

1
T.C. (C) No. 1/2010 etc.
ITEM NO.1 COURT NO. 8 SEC. XVIA/IX/X/XI/XV/IVA/PIL(W)
(Part Heard)

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

Transfer Case (Civil) No(s). 1/2010
CENTRAL ARECANUT MARKETING CORPN.& ORS. Petitioner(s)
VERSUS

UNION OF INDIA Respondent(s)

WITH
T.C.(C) No. 6/2010
T.C.(C) Nos. 12-14/2014
T.C.(C) No. 15/2014
T.C.(C) No. 16/2014
W.P.(C) No. 344/2011
W.P.(C) No. 330/2011
(With Interim Relief and Office Report)
T.C.(C) No. 95/2012
(With appln.(s) for impleadment and intervention)
T.C.(C) No. 10/2014
T.C.(C) No. 11/2014
W.P.(C) No. 141/2011
(With appln.(s) for permission to file additional documents and
Office Report)
W.P.(C) No. 354/2011
(With appln.(s) for amendment of the petition and interim relief
and Office Report)
W.P.(C) No. 572/2013
(With office report)
W.P.(C) No. 289/2011
(With appln.(s) for directions and intervention and Office Report)
W.P.(C) No. 69/2011
(With appln.(s) for directions and impleadment and Office Report)
T.C.(C) No. 9/2014
SLP(C) No. 16308/2007
(With appln.(s) for directions and impleadment and interim
directions and intervention and urging addl. grounds and Interim
Relief and Office Report)
SLP(C) Nos. 19467-19469/2007
(With appln.(s) for clarification and clarification/direction and
exemption from filing O.T., impleadment and permission to file
affidavit and seeking permission to raise additional grounds and
interim Relief and Office Report)
SLP(C) No. 16314/2007
(With appln.(s) for exemption from filing c/c of the impugned
judgment and Interim Relief and Office Report)

2
T.C. (C) No. 1/2010 etc.
CONMT.PET.(C) No. 348/2011 In SLP(C) Nos. 19467-19469/2007
SLP(C) No. 16317/2007
(With appln.(s) for exemption from filing c/c of the impugned
judgment and Interim Relief and Office Report)
CONMT.PET.(C) No. 37/2012 In SLP(C) No. 16308/2007
CONMT.PET.(C) No. 288/2011 In SLP(C) No. 16308/2007
CONMT.PET.(C) No. 236/2011 In SLP(C) No. 16308/2007
(With Office Report)
CONMT.PET.(C) No. 356/2011 In SLP(C) No. 16308/2007
W.P.(C) No. 304/2011
(With appln.(s) for Amendment of the petition and Office Report)
T.C.(C) No. 4/2010
T.C.(C) No. 18/2014
SLP(C) Nos. 4165-4166/2013
(With Office Report)
T.P.(C) No. 144/2015
(With Office Report)
T.C.(C) No. 21/2014
T.C.(C) No. 22/2014
T.C.(C) No. 8/2016
T.C.(C) No. 7/2016

T.C.(C) No. 6/2016
T.C.(C) No. 5/2016
T.C.(C) No. 2/2010
T.C.(C) No. 3/2010
W.P.(C) No. 131/2011
(With Office Report)
SLP(C) No. 32162/2012
(With Interim Relief and Office Report)
W.P.(C) No. 147/2013
(With appln.(s) for stay and Office Report)
SLP(C) No. 32163/2012
(With Office Report)
T.C.(C) No. 5/2010
T.C.(C) No. 25/2010
(With appln.(s) for clarification and Stay)
T.C.(C) No. 20/2014
T.C.(C) No. 38/2014
T.C.(C) No. 36/2014
T.C.(C) No. 37/2014
T.C.(C) No. 19/2014
T.C.(C) No. 34/2014
T.C.(C) No. 33/2014
T.C.(C) No. 35/2014

T.C. (C) No. 1/2010 etc.
SLP(C) No. 28716/2012
(With Interim Relief and Office Report)
W.P.(C) No. 182/2011
(With Office Report)
T.P.(C) No. 143/2015
(With Office Report)
T.P.(C) No. 98/2015
(With Office Report)
T.P.(C) No. 21/2015
(With Office Report)
T.P.(C) No. 1919/2014
(With appln.(s) for stay and Office Report)
T.C.(C) No. 24/2014
T.C.(C) No. 25/2014
T.P.(C) No. 77/2015
(With appln.(s) for ex-parte stay and Office Report)
T.P.(C) No. 91/2015
(With appln.(s) for ex-parte stay and Office Report)
T.P.(C) No. 76/2015
(With appln.(s) for stay and Office Report)
T.P.(C) No. 111/2015
(With appln.(s) for stay and Office Report)

3

Date : 20/09/2016 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE V. GOPALA GOWDA
HON'BLE MR. JUSTICE ADARSH KUMAR GOEL

Mr. Gopal Subramaniam, Sr. Adv. (A.C.)

Mr. Talha Abdul Rahman, Adv.

Ms. Aishwarya Bhati, Adv.

Mr. Pradeep Singh, Adv.

Ms. Anusha Ramesh, Adv.

Mr. L. Joshi, Adv.

Mr. Pavan Bhushan, Adv.

Ms. Akanksha, Adv.

Counsel for the parties :

Mr. C.S. Vaidyanathan, Sr. Adv.

Mr. Nalin Talwar, Adv.

Mr. Vivek Kohli, Adv.

Ms. Anubha Singh, Adv.

Ms. Sanjana Mohanty, Adv.

Ms. Sidharth Chowdhary, AOR

Mr. Sudhir Chandra, Sr. Adv.

Mr. Anoop George Chowdary, Sr. Adv.

Mr. Sanjai Kumar Pathak, AOR
Ms. Shashi Pathak, Adv.

T.C. (C) No. 1/2010 etc.

4

Ms. A. Sumathi, AOR
Mr. Subramonium Prasad, Sr. Adv.
Ms. Mansha Anand, Adv.
Ms. Aishwarya Kaushiq, Adv.

Ms. Bina Gupta, AOR
Mr. Nishant Anand, Adv.
Mr. R.S. Suri, Sr. Adv.

Ms. Simar Suri, Adv.
Mr. Ajay Baury, Adv.
Mr. Varun Chopra, Adv.
Mr. Rohit K. Aggarwal, Adv.
Mr. Chanchal Kumar Ganguli, AOR

Mr. Subramonium Prasad, AOR
Mr. Arun K. Sinha, AOR

Mr. Joseph P., Adv.
Mr. Prashant Kumar, AOR
Mr. Rakesh Diwedi, Sr. Adv.

Ms. Sansriti Pathak, Adv.
Mr. Anish Agarwal, Adv.
Shabdito Singh, Adv.
Mr. Jay Kishore Singh, AOR
Delhi Study Group Ms. Geeta Luthra, Sr. Adv.
Ms. Shivani Luthra Lohiya, Adv.
Mr. D. N. Goburdhan, AOR
Mr. Prateek Yadav, Adv.

UP Pollution Mr. Pradeep Misra, Adv.

Control Board Ms. Indu Misra, Adv.

Mr. Rishabh Sancheti, Adv.

Ms. Padma Priya, Adv.

Mrs. Sangita Rai, Adv.

Mr. T. Mahipal, AOR

Mr. Prashant Bhushan, Adv.

Ms. Aparna Jha, AOR

Mr. Siddhartha Chowdhury, AOR
Mr. K. C. Dua, AOR

T.C. (C) No. 1/2010 etc.

5

Mr. Anil Kumar Jha, AOR
Mr. Shiv Prakash Pandey, AOR

Ms. Filza Moonis, Adv.

Mr. Jaswant Singh, Adv.

Ms. Susmita Lal, Adv.

M/s Temple Law Firm, Adv.

Mr. R. Gopalakrishnan, AOR

Mr. Vikas Mehta, AOR

Ms. Ranjeeta Rohtagi, AOR

Mr. Rakesh Dahiya, AOR

F.S.S.A.I. Mr. Mehmood Pracha, Adv.

Mr. Shadan Farasat, AOR

Mr. R.H.A. Sikander, Adv.

Mr. K. Rajeev, AOR

Mr. Nikhil Jain, AOR

Mr. S. K. Verma, AOR

Mr. M. Shueb Alam, AOR

State of Bihar Mr. Rudreshwar Singh, Adv.

Mr. Samir Ali Khan, AOR

Ms. Madhavi Divan, Adv.

Ms. Sushma Suri, AOR

State of Karnataka Mr. K.N. Bhat, Sr. Adv.

Mr. V. N. Raghupathy, AOR

Mr. Parikshit P. Angadi, Adv.

Dhariwal Industries Mr. Lalit Chauhan, Adv.
 Limited Mr. Sumit Goel, Adv.
 Mr. Abhishek Vinod Deshmukh, Adv.
 Ms. Rashi Gupta, Adv.
 For M/s Parekh & Co.
 Mr. S. Udaya Kumar Sagar, Adv.
 Ms. Bina Madhavan, Adv.
 Ms. Akanksha Mehra, Adv.
 Mr. Mrityunjai Singh, Adv.

T.C. (C) No. 1/2010 etc.
 Mr. Piyush Dwivedi, Adv.
 Mr. Prateek Dhir, Adv.
 For M/s Lawyers & Knit & Co.
 M/s Nuli & Nuli, Adv.

6

Ministry of Health Mr. Shreekant N. Terdal, AOR
 & Family Welfare/ Mr. A.K. Panda, Sr. Adv.
 MoEF Mr. Ajit Kumar Sinha, Sr. Adv.
 Mr. Rishabh Mehta, ASG
 Ms. Madhvi Diwan, Adv.
 Ms. Sunita Sharma, Adv.
 Mr. R. Balasubramaniam, Adv.
 Mr. G.S. Makkar, Adv.
 Ms. Sadhna Sandhu, Adv.
 Ms. Rashmi Malhotra, Adv.
 Mr. Pranav Kumar, Adv.
 Mr. D. S. Mahra, AOR

Mr. P. S. Sudheer, AOR
 Ms. Shirin Khajuria, AOR

Mr. Sajan Poovaiya, Sr. Adv.
 Mr. C.U. Singh, Sr. Adv.
 Mr. Ajay Aggarwal, Adv.
 Mr. Priyadarshi Banerjee, Adv.
 Ms. Kanika Gomber, Adv.
 Ms. Ruchika, Adv.
 Mr. Rajan Narain, AOR
 Mr. Pankaj Bhatia, Adv.
 Mr. Nipun Goel, Adv.
 Ms. Bharti Tyagi, AOR
 Chhattisgarh Environment Ms. Yogmaya Agnihotri, Adv.
 Conservation Board Ms. Purnima Bhat, Adv.
 State of Chhattisgarh Mr. Aniruddha P. Mayee, AOR
 Mr. Franklin Caesar Thomas, Adv.
 Mr. M.P. Siddiqui, Adv.
 Mr. A. Selvin Raja, Adv.
 Mr. Kundan Kumar Mishra, AOR
 State of Rajasthan Mr. S.S. Shamsheery, AAG

T.C. (C) No. 1/2010 etc.
 Mr. Amit Sharma, Adv.
 Mr. Prateek Yadav, Adv.
 Mr. Ankit Raj, Adv.

7

Ms. Ruchi Kohli, AOR
 SDMC Mr. Rakesh Kumar, AOR
 Mr. Rupesh Kr. Sinha, Adv.
 State of M.P.
 Mr. Mishra Saurabh, AOR
 Mr. Ashok Panigrahi, AOR
 Mr. Nikilesh Ramachandran, AOR
 Mr. P. V. Yogeswaran, AOR
 Mr. Ravi Kumar Tomar, AOR

Ms. Shally Bhasin, AOR
 M.C.D. Mr. R.K. Singh, Adv.
 Mr. Virag Gupta, Adv.
 Mr. Aum Mangalassery, Adv.

Mr. Praveen Swarup, AOR
 Mr. Khwairakpam Nobin Singh, AOR
 Mr. K.B. Rohtagi, AOR
 State of U.P. Mr. Gaurav Dhingra, AOR
 Mr. Vikrant Yadav, Adv.
 Mr. Sunil Fernandes, AOR
 Mr. L.C. Agrawala, AOR
 For M/s. Equity Lex Associates
 Mr. Nikhil Nayyar, AOR
 State of Jharkhand
 Mr. Tapesk Kumar Singh, AOR
 Mr. Mohd. Waquas, Adv.
 State of Tamil Nadu Mr. B. Balaji, AOR
 Mr. T.N. Rama Rao, Adv.
 Mr. Hitesh Kumar Sharma, Adv.
 Mr. T. Veera Reddy, Adv.
 Ms. C.K. Sucharita, AOR

T.C. (C) No. 1/2010 etc. 8
 Mr. M. Yogesh Kanna, AOR
 Ms. Nithya, Adv.
 Dr. Monika Gusain, AOR
 State of Haryana Mr. Alok Sangwan, AAG
 Mr. Devashish Bharuka, Adv.
 Ms. Anu Tyagi, Adv.
 Mr. Sanjay Kumar Visen, AOR
 Mr. Harish V. Shankar, Adv.
 Ms. Nisha Mohandas, Adv.
 Mr. Rajesh D.M., Adv.
 State of Uttarakhand Mr. Jatinder Kumar Bhatia, AOR
 Mr. Mukesh Verma, Adv.
 Mr. Mukesh Verma, Adv.
 Mr. Devesh Kumar Agnihotri, Adv.
 Mr. Yash Pal Dhingra, AOR

Mr. Ritesh Kumar, AOR
 Ms. Asha Gopalan Nair, AOR
 UT of Andaman & Mr. K. V. Jagdishvaran, Adv.
 Nicobar Admn. Ms. G. Indira, AOR
 State of Rajasthan Gp. Capt. Karan Singh Bhati, Adv.
 Sailendra Sharma, Adv.
 Ms. Tanuja Patra, Adv.
 Mr. T. Gopal, Adv.
 Mr. Dilip Kumar Nayak, Adv.
 Ms. Anshul Sharma, Adv.
 Ms. Heena Khan, Adv.
 Ms. Eshitha Kapur, Adv.
 Mr. Adarsh Kr. Tiwari, Adv.
 For Mr. Milind Kumar, AOR

Mr. Venkita Subramoniam T.R., AOR
 Mr. Basava Prabhu S. Patil, Sr. Adv.
 Mr. Shailesh Madiyal, AOR
 Mr. Chinmay Deshpandey, Adv.
 Mr. Kaushik Poddar, AOR

Mr. Irshad Ahmad, AOR

T.C. (C) No. 1/2010 etc. 9
 Mr. N. Ganpathy, AOR
 Mr. Vikas Mehta, AOR
 Ms. Praveena Gautam, AOR
 Ms. Ruby Singh Ahuja, Adv.
 Mr. Karan Dev Chopra, Adv.
 Mr. Milinda Sharma, Adv.
 Mr. Manik Karanjawala, Adv.
 For M/s. Karanjawala & Co.
 Mr. P. Parmeswaran, AOR
 Mr. Avijit Bhattacharjee, AOR

Mr. Nitin S. Tambwekar, Adv.
 Mr. Seshatalpa Sai Bandaru, Adv.
 CPCB Mr. Vijay Panjwani, AOR
 Mr. Jagjit Singh Chhabra, AOR
 Mr. Surya Kant, AOR
 SPCB (Odisha) Mr. Ashok Kumar Panda, Sr. Adv.
 Mr. Tejaswi Kumar Pradhan, AOR
 Mr. Satyabrata Panda, Adv.
 Mr. Manoranjan Paikaray, Adv.
 Mr. Krishnayan Sen, AOR
 Asiya Khan, Adv.
 Mr. Uddyam Mukherjee, Adv.
 State of Arunachal Pradesh Mr. Anil Shrivastav, AOR

State of Tripura Mr. Gopal Singh, AOR

Mr. Rituraj Biswas, Adv.
 Ms. Varsha Poddar, Adv.
 Mr. K.B. Rohatgi, AOR
 Mr. Mahesh Kasana, Adv.
 Ms. Aparna Rohatgi Jain, Adv.
 Mr. Kamal Mohan Gupta, AOR
 M/s Corporate Law Group, Adv.
 Gujarat Ms. Hemantika Wahi, AOR
 Ms. Puja Singh, Adv.
 Ms. Aagam Kaur, Adv.

T.C. (C) No. 1/2010 etc.

10

Ms. Mamta Singh, Adv.
 State of H.P. Mr. Suryanarayana Singh, Sr. AAG
 Ms. Pragati Neekhara, AOR
 Govt. of Puducherry Mr. V.G. Pragasam, AOR
 Mr. S. Prabhu Ramasubramanian, Adv.
 Chhattisgarh Environment Ms. Yogmaya Agnihotri, Adv.
 Conservation Board Ms. Purnima Bhat Kak, AOR
 Ms. Sandhya Goswami, AOR
 State of Sikkim Ms. Aruna Mathur, Adv.
 Mr. Yusuf Khan, Adv.
 Mr. Avneesh Arputham, Adv.
 Ms. Anuradha Arputham, Adv.
 for M/s Arputham Aruna & Co.
 Agra Nagar Nigam Mr. Jitendra Mohan Sharma, Sr. Adv.
 Mr. Ajit Sharma, Adv.
 Mr. Pahlad Singh Sharma, AOR
 Mr. Sandeep Singh, Adv.
 Mr. M.K. Pandey, Adv.
 Mr. Vikas Bansode, Adv.
 Ms. Shalini Chandra, AOR

State of Nagaland Ms. K. Enatoli Sema, AOR

Mr. Edward Belho, Adv.
 Mr. Amit Kumar Singh, Adv.
 Mr. K. Luikang Michael, Adv.
 Mr. P.V. Yogeswaran, AOR
 Mr. Vikas Mehta, AOR
 Mr. B.D. Sharma, AOR
 Ms. Meera Mathur, AOR
 Mr. Abhay Kumar, AOR
 Mr. Milind Kumar, AOR
 Mr. M.T. George, AOR
 Mr. Jitendra Mohan Sharma, Sr. Adv.
 Ms. Shweta Jain, Adv.
 Mr. Ajit Sharma, Adv.
 Mr. Pahlad Singh Sharma, AOR

T.C. (C) No. 1/2010 etc.

11

Ms. Madhvi Diwan, Adv.
 Ms. Nidhi Khanna, Adv.
 Mr. B. Krishna Prasad, AOR
 Mr. Gaurav Agrawal, AOR

Dr. A.M. Singhvi, Sr. Adv.
Mr. V. Giri, Sr. Adv.
Mr. Vivek Kohli, Adv.
Mr. Nalin Talwar, Adv.
Mr. Nikhil M., Adv.
State of Maharashtra Mr. Nishant Ramakantrao Katneshwarkar, AOR
For intervenor Mr. Rajiv Dhawan, Sr. Adv.
Mr. Manish Goswami, Adv.
Mr. Mayank Pandey, Adv.
Mr. Rameshwar Prasad Goyal, AOR
For M/s. Map & Map
Mr. K.N. Bhat, Sr. Adv.
Mr. Ashok Mathur, AOR
Ms. Priyanjali Yadav, Adv.
Ms. Indu Malhotra, Sr. Adv.
Ms. Vandana Anand, Adv.
Mr. Dheeraj Nair, AOR
State of Kerala Mr. G. Prakash, AOR
Mr. Jishnu M.L., Adv.
Ms. Priyanka Prakash, Adv.
Ms. Beena Prakash, Adv.
Mr. Manu Srinath, Adv.
Mr. Nishe Rajensonker, Adv.
Mr. Gajendra Khichi, Adv.
State of Manipur Mr. Sapam Bishwajit Meitei, Adv.
Mr. Naresh Kumar Gaur, Adv.
Ms. Linthoingambi Thongam, Adv.
Mr. Ashok Kumar Singh, AOR
Mr. M. Shoebalam, AOR
For Intervenor Mr. V.A. Mohta, Sr. Adv.
Mr. Shashibhushan P. Adgaonkar, Adv.
Mr. Ashok Kumar Gupta II, AOR
Mr. Nilkanth Nayak, Adv.

T.C. (C) No. 1/2010 etc. 12
UPON hearing the counsel the Court made the following

O R D E R

Mr. C.S. Vaidyanathan, learned senior counsel
for the petitioner in T.C (C) No. 7/2016 resumed his
arguments at 10.40 a.m. and was on his legs when the
Court rose for the day.

List tomorrow as part heard (fist case).

(S. K. RAKHEJA) (VINOD KUMAR JHA) (MALA KUMARI SHARMA)
COURT MASTER AR-cum-PS COURT MASTER