

\232=
W.P(C)No. 202 OF 1995
.UP 10 2; Draft, smtst; -n -PA4 -dFX-NORMAL -y -e; dumbp
L.....T.....T.....T.....T.....T.....T.....T.....T.....T.....T.....R
ITEM Nos.301 to 334 COURT No. 2 SECTION PIL

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

ITEM NO.301@@
CCCCCCCCCCC

RE: SPECIAL INVESTIGATION TEAM REPORT FILED IN COURT ON 12.03.2001
ND AFFIDAVIT FILED IN COURT ON 23.04.2001.

ITEM NO. 302@@
CCCCCCCCCCC

DIRECTION WITH REGARD TO SETTING UP OF NODAL AGENCIES IN THE STATES
OF M.P. AND CHHATISGARH TO DISPOSE OF THE INTERLOCUTORY APPLICATIONS
WITH REGARD TO OVERSEEING THE WORKING OF FOREST

(APPLNS. RELATING TO SATATE OF ASSAM)

ITEM NO. 303@@
CCCCCCCCCCC

IA NO. 295 in WP (C) 202/1995
T.N. GODAVARMAN THIRUMALPAD

Petitioner

VERSUS

UNION OF INDIA & ORS.

Respondents

(Interim application through Amicus Curiae for directions regarding
the State of Assam PCCF Order dated 12th February, 1998)

ITEM NO. 304@@
CCCCCCCCCCC

I.A. No. 664 in W.P.(C) No.202/95
T.N. GODAVARMAN THIRUMALPAD

Petitioner

VERSUS

UNION OF INDIA & ORS.

Respondents

(For directions)

ITEM NO. 305@@
CCCCCCCCCCC

I.A. No.677 in W.P.(C) 202/1995
T.N. GODAVARMAN THIRUMALPAD

Petitioner

VERSUS

UNION OF INDIA & ORS.

Respondents

(For directions / impleadment)

ITEM NO. 306@@
CCCCCCCCCCC

I.A. No. 395 in W.P.(C) 202/1995
T.N. GODAVARMAN THIRUMALPAD

Petitioner

VERSUS

UNION OF INDIA & ORS.

Respondents

(For clarification on behalf of State of Meghalaya)

....2/-

: 2 :

ITEM NO. 307@@
CCCCCCCCCCCC

I.A. No.496 in W.P.(C) 202/1995
T.N. GODAVARMAN THIRUMALPAD

Petitioner

VERSUS

UNION OF INDIA & ORS.

Respondents

(For directions on behalf of State of Meghalaya)

ITEM NO. 308@@
CCCCCCCCCCCC

I.A. No. 497 in WP(C) NO. 202/1995
T.N. GODAVARMAN THIRUMALPAD

Petitioner

VERSUS

UNION OF INDIA & ORS.

Respondents

(For directions on behalf of State of Meghalaya)

ITEM NO. 309@@
CCCCCCCCCCCC

I.A. NO. 424 in WP(C) No. 202/1995
T.N. GODAVARMAN THIRUMALPAD

Petitioner

VERSUS

UNION OF INDIA & ORS.

Respondents

(Interim application on behalf of the applicant Santosh Bharti)

ITEM NO. 310@@
CCCCCCCCCCCC

I.A. NO. 566 in WP(C) No. 202/1995
T.N. GODAVARMAN THIRUMALPAD

Petitioner

VERSUS

UNION OF INDIA & ORS.

Respondents

(Suo-motu action taken by this Hon'ble Court on the statement of Mr. K.N. Raval, Ld. Additional Solicitor General on behalf of Central Government showing the position of the cases approved for diverting a forest land stipulation for compensatory afforestation under the forest conservation act and the compensatory afforestation done funds to be utilised and actually utilised)

ITEM NO. 311@@
CCCCCCCCCCCC

I.A. NO. 652-653 IN WP(C) NO. 202/1995
T.N. GODAVARMAN THIRUMALPAD

Petitioner

VERSUS

UNION OF INDIA & ORS.

Respondents

(For directions & exemption from filing O.T.)

....3/-

: 3 :

ITEM NO. 312@@
CCCCCCCCCCCC

I.A. NO. 669 in I.A. No. 659 in W.P.(C) NO. 202/1995
T.N. GODAVARMAN THIRUMALPAD

Petitioner

VERSUS

UNION OF INDIA & ORS.

Respondents

(For directions)

AND

I.A. NO. 659 in W.P. (C) NO. 202/1995
T.N. GODAVARMAN THIRUMALPAD

Petitioner

VERSUS

UNION OF INDIA & ORS.

Respondents

(For directions with regard to the forest of Matheran in the State of Maharashtra)

ITEM NO. 313@@
CCCCCCCCCCCC

I.A. No. 636 in WP(C) NO. 202/1995
T.N. GODAVARMAN THIRUMALPAD

Petitioner

VERSUS

UNION OF INDIA & ORS.

Respondents

(For modification/directions on behalf of State of Tripura)

ITEM NO. 314@@
CCCCCCCCCCCC

I.A. No. 670 in WP(C) 202/1995
T.N. GODAVARMAN THIRUMALPAD

Petitioner

VERSUS

UNION OF INDIA & ORS.

Respondents

(For directions to stop illegal mining, treefelling in the Kudrumukh National Park)

ITEM NO. 315@@
CCCCCCCCCCCC

I.A. NOS. 675-676 in IA NOS. 667-668 in WP(C) NO. 202/1995
T.N. GODAVARMAN THIRUMALPAD

Petitioner

VERSUS

UNION OF INDIA & ORS.

Respondents

(For modification and stay)

ITEM NO. 316@@
CCCCCCCCCCCC

I.A. NO. 679 in WP (C) NO. 202/1995
T.N. GODAVARMAN THIRUMALPAD

Petitioner

VERSUS

UNION OF INDIA & ORS.
(For clarification of order dated 10.05.2001)

Respondents

...4/-

.PA

: 4 :

ITEM NO. 317@@
CCCCCCCCCCCC

I.A. No. 680 in WP (C) NO. 202/1995
T.N. GODAVARMAN THIRUMALPAD

Petitioner

VERSUS

UNION OF INDIA & ORS.
(For directions)

Respondents

ITEM NO. 318@@
CCCCCCCCCCCC

I.A. NO. 685 in WP (C) NO. 202/1995
T.N. GODAVARMAN THIRUMALPAD

Petitioner

VERSUS

UNION OF INDIA & ORS.
(Communication received by Ld. Amicus Curiae from the Chairman, High Power Committee from North Eastern Region dated 5th August, 1998)

Respondents

ITEM NO. 319@@
CCCCCCCCCCCC

I.A. NO. 686 in WP (C) 202/1995
T.N. GODAVARMAN THIRUMALPAD

Petitioner

VERSUS

UNION OF INDIA & ORS.
(Letter dated 24.08.2001 received from the Empowered Committee for State of Chhatisgarh treated as I.A. in pursuance of Court's order dated 07.09.2001)

Respondents

ITEM NO. 320@@
CCCCCCCCCCCC

CONTEMPT PETITION (C) NO. 193/2001 in WP (C) 202/1995
DISTRICT FOREST OFFICER, TAMIL NADU

Petitioner

VERSUS

GOWRI SHANKAR & ANR.

Respondents

ITEM NO. 321@@
CCCCCCCCCCCC

I.A. NO. 502 in WP (C) 202/1995
T.N. GODAVARMAN THIRUMALPAD

Petitioner

VERSUS

UNION OF INDIA & ORS.

Respondents

(For intervention)

ITEM NO. 322@@
CCCCCCCCCCCC

IA NO. 236 in WP (C) 202/1995
T.N. GODAVARMAN THIRUMALPAD

Petitioner

VERSUS

UNION OF INDIA & ORS.
(For directions)

Respondents

.....5/-

: 5 :

ITEM NO. 323@@
CCCCCCCCCCCC

I.A. NOs. 634-635 in WP (C) 202/1995
T.N. GODAVARMAN THIRUMALPAD

Petitioner

VERSUS

UNION OF INDIA & ORS.
(For impleadment and directions)

Respondents

ITEM NO. 324@@
CCCCCCCCCCCC

I.A. NOs. 697-698 in WP (C) 202/1995
T.N. GODAVARMAN THIRUMALPAD

Petitioner

VERSUS

UNION OF INDIA & ORS.
(For directions and exemption from filing O.T.)

Respondents

ITEM NO. 325@@
CCCCCCCCCCCC

I.A. NOs. 700-701 in WP (C) 202/1995 WITH WP (C) NO. 171/1996
T.N. GODAVARMAN THIRUMALPAD

Petitioner

VERSUS

UNION OF INDIA & ORS.
(For intervention and directions)

Respondents

ITEM NO. 326@@
CCCCCCCCCCCC

I.A. NOs. 13, 19, 22, 23, 24 and 28 in WP (C) 171/1996
ENVIRONMENT AWARENESS FORUM

Petitioner

VERSUS

STATE OF J & K & ORS.
ON BEHALF OF KHAIR TREES GROWERS ASSOCIATION
(For impleadment and directions)

Respondents

ITEM NO. 327@@
CCCCCCCCCCCC

WP (C) NO. 95/1997
ENVIRONMENT SOCIETY OF INDIA & ANR.

Petitioner

VERSUS

U.O.I. & ORS. Respondents
(With appln. for stay and impleading party and office report)

ITEM NO. 328@@
CCCCCCCCCCCC

SLP(C) NO. 1573/1999
K.V. SUBBANNA & ORS. Petitioner

VERSUS

STATE OF KARNATAKA & ORS. Respondents
.....6/-

: 6 :

ITEM NO. 329@@
CCCCCCCCCCCC

W.P. (C) 603/2000
SOCIETY PROTECTION OF HUMAN RIGHTS & ORS. Petitioner

VERSUS

UNION OF INDIA & ORS. Respondents
(With appln. for stay and office report)

ITEM NO. 330@@
CCCCCCCCCCCC

I.A. NO. 605 in IA 477 & 480 in IA NO. 424 in WP (C) 202/1995
T.N. GODAVARMAN THIRUMALPAD Petitioner

VERSUS

UNION OF INDIA & ORS. Respondents
(For directions)

ITEM NO. 331@@
CCCCCCCCCCCC

IA NO. 29 in WP (C) 171/1996
ENVIRONMENT AWARENESS FORUM Petitioner

VERSUS

STATE OF J&K & ORS. Respondents
ON BEHALF OF KHAIR TREES GROWERS ASSOCIATION
(For directions)

ITEM NO. 332@@
CCCCCCCCCCCC

IA Nos. 620 and 621 in WP (C) 202/1995 With WP (C) 171/1996
T.N. GODAVARMAN THIRUMALPAD Petitioner

VERSUS

UNION OF INDIA & ORS. Respondents
(For directions and exemption from filing official translation)

ITEM NO. 333@@
CCCCCCCCCCCC

IA No. 645 in IA 620 in WP (C) No. 202/1995

T.N. GODAVARMAN THIRUMALPAD

Petitioner

VERSUS

UNION OF INDIA & ORS.
(For directions)

Respondents

ITEM NO. 334@@
CCCCCCCCCCCC

I.A. No. 695 and 696 in WP (C) No. 202/1995 WITH WP (C) NO. 171/1996
T.N. GODAVARMAN THIRUMALPAD Petitioner

VERSUS

UNION OF INDIA & ORS.
(For directions and exemption from official translation)

Respondents

....7/-

: 7 :

Date : 23/11/2001 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.N. KIRPAL
HON'BLE MR. JUSTICE K.G. BALAKRISHNAN
HON'BLE MR. JUSTICE ARIJIT PASAYAT

For appearing parties :

Mr. Harish N Salve, SG (AC)
Mr. Siddharth Choudhary, Adv.
Mr. U U Lalit, Adv. (AC)

Mr. Mahendra Vyas, Adv.
Mr. P K Manohar, Adv.

For Ministry of Environ-
ment & Forests/UOI

Mr. A D N Rao, Adv.
Mr. C.V. Subba Rao, Adv.
Mr. Krishan Mahajan, Adv.
Ms. Alka Agarwal, Adv.
Mr. C. Radhakrishna, Adv.
Mr. B.V. Balaram Das, Adv.
Mr. P. Parmeswaran, Adv.

Min. of Railways

Mr. Mukul Rohtagi, ASG.
Mr. S. Wasim A. Qadri, Adv.
Ms. Anil Katiyar, Adv.

UOI in WP 95/97

Mr. N.N. Goswami, Sr. Adv.
Ms. Smita Inna, Adv.
Mr. B.V. Balaram Das, Adv.

IAS 669 & 659

Mr. U U Lalit, Adv.

IA 395, 496 & 497
State of Meghalaya

Mr. Ranjan Mukherjee, Adv.

IA 295

Mr. P.K. Manohar, Adv.

IA 664 Ms. Sudha Pal, Adv.
Ms. Rani Chhabra, Adv.

IA 677 Mr. M.L. Lahoty, Adv.
Mr. Paban K. Sharma, Adv.
Mr. Himanshu Shekhar, Adv.

IA 424 Mr. Prashant Bhushan, Adv.
Mr. S.K. Agnihotri, Adv.

IA 566 Mr. K.N. Rawal, ASG(NP)
.....8/-

: 8 :

IA 636 Mr. Kailash Vasdev, Sr. Adv.
Mr. Rahul Singh, Adv.
Ms. Vimla Sinha, Adv.
Mr. Gopal Singh, Adv.

IA 670 Mr. A.D.N. Rao, Adv.
Mr. B.V. Balaram Das, Adv.

IA 675-678 Mr. Vivek Tankha, Adv. Genl for
State of M.P.
Mr. Rohit K. Singh, Adv.
Mr. S.K. Agnihotri, Adv.

IA 652-653 Mr. U.U. Lalit, Adv.

IA 679(Bihar State
Forest Devlpt. Corpn.) Mr. M.P. Jha, Adv.
Mr. Ram Ekbal Roy, Adv.
Mr. Anil Kumar Chopra, Adv.

IA 680 Ms. Anil Katiyar, Adv.

IA 685, 686 &
236, Mr. Harish N. Salve, SG (A.C.)
Mr. U.U. Lalit, Adv.

IA 502 Mr. Colin Gonsalvez, Adv.
Ms. Tashi D. Bhutia, Adv.
Ms. Aparna Bhat, Adv.

IA 634-635, 697-698 Mr. Mukul Rohtagi, ASG.
Ms. Tasneem Ahmadi, Adv.
Ms. Sangeeta Panicker, Adv.
Mr. Mecolt Singh, Adv.
Mr. Bharat Sangal, Adv.

IA 700 & 701 Mr. S.K. Dholakia, Sr. Adv.
State of Maharashtra Mr. S.S. Shinde, Adv.
Mr. S.V. Deshpande, Adv.

IA 13,19,22,23,24 &
28 in WP 171/1996 Mr. Harish N. Salve, SG. (A.C.)
Mr. Siddharth Choudhary, Adv.

IA 29 in WP 171 Mr. B.V. Balaram Das, Adv.

IA 605 Ms. Vibha Dutta Makhija, Adv.
Mr. Uma Nath Singh, Adv.

Cont. Petn. 193/01	Mr. Harish N. Salve, SG.(AC) Mr. V. Balaji, Adv. Mr. P.N. Ramalingam, Adv.
For Jantia & Khasi Hills(in IA 497)	Mr. P.K. Goswami, Sr. Adv. Mr. B.B. Narzari, Adv. Mr. Rajiv Mehta, Adv.
Meghalaya Land & Forest Owners Association (in IA 497)	M/s Vijay Hansaria & H.S. Thangkhieni, Advs. for M/s Jain Hansaria & Co., Advs.
9/-
	: 9 :
for respondent No. 3 Kudremukh Iron Ore Co. Ltd. (in IA 670)	Mr. K K Venugopal, Sr. Adv. Mr. Shiva Subramanian, Mr. S Sukumaran, Ms. Divya Nair, Mr. Ramesh Babu M R and Mr. M Raghu,Advs.
State of Manipur	Mr. Sapan Biswajit, Adv. Mr. K H Nobin Singh, Adv.
State of Chhatisgarh	Mr. Ravindra Srivastava, Adv. Genl. Mr. Prakash Shrivastava, Adv.
State of Goa	Ms. A. Subhashini, Adv.
State of Karnataka	Mr. Satya Mitra, Adv. Mr. Sanjay R. Hegde, Adv.
Petr. in WP 171/96	Ms. Shabnam Lone, Adv. Mr. M.N. Shroff, Adv.
State of Arunachal Pradesh	Mr. Anil Shrivastav, Adv.
State of Sikkim	Mr. A Mariarputham, Adv. for M/s. Arputham Aruna & Co., Advs.
Contemnor No. 1 in Cont Petn.193/01	Mr. M.L. Verma, Sr. Adv. Mr. Joseph Pookkatt, Adv. Mr. Prasenjit Keswani, Adv. Mr. Prashant Kumar, Adv.
RR No. 2 in Cont. Petn. 193/01	Mr. Gourab K. Banerjee, Adv. Mr. Vishwajit Singh, Adv.
RR in WP 171/96	Mr. Amit Dhingra, Adv. Ms. Musharaf Chaudhary, Adv. Mr. P.H. Parekh, Adv.
State of Haryana	Mr. Neeraj Kumar Jain, Adv. Mr. J.P. Dhanda, Adv.
RR in SLP 1573	Mr. Mukul Rohtagi, ASG. Mr. Aftab Ali Khan, Adv. Mr. C. Radhakrishna, Adv. Mr. B.V. Balaram Das, Adv.
State of Andhra Pradesh	Mr. T.V. Ratnam, Adv.
State of J & K	Ms. Shamama Anis, Adv. Mr. Anis Suhrawardy, Adv.
RR in WP 603/00	Mr. Dinesh Dwivedi, Sr. Adv.

Ms. Anamila Agarwal, Adv.
Ms. Chetan Siddharth, Adv.
Mr. Ajay K. Agrawal, Adv.

Andaman Admn.

Mr. Altaf Ahmed, ASG.
Mr. A.S. Rawat, Adv.
Mr. D.S. Mahra, Adv.

Chief Conservator of Forest, Andaman Admn
(Present in Court)

...10/-

: 10 :

Contemnor-respondents Nos. 1 & 2 in
Cont. Petn. 193/2001 personally present
in Court.

State of Gujarat

Ms. Hemantika Wahi, Adv.

N.M.D.C.

Mr. Mukul Rohtagi, ASG.

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

.....L.....I.....T.....T.....T.....T.....T.....J

.SP2

.SP1

RE: SPECIAL INVESTIGATION TEAM REPORT FILED IN COURT ON@@
EEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEE
12.03.2001 AND AFFIDAVIT FILED IN COURT ON 12.03.2001 AND@@
EEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEE
AFFIDAVIT FILED IN COURT ON 23.04.2001@@
EEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEE

.SP2

List this matter for hearing after the Final Report
of the Special Investigation Team is filed.

.SP1

DIRECTION WITH REGARD TO SETTING UP OF NODAL AGENCIES IN@@
EEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEE
THE STATE OF M.P. AND CHHATISGARH TO DISPOSE OF THE@@
EEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEE
INTERLOCUTORY APPLICATIONS WITH REGARD TO OVERSEEING THE@@
EEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEE
WORKING OF FOREST@@
EEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEE

.SP2

Report filed by the Empowered Committee is taken
on record and accepted.

List I.A. 589 alongwith the report on the next date
of hearing.

.SP1

I.A. No.295 (Interim application through Amicus Curiae@@
EEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEE
for directions regarding the State of Assam PCCF order@@
EEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEE
dated 12th February, 1998)@@
EEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEE

.SP2

List after six weeks.

I.A. No. 664 (For directions)@@

EEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEE

Reply be filed within two weeks. Rejoinder be filed within two weeks thereafter. List after four weeks.

...11/-

: 11 :

I.A. NO. 677 (for directions/impleadment)@@
EEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEE

Reply be filed within two weeks. Rejoinder be filed within two weeks thereafter. List after four weeks.

.SP1

I.A. No. 395, 496 & 497 (For clarification / directions on@@
EEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEE
behalf of State of Meghalaya)@@
EEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEE

.SP2

Replies be filed within four weeks. List on a non-miscellaneous day thereafter.

.SP1

IA No. 424 (Interim application on behalf of the applicant,@
EEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEE
Santosh Bharti)@@
EEEEEEEEEEEEEEEEEEEE

.SP2

States of Bihar, Karnataka, Maharashtra, NCT of Delhi, Uttar Pradesh, Punjab, West Bengal and Andhra Pradesh have not filed their affidavits as per the office report dated 21st November, 2001. The Chief Secretaries of these States are directed to ensure the filing of their affidavits within four weeks from today. Affidavit of the Union of India should be filed within seven weeks from today. List thereafter.

.SP1

I.A. No.566 (SUO-MOTU ACTION TAKEN BY THIS HON'BLE COURT ON@@
EEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEE
THE STATEMENT OF MR. K.N. RAWAL, LD. ADDITIONAL SOLICITOR@@
EEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEE
GENERAL ON BEHALF OF CENTRAL GOVERNMENT SHOWING THE@@
EEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEE
POSITION OF THE CASES APPROVED FOR DIVERTING A FOREST LAND@@
EEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEE
STIPULATION FOR COMPENSATORY AFFORESTATION UNDER THE FOREST@@
EEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEE
CONSERVATION ACT AND THE COMPENSATORY AFFORESTATION DONE@@
EEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEE
FUNDS TO BE UTILISED AND ACTUALLY UTILISED@@
EEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEE

.SP2

Most of the affidavits have been filed from a statement which has been placed on record by the learned Amicus Curiae. It is clear that large sums of money have
...12/-

: 12 :

been realised by various States from the user-agencies to whom permissions were granted for using forest land for non-forest purposes. Monies were paid by them to the State Governments for compensatory afforestation but the utilisation of the money for re-forestation represents only about 63 per cent of the funds actually realised by the State Governments. The shortfall is of nearly Rs.200 crores.

While on the next date of hearing the Court will consider as to how this shortfall is to be made good, the Ministry of Environment & Forests should formulate a Scheme whereby whenever any permission is granted for change of user of forest land for non-forest purposes and one of the conditions of the permission is that there should be compensatory afforestation then the responsibility of the same should be that of the user-agency and should be required to set apart a sum of money for doing the needful. In such a case the State Governments concerned will have to provide or make available land on which reforestation can take place and this land may have to be made available either at the expense of the user-agency or of the State Governments, as the State Governments may decide. The scheme which is framed by the Ministry of Environment & Forests should be such as to ensure that afforestation takes place as per the permissions which are granted and there should be no shortfall in respect thereto. Counsel

...13/-

: 13 :

for the Union of India states that appropriate scheme will be formulated on the basis of which permissions will be granted in future and the same placed before this Court within eight weeks. List thereafter.

.SP1

I.A. NOs. 652-653 (For directions and exemption from filing@@
EEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEE
O.T.)@@
EEEE

.SP2

Issue notice returnable after four weeks. Dasti service in addition is permitted.

I.A. NOs. 669 in I.A. No. 659(For directions)@@
EEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEE

Adjourned. List after four weeks.

.SP1

I.A.No.636 (For modification/directions on behalf of State@@
EEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEE
of Tripura@@
EEEEEEEEEEEE

.SP2

Our attention is being drawn to the letter dated 27th April, 2001, of the Ministry of Environment & Forests to the Chief Secretary, Government of Tripura, Agartala with regard to the running of the wood-based units in Tripura. As per this letter, the State Government's attention was being drawn to the Court's order dated 15th January, 1998, and it has been stated in this letter that the State Government has allowed saw-mills to function in a manner which was not permitted by this Court's order. It

Dismissed as withdrawn.

I.A. No. 680 (For directions)@@
EEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEE

Adjourned. List after six weeks. Affidavit be filed in the meantime.

.SP1

I.A. No. 685 (Communication received by Ld. Amicus Curiae@@
EEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEE
from the Empowered Committee for State of Chhatisgarh@@
EEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEE
treated as I.A. in pursuance of Court's order dated@@
EEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEE
07.09.2001)@@
EEEEEEEEEEEE

.SP2

Adjourned. List after six weeks.

Contempt Petition (C) 193/2001 in WP (C) 202/1995@@
EEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEE

At the request of Mr. M.L. Verma, learned senior counsel appearing for contemnor-respondent No. 1, the ...18/-

: 18 :

petition is adjourned by six weeks in order to enable him to file an affidavit. List thereafter. A suggestion has been mooted by Mr. Harish N. Salve, ld. Amicus Curiae in which there is some merit that for every illegal felling of tree in any plantation one hectare of land must be taken away from the plantation owners for the purpose fo compulsory afforestation. This aspect will be considered.

I.A. No. 502 (For intervention)@@
EEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEE

An application has been filed by the ld. Amicus Curiae in Court against the illegal encroachment of forest land in various States and Union Territories is taken on board. Let the same be registered and numbered. Issue notice to the respondents returnable after six weeks. There will be an interim order in terms of prayer (a).

Affdiavits in reply to the application may be filed. It is suggested by the ld. Amicus Curiae that it will be helpful to the Court if an independent survey of Andaman & Nicobar Ecology is undertaken especially inregard to the forest cover of that area. He suggests that Professor Shekhar Singh of the Indian Institute of Public Administration, New Delhi, who is an expert in this area and has worked in Andaman, be requested to give a Report to the Court with regard to the state of the forest and to what extent cutting of trees, if any, can be protected and

...19/-

: 19 :

what is required to be done to improve the ecology and the forest cover of the area. The Ministry of Environment & Forests is directed to appoint Prof. Shekhar Singh as a Commissioner to give a Report on the state of the forest

