

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

IN

WRIT PETITION (CIVIL) NO. _____ OF 2019

BETWEEN

Sheela Barse

...Petitioner

-versus

State of Uttar Pradesh & Ors

...Respondents

WITH

I.A.NO. _____ OF 2019
AN APPLICATION FOR DIRECTION

PAPER-BOOK

(FOR INDEX, PLEASE SEE INSIDE)

ADVOCATE FOR THE PETITIONER: **PRASHANT PADMANABHAN**

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A**PROFORMA FOR FIRST LISTING****SECTION PIL**

Central Act : Constitution of India
 Section : Article 32,14,19 & 21
 Central Rule : N.A
 Rule No(s) : N.A
 State Act : N.A.
 Section : N.A.
 State Rule : N.A
 Rule No(s) : N.A
 Impugned Interim Order: N.A
 Impugned Final Order : N.A.
 High Court :N.A.
 Names of Judges : N.A.
 Tribunal/ Authority : N.A

-
1. Nature of Matter : CIVIL
 2. (a) Petitioner : Sheela Barse
 (b) e-mail ID : N.A
 (c) Mobile No. : N.A
 3. (a) Respondent No. 1 : State of Uttar Pradesh & Ors
 (b) e-mail ID : N.A
 (c) Mobile/ Phone No. : N.A
 4. (a) Main Category Classification: 08
 (b) Sub Classification : 0805
 5. Not to be listed before : N.A
 6. (a) Similar disposed of matter with citation, if any, & Case details: **No similar disposed matter.**
 (b) Similar pending matter with case details:- **No similar matter is pending**
 7. **Criminal Matters :**
 (a) Whether accused/convicted Surrendered : N.A.
 (b) FIR No. Crime No. : N.A Date : N.A
 (c) Police Station : N.A
 (d) Sentence : N.A
 (e) Sentence Undergone : N.A

8. **Land Acquisition Matters :**

(a) Date of Section 4 notification : N.A

(b) Date of Section 6 notification : N.A

(c) Date of Section 17 notification : N.A

9. **Tax Matters :** State the tax effect: N.A

10. Special Category (first petitioner/appellant only)

Senior citizen 65 years : N.A

SC/ST : N.A

Woman/Child : N.A

Disabled : N.A

Legal Aid Case : N.A

In custody : N.A

11. Vehicle Number (in case of Motor Accident Claim matters) : N.A

Date. 12.12.2019

PRASHANT PADMANABHAN

Registration No.1821

advocateprasanth@gmail.com

SYNOPSIS

Through this petition, Petitioner seeks urgent consideration of by this Hon'ble Court on Fundamental Right to Justice and Intergenerational Equity of living Entities under Article 32, 14,19,21 and 48A of the Constitution of India. This Hon'ble Court have on innumerable occasions, dealt with the true ambit of Right to life and today it includes Right to life with all its necessary facets, not just animal existence. All living beings, plants, trees, birds, vegetation depending on such eco system have Right to Life and it cannot be curtailed for the selfish human interest. None of these Living Beings are capable of defending their Right to Life and it is this Court which has always stood for the Right to life of every living being on earth. Violence is not just physical violence but also curtailing the gifts of nature to future generations. Cutting of huge number of trees is an inter generational injustice which must be stopped forever. It is prayed accordingly. This Hon'ble Court may take cognizance of such events and lay down the law that paves the way for permanent halt to all such destruction of nature. The Intergenerational Equity of living entities includes Humans, Animals, creatures, Trees, seeds.

As per reports, the State of UP is planning to remove 64,000 Trees In Lucknow For Defence Expo. The state government wants the area to be completely cleared by January 15, 2020 so that the land can be handed over to the organisers of defence expo. Unmindful felling of trees is devastating to the nature, it is against intergenerational equity and against the right to life and existence of not just humans but other living beings including trees and the entire living beings dependent on such vegetation.

Urgent interim relief is required from this Hon'ble Court. Hence this writ petition.

The Petitioner, a public spirited citizen, having been knocking at the doors of this Hon'ble Court since 1982 and this Hon'ble Court was pleased to pass the following orders on various issues which include;

Rights of Women Prisoners. Letter petition to Supreme Court. ***Sheela Barse v. State of Maharashtra*** (1983) 2 SCC 96

interstate trafficking of children & their slavery in sex trade

PIL on rights of children in custodial institutions ***Sheela Barse v. Children's Aid Society & Maharashtra*** 1987 AIR 1987 SC 656, (1987) 3 SCC 50

Sheela Barse v. State of Maharashtra (1987) 4 SCC 373. Permission granted by this Hon'ble Court, subject to conditions, for interviewing women prisoners.

Children below 18 years kept in jail, this Hon'ble Court called for complete information and directed strict compliance ***Sheela Barse (I) v. UOI*** (1986) 3 SCC 596

Physically and mentally retarded children and abandoned or destitute children kept in jails . ***Sheela Barse (II) v. UOI*** (1986) 3 SCC 632

PIL on behalf of children in police lock-ups (1986) 3 SCC 596

PIL against minor children in jail. ***Sheela Barse v. UOI*** (1987) 1 SCC 76

PIL against jailing of mentally ill children in West Bengal. ***Sheela Barse v. UOI*** (1993) 4 SCC 204

A letters petition addressed by the Petitioner to this Hon'ble Court, regarding the deplorable condition of mentally ill women and children kept in jail. ***Sheela Barse v. UOI*** (1995) 5 SCC 654

PIL against lodging delinquent children in regular jails. ***Sheela Barse v. UOI*** 25 ACC 370

D

PIL against international organised Child Sex Exploiters

Sheela Barse v. Goa & UOI for This prosecution Foreigners were extradited from Australia, New Zealand while the German Police Tape recorded her evidence in Frankfurt where she was invited.

The Petitioner has been associated with the following Policy Framing Work on Committees Government of India –

- (a) Prime Minister's Advisory Committee on National Policy for Women 1986-88
- (b) Planning Commission Working Group on Social welfare, 1987
- (c) National Custodial Justice Committee for Women 1986-7
- (d) National Women's Commission's Justice Delivery Committee 1993-5
- (e) National Standing Committee on Police Training-Currently

She had intervened many times on Bills pertaining to Children, Education, Child labour, Tribals & Forest etc.

She has been awarded with many honors, including the Outstanding Woman Journalist, 1984- by National Editors

Journalism For Human Rights Award, 1985 by Editors Arun Shourie and Mr.Soli Sorabjee Member Human Rights Sub-commission.

USA International Leadership Award

SPANDAN National Service Award, 2016

CONSULTANT on recommendation by Prof N R Madhava Menon for Symbiosis Law College February – August 2019.
(One of the last acts of Prof Menon)

Role of Respondent The Respondents are duty bound to protect the life of not just humans but all living beings who are unable to raise their voice. The Respondents have also got a duty to ensure the inter generational

equity of all living beings. This Hon'ble Court as the sentinel on the qui vive is prayed to oversee that the Respondents are not deviating from their solemn duty.

LIST OF DATES

- | | |
|------------|--|
| 05.06.2019 | Tree ambulance service was flagged off by Vice President Shri.M.Venkaiah Naidu. The Hon'ble Vice President commented that out of the box solutions such as this, coupled with community participation, can go a long way in conserving and increasing the country's green cover. |
| 26.07.2019 | Responding to a question in Lok Sabha, MoS for Environment Babul Supriyo said the ministry gave permission to cut 1.09 crore trees for development purposes between 2014 and 2019. |
| 12.09.2019 | Lending steam to the frantic race to protect Aarey Milk Colony's forest cover, a city-based NGO — Empower Foundation — has prepared a 26-page detailed report, Evidences of Wildlife in Aarey Forest Mumbai, India, listing the 290 wild species found in the region. |
| 29.11.2019 | 64,000 Trees To Be Felled In Lucknow For Defence Expo. The state government wants the area to be completely cleared by January 15, 2020 so that the land can be handed over to the organisers of defence expo. |
| 12.10.2019 | The Midday carried an Article titled "Why Aarey Should be saved". |
| 12.10.2019 | MumbaiMirror Reported that 'Tree saviour' Sena wants to chop 1,000 in Aurangabad. |
| 03.12.2019 | "Mass-Deforestation: UP Government Cutting Down 64,000 Trees in Lucknow for Defence Expo", reported |

Shikshanews.

04.12.2019 "Lucknow Citizens Protest Against UP Govt Proposal to Fell 64,000 Trees for Expo", reported NEWSclick.

04.12.2019 "Yogi government denies felling of trees for Defence expo, reported New Indian Express". UP Govt then explains that the trees cut are 200 year old and the SAPLINGS are being uprooted replanted. Experts credibly say that a pit has to be in readiness for each sapling. How the State Government would actually do this for thousands of trees with how much power is not explained. Defence officials give another version.

Unmindful felling of trees is devastating to the nature, it is against intergenerational equity and against the right to life and existence of not just humans but other living beings including trees and the entire living beings dependent on such vegetation. Urgent interim relief is required from this Hon'ble Court.

12.12.2019 Hence the present Writ Petition.

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION
UNDER ORDER XXXVIII OF SCR, 2013

WRIT PETITION (CIVIL) NO. OF 2019

(UNDER ARTICLE 32 OF THE CONSTITUTION OF INDIA)

BETWEEN

Sheela Barse
613 Skylark B, RahejaWoods,
25 Kalyaninagar, Pune 411006
MAHARASHTRA

...Petitioner

-versus

1. State of Uttar Pradesh
Through its Chief Secretary
Government of Uttar Pradesh 1st Floor,
Room No. 110 Lalbahadur Sastri Bhawan
Uttar Pradesh Secretariat,
Lucknow - 226 001 UP
0522- 2238212 / 2221599 /2221599
Fax: 0522- 2239283
Email:- csup@nic.in ...Respondent No.1
2. State of Maharashtra
Through its Chief Secretary
CS Office Main Building, Mantralaya
6th Floor, Madame Cama Road,
Mumbai – 400032
022-22025042 / 22028762
Fax: 022 – 22028594
Email id: cs@maharashtra.gov.in ...Respondent No.2
3. Union of India
Through the Cabinet Secretary,
Cabinet Secretariat,
Rashtrapati Bhawan,
New Delhi-110 004.
Phone No: 23018467, 23012835 (Fax)
Email: cabinet@nic.in ...Respondent No.3
4. Ministry of Defence,
Through the Defence Secretary,
101-A, South Block, New Delhi
23012380, 23011976
Fax: 23010044
Email: defsecy@nic.in ...Respondent No.4

To

THE HON'BLE THE CHIEF JUSTICE OF INDIA AND HIS
HON'BLE COMPANION JUSTICES OF THE HON'BLE
SUPREME COURT OF INDIA

THE HUMBLE PETITION OF
THE PETITIONER ABOVE-NAMED:

MOST RESPECTFULLY SHEWETH:

1. By way of the present petition under Article 32 of the Constitution of India, r/w. Order XXXVIII of the Supreme Court Rules, 2013, the Petitioner herein is praying for issuance of an appropriate Writ of Mandamus or Order or Direction in the nature of Mandamus or any other Order to the Respondents to abandon the plan of destruction of trees for any purpose whatsoever unless it meets Expert scrutiny by Committee appointed by this Hon'ble Court to report to with copies to the Petitioner; to declare the Intergenerational Equity Rights of Trees, to Recognise Trees a Living Entities entitled to Rights, Recognize Tree supportive Environment as corollary of Rights of Tree as Living Entities entitled to Rights.
2. The Petitioner is not an Income Tax payer. Her PAN is AAFPB1398D.
3. The Petitioner is having no other efficacious remedy but to approach this Hon'ble Court as this Hon'ble Court has in the past, has taken cognizance of such illegalities in the past and yet the mandate of the Orders is not implemented. Further the directions from this Hon'ble Court are required to be adopted throughout India in the light of Uttar Pradesh experience.
4. **FACTS:-** The facts of the case in brief are that:
 - 4.1. Locus of the Petitioner
 - 4.2. The Petitioner, a public spirited citizen, having been knocking at the doors of this Hon'ble Court since 1982 and this Hon'ble Court was pleased to pass the following orders on various issues which include;

Rights of Women Prisoners. Letter petition to Supreme Court.

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SPANDAN National Service Award, 2016

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(One of the last acts of Prof Menon)

- 4.3. **Role of Respondent** The Respondents are duty bound to protect the life of not just humans but all living beings who are unable to raise their voice. The Respondents have also got a duty to ensure the inter generational equity of all living beings. This Hon'ble Court as the sentinel on the qui vive is prayed to oversee that the Respondents are not deviating from their solemn duty.
- 4.4. Tree ambulance service was flagged off by Vice President Shri.M.Venkaiah Naidu. The Hon'ble Vice President commented that 'out of the box solutions such as this, coupled with community

participation, can go a long way in conserving and increasing the country's green cover'. A true copy of the ANI report dated 05.06.2019 is annexed hereto and marked as **Annexure-P/1 (pg.16-17).**

- 4.5. Responding to a question in Lok Sabha, MoS for Environment Babul Supriyo said the ministry gave permission to cut 1.09 crore trees for development purposes between 2014 and 2019. A true copy of the Business Standard report dated 26.07.2019 is annexed hereto and marked as **Annexure-P/2 (pg.18-19).**
- 4.6. "Lending steam to the frantic race to protect Aarey Milk Colony's forest cover, a city-based NGO — Empower Foundation — has prepared a 26-page detailed report, evidences of Wildlife in Aarey Forest Mumbai, India, listing the 290 wild species found in the region", reported the Midday. A true copy of the Midday Article dated 12.09.2019 is annexed hereto and marked as **Annexure-P/3 (pg.20-22).**
- 4.7. "64,000 Trees to be felled in Lucknow for Defence Expo. The state government wants the area to be completely cleared by January 15, 2020 so that the land can be handed over to the organisers of defence expo", reported the Outlook. A true copy of the Outlook report dated 29.11.2019 is annexed hereto and marked as **Annexure-P/4 (pg.23-24).**
- 4.8. The Midday carried an Article titled "Why Aarey Should be saved". A true copy of the Midday Article dated 12.10.2019 is annexed hereto and marked as **Annexure-P/5 (pg.25-27).**
- 4.9. MumbaiMirror Reported that 'Tree saviour' Sena wants to chop 1,000 in Aurangabad. A true copy of the MumbaiMirror Report dated 12.10.2019 is annexed hereto and marked as **Annexure-P/6 (pg.28-29).**
- 4.10 Petitioner is given to understand that trees are currently being felled in Pune. In Yaravada a massive tree is being cut and it is said that

the contractor is paid Rs 60000/- Trees are cut in Kumbharwada Pune

- 4.11. "Mass-Deforestation: UP Government Cutting Down 64,000 Trees in Lucknow for Defence Expo", reported Shikshanews. A true copy of the Shikshanews Report dated 03.12.2019 is annexed hereto and marked as **Annexure-P/7 (pg.30-34).**
- 4.12. "Lucknow Citizens Protest Against UP Govt Proposal to Fell 64,000 Trees for Expo", reported NEWSclick. A true copy of the NEWSclick Report dated 04.12.2019 is annexed hereto and marked as **Annexure-P/8 (pg.35-36).**
- 4.13. "Yogi Government denies felling of trees for Defence expo", reported New Indian Express. A true copy of the New Indian Express Report dated 04.12.2019 is annexed hereto and marked as **Annexure-P/9 (pg.37-39).**
- 4.14 UP Govt then explains that the trees cut are 200 year old and the SAPLINGS are being uprooted replanted. Experts credibly say that a pit has to be in readiness for each sapling. How the State Government would actually do this for thousands of trees with how much power is not explained. Defence officials give another version.

5. GROUNDS:-

The Petitioner is filing the present Writ Petition under Article 32 of the Constitution of India before this Hon'ble Court on the following among other:-

- 5.1. Through this petition, Petitioner seeks urgent consideration of by this Hon'ble Court on Fundamental Right to Justice and Intergenerational Equity of living Entities under Article 32, 14, 19, 21 and 48A of the Constitution of India. This Hon'ble Court have on innumerable occasions, dealt with the true ambit of Right to life and today it includes Right to life with all its necessary facets, not just animal existence. All living beings, plants, trees, birds, vegetation depending on such eco system have Right to Life and it cannot be curtailed for the selfish human interest. None of these Living Beings

are capable of defending their Right to Life and it is this Court which has always stood for the Right to life of every living being on earth. Violence is not just physical violence but also curtailing the gifts of nature to future generations. Cutting of huge number of trees is an inter generational injustice which must be stopped forever. It is prayed accordingly. This Hon'ble Court may take cognizance of such events and lay down the law that paves the way for permanent halt to all such destruction of nature.

- 5.2. The Intergenerational Equity of living entities includes Humans, Animals, creatures, Trees, SEEDS.
- 5.3. The immediate concern of citizens and future generations is delineated below-
- 5.4. The felling of trees by State Governments and the Government of India as solution to avail of land for temporary, expedient or permanent activities or projects or for creating infrastructure.
- 5.5. Some these actions are taken in the dark of the night as in case of the chopping of thousands of trees in Aarey. The blacked out action seems to suggest that the Authorities were aware that the felling of trees actions associated with are mala fide.
- 5.6. Aarey forest according to Times of India and Mid-Day reports, has at least 86 species of trees and 22 species of birds and about 290 species of wild life in Aarey Forest including 5 such species of animals which feature in the International Union for Conservation of Nature (IUCN). For precise details RTIs have been filed. But the fact that Aarey Forest existed prior to 1949 is evidenced by the fact it was chosen to set up Milk Dairies there.
- 5.7. The Petitioner can vouch for the fact Aarey also had Orchards comprising large full-grown trees; in 1954 her family spent a month in one of the barracks. Aarey denudation is not isolated.
- 5.8. Responding to a question in the Lok Sabha on July 26, Minister of State for Environment Babul Supriyo said the ministry gave

permission to cut 1.09 crore trees for development purposes between 2014 and 2019.

- 5.9. In callous, Anti-Life actions the Government of UP in conjunction with Defence Ministry as per newspaper reports identified 68000 trees for felling. As public opinion surged different statements were issued.
- 5.10. One statement claimed only two hundred year old trees were felled. Then there was announcement was about moving 'smaller saplings' first to a nursery and then to about beautification project. The reason for this destruction and launching of environmental disaster is a three day Defence Expo. Feb 5-8 2020.
- 5.11. The proposal/ activity for removal of vegetation covers the stretch from Hanuman Setu till Nishatganj along the banks of river Gomati is widely published in several media reports. Outlook reported that the State Government wants the entire area to be cleared by January 15, 2020.
- 5.12. Trees are one of the three sources of Oxygen. Trees are pro-life performers in climate change. Destruction of huge number of trees is direct assault on INTER-GENERATIONAL EQUITY.
- 5.13. In the process of photosynthesis, phytoplankton release oxygen into the water. Half of the world's oxygen is produced via phytoplanktonphotosynthesis. The other half is produced via photosynthesis on land by trees, shrubs, grasses, and other plants.
- 5.14. Every living being has the right to life.
- 5.15. Trees are Living Entities
- 5.16. Moreover trees support a wide variety of Eco-System.
- 5.17. By felling such huge number of trees, which takes several decades to grow, an injustice is caused not just to the present generation of humans but also to the future generations of humans and all other living beings dependent on the eco-system. This Hon'ble Court may kindly intervene as the sentinel on the qui vive.

- 5.18. Trees are Negotiators of Cosmic Energy. There are numerous strata of energy above the Planet : Ultraviolet Rays, Ozone Layer, Thermal layer among others. Trees, bushes et al provide Buffer Zone. The best illustrations of the effects of absence of trees are Deserts.
- 5.19. There is within tree an potential for infinite continuity
- 5.20. Our Ancient Wisdom states that the world has weave and waft of *kshara* and *Akshara* energy – that which deteriorates and that which does not [Yadnyavalkya in Bṛhadāraṇyaka Upanishad.
- 5.21. The *Akshara* dimension of Tree – the genes are conserved in seed for regeneration of the species assuring a continuing proliferation of greenery.(a) Our Ancient Wisdom states that the world has weave and waft of *kshara* and *Akshara* energy – that which deteriorates and that which does not [Yadnyavalkya in Bṛhadāraṇyaka Upanishad. The *Akshara* dimension of Tree – the genes are conserved in seed for regeneration of the species assuring a continuing proliferation of greenery.(b) LEAVES of tree carry out photosynthesis using Sun rays to create chlorophyll the Green on which humans and animals feed.
- 5.22. LEAVES of tree carry out photosynthesis using Sun rays to create chlorophyll the Green on which humans and animals feed.
- 5.23. In Beijing the Petitioner experienced what happens when wind unhindered by trees blows from Gobi Desert.
- 5.24. ALL activities stop. All faces including those of infants are covered. Livelihoods are threatened. All activities are stopped.
- 5.25. Gobi desert is advancing at the rate of several meters a year. To stall furtherance of desert officials are planting shrubs and trees. These will eventually form a Belt of more than 400 km long official China agencies report. In Beijing the Petitioner experienced what happens when wind unhindered by trees blows from Gobi Desert. ALL activities stop. All faces including those of infants are covered. Livelihoods are threatened. All activities are stopped.

- 5.26. Trees are one of the three Sources of OXYGEN.
- 5.27. There is oxygen in atmosphere. Life forms in Ocean release Oxygen. In the process of photosynthesis, phytoplankton release oxygen into the water. Half of the world's oxygen is produced via phytoplankton photosynthesis. The other half is produced via photosynthesis on land by trees, shrubs, grasses, and other plants.
- 5.28. Trees conserve and redistribute WATER in soil and atmosphere.
- 5.29. They have an INNATE INTELLIGENCE and can dig through, fracture rocky terrain to reach water.
- 5.30. There is a species called Sensitive Plant known in Marathi as 'lajaalu' (shy) indicating its intuition
- 5.31. A few species of Trees have ELABORATE BODY PLAN TO LIVE for more than 1000 years. The Vata Tree, for example. We have such ancient trees in India.
- 5.32. Trees one of the First Life Forms on Earth have existed for billion Years. The proof of it is what is known as Petrified Tree – billion year old tree turned to stone. The Petitioner has a small piece from Panchamarhi, Madhya Pradesh.
- 5.33. Trees keep atmosphere cool.
- 5.34. A cluster of trees nurtures a comprehensive environment.
- 5.35. They provide food to humans, animals, creatures.
- 5.36. They shelter families of birds, animals, creatures
- 5.37. Migrant birds arrive annually to specific groves. They introduce the route to their chicks.
- 5.38. There is known instance of thousands of migrant birds running into radiation from Mobile Tower erected replacing natural environment.
- 5.39. Parts of many trees have medicinal value.
- 5.40. Trees are national resource.

- 5.41. Considering the Bio diversity and existence in India of species that do not grow in other parts of the world. The worth of this Resource cannot be assessed.
- 5.42. Trees are metaphor of Life and Faith.
- 5.43. Trees are MIRACLES of NATURE.
- 5.44. The BODY of a TREE
- A . Tree trunk has five layers
- (i) Heartwood – supports tree
- (ii) Sapwood or Xylem that carries water from roots to leaves
- (iii) Cambium Layer only one cell thick covers tree from twig to root
- (iv) Phloem It carries sugar to the tree
- (v) Bark keeps out water and insects
- B. Tree has Most Effective Antigravity Pumping system in the World Silently, without moving parts in a day some big species of trees can transport 10 gallon (approx 38 liters) of water a day from roots to tip leaves A mid size Oak can transport 150 gallons a day – about 570 liters a day.
- 5.45. The survival, sustenance and continuation of Bird species and population dependent on trees vegetation and grasses. The birds fly from cold places to warmer places annually from previous year's memory of flying with parents.
- 5.46. The Petitioner has relied on the following books in addition to her own experience Bibliography –1, BRIHADARANYAKA Upanishad.
2. FOOD SECURITY AND SURVIVAL OF HUMAN RACE By Dr Sahadeva Dasa
3. Joy of Nature by many contributors – Readers Digest
- 5.47. By felling such huge number of trees, which takes several decades to grow, an injustice is caused not just to the present generation of humans but also to the future generations of humans and all other

living beings dependent on the eco-system. This Hon'ble Court may kindly intervene as the sentinel on the qui vive.

- 5.48. In Beijing the Petitioner experienced what happens when wind unhindered by trees blows from Gobi Desert. ALL activities stop. All faces including those of infants are covered. Livelihoods are threatened. All activities are stopped. Gobi desert is advancing at the rate of several meters a year. To stall furtherance of desert officials are planting shrubs and trees. These will eventually form a Belt of more than 400 km long official China agencies report.
- 5.49. The survival, sustenance and continuation of Bird species and population dependent on trees vegetation and grasses. The birds fly from cold places to warmer places annually from previous year's memory of flying with parents.
6. That the Petitioner has not filed any other petition before this Hon'ble Court or before any High Court seeking same or similar relief.
7. That Petitioner has no other efficacious, alternative remedy available but to approach this Hon'ble Court in its writ jurisdiction. Further these are matters which deserve consideration by this Hon'ble Court and the directions will have far reaching consequences throughout the country. Therefore, the indulgence of this Hon'ble Court is prayed for. The Petitioner has no oblique motive or personal interest in the above matter.
8. That the Petitioner craves leave to add to, amend or alter the petition if necessary, and to urge additional grounds at the time of hearing, with the permission of this Hon'ble Court.

PRAYER:

Under the circumstances, it is most respectfully prayed that this Hon'ble Court may be pleased to: -

- (i) Take Cognisance of Intergenerational Equity Rights of Trees; and
- (ii) Recognise Trees a Living Entities entitled to Rights; and
- (iii) Direct the State of Uttar Pradesh, Maharashtra and any other State or Union Territory, or Government of India Wing or Agency to Abandon the plan of destruction of trees for any purpose whatsoever unless it meets Expert scrutiny; and
- (iv) Specifically direct UP Government and Defence Ministry Government of India not to damage, fell, uproot, cut down, burn down or otherwise destroy part of whole of trees. If the tree due to age etc is danger to life as it is about to fell the state of that entity may be videographed in the presence of the Collector of the District so that s/he may file Report this Court if so required; and
- (v) There is an established procedure to authorise a few journalist to accompany action teams. Given that actions have been taken at night the Court may direct that teams of 3-4 major TV channels to select JOURNALISTS FOR EMBEDDING so that may cover all actions round the clock; and
- (vi) Direct the Union of India and all State Governments to formulate policies so that trees are not cut for future events; and
- (vii) Direct the National Green Tribunal to work out plan so that trees are not to be removed henceforth for any project; and
- (viii) pass such other further Order/Orders as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case.

AND FOR THIS ACT OF KINDNESS YOUR HUMBLE PETITIONER AS IN DUTY BOUND SHALL EVER PRAY.

DRAWN AND FILED BY

Drawn on: 09.12.2019
Filed on: 12.12.2019
New Delhi

(PRASHANT PADMANABHAN)
Advocate for the Petitioner

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

I.A.NO. _____ OF 2019

IN

WRIT PETITION (CIVIL) NO. _____ OF 2019

BETWEEN

Sheela Barse

...Petitioner

-versus

State of Uttar Pradesh & Ors

...Respondents

AN APPLICATION FOR DIRECTIONS

TO

THE HON'BLE CHIEF JUSTICE OF INDIA
AND HIS COMPANION JUSTICES OF THE
HON'BLE SUPREME COURT OF INDIA

THE HUMBLE APPLICATION OF
THE APPLICANT ABOVENAMED

MOST RESPECTFULLY SHEWETH:

1. The present is an Application for Direction in the above Writ Petition. By way of the present petition under Article 32 of the Constitution of India, r/w. Order XXXVIII of the Supreme Court Rules, 2013, the Petitioner herein is praying for issuance of an appropriate Writ of Mandamus or Order or Direction in the nature of Mandamus or any other Order to the Respondents to abandon the plan of destruction of trees for any purpose whatsoever unless it meets Expert scrutiny, to declare the Intergenerational Equity Rights of Trees, to recognize Trees a Living Entities entitled to Rights, Recognize Trees a Living Entities entitled to Rights. The facts stated in the Writ Petition may be treated as part and parcel of this application also and the same is not being repeated herein for the sake of brevity.
2. As per reports, the State of UP is planning to remove 64,000 Trees in Lucknow for Defence Expo. The state government

wants the area to be completely cleared by January 15, 2020 so that the land can be handed over to the organisers of defence expo. Unmindful felling of trees is devastating to the nature, it is against intergenerational equity and against the right to life and existence of not just humans but other living beings including trees and the entire living beings dependent on such vegetation.

3. The present Writ Petition may become infructuous if there is no stay from this Hon'ble Court. It is prayed as such.

PRAYER

It the above circumstances it is therefore most respectfully prayed that his Hon'ble Court may graciously be pleased to:

- (a) Direct State of Uttar Pradesh and Defence Ministry, Government of India not to damage, fell, uproot, cut down, burn down or otherwise destroy part of whole of trees; and
- (b) Direct State of Maharashtra and any other State or Union Territory, or Government of India Wing or Agency to Abandon the plan of destruction of trees for any purpose whatsoever unless it meets Expert scrutiny; and
- (c) Pass such other order or orders as this Hon'ble Court would deem fit and proper in the facts and circumstances of the case.

AND FOR THIS ACT OF KINDNESS THE APPLICANT/PETITIONER SHALL AS IS DUTY BOUND SHALL EVEN PRAY.

DRAWN AND FILED BY

Place: New Delhi
Filed on:12.12.2019

(**PRASHANT PADMANABHAN**)
Advocate for the Petitioner