
(1999) 01 SC CK 0049

In the Supreme Court Of India

Case No : I.A. No. 397 in Writ Petition (C) No. 202/95

T.N. Godavarman Thirumulpad

APPELLANT

Vs

Union of India and Others

RESPONDENT

Date of Decision : 20-01-1999

Acts Referred:

Citation : (1999) AIRSCW 4908 : (1999) 1 SCALE 467 : (1999) 1 SCALE 466

Hon'ble Judges : A. S. Anand, C.J.; V. N. Khare, J; B. N. Kirpal, J

Bench : Full Bench

Final Decision : dismissed

Judgement

1. While issuing notice on the application filed by the State of Assam and the Government of Nagaland on 10.12.1998, we had on being prima facie satisfied that earlier order of this Court had been respected in their breach also directed the issuance of a notice to show cause to the Chief Secretary, Government of Nagaland as to why action be not initiated for issuing Notification in breach of the directions issued by this Court. The Chief Secretary to the Government of Nagaland, Shri A.M. Gokhale has filed an affidavit, in response to the notice dated 10.12.1998. We have perused that affidavit but are not satisfied with the contents thereof. Many areas have been left totally grey and the information which this Court sought for has not been correctly furnished. It is not denied that the foothills of Nagaland along the Nagaland Assam Boarder have been declared as Industrial Zone for wood based industry. There is no explanation in the affidavit with regard to the creation of Industrial Estates of a compact nature.

2. Mr. Dipankar Gupta, learned senior counsel appearing for the State of Nagaland submits that an additional better affidavit, giving better and fuller details shall be filed in this Court. It is submitted that since discussions are going on between the Ministry of Environment and Forests and the State Government, the outcome of those discussions shall also be placed on record through an affidavit. We grant the prayer of Mr. Gupta and allow him four weeks' time to file a better and complete affidavit of the Chief Secretary to the Government of

Nagaland, giving a correct and fuller picture and disclosing the manner in which the earlier directions issued by this Court have been complied with or/are being complied with. An advance copy of the affidavit shall be furnished to learned Amices-Curiae as well as to the learned Counsel for the State of Assam who shall have two weeks' from the date of service of the advance copy of the affidavit to seek instructions/response of the State of Assam.

3. This application shall be put up for further consideration after six weeks on a date to be fixed in consultation with the learned Amicus.

4. Contempt Petition (C) No. 336 of 1998 be also listed along with LA. No. 397.