

ITEM NO.10

COURT NO.1

SECTION PIL-W

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). 202/1995

IN RE : T.N. GODAVARMAN THIRUMULPAD

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

INTERLOCUTORY APPLICATION FOR 06.08.2025 "ONLY" [1] I.A. NO. 149686 & 149687 OF 2025 [Applications for Directions & Exemption from filing O.T. filed by Ms. Aruna Gupta, Advocate] IN RE: VIKRAM SINGH SHEKHAWAT PARTNER RADHE GOVIND MARBLES AND [2] I. A. NO. 132125 OF 2025 [Application for Impleadment filed by Mr. Vishnu Kant, Advocate] WITH I. A. NO. 132266 OF 2025 [Application for Directions filed by Mr. Vishnu Kant, Advocate] IN WRIT PETITION (C) NO. 171 OF 1996 IN RE : MOHINDER SINGH & ORS. AND [3] I.A. NOS. 167008 & 167010 OF 2025 (Applications for Impleadment and Directions in filed by Ms. Rani Mishra, Advocate) IN RE: SANJAY KUMAR AND [4] I. A. NO. 280902 OF 2024 [Application for Directions filed by Mr. Sabarish Subramanian, Advocate] AND I. A. NO. 91650 & 91651 OF 2025 [Application for bringing on record subsequent events and filing additional documents alongwith application for Exemption from filing O.T. of Ms. Purnima Krishna, Advocate] AND I. A. NO. 152465 OF 2025 [CEC REPORT NO. 30 OF 2025] IN RE : TAMIL NADU WATER SUPPLY DRAINAGE BOARD, THE GOVERNMENT OF TAMIL NADU AND [5] ISSUE REGARDING ORDER DATED 18.03.2025 PASSED IN W.P. (C)NO. 13381 OF 1984 AND I. A. NO. 140084 OF 2025 [Application for Exemption from filing O.T. in Affidavit] AND [6] I.A. NO. 117204 OF 2024 (CEC REPORT NO. 5 OF 2024-Status Report in Delhi Ridge) IN RE : MINISTRY OF FINANCE IN RE : DELHI RIDGE AND [6 (a)] ISSUE REGARDING ORDER DATED 16.04.2025 PASSED IN W.P. (C)NO. 4677 OF 1985 AND [7] I.A. NO. 156703 OF 2024 [Application for Impleadment filed by Mr. Shrey Kapoor, Advocate] AND I.A. NO. 156707 & 156710 OF 2024 [Application for Directions and Exemption from filing O.T. filed by Mr. Shrey Kapoor, Advocate] WITH I.A. NOS. 182429 & 182432 OF 2024 [Application for permission to file Additional documents and Exemption from filing O.T. filed by Mr. Shrey Kapoor, Advocate] AND I.A. NOS. 279970 & 279972 OF 2024 [Application for placing on record Addition Facts and documents and Exemption from filing English translation filed by Mr. Shrey Kapoor, Advocate] AND I.A. NO. 8102 OF 2025 [Application for Directions in I.A. No. 211378, 211725/2024 in I.A. 58031/2024 filed by Ms. Aruna Gupta, Advocate] AND [7 (a)] I.A. NO. 212089 OF 2024 [Application for Impleadment in I.A. Nos. 58031 & 58032 of 2024 filed by Ms. Aruna Gupta, Advocate] AND I.A. NOS. 212084 & 212086

OF 2024 [Application for Directions & Exemption from filing O.T. in I.A. Nos. 58031 & 58032 of 2024 filed by Ms. Aruna Gupta, Advocate] AND [7 (b)] CIVIL APPEAL DIARY NO. 12516 OF 2019 AND [7 (c)] SUO-MOTU WRIT PETITION (C) NO. 1 OF 2023 IN RE : SARISKA TIGER RESERVE IN RE : PAVAN SINGH IN RE : CHAND KANWAR IN RE : ANIL JATAV IN RE : M/S. RADHE GOVIND MARBLE IN RE : STATUS OF FUNDS IN RE : VAISHALI RANA AND [8] I. A. NOS. 79569 AND 79576 OF 2019 [Applications for Intervention and Directions] WITH I. A. NOS. 159670 AND 159677 OF 2019 [Application for Exemption from filing Official Translation] WITH I. A. D. NOS. 14261 AND 14262 OF 2021 [Applications for Urgent Listing of I.A. Nos. 79569 and 79576/2019 and Exemption from filing duly Attested Affidavit] AND I. A. NOS. 40599 AND 40624 OF 2023 [Applications for Intervention and Modification of Court's order dated 12.05.2022] AND I. A. NO. 220675 OF 2023 [Application for Direction in I.A. No. 79576/2019] AND I. A. NO. 111336 OF 2025 [Application permission to file Additional documents in I.A. No. 79569 & 79576/2019 filed by Mr. Aaditya A. Pande, Advocate] AND I. A. NO. 137276 OF 2025 [Application permission to file Additional documents in I.A. No. 40599 & 40624/2021 filed by M/s. Karanjawala & Co., Advocate] IN RE : SHRMIK RICKSHAW CHALAK-MALAK SEVASANSTHA IN RE : E-RICKSHAW IN MATHERAN AND [9] I. A. NOS. 90595 & 90596 OF 2025 [Applications for permission to file Impleadment and application for Impleadment filed by M/s. Hooda & Co., Advocate] IN RE : B.K. SINGH - IFS (RETD.) IN WRIT PETITION (CIVIL) NO. 202/1995 "ONLY" ARE LISTED IN W.P.(C) No. 202/1995 "ONLY" ON 06.08.2025 AND THE NAMES OF "ONLY" THE FOLLOWING ADVOCATES MAY BE TREATED TO HAVE BEEN SHOWN AGAINST THESE I.As. MR. HARISH N. SALVE, SR. ADV. [A.C.], MR. A.D.N. RAO, SR. ADVOCATE [A.C.], MS. APARAJITA SINGH, SR. ADVOCATE [A.C.], MR. SIDDHARTHA CHOWDHURY, ADVOCATE [A.C.] MR. K. PARAMESHWAR, SR. ADVOCATE [A.C.] MR. G.S. MAKKER, ADVOCATE MR. S.N. TERDAL, ADVOCATE DR. N. VISAKAMURTHY, ADVOCATE FOR S. NO. [1] MR. K. PARAMESHWAR (A.C.), MS. ARUNA GUPTA FOR S. NO. [2] (W.P.(C) NO. 171 OF 1996) MR. K. PARAMESHWAR (A.C.), MR. VISHNU KANT FOR S. NO. [3] MR. K. PARAMESHWAR (A.C.), MS. RANI MISHRA FOR S.NO. [4] MR. K. PARAMESHWAR (A.C.), MR. SABARISH SUBRAMANIAN (STATE OF TAMIL NADU), MS. PURNIMA KRISHNA (STATE OF TAMIL NADU) FOR S.NO. [5] MR. K. PARAMESHWAR (A.C.), MR. G.S. MAKKER (MoEF & CC), MS. NIDHI JASWAL (STATE OF RAJASTHAN) FOR S.NO. [6 & 6 (a)] MR. K. PARAMESHWAR (A.C.), MR. NISHIT AGRAWAL (FOR DDA), MR. GUNTUR PRASAD (FOR CPWD), MR. M.K. MARORIA (FOR GNCT IN I.A. NO. 117204/2024) FOR S.NO. [7 (a to c)] MR. K. PARAMESHWAR (A.C.), MR. G.S. MAKKER, MS. RANI MISHRA, MR. K. PARAMESHWAR (A.C.), MS. PARUL SHUKLA, MR. MILIND KUMAR, MR. SHREY KAPOOR, MS. ARUNA GUPTA, MS. NIDHI JASWAL, MR. SHYAM D. NANDAN, ADV. IN C.A.(D)NO. 12516/2016 FOR S.NO. [8] MR. K. PARAMESHWAR (A.C.), MS. MISHA ROHATGI MOHTA, M/S. KARANJAWALA & CO., MR. KRISHNA BALLABH THAKUR, MR. T.R.B. SIVAKUMAR, MR. AADITYA A . PANDE (STATE OF MAHARASHTRA) FOR S.NO. [9] MR. K. PARAMESHWAR (A.C.), MS. SHIBANI GHOSH, MR. SANCHIT GARGA (STATE OF KARNATAKA)

WITH

Diary No(s). 12516/2019 (XVII)

[IA No. 68530/2019 - CONDONATION OF DELAY IN FILING, IA No.

68535/2019 - EX-PARTE STAY, IA No. 68538/2019 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 220462/2024 - INTERVENTION/IMPLEADMENT, IA No. 68527/2019 - PERMISSION TO FILE APPEAL)

SMW(C) No. 1/2023 (PIL-W)

[IA No. 282482/2024 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 169820/2025 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 169812/2025 - CLARIFICATION/DIRECTION, IA No. 128329/2025 - CLARIFICATION /DIRECTION, IA No. 128330/2025 - EXEMPTION FROM FILING O.T., IA No. 285430/2024 - EXEMPTION FROM FILING O.T., IA No. 169815/2025 - EXEMPTION FROM FILING O.T., IA No. 174013/2025 - INTERVENTION /IMPLEADMENT, IA No. 227339/2024 - INTERVENTION /IMPLEADMENT, IA No. 169819/2025 - INTERVENTION/IMPLEADMENT)

W.P.(C) No. 171/1996 (PIL-W)

(IA No. 132266/2025 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 132125/2025 - INTERVENTION/IMPLEADMENT)

Date : 06-08-2025 This petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE K. VINOD CHANDRAN
HON'BLE MR. JUSTICE N.V. ANJARIA

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

[1] I.A. NOS. 149686 & 149687 OF 2025

1. The limited grievance in the present applications is that though the matter is pending before the State Environment Impact Assessment Authority (for short "SEIAA") for permitting the mining activities, the SEIAA is not considering the same.
2. We dispose of the present applications with the direction to the SEIAA to consider the applications of the present applicant(s) for the grant of mining lease strictly in

accordance with law and as per the orders passed by this Court on earlier occasions.

3. We expect the SEIAA to take a decision either way as expeditiously as possible and preferably within three months from today.

[2] A. NO. 132125 OF 2025 WITH I. A. NO. 132266 OF 2025 IN WRIT PETITION (C) NO. 171 OF 1996

List on 08.08.2025.

[3] I.A. NOS. 167008 & 167010 OF 2025

1. These applications have been filed seeking the following prayers:

a) *Quash the impugned RFP dated 05.06.2025 floated by OTDC for the Rs.91 crore tourism project within and around Debrigarh Wildlife Sanctuary and its Eco-Sensitive Zone, as being illegal and in violation of the Wildlife (Protection) Act 1972, the Forest (Conservation) Act, 1980, the Environment (Protection) Act, 1986, and the MoEF&CC Guidelines on Sustainable Ecotourism, 2021;*

b) *Restrain the Respondent State from proceeding with any activity under the said RFP or related project, pending full compliance with the Wildlife (Protection) Act, 1972, Forest (Conservation) Act, 1980, ESZ Notification dated 07.06.2017, and the Eco-tourism Guidelines, 2021;*

c) *Direct the Respondents to place on record all statutory approvals, if any, obtained for the said project, and disclose the status of the Zonal Master Plan and Forest/Wildlife clearances;*

d) *Direct the Central Empowered Committee (CEC) to independently examine the legality and ecological impact of the tourism infrastructure and development activities proposed or undertaken within and around the Debrigarh Wildlife Sanctuary, including the role of the Odisha Tourism Development Corporation and other concerned authorities*

2. The perusal of the application would reveal that the process is only at the stage of request for proposal for appointing an architectural consultant.

3. This Court has, time and again, prescribed as to what activities are permitted in the Wildlife Sanctuary as well as the Eco-Sensitive Zone (ESZ). The authorities ought to be aware of the orders passed by this Court.

4. At the cost of repetition, we direct that the State Government, while finalizing the proposal for carrying out any activities either within the Debrigarh Wildlife Sanctuary or in its ESZ, should take into consideration the earlier orders passed by this Court.

5. With the aforesaid observations, these applications are disposed of.

[4] I.A. NOS. 167477 & 167479 OF 2025

1. Issue notice, returnable on 12.8.2025.

2. In addition to the usual mode, liberty is granted to the petitioner to serve notice through the Standing Counsel for the respondent/State.

[5] I.A. NO.280902/2024 WITH I.A. NOS. 91650 & 91651 OF 2025 WITH I.A. NO. 152465 OF 2025 (CEC REPORT NO. 30/2025)

1. IA No. 280902 of 2024 has been filed seeking following prayer:

a) *Issue appropriate orders/directions and permit the Applicant*

for the grant of permission/Directions for Diversion of 21.92 ha of Forest land in Bevanurmalai Reserved Forest of Pennagaram Range of Dharmapuri Forest Division for Raw Water Pumping main, booster Pumping Station 110/33 kv Substation and 110 kv Transmission line under Hogenakkal combined water supply Scheme Phase - II in Dharmapuri District.

2. This Court vide order dated 16.04.2025 had requested the Central Empowered Committee (CEC) to examine the issue and to submit its report before the next date of hearing. Accordingly, the CEC had submitted its report on 02.07.2025.

4. The CEC, vide its report, has recommended granting permission for the felling of 4021 trees of spontaneous growth standing within an area of 19.05 hectares of forest land in Bevanurmalai Reserved Forest, Pennagaram Range, Dharmapuri Forest Division, subject to the following conditions:

- i. The Applicant shall obtain prior approval of the Central Government for diversion of the identified forest land admeasuring 19.05 hectares in Bevanurmalai Reserved Forest, Pennagaram Range, Dharmapuri Forest Division, under the provisions of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980.
- ii. The land identified for compensatory plantation shall be transferred to the Forest Department and duly notified as a Protected Forest under the provisions of the Indian Forest Act, 1927, prior to the commencement of any construction or project-related activity at the site.
- iii. The Forest Department shall implement the approved Compensatory Afforestation scheme in accordance with the norms laid down under the Compensatory Afforestation Fund Act, 2016, and maintain the plantation for a period of ten years, including the erection of chain-link fencing to protect the site.
- iv. The Applicant shall ensure that excavated material is spread only within the forest area diverted for the project. Further, tree felling shall be carried out in a staggered manner rather than all at once, and all trenches shall be properly covered by the Applicant upon

completion of the work.

- v. After completion of the work, the Applicant shall secure the trench by covering it with the excavated material. The Forest Department shall thereafter undertake the plantation of suitable saplings at the site. The full cost of the plantation, including maintenance, shall be recovered from the Applicant in advance, and tree felling shall be permitted only after such cost has been deposited. This will be in addition to the compensatory afforestation to be done in lieu of the diversion of forest land.
- vi. The Applicant will seek prior approval of the National Board of Wildlife for execution of this project as it falls within the 10 km default Eco-Sensitive Zone of the Cauvery South Wildlife Sanctuary (Hosur & Dharmapuri Divisions), Tamil Nadu.
- vii. Wildlife mitigation measures, including the erection of the steel wire rope fence over 23.5 km along the boundary of Bevanurmalai and Masakkal Reserved Forests, as approved by the Chief Wildlife Warden, shall be implemented in full prior to the commencement of work.
- viii. The user agency shall ensure that construction and operational activities are carried out in a manner that causes minimal disturbance to wildlife and does not obstruct the natural movement of animals within the Eco-Sensitive Zone of Cauvery South Wildlife Sanctuary.
- ix. Compliance with all mitigation measures and safeguards recommended by the Forest Department, State Board for Wildlife, and other statutory authorities shall be strictly adhered to during the execution and maintenance of the project.
- x. The felling of trees shall be carried out under the supervision and direction of the Forest Department, and limited strictly to the number approved. Wherever technically feasible, transplantation shall be undertaken in lieu of felling.
- xi. In case of damage to any tree not permitted for felling, a penalty of Rs.50,000 per violation shall be imposed on the Applicant in addition to any other penalty that may be imposed by the Forest Department under any local act rule.

5. We are inclined to allow the application(s) for diversion of forest land, so also for the felling of the trees, subject to the strict compliance with the conditions as imposed by the CEC.

6. We ,therefore, allow these applications in terms of the prayer clause (a), subject to the condition that the State scrupulously complies with the conditions as imposed by the CEC.

[6] I.A. NOS. 28216 & 28217 OF 2025 IN I.A. NOS. 3864-3866 OF 2015

List these applications on 12.08.2025.

[7] ISSUE REGARDING ORDER DATED 18.03.2025 PASSED IN W.P.(C)NO. 13381 OF 1984 WITH I.A. NO. 140084 OF 2025

List on 12.08.2025.

[8] I.A. NO. 117204 OF 2024 (CEC REPORT NO. 5 OF 2024-Status Report in Delhi Ridge) and [8] (a) ISSUE REGARDING ORDER DATED 16.04.2025 PASSED IN W.P.(C)NO. 4677 OF 1985

1. We find that insofar as the issues concerning the Delhi Ridge are concerned, several committees are currently monitoring the issues. The authorities are required to seek permission from several committees/Bodies for land diversion, which, at times, results in conflicting orders.

2. We, therefore, direct the Ministry of Environment, Forest and Climate Change (MoEF&CC) to take all the stake holders on board, including the Government of NCT of Delhi, the CEC and the various Committees/Bodies appointed by this Court or the High Court of Delhi and to come out with a proposal wherein one uniform body can be entrusted with monitoring the issues relating to the Delhi Ridge.

3. We grant time till 08.10.2025 so that the MoEF&CC can

come with a concrete proposal in this regard.

4. We direct all the stake holders, including the Government of NCT of Delhi and the members of the committees, so also the CEC, to cooperate with the MoEF&CC to expedite the finalization of the proposal.

5. We further clarify that no further time would be granted to the MoEF&CC for submitting the proposal.

6. List on 08.10.2025.

[9] I.A. NO. 156703 OF 2024 AND I.A. NO. 156707 & 156710 OF 2024 WITH I.A. NO. 182429 & 182432 OF 2024 AND I.A. NO. 279970 & 279972 OF 2024 AND I.A. NO. 8102 OF 2025, [9](a) I.A. NOS. 212089, 212084, [9](b) C.A. D. NO. 12516 OF 2019 and [9](c) SMW(C) NO. 01 OF 2023 alongwith IA D. NOS. 174013 & 185646 OF 2025, IA NOS. 169812 & 185511 OF 2025

1. The applications (IA D. Nos. 174013 & 185646 of 2025, IA No. 185511 OF 2025 in SMW(C) No. 01 of 2023) for intervention are allowed.

2. List these applications/matters on 12.08.2025.

[11] IA Nos. 90595 & 90596 of 2025

List these applications on 12.08.2025.

(DEEPAK SINGH)
ASTT. REGISTRAR-cum-PS

(ANJU KAPOOR)
ASSISTANT REGISTRAR