

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). 3/2025

IN RE : KANCHA GACHIBOWLI FOREST,
STATE OF TELANGANA

Petitioner(s)

VERSUS

Respondent(s)

Date : 03-04-2025 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.R. GAVAI
HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

For Petitioner(s) :

Mr. K. Parameshwar, Sr. Adv. (A.C.)
Ms. Kanti, Adv.
Mr. M.V. Mukunda, Adv.
Mr. Shreenivas Patil, Adv.
Mr. Chitransh Singh S., Adv.

Mr. Gopal Shankaranarayan, Sr. Adv.
Mr. Satyajit Sarna, Adv.
Mr. Prashant Padmanabhan, AOR
Mr. Visal Sinha, Adv.
Ms. Ishita Chowdhary, Adv.
Ms. Shreya Nair, Adv.
Ms. Trisha Chandran, Adv.

Mr. S. Niranjana Reddy, Sr. Adv.

For Respondent(s) :

Mr. Guarav Agrawal, Sr. Adv.
Mr. T. Rajnikanth Reddy, A.A.G.
Mr. Devna Sehgal, Adv.
Mr. Sravan Kumar Karanam, AOR
Mr. Lavesha Bhamhani, Adv.
Ms. P. Geetanjali, Adv.
Mr. Abhishek Bannur, Adv.

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

1. On a mentioning made by Mr. K. Parameshwar, learned Amicus Curiae in the morning, we had taken suo moto cognizance of the deforestation activities being undertaken in the Kancha Gachibolwli Forest, State of Telangana. We had directed the Registrar (Judicial) of the High Court of Telangana to immediately go to the spot and submit his interim report by 03:30 p.m. today.

2. The Registrar (Judicial) of the High Court of Telangana has, in pursuance to our order, immediately went to the spot and found the following position:-

"The shrubs, bushes; small, medium size trees are being felled for the past few days. Big boulders and rocks were removed with the help of machineries. Some peacocks, some deers and some birds are seen in the said area. A large number of small, medium size trees and some big trees are being destroyed. Nearly, 100 acres of the said area was destroyed. A lake is there beside the deforested area. Deers are seen beside the lake. Adjacent to the said deforested area, HCU administrative building is located. Near the said administrative block of HCU, three (3) helipads are seen."

3. The said report is taken on record.

4. The perusal of the aforesaid would reveal that a huge development activity is being undertaken on the said Kancha Gachibolwli Forest area.

5. This Court vide order dated 04.03.2025 in W.P.(C) No. 1164 of 2023 titled as "Ashok Kumar Sharma, Indian

Forest Service(Retd.) Vs. Union of India” had directed as under:

“10. We, therefore, direct all the State Governments and the Union Territories, in which the Experts Committees have not yet been constituted, to constitute such committees within a period of one month from today. The said committees shall complete the exercise, as required under Rule 16(1) of the Rules of 2023 along with the directions issued by this Court in the case of Lafarge Umiam Mining Private Limited (supra), within a period of six months from today and submit a report to the Union of India.

11. The Union of India shall consolidate the reports, prepare state-wise position and place the same before this Court.

12. In the meantime, we reiterate the statement made by the then learned Additional Solicitor General of India, which was recorded by this Court in the order dated 30th November, 2023 as well as the directions issued by this Court in paragraph 18 of the order dated 19th February, 2024 and also the directions which were issued by this Court in its order dated 3rd February, 2025.

13. List on 09.09.2025.”

6. Taking note of the fact that in various States the Expert Committees which were to undertake the task under Rule 16(1) of the Van (Sanrakshan Evam Samvardhan) Rules, 2023 (for short, “the Rules of 2023”) had not been constituted, we had directed the Committees to be constituted within a period of one month from the said date. We had also directed that the said Committees shall complete the exercise, as required under Rule 16(1) of the Rules of 2023, within a period of six months from the date of the said order.

7. In the meantime, we had reiterated the statement made by the then learned Additional Solicitor General which was recorded in order dated 30.11.2023 and subsequent directions issued by this Court on 19.02.2024 and 03.02.2025 which was to the effect that no steps would be taken by either the Union of India or the State, which will lead to reduction of the forest land, unless the compensatory land was provided by either the Union of India or the State.

8. The perusal of the compilation placed on record by the learned Amicus Curiae would further reveal that in accordance with the aforesaid directions, a Committee was constituted under the provisions of Rule 16(1) of the Rules of 2023 by the State of Telangana on 15.03.2025.

9. It is difficult to appreciate as to what was the alarming urgency to start the deforestation activity immediately after the said Committee was constituted when the exercise as required under the Rule 16(1) of the Rules of 2023 was yet to be undertaken.

10. The report of the learned Registrar (Judicial) of the High Court of Telangana as well as photographs sent by him depicts an alarming picture. Huge number of trees are being felled and apart from that huge machinery is being deployed, which has already destroyed an area of

around 100 acres. The report also found that certain number of peacocks, deers and birds are also seen in the said area. These are, *prima facie*, indication that there existed a forest inhabited by the wild animals. It further shows that there is also a lake beside the deforested area and deers are seen beside the lake.

11. In this premise, we find it appropriate to direct the present proceedings to be registered as a Suo Moto Writ Petition under the heading of In Re:- Kancha Gachibowli Forest, State of Telangana.

12. The Chief Secretary of the State of Telangana would be one of the party respondent(s).

13. We request the learned Amicus Curiae to prepare a proper writ petition, highlighting all the aspects of the matter.

14. We direct the respondent-Chief Secretary, State of Telangana to answer the following queries of the Court:

(i) What was the compelling urgency to undertake the developmental activities, including removal of trees from the said alleged forest area.

(ii) As to whether for such developmental activities, the State has obtained the Environmental Impact Assessment Certificate.

(iii) As to whether for felling the trees, the requisite permission from the forest authorities or any other local statutes has been obtained or not.

(iv) As to what is the necessity of having officers at Sr. No. 3,4,5,6 and 10 in the Committee constituted under the order dated 15.03.2025 of the State of Telangana, inasmuch as we are, *prima facie*, of the opinion that these officers have nothing to do with the identification of the forest.

(v) As to what has been done by the State with the trees that have been felled and timber obtained therefrom.

15. We also request the Central Empowered Committee to personally visit the site in question and submit its report prior to 16.04.2025.

16. We direct that until further orders, no activity of any sort, except the protection of the trees already existing shall be undertaken by the State or any of the authorities subordinate to it.

17. In case, we find that any of the directions issued by this Court are not complied with in true letter and spirit, the Chief Secretary of the State of Telanagana would be held personally responsible for the same and proceeded further against.

18. List on 16.04.2025.

(DEEPAK SINGH)
ASTT. REGISTRAR-cum-PS

(ANJU KAPOOR)
ASSISTANT REGISTRAR