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W.P(C)No. 337 OF 1995  
ITEM No.38

Court No. 6

SECTION PIL  
A/N MATTER

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

I.A.Nos.8, 13, 15, 16, 17, 19-24, 26-29, 33-34 & 35,36,37,38-40 IN  
Writ Petition(Civil) No.337/1995

CENTRE FOR ENVIR. LAW, WWF-I

Petitioner (s)

VERSUS

U O I & ORS

Respondent (s)

( With Appln(s). for impleadment & exemption from filing O.T. And directions/modification or order dt. 13/1/2000 and recalled the order dt. 17/7/1998 and modification of order dt.22/8/98 and directions and modification of court's order dt. 13/11/2000, 13/11/2003 and impleadment/directions and exemption from filing Central Empowered Committee Report in I.A.Nos.30,31 and 32 and With Office Report)

Date : 07/11/2003 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE Y.K. SABHARWAL  
HON'BLE MR. JUSTICE B.N. AGRAWAL

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

For Respondent (s) Mr. Aruneshwar Gupta, Adv.

For State of M.P. Mr. Sakesh Kumar, adv.  
Mr. Satish K. Agnihotri, Adv.  
Mr. Jana Kalyan Das, Adv.

For Meghalaya: Mr. Ranjan Mukherjee, Adv.  
Mr. Rajiv Mehta., Adv.  
Mr. G. Prakash, Adv.  
M/s Arputham, Aruna & Co., Adv.

For U.P. Mr. SWA. Qadri, Adv.  
Mr. R.C. Verma, Adv.  
M/s Mukesh Verma, Manish Shanker, Advs.  
Mr. Anil Shrivastav, Adv.

For Gujarat & Ms. Hemantika Wahi, Adv.  
Mizoram Ms. Monika Bapna, Adv.  
Mr. Sanjay R. Hegde, Adv.  
Mr. Ashok Mathur, Adv.

For NCT of Delhi: Ms. Ranjana Narayan, Adv.

Mr. SWA. Qadri, Adv.  
Ms. Anil Katiyar, Adv.

For Andaman, Nicobar, Mr. RK. Rathore, Adv.  
Dadra, Nagar Havei, Mr. D.S. Mahra, Adv.  
& Lakshdweep

Mr. B.B. Singh, Adv.

Mr. M. Veerappa, Adv.

For Goa: Mr. TR. Andhyarujina, Sr. Adv.  
Mr. ANS. Nadkarni, Adv.  
Ms. A. Subhashini, Adv.

For U.T. Chandigarh: Ms. Kamini Jaiswal, Adv.  
Mrs. Shomila Bakshi, Adv.  
Ms. J. Berooah, Adv.

For Pondicherry: Mr. V.G. Pragasam, Adv.  
Mr. P. Parmeswaran, Adv.  
Mr. Anil Kumar Tandale, Adv.  
Mr. J.S. Attri, Adv.  
Mr. S.V. Deshpande, Adv.  
Mr. Rajeev Kumar Sharma, Adv.  
Ms. Sushma Suri, Adv.  
Ms. Rachana Srivastava, Adv.  
Ms. Sandhya Goswami, Adv.  
Mr. Ajit Pudusseri, Adv.  
Mr. K.R. Sasiprabhu, Adv.

Mr. Tripurari Ray, Adv.  
Ms. Madhavi Kumar, Adv.  
Mr. Vishwajit Singh, Adv.

For Maharashtra: Mr. Ashok Desai, Sr. Adv.  
Mr. Mukesh K. Giri, Adv.

For Jharkhand: Mr. Anil Kumar Jha, Adv.

For State of A.P. Mr. TV. Ratnam, Adv.  
Mr. K. Subba Rao, Adv.

For Nagaland: Mr. U. Hazarika, Adv.  
Ms. Madhvi Sharma, Adv.  
Ms. Sumita Hazarika, Adv.

Mr. Anil Shrivastava, Adv.

For Haryana: Mr. Praveen K. Rai, Adv.  
Ms. Kavita Wadia, Adv.

For Sikkim: Mr. A. Mariarputham, Adv.  
Ms. Aruna Mathur, Adv.

For Tamil Nadu: Mr. PN. Ramalingam, Adv.  
Mr. V. Balaji, Adv.

For Assam: Ms. Krishna Sarma, Adv.

Ms. Asha G. Nair, Adv. For  
Corporate Law Group, Advs.

For Punjab: Mr. RK. Rathore, Adv.  
Mr. RS. Suri, Adv.

Mr. GL. Sanghi, Sr. Adv.  
Mr. Ashwani Garg, Adv.  
Mr. Vijay Kumar, Adv.

For Chhattisgarh: Mr. Prakash Shrivastava, Adv.

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

I.A.Nos.22 & 23

Mr. Mukul Rohtagi, learned Additional Solicitor General appearing for O.N.G.C. States that the amount of Rs. 5 crores referred to in the Order dated 5th September, 2003 has now been recommended to be reduced to Rs. 2 crores in the meeting of the National Board for Wild Life held on 15th October, 2003. This fact is not disputed by Mr. A.D.N. Rao. Mr. Rohtagi further states that O.N.G.C. is willing to abide by it and deposit the said amount of Rs.2 crores. O.N.G.C. is directed to deposit a sum of Rs.2 crores with M.O.E.F. within a period of two weeks and on deposit thereof it may commence the project. The I.As. are disposed of accordingly.

I.A.No.34

Mr. G.L. Sanghi, learned senior counsel appearing for Kailashanand Mission Trust seeks one week's time to respond to the affidavit dated 2nd November, 2003 filed by Chief Secretary of Government of Uttaranchal. Allowed as prayed. We also direct the Government of Uttaranchal to file a report as to the progress made in the removal of encroachment within a period of four weeks.

I.A.No.20

Without being prejudiced by the Order passed by the Standing Committee of IBWA the proposal for construction of the hospital in Rajaji National Park be considered on its own merits by the Standing Committee constituted by the National Board under Section 5B of the Act.

I.A.Nos. 27, 28, 29 and 35

Let these applications be placed before the Standing Committee which has since been constituted. List the matters after 8 weeks.

I.A.No.36

The application be sent to CEC for their comments. Post the matter after 8 weeks.

I.A.No.37

Let this application be placed before the Standing Committee which has since been constituted. The State can place its view point before the Committee. List the matter after 8 weeks.

I.A.No.17

Adjourned.

I.A.No.26

Rejoinder may be filed within four weeks. Adjourned.

I.A.No.33

The application be first examined by National Board as required by sub-section (3) of Section 26A of the Wild Life (Protection) Act, 1972. Put up the matter after 8 weeks.

(S. Thapar)

PS to Registrar

(V.P. Tyagi)

Court Master