

ITEM NO.303

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 (Civil) No.202/1995

IN RE : T.N. GODAVARMAN THIRUMULPAD

Petitioner(s)

VERSUS

UNION OF INDIA AND ORS.

Respondent(s)

[1] [i] INTERLOCUTORY APPLICATION NO. 2343
[APPLICATION FOR PERMISSION]WITH

[ii] INTERLOCUTORY APPLICATION NO. 2784[APPLICATION FOR
MODIFICATION OF COURT'S ORDER DATED 12.12.1996]WITH

[iii] INTERLOCUTORY APPLICATION NO. 3735[APPLICATION FOR
MODIFICATION OF COURT'S ORDER DATED 07.05.2002/DIRECTIONS]WITH

[iv] INTERLOCUTORY APPLICATION NO. 1659[REPORT OF CENTRAL
EMPOWERED COMMITTEE]WITH

[v] INTERLOCUTORY APPLICATION NO. 179389/2018[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 ISLAND[ONLY
SI. NO. 1 FOR FINAL DISPOSAL]AND

[2] INTERLOCUTORY APPLICATION NOS. 2915-2916[APPLICATIONS FOR
INTERVENTION, MODIFICATION/CLARIFICATION OF RECOMMENDATIONS OF CEC
DATED 16.09.2008]IN RE : YUVA TARANG

[3] INTERLOCUTORY APPLICATION NO. 3949[APPLICATIONS FOR
DIRECTIONS]IN RE : GRANT OF MINING LEASE TO M/S PUTAMBEKAR MINERALS

[4] INTERLOCUTORY APPLICATION NO. 154120/2018[APPLICATION FOR
PERMISSION] IN RE : PERMISSION FOR DERESERVATION OF 1058.5118
HECTARES OF FOREST LAND SITUATED IN PANCHMAHAL DISTRICT OF GUJARAT

[5] [i] IN RE : JANMAM ESTATES IN TAMIL NADU[ALONG WITH
AFFIDAVITS DATED 24.10.2017 AND 17.11.2017 FILED ON BEHALF OF CHIEF
SECRETARY, GOVT. OF TAMIL NADU IN I.A.NO. 2702]WITH

[ii] INTERLOCUTORY APPLICATION NO. 19859/2018[Applications For
Impleadment]In Re : NILAMBUR KOVILAKAM

[6] INTERLOCUTORY APPLICATION NOS. 83665/2018[APPLICATION FOR
DIRECTIONS]IN RE : M/S PRISM JOHNSON LTD.

[7] INTERLOCUTORY APPLICATION NO. 47367/2019[APPLICATION FOR
PERMISSION]IN RE : REFERRAL AND RESEARCH (R AND R) ARMY HOSPITAL,

MINISTRY OF DEFENCE

[8] INTERLOCUTORY APPLICATION NO. 42944/2019[APPLICATION FOR DIRECTIONS]IN RE : ILLEGAL/UNAUTHORIZED MINING IN KAZIRANGA NATIONAL PARK, ASSAM

Date : 08-04-2019 These applications were called on for hearing today.

CORAM :

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

Mr. Harish N. Salve, Sr. Adv. [A.C.],
Mr. A.D.N. Rao, Advocate [A.C.],
Mr. Sudipto Sircar, Adv.
Mr. Siddhartha Chowdhury, Advocate [A.C.]
Ms. Aparajita Singh, Advocate [A.C.],

Counsel for the parties:-

Mr. Tushar Mehta, SG
Mr. Mirnal Kanthi Mondal, adv.
Mr. K.V. Jagdishvaran, Adv.
Mrs. G. Indira, Adv.
Ms. Archana Pathak Dave, Adv.
Ms. Shraddha Deshmukh, Adv.

Mr. A.N.S. Nadkarni, ASG
Ms. Suhasini Sen, Adv.
Mr. D.L. Chidananda, Adv.
Ms. Shraddha Deshmukh, Adv.
Mr. Mirnal Kanthi Mondal, Adv.
Mr. K.V. Jagdishvaran, Adv.
Mrs. G. Indira, Adv.
Mr. G.S. Makker, Adv.

Mr. Ranjit Kumar, Sr. Adv.
Mr. Mohit Paul, Adv.
Mr. Ayush Agrawal, Adv.
Mr. Obhirup Ghosh, Adv.
Mr. Vikrant Singh, Adv.
Mr. Mangesh Krishna, Adv.
Mr. Rishi Sharma, Adv.
Ms. Somya Singh, Adv.

Mr. K.V. Viswanathan, Sr. Adv.
Ms. Ruby Singh Ahuja, Adv.
Mr. Nakul Gandhi, Adv.
Mr. Anupam Prakash, Adv.
Mrs. Manik Karanjawala, Adv.

Mr. R. Balasubramaniam, Sr. Adv.

Mr. Sachin Sharma, Adv.
Mr. A.K. Sharma, Adv.

Mr. Dhruv Mehta, Sr. Adv.
Mr. Nidan L., Adv.
Mr. Aman Varma, Adv.
Mr. Anjuman Tripathy, Adv.

Dr. Monika Gusain, Adv.

Mr. Arjun Garg, Adv.

Mr. Nishant R. Katneshwarkar, Adv.

Mr. Kunal Cheema, Adv.

M/s Khaitan & Co.

Ms. Hemantika Wahi, Adv.

Mr. George Varghese, Adv.
Mr. Siddhant Sharma, Adv.
Ms. Shalini Kaul, Adv.
Mr. Chaman Lal, Adv.

Mr. Ajay Bansal, Adv.
Mr. Praveen Swarup, Adv.
Mr. Gaurav Yadava, Adv.
Ms. Veena Bansal, Adv.

Mrs. Prabha Swami, Adv.
Mr. Nikhil Swami, Adv.
Mrs. Divya Swami, Adv.

Mr. M. Yogesh Kanna, Adv.
Mr. S. Parthasarathi, Adv.
Mr. S. Rajarajeshwaran, Adv.

Mr. M.A. Chinnasamy, Adv.
Mr. C. Rubavathi, Adv.
Ms. Richa Dhawan, Adv.

Mr. Shri Venkatesh, Adv.
Mr. Nishtha Kumar, Adv.
Mr. Vikas Maini, Adv.

Ms. Lalita Kaushik, Adv.
Mr. Sanjay Upadhyay, Adv.
Ms. Eisha Krishna, Adv.
Ms. Pavitra Balakrishnan, Adv.

Mr. Ranjan Mukherjee, Adv.

Mr. Upendra Mishra, Adv.

Mr. G. Prakash, Adv.

Mr. Jishnu M.L., Adv.

Mrs. Priyanka Prakash, Adv.

Mrs. Beena Prakash, Adv.

Ms. Surekha Raman, Adv.

Ms. Viddusshi, Adv.

Mr. Akhil A. Roy, adv.

Mr. Sahil Singh, Adv.

Mr. Bhavanishankar V. Gadnis, Adv.

Mr. G.S. Makker, Adv.

Ms. Sangeeta Kumar, Adv.

Mr. R. Chandradhud, Adv.

Mr. Nikhil Nayyar, Adv.

Mr. R. Nedumaran, Adv.

Mr. K.K. Mani, Adv.

Mr. V. Ramasubramanian, Adv.

M/s K.J. John & Co.

Ms. Srikala Gurukrishna Kumar, Adv.

Mrs. Prabha Swami, Adv.

Mr. Subramonium Prasad, Adv.

Mrs. Manik Karanjawala, Adv.

Mrs. Prabha Swami, Adv.

Mr. S. Srinivasan, Adv.

Mr. E.M.S. Anam, Adv.

Mr. C.N. Sreekumar, Adv.

Mr. Naveen R. Nath, Adv.

Mr. Prashant Kumar, Adv.

Mr. L.K. Pandey, Adv.

Mrs. Revathy Raghavan, Adv.

Mr. L.C. Agrawala, Adv.

Mr. Shiv Prakash Pandey, Adv.

Mr. P.K. Manohar, Adv.

Mr. M.K. Maroria, Adv.

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

Contempt Petition [C] Diary No.12815/2019

Upon being mentioned by Mr. A.D.N. Rao, learned counsel who is Amicus Curiae in this matter, it is assured by Mr. A.N.S. Nadkarni, learned Additional Solicitor General that no eviction will be ordered without permission of this Court and the matter will be sorted out.

Let assurance be carried out.

[1] [i] I.A. NO.2343

[APPLICATION FOR PERMISSION]

[ii] INTERLOCUTORY APPLICATION NO. 2784

[APPLICATION FOR MODIFICATION OF COURT'S ORDER DATED 12.12.1996]

[iii] INTERLOCUTORY APPLICATION NO. 3735

[APPLICATION FOR MODIFICATION OF COURT'S ORDER DATED
07.05.2002/DIRECTIONS]

[iv] INTERLOCUTORY APPLICATION NO. 1659

[REPORT OF CENTRAL EMPOWERED COMMITTEE] &

[v] I.A.NO.179389/2018

[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 ISLAND

Mr. Tushar Mehta, learned Solicitor General prays for some time.

List on 06.05.2019.

[2] I.A.NOS.2915-2916

[APPLICATIONS FOR INTERVENTION, MODIFICATION/CLARIFICATION OF
RECOMMENDATIONS OF CEC DATED 16.09.2008]

IN RE : YUVA TARANG

List in the second week of July, 2019 along with I.A.

Nos.2202-2203.

[3] I.A. NO.3949
[APPLICATIONS FOR DIRECTIONS]
IN RE : GRANT OF MINING LEASE TO M/S PUTAMBEKAR MINERALS

List on 26.04.2019 on the top of the Board.

[4] INTERLOCUTORY APPLICATION NO. 154120/2018
[APPLICATION FOR PERMISSION]
IN RE : PERMISSION FOR DERESERVATION OF 1058.5118 HECTARES OF FOREST LAND SITUATED IN PANCHMAHAL DISTRICT OF GUJARAT

An application has been filed for permission for de-reservation of 1058.5118 hectares of forest land situated in Panchmahal District of Gujarat, as Notification has been issued in the light of Report No.7 of CEC.

Accordingly, the application is allowed.

[5] [i] IN RE : JANMAM ESTATES IN TAMIL NADU
ALONG WITH AFFIDAVITS DATED 24.10.2017 AND 17.11.2017 FILED ON
BEHALF OF CHIEF SECRETARY, GOVT. OF TAMIL NADU IN I.A.NO. 2702

[ii] INTERLOCUTORY APPLICATION NO. 19859/2018[Applications For
Implementment]In Re : NILAMBUR KOVILAKAM

Let objections be filed to the CEC Report No.49/2018 dated 30.11.2018 by 30.04.2019.

List on 06.05.2019.

[6] I.A.NO.83665/2018
[APPLICATION FOR DIRECTIONS]
IN RE : M/S PRISM JOHNSON LTD.

I.A. is permitted to be withdrawn in view of the fact that report has been called in W.P.[C] No.337/1995 and the application has to be considered in that matter.

Accordingly, the application is dismissed as withdrawn.

[7] I.A. NO. 47367/2019
[APPLICATION FOR PERMISSION]
IN RE : REFERRAL AND RESEARCH (R AND R) ARMY HOSPITAL, MINISTRY OF DEFENCE

An affidavit has been filed on behalf of Ministry of Defence

wherein the following conditions in terms of CEC Report No.8 of 2019 have been accepted by them:

(a) The user agency AH (R & R) shall deposit 5% of the project cost to Ridge Management Board Fund which under the close supervision of the Ridge Management Board will be used by the Forest Department of Delhi Government for conservation and protection of the Delhi Ridge.

(b) Compensatory plantation of 5000 saplings in lieu of 497 trees to be felled will be undertaken in the existing complex of AH (R&R) at locations to be identified jointly by AH (R&R) and the Forest Department of Delhi Government and the funds for which will be provided by the applicant AH (R& R).

(c) The cost of raising 5000 trees shall be deposited in advance by AH(R&R) with the Forest Department of Delhi Government and

(d) The user agency shall obtain necessary permission for the tree felling as per provision under the Delhi (Preservation) of Trees Act, 1994.

Let them file a report to CEC every six months reporting progress of plantation for a period of five years.

Consequently, the IA is allowed.

[8] I.A.NO.42944/2019

[APPLICATION FOR DIRECTIONS]

IN RE : ILLEGAL/UNAUTHORIZED MINING IN KAZIRANGA NATIONAL PARK, ASSAM

Issue notice.

Let a copy of CEC Report No.6/2019 be furnished to the Standing Counsel for the State of Assam.

List on 12.04.2019.

(ASHA SUNDRIYAL)
COURT MASTER

(JAGDISH CHANDER)
BRANCH OFFICER