

ITEM NO.16

COURT NO.3

SECTION XVII

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G SCivil Appeal No(s). 5599-5601/2023

DCM SHRIRAM LIMITED

Appellant(s)

VERSUS

THE NATIONAL BIODIVERSITY AUTHORITY

Respondent(s)

(FOR ADMISSION and I.R. and IA No.180604/2023-GRANT OF INTERIM RELIEF and IA No.180603/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.180606/2023-EXEMPTION FROM FILING O.T.)

Date : 15-09-2023 These appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJIV KHANNA
HON'BLE MR. JUSTICE S.V.N. BHATTI

For Appellant(s) Dr. A.M. Singhvi, Sr. Adv.
Ms. Anannya Ghosh, AOR

For Respondent(s) Mr. Vikramjith Bannerji, A.S.G.
Mr. Jayesh K. Unnikrishnan, AOR
Ms. Sasmita Tripathy, Adv.
Ms. Goutami Budhapriya, Adv.

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

Issue notice, returnable on a non-miscellaneous day in the month of February 2024.

Mr. Jayesh K. Unnikrishnan, learned counsel, who is present in Court on advance notice, waives service and accepts notice on behalf of the respondent.

Learned Senior Advocate appearing on behalf the appellant has drawn our attention to Section 3 of the Biological Diversity Act, 2002¹, and the amendment(s) made *vide* Act No. 10 of 2023 dated

¹ For short "BD Act"

03.08.2023, which it is submitted is clarificatory in nature, keeping in view of the object and purpose and the intent behind the enactment.

The appellant - DCM Shriram Limited will maintain records and accounts of the sales. They will file monthly statement of sales and accounts with the authorities.

Till the next date of hearing, there shall be stay of the directions given in impugned judgment/order to make payment/deposit of 0.5% levy in terms of the BD Act. The appellant - DCM Shriram Limited, however, will not be entitled to seek refund of the amount already deposited.

No coercive steps including prosecution will be initiated by the authorities.

(BABITA PANDEY)
COURT MASTER (SH)

(R.S. NARAYANAN)
ASSISTANT REGISTRAR