

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

Writ Petition(s)(Civil) No(s). 13381/1984

M.C. MEHTA

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

((1) IA NO. 99054 AND 99055/2024 (APPLNS. FOR PERMISSION AND EXEMPTION FROM FILING O.T. ON B/O UPSIDA) AND IA NO. 31946/2024 (APPLN. FOR PERMISSION ON B/O OF NORTH CENTRAL RAILWAY, AGRA) (2) CEC REPORT NO. 17 OF 2024 AND CEC REPORT NO. 34 OF 2024 IN CEC REPORT NO. 17 (3) IN RE: UTTAR PRADESH PROTECTION OF TREES ACT, 1976 (4) IN RE: TREE CENSUS (5) CEC REPORT NO.31/2024 (6) IA NO. 64225/2022 (APPLN. FOR CLARIFICATION ON BEHALF OF ARUN KR. GUPTA) (7) CEC REPORT NO. 3 OF 2025 (8) IA NOS. 32568 AND 33549 OF 2025 (APPLNS. FOR IMPEADMENT AND DIRECTIONS ON BEHALF OF ASHOK) "ONLY" IN W.P. (C) NO. 13381/1984 ARE LISTED. "ONLY" NAMES OF THE FOLLOWING ADVOCATES MAY BE TREATED TO HAVE BEEN SHOWN IN THE LIST. PETITIONER-IN-PERSON MR. A.D.N. RAO, SR. ADVOCATE (A.C.) MR. LIZ MATHEW, SR. ADV. (A.C.) MR. SIDDHARTHA CHOWDHURY, ADV. (A.C.) MS. AAKASHI LODHA, AOR MS. KESHVI ARYA, Adv. MR. AMRISH KUMAR, MR. M.K. MARORIA, MR. G.S. MAKKER, MR. VIJAY PANJWANI, MR. ANKIT GOEL, MR. KAMLENDRA MISHRA MR. SAURABH MISRA, MR. GUNTRUR PRAMOD KUMAR, MR. CHITRANSHUL A. SINHA, MR. VIVEK NARAYAN SHARMA, MR. PUSHKAR SHARMA, M.V. KINI AND ASSOCIATES, MR. L.R. SINGH, MS. RAJ KUMARI BANJU, M/S. MEHARIA AND COMPANY, (6) MR. RAJKUMARI BANJU, MR. PRAVEEN SWARUP, (7) MR. AJIT SHARMA)

Date : 13-05-2025 This petition was called on for hearing today.

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

IA NO. 99054 AND 99055/2024 (APPLNS. FOR PERMISSION AND EXEMPTION FROM FILING O.T. ON B/O UPSIDA) AND IA NO. 31946/2024 (APPLN. FOR PERMISSION ON B/O OF NORTH CENTRAL RAILWAY, AGRA)

1. As far as these applications are concerned, we finally grant time of eight weeks as sought by the Central Empowered Committee (for short, "the CEC").

2. List on Tuesday, 22nd July, 2025.

CEC REPORT NO. 17 OF 2024 AND CEC REPORT NO. 34 OF 2024
IN CEC REPORT NO. 17
IN RE: UTTAR PRADESH PROTECTION OF TREES ACT, 1976

3. As regards the implementation of the order dated 29th November, 2024 regarding Uttar Pradesh Protection of Trees Act, 1976, the learned Additional Solicitor General states that the State has not taken any decision.

4. In this Public Interest Litigation, we are concerned with the Taj Trapezium Zone (for short, 'the TTZ') area. There has to be a deterrent on illegal tree felling. The reason is that illegal tree felling has a direct co-relation with preservation of the Taj Mahal and other ancient monuments in the TTZ area.

5. Paragraph 16 of Report No.17 of 2024 reads thus:

"16. As detailed in para 5 above, some people illegally remove the trees owned by them when they pose a danger to their life and property while some people also fell trees for non-genuine vested interests. To discourage these practices and compensate for the tree loss, some strict punitive actions are required. The following suggestions have emerged after discussions with different stakeholders:

(a) For illegal felling of private trees of exempted species by farmers: Rs.5000 (Rs.Five thousand only) per tree may be recovered by the Divisional Forest Officer as compounding fees and timber may be handed back to the farmer.

(b) For illegal felling of private trees of restricted species by any person and exempted species by any person other than farmer: Rs 10000 (Rs. Ten thousand only) per tree may be recovered by the Divisional Forest Officer as compounding fees, timber may be seized in four of department and amount for block plantation of trees ten times the number of trees illegally felled with 5 years maintenance be deposited with the Forest Department.

(c) For illegal felling offence as covered in IFA 1927: Rs 25000 (Rs. Twenty-five thousand) per tree may be recovered by the Divisional Forest Officer as compounding fees, timber may be seized in favour of department, and amount for tree guard protected plantation of trees ten times the

number of trees illegally felled with 5 years maintenance to be deposited with Forest Department.

(d) The same process may also be adopted by respective Lok Adalats and District Courts while disposing of the cases of illicit felling in the TTZ."

6. We exercise our jurisdiction under Article 142 of the Constitution of India and pass an order in terms of clauses (a) to (d) above limited to the TTZ area. We direct that a copy of this order shall be forwarded to the Registrar General of the Allahabad High Court and the Rajasthan High Court who in turn will forward the same to the District Courts within their respective jurisdictions.

IN RE: TREE CENSUS

7. We have perused the affidavit of the Forest Research Institute (for short, "the FRI") filed in terms of this Court's order dated 8th April, 2025.

8. For the time being, we are keeping the issues flagged in our order dated 8th April, 2025 open.

9. We direct the FRI to submit representations to the State of Uttar Pradesh and State of Rajasthan for release of funds in a phase-wise manner. We are sure that the State of Uttar Pradesh and State of Rajasthan will immediately release the necessary funds.

10. Before we deal with the stand taken in the affidavit by the FRI, we direct the FRI to file an additional affidavit by the end of August, 2025 setting out the progress made in the work of Tree Census.

11. A copy of this order shall be forwarded to the FRI. In case the FRI seeks any directions from the Court, it will be for the FRI to submit a report to the Registrar (Judicial) of this Court who shall ensure that the same is immediately placed before this Court.

CEC REPORT NO.31/2024

12. We have heard the learned senior counsel appearing for the applicant. The prayer made in paragraph 6 of the affidavit dated 8th May, 2025 cannot be accepted and the applicant will have to comply with the conditions imposed by the CEC.

IA NO. 64225/2022 (APPLN. FOR CLARIFICATION ON BEHALF OF ARUN KR. GUPTA)

13. List on 20th May, 2025 at 12.30 p.m.

CEC REPORT NO. 3 OF 2025

14. List on 20th May, 2025 at 12.30 p.m.

IA NOS. 32568 AND 33549 OF 2025 (APPLNS. FOR IMPLEADMENT AND DIRECTIONS ON BEHALF OF ASHOK)

15. List on 20th May, 2025 at 12.30 p.m.

(ANITA MALHOTRA)
AR-CUM-PS

(AVGV RAMU)
COURT MASTER