



The Indian Journal for Research in Law and Management

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Editor-in-Chief – Prof. (Dr.) Muktai Deb Chavan; Publisher – Alden Vas; ISSN: 2583-9896

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RURAL LITIGATION ENTITLEMENT KENDRA (RLEK) V. STATE OF U.P. & ORS.

Equivalent citations: 1985 AIR 652, 1985 SCR (3) 169, AIR 1985 SUPREME COURT 652, 1985 UJ (SC) 594, (1985) 2 CURCC 70, 1985 (2) SCC 431

Date of Judgment:

Bench: P.N. Bhagwati, Amarendra Nath Sen, Misra Rangnath

Petitioner: Rural Litigation and Entitlement Kendra Dehradun & Ors.

Respondent: State of U.P & Ors.

Introduction

The landmark case of Rural Litigation Entitlement Kendra (RLEK) v. Union of India (1985) stands as a pivotal judgment in the realm of environmental law in India. This case not only addressed the issue of illegal limestone mining in the Mussoorie Hills but also established crucial principles for balancing environmental protection with development needs. This case comment will analyze the key aspects of the judgment, its impact, and its relevance in the contemporary context.

Facts of the Case

Doon Valley, a prosperous region, is a part of the Mussoorie hill ranges in the Himalayas. Various rivers originate in the Mussoorie hills, allowing the valley zone to develop biologically. However, it established a limestone mining district, and the valley began to degrade as a result of fulminating, tree-cutting, and extreme mining operations in the 1950s.

Limestone mining in the Doon Valley grew between 1955 and 1965. The operation of exploding to extract minerals resulted in a lack of vegetation in the valley. In the 1980s, the valley's natural beauty was eroded by floods, high temperatures, landslides, water scarcity, and farmland obliteration.

In 1961, Uttar Pradesh's State Minister of Mines outlawed the mining industry. However, in 1962, the state government held various mining and excavation concessions for 20 years, and hollowing began again. When leases were proposed for resuscitation in 1982, the state prohibited them because of environmental harm. Mining corporations expanded regardless of the government's decision. The Allahabad High Court authorized mining in the Doon Valley, prioritizing economic benefits over environmental concerns. In 1983, a Dehradun-based non-governmental organization and RLEK filed a suit with the Supreme Court about environmental poverty. This complaint was registered by the Supreme Court as a writ petition under Article 32. The Court ordered an assessment of all present mining activities in the valley.

Issues Raised

- Whether the mining operations violate the provisions of the Forest Conservation Act, of 1980?
- Whether environmental conservation takes precedence over the economic development of the country.
- Whether the excavation of limestone deposits affects the perennial water springs?
- Whether the lease complies with legal requirements?

Judgment

After analyzing both parties' submissions and examining studies on the environment, the Supreme Court ruled that limestone quarrying in the Mussoorie Hills violated environmental laws and regulations. The Court emphasized the significance of sustainable development and environmental conservation. It recognized every citizen's inherent right to a clean environment and emphasized the government's responsibility to protect and develop the environment.

The Court ordered the closure of the limestone quarries in the region and urged the State of Uttar Pradesh to take the required steps to restore and rehabilitate the impacted areas. Furthermore, the Court established a committee to monitor the implementation of its directives and ensure compliance with environmental standards.

Ratio Decidendi

This landmark case, popularly known as the "Dehradun Quarrying Case," concerned environmental protection and quarrying activity in Uttarakhand's Mussoorie Hills.

The ratio decidendi of the judgment, in this case, is largely concerned with the awareness of the importance of environmental protection and sustainable development, which emphasizes the necessity to balance developmental activities with environmental conservation. It underscored the state's responsibility to conserve and maintain the environment for current and future generations. Furthermore, the decision emphasized the importance of public interest litigation (PIL) as a means of protecting environmental rights and holding governments accountable for environmental deterioration.

The case resulted in several directions and guidelines aimed at regulating quarrying activity and encouraging environmental protection in the region. These included prohibitions on quarrying in ecologically vulnerable areas, the formation of environmental committees, and the adoption of sustainable development techniques.

Significance

The RLEK case was a key milestone in Indian environmental law. It maintained the notion of sustainable development while emphasizing the necessity of environmental protection in the country. The decision emphasized the importance of public interest litigation in protecting environmental rights and keeping governments and companies accountable for their activities.

Furthermore, the decision created the idea of public trust, which holds that the State is responsible for preserving and protecting natural resources for the benefit of current and future generations. This doctrine has since been used in various environmental lawsuits in India, emphasizing the State's responsibility to act as a custodian of the environment.

Conclusion

This landmark case demonstrates the judiciary's dedication to environmental justice and sustainable development. By ordering the closure of limestone quarries and requiring ecological restoration, the Supreme Court reinforced the importance of environmental protection in India's legislative framework. This judgment sets a precedent for future

environmental lawsuits and emphasizes the judiciary's role in protecting environmental rights and ensuring the well-being of current and future generations.