

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)

[TO BE TAKEN UP AT 2.00 P.M.] ..... (1)  
IN RE: UTTAR PRADESH PROTECTION OF TREES ACT, 1976 (2) IN RE: TREE  
CENSUS (3) IA NO. 108684/2023 (APPLN. FOR DIRECTIONS ON BEHALF OF  
GOVT. OF U.P.) (4) CEC REPORT NO.31/2024 "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

Date : 08-04-2025 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ABHAY S. OKA  
HON'BLE MR. JUSTICE UJJAL BHUYAN

Mr. A.D.N.Rao, Sr. Adv. (Amicus Curiae)  
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Ms. Bhagwati, Adv.  
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For the parties:

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Mr. Anand Kumar Rai, Adv.  
Ms. Vuzmal Nehru, Adv.  
Mr. Amrendra Kumar Singh, Adv.

Petitioner-in-person

Applicant-in-person

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Mr. Ankur Prakash, AOR

Mr. Gurmeet Singh Makker, AOR

Mr. Badri Prasad Singh, AOR

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Mr. Ashok Kumar Panigrahi, Adv.  
Ms. Banisha Verma, Adv.  
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Mr. Nischal Kumar Neeraj, AOR

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Ms. Anju Thomas, AOR  
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Ms. Muskan Surana, Adv.

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

IN RE:Uttar Pradesh Protection of Trees Act, 1976

1. By order dated 29<sup>th</sup> November, 2024, this Court had directed the State of Uttar Pradesh to re-look at Sections 10 and 15 of the Uttar Pradesh Protection of Trees Act, 1976 (for short, "the Act") in terms of what is observed in the last order. Time has been repeatedly granted to make compliance.
2. Finally, we grant time of four weeks as prayed by the learned Additional Solicitor General appearing for the State of Uttar Pradesh. No further time shall be granted. Compliance to be reported within a period of four weeks which will be considered on 13<sup>th</sup> May, 2025 at the end of the Board.
3. IA No.19174 of 2025 seeking extension of time is accordingly disposed of.

IN RE: TREE CENSUS

4. We have perused the affidavit filed by Ms. Richa Mishra, Head, Silviculture and Forest Management Division, Forest Research Institute, Dehradun, Uttarakhand.

5. We approve the suggestion to adopt the definition of 'tree' given by the Forest Survey of India (for short, "the FSI") as we have done in the case of Delhi by the order dated 26<sup>th</sup> March, 2025 in Writ Petition (Civil)No.4677 of 1985. We also approve the suggestions to exclude the trees situated in reserved, protected forest, and the forests notified under the Indian Forest Act, 1927 as amended in its application to State of Uttar Pradesh. However, we direct that the Tree Census of the trees situated in cantonment areas and Government lands and gardens shall be carried out.

6. We make it clear that the Forest Research Institute (for short, "the FRI") will carry out the Tree Census even in respect of the area falling in the State of Rajasthan which is covered by the Taj Trapezium Zone (TTZ) area.

7. We are of the view that the timelines provided in paragraph 4 of the affidavit are too long. For that purpose, the FRI shall be guided by the directions issued by this Court under the order dated 26<sup>th</sup> March, 2025 in Writ Petition (Civil)No.4677 of 1985.

8. Now, we come to the budget as indicated in the affidavit. Perhaps there is a lot of overlap in the work which the FRI will be doing in the case of Delhi and in case of TTZ area, such as establishment of tree cell, engagement of manpower, procurement etc. Some of these

items are common with items in the budget in case of Delhi. We are of the view that the FRI needs to have a re-look at the budget proposed in the affidavit as the infrastructure which may be created by the FRI for doing tree survey in Delhi can be used for tree survey in TTZ area. The FRI shall also incorporate the budget in relation to the State of Rajasthan.

9. We, therefore, direct the FRI to have a re-look at the budget and submit a fresh budget as well as fresh timelines in view of what we have observed above within a period of four weeks from today.

10. For considering the fresh affidavit which may be filed by the FRI, list on 13<sup>th</sup> May, 2025 at end of the Board.

CEC REPORT NO.14/2025 in IA NO. 108684/2023 (APPLN. FOR DIRECTIONS ON BEHALF OF GOVT. OF U.P.)

11. In view of the observations made in the report in paragraph 6(xii), we direct the applicant and the State of Uttar Pradesh to comply with the recommendation in clause (ii) of paragraph 7 of the report. After compliance is reported with clause (ii), the Court will consider of permitting tree felling in terms of clause (i) of paragraph 7 of the recommendation. We permit the National Highway Division of the State of Uttar Pradesh to move this Court after a compliance is made with clause (ii) of paragraph 7.

CEC REPORT NO.31/2024 in IA NOS.1566, 1572 and 1573 of 2023

12. A compliance affidavit has been filed by the Uttar Pradesh Bridge Corporation in terms of the conditions proposed by the CEC in Report No.31 of 2024. We direct the CEC to examine the compliance affidavit and submit a report within three weeks which shall be considered on 13<sup>th</sup> May, 2025 at the end of the Board.

Report No.17/2024

13. We have perused the affidavit filed by the TTZ Authority pursuant to the Report No.17/2024 and the order passed by this Court on 11<sup>th</sup> February, 2025. The notices have been issued to those who have felled over 100 trees and next step will be to issue notices to those who have felled more than 50 but less than 100 trees. Hearing of show cause notices issued has been fixed on 11<sup>th</sup> April, 2025.

14. Further compliance will be reported by the TTZ Authority before 22<sup>nd</sup> April, 2025, which will be considered on the same day i.e. 22<sup>nd</sup> April, 2025 at 12.00 Noon.

(ANITA MALHOTRA)  
AR-CUM-PS

(AVGV RAMU)  
COURT MASTER