

News

The Supreme Court is looking for information about Rajasthan officials who did little to stop unlawful mining.



The Court stated that the violence seemed to be caused by authorities disregarding numerous reports about unlawful mining while providing bail to a man convicted of damaging a property during a demonstration.

On February 12, the Supreme Court strongly objected to what it described as a Rajasthan government official's "total inaction" in a case involving unlawful mining [Prakash vs. State of Rajasthan].

A Bench of Justices Ahsanuddin Amanullah and R Mahadevan ordered the State to

provide the names and designations of officers stationed in the area during the relevant period who allegedly failed to act on repeated complaints from villagers, while also granting bail to a man convicted for his alleged involvement in vandalizing a house during protests over illegal mining.

The Court made it apparent that the case was not over with the bail order and that more investigation was necessary into the broader problem of official inaction.

After the Rajasthan High Court denied his request for a sentence suspension, the petitioner, Prakash, went to the highest court.

He was found guilty and given a ten-year severe prison sentence in relation to an alleged mob vandalism incident at the complainant's home.

The prosecution claims that Prakash was among the group of people that stormed the house. According to the State, he was not only a participant but also the mob's leader.

But his attorney presented a more comprehensive picture before the Supreme Court.

He said that local residents had been contacting authorities on several occasions to put an end to illicit stone-crushing and mining operations in their region. Officials' apparent inaction caused tensions to rise and the situation to get out of hand.

Prakash's lawyer explained that he wasn't defending the violence. However, he noted that the claimant and others had sustained minor injuries. Additionally, he informed the court that Prakash had no criminal history and was only involved because he was the local Sarpanch's brother. Crucially, bail had already been given to each of the other co-accused.

The plea was rejected by the State. It contended that the seriousness of the accusations and Prakash's significant contribution to mob leadership warranted the refusal of bail.

The Supreme Court said it was inclined to postpone the sentence and release Prakash on bail while his appeal before the High Court was pending after hearing both parties.

However, the bench didn't end there.

It voiced distress at what it believed to be administrative indifference that might have precipitated the event. The judges noted that the violence seemed to have been caused by the locals' persistent complaints about illicit mining being disregarded.

According to the Court, the authorities had not spoken up and had not even checked to see if the plaintiff and others were working outside of their authorized mining zones or without the required permits.

"It seems that the officers were completely silent, and there was not even an attempt to confirm whether the complainant and others had gone beyond their mining areas or were engaging in such activities without the necessary clearance," the Court stated.

The bench stated that the matter required more action and pointed out that this was not an isolated incident that had come before it.

As a result, it instructed the State's attorney to provide the names and designations of every officer stationed in the region at the pertinent time, whose failure to intervene may have exacerbated the situation. The identities and designations of every officer present at the pertinent moment and whose inaction caused the current incident to occur will be provided to us by the State's learned counsel. The Court stated, "We direct the learned counsel for the State to furnish the names, as this is not an isolated case that has come to our attention."

In order to prove that illegal mining or stone crushing was, in fact, occurring in the area, the Court further requested that Prakash provide an affidavit within two weeks that included all pertinent complaints, petitions, and supporting documentation.