

T. N. GODAVARMAN THIRUMULPAD

v.

UNION OF INDIA & ORS

(Supreme Court Of India)

HON'BLE MR. JUSTICE K. G. BALAKRISHNAN CJI HON'BLE MR. JUSTICE S. H. KAPADIA
HON'BLE MR. JUSTICE AFTAB ALAM

T. N. GODAVARMAN THIRUMULPAD v. UNION OF INDIA & ORS

Interlocutory Application No. 2647, 2687-2688, 2689-2690, 2696-2697, 2703-2704, 2709 & 2718 In
Writ Petition (Civil) No(S).202 Of 1995 | 29-01-2010

List all the Haryana Mining Matters on 11.02.2010, a list of which will be furnished by Mr.Ranjit
Kumar, learned Amicus Curiae.

I.A.Nos.2647, 2687-2688, 2689-2690, 2696-2697, 2703-2704, 2709 & 2718 & W.P.(C)No.469/2005:

List on 19.02.2010.

Mr.Harish Salve, who was appearing as amicus curiae, wants to withdraw from these matters. Let his
withdrawal be recorded.

Learned Attorney General for India seeks two weeks' time to look into the fresh suggestions given by
the NHAI and the Ministry of Surface Transport.

I.A.No.2211 in I.A.1424-1425 & 2649:

Mr.Harish Salve, who was appearing as amicus curiae in these matters, no longer wishes to appear in
these matters. Let his withdrawal be recorded.

List on 12.03.2010.

I.A.Nos.2250-2251:

The State of Madhya Pradesh proposes to construct a submersible Bridge across Parvati river falling
within the National Chambal Crocodile sanctuary. The C.E.C. has examined the matter and
recommended following conditions subject to which permission for construction may be granted :

1. 5% of the estimated cost of the project will be deposited in the Compensatory Afforestation Fund for conservation and protection of National Chambal Crocodile Sanctuary in the State of Madhya Pradesh; and

2. the conditions stipulated by the Chief Wildlife Warden will be strictly complied with.

The State Government is agreeable to the aforesaid conditions. On complying with the same, the project is approved. I.A. is disposed of accordingly.

I.A.Nos.2252-53:

Affidavit filed by the State is accepted.

No further orders are necessary in these applications.

I.A.No.2717 in I.A.Nos.1135-1136:

Referred to C.E.C. Response may be filed within six weeks.

I.A.Nos.2758-2759 & I.A.Nos.1310 in I.A.No.833 in I.A.No.828:

The State of Rajasthan is directed to file a comprehensive affidavit regarding the mining operations that are being carried on in the Aravali hills. The affidavit should also contain a response to the objections raised by the MoEF on 29.01.2009. Three weeks' time is granted for this purpose.

List all connected Rajasthan mining matters on 19.02.2010 along with these applications.

I.A.Nos.2705-06:

Referred to C.E.C. Response may be filed within six weeks.

I.A.No.2707:

Referred to C.E.C. Response may be filed within six weeks.

I.A.No.2708:

The Irrigation Department of the State of Uttar Pradesh is seeking permission for construction of an embankment on the left bank of the river Ganga from village Sherpur to village Theg falling in the Hastinapur Wildlife Sanctuary. The C.E.C. has examined the proposal and has recommended the following recommendations subject to which permission may be granted:

1. Approval of the Standing Committee of the NBWL shall be obtained before starting any work on the project;
2. 5% of the estimated project cost of Rs.24.58 crores will be deposited in the Compensatory Afforestation Fund for implementing the mitigative measures, suggested by the CWLW, in the sanctuary;
3. for the use of the non-forest land falling within the sanctuary, the NPV will be deposited as per the Hon'ble Court's order dated 28.3.2008 in the NPV matter; and
4. the conditions stipulated by the Chief Wildlife Warden will be strictly complied with.

The above conditions are acceptable to the State Government. Subject to fulfillment of the above conditions, the project is approved.

I.A. is disposed of accordingly.

I.A.Nos.2712-13 in 2352-53:

Learned counsel for the applicant seeks permission to withdraw these applications. Permission sought is granted. The applications are dismissed as withdrawn.

I.A.No.2716:

Issue notice returnable within six weeks to the State of Maharashtra, Ministry of Environment & Forests, Balyogi Shree Sadanand Maharaj Ashram (full address will be furnished by CEC), and also to Chakachak Mahadeo Temple (full address will be furnished by CEC).

I.A.No.2781:

Referred to C.E.C. CEC to quantify the NPV to be paid by the applicant.

Issue notice to the State of Tamil Nadu.

List on 09.04.2010.

Till such time there shall not be any coercive steps against the applicant and status quo shall be maintained by the applicant regarding any activity other than golf.