

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

MM: W.P.(C) No. D 68395 of 2011

301. I.A. No. 100 in W.P.(C) No. 337 of 1995

CENTRE FOR ENVIR. LAW, WWF-I Petitioner(s)

VERSUS

U O I & ORS Respondent(s)

(for intervention)

302. I.A. NOS. 142-143 IN W.P.(C) NO. 337 OF 1995
(for impleadment/directions and exem. from filing O.T.)

303. I.A. NOS. 972 IN I.A. 757 WITH 789-790, 962, 986, 1042-1045,
1217-1219, 1536-1538, 2660-2661, 2064, 2255-2256 AND 2949 IN 757
AND I.A. NO....IN I.A. NO. 757 IN WP(C) NO. 202 OF 1995
(Direction, impleadment, stay, exem. from filing O.T.,
recommendation of CEC and permission to file objections to the
final notification dated 25.6.2009)

304. I.A.NO. 1791-1792 IN W.P.(C) NO. 202 OF 1995
(For permission to demarcate boundaries of Askot musk deer
wildlife santuary and exem. from filing O.T.)

305. I.A. NO. 2155-2156 & 2680 IN I.A. NO. 2156 IN WP(C) No. 202
of 1995
(For impleadment, permission and direction to rejection of CEC
report)

306. I.A. NO. 2465-2466, 2467-2468 IN WP(C) No. 202 of 1995
(For impleadment and directions)

307. SLP(C) No. 3941 of 2010
(For c/delay in filing SLP and c/delay in refiling SLP and
permission to place addl. documents on record and office report)

308. I.A. NOS. 3096-3098 IN WP(C) NO. 202 OF 1995
(For intervention, directions and exem. from filing O.T.)

309. I.A. NOS. 3099-3101 IN WP.(C) NO. 202 OF 1995
(For intervention, directions and exem. from filing O.T.)

310. I.A. NOS. 3102-3104 IN WP(C) NO. 202 OF 1995
(For intervention, directions and exem. from filing O.T.)

311. I.A. NOS. 3105-3107 IN WP(C) NO. 202 OF 1995
(For intervention, directions and exem. from filing O.T.)

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312. W.P.(C) NO. 529 OF 2007
(with office report)

313. I.A. NOS. 1287, 1570-1571, 1624-1625, 1978, 2395, 2795-2796
IN WP © No. 202 of 1985

(Report of CEC, intervention, directions and exem.)

with

I.A. NOS. 2470-2471, 2472-2473, 2474-2475, 2476-2477, 2966-2967 IN
1287 IN WP(C) No. 202 of 1995
(For intervention, directions and directions for bringing on
record certain suggestions)

Date: 12/08/2011 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE K.S. RADHAKRISHNAN
HON'BLE MR. JUSTICE CHANDRAMAULI KR. PRASAD

For Appearing parties:

Mr. P.S.Narasimha, Sr. Adv. (A.C.)

Mr. K. Parmeshwar, Adv.

Mr. Gaurav Agrawal, Adv.

Mr. Vijay Panjwani, Adv.

Mr. Haris Beeran, Adv.

301

Mr. S. Wasim A. Qadri, Adv.

Mr. R.S. Magu, Adv.

Mr. Zaid Ali, Adv.

Mr. Chaudhary Shamuddin Khan, Adv.

Mr. R.S. Nagar, Adv.

Mr. C.S. Khan, Adv.

Mr. Anil Katiyar, Adv.

Mr. Mukesh Verma, Adv.

Ms. Savitri Pandey, Adv.

Mr. Kamalendra Mishra, Adv.

Mr. C.K. Sharma, Adv.

Ms. Varuna Bhandari Gugnani, Adv.

Mr. D.S. Mahra, Adv.

-3-

Ms. A. Subhashini, Adv.

Mr. Anil Grover, Adv.

Ms. Noopur Singhal, Adv.

Mr. Raj Panjwani, Sr. Adv

Mr. Vijay Panjwani, Adv.

Mr. Aditya Sham Lal, Adv.

Ms. Anitha Shenoy, Adv.

Ms. Vibha Dutta Makhija, Adv.

302

Mr. Anil Grover, Adv.

Ms. Noopur Singhal, Adv.

Mr. Mohan Jain, ASG

Ms. Satya Siddiqui, Adv.

Mr. D.K. Thakur, Adv.
Mr. S.K. Mishra, Adv.
Mr. S.N. Terdal, Adv.

Mrs. Asha G. Nair, Adv.
Mr. S.S. Rawat, Adv.

Mr. Raj Panjwani, Sr. Adv
Mr. Vijay Panjwani, Adv.
Mr. Aditya Sham Lal, Adv.

Mr. Gautam Narayan, Adv.

303 Mr. Manjit Singh, Adv.
Ms. Vivekta Singh, Adv.
Mr. Tarjit Singh, Adv.
Mr. Kamal Mohan Gupta, Adv.

Ms. Savitri Pandey, Adv.
Mr. Mukesh Verma, Adv.
Mr. Kamlendra Mishra, Adv.

Ms. Rekha Pandey, Adv.
Mr. R. Balasubramanian, Adv.
Ms. Anil Katiyar, Adv.

Mr. Manish Singhvi, Adv.
Mr. Milind Kumar, Adv.

Mr. P.K. Manohar, Adv.

Ms. Meera Mathur, Adv.

Mr. V. Shekhar, Adv.

Mr. Jatin Zaveri, Adv.

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Ms. Pratibha Jain, Adv.

Mr. Rauf Rahim, Adv.

304 Ms. Savitri Pandey, Adv.
Mr. Mukesh Verma, Adv.
Mr. Kamlendra Mishra, Adv.
Mr. P.K. Manohar, Adv.

Ms. Rachana Srivastava, Adv.

305 Mr. P.K. Manohar, Adv.

M/s. Suresh A. Shroff & Co.

Mr. Guru Krishna Kumar, AAG,
Mr. Subramonium Prasad, Adv.
Mr. Anesh Paul, Adv.
Mr. Prasanna Venkat, Adv.

Mr. Raju Ramachandran, Sr. Adv.
Mr. Sanjeev K. Kapoor, Adv.
Mr. Rajat Jariwal, Adv.
M/s. Khaitan & Co.

Ms. Savitri Pandey, Adv.
Mr. Mukesh Verma, Adv.

- Mr. Kamlendra Mishra, Adv.
- 306 Mr. G. Ramakrishna Prasad, Adv.
Mr. Bharat J. Joshi, Adv.
- Ms. Savitri Pandey, Adv.
Mr. Mukesh Verma, Adv.
Mr. Kamlendra Mishra, Adv.
- Mr. P.K. Manohar, Adv.
- Mr. G. Ramakrishna Prasad, Adv.
Mr. T.V. George, Adv.
- 307 Ms. Bina Madhavan, Adv.
- Mr. G. Prakash, Adv.
- Mr. E.M.S. Anam, Adv.
- 308 Mr. P.K. Manohar, Adv.
- Ms. Debopama Roy, Adv.
Mr. Snehashish Mukherjee, Adv.
- 5-
- Ms. Rachna Srivastava, Adv.
- 309 Mr. P.K. Manohar, Adv.
- Ms. Debopama Roy, Adv.
Mr. Snehashish Mukherjee, Adv.
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- 310 Ms. Debopama Roy, Adv.
Mr. Snehashish Mukherjee, Adv.
- Mr. P.K. Manohar, Adv.
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- 311 Mr. P.K. Manohar, Adv.
- Ms. Debopama Roy, Adv.
Mr. Snehashish Mukherjee, Adv.
- Ms. Rachna Srivastava, Adv.
- 312 Petitioner-in-person
- Ms. Hemantika Wahi, Adv.
Mr. Ashwini Kumar, Adv.
- 313 Mr. Rajiv Dutta, Sr. Adv.
Mr. Bishwajit Dubey, Adv.
Ms. Anushree Tripathi, Adv.
- Mr. Amrendra Sharan, Sr. Adv.
Mr. Zafar Sadique, Adv.
Mr. Balraj Dewan, Adv.
Mr. Bipin Kalapps, Adv.
Mr. M.N. Krishna, Adv.

Mrs. C.K.Sucharita, Adv.
Ms. Nirada Das, Adv.

Mr. P.K. Manohar, Adv.

Mr. K.R. Sasiprabhu, Adv.

Mr. M.P. Maharia, Adv.

Ms. Sangeeta Kumar, Adv.

Mr. Sanjay R. Hegde, Adv.

Mr. T.N. Rao, Adv.

-6-

Mr. Balraj Dewan, Adv.

M/s. Aruputham Aruna & Co.

M/s. Parekh & Co.

Mr. N.Ganapathy, Adv.

M/s. Suresh A. Shroff & Co.

Mr. G. Prakash, Adv.

Mr. Subramonium Prasad, Adv.

Mr. T.V. George, Adv.

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

Item No. MM-1 (WP(C) No. D68395 of 2011:

List this matter after the defects are cured
by learned counsel for the petitioner.

Item No. 301:

List after the cases dealing with Mount abu.

Item No. 302:

Learned counsel for the applicant submits
that the memo has already been filed. Hence issue notice to
the Union of India, State of Tamil Nadu returnable within
one month.

In the meantime, C.E.C. shall submit its report.

List after one month.

Item No. 303.

List on 19.08.2011.

Item No. 304:

List after the cases dealing with Mount Abu.

Item No. 305:

List after the cases dealing with Mount Abu..
The State of Tamil Nadu to file counter affidavit within three weeks.

Item No. 306:

The second respondent shall ensure that the Principal Chief Secretary shall file its reply as indicated in the order dated 31.1.2011 within one month.
List after one month.

Item No. 307:

List after two weeks.

Item Nos. 308-311:

List on 19.08.2011.

Item No. 312:

The writ petition is disposed of in terms of the signed order.

Item No. 313:

Mr. P.S.Narasimha, learned senior advocate (A.C.) made the following suggestions:

(a) declare that Indian Sandalwood, that is, Santalum album linn, due to reckless exploitation and illegal felling, has become an endangered species.

(b) declare that the protection of this specie is the common concern of all humankind.

© declare that India is obliged under the CITES and the Convention on Biological Diversity to preserve the same.

(d) Direct the Central Govt., in exercise of its powers under section 17A and 61 of Wildlife Protection Act, 1972, to notify santalum album linn as a specified plant under the Act.

(e) Direct the Central Govt. to formulate

necessary rules under section 63 of Wildlife Protection Act, 1972 in relation to Chapter IIA.

(f) Direct the Central Govt. that, unless sustainable availability of Sandalwood has been verified, no licence to cut or extract sandalwood for commercial purposes be permitted.

(g) Direct the Central Govt. to formulate rules and direction under section 3 and 5 of Environment Protection Act, 1986 for effective monitoring control and regulation of Sandalwood industries and factories.

(h) Direct the Central Govt. to formulate rules in order to ensure that no imported sandalwood is sold under the name of Indian Sandalwood and adequate labeling to this effect be mandated for products manufactured from or out of imported sandalwood.

Learned counsel appearing on behalf of MoEF would come out with their response and with the concrete proposals and suggestions with regard to above-mentioned directions sought for.

List on 02.09.2011.

(Shashi Sareen)
Court Master

(Renuka Sadana)
Court Master

Signed order is placed on the file)
IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

WRIT PETITION (C) No. 529 OF 2007

ELEPHANT G. RAJENDRAN ... Petitioner(s)

Versus

STATE OF GUJARAT & ORS. ... Respondent(s)

O R D E R

1. This writ petition has been filed seeking direction to the State of Gujarat and the Union of India for taking effective steps to prevent poaching and hunting of wild animals particularly lions in the Gir forest.

2. The State of Gujarat has filed an affidavit stating that effective and adequate steps are being taken to preserve and conserve the Lions (endangered species) in the Gir Sanctuary and adjoining areas from the clutches of illegal poaching. In view of the steps taken, no further orders are necessary.

3. The writ petition is disposed of accordingly.

.....J.
(K.S. RADHAKRISHNAN)

.....J.
(CHANDRAMAULI KR. PRASAD)

New Delhi,
August 12, 2011.
ITEM NO.MM-2

Court No.6

SECTION XII

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

PETITION FOR SPECIAL LEAVE TO APPEAL (C) No. 19112 OF 2011

M.GURUCHAND VAID

Petitioner(s)

VERSUS

DISTRICT FOREST OFFICER & ORS.

Respondent(s)

Date: 12/08/2011 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE K.S. RADHAKRISHNAN
HON'BLE MR. JUSTICE CHANDRAMAULI KR. PRASAD

For Appearing parties:

Mr. Ramji Srinivasan, Sr.Adv.
Mr. Vinodh Kanna B., Adv.

Mr. P.S.Narasimha, Sr. Adv. (A.C.)

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

Due to mixing up of the orders following
correction has to be carried out.

The order passed on 29.7.2011 in the above
case stands deleted and may be read as under:

"Issue notice. In addition dasti notice.
State to file counter affidavit within
four weeks.

Meanwhile, there shall be stay of
dispossession and demolition of the
buildings of the petitioners for a period
of two months."

(Shashi Sareen) (Renuka Sadana)
Court Master Court Master