

ITEM NO.302

COURT NO.4

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Writ Petition(s)(Civil) No(s). 202/1995

IN RE : T.N. GODAVARMAN THIRUMULPAD

Petitioner(s)

VERSUS

UNION OF INDIA AND ORS. & ORS.

Respondent(s)

("ONLY"[1] INTERLOCUTORY APPLICATION NO. 14948 AND 14952/2019[APPLICATIONS FOR PERMISSION ANDEXEMPTION FROM FILING OFFICIAL TRANSLATION]IN RE : PERUMALAI RESERVE FOREST DINDIGUL, TAMIL NADUAND

[2] INTERLOCUTORY APPLICATION NO. 173405/2018[APPLICATION FOR MODIFICATION OF COURT'S ORDER DATED 07.05.2002 IN I. A. NO. 502]In Re: REHABILITATION OF FARMERS FROM ANDAMAN AND NICOBAR ISLANDAND

[3] INTERLOCUTORY APPLICATION NOS. 34945 AND 36821/2019[APPLICATIONS FOR IMPLEADMENT ANDEXEMPTION FROM FILING OFFICIAL TRANSLATION]IN RE : PADMANABHA ANANTRAO PANDITRAO

Date : 22-04-2019 These applications were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ARUN MISHRA
HON'BLE MR. JUSTICE DEEPAK GUPTA

By Courts Motion

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Mr. Navin Chawla, AOR

UPON hearing the counsel the Court made the following
O R D E R

[1] INTERLOCUTORY APPLICATION NO. 14948 AND 14952/2019
[APPLICATIONS FOR PERMISSION AND EXEMPTION FROM FILING OFFICIAL
TRANSLATION]
IN RE : PERUMALAI RESERVE FOREST DINDIGUL, TAMIL NADU

IA NO.14952/2019

Allowed.

IA NO.14948/2019

The application has been filed seeking permission for removal of 202 nos. of trees in the Perumalai Reserve Forest at Lingavadai Village in Natham Taluk, Dindigul District from L. Malaiyur Forest Road upto Rajakadu Km 0/0 - 2/800 for laying road.

As per CEC report No.13/2019, permission can be granted subject to the following conditions:

(i) For diversion and use of forest land approval of the competent authority shall be obtained under the Forest (Conservation) Act, 1980 and the conditions on which such approval is granted shall be fully complied with including payment of Net Present Value (NPV) and compensatory afforestation will be undertaken in the non-forest area identified for the purpose;

(ii) the Right of Way of 6 feet wide provided in the Reserved Forest Notification may be modified so as to replace it with the new black topped road proposed to be

constructed and a corresponding notification issued under the Tamil Nadu Forest Act;

(iii) 1.68 Ha. Of non-forest land for taking up compensatory afforestation be made available by the user agency adjacent to be boundaries of any of the existing forest land in any part of the State; and

(iv) Additional PCCF, Regional Office of MoEF&CC at Chennai in co-ordination with the Forest Department of State of Tamil Nadu will monitor the implementation of the compensatory planting of trees.

Let six monthly report be submitted to the CEC with respect to plantation and its rate of survival and growth of newly planted trees. The first report be submitted within six months. Thereafter, in every six months, it has to be submitted to the CEC for a period of five years.

Subject to the above, permission is granted.

The application is disposed of.

[2] INTERLOCUTORY APPLICATION NO. 173405/2018
[APPLICATION FOR MODIFICATION OF COURT'S ORDER DATED 07.05.2002 IN I. A. NO. 502]
In Re: REHABILITATION OF FARMERS FROM ANDAMAN AND NICOBAR ISLANDS

This application has been filed for modification of order of this Court dated 07.05.2002 in IA No.502 of 1999 and to allow operation of affected saw mills whose licence were cancelled pursuant to the said order as also to permit the saw mills to operate by importing timber logs from neighbouring foreign countries and by using agriculture and horticulture crops.

We are not inclined to modify our order dated 07.05.2002.

The application is dismissed.

[3]INTERLOCUTORY APPLICATION NOS. 34945 AND 36821/2019
[APPLICATIONS FOR IMPLEADMENT ANDEXEMPTION FROM FILING OFFICIAL TRANSLATION]
IN RE : PADMANABHA ANANTRAO PANDITRAO

Issue notice to M/s Panditrao Mines & Minerals Pvt. Ltd.

List in the second week of July, 2019.

In the meantime the State is directed to ensure that no mining activity takes place in the area in question.

**(ASHA SUNDRIYAL)
COURT MASTER**

**(ANITA RANI AHUJA)
COURT MASTER**