

ITEM NO.13

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 19.11.2025 (THROUGH SUPPLEMENTARY LIST) "ONLY" [1] I.A. NOS. 215050 & 215051 OF 2025 (Applications for Impleadment and Directions on behalf of 'Rasal Chand & Ors.', Applicants filed by Mr. Syed Mehdi Imam, Advocate) IN RE: RASAL CHAND & ORS. AND [2] I.A. NO. 252192 OF 2025 (CEC Report No. 50 of 2025, Report of CEC for regularization of Staff working with CEC) AND [3] IN RE : RAJAJI TIGER RESERVE, UTTARAKHAND I. A. NO. 186910 OF 2022 (CEC Report No. 30 of 2022 - Report of CEC in Appln. No. 1557/2022 filed before it by Gaurav Kumar Bansal) WITH I.A. NO. 52187 OF 2023 (Application for Exemption from filing O.T.) WITH I.A. NOS. 197351 OF 2023 AND 2665 OF 2024 (Applications for permission to file Affidavit) WITH I. A. NO. 283720 OF 20224 (CEC Report No. 28 of 2024 - Report of CEC in I.A. No. 186910/2022) WITH I. A. NO. 271988 OF 20225 (Application on behalf of 'State of Uttarakhand' for Vacation of Interim order dated 11.01.2023 and for Directions filed by Mr. Abhishek Atrey, Advocate in I.A. No. 186910/2022) IN RE : GAURAV KUMAR BANSAL AND [4] CONTEMPT PETITION (CIVIL) NO. 938 OF 2021 IN CIVIL APPEAL NOS. 12234-12235 OF 2018 "ONLY" ARE LISTED IN W.P.(C) No. 202 OF 1995 "ONLY" ON 19.11.2025 (THROUGH SUPPLEMENTARY LIST) 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.), MR. SYED MEHDI IMAM FOR S. NO. [2] MR. K. PARAMESHWAR (A.C.) FOR S. NO. [3] MR. K. PARAMESHWAR (A.C.), MR. GAURAV KR. BANSAL (P-I-P), DR. ABHISHEK ATREY (STATE OF UTTARAKHAND), MR. ATUL SHARMA FOR S. NO. [4] MR. K. PARAMESHWAR (A.C.), MS. SRISHTI AGNIHOTRI, MR. SYED JAFAR ALAM

WITH

CONMT.PET.(C) No. 938/2021 in C.A. No. 12234-12235/2018 (XVII)
FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON IA 115589/2024, IA No. 115589/2024 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 19-11-2025 This petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE K. VINOD CHANDRAN

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

[1] I.A. NOS. 215050 & 215051 OF 2025

1. We are not inclined to entertain these applications, inasmuch as we have already directed the State to constitute the Committee and to consider the individual grievances. The applications are, accordingly, dismissed.

2. However, the petitioner would be at liberty to approach the said Committee, which shall take a decision in accordance with law.

1. The issue pertains to providing of regular staff for the efficient functioning of the Central Empowered Committee (CEC).

2. It is a matter of common knowledge that for over the last 28 years and more, the CEC has been effectively assisting this Court in examining and deciding the environmental issues.

3. It is on the basis of the reports submitted before this Court by the CEC after conducting the spot inspections and verifications that this Court has been able to pass several orders concerning the protection and conservation of the environment and ecology.

4. This Court had observed that the CEC should be accorded statutory status.

5. The Union of India has graciously accepted the suggestions of this Court and has conferred statutory status upon the CEC by issuing Notification under Section 3 of the Environment (Protection) Act on 05.09.2023.

6. As such, the CEC is functioning as a statutory body. The CEC is regularly reporting to this Court and assisting the Court in matters relating to the environment.

7. Taking into consideration the yeoman services rendered, it is necessary that the CEC must have a permanent

establishment with the requisite staff.

8. However, the Ministry of Environment, Forest & Climate Change (MoEF&CC) has, so far, not been in a position to resolve the issue of sanctioning posts for the establishments of the CEC.

9. We, therefore, direct the MoEF&CC to consider the issue with regard to the sanctioning the posts for CEC, take a decision in this regard and implement the same within a period of six months from today.

10. Till then, we accept the suggestions given in paragraph Nos. 20, 21 and 25 of the Report No.50 of 2025 in W.P.(C) No. 202 of 1995 of the CEC.

11. The Union of India shall issue the necessary orders in accordance with the above paragraphs within a period of four weeks from today.

12. We have been informed that the incumbent in the office of Secretary of the CEC, Ms. G. Bhanumati, was repatriated to her parent cadre in the State of Tripura in August 2025 and, therefore, the CEC is presently functioning without a Secretary.

13. We accordingly direct that the MoEF&CC to depute an officer to function as Secretary of the CEC.

14. We further direct that the MoEF&CC shall ensure that the post of Secretary of the CEC does not remain vacant at

any point of time.

15. Mr. K. Parameshwar, learned Amicus Curiae has placed on record a communication dated 04.11.2025 addressed by Director of the Cabinet Secretariat to the Secretary of MoEF&CC.

16. The communication states that, given that the National Green Tribunal (NGT) has also evolved into a suitable adjudicatory body having expert members of their own, it should be considered whether an additional body like the CEC is required to continue functioning.

17. The CEC has been constituted pursuant to the orders passed by this Court and has been functioning right from 1997. Not only that, but on account of the directions issued by this Court, the CEC has now been granted statutory status vide notification dated 05.09.2023.

18. There is no doubt that the NGT comprises experts drawn from judicial and technical fields and is discharging its duties under the National Green Tribunal Act, 2010. However, the CEC is an institution that directly assists this Court in environmental matters under the direction and supervision of this Court. It cannot be disputed that without the assistance provided by the CEC, including conducting spot inspections and submitting reports on the basis of such inspections, this Court could not have been

in a position to pass the catena of orders that it has has been passing for almost a three decades.

19. The CEC has, many a time, been entrusted with the task of apprising this Court of the factual aspects on a real-time basis, after carrying out the physical inspections. Its independent fact finding and appraisal have significantly contributed to the objective of balancing environmental protection with sustainable development.

20. In that view of the matter, we direct that Union of India shall not take any steps to disband the CEC without obtaining prior approval of this Court.

20. The application is, accordingly, disposed of.

[3] IN RE : RAJAJI TIGER RESERVE, UTTARAKHAND I. A. NO. 186910 OF 2022 (CEC Report No. 30 of 2022 - Report of CEC in Appln. No. 1557/2022 WITH I.A. NO. 52187 OF 2023 WITH I.A. NOS. 197351 OF 2023 AND 2665 OF 2024 WITH I. A. NO. 283720 OF 20224 (CEC Report No. 28 of 2024 - Report of CEC in I.A. No. 186910/2022) WITH I. A. NO. 271988 OF 20225

List these applications after three weeks.

[4] CONTEMPT PETITION (CIVIL) NO. 938 OF 2021 IN CIVIL APPEAL NOS. 12234-12235 OF 2018

List this matter after three weeks.

(DEEPAK SINGH)
ASTT. REGISTRAR-cum-PS

(ANJU KAPOOR)
ASSISTANT REGISTRAR