

Annexure IX (7), (Vide Article - 9.01 (xi))

Nó.13-3/99-SU
Government of India
Ministry of Environment and Forests

Paryavaran Bhavan, CCO Complex,
Lodi Road,
New Delhi-110003.
Dated: 21.2.2000

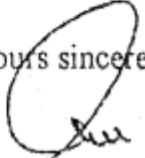
The Regional Chief Conservator of Forests
Southern Region,
Bangalore.

Sir,

Please find enclosed a copy of the interim directions issued by the Hon'ble Supreme Court during the hearing dated 14.2.2000 for information and necessary action.

Encl: As above

Yours sincerely,


(A.R. Chadha)

Deputy Inspector General of Forests

Copy to: The Regional Chief Conservator of Forests, Bangalore, Lucknow,
Bhubaneswar, Shillong & Bhopal

2. The Regional Conservator of Forests, Chandigarh

MOST IMMEDIATE

OUT TODAY

D.No.597/1995/S
SUPREME COURT OF
NEW DELHI

DATED: 17th February, 2000

FROM : Ramesh Chand,
Section Officer (PIL.CELL)

- To :
1. Union of India,
through the Secretary,
Ministry of Environment & Forests,
Paryavaran Bhawan, CGO Complex,
Lodhi Road, New Delhi.
 2. State of Andhra Pradesh,
through its Chief Secretary,
Hyderabad (A.P)
 3. State of Arunachal Pradesh,
through its Chief Secretary,
Itanagar (Arunachal Pradesh)
 4. State of Assam,
through its Chief Secretary,
Dispur (Assam)
 5. State of Bihar,
through its Chief Secretary,
Patna (Bihar)
 6. State of Goa,
through its Chief Secretary,
Panaji (Goa)
 7. State of Gujarat,
through its Chief Secretary,
Gandhinagar (Gujarat)
 8. State of Haryana,
through its Chief Secretary,
Chandigarh
 9. State of Himachal Pradesh,
through its Chief Secretary,
Shimla (H.P)
 10. State of Jammu & Kashmir,
through its Chief Secretary,
Srinagar (J & K)
 11. State of Karnataka,
through its Chief Secretary,
Bangalore (Kannataka)

rejoinder within two weeks thereafter. List after six weeks. Stay of recovery by coercive process in the meantime.

I.A. No. 548.. (filed by Mr. P K Manohar, Adv.) ; An application has been filed through the Amicus Curiae in court, inter alia, praying for clarification that the order dated 12th December, 1996 contained a ban against the removal of any fallen trees or removal of any diseased or dry standing tree from the areas notified under Section 18 or 35 of the Wildlife Protection Act, 1972. Let the same be taken on record.

Issue notice to all the respondents. In the meantime, we restrain respondents Nos. 2 to 32 from ordering the removal of dead, diseased, dying or wind-fallen trees, drift wood and grasses, etc. from any National Park or Game Sanctuary or forest. If any order to this effect has already been passed by any of the respondent-States, the operation of the same shall stand immediately stayed.

Reply be filed within three weeks.

The Union of India will also indicate in its ~~reply~~ affidavit as to what safeguards or steps should be taken relation to such trees.

The Registry should communicate this order of stay to Chief Secretaries of all the States immediately without payment process fee.

It is submitted by the Amicus Curiae that it has been reported in the Press that the State of Himachal Pradesh has passed some orders lifting the ban on felling of trees in that State. It is submitted that by order dated 12th December, 1996 of this Court in W.P.(C) No. 202/1995 felling of trees in any forest, public or private, has been banned and this order has not been varied so far. He, therefore, submits that if there is any order issued by the State of Himachal Pradesh giving permission to the felling of trees, that would amount to contravention of this Court's order dated 12th December, 1996 and would, therefore, be bad in law.

We issue notice to the State of Himachal Pradesh to file an affidavit within three weeks so as to inform the Court whether any such order has been passed. We make it clear that if any such order has been passed, the operation of the same shall remain stayed till further orders by this Court.

I.A. No. 513 : An affidavit is stated to have been filed on behalf of the Ministry of Environment in reply to this I.A. The Chief Secretary, State of M.P. should file his response to this affidavit within two weeks from today. In particular, the Court would require information with regard to paragraph 5 of the said affidavit. If the said affidavit affirms that the land records of Damoh for the period 1910-11 to 1954-55 are missing,