

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

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

IN RE : T.N. GODAVARMAN THIRUMULPAD

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

[1] [i] INTERLOCUTORY APPLICATION NO. 1000
[RECOMMENDATION OF CEC DATED 20.11.2003][ii] INTERLOCUTORY APPLICATION NO. 982-984
[APPLICATIONS FOR DIRECTIONS, EXEMPTION FROM FILING O.T. AND
IMPLEADMENT][iii] INTERLOCUTORY APPLICATION NO. 1026-1028
[APPLICATIONS FOR IMPLEADMENT, DIRECTIONS AND EXEMPTION FROM
FILING O.T.][iv] INTERLOCUTORY APPLICATION NO. 1123-1124
[APPLICATIONS FOR IMPLEADMENT AND DIRECTIONS][v] INTERLOCUTORY APPLICATION NO. 1197-1199
[APPLICATIONS FOR IMPLEADMENT, DIRECTIONS AND EXEMPTION FROM
FILING O.T.]

[vi] INTERLOCUTORY APPLICATION NO. 1210-1211

[APPLICATIONS FOR DIRECTIONS AND EXEMPTION FROM FILING O.T.]

[vii] INTERLOCUTORY APPLICATION NO. 1250-1251
[APPLICATIONS FOR IMPLEADMENT AND DIRECTIONS][viii] INTERLOCUTORY APPLICATION NO. 1412
[APPLICATION FOR CLARIFICATION OF ORDER DATED 14.07.2003][ix] INTERLOCUTORY APPLICATION NO. 1512
[APPLICATION FOR FURTHER DIRECTIONS][x] INTERLOCUTORY APPLICATION NO. 1992
[APPLICATION FOR CLARIFICATION OF ORDER DATED 04.08.2006][xi] INTERLOCUTORY APPLICATION NO. 3880
[APPLICATION FOR DIRECTIONS]

WITH

[2] INTERLOCUTORY APPLICATION NOS. 170-175, 176-178 and 186-187
IN I.A . NO. 176-177

[APPLICATIONS FOR IMPLEADMENT AND DIRECTIONS] IN WRIT PETITION
(C) No. 460/2004

[3] INTERLOCUTORY APPLICATION NOS. 108-113 IN W.P. (C) NO.
435/2012

[APPLICATIONS FOR APPROPRIATE DIRECTIONS AND PERMISSION TO FILE
APPLICATION FOR DIRECTION]

Date : 11-12-2018 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE MADAN B. LOKUR
HON'BLE MR. JUSTICE DEEPAK GUPTA
HON'BLE MR. JUSTICE HEMANT GUPTA

Amicus Mr. Harish N. Salve, Sr. Adv. [A.C.][NP]

Mr. A.D.N. Rao, Advocate [A.C.]
Mr. Sudipto Sircar, Adv.

Mr. Siddhartha Chowdhury, Advocate [A.C.]

Ms. Aparajita Singh, Advocate [A.C.]

For Petitioner(s) By Courts Motion

Mr. Prashant Bhushan, Adv.
Mr. Pranav Sachdeva, Adv.

Mr. Raj Panjwani, Adv.
Ms. Purnima Bhat, Adv.

For Respondent(s) Mr. A.N.S. Nadkarni, ASG
Ms. Kiran Bhardwaj, Adv.
Mr. Anirudh Dwivedi, Adv.
Ms. Suhasini Sen, Adv.
Mr. Ritesh Kumar, Adv.
Mr. R. Bala, Adv.
Ms. Rachna Gupta, Adv.
Mr. Vikas Chaudhary, Adv.
Mr. Sachin Sharma, Adv.
Mr. S. Wasim A. Qadri, Adv.
Mr. D.L. Chidanand, Adv.
Mr. A.K. Sharma, Adv.
Ms. Aayushi Singh, Adv.
Mr. G.S. Makker, Adv.

For S.No. [1] Mr. Amit Sharma, Adv.
Mr. Ankit Raj, Adv.
Ms. Nidhi Jaswal, Adv.
Ms. Ruchi Kohli, Adv.

Mr. D.K. Garg, Adv.

Mr. Nirnimesh Dubey, Adv.
Smt. Suchitra A. Chitale, Adv.
Ms. Hemantika Wahi, Adv.
Mr. Tarun Johri, Adv
Mr. Arjun Garg, Adv.
Mr. Pragyan Sharma, Adv.
Mr. Mudit Makhijani, Adv.
Mr. Shikhar Garg, Adv.
Mr. P.V. Yogeshwaran, Adv.
Ms. Pratibha Jain, Adv.
Mr. Pravin H. Parekh, Sr. Adv.
Mr. Lalit Chauhan, Adv.
Ms. S. Lakshmi Iyer, Adv.
Mr. Sarthak Gaur, Adv.
Ms. Aishwarya Dash, Adv.
Mr. Vishal Prasad, Adv.
For M/S Parekh And Co.
Mr. Nishant R. Katneshwarkar, Adv.
Ms. Sumita Hazarika, Adv.
Mr. Shuvodeep Roy, Aor
Mr. Jayant Mohan, Adv.
Mr. Ivo D' Costa, Adv.
Mr. Pawan Kishor Singh, Adv.
Ms. Madhusmita Bora, Adv.
Mr. A.N.S. Nadkarni, ASG
Mr. Merusagar Samantray, Adv.
Mr. S.S. Rebello, Adv.
Mr. Leelesh Krishna, Adv.
Ms. Snehapravu Tendulkar, Adv.
Ms. Babita Yadav, Adv.
Mr. Amit Sharma, Adv.
Mr. Ankit Raj, Adv.
Mr. R.C. Kohli, Adv.
Mr. Nishe Rajen Shonker, Adv.
Mr. Anu K. Joy, Adv.
Mr. Alim Anvar, Adv.
Mr. Reegan S. Bel, Adv.

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

Mr. Rajesh Srivastava, Adv.

Mr. G. Seshagiri Rao, Adv.
Mr. Sridhar Potaraju, Adv.

Ms. Aruna Mathur, Adv.
Mr. Avneesh Arputham, Adv.
Ms. Anuradha Arputham, Adv.
Ms. Geetanjali, Adv.

Mr. Bhavanishankar V. Gadnis, Adv.
Mr. Jayant Mohan, Adv.
Mr. Anil Shrivastava, Adv.
Dr. Prafulla Hegde, Adv.

UPON hearing the counsel the Court made the following

O R D E R

The learned ASG has informed us that there are 104 National Parks and 558 Wildlife Sanctuaries making a total of 662 National Parks and Wildlife Sanctuaries in the country.

The proposals for declaring areas around these National Parks and Wildlife Sanctuaries as Eco Sensitive Zone have been received from State Governments / UT Administrations for 641 National Parks and Wildlife Sanctuaries. No proposals have been received in respect of 21 National Parks and Wildlife Sanctuaries.

The proposals have been accepted and Notification has been issued in respect of 289 National Parks and Wildlife Sanctuaries as on 26.11.2018 and draft Notification has been prepared in respect of 206 National Parks and Wildlife Sanctuaries.

The declaration with regard to Eco Sensitive Zone is under process with the Ministry of Environment, Forests and Climate Change (MoEF) as well as with the State Governments in respect of

146 National Parks and Wildlife Sanctuaries.

We expect the Ministry of Environment, Forests and Climate Change to actively pursue the preparation of the draft Notification and to issue a final Notification at the earliest.

The proposals for 21 National Parks and Wildlife Sanctuaries in respect of which proposals have not yet been received by the MOEF are as follows:-

ASSAM

1. Pobitora Sanctuary

JAMMU AND KASHMIR

2. Hemis High Altitude National Park
3. Kishtewar National Park
4. Changthang Sanctuary
5. Hokersar Sanctuary
6. Trikuta Sanctuary

KARNATAKA

7. Jogimatti Sanctuary
8. Thimlapura Sanctuary
9. Yadahalli Chinkara Sanctuary

MAHARASHTRA

10. Deolgaon Rehekuri Sanctuary
11. Thane Creek Flamingo Sanctuary
12. Malvan Marine Sanctuary

MANIPUR

13. Siroi National Park
14. Khongjaingamba Ching Sanctuary

MEGHALAYA

15. Baghmara Pitcher Plant Sanctuary

NAGALAND

16. Fakim Sanctuary

17. Puliebadze Sanctuary

18. Rangapahar Sanctuary

UTTAR PRADESH

19. Dr. Bhimrao Ambedkar Bird Sanctuary

20. Pilibhit Sanctuary

WEST BENGAL

21. Jorepokhri Sanctuary

It is submitted by the learned *Amicus* that this issue has been pending since sometime in December, 2006. 12 years have gone-by but no effective steps have been taken by the State Governments in respect of the National Parks and Wildlife Sanctuaries mentioned above.

Under the circumstances, we direct that an area of 10 Kms around these 21 National Parks and Wildlife Sanctuaries be declared as Eco Sensitive Zone by the MoEF. The declaration be made by the MoEF at the earliest.

Liberty is granted to the State Governments to move an application for modification of this order along with proposal only two weeks after submission of the proposals to the MoEF.

List the matters at the end of February, 2019.

In the meanwhile, interim order to continue.

I.A . NO. 176-177 IN WRIT PETITION (C) No. 460/2004
[APPLICATIONS FOR IMPLEADMENT AND DIRECTIONS]

No one is present on behalf of the applicant.

The applications are dismissed.

(MEENAKSHI KOHLI)
COURT MASTER

(KAILASH CHANDER)
ASSISTANT REGISTRAR