

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)

(IN RE: TAJ TRAPEZIUM ZONE

- (1) REPORT NO. 17/2024 SUBMITTED BY CENTRAL EMPOWERED COMMITTEE
- (2) IA NO. 108684/2023 (APPLN. FOR DIRECTIONS ON BEHALF OF GOVT. OF U.P.)
- (3) IA NO. 116768/2018 (APPLN. FOR DIRECTION ON B/O GANGA GLASS INDUSTRIES AND ORS.)
- (4) IA NO. 237739 AND 237765/2024 (APPLN. FOR IMPLEADMENT AND DIRECTIONS ON B/O RAM AUTAR)
- (5) IA D NO. 262456 AND 262458/2024 (APPLN. FOR INTERVENTION AND O.T. EXEMPTION ON B/O DR. SHARD GUPTA)
- (6) IA NO. 259776 AND 270196/2024 (APPLNS. FOR DIRECTION AND EXEMPTION FROM FILING O.T. ON B/O SAROJINI NAIDU MEDICAL COLLEGE)

"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.

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MR. ANSUL GUPTA)

Date : 16-12-2024 This petition was called on for hearing today.

CORAM :

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

REPORT NO. 34/2024 SUBMITTED BY CENTRAL EMPOWERED  
COMMITTEE

IN RE: AGRA METRO RAIL PROJECT

1. The Central Empowered Committee (CEC) has recorded that compliance with all the conditions incorporated in the order dated 14<sup>th</sup> July, 2020 has been made by the Agra Metro Rail Project. Hence, no further directions are required to be issued.

**IN RE: RAIL VIKAS NIGAM LIMITED PROJECT**

2. We have perused the report concerning compliance with the order dated 13<sup>th</sup> May, 2022 by Rail Vikas Nigam Limited. The project was of third rail line between Mathura and Jhansi. Now, the CEC has reported a complete compliance with all the conditions including condition of planting 50,940 saplings. Therefore, we vacate the order dated 14<sup>th</sup> October, 2024 by which the work of third rail line between Mathura and Jhansi was stopped.

**IN RE: YOGIRAJ SARKAR GODADI WALE TRUST PROJECT**

3. We have perused the compliance of the order dated 31<sup>st</sup> October, 2022. The CEC has reported compliance with all the conditions in the order dated 31<sup>st</sup> October, 2022. Hence, no direction is required to be issued in this behalf.

**IN RE: REMAINING PROJECTS**

4. We grant time to the CEC to submit a detailed report regarding 13 remaining projects. Time is granted till 17<sup>th</sup> March, 2025 to submit a report which will be considered on 21<sup>st</sup> March, 2025.



IA NO. 108684/2023 (APPLN. FOR DIRECTIONS ON BEHALF OF GOVT. OF U.P.)

5. As regards this application, the learned amicus curiae will look into the compliance report filed by the State of Uttar Pradesh. We will consider the compliance whenever the main petition is listed in January, 2025 i.e. on 24<sup>th</sup> January, 2025.

IA NO. 116768/2018 (APPLN. FOR DIRECTION ON B/O GANGA GLASS INDUSTRIES AND ORS.)

6. The learned Additional Solicitor General stated that in all probability, the NEERI will be able to come out with the sectoral guidelines in January, 2025.

7. List on 24<sup>th</sup> January, 2025 at the end of the cause list.

IA NO. 237739 AND 237765/2024 (APPLN. FOR IMPLEADMENT AND DIRECTIONS ON B/O RAM AUTAR)

8. In view of what is stated in Report No.35 of 2024, issue notice of contempt to Mr. Shankar Agarwal alias Shiv Shankar Agarwal s/o Sri Rewati Prasad Agarwal r/o Mayur Vihar, Bharatpur Road, Mathura, Uttar Pradesh returnable on 24<sup>th</sup> January, 2025.

9. The notice be forwarded to the Superintendent of Police, District Mathura, Uttar Pradesh for effecting service on the said Mr. Shankar Agarwal.

10. We have perused the conclusions and recommendations of the CEC. We direct the Forest Department to take action in terms of the recommendations in clauses (b), (c), (f) and (g) of paragraph 14 of the report of the CEC. Before the next date, a compliance shall be filed by the Forest Department of the State of Uttar Pradesh. As regards clause (d) of paragraph 14, we direct the Forest Department to close the entry path referred to therein.

11. We also make it clear that even if the Forest Department plants trees in terms of clause (f) of paragraph 14 of the recommendations, that will not absolve the owners of the land and/or persons who are responsible for felling of the trees from taking legal action as well as from requirement of planting trees by way of afforestation.

12. For considering the compliance by the State of Uttar Pradesh and its Forest Department, list on 24<sup>th</sup> January, 2025 at the end of the cause list.

13. We also make it clear that *status quo* in all respects in respect of the property shall be maintained till further orders.

14. For the time being, the personal presence of the persons to whom the contempt notice is issued (except Mr. Shankar Agarwal) is dispensed with.

15. This order of *status quo* will not come in the way

of the Forest Department of the State of Uttar Pradesh in implementing the directions contained in this order.

16. We also direct that the notice of the application be issued to Mathura Vrindavan Development Authority only with a view to ensure that the recommendations of the CEC in Report No.35 of 2024 are complied with by the Development Authority.

REPORT NO. 33 OF 2024 IN IA D NO. 262456 AND 262458/2024 (APPLN. FOR INTERVENTION AND O.T. EXEMTION ON B/O DR. SHARD GUPTA)

17. We direct the Forest Department of the State of Uttar Pradesh to implement the recommendations in clauses (a), (b) and (c) of paragraph 16. The Agra Development Authority shall ensure that the recommendations in terms of clause (d) of paragraph 16 are scrupulously implemented on the site. The Agra Development Authority shall constitute a team of the officials to make frequent visits to the sites to ensure that no constructions activity commences.

18. The report shall be submitted by the State of Uttar Pradesh and the Agra Development Authority before 22<sup>nd</sup> January, 2025. Compliance will be considered on 24<sup>th</sup> January, 2025. We direct the Forest Department of the State of Uttar Pradesh to seize the entire timber of illegally felled trees and shall be disposed of in accordance with law.

**IA NO. 259776 AND 270196/2024 (APPLNS. FOR DIRECTION AND EXEMPTION FROM FILING O.T. ON B/O SAROJINI NAIDU MEDICAL COLLEGE)**

19. The learned Additional Solicitor General appearing for the State of Uttar Pradesh seeks time to file an affidavit dealing with the recommendations of the CEC in Report No.32 of 2024. The affidavit to be filed within a period of three weeks which will be considered by this Court on 24<sup>th</sup> January, 2025.

20. Till that time, felling of trees shall not be undertaken.

21. Only for the purposes of passing an order for conducting a tree census, this petition shall be listed on 18<sup>th</sup> December, 2024.

22. Interlocutory Applications and other matters arising out of this petition ordered to be listed on different dates in January, 2025 shall be listed on 24<sup>th</sup> January, 2025 at the end of the cause list. To that extent, the earlier orders stand modified.

(ANITA MALHOTRA)  
AR-CUM-PS

(AVGV RAMU)  
COURT MASTER