

ITEM NO.1

COURT NO.7

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

JANA JAGRITHI SAMITHI (REGD.)

Appellant(s)

VERSUS

UNION OF INDIA & ORS.
(With office report)

Respondent(s)

Date : 18/03/2015 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE RANJAN GOGOI
HON'BLE MR. JUSTICE N.V. RAMANA

For Appellant(s) Mr. Sanjay Parikh, Adv.
 Ms. Mamta Saxena, Adv.
 Mr. Sumit K. Vats, Adv.
 Mr. A.N. Singh, Adv.
 Mr. Pukhrambam Ramesh Kumar, Adv.

For Respondent(s) Mr. A.K. Panda, Sr. Adv.
 Mr. Abhinav Mukherji, Adv.
 Ms. Sadhana Sandhu, adv.
 Mr. Shreekant N. Terdal, Adv.

Mr. Raju Ramachandran, Sr. Adv.
Mr. Venkita Subramoniam, Adv.
Mr. Amit A. Pai, Adv.
Mr. Raghavendra S. Srivatsa, Adv.

Mr. V. N. Raghupathy, Adv.

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

On the basis of the arguments that have been advanced today, the following questions have emerged which require both the Union of India and the Project Proponent - Karnataka Power Transmission Corporation Limited to ascertain and lay before the Court the following information:

1. As admittedly a part of the project covers a forest area, whether under the provisions of the Forest Conservation Act and the relevant Government of India guidelines, Forest clearance was required to be obtained prior to commencement of the work under the project even in respect of the Non-Forest area;

2. If so whether such clearance has been obtained;

3. If such clearance has not been obtained what would be the options open to the project proponent;

4. If diversion of the transmission line, insofar as forest area is concerned, could be one of the option whether the same is technically or financially feasible and if not the reasons therefor;

5. Whether the Kemmar-Kudremukh Power line was dismantled and the alternative corridor made available. If so, from which date.

The aforesaid information be placed before the Court by the respondents by way of an affidavit of the Competent Authority/Authorities on or before 15th of April, 2015.

Copy of the same be furnished to the counsel for the petitioner. Counsel for the petitioner is also permitted to file his response, if any, within a week thereafter.

The matter will be considered on 21st of April, 2015.

Shri Sanjay Parikh, learned counsel for the petitioner desires to bring on record some material with respect of the larger question identified by the Court by its order dated 09.12.2014. Without expressing any opinion as to whether the Court would pursue the same in the present proceeding, Shri Parikh is permitted to place the additional information on record, as desired.

(MADHU BALA)
COURT MASTER

(ASHA SONI)
COURT MASTER