

By e-mail message

**MOST URGENT**

**HON'BLE SUPREME COURT OF INDIA MATTER**



**Government of Goa**

**Directorate of Mines Geology**

**Institute Menezes Braganza, Panaji-Goa**

**Website: dmgoa.goa@gov.in**

**e-mail: dir-mine.goa@nic.in**

No. DMG/CS/Note/2018-Mines/4304

Date: 16/03/2018

To,  
All the Lease Holders concerned,

**Sub: Pumping of water from mining leases for drinking water, agriculture, horticulture and other safety measures in lease hold areas.**

Sir,

Whereas, all mining operations are directed to be closed from 16/03/2018, Hon'ble Supreme Court of India in SLA No. 32138 dated 07/02/2018.

And whereas, various representations from village Panchayats, locals and representatives of people have been received to continue activities of pumping of water and other safety measures as undertaken before 15/03/2018. The above mentioned activities are not in any way connected with mining operations but are measures which are required as a part of social responsibility. The safety measures are required to be continued in view of the fact that exploitation of such lease hold areas have necessitated certain safety measures to be undertaken not only in the interest of mineral development in efficient and scientific manner but also for the safety of people and their property situated adjacent to the lease hold areas.

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And whereas, Honble Supreme of India vide its order dated 19/03/2013 in IA No. 11,12 & 60 in W.P.(C ) 435/2012 clarified that the ban imposed by Hon'ble Supreme Court of India on 05/10/2012 shall not stand in the way of Applicant in pumping out water from its mine and taking all measures for the safety of mines and surrounding areas under the directions of Directorate General of Mines Safety, Goa Region.

And whereas, such mines safety activities and pumping out of water from the point of view of safety and for the use of agriculture, horticulture, drinking etc may not in any way amount to mining operations directed to be stopped by above referred Hon'ble Supreme Court of India order dated 07/02/2018 as per clarificatory order of Hon'ble Apex Court dated 19/03/2013.

And whereas, such stopping of pumping of water etc, may deprive the villagers of regular supply of drinking water which is required for basic human existence and is required to live with dignity which is fundamental right protected by Highest Court of Justice.

Now therefore, all the Lease Holders involved in pumping of water in the past are directed to continue w.e.f 16/03/2018 to pump the water for the purpose mentioned hereinabove as was carried out before the order dated 07/02/2018.

Since water pumping is directed for public cause, Water Resources Department is requested not to claim any water cess on such pumping activity undertaken at cost of lease holders. A formal letter in this behalf after Government approval shall also be shortly addressed to the Water Resources Department as well.

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The Lease holder are also directed to carry out all safety measures as required to be carried out on daily basis as well as pre-monsoon safety measures under the guidelines of Directorate of Mines Safety.

Lease Holder may note that any deviation from the above shall be viewed seriously and shall thereafter be carried out under the instructions of District Collector/District magistrates through all the enabling powers vested in them especially under the provisions of Disaster Management Act or relevant provisions of CRPC solely at the cost of respective lease holders in the interest of safety of life and property of inhabitants residing in close proximity of such lease hold areas.

Issued for immediate compliance.



Yours faithfully,

**(Prasanna A. Acharya)**  
**Director of Mines & Geology**

Copy for information to:

- 1) PA to Hon'ble Chief Minister, Secretariat, Porvorim Goa.
- 2) PA to Chief Secretary, Secretariat, Porvorim Goa.
- 3) PA to Secretary (Mines), Secretariat, Porvorim Goa.
- 4) District Magistrate & Collector, North, Panaji - Goa.
- 5) District Magistrate & Collector, South, Margao - Goa.
- 6) The Superintendent of Police (North), Police Head Quarter, Panaji - Goa.
- 7) The Superintendent of Police (South), Margao - Goa.
- 8) The Regional Controller of Mines, Indian Bureau of Mines, Fatorda, Margao - Goa.
- 9) The Director, Directorate of Mines & Safety, Goa Region, Fatorda, Goa.
- 10) The Principal Chief Engineer, Water Resources Department, Panaji - Goa.