



सत्यमेव जयते

महाराष्ट्र शासन

**Office of The Principal Chief Conservator of Forest, (HoFF) Maharashtra State,  
Ramgiri Road, Civil Lines, Nagpur 440 001.**

**The Additional Principal Chief Conservator of Forests And Nodal Officer, Maharashtra State,  
Ramgiri Road, Civil Lines, Nagpur 440 001.**

0712-2556916

Email: apccfnodal@mahaforest@gov.in

Speed Post/Email

No. Desk-17/Nodal/Chandrapur/I.D.127472682/21-22  
Nagpur - 440 001 Dated 11 / 03/2022.

To,  
The Principal Secretary (Forests)  
Revenue and Forests Department,  
Mantralaya, Mumbai-32.

**Sub:** Proposal for Diversion of 374.75 ha. of forest land for under Forest (Conservation ) Act, 1980 for rehabilitation of Rantalodi village of Tadoba Andhari Tiger Reserve in compartment no.14-B, in Dist. Chandrapur Maharashtra-Regarding.

- Ref:1. Govt. of India's letter no. File no. 8-31-2019-FC, dtd.10<sup>th</sup> February 2022.  
2. Chief Conservator of Forests (T) Chandrapur's letter no. Desk-3(1)/Land/C.R.42/2021-22/1593, dtd.08.03.2022.

As per the directions of Govt. of India on the subject mentioned above received vide letter under reference 1 and Ministry's letter of even no. dtd.20.04.2020 and dtd.03.02.2022. This office submitting our reply and the online proposal through Parivesh portal.

Govt. of India vide letter dtd.20.04.2020 and dtd.03.02.2022 had asked to obtain comments National Tiger Conservation Authority (NTCA) on the proposed proposal and accordingly National Tiger Conservation Authority (NTCA) vide their letter no.F.No.7-7/2021-NTCA, dtd.09<sup>th</sup> April 2021 addressed to The Member Secretary, Central Empowered Committee, New Delhi has given their consent and mentioned that *"this Authority is in agreement with the justification given by the Chief Wildlife Warden, Maharashtra in afforesaid matter. The relocation of Rantalodi village shall definitely help in increasing the inviolate area in Critical Tiger Habitat of Tadoba-Andhari Tiger Reserve while benefiting the overall thier conservation in the Landscape. Therefore, I am directed to request you to consider the request of the Chief Wildlife Warden, Maharashtra for de-reservation of 374.75 ha of Forest Land for rehabilitation of Rantalodi village from Core Area of Tadoba Andhari Tiger Reserve, Maharashtra to Chandrapur Forest Division"*. The copy of the same is enclosed for perusal and ready reference.

The Hon'ble Apex Court has also granted permission in Interlocutory Application No.93836/2021 filed in this behalf for relocating the village Rantalodi in compartment no.14-B in area admeasuring 374.75 ha on 15.12.2021. The copy of the same is enclosed for perusal and ready reference.

Hence, the User Agency i.e. The Dy. Director (Core) Tadoba-Andhari Tiger Reserve, Chandrapur has forwarded a proposal mentioned under subject above through the Chief Conservator of Forests (T) Chandrapur vide letter under reference 2 has been received by this office . The same is enclosed for further necessary action .

Encl: As above

 11/3/22

(Naresh Zurmure)

Addl. Principal Chief Conservator of Forests And Nodal Officer  
Maharashtra State, Nagpur

Copy submitted with compliments to Assistant Inspector General of Forests, (Forest Conservation Division) Ministry of Environment, Forest and Climate Change, Indira Paryavaran Bhavan, Aliganj, JorBagh Road, New Delhi 110 003.





महाराष्ट्र शासन

वन विभाग

मुख्य वनसंरक्षक, चंद्रपुर वनवृत्त, चंद्रपुर यांचे कार्यालय

सिव्हील लाईन, नागपुर रोड, चंद्रपुर- 442401

दुरध्वनी क्र. 07172-256279, 252232

Email id- ccfchandrapur@gmail.com, ccftchandrapur@mahaforest.gov.in

क्रमांक : कक्ष-3(1)/जमीन/प्र.क्र.502/2021-22/ 1593

दिनांक :- 08/03/2022

प्रति,

मा. अपर प्रधान मुख्य वनसंरक्षक व केंद्रस्थ अधिकारी  
महाराष्ट्र राज्य नागपूर

विषय :- वन संवर्धन अधिनियम 1980 अंतर्गत वनजमीन 374.75 हे. क्षेत्र वळती करणेबाबत.  
रानतळोधी गावांचे पुनर्वसन करिता 374.75 हे वन जमिन वळती करणेबाबत.

- संदर्भ :-
1. केंद्र शासनाचे पत्र क्र. File No. 8-31/2019-FC, dt. 10.02.2022
  2. अपर प्रधान मुख्य वनसंरक्षक व केंद्रस्थ अधिकारी, म.रा. नागपूर यांचे कडील पत्र क्र. कक्ष-17/नोडल/चंद्रपूर/आयडी-12741/2547/21-22, दिनांक 24.02.2022.
  3. विभागीय वन अधिकारी, चंद्रपूर यांचेकडील पत्र क्र. कक्ष-14/सर्व्हे/जमीन/1913 दिनांक 08.03.2022.

विषयांकीत प्रकरणी, संदर्भित पत्र क्र. 1 व 2 अन्वये कळविल्यानुसार सदर प्रस्ताव विभागीय वन अधिकारी, चंद्रपूर यांचेकडील संदर्भित पत्र क्रमांक 3 अन्वये PARIVESH Site वर Online तसेच हार्ड कॉपी मध्ये या कार्यालयास सादर केला आहे. सदर प्रस्ताव या कार्यालयाकडून Online तसेच हार्ड कॉपी मध्ये 3 प्रतीत पुढील कार्यवाहीकरीता सादर करण्यात येत आहे. (प्रत संलग्न)

सहपत्र:- वरीलप्रमाणे

(प्रकाश ज. लोणकर)

मुख्य वनसंरक्षक

चंद्रपूर वनवृत्त, चंद्रपूर

प्रतिलिपी :- वनसंरक्षक तथा क्षेत्र संचालक, ताडोबा अंधारी व्याघ्र प्रकल्प, चंद्रपूर यांना त्यांचेकडील पत्र क्रमांक 2867 दिनांक 25.02.2022 चं अनुषंगाने माहिती करिता अग्रेषित.

प्रतिलिपी :- विभागीय वन अधिकारी, चंद्रपूर यांना माहिती करिता अग्रेषित.

Updated  
Chandrapur

File  
9/3/22

3941  
9/3/022





Govt. of Maharashtra  
Forest Department

283



**OFFICE OF THE DIVISIONAL FOREST OFFICER,  
CHANDRAPUR DIVISION, CHANDRAPUR**

**Rambagh Forest Colony, Mul Road, Chandrapur – 442401 (M.S.)**

Office Tel. No. 07172-270448

Fax No. 07172-270448

E-mail : dfochandrapur@gmail.com

No.:- Desk-14/Survey/Land/ 1913

Dated :- 8.3.2022

✓ To,

The Chief Conservator of Forests,  
Chandrapur Circle,  
Chandrapur.

**Sub.:-** Proposal for diversion 374.75 ha. of forest land under the Forest (Conservation) Act 1980 for rehabilitation of Rantalodhi Village of Tadoba-Andhari Tiger Reserve in Compartment No. 14-B District Chandrapur of the State of Maharashtra.

**Ref. :-** 1. Government of India letter No. F.No.8-31/2019-FC, dated 16/09/2021.  
2. Your letter No. Desk-3(1)/Land/C.R.502/2021-22/2485, dated 26/11/2021.  
3. Dy. Director (Core), Tadoba-Andhari Tiger Reserve, Chandrapur vide letter No. Desk-6/Survey/21-22/1521, dated 07/03/2022.

As per the instructions given by the Government of India vide reference letter No. 1, The user agency has submitted the compliance report vide reference letter No. 3 as follows.


The Ministry of Environment, Forest & Climate Change, New Delhi has taken objection to the said diversion proposal vide their letter dated 20/05/2019 as the area proposed is more than the existing area of the said village.

The National Tiger Conservation Authority, New Delhi has communicated their consent for relocation of village Rantalodhi in compartment No. 14-B in area admeasuring 374.75 ha. vide their letter No. F.No.7-7/2021-NTCA, dated 09/04/2021 to the Central Empowered Committee, New Delhi. The Copy of the said letter is enclosed herewith.

In support of the above the Central Empowered Committee has filed an affidavit before the Hon'ble Supreme Court on 07/05/2021. The Hon'ble Apex Court has granted permission in Interlocutory Application No. 93836/2021 filed in this behalf for relocating the village Rantalodhi in compartment No. 14-B in area admeasuring 374.75 ha. on 15/12/2021. The copy of the said order is enclosed herewith.

Above encloser upload on Form-A, Part-I by user agency and Part-I has submitted same as enclosed herewith in 4 copies for submitted further necessary action.

**Encl.:-** As Above.

  
(Prashant Khade)  
Divisional Forest Officer,  
Chandrapur Forest Division,  
Chandrapur

Copy forwarded to Dy. Director (Core), Tadoba-Andhari Tiger Reserve, Chandrapur for information and necessary action.



**OFFICE OF THE DY. DIRECTOR (CORE), TADOBA-ANDHARI TIGER RESERVE, CHANDRAPUR**

RENGER'S COLLEGE CAMPUS, MUL ROAD, CHANDRAPUR - 442401 (MAHARASHTRA STATE)

07 MAR 2022

Phone No. 07172-255980 Fax No. 07172-255980 E-mail- [ddcoretatr@gmail.com](mailto:ddcoretatr@gmail.com)

Online Reservation - [www.mahaecotourism.gov.in](http://www.mahaecotourism.gov.in)

Letter no. Desk-6/survey/21-22/ 1521

Date 7/03/2022

To,

Divisional Forest Officer,  
Chandrapur Forest Division, Chandrapur.

**Subject:-** Proposal for diversion of 374.75 ha. of forest land under the Forest (Conservation) Act 1980 for rehabilitation of Rantalodhi Village of Tadoba Andhari Tiger Reserve in compartment No 14-B District, Chandrapur of the State of Maharashtra.

**Ref:-** 1. Copy of the order passed by the Hon'ble Supreme Court dated 15.12.2021.  
2. Dy. Inspector General of Forests (NTCA) New Delhi's letter No.F.No.7-7/2021 NTCA Dated 09.04.2021.

An online proposal for diversion of an area admeasuring 374.75 ha. of compartment No. 14-B of reserved forest near Salori village of Chandrapur Division, was submitted to the Government of India for relocation of village Rantalodhi situated in Tadoba-Andhari Tiger Reserve. (Hard copy of this proposal also been sent).

The Ministry of Environment, Forest & Climate Change, New Delhi has taken objection to the said diversion proposal vide their letter dated 20.05.2019 as the area proposed is more than the existing area of the said village.

The National Tiger Conservation Authority, New Delhi has communicated their consent for relocation of village Rantalodhi in compartment No.14-B in area admeasuring 374.75 ha. vide their letter No. F.No.7-7/2021-NTCA dated 09.04.2021 to the Central Empowered Committee, New Delhi. The copy of the said letter is enclosed herewith.

In support of the above the Central Empowered Committee has filed an affidavit before the Hon'ble Supreme Court on 07.05.2021. The Hon'ble Apex Court has granted permission in Interlocutory Application No. 93836/2021 filed in this behalf for relocating the village Rantalodhi in compartment No.14-B in area admeasuring 374.75 ha. on 15.12.2021. The copy of the said order is enclosed herewith.

The copy of the order of Hon'ble Apex Court and letter of National Tiger Conservation Authority, New Delhi is uploaded on Parivesh Portal site and online proposal is being sent to you. Three hard copies of the Form-A, Part-I and above orders are enclosed herewith for your information and necessary action.

**Encl:** As above

  
Deputy Director (Core)

Tadoba-Andhari tiger Reserve, Chandrapur

Copy submitted to- Conservator of forests and Field Director, Tadoba-Andhari Tiger Reserve, Chandrapur for Information.

Copy submitted to- Conservator of forests, Chandrapur Forest Circle, Chandrapur for information and necessary action.



279

**FORM - A**

Form for seeking prior approval of Central Government under section 2 of the Forest(Conservation) Act,1980 for  
Diversion of fresh forest area

**PART - I**

(To be filled up by User Agency)

**A. General Details****A-1. Project Details**

(i). **Proposal No. :** FP/MH/REHAB/39365/2019

(ii). **Name of Project for which Forest Land is required :** Rehabilitation of Rantalodhi Village

(iii). **Short narrative of the proposal and Project/scheme for which the forest land is required :**  
Rehabilitation of Rantalodhi Village from TATR, Chandrapur

(iv). **State :** Maharashtra

(v). **Category of the Proposal :** Rehabilitation

(vi). **Shape of forest land proposed to be diverted :** Non Linear

(vii). **Estimated cost of the Project(Rupees in lacs) :** 2440

(viii). **Area of forest land proposed for diversion(in ha.):** 374.75

(ix). **Non-forest land required for this project(in ha.):** 0

(x). **Total period for which the forest land is proposed to be diverted(in years):** NIL

**A-2. Details of User Agency**

(i). **Name :** DY DIRECTOR TATR CORE CHANDRAPUR

(ii). **Address1 :** Dy Director TATR Core Chandrapur

(iii). **Address2 :** Dy Director TATR Core Chandrapur

(iv). **State :** Maharashtra

(v). **District :** Chandrapur

(vi). **Pin :** 442401

(vii). **Landmark :** Ranger College



277

(viii). Email address : ddcoretatr@gmail.com

(ix). Landline Telephone No. : 7172-255980

(x). Fax No. : 7172-7172

(xi). Mobile No. : 9595761409

(xii). Website (if any) : ddcoretatr@gmail.com

(xiii). Legal status of User Agency : State Government

A-3. Details of Person Making Application

(i). First Name: Dy Director Core TATR Chandrapur

(ii). Middle Name: Dy Director Core TATR Chandrapur

(iii). Last Name: Dy Director Core TATR Chandrapur

(iv). Gender: Male

(v). Designation: Dy Director

(vi). Address 1: Dy Director TATR Core Forest training Center Mul Road Chandrapur

(vii). Address 2: Dy Director TATR Core Forest training Center Mul Road Chandrapur

(viii). State: Maharashtra

(ix). District: Chandrapur

(x). Tehsil: Chandrapur

(xi). Pin: 442401

(xii). Landmark: Ranger College


(xiii). Email Address: ddcoretatr@gmail.com

(xiv). Landline Telephone No.: 7172-255980

(xv). Fax No.: 07172255980

(xvi). Mobile No.: 9595761409

275

(xvii). Copy of documents in support of the competence/authority of the person making this application to make application on behalf of the User Agency: 

## B. Details of land required for the Project

B-1. Details of proposal seeking prior approval of Central Government under the Act for diversion of forest land for the Project already submitted in the past

List of proposal submitted in Past							
S.no	Proposal Status.	Proposal No.	Moef File No.	Area Proposed for Diversion(Ha.)	Area Diverted(Ha.)	Date of In-Principle Approval	Date of Final Approval
NIL							

B-2. Details of forest land proposed to be diverted

B-2.1 Details of Divisions involved

Details of Divisions involved			
S.no	Division Name	Forest Land(ha.)	Non-Forest Land(ha.)
1.	Chandrapur	374.75	0
Total		374.75	0

B-2.2 Details of Districts involved

District wise breakup			
S.no	District Name	Forest Land(ha.)	Non-Forest Land(ha.)
1.	Chandrapur	374.75	0
Total		374.75	0

B-2.3 Village wise breakup

Villages wise breakup			
S.no	Village	Forest Land(ha.)	Non-Forest Land(ha.)
1	Parsoda	374.75	0
Total		374.75	0




B-2.4 Component wise breakup

Component wise breakup			
S.no	Component	Forest Land(ha.)	Non-Forest Land(ha.)
1	Agriculture	290	0
2	Gaothan	20	0
3	Tank	35	0
4	Contingency land	29.75	0
Total		374.75	0



273

C. Maps of forest land proposed to be diverted

Division 1. : Chandrapur		
(i). Area of forest land proposed to be diverted(in ha.) : 374.75		
(ii). Nature of the Project: Non Linear		
(a). No. of patches : One		
Patch wise details		
Patch No.	Area of Patch(in ha.)	Kml File of PatchesTo view KML file on google the same may be downloaded and then open if in google earth install in your computer.
1.	374.75	 <a href="#">View File</a>
(iii). Copy of Survey of India Toposheet indicating boundary of forest land proposed to be diverted: 		
(iv). Scanned copy of the Geo-referenced map of the forest land proposed to be diverted prepared by using GPS or Total Station: 		

D. Justification for locating the Project in forest land and details of alternatives examined:

(i). Copy of note containing justification for locating the Project in forest land: 

E. Employment likely to be generated

(i). Whether the Project is likely to generate employment?: No

F. Displacement of People due to the Project, if any

(i). Whether Project involves displacement?: No

G. Details of Cost-Benefit analysis for the Project

(i). Whether the Project requires Cost-Benefit analysis?: No

H. Status of Environmental Clearance

(i). Whether the Project requires Clearance under the Environment (Protection) Act 1986?: No

I. Status of Wildlife Clearance

(i). Whether the Project or a part thereof is located in any Protected Area or their Eco sensitive zone?: No


J. Applicability of special provisions governing Scheduled Areas

271

(i). Whether the Project or a part thereof is located in a Scheduled Area? : No

**K. Status of settlement of rights under the Forest Rights Act, 2006 on the forest land proposed to be diverted**

(i). Whether the process for settlement of Rights under the Forest Rights Acts 2006 on the forest land proposed to be diverted has been completed? : Yes

(a). Copy of documentary evidence in support of settlement of rights under the Forest Rights Act, 2006 on the forest land proposed to be diverted: 














**L. Details of land identified for Compensatory Afforestation**

(i). Whether non-forest or Revenue forest land is required to be provided by User Agency?: No













(ii). Whether the area of non-forest land or Revenue forest land required to be provided by User Agency for raising Compensatory Afforestation is less than area of forest land proposed to be diverted?: No

(iii). Reason for not providing Non-Forest Land: Public utility projects (excluding mining and regularization of encroachments) involving less than 20 hectares of forest land implemented by Govt. Departments in hill districts and in other districts having forest area exceeding 50% of the total geographical area

**Additional information Details**


Documents		
S.No	Documents	Remarks
1		PART-1
2		AREA STATEMENT
3		LOCATION MAP
4		Distance from PA Area
5		NO SUITABLE land Collector Certificate
6		MINIMUM DEMAND of COLLECTOR Certificate
7		MINIMUM DEMAND UA PDF
8		No violation Certificate
9		No Monuments Certificate
10		No National Park Certificate
11		10 Km. Protected Area Certificate
12		Distance from PA Area
13		Tree Enumeration Certificate
14		Village Resettled of



		Rantaldhi
15		Resolution of Rantaldhi
16		Villagers Option Given 1 & 2
17		Notification of 1879 proposed rehabilitation land in 14B
18		TATR Notification
19		Govt. of Maharashtra Resolution Dated 03.11.2012
20		Layout plan
21		Tree En
22		CA CER
23		NPV certificate
24		Supreme Court order Rantaldhi
25		NTCA letter

[Print](#)

Date:-03/03/2022  
Place:-Chandrapur.

  
Dy. Director, (Core)  
TATR Chandrapur





# ANNEXURE-R-3

267

File No.7-7/2021-NTCA

25

भारत सरकार  
Government of India  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय  
Ministry of Environment, Forest & Climate Change,  
राष्ट्रीय व्याघ्र संरक्षण प्राधिकरण  
National Tiger Conservation Authority  
\*\*\*

F.No. 7-7/2021-NTCA

New Delhi, the April 9, 2021

To,

The Member Secretary,  
Central Empowered Committee,  
New Delhi

Subject: Proposal for diversion of 374.75 ha. of forest land under the Forest (Conservation) Act, 1980 for rehabilitation of Rantalodi Village of Tadoba-Andhari Tiger Reserve in compartment No. 14-B, District Chandrapur of State of Maharashtra-reg.

Ref: (i) Your letter No. 2-77CECSC/2019-Pl.VIII dated 04.03.2021 received from Member Secretary, Central Empowered Committee.

(ii) Your letter No. Desk-23(2)/WL/Survey/CR.No.02(2009-10)/53/2021-22 dated 08.04.2021 received from PCCF(WL), Maharashtra. (Copy Enclosed)

Sir,

Reference is invited to the subject and correspondence cited above. Thereafter, Chief Wildlife Warden, Maharashtra was requested to provide justification in respect of extent of land proposed to be de-reserved/de-notified for resettlement being more than the extent vacated in Core Area of Tadoba-Andhari Tiger Reserve, Maharashtra.

Now, the Chief Wildlife Warden, Maharashtra has submitted requisite justification as below;

1. There are 244 families in in the village Rantalodi proposed for rehabilitation. Out of these 244 families, 90 families of village Rantalodi have opted for option I i.e to accept the one time cash compensation of Rs. 10 lakh per family and get relocated on their own outside the Tiger Reserve. Remaining 145 families have opted for option II to get rehabilitated at a new village by availing the option of getting at least 2 Ha. agriculture land and basic 18 civic amenities in the proposed village as per existing State Government Act/Norms).
2. Though the land required in the instant case i.e. 374.75 Ha is more than land vacated i.e. 175.26 Ha, at state level the total land vacated is 8613.63 Ha for 66 villages rehabilitated from Core Area of Tiger Reserve is far more than the land diverted i.e. 265.67 ha for rehabilitation.
3. Though the land vacated in Rantalodi is 175.26 Ha but the biotic interference in the adjoining forest areas is far more than the area of village. This village relocation shall lead to making an approximate area of 4024 Ha as inviolate.
4. The increase in inviolate area in Core of Tadoba-Andhari Tiger Reserve will

9/4/21



File No.7-7/2021-NTCA

further help in accommodating increasing tiger population in adjoining area, which is leading to human tiger negative interaction in Chandarpur in present scenario.

In view of above, this Authority is in agreement with the justification given by the Chief Wildlife Warden, Maharashtra in aforesaid matter. The relocation of Rantalodi village shall definitely help in increasing the inviolate area in Critical Tiger Habitat of Tadoba-Andhari Tiger Reserve while benefiting the overall tiger conservation in the landscape. Therefore, I am directed to request you to consider the request of the Chief Wildlife Warden, Maharashtra for de-reservation of 374.75 Ha of Forest land for rehabilitation of Rantalodi village from Core Area of Tadoba-Andhari Tiger Reserve, Maharashtra to Chandarpur Forest Division.

Encl: As above.

Yours faithfully,

*Sf. 9/4/21*  
(Surender Mehra)  
Deputy Inspector General of Forests (NTCA)  
Email: dig1-ntca@nic.in  
Tel. (EPABX): + 91 11 24367837-39  
FAX: + 91 11 24367836



REVISED

ITEM NO.7

COURT NO.5

SECTION PIL-W7

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 AND ORS.

Respondent(s)

("ONLY"[ 1 ] INTERLOCUTORY APPLICATION NOS. 160157 AND 160159/2021[APPLICATIONS FOR DIRECTIONS ON BEHALF OF STATE OF H.P.] WITH INTERLOCUTORY APPLICATION NOS. 95844 AND 99314/2021[APPLICATIONS FOR PERMISSION AND EXEMPTION FROM FILING O.T. ON BEHALF OF RAIL VIKAS NIGAM LIMITED (RVNL)] IN INTERLOCUTORY APPLICATION NO. 3840 (Disposed of) [APPLICATION FOR PERMISSION FOR CARRYING OUT SILVICULTURAL FELLING OF TREES] IN RE : SILVICULTURE FELLING OF TREES IN THE STATE OF HIMACHAL PRADESHAND

[ 2 ] INTERLOCUTORY APPLICATION NO. 61371/2021 (CEC REPORT NO. 7) [APPLICATION FOR PERMISSION] WITHINTERLOCUTORY APPLICATION NO. 93836/2021 [APPLICATION FOR SEEKING DIRECTIONS IN CEC REPORT NO. 7 OF 2021 FILED BY CEC] IN RE : ANDHARI TIGER RESERVE, CHANDRAPUR, MAHARASHTRAAND

[ 3 ] INTERLOCUTORY APPLICATION NO. 107443/2021 (CEC REPORT NO. 11) [APPLICATION FOR DIRECTIONS FILED BEFORE CEC BY DR. P.C. PRASAD AND ADITYA PRASAD, APPLICANTS] WITH INTERLOCUTORY APPLICATION D. NO. 161311 AND INTERLOCUTORY APPLICATION NO. 161312/2021[APPLICATIONS FOR INTERVENTION AND DIRECTIONS ON BEHALF OF BY DR. P.C. PRASAD AND ADITYA PRASAD, APPLICANTS IN I.A. NO. 107443/2021] IN RE : DELHI METRO RAIL CORPORATION (DMRC)IN WRIT PETITION (CIVIL) NO. 202/1995"ONLY" ARE LISTED IN W.P.(C) No. 202/1995 "ONLY" ON 14.12.2021

Date : 14-12-2021 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE L. NAGESWARA RAO

HON'BLE MR. JUSTICE B.R. GAVAI

HON'BLE MRS. JUSTICE B.V. NAGARATHNA

Signature Not Verified

Digitally signed by  
Anita Malhotra  
Date: 2024.12.16  
17:33:15 IST  
Reason:

For the parties :

By Courts Motion, AOR

Mr. Harish N. Salve, Sr. Adv. [A.C.]

Mr. A.D.N. Rao, Advocate [A.C.]



Mr. Siddhartha Chowdhury, Adv [A.C.]  
Ms. Aparajita Singh, Sr. Adv [A.C.]

H.P.

Mr. Tushar Mehta, Ld. SG  
Mr. Ashok Sharma, Sr. Adv, (AG)  
Mr. Vikas Mahajan, Sr. Adv (AAG)  
Mr. Vidit Anand, Adv  
Mr. Vinod Sharma, AOR  
Mr. Arun Singh, Adv  
Mr. Anil Kumar, Adv  
Mr. Arvind Kumar, Adv  
Ms. Lara Siddiqui, Adv  
Mr. Prahlad Naryan Singh, Adv

IA 95844/2021

Mr. Tushar Mehta, Ld. SG  
Mr. Saurabh Mishra, Adv.  
Mr. Aditya Mishra, Adv.

IA 107443/2021

Mr. Tushar Mehta, Ld. SG  
Mr. Tarun Johri, AOR  
Mr. Ankur Gupta, Adv.

MOEF/SCI. & TECH. /POWER/  
COMMU./COAL/ MINES/SURFACE TRANSPORT

Mr. Balbir Singh, Ld ASG  
Mr. Gurmeet Singh Makker, AOR  
Mr. D L Chidananda, Adv  
Ms. Archana Pathak Dave, Adv  
Ms. Suhashini Sen, Adv  
Mr. S.S.Rebello, Adv  
Mr. Shyam Gopal, Adv  
Mr. Sughosh Subramanyam, Adv

Haryana

Dr. Monika Gusain, AOR

Karnataka

Mr.V.N.Raghupathy, Adv

M.P.

Mrinal Elker Mazumdar, AOR

Rajasthan

Dr. Manish Singhvi, Sr Adv  
Mr. Arpit Parkash, Adv  
Mr. Sandeep Kumar Jha, AOR

Andhra Pradesh

Mr. Mahfooz A. Nazki, AOR  
Mr. Polanki Gowtham, Adv  
Mr. Shaik Mohamad Haneef, Adv  
Mr. T. Vijaya Bhaskar Reddy, Adv  
Mr. K.V.Girish Chowdary, Adv

Arunachal Pradesh

Mr. Abhimanyu Tewari, Adv

State of Bihar

Ms. Eliza Bar, Adv

Mr. Abhinav Mukerji, AOR

Mrs. Bihu Sharma, Adv.

Ms. Pratishtha Vij, Adv.

Mr. Akshay C. Shrivastava, Adv.

Gujarat

Ms. Archana Pathak Dave, Adv.

Ms. Deepanwita Priyanka, AOR.

Odisha

Mr. Shovan Mishra, AOR

Ms. Bipasa Tripathy, Adv

Meghalaya

Mr. Avijit Mani Tripathi, AOR

Mr. Upendra Mishra, Adv.

Mr. T.K. Nayak, Adv.

Mr. K.V. Kharlyngdoh, Adv.

IA 161311-12/2021

Mr. Rajiv Dutta, Sr. Adv.

Mr. Manan Verma, AOR

MR. SACHIN PATIL, AOR

M/S. Mitter & Mitter Co., AOR

M/S. Lawyer S Knit & Co, AOR

Mr. Chanchal Kumar Ganguli, AOR

M/S. Plr Chambers And Co., AOR

Mr. Syed Mehdi Imam, AOR

Mr. T. Harish Kumar, AOR

Mr. Balbir Singh, ASG

Mr. D.L.Chidananda, Adv

Ms. Suhasini Sen, Adv

Ms. Archana Pathak Dave, Adv

Mr. Salvador Santosh Rebello, Adv

Mr. SHYAM GOPAL, Adv

Mr. Sughosh Subramanyam, Adv

Mr. G.S.Makker, Adv

Mrs. Anil Katiyar, AOR

Mr. Raj Kishor Choudhary, AOR

Mr. Shuvodeep Roy, AOR

Mr. Kabir Shankar Bose, Adv.

Mr. Ishaan Borthakur, Adv.

Bihar

Mr. Sakest Singh, Adv.

Ms. Niranjana Singh, AOR



## Puducherry

Mr. Aravindh C., AOR  
Ms. C. Rubavathi, Adv.

Dr. Joseph Aristotle S, AOR  
Ms. Preeti Singh, Adv.  
Mr. Sanjeev Kr. Mahara, Adv.

## M.P.

Mr. Ankit Mishra, Adv.  
Mr. Sunny Choudhary, AOR

Mr. Sandeep Sharma, Adv.  
Mr. Sunny Choudhary, AOR

## NCT Delhi

Mr. Chirag M. Shroff, AOR  
  
Mr. Abhishek Atrey, AOR  
Mr. Sarvam Ritam Khare, AOR

## Sikkim

Mr. Raghvendra Kumar, Adv.  
Mr. Simanta Kumar, Adv.  
Mr. Rajiv Sinha, Adv.  
Mr. Nishant Verma, Adv.  
Mr. Narendra Kumar, AOR

## U.P.

Mr. Ravindra Raizada, Sr. Adv./AAG  
Mr. Rajeev Kumar Dubey, Adv  
Mr. Ashiwan Mishra, Adv  
Mr. Kamlendra Mishra, AOR

Mr. Guntur Pramod Kumar, AOR  
Mr. Shubhranshu Padhi, AOR  
Mr. P. S. Sudheer, AOR  
Mrs. Pragya Baghel, AOR

## Jharkhand

Mr. Barun Kr. Sinha, AAG  
Mr. Kumar Anurag Singh, Adv  
Mr. Anando Mukherjee, AOR

Mr. Gaichangpou Gangmei, AOR  
Mr. Ranjan Mukherjee, AOR  
Mr. Umesh Bhagwat, AOR  
Mr. E. C. Agrawala, AOR  
Mr. Gopal Singh, AOR  
Mr. Jitendra Mohan Sharma, AOR  
Ms. C. K. Sucharita, AOR  
Mr. E. M. S. Anam, AOR  
Ms. Sharmila Upadhyay, AOR  
Mr. Ejaz Maqbool, AOR  
M/S. Corporate Law Group, AOR  
Ms. Madhu Moolchandani, AOR  
Mr. P. N. Gupta, AOR  
Ms. Jyoti Mendiratta, AOR

Mr. D. N. Goburdhan, AOR  
Mr. Naresh K. Sharma, AOR  
Mr. Jai Prakash Pandey, AOR  
Ms. Binu Tamta, AOR  
Ms. Rachana Srivastava, AOR  
Mr. C. L. Sahu, AOR  
Ms. Abha R. Sharma, AOR  
M/S. M. V. Kini & Associates, AOR  
Mr. Rajat Joseph, AOR  
Mrs. Nandini Gore, AOR  
Mr. Mohd. Irshad Hanif, AOR  
Ms. Divya Roy, AOR  
Mr. Radha Shyam Jena, AOR  
Mr. Rauf Rahim, AOR  
Mrs. B. Sunita Rao, AOR  
Mr. T. V. George, AOR  
Mr. Neeraj Shekhar, AOR  
Mr. Amit Anand Tiwari, AOR  
Ms. S. Janani, AOR  
Mr. Surya Kant, AOR  
Mr. Pradeep Kumar Bakshi, AOR  
M/S. K J John And Co, AOR  
Mr. S. C. Birla, AOR  
Mrs. Anjani Aiyagari, AOR  
Mrs. Manik Karanjawala, AOR  
Mr. Punit Dutt Tyagi, AOR  
Mr. Ratan Kumar Choudhuri, AOR  
Ms. Sujata Kurdukar, AOR  
Mr. Tejaswi Kumar Pradhan, AOR  
Mr. Dharmendra Kumar Sinha, AOR  
Mrs. Bina Gupta, AOR  
Mrs. M. Qamaruddin, AOR  
Ms. Baby Krishnan, AOR  
Mr. Ajit Pudussery, AOR  
Ms. Charu Mathur, AOR  
Mr. Sudhir Kumar Gupta, AOR  
Mr. Irshad Ahmad, AOR  
Mr. Shiva Pujan Singh, AOR  
Mr. Rajeev Singh, AOR  
Mr. Ramesh Babu M. R., AOR  
Mr. Shibashish Misra, AOR  
Mr. Sarad Kumar Singhanian, AOR  
Mr. Kuldip Singh, AOR  
Mr. Ram Swarup Sharma, AOR  
Ms. K. V. Bharathi Upadhyaya, AOR  
Mr. Avijit Bhattacharjee, AOR  
Ms. Malini Poduval, AOR  
Mr. Lakshmi Raman Singh, AOR  
Mr. Kamal Mohan Gupta, AOR  
Mr. Rajesh, AOR  
Mr. K. V. Vijayakumar, AOR  
Mr. Gopal Prasad, AOR  
Mr. S.. Udaya Kumar Sagar, AOR



Mr. A. T. M. Sampath, AOR  
Mr. B V Deepak, AOR  
Mr. P. V. Yogeswaran, AOR  
Ms. A. Sumathi, AOR  
Mr. Abhishek Chaudhary, AOR  
Mr. M. C. Dhingra, AOR  
Ms. Sumita Hazarika, AOR  
Mr. Ashok Mathur, AOR  
M/S. Arputham Aruna And Co, AOR  
Mr. Raj Kumar Mehta, AOR  
Mr. Ravi Prakash Mehrotra, AOR  
Mrs. Rekha Pandey, AOR  
Mr. K. L. Janjani, AOR

Ms. Asha Gopalan Nair, AOR  
Mr. A. Venayagam Balan, AOR  
Mr. Krishnanand Pandeya, AOR  
Mr. Rajesh Singh, AOR  
Mr. T. Mahipal, AOR  
Mrs. Kanchan Kaur Dhodi, AOR  
Mr. E. C. Vidya Sagar, AOR  
Mr. P. R. Ramasesh, AOR  
Ms. Hemantika Wahi, AOR  
Mrs. Rani Chhabra, AOR  
Mr. V. Balachandran, AOR  
Mr. Rajiv Mehta, AOR  
Mr. Rathin Das, AOR  
Mr. Sudhir Kulshreshtha, AOR  
Mr. Himanshu Shekhar, AOR  
Mr. Rakesh K. Sharma, AOR  
Mr. Prashant Kumar, AOR  
Mr. P. Parmeswaran, AOR  
Ms. Bina Madhavan, AOR  
M/S. Parekh & Co., AOR  
Mr. H. S. Parihar, AOR  
Mr. T. N. Singh, AOR  
Mr. A. N. Arora, AOR  
Mr. G. Prakash, AOR  
Mr. S. R. Setia, AOR  
Ms. Pratibha Jain, AOR  
Mr. Sudarsh Menon, AOR  
Mr. Vikrant Singh Bais, AOR  
Mr. M. Yogesh Kanna, AOR  
Mr. P. K. Manohar, AOR  
Nishanth Patil, AOR

Mr. James P. Thomas, AOR  
Ms. Vanshaja Shukla, AOR  
Mr. M. R. Shamshad, AOR  
Ms. Shalini Kaul, AOR

Mr. Shwetank Singh, Adv  
Ms. Ekta Bharati, Adv



Mr. Gopal Balwant Sathe, AOR  
Mr. Naveen Kumar, AOR  
M/s. Venkat Palwai Law Associates, AOR  
Mr. Kaushik Choudhury, AOR  
Mr. B. K. Pal, AOR  
M/S. Cyril Amarchand Mangaldas, AOR  
Mr. Somesh Chandra Jha, AOR  
Ms. Adarsh Nain, AOR  
Ms. Seita Vaidyalingam, AOR

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

IA NO.160157/2021.

This application has been filed by the State of Himachal Pradesh to grant permission for execution of linear projects as per the guidelines issued by the Ministry of Environment and Forest vide letter bearing F.No.11-306/2014-FC dated 08.08.2014 and letter bearing F.No.11-158/2017-FC dated 15.01.2015. The CEC may examine the application and file its response within a period of four weeks from today.

List on 08.02.2022.

IA No.160159/2021

The word "6 projects" mentioned in prayer (b) of the application may be read as "11 projects".

This application has been filed by the State of Himachal Pradesh seeking relaxation of the restrictions imposed by this Court on diversion of the forest land under the Forest (Conservation) Act,



1980 (in short 'FCA') and the Forest Dwellers (Recognition of Forest Rights) Act, 2006 (in short 'FRA') in respect of

(i) 11 cases of FCA pertaining to Roads (7), Bowstring Bridge (1), Electric Sub-station (1), Police Post (1), NDRF Company (1); and

(ii) 66 cases under FRA pertain to Community Centre (1), Drinking water supply and water pipelines (9), Roads (48), Schools (4), Minor Irrigation Canals (1) and Dispensaries/Hospitals(3).

292 trees have to be felled for the purpose of construction of 48 roads and 6 trees for the construction of 4 schools. CEC has examined the application and recommended for permission to be granted for diversion of the forest area for the projects.

In respect of the roads, they are stand alone projects and not part of one composite unit/project.

After hearing Mr. A.D.N. Rao learned Amicus Curiae and Mr. Tushar Mehta, learned Solicitor General of India appearing for the State of Himachal Pradesh and examining the application and the response of the CEC, we are of the considered view that this Interlocutory Application deserves to be allowed and the restrictions imposed for diversion of forest land can be waived in respect of 11 projects as mentioned in para 11 and 66 projects as mentioned



in para 12 of the application subject to the State of Himachal Pradesh following the directions issued by this Court on 09.12.2021 relating to reforestation.

I.A. stands allowed.

I.A. No.95844 of 2021

This application is filed by Rail Vikas Nigam Limited seeking permission for diversion of forest land in Bilaspur Forest Division, District Bilaspur (Himachal Pradesh) for laying Bhanupali-Bilaspur-Beri, New Rail Line Project. Permission for the Phase-I of the project has already been approved under the F.C. Act. This application concerns diversion of 56.36 hectares of forest land which is in Phase-II of the project and 29.6343 hectares of forest land which is in Phase III of the project. We are informed that the Stages I & II approval has already been granted in respect of Phase II and Phase III.

The CEC has recommended grant for permission for diversion of forest land as mentioned in this application in view of the project being public in nature and is of public importance.

IA is allowed. Permission is granted for diversion of 56.36 hectares of forest land which is in Phase-II of the project and 29.6343 hectares of

forest land in Phase III for construction of Bhanupali - Bilaspur - Beri, New Rail Line subject to compliance of directions issued by this Court for re-afforestation.

IA No.93836/2021 and IA No.61371/2021

IA No.93836/2021

This application is filed by the State of Maharashtra seeking permission for diversion of 374.75 hectares of forest land under the Forest (Conservation) Act, 1980 in Compartment No.14-B of Village Salori, District Chandrapur, Maharashtra for rehabilitation of families residing in Rantalodhi Village in Tadoba - Andhari Tiger Reserve occupying an area of 175.26 hectares of forest land in core area of Tadoba-Andhari Tiger Reserve. CEC has submitted a detailed report after considering the request made by the State of Maharashtra. In the report it has been stated that two options were given to the occupants of Village Rantalodhi. First is to accept an amount of Rs.10 Lakhs and get resettled on their own without availing Government land and other civic amenities and the second is to get resettled in a new village by availing the Government scheme. Out of 244 families, 99 families have opted for the first option and have accepted one time compensation of Rs.10 Lakhs for their relocation outside the Tiger Reserve. Remaining 145 families have to be



rehabilitated at a new place for which purpose land of 374.75 hectares is required. Views of the National Tiger Conservation Authority (NTCA) have also been obtained by the CEC before recommending permission to be granted for rehabilitation of 145 families from Village Rantalodhi.

After carefully examining the application and the recommendations made by the CEC in Report No.7/2021, this application is allowed. Accordingly, IA No.61371/2021(CEC Report No.7) stands disposed of.

Permission is granted for relocating 145 families in Compartment No.14-B of Village Salori, District Chandrapur, Maharashtra for rehabilitation of families residing in Rantalodhi Village in Tadoba - Andhari Tiger Reserve, subject to grant of necessary permission by MOEF as recommended by CEC for diversion of 374.75 hectares of forest land for non-forest use.

I.A. NO. 107443/2021 (CEC REPORT NO. 11), IA No.D 161311/2011, IA No.161312/2021

List tomorrow, i.e. 15.12.2021.

(Geeta Ahuja)  
Court Master

(Anand Prakash)  
Court Master

ITEM NO.7

COURT NO.5

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 AND ORS.

Respondent(s)

("ONLY"[ 1 ] INTERLOCUTORY APPLICATION NOS. 160157 AND 160159/2021[APPLICATIONS FOR DIRECTIONS ON BEHALF OF STATE OF H.P.] WITH INTERLOCUTORY APPLICATION NOS. 95844 AND 99314/2021[APPLICATIONS FOR PERMISSION AND EXEMPTION FROM FILING O.T. ON BEHALF OF RAIL VIKAS NIGAM LIMITED (RVNL)] IN INTERLOCUTORY APPLICATION NO. 3840 (Disposed of) [APPLICATION FOR PERMISSION FOR CARRYING OUT SILVICULTURAL FELLING OF TREES] IN RE : SILVICULTURE FELLING OF TREES IN THE STATE OF HIMACHAL PRADESHAND

[ 2 ] INTERLOCUTORY APPLICATION NO. 61371/2021 (CEC REPORT NO. 7) [APPLICATION FOR PERMISSION] WITHINTERLOCUTORY APPLICATION NO. 93836/2021 [APPLICATION FOR SEEKING DIRECTIONS IN CEC REPORT NO. 7 OF 2021 FILED BY CEC] IN RE : ANDHARI TIGER RESERVE, CHANDRAPUR, MAHARASHTRAAND

[ 3 ] INTERLOCUTORY APPLICATION NO. 107443/2021 (CEC REPORT NO. 11) [APPLICATION FOR DIRECTIONS FILED BEFORE CEC BY DR. P.C. PRASAD AND ADITYA PRASAD, APPLICANTS] WITH INTERLOCUTORY APPLICATION D. NO. 161311 AND INTERLOCUTORY APPLICATION NO. 161312/2021[APPLICATIONS FOR INTERVENTION AND DIRECTIONS ON BEHALF OF BY DR. P.C. PRASAD AND ADITYA PRASAD, APPLICANTS IN I.A. NO. 107443/2021] IN RE : DELHI METRO RAIL CORPORATION (DMRC)IN WRIT PETITION (CIVIL) NO. 202/1995"ONLY" ARE LISTED IN W.P.(C) No. 202/1995 "ONLY" ON 14.12.2021

Date : 14-12-2021 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE L. NAGESWARA RAO  
HON'BLE MR. JUSTICE B.R. GAVAI  
HON'BLE MRS. JUSTICE B.V. NAGARATHNA

For the parties :

By Courts Motion, AOR

Mr. Harish N. Salve, Sr. Adv. [A.C.]  
Mr. A.D.N. Rao, Advocate [A.C.]



Mr. Siddhartha Chowdhury, Adv [A.C.]  
Ms. Aparajita Singh, Sr. Adv [A.C.]

H.P.

Mr. Tushar Mehta, Ld. SG  
Mr. Ashok Sharma, Sr. Adv, (AG)  
Mr. Vikas Mahajan, Sr. Adv (AAG)  
Mr. Vidit Anand, Adv  
Mr. Vinod Sharma, AOR  
Mr. Arun Singh, Adv  
Mr. Anil Kumar, Adv  
Mr. Arvind Kumar, Adv  
Ms. Lara Siddiqui, Adv  
Mr. Prahlad Naryan Singh, Adv

IA 95844/2021

Mr. Tushar Mehta, Ld. SG  
Mr. Saurabh Mishra, Adv.  
Mr. Aditya Mishra, Adv.

IA 107443/2021

Mr. Tushar Mehta, Ld. SG  
Mr. Tarun Johri, AOR  
Mr. Ankur Gupta, Adv.

MOEF/SCI. & TECH. /POWER/  
COMMU./COAL/ MINES/SURFACE TRANSPORT

Mr. Balbir Singh, Ld ASG  
Mr. Gurmeet Singh Makker, AOR  
Mr. D L Chidananda, Adv  
Ms. Archana Pathak Dave, Adv  
Ms. Suhashini Sen, Adv  
Mr. S.S.Rebello, Adv  
Mr. Shyam Gopal, Adv  
Mr. Sughosh Subramanyam, Adv

Haryana

Dr. Monika Gusain, AOR

Karnataka

Mr.V.N.Raghupathy, Adv

M.P.

Mrinal Elker Mazumdar, AOR

Rajasthan

Dr. Manish Singhvi, Sr Adv  
Mr. Arpit Parkash, Adv  
Mr. Sandeep Kumar Jha, AOR

Andhra Pradesh

Mr. Mahfooz A. Nazki, AOR  
Mr. Polanki Gowtham, Adv  
Mr. Shaik Mohamad Haneef, Adv  
Mr. T. Vijaya Bhaskar Reddy, Adv  
Mr. K.V.Girish Chowdary, Adv

Arunachal Pradesh

Mr. Abhimanyu Tewari, Adv

State of Bihar

Ms. Eliza Bar, Adv

Mr. Abhinav Mukerji, AOR

Mrs. Bihu Sharma, Adv.

Ms. Pratishtha Vij, Adv.

Mr. Akshay C. Shrivastava, Adv.

Gujarat

Ms. Archana Pathak Dave, Adv.

Ms. Deepanwita Priyanka, AOR.

Odisha

Mr. Shovan Mishra, AOR

Ms. Bipasa Tripathy, Adv

Meghalaya

Mr. Avijit Mani Tripathi, AOR

Mr. Upendra Mishra, Adv.

Mr. T.K. Nayak, Adv.

Mr. K.V. Kharlyngdoh, Adv.

IA 161311-12/2021

Mr. Rajiv Dutta, Sr. Adv.

Mr. Manan Verma, AOR

MR. SACHIN PATIL, AOR

M/S. Mitter & Mitter Co., AOR

M/S. Lawyer S Knit & Co, AOR

Mr. Chanchal Kumar Ganguli, AOR

M/S. Plr Chambers And Co., AOR

Mr. Syed Mehdi Imam, AOR

Mr. T. Harish Kumar, AOR

Mr. Balbir Singh, ASG

Mr. D.L.Chidananda, Adv

Ms. Suhasini Sen, Adv

Ms. Archana Pathak Dave, Adv

Mr. Salvador Santosh Rebello, Adv

Mr. SHYAM GOPAL, Adv

Mr. Sughosh Subramanyam, Adv

Mr. G.S.Makker, Adv

Mrs. Anil Katiyar, AOR

Mr. Raj Kishor Choudhary, AOR

Mr. Shuvodeep Roy, AOR

Mr. Kabir Shankar Bose, Adv.

Mr. Ishaan Borthakur, Adv.

Bihar

Mr. Sakest Singh, Adv.

Ms. Niranjana Singh, AOR



Maducherry

Mr. Aravindh C., AOR  
Ms. C. Rubavathi, Adv.

Dr. Joseph Aristotle S, AOR  
Ms. Preeti Singh, Adv.  
Mr. Sanjeev Kr. Mahara, Adv.

M.P.

Mr. Ankit Mishra, Adv.  
Mr. Sunny Choudhary, AOR

Mr. Sandeep Sharma, Adv.  
Mr. Sunny Choudhary, AOR

NCT Delhi

Mr. Chirag M. Shroff, AOR

Mr. Abhishek Atrey, AOR  
Mr. Sarvam Ritam Khare, AOR

Sikkim

Mr. Raghvendra Kumar, Adv.  
Mr. Simanta Kumar, Adv.  
Mr. Rajiv Sinha, Adv.  
Mr. Nishant Verma, Adv.  
Mr. Narendra Kumar, AOR

U.P.

Mr. Ravindra Raizada, Sr. Adv./AAG  
Mr. Rajeev Kumar Dubey, Adv  
Mr. Ashiwan Mishra, Adv  
Mr. Kamendra Mishra, AOR

Mr. Guntur Pramod Kumar, AOR  
Mr. Shubhranshu Padhi, AOR  
Mr. P. S. Sudheer, AOR  
Mrs. Pragya Baghel, AOR

Jharkhand

Mr. Barun Kr. Sinha, AAG  
Mr. Kumar Anurag Singh, Adv  
Mr. Anando Mukherjee, AOR

Mr. Gaichangpou Gangmei, AOR  
Mr. Ranjan Mukherjee, AOR  
Mr. Umesh Bhagwat, AOR  
Mr. E. C. Agrawala, AOR  
Mr. Gopal Singh, AOR  
Mr. Jitendra Mohan Sharma, AOR  
Ms. C. K. Sucharita, AOR  
Mr. E. M. S. Anam, AOR  
Ms. Sharmila Upadhyay, AOR  
Mr. Ejaz Maqbool, AOR  
M/S. Corporate Law Group, AOR  
Ms. Madhu Moolchandani, AOR  
Mr. P. N. Gupta, AOR  
Ms. Jyoti Mendiratta, AOR

Mr. D. N. Goburdhan, AOR  
Mr. Naresh K. Sharma, AOR  
Mr. Jai Prakash Pandey, AOR  
Ms. Binu Tamta, AOR  
Ms. Rachana Srivastava, AOR  
Mr. C. L. Sahu, AOR  
Ms. Abha R. Sharma, AOR  
M/S. M. V. Kini & Associates, AOR  
Mr. Rajat Joseph, AOR  
Mrs. Nandini Gore, AOR  
Mr. Mohd. Irshad Hanif, AOR  
Ms. Divya Roy, AOR  
Mr. Radha Shyam Jena, AOR  
Mr. Rauf Rahim, AOR  
Mrs. B. Sunita Rao, AOR  
Mr. T. V. George, AOR  
Mr. Neeraj Shekhar, AOR  
Mr. Amit Anand Tiwari, AOR  
Ms. S. Janani, AOR  
Mr. Surya Kant, AOR  
Mr. Pradeep Kumar Bakshi, AOR  
M/S. K J John And Co, AOR  
Mr. S. C. Birla, AOR  
Mrs. Anjani Aiyagari, AOR  
Mrs. Manik Karanjawala, AOR  
Mr. Punit Dutt Tyagi, AOR  
Mr. Ratan Kumar Choudhuri, AOR  
Ms. Sujata Kurdukar, AOR  
Mr. Tejaswi Kumar Pradhan, AOR  
Mr. Dharmendra Kumar Sinha, AOR  
Mrs. Bina Gupta, AOR  
Mrs. M. Qamaruddin, AOR  
Ms. Baby Krishnan, AOR  
Mr. Ajit Pudussery, AOR  
Ms. Charu Mathur, AOR  
Mr. Sudhir Kumar Gupta, AOR  
Mr. Irshad Ahmad, AOR  
Mr. Shiva Pujan Singh, AOR  
Mr. Rajeev Singh, AOR  
Mr. Ramesh Babu M. R., AOR  
Mr. Shibashish Misra, AOR  
Mr. Sarad Kumar Singhania, AOR  
Mr. Kuldip Singh, AOR  
Mr. Ram Swarup Sharma, AOR  
Ms. K. V. Bharathi Upadhyaya, AOR  
Mr. Avijit Bhattacharjee, AOR  
Ms. Malini Poduval, AOR  
Mr. Lakshmi Raman Singh, AOR  
Mr. Kamal Mohan Gupta, AOR  
Mr. Rajesh, AOR  
Mr. K. V. Vijayakumar, AOR  
Mr. Gopal Prasad, AOR  
Mr. S.. Udaya Kumar Sagar, AOR



Mr. A. T. M. Sampath, AOR  
Mr. B V Deepak, AOR  
Mr. P. V. Yogeswaran, AOR  
Ms. A. Sumathi, AOR  
Mr. Abhishek Chaudhary, AOR  
Mr. M. C. Dhingra, AOR  
Ms. Sumita Hazarika, AOR  
Mr. Ashok Mathur, AOR  
M/S. Arputham Aruna And Co, AOR  
Mr. Raj Kumar Mehta, AOR  
Mr. Ravi Prakash Mehrotra, AOR  
Mrs. Rekha Pandey, AOR  
Mr. K. L. Janjani, AOR

Ms. Asha Gopalan Nair, AOR  
Mr. A. Venayagam Balan, AOR  
Mr. Krishnanand Pandeya, AOR  
Mr. Rajesh Singh, AOR  
Mr. T. Mahipal, AOR  
Mrs. Kanchan Kaur Dhodi, AOR  
Mr. E. C. Vidya Sagar, AOR  
Mr. P. R. Ramasesh, AOR  
Ms. Hemantika Wahi, AOR  
Mrs. Rani Chhabra, AOR  
Mr. V. Balachandran, AOR  
Mr. Rajiv Mehta, AOR  
Mr. Rathin Das, AOR  
Mr. Sudhir Kulshreshtha, AOR  
Mr. Himanshu Shekhar, AOR  
Mr. Rakesh K. Sharma, AOR  
Mr. Prashant Kumar, AOR  
Mr. P. Parmeswaran, AOR  
Ms. Bina Madhavan, AOR  
M/S. Parekh & Co., AOR  
Mr. H. S. Parihar, AOR  
Mr. T. N. Singh, AOR  
Mr. A. N. Arora, AOR  
Mr. G. Prakash, AOR  
Mr. S. R. Setia, AOR  
Ms. Pratibha Jain, AOR  
Mr. Sudarsh Menon, AOR  
Mr. Vikrant Singh Bais, AOR  
Mr. M. Yogesh Kanna, AOR  
Mr. P. K. Manohar, AOR  
Nishanth Patil, AOR

Mr. James P. Thomas, AOR  
Ms. Vanshaja Shukla, AOR  
Mr. M. R. Shamshad, AOR  
Ms. Shalini Kaul, AOR

Mr. Shwetank Singh, Adv  
Ms. Ekta Bharati, Adv

229

Mr. Gopal Balwant Sathe, AOR  
Mr. Naveen Kumar, AOR  
M/s. Venkat Palwai Law Associates, AOR  
Mr. Kaushik Choudhury, AOR  
Mr. B. K. Pal, AOR  
M/S. Cyril Amarchand Mangaldas, AOR  
Mr. Somesh Chandra Jha, AOR  
Ms. Adarsh Nain, AOR  
Ms. Seita Vaidyalingam, AOR

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

IA NO.160157/2021.

This application has been filed by the State of Himachal Pradesh to grant permission for execution of linear projects as per the guidelines issued by the Ministry of Environment and Forest vide letter bearing F.No.11-306/2014-FC dated 08.08.2014 and letter bearing F.No.11-158/2017-FC dated 15.01.2015. The CEC may examine the application and file its response within a period of four weeks from today.

List on 08.02.2022.

IA No.160159/2021

The word "6 projects" mentioned in prayer (b) of the application may be read as "11 projects".

This application has been filed by the State of Himachal Pradesh seeking relaxation of the restrictions imposed by this Court on diversion of the forest land under the Forest (Conservation) Act,



1980 (in short 'FCA') and the Forest Dwellers (Recognition of Forest Rights) Act, 2006 (in short 'FRA') in respect of

(i) 11 cases of FCA pertaining to Roads (7), Bowstring Bridge (1), Electric Sub-station (1), Police Post (1), NDRF Company (1); and

(ii) 66 cases under FRA pertain to Community Centre (1), Drinking water supply and water pipelines (9), Roads (48), Schools (4), Minor Irrigation Canals (1) and Dispensaries/Hospitals(3).

292 trees have to be felled for the purpose of construction of 48 roads and 6 trees for the construction of 4 schools. CEC has examined the application and recommended for permission to be granted for diversion of the forest area for the projects.

In respect of the roads, they are stand alone projects and not part of one composite unit/project.

After hearing Mr. A.D.N. Rao learned Amicus Curiae and Mr. Tushar Mehta, learned Solicitor General of India appearing for the State of Himachal Pradesh and examining the application and the response of the CEC, we are of the considered view that this Interlocutory Application deserves to be allowed and the restrictions imposed for diversion of forest land can be waived in respect of 11 projects as mentioned in para 11 and 66 projects as mentioned

in para 12 of the application subject to the State of Himachal Pradesh following the directions issued by this Court on 09.12.2021 relating to reforestation.

I.A. stands allowed.

I.A. No.95844 of 2021

This application is filed by Rail Vikas Nigam Limited seeking permission for diversion of forest land in Bilaspur Forest Division, District Bilaspur (Himachal Pradesh) for laying Bhanupalli-Bilaspur-Beri, New Rail Line Project. Permission for the Phase-I of the project has already been approved under the F.C. Act. This application concerns diversion of 56.36 hectares of forest land which is in Phase-II of the project and 29.6343 hectares of forest land which is in Phase III of the project. We are informed that the Stages I & II approval has already been granted in respect of Phase II and Phase III.

The CEC has recommended grant for permission for diversion of forest land as mentioned in this application in view of the project being public in nature and is of public importance.

IA is allowed. Permission is granted for diversion of 56.36 hectares of forest land which is in Phase-II of the project and 29.6343 hectares of



forest land in Phase III for construction of Bhanupalli - Bilaspur - Beri, New Rail Line subject to compliance of directions issued by this Court for re-afforestation.

IA No.93836/2021

This application is filed by the State of Maharashtra seeking permission for diversion of 374.75 hectares of forest land under the Forest (Conservation) Act, 1980 in Compartment No.14-B of Village Salori, District Chandrapur, Maharashtra for rehabilitation of families residing in Rantalodhi Village in Tadoba - Andhari Tiger Reserve occupying an area of 175.26 hectares of forest land in core area of Tadoba-Andhara Tiger Reserve. CEC has submitted a detailed report after considering the request made by the State of Maharashtra. In the report it has been stated that two options were given to the occupants of Village Rantalodhi. First is to accept an amount of Rs.10 Lakhs and get resettled on their own without availing Government land and other civic amenities and the second is to get resettled in a new village by availing the Government scheme. Out of 244 families, 99 families have opted for the first option and have accepted one time compensation of Rs.10 Lakhs for their relocation outside the Tiger Reserve. Remaining 145 families have to be

221

rehabilitated at a new place for which purpose land of 374.75 hectares is required. Views of the National Tiger Conservation Authority (NTCA) have also been obtained by the CEC before recommending permission to be granted for rehabilitation of 145 families from Village Rantalodhi.

After carefully examining the application and the recommendations made by the CEC in Report No.7/2021, this application is allowed.

Permission is granted for relocating 145 families in Compartment No.14-B of Village Salori, District Chandrapur, Maharashtra for rehabilitation of families residing in Rantalodhi Village in Tadoba - Andhari Tiger Reserve, subject to grant of necessary permission by MOEF as recommended by CEC for diversion of 374.75 hectares of forest land for non-forest use.

I.A. NO. 107443/2021 (CEC REPORT NO. 11), IA No.D 161311/2011, IA No.161312/2021

List tomorrow, i.e. 15.12.2021.

(Geeta Ahuja)  
Court Master

(Anand Prakash)  
Court Master