

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)

Date : 05-03-2025 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE B.R. GAVAI

HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Amicus Curiae

Mr. K. Parameswar, Sr. Adv.

Ms. Kanti, Adv.

Raji Gururaj, Adv.

Mr. Shreebuvas Patil, Adv.

Ms. Chitransha Sikarwar, Adv.

Counsel for parties

Mr. Tushar Mehta, S.G.

Mr. Raj Bahadur Yadav, Adv.

Mr. Tushar Mehta, Solicitor General

Mr. K.m. Nataraj, A.S.G.

Ms. Mrinal Gopal Elker, AOR

Mr. Chinmoy Chaitanya, Adv.

Mr. Dhaval Mehrotra, AOR

Ms. Aishwarya Bhati, A.S.G.

Mr. K. M. Nataraj, Asst. Secy, A.S.G.

Mr. Shyam Gopal, Adv.

Mr. Salvador Santosh Rebello, Adv.

Ms. Suhasini Sen, Adv.

Mr. Raghav Sharma, Adv.

Ms. Ruchi Kohli, Adv.

Mr. Harish Pandey, Adv.

Ms. Indira Bhakar, Adv.

Mr. Anuj Srinivas Udapa, Adv.

Mr. Krishna Kant Dubey, Adv.

Mr. Piyush Beriwal, Adv.

Mr. Neeraj Kumar Sharma, Adv.

Ms. Mrinal Elker Mazumdar, Adv.

Mr. Shashwat Parihar, Adv.

Mr. Mukesh K Verma, Adv.

Mr. Vinayak Sharma, Adv.

Mr. Shreekant Neelappa Terdal, AOR

Ms. Madhavi Divan, Sr. Adv.

Ms. Srishti Agnihotria, AOR
Ms. Sanjana Grace Thomas, Adv.
Ms. Aishani Narain, Adv.
Mr. Atharva Kotwal, Adv.
Mr. D.P. Singh, Adv.

Ms. Uttara Babbar, Sr. Adv.
Mr. Deeptakirti Verma, AOR
Ms. Neha Sharma, Adv.
Mr. Amaya Nair, Adv.

Mr. Rajat Arora, AOR

Mr. P.K. Manohar, AOR

Mr. G.S. Makker, AOR

Mr. Arun K. Sinha, AOR

Mr. Ashutosh Kumar Sharma, AOR

Mr. Nishant Katneshwarkar, Adv.

Mr. Siddharth Dharmadhikari, Adv.
Mr. Aaditya Aniruddha Pande, AOR
Mr. Bharat Bagla, Adv.
Ms. Aditya Krishna, Adv.
Ms. Preet S. Phanse, Adv.
Mr. Adarsh Dubey, Adv.

Mr. Saurabh Rajpal, Adv.

Petitioner(s)/Applicant(s) in person

Mr. Mukul Rohatgi, Sr. Adv.
Mr. Mahesh Agarwal, Adv.
Mr. Shivam Shukla, Adv.
Mr. Nilay Gupta, Adv.
Mr. E.C. Agrawala, AOR

Mr. Tushar Mehta, Solicitor General
Mr. K.M. Nataraj, A.S.G.
Ms. Mrinal Gopal Elker, AOR
Mr. Chinmoy Chaitanya, Adv.

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

[1] I.A. NOS. 44500 & 44502 OF 2025 AND I.A. NOS. 44507,
44504 OF 2025

1. Issue notice, returnable on 19.03.2025.

2. Mr. Saurabh Rajpal, learned counsel, appears and waives notice for the State of Rajasthan.
3. Dasti service, in addition, is granted.
4. In addition to the usual mode, liberty is granted to the petitioner(s) to serve notice through the Central Agency/Standing Counsel for the respondent(s).

[2] I.A. NO. 118236 & 129623 OF 2020, I.A. NO. 179389 OF 2018 (in I.A. 502), I.A. NO. 69399 OF 2021, I.A. NO. 144539 OF 2021 & I.A. NO. 13413 OF 2023 (CEC Report NO. 02/2023), I.A. NO. 217138 OF 2024

List on 26.03.2025.

[3]. I.A. NO. 285881 OF 2024 WITH I.A. NO. 285829, 285830 OF 2024 AND I.A. NO. 300603 OF 2024

1. Vide our order dated 20.02.2025, we had directed the State of Uttarakhand to complete the formalities qua Eco-Sensitive Zone (ESZ) of both Rajaji National Park and Jim Corbett National Park within a period of two weeks from the date of the said order.
2. In pursuance to the said order the State ought to have filed its compliance affidavit by today.
3. Shri A.K. Sharma, learned counsel appearing for the State of Uttarakhand, submits that since the Court had granted two weeks' time, which was to expire today the State was under an impression that it could file its compliance affidavit any time during the course of the day today.
4. When the matter was specifically listed today, the least State could have done was to be ready with the compliance affidavit.
5. Be that as it may, we are inclined to keep the matter for hearing on 19.03.2025.
6. We clarify that any lethargy on the part of the State in this matter would not be taken lightly by this Court.

7. Shri K. Parameshwar, learned Amicus Curiae has brought to our notice the Report of Comptroller and Auditor General of India (CAG) on Functioning of Compensatory Afforestation Fund Management and Planning Authority (CAMPA) for the State of Uttarakhand which ended on 31.03.2022, covering the period between 2019-2022.

8. In the said report, the CAG has pointed out various irregularities in the utilization of the CAMPA Funds. The report points out that a huge amount is spent on inadmissible items. The report further shows that a huge amount is spent on Harella, tiger safari work, renovation of existing buildings, expenses on personage visits, court cases, purchases of i-phones, laptops, fridges, coolers, stationary etc. Utilization of the CAMPA fund for such inadmissible items is a very serious matter.

9. The report further points out that though as per Section 4(5) and 4(6) of the Compensatory Afforestation Fund Act (for short, 'CAF Act'), the State had to deposit the interest on balances available under State Compensatory Afforestation Fund (SCAF) at applicable rate of interest, the scrutiny of records showed that the State Government did not discharge the interest liability of Rs.275.34 crores for the period 2019-20 to 2021-22. It is stated that even though the State Authority had requested the State Government for the same from time to time, the same has not been done. The report further shows that the Government has accepted the said fact and stated that in July, 2023, the interest liability of Rs.150 crores has been deposited in SCAF.

10. The CAMPA Fund is to be utilized for increasing the green cover. Utilization of the same for non-admissible activities and not depositing the interest as per the provisions of the Act with the SCAF is a matter of serious concern.

11. We, therefore, direct the Chief Secretary of the State of Uttarakhand to file an affidavit on this aspect on or before 18.03.2025.

12. List on 19.03.2025.

[4] I.A. NO. 12465/2019 AND I.A. NO. 98194/2019 AND I.A.
NOS. 127871 AND 127874/2020 AND I.A. NO. 44602 OF 2025
(CEC REPORT NO. 08/2025) _____

List on 19.03.2025.

[5] I.A. NO. 172422, 172425, 172427, 172429, 179359 OF 2024
AND I.A. NO. 290215 & 290217 OF 2024

List on 26.03.2025.

(NARENDRA PRASAD)
DEPUTY REGISTRAR

(ANJU KAPOOR)
COURT MASTER

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)

Date : 05-03-2025 This matter was mentioned today.

CORAM :

HON'BLE MR. JUSTICE B.R. GAVAI

HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Counsel for parties

Mr. Balwant Singh Billowria, Adv.

Ms. Shilpa Singh, Adv.

UPON being mentioned the Court made the following
O R D E R

I.A. NOS.55814 & 55806 OF 2025 IN W.P.(C) NO.171/1996

1. List on 19.03.2025.
2. To be taken up along with other matters/applications listed on that day.

(NARENDRA PRASAD)
DEPUTY REGISTRAR

(ANJU KAPOOR)
COURT MASTER