
ARAVALLI DEFINITION STAYED: SUPREME COURT'S SECOND LOOK

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ABSTRACT

The article, "Aravalli Definition Stayed: Supreme Court's Second Look," dissects the Supreme Court of India's decision to stay its earlier ruling on November 20, 2025, which defined the Aravalli hills only as landforms exceeding 100 meters in height over local relief and ranges as two or more such hills within a 500-meter area. The stay, issued in *suo motu* Writ Petition (Civil) No. 10/2025, was based on criticisms that the definition relying only on elevation was scientifically weak, that it would only protect a small proportion (~8%) of Rajasthan hills (1,048 out of 12,081), and that it was possible that the mining in the ecologically sensitive zones might get the green light because of it.

The Aravalli mountain range stretching over the states of Gujarat, Rajasthan, Haryana, and Delhi forms the backbone of approximately 692 km in length and plays a crucial role as a desert barrier, groundwater recharge zone, and biodiversity corridor. The November definition posed a threat to the forest and animal life by causing habitat fragmentation, desertification, and making 'non-Arvalli' mining easier under the critical-minerals exemptions.

In the course of T.N. Godavarman (1995) and M.C. Mehta (1985) landmark PILs, the Court reinstated the Forest Survey of India's 2010 slope-based definition ($\geq 3^\circ$ gradient + 100 m buffer), prohibited the issuance of new mining leases without approval, and appointed an expert committee (with CEC and amicus support) to make a new assessment of ecological continuity and sustainability. The decision was welcomed by the activists and leaders such as Aaditya Thackeray, as it not only reinforced the precautionary principle but also public trust doctrine. The article goes on to show the way through the judicial history, the controversies, the ecological stakes, corporate implications, and the perspectives leading to the January 21, 2026 hearing, which is a telling case of the changing face of environmental governance through the judicial system in India.

Introduction

In a rapid and considerable judicial turnaround that illustrates the Supreme Court of India's dedication to environmental conservation amidst changing scientific and public discussion, the highest court suspended its own order from November 20, 2025¹, on December 29, 2025². This previous order had tried to normalize the definition of the Aravalli hills and ranges by identifying them as landforms that are 100 meters or more above the local relief and a range was defined as two or more hills that are such located within 500 meters of each other measured from their outermost lowest contour lines. The suspension was caused by an overwhelming public outburst, environmental advocacy, and expert critiques that pointed out possible loopholes which might aggravate mining and cause further damage to the ancient geological formation.

The Aravalli range is one of the oldest mountain systems in the world; it stretches for about 692 kilometers from Gujarat in the southwest, passes through Rajasthan and Haryana, and finally reaches Delhi in the north. The range acts as a significant ecological protector that stops the eastward movement of the Thar Desert's sands into the rich Indo-Gangetic plains, recharges the essential groundwater aquifers that sustain millions of people, and supports a wide variety of flora and fauna, as well as being a wildlife corridor for animals like leopards, hyenas, and birds that migrate. Apart from its environmental importance, the range is also a mineral-rich area that attracts economic interests in mining for construction materials and critical minerals like lithium and uranium. Meanwhile, the "disappearance" of whole hills and the corresponding deforestation and fragmentation of habitats resulting from unregulated exploitation over decades have caused judicial intervention that has played a significant role in the development of India's environmental law.

This development was taking place under the writ petition (Civil) No. 10/2025, known as "In Re: Definition of Aravalli Hills and Ranges and Ancillary Issues,³" which was the result of several public interest litigations (PILs) regarding forest protection and pollution issues and the first one being the petition to the Supreme Court. The order of November 20, which was based on a committee's recommendations, had been criticized because of its restrictive elevation-based criterion which experts said would only protect a small percentage—about 8% (1,048

¹ *In Re: Definition of Aravalli Hills and Ranges*, WP (C) No. 10/2025 (S.C., order dated Nov. 20, 2025) (India).

² (S.C., stay order dated Dec. 29, 2025) (India).

³ writ petition (Civil) No. 10/2025

out of 12,081)—of the hills identified in Rajasthan, thus reducing the protected areas and putting the remaining areas under pressure for development. The environmentalists pointed out that this would lead to the splitting of the wildlife corridors⁴ vital for the survival of the species, the range's role of shielding the desert would be made less effective, and the loss of biodiversity would be faster, besides making it difficult and confusing for the companies to carry out mining operations and thus giving them the advantage of warding off their rivals.

The Supreme Court's "second look," which was given by a vacation bench led by Chief Justice Surya Kant, not only put on hold the controversial definition but also directed the setting up of a high-powered expert committee to thoroughly re-evaluate it with a focus on the precautionary principle and public trust doctrine. The move was a big win for political leaders and activists alike, among them Aaditya Thackeray, the leader of Shiv Sena (UBT), who described it as a "huge relief" and lobbied for permanent protections from exploitation. The more the case gets to its next hearing date of January 21, 2026, the more it exemplifies broader themes in Indian jurisprudence: the interaction between scientific expertise, judicial oversight and sustainable development in a time of climate vulnerability and resource scarcity. This paper takes a very thorough look into the past, the stay order itself, controversies related to it, its implications for the stakeholders and the conclusions that can be drawn, utilizing the judicial documents, expert analyses and media reports in providing an exhaustive examination.

Background and Initial Ruling

The legal saga of the Aravalli hills has its origin in the mid-1990s, in the case of two historic PILs that have heavily influenced the course of India's environmental governance. The first, T.N. Godavarman Thirumulpad v. Union of India (Writ Petition No. 202/1995)⁵, started as an action against deforestation in the Nilgiri hills of Tamil Nadu but quickly spread as a nationwide order for forest protection. The case proceeded to a conclusion, where "forest" was interpreted not only as spaces officially designated but additionally as any territory with forest-like ecological characteristics, thus severely limiting the extent of mining and construction activities that might interfere with such ecosystems. The second PIL, M.C. Mehta v. Union of India (Writ Petition No. 4677/1985)⁶, filed in 1985, was primarily directed against air pollution in Delhi and the Taj Trapezium Zone but finally addressed the issue of mining and

⁴ Cent. Empowered Comm. (CEC), *Report on Illegal Mining in Aravalli* 31 (Oct. 23, 2018) (India).

⁵ *T.N. Godavarman Thirumulpad v. Union of India*, WP (C) No. 202/1995 (S.C.) (India).

⁶ *M.C. Mehta v. Union of India*, WP (C) No. 4677/1985 (S.C., mining ban order 1996) (India).

environmental degradation in the Aravallis, especially in Haryana and the National Capital Territory of Delhi.

In 1996, the Supreme Court of India started a prohibition saga over the mining and construction activities in the delicate Aravalli areas. The court, on the grounds of reports from the Haryana Pollution Control Board and the National Environmental Engineering Research Institute, declared a ban on such activities within certain areas of Faridabad that year citing the destruction of nature, including soil erosion, among other things, and the loss of vegetative cover. The Aravalli region of Haryana was subjected to continual restriction from 1996 to 2002 with the guidance of the Central Empowered Committee (CEC), appointed by the court, which carried out a survey of widespread illegal mining activities and consequently advised constant monitoring and conducting of environmental impact assessments. These initial measures called for the texts of environmental clearance and constant surveillance so as not to let the damage be irreparable.

The definitional challenge started to be a major issue in the mid-2000s when states were unable to find a common ground for classification and it affected the enforcement. A three-judge bench in February 2010, which was headed by Chief Justice K.G. Balakrishnan, dismissed the Rajasthan's 100-meter height limit proposal for the Aravalli classification, saying it was arbitrary and not very scientific. The court ordered the Forest Survey of India (FSI) to carry out a thorough examination with the help of satellite imaging and ground surveying saying that the "assessment shall not be confined to peaks/parts of hills above 100 mts from the ground level." The FSI report which was released in October 2010 followed a criterion based on slope: hills with three degrees or more inclines plus a 100-meter downhill buffer area, thereby including more than 40,000 square kilometers of land spread over 15 districts of Rajasthan. The CEC further backed this by proposing the use of technology to document the boundaries of mining leases and the enforcement of very strict measures against illegal mining, thus, laying down an interim framework which the court kept an eye on throughout the 2010s.

The scrutiny in the 2010s was much higher than before, and one of the most significant revelations was the CEC's 2018 report, which exposed that illegal mining had wiped out 31 hill features in Rajasthan out of a total of 128, causing the state to collect about Rs 5,000 crore in royalties, but at the same time, the environment was suffering a lot. In the report of October 23, 2018, judges Madan B. Lokur and Deepak Gupta sharply criticized Rajasthan for its

indifference and ordered the stopping of illegal mining in a 115.34-hectare area at once, saying that the economic benefits could not in any way be equated with the ecological losses. The court in the M.C. Mehta case on September 11, 2018, directed the pulling down of illegal buildings in Faridabad's Kant Enclave, which had been constructed after 1992 on the forest land protected under the Punjab Land Preservation Act, 1900, and the resulting damage had been described as "irreversible" and the state authorities had been criticized for allowing such violations.

Delhi's "morphological ridge" got protection, which is the northern extension of the Aravallis that is critical for the urban air quality and the biodiversity. Justices B.R. Gavai and Vikram Nath on February 8, 2023, stopped the Delhi Development Authority (DDA) from making land allotments in these regions, acknowledging them as the "lungs" of the city. The contempt proceedings in May 2024 dealt with the illegal cutting of trees for infrastructure purposes and ended with the November 11, 2025, ruling that granted the Delhi Ridge Management Board⁷ statutory status under the Environment (Protection) Act, 1986, which was done to facilitate the supervision. Moreover, in October 2025, the court put a hold on Haryana's grand 10,000-acre Aravalli Safari Park project in Gurugram and Nuh as a response to the concerns raised by retired forest officials and environmental groups about the disruption of the ecosystem.

On January 2024, during the deliberations over the mining lease renewals in Rajasthan, the never-ending quest for a universal definition which was to be given to the issue of "mineral resources" reappeared and consequently, the court assigned the CEC the task to establish a review of the criteria. A multi-agency committee comprising of MoEF&CC, state forests, FSI, Geological Survey of India (GSI), and CEC was formed on May 9, 2024. The committee's final report dated October 3, 2025, although CEC disagreed, approved the 100-meter elevation limit and additionally advised against any new mining in core areas such as the national parks.

On November 20, 2025, the Supreme Court accepted this standard and directed MoEF&CC to create a Management Plan for Sustainable Mining (MPSM) in collaboration with the Indian Council of Forestry Research and Education (ICFRE). The MPSM aimed to map out areas for mining, monitor environmental impacts, and develop environmental restoration, while allowing mining operations to continue in order to reduce the risks of illegal mining and

⁷ M.C. Mehta, WP (C) No. 4677/1985, *supra* note 6 (S.C., order dated Nov. 11, 2025) (statutory status to Delhi Ridge Management Board under Environment (Protection) Act, 1986).

associated criminality. Nevertheless, the decree triggered strong resistance from environmentalists who claimed that the decision was tantamount to ecological fragmentation and could lead to the extensive areas being "delisted" and consequently, more prone to exploitation.

The Stay Order

The stay order of the Supreme Court on December 29, 2025⁸, was a timely corrective action that dealt with the flood of interlocutory applications, various petitions, and public criticisms which all followed the judgment of November 20. The order, made by a vacation bench consisting of Chief Justice Surya Kant, Justice J.K. Maheshwari, and Justice Augustine George Masih, recognized at first sight the ambiguities in the committee's report and the court's instructions to the extent that the misunderstandings could very well lead to the dismantling of the ecological safety measures. The bench remarked that the fears of the environmentalists regarding "the danger of misinterpretation and wrong application" were based on "a perceived ambiguity and lack of clarity in certain terms and directives," hence, a stay was imposed to stop irreversible measures from being taken.

The order primarily revolved around the suspension of the November 20 findings and recommendations until the final resolution, enforcement being reverted back to the FSI's 2010 slope-based interim definition—terrains with slopes of three degrees or more, including a 100-meter buffer⁹. This rollback not only prevented actions that would compromise existing protections, but also made it impossible to acquire new or to renew mining leases in the Aravalli areas as per the August 25, 2010, FSI report without a specific court order, thus, following the May 9, 2024, directive.

The ruling of the court required the establishment of a powerful, independent expert committee to perform a comprehensive re-evaluation, which was to be the one to define the limits of the definition, list the areas that were either included or not included, measure the ecological consequences of sustainable mining, and scrutinize both environmental impacts in the short

⁸ *In Re: Definition of Aravalli Hills and Ranges and Ancillary Issues*, Suo Motu WP (C) No. 10/2025, ¶¶ 7-10 (S.C., stay order dated Dec. 29, 2025) (vacation bench: CJI Surya Kant, JJ. J.K. Maheshwari & Augustine George Masih; noting "danger of misinterpretation" and "perceived ambiguity" in Nov. 20 committee report).

⁹ *Id.* at ¶¶ 11-13, 18-22 (reverting to FSI 2010 slope $\geq 3^\circ$ + 100m buffer criteria; constituting high-powered expert committee to reassess 100m/500m definitions, ecological impacts, hill counts; notices to Union of India and States of Delhi/Rajasthan/Haryana/Gujarat; returnable Jan. 21, 2026).

and long term. Among the questions the committee was to address were whether the 500-meter inter-hill gap leads to the shrinking of protected areas, the extension of "non-Aravalli" zones that are open to unregulated mining, and the barring of the ecological continuity; the accuracy of the assertion that only 1,048 out of 12,081 hills in Rajasthan are "low" citing the 100-meter threshold, possibly necessitating a new geological survey; and the conditions for mining in gaps to protect the integrity of the hills. The committee was to take all parties into consideration and be supported by Amicus Curiae K. Parameshwar, the CEC, Attorney General R. Venkataramani, and the Solicitor General.

Notices were issued to the Union of India and the states of Delhi, Rajasthan, Haryana, and Gujarat, to be returned before the Green Bench on January 21, 2026. The rationale for the stay was that an "impartial scientific opinion" was necessary to the resolving of the ambiguities and it was in sync with the court's responsibility to protect public interest and to hinder the occurrence of regulatory vacuum that would compromise the ecological role of Aravalli. Environmental attorney Ritwick Dutta asserted that this reassessment shows the previous committee to have lacked scientific rigor thereby possibly opening the way to a more stringent framework.

Controversies and Criticisms

The definition put forth on November 20 raised a whole range of discussions and debates, bringing together considerations of the environment and issues surrounding politics and the law.

The ecological critics claimed, among other things, that the 100-meter limit makes it easier to understand the Aravalli's earth features which are mainly formed by the low ridges and hillocks that do not go high, and, consequently, the threshold will result in the cutting up of wildlife corridors that are very important for the migration of animals and plants and the overall biodiversity of the area. The most important roles of the range—namely, the prevention of desertification with a dozen weak spots that can easily be overrun by sand, the recharging of the aquifer, and the connection of the various habitats—need to be viewed as a whole and not separated by the height criterion. A study carried out by the Ashoka Trust for Research in Ecology and the Environment (ATREE) based on a 30-meter Digital Elevation Model indicated that over 70% of the total area of the Aravalli range in Rajasthan which is 83,380.9 square kilometers will be delisted (impacting 18,092 villages); in Gujarat and Haryana, it will be 82%

and in Delhi, it will be 100%. This will lead to the reduction of natural vegetation in Rajasthan by 41.8%, including the disappearance of two-thirds of savanna grasslands, all sand dunes, and 18.35 square kilometers of forest. The earliness of the losses was also anticipated in Haryana (41.2%) and Gujarat (32%) posing a threat to the segmentation of the habitat and the extinction of species. On top of that, the definition allows "non-Aravalli" mining under the Environment Protection Act, 1986, by freeing critical minerals from the usual assessments and public hearings till September 2025 as per the directives.

Politically, the stay received positive responses all around the globe. Aaditya Thackeray hailed it as partial relief rooted in local movements in Rajasthan, and at the same time, he urged for lasting bans on exploitation. On the contrary, states like Haryana and Rajasthan had put forth the idea of narrow definition to speed the mining activities which would in turn generate revenue for the government and thus reflecting the divide between revenue generation and conservation. The protests in these areas were a clear indication of the government's preference for the industry, a view which was supported by policies like the National Critical Mineral Mission (Rs 18,000 crore) and the SHANTI Bill¹⁰ that not only attract private nuclear participation but also potentially legitimize illegal mining.

Legally, the debate about the elevation versus slope brought out the weaknesses; the 100-meter rule was at odds with FSI's ecologically based 2010 criteria and its decision for the institutional expertise and creating "structural paradoxes." The FSI denied the hill-height study which they had referred to and thus cast doubt on the data credibility, while the overlapping with ex post facto clearance rulings (November 18, 2025) brought up the issue of retroactive approvals which was already termed as "a step in retrogression" by Justice Ujjal Bhuyan. The improvement proposals include the use of functional criteria pertaining to ecological roles, conducting authoritative surveys, and reaching an agreement between specialists such as FSI and CEC.

Implications and Corporate Angle

The stay reverses the previous decision and reinstates the temporary protective measures. It maintains the 2010 FSI definition of the forest and thus prohibits new mining activities which would have an immediate negative impact on the environment. Consequently, the current state

¹⁰ *Id.* at ¶ 23-25 (political state interests vs. conservation; FSI rejection of height data; Justice Ujjal Bhuyan on Nov. 18, 2025 ex post facto clearances; need for FSI-CEC ecological surveys over arbitrary metrics).

of things is preserved until experts have conducted their reviews. For mining companies, this is not only a win for ecology but also brings about uncertainties regarding the implementation of the Mines and Minerals (Development and Regulation) Act, 1957. The companies will have to seek court approvals and may lose investments in critical minerals due to the delays caused by the process.

The corporate law arena sees the decision as a significant factor in environmental due diligence in mergers, acquisitions, and project financing in regulated sectors. Companies will now have to carry out precautionary assessments, quantifying risks associated with the change of definition, and conformity with the constitutional requirements under Articles 48A and 51A(g). The committee assigned with the task to strike a balance between protection of nature and development could be a factor in setting future policies and restoring obligations may be imposed on certain industries like construction and power where Aravalli minerals are critical. One such instance is the delay of companies interested in lithium mining in Rajasthan which, besides the obvious, is a reminder of the need for strong risk management strategies during judicial uncertainty.

Conclusion

The Supreme Court's stay has the potential to reset the Aravalli definition, with the input of specialists and the participation of the different groups, and it might end up with a more tolerant paradigm that favors the ecological functionality rather than the arbitrary metrics. The Court also suggests the creation of statutory mechanisms, like an Aravalli Green Wall Authority, to bring together different states for conservation efforts. This event illustrates the judiciary's changing role in environmental federalism, being a watchful guardian under the public trust doctrine, supporting science-based policies and multi-jurisdictional cooperation. By adopting these measures, India's natural resources are protected under the law, and there is a possibility of development that is fair to all and does not come at the cost of precious ecosystems.