

^ \234ITEM NO.1
[PART-HEARD]

COURT NO.6

SECTION PIL

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

WRIT PETITION (CIVIL) NO(s). 435 OF 2012

GOA FOUNDATION

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(With application for directions, modification of Court's order intervention, interim Relief, stay/direction, clarification of Court's order, permission to file additional affidavit and office report)

WITH
WRIT PETITION) NO. 99/2013
M/S H.L. NATHURMAL V. UNION OF INDIA AND ORS.]
(With application for ex parte stay, directions and office report)

T.C. No. 136/2013 @ T.P.(C) NO. 8 of 2013
[V.M. SALGAOCAR & BROTHER PVT. LTD. & ANR. V. THE SHAH COMMISSION OF INQUIRY & ORS.]
(With office report)

T.C. No.133/2013 @ T.P.(C) NO. 230 of 2013
[GOA MINING ASSOCIATION V. SHAH COMMISSION & ORS.]
(With application for ex-parte stay and office report)

T.C. No.131/2013 @ T.P.(C) No. 1441 of 2013
[DEEPAK M. GHARSE V. UNION OF INDIA & ORS.]
(With office report)

T.C. No.132/2013 @ T.P.(C) No. 1186 of 2013
[M/S. PANDURANG TIMBLO INDUSTRIES & ORS. V. THE SHAH COMMISSION OF INQUIRY AND ORS.]
(With office report)

T.C. No..... @ T.P.(C) No. 574 of 2013
[SOCIEDADE TIMBLO IRMAOS LIMITADA & ANR. V. UNION OF INDIA & ORS.]
(With office report)

T.C. No..... @ T.P.(C) No. 766 of 2013
[ANA BERTA DO REGO E. FERNANDES & ANR. V. UNION OF INDIA & ORS.]
(With application for ex-parte stay and office report]

T.C. No..... @ T.P.(C) No. 770 of 2013
[SOCIEDADE TIMBLO IRMAOS LIMITADA & ANR. V. UNION OF INDIA & ORS.]
(With application for ex-parte stay and office report]

T.C. No..... @ T.P.(C) No. 776 of 2013
[SHRI ALEIXO MANUAL C.P. DA COST V. UNION OF INDIA & ORS.]
(With application for ex-parte stay and office report]

T.C. No..... @ T.P.(C) No. 836 of 2013
[KUNDA RAGHUVIR GHARSE V. UNION OF INDIA & ORS.]
(With application for ex parte stay and office report)

T.C. No.134/2013 @ T.P.(C) No. 864 of 2013
[NOOR MOHD. ABDUL KARIM & ANR. V. UNION OF INDIA & ORS.]
(With application for ex parte stay and office report)

T.C. No.135/2013 @ T.P.(C) No. 866 of 2013
[KAMALINI RAMAKANT PAIGUINKAR & ORS. V. UNION OF INDIA & ORS.]

(With application for ex parte stay and office report)

T.C. No.138/2013 @ T.P.(C) No. 869 of 2013
[M.S BADDRUDINHASSAINBHAI MAVANI V. UNION OF INDIA & ORS.]
(With application for ex parte stay and office report)

IA NO. 2580 & 2669 in IA 2580 in WP(C) NO.202/1995
[T.N. GODAVARMAN THIRUMULPAD V. UNION OF INDIA & ORS.]
(Recommendations of CEC in Application No. 1041 and directions)

WRIT PETITION) NO. 184 of 2013
[RAJESH P. TIMBLOO V. UNION OF INDIA & ORS.]
(With application for permission to file additional documents and office report)

IA NO. 1000 with 982-984, 1026-1028, 1123-1124, 1197-1199, 1210-1211, 1250-1251, 1512 and 1412
in 887 with 1992 in WP(C) No. 202 of 1995
[T.N. GODAVARMAN THIRUMULPAD V. UNION OF INDIA & ORS.]
(For directions, recommendation of CEC, impleadment and exemption from filing official translation)

SLP(C)... CC 6594/2007
[STATE OF M.P., DEPTT. OF MINR. RES. TR. OIC. V. RAJEEV GOSWAMI & ORS.]
(With application for condonation of delay in filing SLP and office report)

WITH
IA Nos. 170-175 in WP(C) NO.460/2004
[GOA FOUNDATION V. UNION OF INDIA]
(For direction and impleadment)

IA NOS. 176-178 in WP(C) NO.460/2004
[GOA FOUNDATION V. UNION OF INDIA]
(For impleadment, direction, permission to file additional documents)

Date: 29/10/2013 These Petitions/Applications were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.K. PATNAIK
HON'BLE MR. JUSTICE SURINDER SINGH NIJJAR
HON'BLE MR. JUSTICE FAKKIR MOHAMED IBRAHIM KALIFULLA

AMICUS CURIAE

Mr. Harish N. Salve, Sr. Adv. (NP)

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Mr. M.K. Jiwrajika, Member Secretary
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In WP 435 Ms. Norma Alvares, Adv.
Mr. Pranav Sachdeva, Adv.
Mr. Govind Jee, Adv.

In WP 99 Mr. Amit Sharma, Adv.
Mr. Kunal A. Cheema, Adv.

In WP 184 Mr. Rohit M. Alex, Adv.
Mr. P.S. Sudheer, Adv.
Mr. Rishi Maheshwari, Adv.
Mr. Anshul Gupta, Adv.

In Rest of the TPs Mr. K.K. Venugopal, Sr. Adv.
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For M/s. K.J. John & Co., Advs.

In TP 1441 Mr. Rafique A. Dada, Sr. Adv.
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In TP 574 Mr. Rafique A. Dada, Sr. Adv.
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Mr. Piyush Sharma, Adv.
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For Applicant (s)
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Mr. Pranav Sachdeva, Adv.

In IA 2 & 3
Goa Mining Labour Mr. Colin Gonsalves, Sr. Adv.
Welfare Union Ms. Jubli Momalia, Adv.
Ms. Jyoti Mendiratta, Adv.

In IA 5 & 6 Mr. Amit Sharma, Adv.
M/s HL Nathurmam Mr. Kunal A. Cheema, Adv.

In IA 7 & 8
Goa Mining Assn. Mr. K.K. Venugopal, Sr. Adv.
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Mr. Pratap Venugopal, Adv.
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Mr. Varun Singh, Adv.
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Mr. Anuj Sarma, Adv.
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For M/s. KJ John & Co., Advs.

In IA 10 & 72 Mr. Mukul Rohtagi, Sr. Adv.
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Mr. Jayant Mohan, Adv.

In IA 11, 12 & 60 Ms. Kiran Suri, Sr. Adv.
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Ms. Ritika Gambhir, Adv.
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In IA 15 & 16Ms. Triveni Poteker, Adv.
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Assn.Mr. Rajan Singh, Adv.

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Mr. Varun Singh, Adv.
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Mr. Gaurav Nair, Adv.

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In IA 22 & 77Mr. Shikhil Suri, Adv.
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Atchuta Visnum,
Rajaram Bandekar
Mines, Smt.Shakuntala
bai & Orient Goa

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In IA 41, 71 & 72
M/s. Bandekar Bros Mr. C.A. Sundaram, Sr. Adv.
Pvt. Ltd. Mr. Parijat Sinha, Adv.
Ms. Reshmi Rea sinha, Adv.
Mr. Anil Kumar Mishra, Adv.
Mr. S.C. Ghosh, Adv.

In IA 42
M/s Madachem Bat Mr. C.A. Sundaram, Sr. Adv.
Mines Pvt. Ltd. Mr. Parijat Sinha, Adv.

Ms. Reshmi ree Sinha, Adv.
Mr. Anil Kumar Mishra, Adv.
Mr. S.C. Ghosh, Adv.
In IA 43 & 44
Village Panchayat of
Kirlapal-Dabal Mr. Ravi Shankar Prasad, Sr. Adv.
Mr. Saket Sikri, Adv.
Mr. Pranoy dey, Adv.
Mr. Stephanie Sohanane, Adv.
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Mr. Varun Singh, Adv.
Ms. Meenakshi Chauhan, Adv.
Mr. Anuj Sarma, Adv.
Mr. Gaurav Nair, Adv.
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In IA 46
Kamalini Ramakant
Painguinkar & Ors. Mr. K.K. Venugopal, Sr. Adv.
Mr. Chander Uday Singh, Sr. Adv.
Mr. Pratap Venugopal, Adv.
Ms. Surekha Raman, Adv.
Mr. Varun Singh, Adv.
Ms. Meenakshi Chauhan, Adv.
Mr. Anuj Sarma, Adv.
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For M/s. KJ John & Co., Advs.

In IA 47
Pandurang Timblo Mr. Ranjit Kumar, Sr. Adv.
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Mr. Santosh Paul, Adv.
Mr. Arvind Gupta, Adv.
Mr. Piyush Sharma, Adv.
Ms. Savita Singh, Adv.
Mr. Santosh S. Anurlekar, Adv.
Mr. Sanmit Bodke, Adv.
Mr. Harish Pandey, Adv.

In IA 48 & 49 Mr. Rohit M. Alex, Adv.
Rajesh P. Mr. P.S. Sudheer, Adv.
Timblo Mr. Rishi Maheshwari, Adv.
Mr. Anshul Gupta, Adv.

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& Minerals Ltd. Mr. Vikram Patralekh, Adv.
Mr. Mohan Pandey, Adv.

In IA 51
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In IA 52 Mr. Shikhil Suri, Adv.
Ramesh Sajo Mr. Shiv Kumar Suri, Adv.
Gauns & Ors. Mr. Chandrika Prasad Mishra, Adv.

In IA 53 Mr. Sriram Parakkat, Adv.
Girish M. Mr. Ishaan George, Adv.
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Mr. Girish Tendulkar, Adv
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Mr. Rishi Agrawala, Adv.
Mr. E.C. Agrawala, Adv.

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& Co. Ltd. Mr. Mahesh Agarwal, Adv.
Mr. Rishi Agrawala, Adv.
Mr. E.C. Agrawala, Adv.

In IA 57
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Ms. Jayashree Wad, Adv.
Mr. Ashish wad, Adv.
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Ms. Kanika Baweja, Adv.
Ms. Niharika Bapna, Adv.
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In IA 58
Ana Berta Do
Rego E. Fernandes Mr. K.K. Venugopal, Sr. Adv.
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Ms. Swati Kamat, Adv.
Mr. P. Jha, Adv.
Mr. Yashraj Singh Deora, Adv.
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In IA 63, 64 & 65 Mr. C.A. Sundaram, Sr. Adv.
Chowgule & Co. Mr. Sumit Goel, Adv.
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For M/s Parekh & Co., Adv.

In IA 66 & 67 Mr. Rafique A. Dada, Sr. Adv.
Hardesh Ores Ms. Linete Rodriqques
Pvt. Ltd. Mr. Rajesh Kumar, Adv.
Ms. Anupama Dhurve, Adv.
Mr. Abhishek Puri, Adv.
Mr. Mohit Abraham, Adv.

In IA 68
Goa Mining
Foundation Mr. K.K. Venugopal, Sr. Adv.

Mr. Chander Uday Singh, Sr. Adv.

Mr. Pratap Venugopal, Adv.

Ms. Surekha Raman, Adv.

Mr. Varun Singh, Adv.

Ms. Meenakshi Chauhan, Adv.

Mr. Anuj Sarma, Adv.

Mr. Gaurav Nair, Adv.

For M/s. K.J. John & Co., Adv.

In IA 69 & 70

Timblo Enterprises Mr. K.K. Venugopal, Sr. Adv.

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For M/s. K.J. John & Co., Adv.

In IA 74

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Camotim Mr. K.K. Venugopal, Sr. Adv.

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In IA 75

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In IA 78

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Mr. Ganesh Naik, Adv.

In IA 79

In IA 81 & 82 Ms. Kiran Suri, Sr. Adv.

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In IA 83

In IA 2580 & 2669 Mr. C.A. Sundaram, Sr. Adv.

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Ms. Sarab Jot Walia, Adv.

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Mr. Tarun Johri, Adv.

In IA 176-176 in Mr. G. Seshagiri Rao, Adv.
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M/o Env. & Forests Mr. Mohan Parasaran, SG.
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Ms. Sukhbeer Kaur Bajwa, Adv.
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Union of India

M/s Mines & Min. Mr. Mohan Parasaran, SG.
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For M/s Parekh & Co., Adv.

For RR 8-HL Nathurmali
Mr. Amit Sharma, Adv.
Mr. Kunal A. Cheema, Adv.

For RR 9-Goa Min. Mr. K.K. Venugopal, Sr. Adv.
Assn. Soc. Mr. Chander Uday Singh, Sr. Adv.
Mr. Pratap Venugopal, Adv.
Ms. Surekha Raman, Adv.
Mr. Varun Singh, Adv.
Ms. Meenakshi Chauhan, Adv.
Mr. Anuj Sarma, Adv.
Mr. Gaurav Nair, Adv.
For M/s. KJ John & Co., Adv.

For RR 10- M/s Mr. Mukul Rohtagi, Sr. Adv.
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Ms. Meenakshi Chatterjee, Adv.
Mr. Jayant Mohan, Adv.

For RR 11-Cosme Ms. Kiran Suri, Sr. Adv.
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For RR 12- Socie. Ms. Anupama Dhurve, Adv.
Tim.Irmaos Lim.Mr. Abhishek Puri, Adv.

For Rr No. 13
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For RR 14
For M/s Mitter & Mitter Co., Advs.

For RR 15-27Mr. K.K. Venugopal, Sr. Adv.
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For RR 28 -M/s.
Bandekar Bros Mr. C.A. Sundaram, Sr. Adv.
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Ms. Meenakshi Chauhan, Adv.
Mr. Anuj Sarma, Adv.
Mr. Gaurav Nair, Adv.
For M/s. KJ John & Co., Advs.

Mr. S.M. Walawaikar, Adv.
Mr. Rameshwar Prasad Goyal, Adv.

For State of Dr. Manish Singhvi, AAG.
Rajasthan in Mr. Amit Lubhaya, Adv.
IA 1000Mr. Milind Kumar, Adv.

Mr. Tarun Johri, Adv.

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Mr. Ejaz Maqbool, Adv.

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Mr. Milind Kumar, Adv.
Mr. D.K. Garg, Adv.

Mr. Gaurav Agrawal, Adv.

Ms. Purnima Bhat Kak, Adv.

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Mr. M.V. Sridhar Potaraju, Adv.

For State of Arunachal
PradeshMr. Anil Shrivastava, Adv.
Mr. Rituraj Biswas, Adv.

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

Mr. A.N.S. Nadkarni, learned Advocate General resumed his submissions at 10:45 a.m. and concluded at 2:40p.m. Thereafter, Mr. Colin Gonsalves, learned senior counsel for the Goa Mining Labour Welfare Union; Ms. Triveni Potekar, learned counsel for Goa Barge Owners' Association and Sough Goa Progressive Truck Owners' Association addressed the Court for fifteen minutes each. Thereafter Mr. C.U. Singh, learned senior counsel addressed the Court and was on his leg

s when the Court rose for the day leaving the matters part-heard.

[KALYANI GUPTA]

COURT MASTER

[G. SUDHAKARA RAO]

COURT MASTER

[SHARDA KAPOOR]

COURT MASTER