

ITEM NO.12

COURT NO.1

SECTION PIL

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

I.A. 168,169 & 173-174/2015

in

Writ Petition(s) (Civil) No(s).337 of 1995

CENTRE FOR ENVIR. LAW, WWF-I

Petitioner(s)

VERSUS

U O I &amp; ORS

Respondent(s)

(With application(s) for impleadment & directions and permission to file addl. documents and exemption from filing O.T. and office report)

Date : 24/03/2015      These applications were called  
on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE ARUN MISHRA

For Applicant(s)      Mr. L. Nageswara Rao, Sr. Adv.  
                                 Mr. Abhinam Mukerji, Adv.  
                                 Ms. Purnima Krishna, Adv.

For Petitioner(s)      Mr. Raj Panjwani, Sr. Adv.  
                                 Mr. Vijay Panjwani, Adv.

For Respondent(s)      Mr. A.D.N. Rao, Adv.  
  
                                 Mr. Ajay Sharma, Adv.  
                                 For Mr. D.S. Mahra, Adv.  
  
                                 Mr. Mishra Saurabh, Adv.  
  
                                 Ms. K. Enatoli Sema, Adv.  
                                 Mr. Amit Kumar Singh, Adv.  
                                 Mr. Balaji Srinivasan, Adv.  
  
                                 Ms. Kiran Bhardwaj, Adv.  
                                 Mr. S.N. Terdal, Adv.

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

I.A. No.168 of 2015

Application for impleadment of the applicant-Reliance Gas Pipelines Ltd. as party/respondent is allowed.

I.A. Nos.173-174 of 2015

Application(s) for permission to place on record additional documents and exemption from filing official translation are allowed.

I.A. No.169 of 2015

The prayer made in this application is to permit the applicant (Reliance Gas Pipelines Ltd.) to lay the underground Natural Gas Pipeline through the Son Ghariyal Sanctuary for 900 meters in the State of Madhya Pradesh.

What prompted the applicant to come before us is the orders and directions issued by this Court on various dates.

Shri L. Nageswara Rao, learned senior counsel appearing for the applicant, has brought to our notice the 'Minutes of the 31<sup>st</sup> Meeting of the Standing Committee of National Board for Wildlife' held on 12-13 August, 2014.

In the said meeting, the Board after taking into consideration various parameters of the ecology and the forest preservations, thought it fit to recommend the proposal subject to certain conditions stipulated by the State Board for Wildlife and State Chief Wildlife Warden.

In para 13 of the Minutes, the Board has observed as under :-

Diversion of 1.35 ha of forest land from Son Ghariyal Wildlife Sanctuary and within 10 kms periphery of Son Ghariyal WLS for laying of Gas pipeline from Shabdol-Phulpur, Madhya Pradesh by Reliance Gas Pipelines Ltd.

The Member Secretary briefed the Committee regarding the proposal. The representatives of the applicant agency explained regarding the proposal. They informed that the proposal involved diversion of forest land from Son Ghariyal Wildlife Sanctuary and from within 10 km periphery of Son Ghariyal WLS and was for laying of Gas pipeline from Shabdol-Phulpur, Madhya Pradesh. It was also informed that the proposed pipeline is of 18 inch diameter and shall be installed substantially below the river bed in the Son Ghariyal Sanctuary across Son River by Horizontal Directional Drilling (HDD) technique and would be placed 15 meters below the ground.

The Director, Wildlife Institute of India mentioned that the Horizontal Directional Drilling (HDD) technique was an extremely low impact mechanism and was considerably safe to the ecology also.

After discussion, the Standing Committee decided to recommend the proposal subject to such conditions as stipulated by the State Board for Wildlife and the State Chief Wildlife Warden.

Since, the Standing Committee of National Board for Wildlife has permitted the Project proponent to lay the underground Natural Gas Pipeline through the Son Ghariyal Sanctuary for 900 meters in the State of Madhya Pradesh, we do not think that there can be any objection either from Shri Raj Panjwani, learned senior counsel appearing for the petitioner and Shri A.D.N. Rao, learned counsel appearing for C.E.C.

In view of the above, permission is granted to the applicant as prayed in its application.

Accordingly, I.A. No.169 of 2015 is allowed.

(Neetu Khajuria)  
Sr.P.A.

(Vinod Kulvi)  
Assistant Registrar