

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO(S). 4143/2012

JANAJAGRITHI SAMITHI (REGD.)

APPELLANT(S)

VERSUS

UNION OF INDIA & ORS.

RESPONDENT(S)

O R D E R

Vide order dated 03.03.2017, the Central Empowered Committee (CEC) was directed to examine the matter and submit its report on (i) the possible environmental damage that may have been caused by the construction of the 400 KV double circuit power transmission line from Nandikur in Udupi District to Shantigramma in Hassan District in the State of Karnataka and (ii) compliance of the conditions imposed while granting forest clearance.

After undertaking deep study, the CEC has submitted its detailed report. A perusal of the said report shows that as per the CEC no damage to the environment has been caused because of the aforesaid project. It is also mentioned that the project is in public interest and all the conditions which were imposed while granting clearance by the Government have also been complied with. It has, however, mentioned certain measures to be taken for undertaking the said project. The following recommendations are given in this behalf:

"a) effective action needs to be taken to restrict movement of domestic cattle to the Shola forest area and grasslands including if necessary by erecting barrier and for this the required funds should be made available by the Forest Department, State of Karnataka;

b) the excess land of 27.53 ha made available by the user agency KPTCL is sufficient to offset and compensate for the forest lands temporarily used while executing the project including for constructing roads to transport the construction material for towers. It has however to be ensured that this excess land is not used against any other project.

c) urgent action needs to be taken wherever considered necessary for stabilising the earth fillings and cuttings around the base of the transmission tower and PTCL will execute this work within a period of 6 months; and

d) Karnataka Forest Department will utilise the funds deposited by KPTCL for planting of dwarf species of plants in degraded area of forests abutting the transmission line in drier belts of Hassan and Chikmagalur Forest Divisions."

Having regard to the aforesaid report we are not inclined to continue with these proceedings. This appeal stands disposed of. However, the aforesaid recommendations shall be carried out by the respondents.

.....J.
[A.K. SIKRI]

.....J.
[ASHOK BHUSHAN]

NEW DELHI;
DECEMBER 12, 2017.

ITEM NO.105

COURT NO.6

SECTION XVII

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

Civil Appeal No(s). 4143/2012

JANAJAGRITHI SAMITHI (REGD.)

Appellant(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(Reports from CEC received. List immediately after reports received as per court's order dated 03.03.2017 FOR STAY APPLICATION ON IA 5/2013 FOR STAY APPLICATION ON IA 1/2012)

Date : 12-12-2017 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE A.K. SIKRI
HON'BLE MR. JUSTICE ASHOK BHUSHAN

For parties:

Mr. Sanjay Parikh, Adv.
Mr. Pukhrambam Ramesh Kumar, AOR
Mr. Uday Manaktala, Adv.

Mr. V. N. Raghupathy, AOR
Mr. Parikshit P. Angadi, Adv.
Mr. MD. Apzal Ansari, Adv.

Mr. Abhinav Mukherjee, Adv.
Ms. Sadhana Sandhu, Adv.
Mr. Gurmeet Singh Makker, AOR

Mr. Raghavendra S. Srivatsa, AOR
Mr. Venkita Subramoniam, Adv.

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

The appeal is disposed of in terms of the signed order.

Pending application(s), if any, stands disposed of accordingly.

(ASHWANI THAKUR)
COURT MASTER (SH)

(MALA KUMARI SHARMA)
COURT MASTER

(Signed order is placed on the file)