

ITEM NO.301

CHAMBER MATTER

SECTION IV

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). 2083-2097 OF 2011

STATE OF M.P.

Appellant (s)

VERSUS

NARMADA BACHAO ANDOLAN & ANR.

Respondent(s)

(With appln(s) for exemption from filing O.T., directions, permission to place addl. documents on record, permission to file rejoinder affidavit, permission to file additional documents)

CA NOS. 2098-2112/2011

(With appln. for permission to place addl. documents on record and prayer for interim relief and office report)

Date: 27/04/2011 These Appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J.M. PANCHAL
HON'BLE MR. JUSTICE DEEPAK VERMA
HON'BLE DR. JUSTICE B.S. CHAUHAN

By circulation

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

After receipt of report dated 22.3.2011 from the Committee constituted by Central Water Commission and submission of comments thereon by the parties, this Court, by an order dated 19.4.2011 had requested Shri U.K. Ghosh, Chief Engineer(NW&S), Central Water Commission and then Chairman of the Committee to assist the Court and to explain certain aspects of the report as well as technical terms mentioned in the comments offered

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by the parties on the report as this is purely and highly a technical matter.

Pursuant to the above mentioned order, (i)

Shri U.K. Ghosh, Chief Engineer (NW&S), Central Water Commission (ii) Shri D.P. Singh, Chief Engineer, Narmada Basin Planning(NBP), Central Water Commission and (iii) Shri M.P. Singh,

Director, Flood Control Applications(FCA),

Central

Water Commission have remained present and assisted

the Court.

The Court was explained as to what is

meant by the back water and other relevant data

including certain technical terms mentioned in the

report as well as in the comments offered by the

parties.

The Court has requested the learned

Engineers to submit their opinion in writing on the

question whether in the light of guidelines of 1997

as well as the findings recorded in the report

dated 22.3.2011 and the comments offered by the

parties thereon, is it necessary to acquire

disputed land coming under temporary submergence.

The officers have stated that they would give

opinion but reasonable time be granted to them to

undertake necessary exercise.

Having regard to the

facts of the case, the learned Engineers are

requested to give their opinion on or before May

10, 2011 to the Registry. On receipt of the

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opinion, the Registry shall hand over the same to

the Court Master in a sealed cover and the Court

Master shall circulate the same amongst the members

constituting the Bench immediately.

(Sonia)
Sr P.A.

(Sneh Bala Mehra)
Court Master