

CENTRAL EMPOWERED COMMITTEE

(CONSTITUTED BY THE HON'BLE SUPREME COURT OF INDIA
IN WRIT PETITION NO. 202/95 AND 171/96)

II Floor, Chanakya Bhawan, Chanakyapuri, New Delhi – 21 Tel : 2688 4921/23/26, Fax : 2410 1925

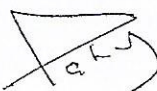
F. No. 1-19/CEC/SC/2008-Pt. XXXXIII

Dated: 26.11.2015

ORDER

Sub : Application No. 1404 of 2015 filed before the CEC by the State of Rajasthan seeking permission for laying of Drinking Water Supply Pipeline under Borabas-Mandana Water Supply Project Kota Passing through Mukundara Hills Tiger Reserve, Rajasthan.

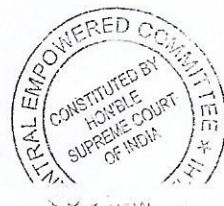
The above matter was heard during the hearing held before the CEC on 3rd November, 2015. As decided during the hearing, the matter stands disposed of in terms of the Hon'ble Supreme Court order dated 5th October, 2015 in respect of "matters related to National Parks and Wildlife Sanctuaries".



(M.K. Jiwrajka)
Member Secretary

Distribution:

1. DGF and SS, MoEFCC
2. Applicant in Application No. 1404 of 2015 (through Mr. S.S. Shamschery, AAG, Govt. of Rajasthan, Advocate on Record)
3. Standing Counsel for the MoEFCC
4. Standing Counsel for the State of Rajasthan
5. A.D.N. Rao, Advocate and Learned Amicus Curiae
6. Siddhartha Chaudhary, Supreme Court, Advocate and Amicus Curiae.



SAURABH SHYAM SHAMSHERY

(ADDL. ADVOCATE GENERAL)

FOR THE STATE OF RAJASTHAN

SHED NO. 3, BIKANER HOUSE, NEW DELHI

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Date: 04.12.2015

To,
The Executive Engineer,
PHED Project Division-I,
Kota,
Rajasthan

**SUBJECT: I.A. No.1404 of 2015 in Writ Petition (C)
No.202/1995 filed before Central Empowered
Committee**

Dear Sir,

1. The above captioned I.A. was filed before the Central Empowered Committee seeking following relief:-

"grant permission to the applicant for laying of drinking water supply pipe line under Borabas-Mandana water supply project Kota passing through Buffer zone of Mukundara Hills Tiger Reserve, Rajasthan".

2. The above captioned I.A. is disposed by the Central Empowered Committee vide their following order dated 26.11.2015:- (Copy enclosed)

"The above matter was heard during the hearing held before the CEC on 3rd November, 2015. As decided during the hearing, the matter stands disposed of in terms of the Hon'ble Supreme Court order dated 5th October, 2015 in respect of "matters related to National Parks and Wildlife Sanctuaries."

3. For reference the order dated 05.10.2015 mentioned in the order of CEC as passed by Hon'ble Supreme Court is reproduced hereinafter (relevant portion) :-

**"II. MATTERS RELATING TO NATIONAL PARKS AND WILDLIFE
SANCTUARIES:**

Now we come to matters relating to National Parks and Wildlife Sanctuaries.

At the time of hearing on the aforesaid subject, certain suggestions are made by the learned amicus curiae and other senior counsels. By incorporating them, we pass the following order(s):

All matters for grant of permissions for implementation of projects in areas falling in National parks/sanctuaries, including rationalization of boundaries etc. will be considered by the Standing Committee of the National Board for Wildlife ("NBWL") on its own merits and in conformity with the orders and directions passed by this Court from time to time, i.e. on 14.02.2000, 16.12.2002, 13.11.2000, 9.5.2002, 25.11.2005 and 14.09.2007 and other subsequent clarificatory orders/judgment(s) passed by this Court including the Goa Foundation Judgment, i.e. Goa Foundation Vs. Union of India & Ors., reported in (2014) 6 SCC 590.

We request the NBWL to furnish a copy of the orders passed by it within 30 days' time to the C.E.C. The C.E.C. is at liberty, if, for any reason, they are aggrieved by the decision of the Standing Committee of NBWL to approach this Court by filing an appropriate petition/application.

In all those matters where there is already decision of the Standing Committee of the NBWL shall abide the parties with all the conditions imposed therein.

If any party is aggrieved by the decision of the Standing Committee of the NBWL, they are at liberty to approach an appropriate forum for appropriate relief(s).

De-link I.A.Nos.2202-2203/2008, 2915-2917/2010, 2929-2931 in 2202-2203/2008, 3308-3310/2011 in 2202-2203, 3422/2012 in 2929-2931 in W.P.(C)No.202/1995 and list separately.

With the aforesaid observations and directions, we dispose of the Interlocutory Applications/matters specified in Annexure-II to the note supplied by Shri Harish Salve, learned amicus curiae."

4. In the present matter the conditions mentioned in the 34th Meeting dated 2nd June, 2015 of Standing Committee of NBWL while granting permission for the subject matter are mentioned at the Sl. No.34.4.1.12 at page No.18 and 19 of the minutes of the said meeting. (Copy enclosed).

As per the order of Supreme Court the conditions mentioned in the said recommendation of the NBWL shall be abide by your good office while, for laying of drinking water supply pipe line under Borabas-Mandana water supply project Kota passing through Buffer zone of Mukundara Hills Tiger Reserve, Rajasthan.

In view of the above captioned I.A. is disposed of and the all the relevant record is hereby given to the Officer concerned.

Saurabh Shyam

(Saurabh Shyam Shamshery)

Addl. Advocate General

State of Rajasthan

GOVERNMENT OF RAJASTHAN
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