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which has been scientifically developed for the aforesaid purpose.

The applicant, who is present in person, has pointed out that not only in the BRTS Corridor but in the city of Indore various projects for widening of roads, are either going on or under contemplation which would require felling of green trees some of which are fully grown and sufficiently old and any amount of replantation with new saplings would in any manner help in reducing the pollution and cleaning the environment within the city limits of highly polluted Indore as a result of felling of such trees. He has pointed out that the following projects are said to be in progress with the Urban Authorities including Municipal Corporation and Indore Development Authority namely, widening of Futikothi Road; Geeta Bhawan to White Church road via Agriculture College; Kanaria Road (Bengali Chouraha to Bypass road); Rajiv Gandhi Chouraha to Rau Bypass road and Niranjapur to Dewas Bypass road.

The respondents, at the moment are not in a position to either confirm or deny the above said facts. However, we deem it proper that since the applicant has submitted that if these projects are allowed to proceed for the proposed expansion of the roads and the existing trees are allowed to be cut, nearly about 5000 trees are likely to be felled as a result therein. **Since, we find that at no point of time the authorities have considered the option of translocation of trees instead of felling them while considering the expansion and creation of BRTS Corridor, we would direct that till the next date of hearing, no standing green trees in public places in the city of Indore shall be felled/cut for any project concerning the expansion of road.** A copy of the note on methods adopted regarding translocation of trees in the urban area in the city of Hyderabad which was brought to our notice on the same issue, has been handed over to the respondents who will examine the same and constitute an Expert Committee including the applicant while discussing the aforesaid issue or any expert nominated by the applicant

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for the aforesaid purpose and look into the question and feasibility of the option of translocation of as many trees as possible as per their suitability while conducting any development project. While constituting the committee, the respondents shall also take assistance of the Forest Department, Govt. of Madhya Pradesh preferably a senior officer belonging to the Indian Forest Service and a nominee of the applicant or the applicant himself and also include officers of other concerned departments as may be necessary in accordance with the provisions of the Act of 2001.

It was suggested that at present there is no system of conducting census of the trees in the urban area and as such a road wise, public place/garden wise census of standing trees shall be conducted by the urban, local/municipal authorities so that it is possible to have a count of trees existing, new plantations that have been created and the surviving rate of such trees in such areas.

In the Action Taken Report / Compliance Report filed by the respondent no. 1, today they have submitted certain photographs. We find that from the photographs, it is not possible to identify the location where the photograph has been taken and more particularly, since the issue pertains to BRTS Corridor and the plantation of new saplings/trees along the BRTS Corridor in the city of Indore, we direct the respondent to submit the photographs indicating the location along the BRTS Corridor where the plantation was taken up by the respondents. The respondents shall also in the existing set of documents showing the photographs of plantation of trees, mark the locality to which the photo concerns. The parties are free to provide videography of the BRTS Corridor, if they deem it proper.

It was pointed out by the applicant that while sanctioning the BRTS Corridor project and inviting tenders for the same, the respondents had provided an amount of about Rs. 90,00,000/- (Rupees Ninety Lakhs) for planting trees / establishing greenery and it was made a part of the

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expenditure to be incurred for the aforesaid project. The respondents are, therefore, directed to place before the Tribunal the manner in which the aforesaid amount has been spent/utilized by the respondents/contractor to whom the contract was awarded for the aforesaid purpose since it was reported to be a part of the tender conditions.

The applicant also raised the issue with regard to conversion of Diesel run Public Service Vehicles to CNG run Vehicles. Counsel for the respondent pointed out that the aforesaid issue has been raised by the applicant himself before the Hon'ble High Court of MP in Writ Petition no. 4435/2013 which is pending before the Hon'ble High Court of Madhya Pradesh. The applicant is directed to place for perusal of the Tribunal a copy of the aforesaid Writ Petition filed before the Hon'ble High Court.

Let the matter be listed on **15.11.2013**, as prayed and agreed.

.....JM
(DALIP SINGH)

.....EM
(P.S.RAO)

