

ITEM NO.1

COURT NO.4

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

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

M.C. MEHTA

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

IN RE.: FELLING OF TREES IN THE AREA OF TAJ TRAPEZIUM ZONE

(iv) IA NO. 109556/2017 FOR DIRECTIONS ON B/O U.P. JAL NIGAM, AGRA

Date : 09-05-2018 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MADAN B. LOKUR
HON'BLE MR. JUSTICE DEEPAK GUPTA

For Petitioner(s)

Petitioner-in-person

For Respondent(s)

Mr. A.N.S. Nadkarni, ASG
Mr. S.W.A. Qadri, Adv.
Mr. R. Bala, Adv.
Mr. Ritesh Kumar, Adv.
Mr. D.L. Chidanand, Adv.
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109556

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Mr. Ankit Raj, Adv.
Ms. Indira Bhakar, Adv.
Ms. Ruchi Kohli, AOR

Mr. Arun Kumar Singh, Adv.
Mr. Nischal Kumar Neeraj, AOR

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

IA NO. 109556/2017 FOR DIRECTIONS ON B/O U.P. JAL NIGAM,
AGRA

This is an application filed by the U.P. Jal Nigam,
Agra.

The prayer in the application is for permission to cut 234 trees to complete the project of laying of conduit pipe line to enable the Ganga water to reach Agra for the purpose of supply of drinking water to Agra city in the coming summer months.

The CEC was required to look into the averments made in the application and make its recommendations. The CEC has since submitted Report No.19 of 2018 dated 27th April, 2018.

The material portion of the Report of the CEC reads as follows:

"9. Considering that the project is in public interest, that the felling of trees is unavoidable for laying of the pipeline, that the implementation of the project has made considerable progress and is in an advanced stage, that the alignment of the laying of the pipeline is the best available and there is no better viable option available, that the project authorities in I.A. No.564 of 2016 have been already permitted to use the forest land for the implementation of the project, that the present proposal is for felling of trees outside the notified

forest land, that the project authorities have offered to undertake planting of 2500 trees in Shekhopur Mandapur Village in the designated land at project cost in lieu of the 234 trees now marked for felling, the CEC recommends that this Hon'ble Court may consider granting permission for felling of 234 trees in District Agra and District Mathura to implement the project of laying conduit pipeline under the Agra Water Supply (Ganga Jal) falling in the TTZ in the State of U.P. subject to the following conditions:

- i) for felling of trees on non forest land the requisite permission under the U.P. Protection of Trees Act, 1976 will be obtained;
- ii) the project authorities will fell only such number of trees which are absolutely essential for laying of the conduit pipeline effort here being to ultimately fell lesser number of trees than the 234 trees listed at Annexure R-1;
- iii) wherever feasible the trees which are proposed to be cut are instead uprooted and lifted upwards to enable laying of the pipeline and after which the trees are planted back at the same spot after laying the underground pipeline;
- iv) the 2.5 Ha. land identified in Village Shekhopur Mandapur for taking up compensatory planting shall be chain-link fenced on 2' tall wall

before 30th of June, 2018 by the project authorities and handed over to the State Forest Department of U.P. for taking up afforestation work;

v) the cost of planting of 2500 saplings and its maintenance cost for a period of ten years as finalized by the Forest Department shall be deposited with them in a separate account before permission for felling of trees are granted by the Forest Department;

vi) the Forest Department will undertake the compensatory planting work during the 2018 planting season using local broad leaved species;

vii) the Regional Office of MOEF & CC will monitor the implementation of the compensatory planting activity; and

viii) the Chairman, TTZ Authority will take all necessary measures to ensure that no felling of trees takes place within the TTZ without first obtaining permission of this Hon'ble Court."

Learned counsel appearing on behalf of U.P. Jal Nigam gave us an assurance that the recommendations made by the CEC will be adhered to and followed in letter and spirit. He also assures that the trees that are required to be planted will be looked after.

We direct the U.P. Forest Department to look into this because we have been given to understand that the mortality rate of trees being planted towards

afforestation work in some places is as high as 80%.

On the basis of the recommendations given by the CEC and the assurances given by learned counsel for U.P. Jal Nigam, the application and the Report of the CEC stand disposed of.

(SANJAY KUMAR-I)
AR-CUM-PS

(KAILASH CHANDER)
COURT MASTER

ITEM NO.1

COURT NO.4

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).13381/1984

M.C. MEHTA

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

IN RE.: FELLING OF TREES IN THE AREA OF TAJ TRAPEZIUM ZONE

(i) IA NO. 576/2017 FOR PERMISSION REGARDING FELLING OF TREES ON BEHALF OF NORTH CENTRAL RAILWAY

(ii) IA NO. 577/2017 FOR PERMISSION REGARDING CUTTING OF TREES ON BEHALF OF PUBLIC WORKS DEPTT, STATE OF U.P.

(iii) IA NO. 578/2017 FOR PERMISSION TO CUT TREES ON B/O YAMUNA POLLUTION CONTROL UNIT

(v) 531/2014 FOR DIRECTIONS ON B/O NORTH EASTERN RAILWAY

(vi) IA NO. 55642 AND 104114/2017 FOR PERMISSION TO CUT TREES AND PERMISSION TO FILE ADDITIONAL DOCUMENTS ON RECORD ON BEHALF OF STATE OF RAJASTHAN

(vii) IA NOS. 52372/17 FOR DIRECTIONS ON B/O LEELA PALACES AND RESORTS LTD.

(viii) IA No. 84572/2017 (APPLN. FOR PERMISSION TO FELL TREES ON B/O STATE OF U.P.)

(ix) IA NO. 19749 AND 19751/2018 (APPLNS. FOR PERMISSION REGARDING FELLING OF TREES AND EXEMPTION FROM FILING O.T. ON B/O PUBLIC WORKS DEPTT., STATE OF U.P.)

(x) IA NOS. 51253, 51255 AND 51257/2018 (APPLNS. FOR IMPLEADMENT, DIRECTIONS AND EXEMPTION FROM FILING O.T. ON B/O U.P. POWER TRANSMISSION CORPN. LTD.)

Date : 09-05-2018 These applications were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MADAN B. LOKUR
HON'BLE MR. JUSTICE DEEPAK GUPTA

For Petitioner(s)

Petitioner-in-person

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Ms. Indira Bhakar, Adv.
Ms. Ruchi Kohli, AOR

Mr. Arun Kumar Singh, Adv.
Mr. Nischal Kumar Neeraj, AOR

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

Exemption from filing O.T. granted.

List the applications after vision document is filed.

(SANJAY KUMAR-I)
AR-CUM-PS

(KAILASH CHANDER)
COURT MASTER

ITEM NO.1

COURT NO.4

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).13381/1984

M.C. MEHTA

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(2)IN RE.: ESTABLISHMENT OF LEATHER PARK IN TAJ TRAPEZIUM ZONE
 (i)IA NOS. 3973/18, 3975/18 AND 3976/2018 (APPLNS. FOR IMPLEADMENT,
 DIRECTIONS AND EXEMPTION FROM FILING TYPED COPY OF THE PROJECT FILE
 ON BEHALF OF U.P. STATE INDUSTRIAL DEVELOPEMENT CORPORATION LTD.)
 (ii) IA NOS. 54455 AND 54459/2018 (APPLNS. FOR IMPLEADMENT AND
 DIRECTIONS ON BEHALF OF U.P. STATE INDUSTRIAL DEVELOPEMENT
 CORPORATION LTD.)

Date : 09-05-2018 These applications were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MADAN B. LOKUR
 HON'BLE MR. JUSTICE DEEPAK GUPTA

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Petitioner-in-person

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

List the applications after vision document is filed.

**(SANJAY KUMAR-I)
AR-CUM-PS**

**(KAILASH CHANDER)
COURT MASTER**

ITEM NO.1

COURT NO.4

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

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

M.C. MEHTA

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

IN RE: RATIONALIZING THE BOUNDARIES OF TAJ TRAPEZIUM ZONE
(i) IA NO. 12850/2017 (APPLN. FOR DIRECTIONS ON B/O NATIONAL
CHAMBER OF INDUSTRIES AND COMMERCE)

Date : 09-05-2018 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MADAN B. LOKUR
HON'BLE MR. JUSTICE DEEPAK GUPTA

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UPON hearing the counsel the Court made the following

O R D E R

List the application after vision document is filed.

**(SANJAY KUMAR-I)
AR-CUM-PS**

**(KAILASH CHANDER)
COURT MASTER**

ITEM NO.1

COURT NO.4

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

I.A. No.69657 in Writ Petition(s)(Civil) No(s).13381/1984

M.C. MEHTA

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

IN RE.: FELLING OF TREES IN THE AREA OF TAJ TRAPEZIUM ZONE

(application filed by Petitioner-in-person)

Date : 09-05-2018 This application was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MADAN B. LOKUR
HON'BLE MR. JUSTICE DEEPAK GUPTA

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Mr. Nischal Kumar Neeraj, AOR

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

Reply to the application be filed within a period of four weeks.

List the application on 11th July, 2018.

(SANJAY KUMAR-I)
AR-CUM-PS

(KAILASH CHANDER)
COURT MASTER

ITEM NO.1

COURT NO.4

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

I.A. No.67652/2018 in Writ Petition(s)(Civil) No(s).13381/1984

M.C. MEHTA

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(1) IN RE.: TAJ TRAPEZIUM ZONE

Date : 09-05-2018 This application was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MADAN B. LOKUR

HON'BLE MR. JUSTICE DEEPAK GUPTA

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 Ms. Ruchi Kohli, AOR

Mr. Arun Kumar Singh, Adv.
 Mr. Nischal Kumar Neeraj, AOR

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

**Ministry of Environment, Forests and Climate Change
and the State to file reply within four weeks.**

List the application on 11th July, 2018.

**(SANJAY KUMAR-I)
AR-CUM-PS**

**(KAILASH CHANDER)
COURT MASTER**