



ENVIRONMENT

Ecology Over Expediency: The Supreme Court's Cautious Approach to Protecting the Aravalli Hills

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Order dated 25 May 2026 | Coram: The Chief Justice, Justice Joymalya Bagchi, Justice Vipul M. Pancholi

The Supreme Court of India, by its order dated 25 May 2026, directed the constitution of a **five-member High-Powered Expert Committee** to resolve critical definitional and ecological questions surrounding the Aravalli Hills and Ranges. This order pauses implementation of earlier directions pending independent expert scrutiny, marking a significant moment in Indian environmental jurisprudence.

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Background and Genesis of the Litigation

The **Aravalli Hills and Ranges**, among the most ancient geological formations on the Indian subcontinent, span the States of Rajasthan, Haryana, Delhi (NCT), and Gujarat. They have long been at the epicentre of contentious litigation balancing ecological imperatives against developmental and extractive interests.

In exercise of its jurisdiction under **Article 32 read with Article 142** of the Constitution, the Supreme Court of India registered *Suo Motu Writ Petition (Civil) No. 10/2025*, titled *In Re: Definition of Aravalli Hills and Ranges and Ancillary Issues*. This reflected the Court's proactive cognisance of the fragile ecosystem and the legal ambiguities surrounding its demarcation and protection.

Pursuant to an order dated 9 May 2024, the Court had earlier constituted a **Committee** for the purpose of examining the definitional contours of the Aravalli Hills and Ranges. That Committee submitted its Report dated 3 October 2025, which thereafter formed the basis for the issuance of extensive judicial directions by way of the Court's judgment dated 20 November 2025.

The said Report and judgment collectively sought to establish a framework for the **protection, demarcation, and regulated use** of the Aravalli terrain.

Issues in Contention

The matter generated significant legal and scientific controversy. In its order dated **29 December 2025**, the Court identified several critical questions that demanded expert resolution prior to any implementation of the Committee's directions.

Central among these was the concern that restricting the definition of 'Aravalli Hills and Ranges' exclusively to the **500-metre corridor** between two or more qualifying hills created a structural paradox, wherein the scope of protected territory was materially and unjustifiably narrowed.

The Court examined a range of interrelated questions:

- Whether the **restrictive demarcation** had inversely expanded the category of 'non-Aravalli' areas, thereby inadvertently permitting unregulated mining and other ecologically disruptive activities within terrains that were geographically contiguous with the protected range but technically excluded from its ambit.
- Whether hills characterised by an elevation of **100 metres and above** constituted an ecologically contiguous formation irrespective of whether the intervening distance exceeded 500 metres.
- Whether **regulated mining** would be permissible in the intervening gaps between such hills.

- Whether the widely publicised assertion that only **1,048 out of approximately 12,081 hills** in Rajasthan satisfy the 100-metre elevation criterion was factually and scientifically accurate.

The Court directed that the factual and scientific accuracy of the elevation claim be independently verified. It recognised that, if substantiated, this would represent a **significant regulatory lacuna** warranting comprehensive judicial intervention.

Submissions of the Parties and Stakeholders

The proceedings witnessed participation from a **broad spectrum of parties and stakeholders**, reflective of the multifarious interests at stake.

Union of India and MoEFCC

The **Union of India** was represented by the learned Solicitor General, Mr. Tushar Mehta, and the learned Additional Solicitor General, Mrs. Aishwarya Bhati.

The **Ministry of Environment, Forest and Climate Change (MoEFCC)**, through a short affidavit, stated that it had no objection to the names of domain experts proposed by the learned Amicus Curiae for constitution of the High-Powered Committee, and that it had no additional names to recommend.

Environmental Organisations, Citizen Groups, and Other Stakeholders

Environmental organisations and citizen groups, including the **Aravali Bachao Citizens Movement** and **People for Aravallis**, as well as retired forest and scientific officers, placed before the Court their suggestions regarding suitable expert members.

The **Mining Engineers Association of India** also participated, underscoring that the interests of the mining sector and dependent livelihoods warranted representation within the deliberative framework.

Senior counsel, including Mr. Kapil Sibal, Mr. Mukul Rohtagi, Mr. Sanjay Parikh, Mr. Sanjay Upadhyay, and Mr. Prashant Bhushan, appeared on behalf of various respondents and intervenors, including the **States of Rajasthan, Haryana, and the NCT of Delhi**.

The Court's Analysis

The Court's reasoning in its order dated 25 May 2026 is anchored in the principle of **informed and irreversible-consequence-aware adjudication**. The bench underscored, in unambiguous terms, that decisions of such far-reaching ecological consequence ought not to be taken without the benefit of rigorous expert evaluation.

Decisions of such far-reaching ecological consequence ought not to be taken without the benefit of rigorous expert evaluation, particularly where the outcomes may "prove difficult, if not impossible, to reverse."

The **precautionary approach** is structurally aligned with India's constitutional mandates for environmental preservation, as delineated under Articles 21, 48-A, and 51-A(g).

The Court further emphasised that the proposed expert committee must comprise members possessing **multidisciplinary expertise** spanning:

- Geology
- Soil science
- Biodiversity
- Flora and fauna
- Mineral wealth
- Scientific geo-mapping

This was directed so as to ensure a holistic and scientifically sound assessment. Importantly, the Court directed that the **indicative parameters** set out in its earlier order were not exhaustive and were not intended to fetter the scope of the Committee's inquiry, thereby preserving the intellectual latitude necessary for a comprehensive investigation.

Final Decision and Directions

Composition of the High-Powered Expert Committee

By its order dated 25 May 2026, the Supreme Court directed the constitution of a **five-member High-Powered Expert Committee**, chaired ex officio by the Director General of the Indian Council of Forestry Research and Education (ICFRE). The members appointed were:

- **Dr. Subhash Ashutosh** — Ex-Director General, Forest Survey of India
- **Dr. Rajendra Kumar Sharma** — Retired Director, Geological Survey of India
- **Mr. Brij Mohan Singh Rathore** — Former Joint Secretary, MoEFCC
- **Professor Ashok K. Bhatnagar** — Former Head, Department of Botany, University of Delhi

Two distinguished academics were designated as **Special Invitees**, with a Director-rank officer of the MoEFCC to serve as Member Secretary.

Procedural Directions and Timeline

The Committee was directed to issue a **public notice** soliciting representations from all affected and interested stakeholders, thereby institutionalising participatory deliberation within the expert review process.

The Committee is required to submit its comprehensive report on or before **31 August 2026**, with the matter listed for further hearing on **7 September 2026**.

This order is a significant landmark in Indian environmental jurisprudence. The Supreme Court's decision to pause implementation of earlier directions pending independent expert scrutiny demonstrates a judicious appreciation of the **irreversibility principle** in ecological law.

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