

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

SUO MOTO WRIT PETITION(CIVIL) No(s).8/2026

IN RE: PROTECTION OF TREES AND GREEN
COVER IN THE TAJ TRAPEZIUM ZONE

(1) CEC REPORT NO. 31 OF 2024 IN APPLICATION NO. 1566, 1572, 1573/2023 FILED BEFORE CEC WITH CEC REPORT NO. 58 OF 2025 (2) I.A. No. 40499/2025 (APPLN FOR PERMISSION REGARDING FELLING OF TREES IN TAJ TRAPEZIUM(TPZ) ON BEHALF OF 99 ARTILLERY BRIGADE AT MATHURA MILITARY STATION, U.P) AND IA. NO. 308884, 40488 AND 142702/2025 (APPLNS. FOR MODIFICATION OF COURT'S ORDER, PERMISSION FOR FELLING OF TREES (3) IA NOS. 237663, 237831 AND 241251/2025 (APPLN FOR IMPEADMENT, PERMISSION AND O.T.) (4) IA NO. 72045, 72048 AND 72049 OF 2024 (APPLN. FOR IMPEADMENT, PERMISSION TO FELL TREES AND O.T.) (4A) CEC REPORT NO. 31 OF 2025 (5) IA. NO. 295707, 295717 AND 295719 OF 2024 (APPLNS. FOR IMPEADMENT, PERMISSION FOR FELLING TREES AND O.T.) (6) IA NO. 99054 AND 99055/2024 (APPLNS. FOR PERMISSION AND EXEMPTION FROM FILING O.T. ON B/O UPSIDA) "ONLY" NAMES OF THE FOLLOWING ADVOCATES MAY BE TREATED TO HAVE BEEN SHOWN IN THE LIST. PETITIONER-IN-PERSON MS. LIZ MATHEW, SR. ADV. (A.C.) MR. SIDDHARTHA CHOWDHURY, ADV. (A.C.) MS. AAKASHI LODHA, AOR MS. KESHVI ARYA, ADV. MR. AMRISH KUMAR, ADV. MR. M.K. MARORIA, ADV. MR. G.S. MAKKER, ADV. MR. VIJAY PANJWANI, ADV. MR. ANKIT GOEL, ADV. MR. KAMLENDRA MISHRA, ADV. (1) MR. UDITA SINGH, ADV. (2) MR. RISHI SEHGAL, ADV. (4) MR. RACHIT MITTAL, ADV. MR. ANKIT GOEL, ADV. (5) DR. RAJEEV SHARMA, ADV. (6) MR. SHISHIR DESHPANDE, ADV.

Date : 03-09-2026 This petition was called on for hearing today.

CORAM : HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE JOYMALYA BAGCHI
HON'BLE MRS. JUSTICE V. MOHANA

Ms. Liz Mathew, Sr. Adv. (A.C.)
Ms. Aakash Lodha, AOR
Mr. Omkar Hemant, Adv.
Mr. Namanjeet Bhatia, Adv.

By Courts Motion

Mr. Sriram P., AOR
Mr. Chetan Jadon, Adv.
Mrs. Shivangi Rajawat, Adv.
Mr. Anandhu S. Nair, Adv.
Ms. Komal Saini, Adv.

Dr. Rajeev Sharma, Adv.
Mr. Prashant Sharma, Adv.

Mr. Manish Arora, Adv.
Mr. Kapil Sharma, Adv.

Mr. Ram Narayan Mohanty, Adv.
Mr. Rakesh Kumar, Adv.

Ms. Shabnam, Adv.
Mr. Firoz Khan, Adv.

Mr. Siddhartha Chowdhury, AOR

Mr. S. Wasim A. Qadri, Sr. Adv.
Mr. Umesh Kumar Ranjan, Adv.
Mr. Tamim Qadri, Adv.
Mr. Jubair Ahmad Khan, Adv.
Mr. Saeed Qadri, Adv.
Mr. Shraveen Kumar Verma, Adv.
Mrs. Kareena Fareed, Adv.
Ms. Harshita Ranjan, Adv.
Ms. Udit Singh, AOR

Mr. Sahil Tagotra, AOR
Ms. Shreya Kasera, Adv.
Mr. Abhishek Pandey, Adv.

Mr. R Venkataramani, Attorney General for India
Ms. Aishwarya Bhati, A.S.G.
Mr. Kamendra Mishra, AOR
Mr. Rajeev Kumar Dubey, Adv.
Mr. Ruchir Ranjan Rai, Adv.
Mr. Ashwan Mishra, Adv.
Mr. Vinod Kumar, Adv.
Mr. Krishna Pandey, Adv.
Ms. Vaidruti Mishra, Adv.
Ms. Aditi Mishra, Adv.

Ms. Aishwarya Bhati, ASG
Ms. Chitrangda Rashtravara, Adv.
Mr. Albhay Dhamija, Adv.
Ms. Poornima Singh, Adv.
Mr. Amrith Kumar, AOR

Mr. ANS Nadkarni, Sr. Adv.
Ms. Ruchira Gupta, Adv.
Mr. Shishir Deshpande, AOR
Ms. Ishika Gupta, Adv.

Ms. Madhavi Goradia Divan, Sr. Adv.
Mr. Rachit Mittal, AOR
MR. Parish Mishra, Adv.
Mr. Kanishk Raj, Adv.
Ms. Srishti Agrawal, Adv.

Ms. Aayushi Kiran, Adv.

Ms. Neetika Sharma, Adv.

Ms. Saloni Jagga, Adv.

Mr. Tavinder Sidhu, Adv.

Mr. Vikas Soni, Adv.

M/s. M. V. Kini & Associates, AOR

Mr. Vivek Gupta, AOR

Mr. Ankit Verma, Adv.

Mr. Govind Gupta, Adv.

Mr. Naresh Kr. Sharma, Adv.

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

IA No. 1566/2023

1. This prayer made in this application already stands rejected *vide* order dated 18.03.2025 passed by this Court. Therein, the applicant-Corporation was granted liberty to move this Court through an appropriate application after undertaking necessary changes in the proposal.
2. In that view of the matter, the instant IA is formally dismissed with the aforestated liberty.

I.A. Nos.1572 & 1573/2023

3. These applications have been filed by the Uttar Pradesh State Bridge Corporation (in short, 'UPSBC') seeking felling of 76 and 249 trees, respectively, for the purpose of:

(i) Four lane Rail Overpass Bridge on Railway Crossing Number 10 A of Railway Kilometre 10/3-4 on Idgah-Bandikui Rail Section from Bodla to Bichpuri route in Agra District, Uttar Pradesh; and

(ii) For construction of bridge on the Yamuna River at Renuka Dham to access the Runkata Baldev Marg in Agra District, Uttar Pradesh.

4. The CEC granted permission to fell 98 trees and translocate 17 trees with respect to the prayer in I.A. No.1572/2023 and to fell

198 trees in I.A. No.1573 of 2023, i.e., interference was allowed in respect of 313 trees, subject to the following conditions:

"a. Except for trees permitted to be felled or translocated no other tree shall be felled/translocated/damaged for implementation of the project and in case any extra tree is felled/damaged a penalty of Rs.100,000/- (Rs. One lakh only) shall be charged from the applicant by the Divisional Forest Officer, Agra;

b. In the two proposals (Application Nos. 1572 & 1573 of 2023) being recommended a total of 313 trees are being affected. Hence the Divisional Forest Officer, Agra shall undertake compensatory planting of 3130 saplings in lieu of these 313 affected trees. These 3130 saplings shall be of indigenous species of minimum 6 to 8 ft height in the allotted 9.699 ha. of barren land bearing Gata No. 38 in Village Bichola, Tehsil Fatehabad, District Agra, Uttar Pradesh at the cost of the Applicant, U.P. State Bridge Corporation Limited. The area left after the compensatory afforestation of these 3130 trees will be planted and maintained by the Uttar Pradesh Forest Department from its own budget;

c. to protect this plantation there shall be provision of a 4 ft high chain-link fence on a 2 feet high concrete/brick footwall to protect the trees from being browsed by cattle and other animals. Such boundary of this allotted 9.699 ha. of barren land bearing Gata No.38 in Village Bichola, Fathabad, District Agra, Uttar shall be erected by the forest department at the cost of the Applicant;

d. there shall be a provision for the protection and maintenance of these 3130 plants for the next ten years with the cost to be borne by the applicant;

e. permission for the felling of trees under the Uttar Pradesh Protection of Trees Act, 1976 may be granted by the Forest Department only after the funds required for raising the compensatory planting including the cost of fencing and maintenance of the planted trees for ten years are deposited with the Forest Department;

f. the allotted 9.699 ha. of barren land bearing Gata No. 38 in Village Bichola, Fathabad, District Agra, Uttar Pradesh shall be declared as a "Protected Forest" under Section 39 of Indian Forest Act 1927 by the State Govt of Uttar Pradesh within six months of felling of trees;

g. the Chairman, TTZ Authority shall ensure strict compliance of all the conditions imposed by this Hon'ble Court;

h. the Regional Office of the Ministry of Environment, Forest and Climate Change shall also monitor the implementation of the compensatory plantation”

5. It may be seen that one of the conditions was to undertake compensatory planting of 3130 saplings of indigenous species and having necessary characteristics in lieu of the 313 affected trees. For this purpose, a barren plot admeasuring 9.699 hectare in village Bichola, District Agra, was earmarked at the cost of the applicant.

6. *Vide* order dated 18.03.2025, this Court had permitted the applicant-Corporation to proceed with compensatory planting of saplings and file a compliance affidavit, and subsequently, the CEC was directed to examine such affidavit.

7. directed the CEC to examine the compliance affidavit. Thereafter, the applicant (UPSBC) has filed an affidavit dated 23.08.2025 reporting compliance with conditions stipulated by this Court in the order dated 18.03.2025.

8. The CEC has, consequently, through its Report No. 58 of 2025 dated 10.11.2025, considered the applicant's compliance affidavit dated 23.08.2025. It is observed that the cost towards compensatory afforestation/plantation of 3130 saplings alongwith their maintenance for 10 years has been duly deposited by the applicant in the designated account of the Forest Department and receipt of such payment has been duly confirmed by the letter dated 15.07.2025. The report further revealed that the compensatory afforestation involving plantation of 3130 saplings of the indigenous species has been successfully carried out by the Forest

Department over the allocated land. Accordingly, the CEC has recommended that the corporation now be permitted to interfere with the 313 trees, subject to strict adherence to all conditions stipulated in its Report No.31 of 2024.

9. In view of the above, I.A. Nos. 1572 and 1573 of 2023 are allowed and the trees are permitted to be felled, subject to the conditions imposed by CEC. Additionally, the applicant-Corporation is directed to report its compliance to CEC, including by sharing relevant details on the Management Information System (MIS) Module.

I.A. Nos.40499, 40488, and 30884 of 2025

10. These applications have been filed by the Administrative Commandant, Station Headquarters, Mathura Cantt., seeking permission for felling of 60 trees stated to be falling within the proposed construction area of Phase-I of the proposed Key Location Plan at Mathura Military Station.

11. This Court, *vide* order dated 22.04.2025, directed the CEC to examine the matter and submit its report. The applicant was also directed to file an affidavit indicating total number of trees which were required to be felled for all three phases of the proposed Key Location Plan.

12. In compliance thereto, the applicant (Administrative Commandant) filed IA No. 30884/2025, pointing out that the plans with respect to Phase II and III have not crystallised. Such submission is taken on record, and the IA is disposed of.

13. As regards Phase-I, the CEC, through its Report No. 6 of 2026 dated 20.02.2026, has recommended felling of 44 trees, subject to the conditions contained in paragraph 17 therein, which are to the

following effect:

"a. The Applicant shall undertake compensatory plantation of not less than 550 saplings, in terms of the undertaking submitted, and shall ensure their maintenance and survival for a minimum period of five (05) years. The plantation shall be carried out within the Applicant's Campus, the KML file of which shall be shared with the CEC.

b. The felling of trees shall be permitted only after the aforesaid compensatory plantation has been carried out and duly verified by the Forest Department.

c. In addition to the aforesaid compensatory plantation, the Applicant shall undertake plantation of at least 1,000 saplings of the following native species at appropriate locations within its campus, in consultation with the Divisional Forest Officer, Mathura, and shall maintain the same for a period of five (05) years:

- 100 trees each of *Ficus religiosa*, *Ficus benghalensis*, and *Ficus virens*. (Total 300 *Ficus* species);
- 500 trees of *Azadirachta indica* (Neem), *Terminalia arjuna* (Arjun), *Butea monosperma* (Dhak/Palash), *Zizyphus mauritiana* (Ber), and *Mangifera indica* (Mango);
- 200 trees of *Bauhinia variegata* (kachnar) and *Cassia fistula* (Amaltas), which are pollinator-friendly and flowering native species.

d. The Chairman, TTZ Authority shall ensure strict compliance with all the conditions imposed by this Hon'ble Court and further ensure that no trees other than those expressly permitted by this Hon'ble Court are felled. In the event of felling or damage to any additional tree, a penalty of Rs. 1,00,000/- (Rs. One Lakh only) per tree shall be recoverable from the Applicant."

14. Learned counsel for the applicant states that the conditions reproduced above have been complied with, which has been verified by a Joint Inspection Committee headed by the Range Forest Officer, Mathura as well as by the Divisional Director, Social Forestry Division, Mathura. For the fullness of record, we direct the CEC to independently verify whether the conditions contained in its Report No.6 of 2026 have been complied with. Let the necessary report be

submitted expeditiously, preferably within four weeks.

15. List IA Nos.40499 and 40488/2025 on 02.11.2026.

I.A. No.142702/2025

16. Learned counsel for the applicant does not press this application. The same is, accordingly, disposed of as not pressed.

I.A. Nos.237663, 237831 & 241251 of 2025

17. Let the contents of these applications be examined by CEC in light of this Court's order dated 01.05.2025. If it is found that, *inter alia*, the private land holdings are beyond 5 km from the Taj Mahal and that the trees to be felled are below 50 in number, the Divisional Forest Officer may process the application, subject to such conditions as may be imposed by CEC.

18. The applications stand disposed of in the above terms.

I.A. Nos.72045, 72048 & 72049 of 2024

19. These applications have been filed by Mathura Vrindavan Development Authority seeking permission for felling 221 trees, in order to construct a Tourist Facilitation Centre in Nandgaon, District Mathura.

20. This Court, *vide* order dated 30.04.2024, directed the Government of Uttar Pradesh to file an affidavit saying that there is no alternative site available for such centre and that the said centre cannot be constructed without cutting lesser number of trees. A compliance affidavit was eventually filed, whereupon this Court referred the matter to CEC *vide* an order dated 28.11.2024.

21. The CEC, through its Report No. 31 of 2025 dated 03.07.2025, has recommended felling of 195 trees and translocation of 5 trees at the subject site comprising Gata No. 579 in village Nandgaon,

Tehsil Chhata, District Mathura, subject to the following conditions as reported in paragraph 20 of the report:

"a. the Divisional Forest Officer of Mathura has undertaken compensatory plantation by planting 2375 plants of Indigenous species on identified non-forest land, at the cost of the Applicant. The Divisional Forest Officer of Mathura shall ensure that these plants are maintained for the next ten years from funds given by the Applicant.

b. a total of 3.88 ha. land that has been identified for such compensatory afforestation shall be notified as a protected forest by the State Government of Uttar Pradesh under the provisions of section 29 of the Indian Forest Act 1927;

c. the Forest Department of Uttar Pradesh shall ensure that no felling of trees other than the ones permitted by this Hon'ble Court takes place, and in case any extra tree is felled/damaged a penalty of Rs. 100,000/- (Rs one lac only) shall be charged from the Applicant in addition to other penalties that may be imposed under the provisions of 'The U.P. Protection of Trees Act, 1976' for illicit felling of trees;

d. there are sufficient gaps on highway from Mathura to Nandgaon in many stretches and the Forest Department shall carry out plantation of 10000 saplings by using tree guards, with *Ficus religiosa* (Pipal) to be planted at every 15 metres and *Mitragyna parviflora* (Krishna Kadamb), a species traditionally associated with Lord Krishna, to be planted at every 5 metres, wherever space permits. The cost of this plantation shall be deposited with the Forest Department by the Applicant in the appropriate Forest Deposit Account before any tree felling is allowed;

e. the Chairman, TTZ Authority will ensure strict compliance of all the conditions that may be imposed by this Hon'ble Court.

f. Any other condition that this Hon'ble Court may kindly impose."

22. Ms. Madhavi Divan, learned Senior Counsel for the applicant-Authority submits that the 'condition (a)' regarding plantation of 2375 indigenous species plants have since been complied with. She, however, submits her objections against 'condition (d)', according to which, the applicant authority is additionally required to carry

out plantation of 10,000 saplings by using tree guards, with Pipal to be planted at every 15 meters and Krishna Kadamb to be planted at every 5 meters, wherever the space permits. The cost of this plantation has been recommended to be deposited with the Forest Department by the applicant before any tree felling is allowed.

23. We have considered the submission with respect to said condition contained in para 20 (d) of the CEC report.

24. In our considered opinion, let Mathura Vrindavan Development Authority firstly deposit the cost for plantation of 10,000 saplings as per the above-stated condition with the Forest Department, without prejudice to its right to seek full or partial reimbursement from the National Highways Authority or the State Public Works Department, as the case may be. Such *inter se* claims shall preferably be amicably determined by a competent Authority.

25. In the event that such claim is not resolved amicably, the applicant shall be at liberty to approach the appropriate forum for determination of such claim. Subject thereto, the permission granted by the CEC for felling of 195 trees and translocation of 5 trees at the subject site is hereby approved.

26. As regards to paragraph 20(b), it is directed that the subject land comprising Gata No. 579 measuring 3.88 hectares shall not be used for commercial activities, even if it is not formally notified as a forest.

27. The applications are, accordingly, disposed of.

I.A. Nos.295707, 295719 & 295717 of 2024

28. These applications have been moved by the Rajasthan State Road

Development and Construction Corporation Limited seeking felling of 401 trees for widening and strengthening of BOT road Bharatpur-Bayana-Ganagapur-Bhadoti Road KM 7/0 (Sewar) to 33/055 (Salabad).

29. This Court vide order dated 24.01.2025 directed CEC to examine the matter and submit its report.

30. Pursuant thereto, CEC has submitted Report No. 64 of 2025 dated 27.11.2025, recommending felling of 236 trees against the original request of 418 trees, subject to the conditions as stipulated in paragraph 15 of the Report, which are to the following effect.

"a. Compensatory Plantation of 4180 trees of indigenous species as committed by the Applicant shall be undertaken by the Division Forest Officer, Bharatpur, at the cost of the Applicant on the land identified for this purpose in the village Katariyapur, Bharatpur District.

b. The total area of 4.5 hectares identified for Compensatory Plantation in Bharatpur District shall be notified as Protected Forest by the State Government within six months, and compliance shall be duly reported to the CEC.

c. The boundary of the Compensatory Plantation site shall be secured with a six-feet-high chain-link fence fixed on a two-feet-high concrete so as to protect the young saplings from grazing by cattle and other animals.

d. Provision of proper watering of the planted tree saplings during summer and their maintenance for ten years shall be included in the proposed planting estimate to achieve a better survival rate.

e. The funds required for raising the Compensatory Plantation, including the cost of fencing and maintenance, as estimated by the State Forest Department, shall be deposited by the Applicant with the Divisional Forest Officer, Bharatpur, in an interestbearing bank account before any permission is issued for the proposed felling of trees by the Forest Department.

f. Upon completion of the road-widening work, both sides of the road shall be planted by the Forest Department. The entire cost of the plantation and subsequent maintenance shall be borne by the Applicant. The plantation shall comprise indigenous species, with saplings of at least 8 ft to 10 ft in

height, including with tall saplings of at least 8–10 ft height of suitable native species such as *Ficus religiosa* (Pipal), *Holoptelea integrifolia* (Papdi), *Ficus virens* (Pakar), *Ficus racemosa* (Gular), *Azadirachta indica* (Neem), *Butea monosperma* (Dhak), *Phyllanthus emblica* (Aonla), *Terminalia bellirica* (Baheda), *Terminalia chebula* (Harad), *Bauhinia variegata* (Kachnar), *Syzygium cumini* (Jamun), *Terminalia arjuna* (Arjun), *Albizia lebbeck* (Sins) and *Dalbergia sissoo* (Sheesham).

g. The Forest Department will undertake an extensive exercise to find out the missing trees and submit its findings to the CEC within the next three months.

h. the Chairman, TTZ Authority while ensuring strict compliance of all the conditions imposed by this Hon'ble Court will also ensure that no felling of trees other than the ones permitted by this Hon'ble Court takes place, and in case any extra tree is accidentally felled/damaged, then a penalty of Rs.1,00,000/- (Rs. One lakh only) shall be charged from the Applicant."

31. Learned counsel for the applicant submits that since the width of the road is required to be expanded from 7 meters to 10 meters, the Corporation's request for felling of at least 335 trees is ought to be approved. In this regard, we direct the applicant to comply with the condition contained in para 15(a) regarding compensatory plantation of 4180 trees of indigenous species, as also to comply with the other conditions contained in the CEC report and file a compliance affidavit.

32. Meanwhile, the CEC is directed to further consider the applicant's request for felling of total 335 trees instead of 236 trees. While considering the applicant's request, the CEC may keep in mind that the width of the road is required to be widened to 10 meters. The CEC shall submit its revised/fresh report preferably within six weeks.

33. Post these applications for further consideration on 02.11.2026.

I.A. Nos.99054 & 99055 of 2024

34. These applications have been filed by the Uttar Pradesh State Industrial Development Authority, seeking permission for felling of 555 trees and translocating 997 trees for development of manufacturing industrial setup under the Integrated Manufacturing Cluster project at Agra, Uttar Pradesh.

35. The application was referred to CEC vide order dated 05.08.2024, and in deference thereto, the CEC initially submitted Report No. 37 of 2025 dated 29.07.2025, followed by Report No. 60 of 2025 dated 10.11.2025. By way of this subsequent report, the CEC recommended granting permission for felling of trees, subject to conditions in respect of air pollution score of industrial units and compensatory afforestation.

36. The learned *Amicus Curiae* has, however, referred to our order dated 23.07.2026 passed in IA No. 22551 of 2025 (SMWP(C) No.9/2026), which was filed by the TTZ Authority, whereby the said authority was directed to process 410 pending applications for establishment, expansion, and relocation of the industries, subject to the safeguards prescribed in our order. Relying on the said order, learned *Amicus* submits, and rightly so, that the further course of action in terms of the in-principle approval granted by CEC might not cause conflict between the decision likely to be taken by the TTZ Authority in respect of the pending applications. The final recommendations of the CEC also required to be in

conformity with the Vision Document, the Cumulative Impact Assessment Study, and NEERI's final report on the definition of "non-polluting industries".

37. Although an expert nominee of CEC is also Member of the TTZ Authority, which is required to deal with pending applications, in order to expedite the underlying process, let TTZ Authority also, in light of our order dated 23.07.2026, consider the recommendations contained in CEC's Report No. 37 of 2025 dated 29.07.2025 and Report No. 60 of 2025 dated 10.11.2025 and submit its opinion within six weeks.

38. Post these applications on 02.11.2026.

I.A. Nos.265775, 241846, 241847 & 241848 of 2026 in SMWP(C) No.8/2026 & IA Nos.286694, 286695, 286697 of 2025 & I.A. Nos.42293, 42294, 42295 of 2026 in W.P(C) No.13381/1984

39. On the oral mentioning, I.A. Nos.286697, 241846, 241847 & 241848/2026 are taken on Board.

40. The learned counsel shall share a copy of these applications with the CEC and the learned *Amicus Curiae*. Let the CEC submit its report on the same. List these IAs after the said report(s) are received.

I.A.No.9820/2026 in W.P.(C) No.13381/1984

41. On oral mentioning, I.A. No.9820/2026 is taken on Board.

42. Ms. Aishwarya Bhati, learned Additional Solicitor General of India, seeks and is permitted to withdraw this application with liberty to approach the Divisional Forest Officer and the CEC in terms of order dated 01.05.2025 passed in W.P.(C) No.13381/1984.

43. The application is, accordingly, dismissed as withdrawn with liberty as aforesaid.

44. The Registry is directed to list I.A. No.235067/2023 with Report No.34 of 2023 on 02.11.2026.

(ARJUN BISHT)
ASTT. REGISTRAR-cum-PS

(PREETHI DILEEP KUMAR)
DY. REGISTRAR