundary of perennial water bodies and wetlands identified and notified as Ramsar Sites the wetlands notified as per provisions laid under Rule 3(b) of the wetlands (Conservation and Management) Rules, 2017.

e) all areas where plantations have been raised with funds from any government or agency.

f) all those minerals where mining disturbs larger volume of minerals and soils but yields low revenue such as masonry stone.

g) areas which are falling within the NCR.

h) regions where there are proven or potential water aquifers or aquifer recharge areas or wherefrom groundwater is sourced for irrigation and/or drinking purposes.

i) Areas which have been identified as DARK Zone by the Groundwater Board such as Faridabad and Gurgaon.

j) within 10 km aerial distance on either side of the inter- state boundary between Rajasthan and Haryana States along Aravali Hill range.

iv) All mining in forest areas falling in Aravali Hill Ranges should be suspended and may be allowed after completion of mapping of area and EIA study, only in exceptional circumstances, and after due permission from this Hon'ble Court.

v) The mining in other areas may be permitted only after all the statutory clearances / approvals including environmental clearance have been obtained and renewals should also be done only after grant of fresh environmental clearance.

vi) The States shall first identify all the abandoned mining sites of area which exceeds one hectare, both legal and illegal, within a period of six months. Thereafter, the States shall prepare a site-specific reclamation and rehabilitation plans for all these sites and submit them along with the maps to the CEC. Once these plans are approved, the States will execute them in a time bound manner.

vii) Mines which have reached the groundwater level should be closed to prevent destruction of underground aquifers, wastage of water and depleting of groundwater.

viii) The mining leases found to have been operated / being operated without the requisite statutory approvals/ permissions and/or found to have exceeded permissible production limits and/or not following the mining plan prescriptions should be immediately closed and shall be liable to be terminated. Also, no mining lease where any condition of EC or any other statutory condition has been violated, renewal should not be allowed in any circumstances.

ix) Online Integrated Lease Management System (ILMS) for computerized and network-based management of mineral production and dispatch, collection of royalty, issue of permit and generation and submission of online reports involving mining leases and crusher operations, on the lines being followed by the State Government of Karnataka should be implemented immediately.

x) The licenses to stone crushers may be given on the basis of quantity of raw mineral available in the area to prevent illegal mining and permit sustainable mining as has been permitted by this Hon'ble Court for the wood based industries (saw mills and plywood factories).

xi) No crusher shall be located within 10 km. aerial distance from the boundary of Aravalli Hill Range. Clusters may be located in a cluster similar to an industrial estate where all inward coming raw material and outgoing finished/ processed product is controlled and regulated on real time basis.

xii) Use of explosives in mining should be discouraged and may be allowed where Indian Bureau of Mines (IBM) certifies that its use is essentially required.

xiii) Regular biennial evaluation of the cumulative impacts of existing and proposed mining activities in the entire Aravalli region should be ensured to prevent exceeding the ecosystem's carrying capacity

xiv)Independent and transparent environmental monitoring mechanisms should be established preferably under the chairmanship of Chief Secretary of the state to ensure compliance of all regulations and also action taken where there are non-compliances.

xv) In districts involving heavy mining a District Task Force of Revenue, Forest, Police and Mining Department should be constituted to control illegal mining."

19. In the meantime, in pursuance to the order passed by this Court dated 10th January 2024, the then Hon'ble Chief Justice of India constituted a Special Bench comprising of B.R. Gavai and Abhay S. Oka, JJ. (as they then were).

20. Upon perusal of the report of the CEC dated 7th March 2024, this Court by an order dated 9th May 2024 passed in ***M.C. Mehta*** *(supra)* taken along with the present proceedings, found that the issue with regard to mining activities in the Aravali Hills and Ranges needs to be addressed jointly by the MoEF&CC as well as all the four States *i.e.*, National Capital Territory of Delhi and States of Rajasthan, Haryana and Gujarat.

21. Pertinently, this Court *vide* the aforesaid order also noticed that one of the major issues with regard to the illegal mining was on account of different definitions of *"Aravali Hills/Ranges"*, as adopted by the different States. We, therefore, directed that a committee be constituted for providing a uniform definition of the Aravali Hills and Ranges.[6]

[6] **Hereinafter, "Committee".**

22. It will be relevant to refer to the entire order passed by this Court on 9th May 2024, which reads thus:

> 1. Since certain matters from State of Rajasthan with regard to mining in Aravalli Ranges and Hills were pending before the Bench presided over by one of us (B.R. Gavai, J.) and other matters from State of Haryana were pending before the Bench presided over by one of us (Abhay S. Oka, J.), the matter was referred to the Hon'ble the Chief Justice of India with an observation that it will be appropriate that all the matters are heard together so that the issues are addressed commonly.
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> 2. Accordingly, a Special Bench consisting of the two of us has been constituted under the orders of the Hon'ble the Chief Justice of India.
>
> 3. **There are certain issues with regard to illegal mining as well as mining under the permissions granted by the States in Aravalli Hills/Ranges. One of the major issues is with regard to the different definitions of "Aravalli Hills/Ranges", as adopted by different States. The learned Amicus Curiae states that insofar as the State of Haryana is concerned, there is not even a definition of Aravalli hills and ranges.**
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> 4. **The Central Empowered Committee (CEC) has submitted its Report No.3/2024, wherein certain aspects have been pointed out. The Report also points out various illegal mining activities carried out throughout the State of Rajastan, district wise details have been given with regard to the areas under illegal mining.**
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> 5. **In the report of the CEC, a report prepared by the FSI is annexed. As per the Report of the FSI the definition of Aravalli hills has been given as the hill as well as the uniform 100 meter wide buffer surrounding the downside of the hills.**
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> 6. **We find that the issue with regard to the mining activities in the Aravalli Hills and Ranges needs**

to be addressed jointly by the Ministry of Environment, Forest and Climate Change (MoEFCC) as well as all the four State Governments i.e. the Government of National Capital Territory of Delhi (GNCTD) and the States of Rajasthan, Haryana and Gujarat.

7. **We, therefore, direct that a Committee be constituted comprising of the following officers/officials to have a uniform definition of the Aravalli hills and ranges:-**

i. Secretary, Ministry of Environment, Forest and Climate Change, Government of India.

ii. Secretaries of the Department of Forests, Government of National Capital Territory of Delhi and the States of Haryana, Rajasthan and Gujarat.

iii. A representative of the Forest Survey of India.

iv. A representative of the Central Empowered Committee.

v. A representative of the Geological Survey of India.

vi. Joint Secretary, Ministry of Environment, Forest and Climate Change, Government of India, shall be the convenor of the Committee.

8. The said Committee shall submit its report within a period of two months from today.

9. In the meantime, we also issue the following directions, as suggested by Shri P. Parameshwar, learned Amicus Curiae, to which Shri Tushar Mehta, learned Solicitor General of India appearing for the State of Haryana and Shri K.M. Natraj, learned Additional Solicitor General of India appearing for the State of Rajasthan, do not have any objection:-

i. Direct the Union of India through the MoEFCC, State of Rajasthan, State of Haryana and GNCTD to file affidavits with details comments on the CEC Report

No.3/2024 and also the issues identified hereinabove.

ii. The States of Haryana and Rajasthan should specifically indicate what steps for compliance of 15 (fifteen) Judgments/Orders of this Court's have been taken by the respective States.

iii. The States of Haryana and Rajasthan should specifically state what action has been taken on the CAG/CEC Reports on illegal mining and whether prosecution under the relevant State Laws and Recovery Process has been undertaken.

iv. The State of Rajasthan to specifically state the actions taken pursuant to the FSI Report dated 22.02.2018 where illegal mining polygons have been identified.

v. The State of Rajasthan be directed to reply to the FSI Report submitted to this Court pursuant to Order dated 19.02.2010. The FSI Report dated 25.08.2010 and the CEC Report thereon dated 25.10.2010 were shared with the State of Rajasthan way back in 2010.

vi. The States of Rajasthan and Haryana shall also state the extent and mapping of all boundaries of mining areas (mentioned in the mining leases) within the area of the State.

10. Shri K. Parameshwar, learned Amicus Curiae, has further submitted that until further orders are passed by this Court, no fresh mining leases or renewal of existing mining leases should be permitted in Aravalli Ranges and Hills in the States of Haryana and Rajasthan.

11. The said suggestion is opposed by Shri Tushar Mehta, learned Solicitor General of India and Shri K.M. Natraj, learned Additional Solicitor General of India and Shri A.N.S. Nadkarni, learned senior

counsel appearing for the Federation of Associations of Mining in Rajasthan. It is submitted that millions of labourers are dependent upon the mining activities carried out in these States. It is submitted that if the order, as sought by the learned Amicus Curiae is passed, it would have a cascading effect on the livelihood of millions of labourers.

12. According to our experience and as has been pointed out by this Court, in the judgment of this Court dated 10.11.2021 passed in C.A. No.3661-3662/2020, a total ban on mining is not conducive even to the interest of the environment, inasmuch as it gives scope for illegal mining.

13. In that view of the matter, to balance the competing interest, we find that the following direction would subserve the purpose:-

> "Until further orders, though all the States in which Aravalli Ranges and Hills are situated would be at liberty to consider and process the applications for grant of mining leases and also for renewal thereof including obtaining statutory clearances from the various authorities, no final permission shall be granted for mining in the Aravalli Hills/Ranges, as defined in the FSI Report dated 25.08.2010, without permission from this Court."

14. Needless to state that this order in no way shall be construed as prohibiting the legal mining activities which are being carried out in accordance with the valid permits/licences.

15. Needless further to state that our orders are restricted only to the mining in the Aravalli hills/ranges."

[Emphasis supplied]

23. It appears that thereafter the matter was adjourned from time to time so as to enable the Committee constituted as per the order dated 9th May 2024 to submit its report.

24. When the matter was, thereafter, listed on 12th August 2025, by way of last chance, this Court had granted two more months' time so as to enable the Committee to submit its report.

25. Accordingly, the Committee submitted its report *via* the MoEF&CC on 3rd October 2025.

26. We have extensively heard Mr. K. Parameshwar, learned *Amicus Curiae*, Ms. Aishwarya Bhati, learned Additional Solicitor General appearing for the MoEF&CC, Mr. Balbir Singh, learned Senior Counsel appearing for the State of Haryana and Mr. K.M. Natraj, learned ASG appearing for the State of Rajasthan.

27. The learned *Amicus* submitted that the Forest Survey of India,[7] *vide* its Status Report dated 19th August 2010 in pursuance to the order of this Court dated 19th February 2010 in the present proceedings, has defined the Aravalis as under:

[7] **Hereinafter, "FSI".**

"(i) slope >3°, (ii) foothill buffer = 100m, (iii) inter hill distance or valley width= 500m and (iv) the area enclosed by above defined hills from all sides."

28. The learned *Amicus* submitted that the FSI is an expert body in the field and there should have been no reason for the Committee to not accept the definition as proposed by the FSI and substitute it with another definition.

29. The learned *Amicus* placed before this Court the report of the Committee and how the Aravali Hills and Ranges have been sought to be defined for the purposes of mining. The same is as under:

"**7. Recommendations and Way Forward**

7.1 Definition of Aravali Hills and Ranges in the context of mining

7.1.1 The committee recommends following operational definition of Aravali Hills and Ranges in the context of mining:

Aravali Hills: Any landform located in the Aravali districts, having an elevation of 100 metres or more from the local relief, shall be termed as Aravali Hills. For this purpose, the local relief shall be determined with reference to the lowest contour line encircling the landform, as per Para-5.1.1 above. The entire landform lying within the area enclosed by such lowest contour, whether actual or extended notionally, together with the Hill, its supporting slopes and associated landforms irrespective of their gradient, shall be deemed to constitute part of the Aravali Hills.

Aravali Range: Two or more Aravali Hills, as defined at Para- 5.1.2 above, located within the proximity of

500m from each other, measured from the outermost point on the boundary of the lowest contour line on either side forms Aravali Range. The area between the two Aravali hills is determined by first creating buffers with a width equal to the minimum distance between the lowest contour lines of both hills. An intersection line is then generated between the two buffer polygons by joining the intersection of both buffer polygons. Finally, two lines, are drawn perpendicularly from both endpoints of the intersection line and extended till it intersects the lowest contour line of both hills. The entire area of landforms falling between the lowest contour lines of these Hills as explained, along with associated features such as Hills, Hillocks, supporting slopes, etc., shall also be included as part of Aravali Range."

30. The learned *Amicus* submitted that if the definition as recommended by the Committee is accepted, all the hills below the height of 100 metres would be opened up for mining and as a result the Aravali Hills and Ranges would lose their continuity and integrity. He, therefore, submitted that if the definition as suggested by the Committee is accepted, it would totally endanger the environment and ecology of the mountains.

31. As against this, Ms. Bhati, learned ASG submitted that if the definition of Aravali Hills and Ranges as suggested by the FSI is accepted, it would *exclude* large areas from the Aravali Hills and Ranges. She, however, submitted that the

definition as suggested by the Committee is adopted, a larger area would be *included* as part of the Aravali Hills and Ranges.

32. Ms. Bhati further submitted that the Committee itself has recommended that except in case of critical, strategic and atomic minerals, the mining activities would be prohibited in the core/inviolate areas. She further submitted that the Committee has made various recommendations in order to prevent rampant mining and permit *only* sustainable mining.

33. No doubt that the Committee, with the assistance of the technical committee, has done a commendable work. However, recently we had an occasion to consider a matter with regard to ***Saranda Wildlife Sanctuary*** as part of the present proceedings. In the said matter, we had noticed that the MoEF&CC had got a study done by an expert body namely Indian Council of Forestry Research and Education[8]. On the basis of the said study, the Management Plan for Sustainable Mining[9] in Saranda and Chaibasa, Singhbhum District, Jharkhand was carried out. In the said matter, we had noticed that ICFRE's geo-referenced ecological assessment enabled the identification of areas suitable for

[8] **Hereinafter, "ICFRE".**
[9] **Hereinafter, "MPSM".**

mining, areas requiring strict ecological protection and zones where biodiversity values necessitated conservation priority.

34. *Vide* the judgment and order dated 13th November 2025 in the present proceedings to which two of us (Gavai, CJI and K. Vinod Chandran, J.) were a party, this Court has directed the Wildlife Sanctuary to be established insofar as the compartments which were identified as conservation areas/no mining zones. However, this Court explicitly excluded the compartments wherein the MPSM found that sustainable mining could be permitted.

35. It is not in dispute that the Aravali Hills and Ranges also exhibit similar ecological fragility, and it is also an area comprising of significant biodiversity. Not only that it acts as a green barrier thereby preventing desertification in the Indo-Gangetic plains, Haryana and western Uttar Pradesh.

36. No doubt that as stated by the learned ASG, the MoEF&CC had decided to develop a green corridor/green wall. However, the note submitted by the learned ASG would itself reveal that the Aravali mountain range faces "escalating degradation pressures". The note further states that deforestation, unsustainable grazing, illegal and excessive

mining, and urban encroachment have contributed to widespread ecosystem damage. It further states that forest cover has declined significantly in the last two decades, desert sands are moving eastwards, and aquifers have been depleted or damaged by mining activities. It further states that these cumulative impacts undermine not only biodiversity but also water security and climate resilience. It has further been stated that all these affect the livelihoods of communities dependent on the landscape's resources.

37. Taking all these aspects into consideration, we are of the considered view that while we propose to accept the report of the Committee constituted by the MoEF&CC pursuant to the orders passed by this Court, it would also be in the best interest of the ecology and environment that a similar study as was conducted for Saranda and Chaibasa, Singhbhum District, Jharkhand by ICFRE is also conducted for Aravali Hills and Ranges. No doubt that the Committee has taken care by recommending prohibition of mining in core/inviolate areas except in cases of critical, strategic and atomic minerals. However, we find that it would be appropriate that such a

study be carried out taking into consideration the geological importance of the Aravali mountain ranges.

38. It will be relevant to refer to paragraphs 7.3 and 7.4 of the report of the Committee, which read thus:

> "**7.3 Regulation of Mining in Aravali Hills and Ranges**
>
> 7.3.1 The Committee recommends that to ensure sustainable mining in the Aravalli Hills and ranges, ***no new mining lease,*** except in case of critical, strategic and atomic minerals (Atomic minerals notified in part B and Critical and Strategic minerals notified in Part D of the First Schedule of the MMDR Act) and minerals listed in the Seventh Schedule of the MMDR Act 1957 may be granted in Aravalli Hills and Ranges as marked in the SOI Toposheets as per the procedure described above
>
> 7.3.2 *Regulation of operation of existing mines in Aruvalli Hills and Ranges:* The Committee recommends that in case of ongoing mining leases falling within in the area of Aravalli Hills and Ranges as defined above, as well as for the renewal of such mining leases, a team of experts comprising officers of State Forest Department, Mining and Geology Department, Local Administration and State Pollution Control Board (SPCB) and such domain experts as may be required, shall visit the concerned mine to take stock of the compliance of EC/CTO conditions and environmental safeguards followed by the Mines for conservation of Aravalli Hills/Ranges and prescribe necessary environmental safeguards as deemed appropriate. The additional environmental safeguard, as proposed by the Committee, may be made a part of CTO conditions and compliance thereof may be monitored by the concerned SPCB.

7.4 **Prohibition of Mining in Core/Inviolate Areas**

7.4.1 Core/Inviolate areas may be designated in the Aravalli Hills and Ranges for prohibiting mining in them. For this purpose, following areas may be designated as core/inviolate areas for the purpose of mining:

i. Protected Areas, including tiger reserves and all identified tiger corridors.

ii. Area covered under Draft or Final Eco Sensitive Zone (ESZ)/Eco Sensitive Area (ESA) notified under Section 3(2)(v) of the Environment (Protection) Act, 1986, and Section 5(1) of the Environment (Protection) Rules, 1986

iii. For ESZs around Protected Areas, for which proposals have been submitted by the State Governments but are yet to be notified as Draft/Final Notification by the MoEFCC and for those, in which the proposals are yet to be submitted by the State Governments, the default ESZ shall be regulated strictly as per the orders of Hon'ble Supreme Court issued from time to time in the matter of Writ Petition(s) (Civil) No(s). 202/1995 T.N. Godavarman Thirumulpad versus Union of India & Ors.;

iv. No mining to be allowed within 1.0 km of the boundary of Protected Area, even if the boundary of ESZ is less than 1.0 km from the boundary of the Protected Area.

v. Areas where plantations have been raised with funds from CAMPA, Government sources or under international cooperation

vi. 500 m from the boundary of Ramsar sites and Wetlands under Wetland (Conservation & Management) Rules, 2017."

39. We also appreciate the recommendations made by the Committee for preventing illegal mining and permitting only sustainable mining in the Aravali Hills and Ranges.

40. However, taking all aspects of the matter into consideration, especially the fact that the Aravali Hills and Ranges harbour rich biodiversity, with twenty-two wildlife sanctuaries, four tiger reserves, the Keoladeo National Park, along with wetlands like Sultanpur, Sambhar, Siliserh, and Asola Bhati, and aquifers that recharge river systems including the ones at Chambal, Sabarmati, Luni, Mahi, and Banas, it is more than appropriate that before permitting further sustainable mining activities, the same are preceded by preparation of an MPSM.

41. In this regard, Ms. Bhati, learned ASG, expressed an apprehension that insofar as *Saranda* was concerned, it dealt with a much smaller area. She further submitted that carrying out an MPSM for such a huge area covered by the Aravali Hills and Ranges, would take a much longer time and would be a herculean task.

42. We are of the considered view that it may not be in the interest of ecology and environment if further mining activities

are permitted to be carried out without a body of experts, such as ICFRE, examining the issue of protection of the conservation areas. The MPSM will provide adequate data on the basis of geo-referenced ecological assessment and identify the areas which have wildlife and other high eco-sensitive areas, which are required to be conserved. The MPSM will also provide data as to how sustainable mining is to be conducted.

43. The MPSM, for *Saranda*, had put up a specific question as to whether diversion of one of the best natural virgin forest areas in the country for a lease of 12 to 13 years for mining activities, is really worthy and justified? It is not in dispute that the Aravali Hills and Ranges are one of the oldest geological features of planet Earth. The MPSM for *Saranda* has emphasized the need for identification of critical wildlife habitats, corridors linking critical wildlife habitats, rich forests and such other important forest areas in *Saranda Forest* which need to be protected and conserved for posterity and are considered as ecologically important and may be considered as inviolate for iron ore mining. Such areas have been notified as Conservation Reserve/Corridors or Ecologically Sensitive

Areas in accordance with the provisions of the *Wild Life (Protection) Act, 1972* and the *Environment (Protection) 1986*.

44. We are, therefore, of the considered opinion that if such an MPSM is carried out for the Aravali Hills and Ranges, it can also identify the areas where sustainable mining activities could be permitted.

45. We therefore find that it will be appropriate to prepare a Management Plan, in the nature of MPSM for *Sarandha,* for the Aravali Hills and Ranges.

46. The MoEF&CC, if necessary, can also consider preparing MPSM for each of the districts in the Aravali Hills and Ranges. However, while doing that, it should be ensured that the continuity and integrity of the Aravali Hills and Ranges is maintained.

47. Further, insofar as a ban on mining is concerned, we do not propose to impose any such ban on the present legal mining activities that are already being undertaken in the Aravali Hills and Ranges.

48. This Court had on an earlier occasion noticed the ill consequences of imposing a complete ban on mining activities in the case of ***State of Bihar and Others v. Pawan Kumar***

and Others,[10] to which one of us (Gavai, J., as he then was) was a party. A complete ban on mining could, as was seen in the said case, lead to illegal mining activities being carried out, creation of land/mining mafias and criminalisation.

49. We, however, clarify that mining activities already being undertaken in the Aravali Hills and Ranges would be carried out *strictly* in accordance with paragraph 8 of the recommendations of the Committee's Report.

50. In the result, we pass the following order:

(i) We accept the recommendations made by the Committee with regard to the definition of Aravali Hills and Ranges given by MoEF&CC;

(ii) We further accept the recommendations with regard to the prohibition of mining in core/inviolate areas with exception as carved out in paragraph 7.3.1 of the Committee's Report;

(iii) We also accept the recommendations for sustainable mining in Aravali Hills and Ranges and the steps to be taken for preventing illegal mining in Aravali Hills and Ranges;

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[10] (2022) 2 SCC 348

(iv) We, however, direct the MoEF&CC to prepare a MPSM through ICFRE for the entire Aravalis, i.e., understood as the continuous geological ridge extending from Gujarat to Delhi on the lines of the MPSM for Saranda and the MPSM must:

a. Identify permissible areas for mining, ecologically sensitive, conservation-critical and restoration-priority areas within the Aravali landscape where mining shall be strictly prohibited or permitted only under exceptional and scientifically justified circumstances;

b. Incorporate a thorough analysis of cumulative environmental impacts and the ecological carrying capacity of the region; and

c. Include detailed post-mining restoration and rehabilitation measures.

(v) We further direct that till the MPSM is finalised by the MoEF&CC through ICFRE, no new mining leases should be granted;

(vi) We further direct that upon the MPSM being finalised by MoEF&CC in consultation with the ICFRE, mining would

be permitted as per the MPSM only in those areas wherein sustainable mining could be permitted; and

(vii) In the meantime, the mining activities in the mines which are already in operation would be continued in strict compliance with the recommendations made by the Committee in paragraph 8 of its Report.

51. Since one of us (B.R. Gavai, CJI) is sitting in the proceedings in W.P.(C) No.202/1995 for the last time, we feel that it is our duty to place on record our deep appreciation for Mr. K. Parameshwar, learned *Amicus Curiae*, who, for the last three years has laboriously assisted this Court in passing various judgments and orders for the protection and conservation of environment, wildlife and ecology. We must also place on record our deep appreciation for Mr. M.V. Mukunda, Ms. Kanti, Ms. Raji Gururaj and Mr. Shreenivas Patil, learned counsel, whose contribution in assisting Mr. K. Parameshwar, learned *Amicus Curiae* is very valuable. We must also place on record our appreciation for Ms. Aishwarya Bhati, learned Additional Solicitor General of India, who has been representing the MoEF&CC in this matter for a pro-active role and assisting this Court to find out the

solutions for protection and conservation of environment, wildlife and ecology. We also place on record our appreciation for Mr. Balbir Singh, learned Senior Counsel appearing for the State of Haryana and Mr. K.M. Nataraj, learned Additional Solicitor General of India appearing for the State of Rajasthan in the present matter.

.....CJI
(B.R. GAVAI)

.....J
(K. VINOD CHANDRAN)

.....J
(N.V. ANJARIA)

NEW DELHI;
NOVEMBER 20, 2025.