

BEFORE THE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH

NEW DELHI

ORIGINAL APPLICATION NO. 548 OF 2025

IN THE MATTER OF

Dr Amit Kumar

.....Applicant

VERSUS

Union of India & Ors.

.....Respondents

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Filed by:



Dr. Amit Kumar
Applicant in person
Place: New Delhi
Dated: 16.04.2026

BEFORE THE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH

NEW DELHI

ORIGINAL APPLICATION NO. 548 OF 2025

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Dr Amit Kumar

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VERSUS

Union of India & Ors.

.....Respondents

ADDITIONAL SUBMISSION ON BEHALF OF THE APPLICANT

MOST RESPECTFULLY SHOWETH:

1. The present Original Application (OA) is a "Public Interest Environmental Litigation" **for the restoration of 38,496 encroached water bodies identified in the 1st Census Report of Water Bodies (2023)**. The Respondents' primary defense of "Policy Paralysis" claiming they have no national regulatory mechanism because water is a "State subject" is a direct abdication of their statutory duty under Section 3 and 5 of the *Environment (Protection) Act, 1986*.
2. That the Hon'ble Supreme Court is monitoring the protection of wetlands in *M.K. Balakrishnan v. Union of India* (W.P. Civil No. 230/2001) the present OA is distinct for the following reasons:
 - a. The Hon'ble Supreme Court matter primarily focuses on Wetlands as defined under the 2017 Rules (often >2.25 hectares or Ramsar sites). Conversely, **the instant OA addresses all traditional water bodies (ponds, tanks, etc.) identified in the 2023 Census**, most of which are below 0.5 acres and fall outside the definition of "Wetlands" but are vital for the environment, biodiversity and ground water recharge.

b. The present matter is the first case to present the 1st Census Report of Water Bodies to the Tribunal. The Hon'ble Supreme Court orders of 2017 and 2024 did not have the benefit of this 2023 data, which provides a precise, geocoded list of 38,496 actual encroachments.

True copies of the orders passed by the Hon'ble Supreme Court in *M.K. Balakrishnan v. Union of India* (W.P. Civil No. 230/2001) are annexed as **Annexure A-1 (colly)**.

True copy of the Wetlands (Conservation And Management) Rules, 2010 are annexed as **Annexure A-2**.

3. The present OA is distinct from the previous proceedings by the Hon'ble Tribunal in OA No. 325/2015 (*Lt. Col. Sarvadaman Singh Oberoi v. Union of India*) as it marks a shift from mere procedural frameworks to substantive enforcement. While OA No. 325/2015 focused on establishing the initial administrative framework for restoration, such as the designation of nodal agencies and the assignment of Unique Identification (UID) numbers, the Respondent No. 1's recent admissions in the Rajya Sabha (Annexure-2) confirm that a vacuum remains regarding a formal National Regulatory Mechanism to prevent further encroachments. Consequently, **this present OA seeks specific, time-bound relief through a National Action Plan designed to address the 38,496 geocoded encroachments explicitly admitted by the government in the 1st Water Census**. Unlike the broad, general directions issued in OA No. 325/2015, the current matter demands rigorous "Ground Truthing" and physical verification of these specific identified sites to ensure actual restoration on the ground.

True copy of the final order dated 18.11.2020 passed by this Hon'ble Tribunal in OA No. 325/2025 (*Lt. Col. Sarvadaman Singh Oberoi Applicant Versus Union of India & Ors*) is annexed as **Annexure A-3**.

4. In light of the **evidence from the 1st Water Census (2023)**, the Applicant prays that this Hon'ble Tribunal may:
 - a. declare the matter distinct from pending litigations.
 - b. direct the Union of India to exercise its powers under the Environment (Protection) Act to issue a mandatory restoration timeline to all States for the geocoded encroachments identified in the 2023 Census.
5. It is, therefore, prayed that this Hon'ble Tribunal may graciously be pleased to take these additional submissions and annexures on record in the interest of justice.

Filed by:



Dr. Amit Kumar
Applicant in person
Place: New Delhi
Dated: 16.04.2026

W.P(C)No. 230 OF 2001
ITEM No.25

IN Court No. 1

SECTION PIL

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Writ Petition(Civil) No.230/2001 (For Prel. hearing)

M.K. BALAKRISHNAN & ORS.

Petitioner (s)

VERSUS

UNION OF INDIA & ORS.

Respondent (s)

Date : 17/09/2001 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE N. SANTOSH HEGDE
HON'BLE MR. JUSTICE P. VENKATARAMA REDDI

For Petitioner (s) Ms. Seema, Adv.
Mr. Naresh Kumar, Adv.

For Respondent (s) Mr. Soli J. Sorabjee, AG
Mr. Harish N. Salve, SG
Mr. Sanjay R. Hegde, Adv.
Mr. R.N. Verma, Adv.
Mr. C. Radha Krishna, Adv.
Mr. B.V. Balaram Das, Adv.

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

.....L.....I.....J
.SP2

Issue Rule.

.SP1
.....L.....T.....J

(Ajay Kr. Jain)
Court Master

(Prem Prakash)
Court Master

S U P R E M E C O U R T O F I N D I A

RECORD OF PROCEEDINGS

WRIT PETITION (CIVIL) NO(s). 230 OF 2001

M.K. BALAKRISHNAN & ORS.

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(With appln(s) for ad-interim ex-parte stay)

Date: 23/03/2006 This Petition was called on for hearing today.

CORAM :

HON'BLE MRS. JUSTICE RUMA PAL

HON'BLE MR. JUSTICE B.N. SRIKRISHNA

HON'BLE MR. JUSTICE DALVEER BHANDARI

For Petitioner(s)

Mr. Naresh Kumar,Adv.

For Respondent(s)

Ms. Sunita Sharma,adv.

Mr. S.W.A.Qadri,adv.

Mr. D.S.Mehra,adv.

Mr. B.V. Balaram Das,Adv.

Mr. Aruneshwar Gupta ,Adv

Mr. Avijit Bhattacharjee ,Adv

Mr. B.B. Singh ,Adv

Mr. Gopal Singh ,Adv

Ms. Ritu Raj Biswas,adv.

Ms. Hemantika Wahi ,Adv

Ms. Kamini Jaiswal ,Adv

Mr. Naresh K. Sharma ,Adv

Mr. R.S. Suri ,Adv

-2-

Mr. A.Mariarputham,adv.

Ms. Aruna Mathur,adv.for

M/S Arputham,Aruna & Co.

Mr. R. Ayyam Perumal ,Adv

Mr. Ranjan Mukherjee ,Adv

Mr. B.S. Banthia ,Adv

Mr.Khwairakpam Nobin Singh ,Adv

Mr. Radha Shyam Jena ,Adv

M/S Corporate Law Group ,Adv

Ms. Sumita Hazarika ,Adv

UPON hearing counsel the Court made the following

O R D E R

Adjourned till July, 2006.

[SUMAN WADHWA]

[MADHU SAXENA]

COURT MASTER

COURT MASTER

LITEM NO.110

COURT NO.2

SECTION PIL

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

WRIT PETITION (CIVIL) NO.230 OF 2001

M.K. BALAKRISHNAN & ORS.

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(With appln(s) for ad-interim ex-parte stay)

Date: 10/12/2008 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.N. AGRAWAL

HON'BLE MR. JUSTICE G.S. SINGHVI

For Petitioner(s) Mr. Naresh Kumar,Adv.

For Respondent(s) Ms. Sunita Sharma,Adv.
Mr. S.N. Terdal,Adv.
Ms. Anil Katiyar,Adv.
Mr. B.V. Balaram Das,Adv.

Mr. Riku Sarma,Adv.
for M/s Corporate Law Group,Adv.

Mr. Avijit Bhattacharjee,Adv.

Ms. Kamini Jaiswal,Adv.

Ms. Hemantika Wahi,Adv.

Mr. B.B. Singh,Adv.

Mr. Radha Shyam Jena,Adv.

Mr. Naresh K. Sharma,Adv.

Ms. Aruna Mathur,Adv.
for M/s. Arputham, Aruna & Co.,Adv.

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Mr. Khwairakpam Nobin Singh,Adv.

Mr. Gopal Singh,Adv.

Mr. B.S. Banthia,Adv.

Mr. Aruneshwar Gupta,Adv.

Mr. R.S. Suri,Adv.

Mr. S. Bhowmik,Adv.
Mr. Ranjan Mukherjee,Adv.

Ms. Sumita Hazarika,Adv.

Mr. R. Ayyam Perumal,Adv.

Mr. Anil Shrivastav, Adv.

Mr. K.N. Madhusoodhanan, Adv.
Mr. M.K. Michael, Adv.

Mr. R. Nedumaran, Adv.

Mr. P.V. Dinesh, Adv.
Ms. Sindhu T.P., Adv.

Ms. Vibha Datta Makhija, Adv.

UPON hearing counsel the Court made the following
ORDER

Place the petition after the ensuing Christmas vacation.

[T.I. Rajput]
A.R.-cum-P.S.

[Savita Sainani]
Court Master

ITEM NO.109

COURT NO.10

SECTION PIL

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

WRIT PETITION (CIVIL) NO.230 OF 2001

M.K. BALAKRISHNAN & ORS.

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(With appln(s) for ad-interim ex-parte stay)

Date: 20/01/2009 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE LOKESHWAR SINGH PANTA

HON'BLE MR. JUSTICE B. SUDERSHAN REDDY

For Petitioner(s)

Mr. Gopal Sankaranarayanan, Adv.
Mr. V. Shyamohan, Adv.
Mr. Radhakrishna Kumar, Adv.
Mr. Paramanand Pandey, Adv.
Mr. Rajesh Ranjan Kumar, Adv.
Mr. Naresh Kumar, Adv.

For Respondent(s)

Mr. T.S. Doabia, Sr.Adv.
Mr. Ashok Bhan, Adv.
Ms. Sunita Sharma, Adv.
Ms. Anil Katiyar, Adv.
Mr. B.V. Balaram Das, Adv.

M/s Corporate Law Group, Adv.

Mr. Avijit Bhattacharjee, Adv.
Mr. Subrata Biswas, Adv.

Ms. Kamini Jaiswal, Adv.

Ms. Hemantika Wahni, Adv.

Mr. Somanath Padhan, Adv.
Ms. Pinky Behera, Adv.
Ms. Mamta, Adv.
Ms. K. Enatoli Sema, Adv.

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Mr. B.B. Singh, Adv.

Mr. Radha Shyam Jena, Adv.

Mr. Naresh K. Sharma, Adv.

Ms. Aruna Mathur, Adv.
for M/s. Arputham, Aruna & Co., Adv.

Mr. Khwairakpam Nobin Singh, Adv.

State of Bihar Mr. Gopal Singh, Adv.
Mr. Manish Kumar, Adv.

State of Tripura Mr. Gopal Singh, Adv.

Mr. Rituraj Singh, Adv.

Mr. B.S. Banthia, Adv.

Mr. Aruneshwar Gupta, Adv. (NP)

Mr. R.S. Suri, Adv.

Mr. Ranjan Mukherjee, Adv.

Ms. Sumita Hazarika, Adv.

Mr. R. Ayyam Perumal, Adv.

Mr. Anil Shrivastav, Adv.

Mr. K.N. Madhusoodhanan, Adv.

Mr. M.K. Michael, Adv.

Mr. R. Nedumaran, Adv.

Mr. P.V. Dinesh, Adv.

Mr. K.P. Sreejith, Adv.

Ms. Sindhu T.P., Adv.

Ms. Vibha Datta Makhija, Adv.

State of
Karnataka

Mr. Sanjay R. Hegde, Adv.

Mr. Amit Kumar Chawla, Adv.

Mr. A. Rohen Singh, Adv.

...3/-

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State of Nagaland

Mr. Edward Behlo, Adv.

Mr. Vikuolie Nihu Kara, Adv.

State of Goa

Ms. A. Subhashini, Adv.

UT of Pondicherry

Mr. V.G. Pragasam, Adv.

Mr. S.J. Aristotle, Adv.

Mr. Prabu Rama Subramanian, Adv.

State of Rajasthan

Dr. Manish Singhvi, AAG

Mr. Milind Kumar, Adv.

State of Punjab

Mr. Kuldip Singh, Adv.

Mr. Sanjay Katyal, Adv.

Mr. R.K. Pandey, Adv.

UPON hearing counsel the Court made the following
ORDER

In this public interest writ petition, this Court in the year 2001 issued notices to all the respondents directing them to submit their counter affidavits to the writ petition. Despite repeated adjournments sought by the learned counsel for the respondents, no counter affidavit(s) has been filed by some States and Union Territories. Today, the learned counsel appearing on behalf of the defaulting respondents have again prayed for further time for

submitting their counter affidavits. Looking to the nature of the public interest expounded by the petitioners in this writ petition, we, by way of last chance, are obliged to grant four weeks further time from today to the

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...4/-

defaulting respondents to do the needful. In default of not complying with this order, Chief Secretary of the defaulting State/Union Territory shall remain personally present in this Court on the next date of hearing.

Learned counsel representing some States/Union Territories have complained that they have not been supplied copies of the writ petition. The learned counsel for the petitioners undertakes to handover complete copies of the writ petition to the opposite sides within one week.

The Union of India and such of the States or Union Territories, who have already filed their counter affidavits, shall file additional affidavits giving the latest position in regard to the grievances made by the petitioners in the writ petition. They shall file their additional affidavits within four weeks from today.

List the matter on 26.02.2009.

(Sukhbir Paul Kaur)
Court Master

(Vijay Dhawan)
Court Master

@B

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W P(C) 230/2001

IT E M NO.103

COU R T NO.9

SECT I O N P I L

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

W R I T P E T I T I O N (C I V I L) NO(s). 230 OF 2001

M. K. BA L A K R I S H N A N & ORS.

Petitioner(s)

VE R S U S

UN IO N OF IN D I A & ORS.

Respondent(s)

(With appln(s) for ad-interim ex-parte stay)

Date: 26/02 /2009 This Petition was called on for hearing today.

COR A M :

HON' B L E M R. JUST I C E LO K E S H W A R S I N G H P A N T A

HON' B L E M R. JUST I C E B. SUD E R S H A N R E D D Y

For Petitioner(s) Mr. Gopal Sankaran, Adv.

Mr. Radha Kanta Tripathy, Adv.

Mr. Radha Krishna Kumar, Adv.

Mr. Parmanand Pandey, Adv.

Mr. Naresh Kumar, Adv.

For Respondent(s)

Mr. T.S. Doabia, Sr. adv.

For UOI

Ms. Sunita Sharma, Adv.

Mr. S.N. Terdal, Adv.

Mr. B.V. Balaram Das, Adv.

For NCT of Delhi &

Mr. S.W.A. Qadri, Adv.

UTs of Andaman &

Ms. Sunita Sharma, Adv.

Nicobar, Daman & Diu

Mrs. Anil Katiyar, Adv.

and Dadar Nagara Haveli M r. D.S. Mahra, Adv.

For State of J& K Mr. Anis Suhrawardy, Adv.

Mr. S. Mehdi Imam, Adv.

Mr. Tabroz Ahmed, adv.

For State of Goa Ms. A. Subhashini, Adv.

For State of W. B.

Mr. Avijit Bhattacharjee, Adv.

Mr. Saumya Kundu, Adv.

For State of T.N. Mr. Shunmuga Sundaram, Sr. Adv.

Mr. Prashanth P., adv.

Mr. V. Vasudevan, Adv.

Mr. T. Harish Kumar, Adv.

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W P(C) 230/2001

Mr. B.B. Singh, Adv. (NP)

For State of Tripura

Mr. Gopal Singh, Adv.

Mr. Manish Kumar, Adv.

Mr. Rituraj Biswas, Adv.

For State of Bihar

Mr. Gopal Singh, Adv.

Mr. Manish Kumar, Adv.

State of Gujarat

Ms. Hemantika Wahi, Adv.

Mr. Somanath Padhan, Adv.

For State of A.P. Mr. I. Venkatanarayana, Sr. Adv.
 Mr. Rahul Shukla, Adv.
 Mr. Manoj Saxena, Adv.
 Mr. T.V. George, Adv.

For UT of Chandigarh Ms. Kamini Jaiswal, Adv.

For State of H.P. Mr. Naresh K. Sharma, Adv.

Mr. R.S. Suri, Adv. (NP)

For State of Sikkim Mrs. Aruna Mathur, adv.
 for M / S Arputham, Aruna & Co., Adv.

Mr. R. Ayyam Perumal, Adv.

For State of Mizoram Mr. K.N. Madhusoodhanan, Adv.
 Mr. M. K. Michael, Adv.

Mr. Ranjan Mu kherjee ,Adv

For UT of Pondicherry Mr. V.G. Pragasam, Adv.
 Mr. S.J. Aristotle, Adv.
 Mr. Praburamasubramanian, Adv.

For State of M. P. Mr. Vikrant Singh Bais, Adv.
 Ms. Vibha Datta Ma k hija, adv.

Mr. B.S. Banthia, Adv. (NP)

For State of Manipur Mr. K hwaira kpam Nobin Singh ,Adv

Mr. Radha Shyam Jena, Adv.

Mr. Anil Shrivastav, Adv. (NP)

Mr. R. Nedumaran, Adv. (NP)

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W P(C) 230/2001

For State of Assam Mr. Riku Sarma, Adv.
 for M / S Corporate Law Group, Adv.

Ms. Sumita Hazarika, Adv. (NP)

For State of Kerala Mr. P.V. Dinesh, Adv.

For State of Rajasthan Dr. Manish Singhvi, AAG
 Mr. Sandeep Bajaj, adv.
 Mr. Milind Kumar, Adv.

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

This Court on 20/01 / 2009 passed the following order.

"In this public interest writ petition, this Court in the year 2001 issued notices to all the respondents directing them to submit their counter affidavits to the writ petition. Despite repeated adjournments sought by the learned counsel for the

respondents, no counter affidavit(s) has been filed by some States and Union Territories. Today, the learned counsel appearing on behalf of the defaulting respondents have again prayed for further time for submitting their counter affidavits. Looking to the nature of the public interest expounded by the petitioners in this writ petition, we, by way of last chance, are obliged to grant four weeks further time from today to the defaulting respondents to do the needful. In default of not complying with this order, Chief Secretary of the defaulting State/Union Territory shall remain personally present in this Court on the

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W P(C) 230/2001

next date of hearing."

The Office Report dated 25.2.2009 submitted by the Registry of this Court reveals that pursuant to our order, certified copy of the Record of Proceedings was issued to all the States and Union Territories for compliance vide Registry's letter dated 27.1.2009.

Pursuant to the abovesaid order most of the States and Union Territories have filed their counter affidavits/ responses. The States of Andhra Pradesh (respondent No. 2), Goa (respondent No. 8), Haryana (respondent No. 9), Karnataka (respondent No. 12), Maharashtra (respondent No. 15), Uttar Pradesh (respondent No. 26) and Govt. of NCT of Delhi (respondent No. 6) have not complied with the aforesaid order and have failed to file their counter affidavits/responses.

Today, Mr. I. Venkatanarayana, learned senior counsel appearing for the State of Andhra Pradesh, Ms. A. Subhashini, learned counsel appearing for the State of Goa, Mr. S.W.A. Qadri, learned counsel appearing for the Govt. of NCT of Delhi and Mr. Sanjay R. Hegde, learned counsel appearing for the State of Karnataka have prayed for some more time to file the counter affidavits/responses of their respective States. No one appears for the States of Uttar Pradesh, Haryana and Maharashtra, nor these States have complied with the order dated 20.1.2009 of this Court.

In these circumstances, let notice be issued to the Chief Secretaries to the States of Haryana, Maharashtra and Uttar Pradesh to be personally present in this Court on 26th March, 2009 at 10.30 a.m.

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W P(C) 230/2001

The States of Andhra Pradesh, Goa, Karnataka and Govt. of NCT of Delhi are permitted to file their respective counter affidavit/response within three weeks from today. We make it clear to the counsel appearing for these States that in case their counter affidavits/responses are not filed within the stipulated period, the respective Chief Secretaries of these States shall also remain personally present on 26th March, 2009 at 10.30 a.m.

Learned counsel for the petitioners is permitted to file an application for impleadment of the newly created States of Uttarakhand, Jharkhand and Chattisgarh.

List this matter on 26th March, 2009.

(Ajay Kr. Jain)
Court Master

(Vinod Kulvi)
Court Master

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I T E M N O . M M (B)

C O U R T N O . 1 0

S E C T I O N P I L

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

I . A . N O . 2 O F 2 0 0 9 I N W R I T P E T I T I O N (C I V I L) N O (s) . 2 3 0 O F 2 0 0 1

M . K . B A L A K R I S H N A N & O R S .

P e t i t i o n e r (s)

V E R S U S

U N I O N O F I N D I A & O R S .

R e s p o n d e n t (s)

D a t e : 2 4 / 0 3 / 2 0 0 9 T h i s P e t i t i o n w a s c a l l e d o n f o r h e a r i n g t o d a y .

C O R A M :

H O N ' B L E M R . J U S T I C E L O K E S H W A R S I N G H P A N T A

H O N ' B L E M R . J U S T I C E B . S U D E R S H A N R E D D Y

F o r P e t i t i o n e r (s)

M r . N a e s h K u m a r , A d v .

F o r R e s p o n d e n t (s)

M r . S h e k h a r N a p h a d e , S r . A d v .

M r . S a n j a y K h a r d e , A d v .

M s . A s h a G . N a i r , A d v .

M r . M . K . B a l a k r i s h n a n , A d v .

M s . K a m i n i J a i s w a l , A d v .

M r . S . N . T e r d a l , A d v .

U P O N h e a r i n g c o u n s e l t h e C o u r t m a d e t h e f o l l o w i n g
O R D E RI . A . N o . 2 o f 2 0 0 9 i s a l l o w e d i n t e r m s o f t h e p r a y e r m a d e . T h e
p e r s o n a l a p p e a r a n c e o f t h e C h i e f S e c r e t a r y i s o r d e r e d t o b e e x e m p t e d .(S u k h b i r P a u l K a u r)
C o u r t M a s t e r(V i n o d K u l v i)
C o u r t M a s t e r

}ITEM NO.101

COURT NO.11

SECTION PIL

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

WRIT PETITION (CIVIL) NO(s). 230 OF 2001

M.K. BALAKRISHNAN & ORS.

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(With appln(s) for ad-interim ex-parte stay,impleadment as party respondent)

Date: 26/03/2009 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MARKANDEY KATJU

HON'BLE MR. JUSTICE B. SUDERSHAN REDDY

For Petitioner(s) Mr. Gopal Sankaranarayanan, Adv.
 Mr.Radhakrishna Kumar, Adv.
 Mr. Parmanand Pandey, Adv.for
 Mr. Naresh Kumar,Adv.

For Respondent(s) Mr. S.R.Singh, Sr. Adv.
 Mr. Shail Kumar Dwivedi,AAG
 Mr. Anuvrat Sharma, Adv.
 Ms. Alka Sinha, Adv.

Mr. T.S.Doabia, Sr. Adv.
 Ms. Sunita Sharma, Adv.for
 Mr. B.V. Balaram Das,Adv.

Mr. Riku Sarma, Adv.for
 M/s. Corporate Law Group

Mr. Avijit Bhattacharjee, Adv.
 Mr. Saumya Kundu, Adv.

Ms. Kamini Jaiswal, Adv.
 Ms. Pinky Behera, Adv.for
 Ms. Hemantika Wahi, Adv.

Mr. Radha Shyam Jena, Adv.

Mr. Naresh K. Sharma, Adv.

Mrs. Aruna Mathur, Adv.
 Mr. Vimal Dubay, Adv.for
 M/s. Arputham Aruna & Co,

Mr. Khwairakpam Nobin Singh, Adv.

For State of Bihar & Tripura Ms. Sangitaa Singh, Adv.
 Mr. Manish Kumar, Adv.for
 Mr. Gopal Singh, Adv.

Mr. B.S.Banthia, Adv.

Mr. Manish Singhvi, AAG
 Mr. Milind Kumar, Adv.

Mr. R.S.Suri, Adv.

Mr. Ranjan Mukherjee, Adv.

Ms.Sumita Hazarika, Adv.

Mr. R.Ayyam Perumal, Adv.

Mr. Anil Shrivastav, Adv.

Mr. K.N.Madhusoodhanan, Adv.for
Mr. M.K.Michael, Adv.

Mr. R.Nedumaran, Adv.

Mr. R.Shunmugasundaram, Sr. Adv.
Mr. V.G.Pragasam, Adv.
Mr. S.J.Aristotle, Adv.
Mr. Prabu Rama Subramanian, Adv.

Mr. P.V.Dinesh, Adv.
Ms. Sindhu T.P., Adv.

Mr.Tabrez Ahmad, Adv.for
Mr. Anis Suhrawardy ,Adv.

Mr. Anil Kumar Jha, Adv.

Mr. Sanjay R.Hegde, Adv.
Mr. A.Rohen Singh, Adv.

Mr. Edward Belho, Adv.
Mr. Rituraj Biswas, Adv.
Mr. P.Athuimei R. Naga, Adv.

Ms. A.Subhashini, Adv.

Mr. Manoj Saxena, Adv.
Mr. Rajnish K. Singh, Adv.
Mr. Rahul Shukla, Adv.

Mr. Sanjay V.Kharde, Adv.for
Ms. Asha G.Nair, Adv.

Mr. R.Shunmugh Sundram, Sr. Adv.
Mr. T.Harish Kumar, Adv.

Mr. Manjit Singh, AAG
Mr. Harikesh Singh, Adv.for
Mr. Kamal Mohan Gupta, Adv.

UPON hearing counsel the Court made the following
ORDER

Let notice be issued to the Secretary, Ministry of Science and Technology, Union of India which will file its counter affidavit within four weeks stating that what measures are being taken to solve the water shortage problem in the country and for implementing the recommendation of Hon'ble Mr. Justice Markandey Katju in the decision of State of Orissa vs. Government of India & Another reported in JT 2009 (2) SCC 233.

The application for impleadment is allowed. Let notice issue to the newly added States.

List this matter on 28th April, 2009.

(Parveen Kr. Chawla)
Court Master

(Indu Satija)
Court Master

[Signed Order is placed on the File]

REPORTABLE
 IN THE SUPREME COURT OF INDIA
 CIVIL ORIGINAL JURISDICTION
 WRIT PETITION(CIVIL) NO.230 OF 2001

M.K.Balakrishnan & Others ..Petitioners

versus

Union of India & Others ..Respondents

ORDER

Heard learned counsel for the parties.

Pursuant to this Court's order dated 26th February, 2009, the Chief Secretaries, State of Haryana and Uttar Pradesh are personally present in the Court. Their personal presence is dispensed with unless directed in future.

The present Writ Petition under Article 32 of the Constitution of India relates to conservation of wet lands which in our opinion would include ponds, tanks, canals, creeks, water channels, reservoirs, rivers, streams and lakes. Although, the writ petition as framed related to protection of wetlands in the country for preservation of the environment and maintaining the ecology, we have suo motu expanded its scope as mentioned below.

There is acute shortage of water in our country and one of the main reasons for that is that most of the water

-2-

conservation bodies in our country such as ponds, tanks, small lakes etc. have been filled up in recent times by some greedy persons and such persons have constructed buildings, shops etc. on the same.

Our ancestors were wise people who realised that because of droughts or some other reasons there may be shortage of water in future and hence they made the provision of a pond near every village, tanks in or near temples, etc.. The whole idea behind this was that whenever there is a shortage of water due to drought etc., people may not suffer and they may use the water available in ponds, tanks etc. Unfortunately, people have forgotten the wisdom of our ancestors and that is why some greedy people for their personal interest and to make

money have filled up most of these ponds, tanks etc. and have constructed buildings thereon with the result that in most parts of India, there is a terrible water shortage and people are suffering terribly, particularly, in the summer season both in rural and urban areas. When water is not available, people come to the streets and there are chakka jams (road blocks), riots etc. to awaken the government authorities to take some measures to make available the necessity of life to the general public called water.

In many cities, in many colonies, people get water

-3-

for half an hour in a day and sometimes not even that e.g. in Delhi, Tamil Nadu, Rajasthan, U.P., Northeast etc. In large parts of rural areas there is a shortage of water for irrigation and drinking purpose. Rivers in India are drying up, ground water is being rapidly depleted and canals are polluted. The Yamuna in Delhi looks like a black drain. Several perennial rivers like the Ganga and Bahamputra are rapidly becoming seasonal. Rivers are dying or declining, and aquifers are getting over-pumped. Industries, hotels, etc. are pumping out groundwater at an alarming rate, causing sharp decline in the groundwater levels. Farmers are having a hard time finding ground water for their crops e.g. in Punjab. In many places there are serpentine queues of exhausted housewives waiting for hours to fill their buckets of water. In this connection, John Briscoe has authored a detailed World Bank report, in which he has mentioned that despite this alarming situation there is widespread complacency on the part of the authorities in India.

This Court in State of Orissa vs. Government of India & Another, JT 2009 (2) SC 233, in which one of us [Hon'ble Mr. Justice Markandey Katju] was a member, while agreeing fully with the reasoning and directions of the other Hon'ble Judge on the Bench Hon'ble Altamas Kabir, J., has recommended to the Central Government to immediately

-4-

constitute a body of eminent scientists in the field who should be requested to do scientific research in this area on a war footing to find

out scientific ways and means of solving the water shortage problem in the country. It was also recommended that the said body shall be given all the financial, technical and administrative help by the Central and State Governments for this purpose. The help and advice of foreign scientific experts and/or Indian scientists settled abroad who are specialized in this field may also be taken, since the solution to the problem will not only help India but also foreign countries which are facing the same problem, some of which may already have progressed significantly in this area. The present known methods e.g. distillation or reverse osmosis are very expensive. We have to find out cheaper methods and this is possible only by scientific research on a war footing. The said body of scientists was requested to, inter alia, perform the following tasks:

- (i) to find out an inexpensive method or methods of converting saline water into fresh water.
- (ii) to find out an inexpensive and practical method of utilizing the water, which is in the form of ice, in the Himalayas.
- (iii) to find out a viable method of utilizing rain water.
- (iv) to utilize the flood water by harnessing the rivers so that the excess water in the floods, may instead of causing damage, be

-5-

utilized for the people who are short of water, or be stored in reservoirs for use when there is drought.

In the said decision the Court also observed:

"42. It is indeed sad that a country like India which solved the problem of town planning 6000 years ago in the Indus Valley Civilization and which discovered the decimal system in Mathematics and Plastic Surgery in Medicine in ancient times, and is largely managing Silicon Valley in U.S.A. today has been unable to solve the problem of water shortage till now. In my opinion there is no dearth of eminent scientists in the field who can solve this problem, but they have not been organized and brought together and not been requested by the Central and State Governments to solve this problem, nor given the facilities for this.

43. In my opinion the right to get water is a part of right to life guaranteed by Article 21 of the Constitution. In this connection, it has been observed in Delhi Water Supply & Sewage Disposal Undertaking and Anr. vs. State of Haryana and Ors. [JT 1996 (6) SC 107; 1996 (2) SCC 572]:

"Water is a gift of nature. Human hand cannot be permitted to convert this bounty into a curse, an oppression. The primary use to which water is put being drinking, it would be mocking nature to force the

people who live on the bank of a river to remain thirsty".....

44. Similarly in Chameli Singh & Ors. v. State of U.P. & Ors. [JT 1995 (9) SC 380: 1996 (2) SCC 549] this Court observed:

".....Right to live guaranteed in any civilized society implies the right to food, water, decent environment,

-6-

education, medical care and shelter. These are basic human rights known to any civilized society. All civil, political, social and cultural rights enshrined in the Universal Declaration of Human Rights and Convention or under the Constitution of India cannot be exercised without these basic human rights".....

In Hinch Lal Tiwari vs. Kamala Devi, AIR 2001 S.C. 3215,

this Court observed (vide paragraphs 13 and 14):

"13. It is important to note that material resources of the community like forests, tanks, ponds, hillock, mountain etc. are nature's bounty. They maintain delicate ecological balance. They need to be protected for a proper and healthy environment which enable people to enjoy a quality life which is essence of the guaranteed right under Article 21 of the Constitution. The Government, including revenue authorities, i.e. respondents 11 to 13, having noticed that a pond is falling in disuse, should have bestowed their attention to develop the same which would, on one hand, have prevented ecological disaster and on the other provided better environment for the benefit of public at large. Such vigil is the best protection against knavish attempts to seek allotment in non-abadi sites.

14. For the aforementioned reasons, we set aside the order of the High Court, restore the order of the Additional Collector dated February 25, 1999 confirmed by the Commissioner on March 12, 1999. Consequently, respondents 1 to 10 shall vacate the land, which was allotted to them, within six months from today. they will, however, be permitted to take away the material of the houses which they have constructed on the said land. If respondents 1 to 10 do not vacate the land within the

-7-

said period the official respondents i.e. respondents 11 to 13 shall demolish the construction and get possession of the said land in accordance with law. The State including respondents 11 to 13 shall restore the pond, develop and maintain the same as a recreational spot which will undoubtedly be in the best interest of the villagers. Further it will also help in maintaining ecological balance and protecting environment in regard to which this Court has repeatedly expressed its concern. Such measures must begun at the grass-root level if they were to become the nation's pride."

Let notice be issued to the Secretary, Ministry of Science and

Technology, Union of India which will file its counter affidavit within four weeks stating what measures are being taken to solve the water shortage problem in the country and for implementing the recommendation of Hon'ble Markandey Katju, J. in the aforesaid decision in State of Orissa vs. Government of India & Another, JT 2009 (2) SC 233.

The application for impleadment is allowed. Let notice issue to the newly added States.

List this matter on 28th April, 2009.

.....J.
[MARKANDEY KATJU]

NEW DELHI;
MARCH 26, 2009.

.....J.
[B.SUDERSHAN REDDY]

Ms. Hemantika Wahi, Adv.

Mr. Radha Shyam Jena, Adv.

Mr. Naresh K. Sharma, Adv.

Mrs. Aruna Mathur, Adv.

**Mr. Vimal Dubay, Adv.for
M/s. Arputham Aruna & Co,**

Mr. Khwairakpam Nobin Singh, Adv.

**For State of Bihar &
Tripura**

Ms. Sangitaa Singh, Adv.

Mr. Manish Kumar, Adv.for

Mr. Gopal Singh, Adv.

Mr. B.S.Banthia, Adv.

Mr. Manish Singhvi, AAG

Mr. Milind Kumar, Adv.

Mr. R.S.Suri, Adv.

Mr. Ranjan Mukherjee, Adv.

Ms.Sumita Hazarika, Adv.

Mr. R.Ayyam Perumal, Adv.

Mr. Anil Shrivastav, Adv.

Mr. K.N.Madhusoodhanan, Adv.for

Mr. M.K.Michael, Adv.

Mr. R.Nedumaran, Adv.

Mr. R.Shunmugasundaram, Sr. Adv.

Mr. V.G.Pragasam, Adv.

Mr. S.J.Aristotle, Adv.

Mr. Prabu Rama Subramanian, Adv.

Mr. P.V.Dinesh, Adv.

Ms. Sindhu T.P., Adv.

Mr.Tabrez Ahmad, Adv.for

Mr. Anis Suhrawardy ,Adv.

Mr. Anil Kumar Jha, Adv.

**Mr. Sanjay R.Hegde, Adv.
Mr. A.Rohen Singh, Adv.**

**Mr. Edward Belho, Adv.
Mr. Rituraj Biswas, Adv.
Mr. P.Athuimei R. Naga, Adv.**

Ms. A.Subhashini, Adv.

**Mr. Manoj Saxena, Adv.
Mr. Rajnish K. Singh, Adv.
Mr. Rahul Shukla, Adv.**

**Mr. Sanjay V.Kharde, Adv.for
Ms. Asha G.Nair, Adv.**

**Mr. R.Shunmugh Sundram, Sr. Adv.
Mr. T.Harish Kumar, Adv.**

**Mr. Manjit Singh, AAG
Mr. Harikesh Singh, Adv.for
Mr. Kamal Mohan Gupta, Adv.**

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

Let notice be issued to the Secretary, Ministry of Science and Technology, Union of India which will file its counter affidavit within four weeks stating that what measures are being taken to solve the water shortage problem in the country and for implementing the recommendation of Hon'ble Mr. Justice Markandey Katju in the decision of State of Orissa vs. Government of India & Another reported in JT 2009 (2) SCC 233.

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List this matter on 28th April, 2009.

**(Parveen Kr. Chawla)
Court Master**

[Signed Order is placed on the File]

**(Indu Satija)
Court Master**

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“42. It is indeed sad that a country like India which solved the problem of town planning 6000 years ago in the Indus Valley Civilization and which discovered the decimal system in Mathematics and Plastic Surgery in Medicine in ancient times, and is largely managing Silicon Valley in U.S.A. today has been unable to solve the problem of water shortage till now. In my opinion there is no dearth of eminent scientists in the field who can solve this problem, but they have not been organized and brought together and not been requested by the Central and State Governments to solve this problem, nor given the facilities for this.

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“Water is a gift of nature. Human hand cannot be permitted to convert this bounty into a curse, an

oppression. The primary use to which water is put being drinking, it would be mocking nature to force the people who live on the bank of a river to remain thirsty”.....

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material of the houses which they have constructed on the said land. If respondents 1 to 10 do not vacate the land within the

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Let notice be issued to the Secretary, Ministry of Science and Technology, Union of India which will file its counter affidavit within four weeks stating what measures are being taken to solve the water shortage problem in the country and for implementing the recommendation of Hon'ble Markandey Katju, J. in the aforesaid decision in State of Orissa vs. Government of India & Another, JT 2009 (2) SC 233.

The application for impleadment is allowed. Let notice issue to the newly added States.

List this matter on 28th April, 2009.

.....J.
[MARKANDEY KATJU]

NEW DELHI;
MARCH 26, 2009.

.....J.
[B.SUDERSHAN REDDY]

REPORTABLE
IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION
WRIT PETITION(C) NO.230 OF 2001

M.K.Balakrishnan & Others **Petitioners**

versus

Union of India & Others **Respondents**

ORDER

On 26th March, 2009 we had passed a detailed order relating to the problem of water shortage in our country and we had issued notice to the Secretary, Ministry of Science & Technology asking him to file a counter affidavit within four weeks stating what measures have been taken to solve the water problem in the country and for implementing the recommendations given by one of us (Hon'ble Mr. Justice Markandey Katju) in the decision in State of Orissa vs. Government of India & another JT 2009(2) SC 233.

Despite having immense reservoirs of water in the form of the Himalayas in the North and the Arabian sea, Indian Ocean and the Bay of Bengal in the West, South and East of India, there are water shortages everywhere often leading to riots, road blocks and other disturbances and disputes for getting water. In many cities, in many colonies people get water for half an hour in a day, and

-2-

sometimes not even that e.g. in Delhi, South India, Rajasthan, U.P., Madhya Pradesh, Orissa, Maharashtra, Northeast, etc.. In large parts of rural areas there is

shortage of water for irrigation and drinking purpose. Rivers in India are drying up, ground water is being rapidly depleted, and canals are polluted. The Yamuna in Delhi looks like a black drain. Several perennial rivers like the Ganga and Brahmaputra are rapidly becoming seasonal. Rivers are dying or declining, and aquifers are getting over-pumped. Industries, hotels, etc. are pumping out groundwater at an alarming rate, causing sharp decline in the groundwater levels. Farmers are having a hard time finding ground water for their crops e.g. in Punjab. In many places there are serpentine queues of exhausted housewives waiting for hours to fill their buckets of water. In this connection John Briscoe has authored a detailed World Bank report, in which he has mentioned that despite this alarming situation there is widespread complacency on the part of the authorities in India.

In our opinion it is science alone which can solve this problem (as well as the other gigantic problems facing the country).

India has a strong heritage of science. With the aid of science we had built mighty civilizations thousands of

-3-

years ago when most people in Europe (except in Greece and Rome) were living in forests. We had made outstanding scientific discoveries and inventions in the past (see Will Durants' `The Story of Civilization : Our Oriental Heritage). However, we subsequently took to the unscientific path of superstitions and empty rituals, which has led us to disaster. The way out therefore for our nation is to once again turn to the scientific path shown by our ancestors – the path of Aryabhatta and Brahmagupta, Sushrut and Charak, Ramanujan and Raman.

It is indeed sad that a country like India which scientifically solved the problem of town planning 6000 years ago in the Indus Valley Civilization and which discovered the decimal system in Mathematics and Plastic Surgery in Medicine in ancient times, and is largely managing Silicon Valley in U.S.A. today has been unable to solve the problem of water shortage till now. In our opinion there is no dearth of eminent scientists in the field who can solve this problem, but they have not been organized and brought together and not been requested by the Central and State Governments to do their patriotic and sacred duty to solve this problem, nor given the facilities for this.

In our opinion the right to get water is a part of

-4-

the right to life guaranteed by Article 21 of the Constitution. In this connection, it has been observed by the Court in Delhi Water Supply & Sewage Disposal Undertaking and Anr. vs. State of Haryana and Ors. 1996(2) SCC 572 :

“Water is a gift of nature. Human hand cannot be permitted to convert this bounty into a curse, an oppression. The primary use to which water is put being drinking, it would be mocking nature to force the people who live on the bank of a river to remain thirsty”.....

Similarly in Chameli Singh & Ors. vs. State of U.P. & Ors. 1996(2) SCC

549 this Court observed :

“.....Right to live guaranteed in any civilized society implies the right to food, water, decent environment, education, medical care and shelter. These are basic human rights known to any civilized society. All civil, political, social and cultural rights enshrined in the Universal Declaration of Human Rights and Convention or under the Constitution of India cannot be

exercised without these basic human rights.”.....

We, therefore, direct the Central government to forthwith constitute a Committee to address the problems referred to in our order dated 26th March, 2009 which shall do scientific research on a war footing for solving the water shortage in most parts of our country because of which

-5-

our people are suffering terribly. Without water there can be no life, as the Hindi poet Rahim wrote, and Article 21 of our Constitution guarantees the right to life to all persons living in India.

The Central Government is, therefore, directed to form this Committee to address the water shortage problem at the earliest, latest within two months from today. This Committee shall have the Secretary, Union Ministry of Science & Technology as its Chairman. Amongst the members of the Committee will be the Secretary, Union Ministry of Water Management. The other members of the Committee will be scientists specialized in the field of solving water shortage problems nominated by the Chairman of the Committee and they are requested to take help from foreign scientists specialized in this field. The members of the Committee should regard this work as a patriotic duty, and the entire people of India including N.R.Is. settled abroad should help this Committee.

The Committee is directed to do scientific research on a war footing to solve the water shortage in the country. In particular the Committee shall do the following:

- (a) Scientific research on a war footing to find out inexpensive methods of converting saline water into fresh water. This will be very useful in the

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coastal states because the sea has almost an infinite amount of water reserves and the only problem is to find out an inexpensive methods to convert it into fresh water. The present methods like distillation, reverse osmosis etc. are very expensive methods and cannot be afforded by a poor country like India. Hence we have to find out inexpensive methods and this is only possible by scientific research.

- (b) Scientific research to find out methods of harnessing and managing monsoon rain water and also to manage the flood waters and also to do research in rain water harvesting, and treatment of waste water so that it may be recycled and available as potable water.

- © Any other methods or suggestions including for matters for protection and preservation of wet lands and matters connected thereto.

This Committee should be given all the financial, technical and administrative help by the Central and State Governments for this purpose. The Committee is requested to do patriotic duty to the nation in this connection, and by scientific research to find out the ways of solving the water shortage problem in the country. The help and advice of foreign scientific experts and/or Indian scientists settled abroad who are specialized in this field may also be taken, since the solution to the problem will not only help India but also foreign countries which are facing the same

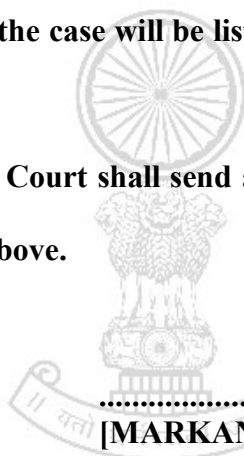
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problem, some of which may already have progressed significantly in this area.

In our opinion, this is absolutely essential now because the whole country is reeling under acute shortage of water as referred to in our order dated 26th March, 2009, some details of which have been given in the said order.

We propose to monitor this case from time to time. For this purpose this matter will be listed on the second Tuesday possibly of every alternative month. List again on the 11th August, 2009, on which date a progress report will be submitted before us by the Chairman of the Committee who is requested to be personally present before us. Thereafter the case will be listed on the 20th October, 2009 and so on.

The Registry of this Court shall send a copy of this order to the members of the Committee mentioned above.



.....J.
[MARKANDEY KATJU]

JUDGMENT

New Delhi;
April 28, 2009.

.....J.
[H.L. DATTU]

XIT EM NO.MM-1

Cou r t No.1 0

S E C T I O N PIL

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

I.A. No...../20 0 9 in W R I T P E T I T I O N (C I V I L) N O (s) . 23 0 O F 20 0 1

M.K. B A L A K R I S H N A N & O R S.

P e t i t i o n e r (s)

V E R S U S

U N I O N O F I N D I A & O R S.

R e s p o n d e n t (s)

(A p p l i c a t i o n f o r d i r e c t i o n)

Date: 22/07/2 0 0 9

This P e t i t i o n w a s c a l l e d o n f o r h e a r i n g t o d a y .

C O R A M :

H O N ' B L E M R . J U S T I C E M A R K A N D E Y K A T J U

H O N ' B L E M R . J U S T I C E V . S . S I R P U R K A R

F o r P e t i t i o n e r (s)

M r . N a r e s h K u m a r , A d v .

F o r R e s p o n d e n t (s)

M r . B . V . B a l a r a m D a s , A d v .

U P O N h e a r i n g c o u n s e l t h e C o u r t m a d e t h e f o l l o w i n g
O R D E R

L i s t n e x t w e e k .

(S h a s h i S a r e e n)

(I n d u S a t i j a

C o u r t M a s t e r

C o u r t M a s t e r

ITEM NO.1

COURT NO.9

SECTION PIL

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

IA No.4 in WRIT PETITION (CIVIL) NO(s). 230 OF 2001

M.K. BALAKRISHNAN & ORS.

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(for directions and office report)

Date: 07/08/2009 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MARKANDEY KATJU

HON'BLE MR. JUSTICE ASOK KUMAR GANGULY

For Petitioner(s) Mr. Gopal Sankaranarayanan, Adv.for
Mr. Naresh Kumar, Adv.

For Respondent(s) Ms. Indira Jaising, ASG
Mr. S.W.A. Qadri, Adv.
Ms. Sunita Sharma, Adv.
Mr. Aditya Sharma, Adv.for
Mr. D.S.Mahra, Adv.

Mr. S.W.A. Qadri, Adv.
Ms. Sunita Sharma, Adv.for
Mr. B.V. Balaram Das, Adv.

Ms. Momota Oinam, Adv.for
M/s. Corporate Law Group

Mr. Avijit Bhattacharjee, Adv.
Mr. Saumya Kundu, Adv.
Mr. Bikas Kar Gupta, Adv.

Ms. Kamini Jaiswal, Adv.

Ms. Hemantika Wahi, Adv.

Ms. Pinky Behera, Adv.

-2-

Mr. Radha Shyam Jena, Adv.

Mr. Naresh K. Sharma, Adv.

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Mr. Gopal Singh, Adv.

Mrs. Aruna Mathur, Adv.

Mr. Vimal Dubay, Adv.for

M/s. Arputham Aruna & Co,

Mr. Khwairakpam Nobin Singh, Adv.

Mr. Vikrant Singh Bais, Adv.for

Mr. B.S.Banthia, Adv.

Dr. Manish Singhvi, AAG

Mr. Milind Kumar, Adv.

Mr. Ranjan Mukherjee, Adv.

Ms. Sumita Hazarika, Adv.

Mr. R. Ayyam Perumal, Adv.

Mr. Ritu Raj, Adv. for
Mr. Anil Shrivastav, Adv.

Mr. K.N. Madhusoodhanan, Adv. for
Mr. M.K. Michael, Adv.

Mr. V.G. Pragasam, Adv.
Mr. S.J. Aristotle, Adv.
Mr. Prabu Rama Subramanian, Adv.

Mr. P.V. Dinesh, Adv.
Ms. Sindhu T.P., Adv.
Mr. Jojo Jose, Adv.

Mr. Anis Suhrawardy, Adv.
Mr. Sanjay R. Hegde, Adv.
Mr. Amit Kr. Chawla, Adv.
Mr. A. Rohen Singh, Adv.

-3-

Ms. A. Subhashini, Adv.

Mr. Manoj Saxena, Adv.
Mr. Rajnish K. Singh, Adv.
Mr. Rahul Shukla, Adv.

Ms. Asha G. Nair, Adv.

Mr. T. Harish Kumar, Adv.
Mr. V. Vasudevan, Adv.
Mr. P. Prasanth, Adv.

Mr. Manjit Singh, AAG for
Mr. Kamal Mohan Gupta, Adv.

Mr. S.R. Singh, Sr. Adv.
Mr. Shail Kumar Dwivedi, AAG
Mr. Anuvrat Sharma, Adv.

Ms. Nitin Kumari Sinha, Adv.
Mr. K.K. Mahalik, Adv. for
Mr. Ajay Pal, Adv.

UPON hearing counsel the Court made the following
ORDER

Issue notice on IA No.4.

Mr. Sanjay R. Hegde, Advocate waives notice on behalf of the
State of Karnataka and seeks time to file reply.

Two weeks' time is allowed to file reply to IA No.4 and one week
thereafter is allowed to file rejoinder, if any.

List immediately thereafter.
(Parveen Kr. Chawla) (Indu Satija)
Court Master Court Master

Ä-ITEM NO.102

COURT NO.9

SECTION PIL

SUPR EME COUR T OF I N D I A
RECORD OF PROCEEDINGS

WRIT PETITION (CIVIL) NO(s). 230 OF 2001

M.K. BALAKRISHNAN & ORS.

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(With appln(s) for directions and impleadment as party respondent and
with office report)

WITH S.L.P.(C) NO.5822 OF 2006

Date: 11/08/2009 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MARKANDEY KATJU

HON'BLE MR. JUSTICE ASOK KUMAR GANGULY

For Petitioner(s)
in WP 230/2001Mr. Gopal Sankaranarayanan, Adv.
Mr. Naresh Kumar, Adv.For Petitioner(s)
in SLP 5822/2006Mr. Rupinder Singh Suri, Sr. Adv.
Mr. Anjan Chakraborty, Adv.
Mr. Kripa Shankar Prasad, Adv.
Mr. Chanchal Kumar Ganguli, Adv.

For Respondent(s)

Mr. Gopal Subramaniam, SG
Mr.D.S.Nahra, Adv.
Ms. Asha G.Nair, Adv.
Mr. Amey Nargolkar, Adv.
Mr. Varun Sarin, Adv.
Mr. Aditya Sharma, Adv.

Mr. S.R.Singh, Sr. Adv.
Mr. Shail Kumar Dwivedi, Adv.
Mr. Anuvrat Sharma, Adv.
Ms. Vandana Mishra, Adv.
Mr. Kapil Mishra, Adv.
Ms. Alka Sinha, Adv.

-2-

Mr. S.W.A. Qadri, Adv.
Mr. Rohitash S.Nagar, Adv.
Ms. Sunita Sharma, Adv.for
Mr. B.V. Balaram Das, Adv.Ms. Momota Oinam, Adv.for
M/s. Corporate Law GroupMr. Avijit Bhattacharjee, Adv.
Mr. Bikas Kargupta, Adv.

Ms. Kamini Jaiswal, Adv.

Ms. Hemantika Wahi, Adv.
Ms. Pinky Behera, Adv.
Ms. K.Enatoli Sema, Adv.

Mr. Radha Shyam Jena, Adv.

Mr. Naresh K. Sharma, Adv.

Mrs. Aruna Mathur, Adv.for
M/s. Arputham Aruna & Co,

Mr. Khwairakpam Nobin Singh, Adv.

For State of Bihar &
Tripura

Mr. Ritu Raj Biswas, Adv.
Mr. Manish Kumar, Adv.for
Mr. Gopal Singh, Adv.

Mr. Vikrant Singh Bais, Adv.for
Ms. Vibha Datta Makhija, Adv.

Mr. Milind Kumar, Adv.

Mr. Ranjan Mukherjee, Adv.

Ms. Sumita Hazarika, Adv.

Mr. R. Ayyam Perumal, Adv.

Mr. Anil Shrivastav, Adv.

Mr. M.K. Michael, Adv.

Mr. R. Nedumaran, Adv.

-3-

Mr. V.G. Pragasam, Adv.
Mr. S.J. Aristotle, Adv.
Mr. Prabu Rama Subramanian, Adv.

Mr. P.V. Dinesh, Adv.
Ms. Sindhu T.P., Adv.
Mr. Jojo Jose, Adv.

Mr. S. Mehdi Imam, Adv.

Mr. Tabrez Ahmad, Adv.for

Mr. Anis Suhrawardy, Adv.

Mr. Sanjay R. Hegde, Adv.
Mr. A. Rohen Singh, Adv.
Mr. Amit Kr. Chawla, Adv.

Mr. K.K. Mahalik, Adv.
Ms. Nity Kumari Sinha, Adv.for
Mr. Ajay Pal, Adv.

Mr. Edward Belho, Adv.
Mr. P. Athuimei R. Naga, Adv.

Ms. A. Subhashini, Adv.

Mr. I. Venkatanarayana, Sr. Adv.
Mr. Manoj Saxena, Adv.
Mr. Rajnish K. Singh, Adv.

Mr. Sanjay V. Kharde, Adv.for
Ms. Asha G. Nair, Adv.

Mr. T. Harish Kumar, Adv.

Mr. Manjit Singh, AAG
Mr. Kamal Mohan Gupta, Adv.

UPON hearing counsel the Court made the following
ORDER

Heard Shri Gopal Subramaniam, learned Solicitor General of India and Shri Gopal Sankaranarayanan, learned counsel for the petitioners.

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Pursuant to our order dated 28 April, 2009, Dr.

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T.Ramasami, Secretary, Ministry of Science and Technology, Government of India, is personally present in the Court. We have perused the first Progress Report submitted by the Committee, appointed by us, of which he is the Chairman. We record our appreciation of the commendable job done by the Committee. From a perusal of the Report, it appears that the Committee has meticulously gone into great detail and prepared a thorough and excellent plan to solve the water shortage problem in the country.

We would request the Committee to continue its work on a war footing and try to stick to the time Schedule prepared by it. We place on record our appreciation of the commendable job done by Dr. Ramasami and his Committee.

The Central Government and all the State Governments and Union Territories In India are directed to extend full support to this committee viz. technical, financial and administrative so that the great problem of water shortage in the country may be solved. We would request the Committee to also find out some measures to alleviate the immediate crisis which people in large parts of the Country are facing because of the monsoon failure this year in many parts.

The Secretary General of this Court is directed to send a copy of this Order along with a copy of the first Progress Report submitted by the Committee to the Cabinet Secretary of the Central Government and Chief Secretary of all States and Union Territories for extending full support to this Committee.

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List this matter on 20 October, 2009.

(Parveen Kr. Chawla)
Court Master

(Indu Satija)
Court Master

øITEM NO.1

COURT NO.7

SECTION PIL

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

I.A.No.4 in WRIT PETITION (CIVIL) NO(s). 230 OF 2001

M.K. BALAKRISHNAN & ORS.

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(With appln(s) for directions and office report)

Date: 19/10/2009 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MARKANDEY KATJU
HON'BLE MR. JUSTICE ASOK KUMAR GANGULY

For Petitioner(s)	Mr. Naresh Kumar, Adv.
For the applicant	Ms. Asha Upadhyay, Adv. Mr. R.D. Upadhyay, Adv.
For Respondent(s)	Mr. Parag Tripathi, ASG Mr. D.S.Nahra, Adv. Mr. W.A. Quadri, Adv. Ms. Sunita Sharma, Adv. Ms. Asha G.Nair, Adv. Ms. Anil Katiyar, Adv. Mr. Amey Kargolkar, adv. Mr. T.S. Doabia, Sr.Adv. Ms. Sunita Sharma, Adv. Mr. D.s. Mahra, adv. Mr. S.N. Terdal, Adv. Mr. S.R.Singh, Sr. Adv. Mr. Bharat Ram, Adv. Mr. Anuvrat Sharma, Adv. Mr. Riku Sarma, Adv. Mr. Ranjan Mazumdar, Adv. For

M/s. Corporate Law Group
Mr. B.B. Singh, Adv.

Mr. Radha Shyam Jena, Adv.

Mr. Avijit Bhattacharjee, Adv.

Ms. Kamini Jaiswal, Adv.

Ms. Hemantika Wahi, Adv.
Ms. Pinky Behera, Adv.
Ms. K.Enatoli Sema, Adv.

Mr. Radha Shyam Jena, Adv.

Mr. Naresh K. Sharma, Adv.

Mr. A. Mariarputham, Sr.Adv.
Mrs. Aruna Mathur, Adv.
Mr. Vimal Dubey, Adv.
M/s. Arputham Aruna & Co,

Mr. Khwairakpam Nobin Singh, Adv.

Mr. M.P.Singh, Adv.
Ms. Vibha Datta Makhija, Adv.

Dr. Manish Singhvi, AAG
Mr. Milind Kumar, Adv.
Mr. Devanshu Kumar, Adv.

Mr. Ranjan Mukherjee, Adv.

Ms. Sumita Hazarika, Adv.

Mr. R.Ayyam Perumal, Adv.

Mr. Anil Shrivastav, Adv.

Mr. M.K.Michael, Adv.

Mr. R.Nedumaran, Adv.

Mr. V.G.Pragasam, Adv.
Mr. S.J.Aristotle, Adv.
Mr. Prabu Rama Subramanian, Adv.
Mr. P.V.Dinesh, Adv.
Ms. Sindhu T.P., Adv.
Mr. P. Rajesh, Adv.
Mr. H. Mohan, Adv.
Mr. Jojo Jose, Adv.

Mr. Anis Suhrawardy, Adv.

Mr. L.N. Rao, Sr. Adv.
Mr. Sanjay R. Hegde, Adv.
Mr. A. Rohen Singh, Adv.
Mr. Ramesh Kumar Mishra, Adv.
Mr. Amit Kr. Chawla, Adv.

Mr. Edward Belho, Adv.
Mr. P. Athuime R. Naga, Adv.

Ms. A. Subhashini, Adv.

Mr. Kuldip Singh, Adv.

Mr. Sanjay V. Kharde, Adv.
Ms. Asha G. Nair, Adv.

Mr. T. Harish Kumar, Adv.
Mr. P. Prasaanth, Adv.
Mr. V. Vasudevan, Adv.

Mr. Manjit Singh, AAG
Mr. Kamal Mohan Gupta, Adv.

Mr. Manoj Saxena, Adv.
Mr. Rajnish Kumar Singh, Adv.
Mr. Rahul Shukla, Adv.
Ms. Bachita Baruah, Adv.
Mr. T.V. George, Adv.

Mr. Anil Shrivastav, Adv.

Mr. Gopal Singh, Adv.
Mr. Rituraj Biswas, Adv.

Mrs. Hemantika Wahi, Adv.
Mr. Somanath Padhan, Adv.

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

List I.A. No.4 along with the main matter which is coming up on 20th October, 2009.

Union of India is permitted to file the progress report.

Learned counsel appearing on behalf of the petitioner may file the Rejoinder Affidavit during the course of the day. the

(Sukhbir Paul Kaur)
Court Master

(Vinod Kulvi)
Court Master

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WP(C) 230/2001 etc.

ITEM NO.102

COURT NO.7

SECTION PIL/IX

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

WRIT PETITION (CIVIL) NO(s). 230 OF 2001

M.K. BALAKRISHNAN & ORS.

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(With office report)

WITH SLP(C) No. 5822/2006

Date: 27/01/2010 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MARKANDEY KATJU
HON'BLE MR. JUSTICE T.S. THAKUR

For Petitioner(s)

Mr. Gopal Sankaranarayanan, Adv.for
Mr. Naresh Kumar, Adv.

Mr. R.S. Suri, Sr. adv.
Mr. Anjan Chakraborty, Adv.
Mr. K.S.Prasad, Adv.
Mr. C.K. Ganguly, Adv.

For Respondent(s)

For UOI

Mr. Parag P. Tripathi, ASG
Mr. T.S. Doabia, Sr. Adv.
Mr. Amey Nargolkar, Adv.
Mr. Devansh A. Mohta, Adv.
Mr. R.S. Nagar, Adv.
Ms. Asha G. Nair, Adv.
Mr. D.S.Mahra, Adv.

For NCT of Delhi

Mr. S.W.A. Qadri, Adv.
Ms. Sunita Sharma, Adv.
Mr. S.N. Terdal, Adv.
Mr. Rohitash S. Nagar, Adv.
Mrs. Anil Katiyar, Adv.

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WP(C) 230/2001 etc.

For States of Arunachal Pradesh

Mr. Anil Srivastava, Adv.
Mr. Rituraj Biswas, Adv.

For State of Punjab

Mr. Kuldip Singh, Adv.
Mr. R.K. Pandey, Adv.
Mr. T.P. Mishra, Adv.
Mr. Sanjay Katyal, adv.
Mr. H.S. Sandhu, Adv.

For Applicants in IA No. 8 to 10

Mr. Shiv Sagar Tiwari, Adv.
Mr. A.P. Shukla, Adv.

For State of Nagaland

Mr. Edward Belho, Adv.
Ms. Enatoli Sema, Adv.
Mr. Rituraj Biswas, Adv.
Mr. Anil Srivastava, adv.

Ms. Momota Oinam, Adv.for
M/s. Corporate Law Group, Advs.

- For State of W.B. Mr. Avijit Bhattacharjee, Adv.
Mr. Bikas Kargupta, Adv.
- For UT of Chandigarh Ms. Kamini Jaiswal, Adv.
Mrs. Rani Mishra, Adv.
Mr. Abhimanu Shrestha, Adv.
- Ms. Hemantika Wahi, Adv.
Ms. Jesal, Adv.
- Mr. Radha Shyam Jena, Adv.
- Mr. Naresh K. Sharma, Adv.
- For State of Bihar Mr. Gopal Singh, Adv.
Mr. Manish Kumar, Adv.
- For State of Tripura Mr. Gopal Singh, Adv.
Mr. Rituraj Biswas, Adv.
Mr. Manish Kumar, Adv.
- For State of Sikkim Mr. A. Mariarputham, Sr. Adv.
Mrs. Aruna Mathur, Adv.
Mr. Vimal Dubay, Adv.
Mr. Amarjeet Singh, Adv. for
M/s. Arputham Aruna & Co, Advs.
3 WP(C) 230/2001 etc.
- For State of Manipur Mr. Khwairakpam Nobin Singh, Adv.
- For State of M.P. Mr. Vikrant Singh Bais, Adv.for
Mrs. Vibha Dutta Makhija, Adv.
- Mr. Pragyan Pradip Sharma, Adv.
Mr. P.V. Yogeswaran, Adv.
Dr. R.N. Upadhya, Adv.
- Dr. Manish Singhvi, AAG
Mr. Milind Kumar, Adv.
- Mr. Ranjan Mukherjee, Adv.
Mr. S. Bhowmick, Adv.
- Ms.Sumita Hazarika, Adv.
- Mr. R.Ayyam Perumal, Adv.
- Mr. Ritu Raj, Adv.for
Mr. Anil Shrivastav, Adv.
- Mr. K.N.Madhusoodhanan, Adv.for
Mr. M.K.Michael, Adv.
- For UT of Pondicherry Mr. V.G.Pragasam, Adv.
Mr. S.J.Aristotle, Adv.
Mr. Prabu Rama Subramanian, Adv.
- Mr. P.V.Dinesh, Adv.
Ms. Sindhu T.P., Adv.
Mr. Jojo Jose, Adv.
Mr. H. Manav, Adv.
- For State of J&K Mr. Anis Suhrawardy ,Adv.
Mrs. Shamama Anis, adv.
Mr. Syed Mehdi Imam, Adv.
Mr. Tebrez Ahmad, Adv.
- Mr. Sanjay R.Hegde, Adv.

Mr. A.Rohen Singh, Adv.

For State of Goa

Ms. A.Subhashini, Adv.

For State of A.P.

Mr. I. Venkatanarayana, Sr. Adv.

Mr. Manoj Saxena, Adv.

4

WP(C) 230/2001 etc.

Mr. Rajnish K. Singh, Adv.

Mr. Mayank Nigam, Adv.

Mr. T.V. George, Adv.

For State of Maharashtra

Mr. Sanjay Kharde, Adv.

Ms. Asha G.Nair, Adv.

For State of T.N.

Mr. T.Harish Kumar, Adv.

Mr. V.Vasudevan, Adv.

Mr. P.Prasanth, Adv.

For State of Haryana

Mr. Manjit Singh, AAG for Haryana

Mr. Kamal Mohan Gupta, Adv.

For State of UP

Mr. S.R.Singh, Sr. Adv.

Mr. Sandeep Singh, Adv.

Ms. Alka Sinha, Adv.

Mr. Anuvrat Sharma, Adv.

For Intervening Party
(Ocean Water Development
Project)

Mr. Ashok Bhan, Adv.

for Mr. S.S. Rawat, Adv.

UPON hearing counsel the Court made the following

O R D E R

Application for intervention filed on behalf of

Ocean Water Development Project is rejected.

WP(C) No. 230/2001 & SLP(C) No. 5822/2006

List in the third week of July, 2010.

(Ajay Kr. Jain)
Court Master

(Indu Satija)
Court Master

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ITEM NO.111

COURT NO.4

SECTION PIL

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS
WRIT PETITION (CIVIL) NO(s). 230 OF 2001

M.K. BALAKRISHNAN & ORS.

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(With office report)
WITH SLP(C) NO. 5822 of 2006

Date: 05/04/2013 These petitions were called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE B.S. CHAUHAN
HON'BLE MR. JUSTICE FAKKIR MOHAMED IBRAHIM KALIFULLA

For Petitioner(s)

Mr. Naresh Kumar,Adv.
Mr. Deepayan Mandal,Adv.
Ms. Pallavi T. Chadda,Adv.
Mr. Chanchal K.Ganguli,Adv.

For Respondent(s)

Mr. B.V. Balaram Das,Adv.
Mr. Avijit Bhattacharjee,Adv.
Mr. Gopal Singh,Adv.
Ms. Hemantika Wahi,Adv.
Ms. Kamini Jaiswal,Adv.
Mr. Naresh K. Sharma,Adv.
Mr. R.D. Upadhyay,Adv.
M/S Arputham,Aruna & Co.,Adv.
Mr. R. Ayyam Perumal,Adv.
Ms. Sunita Sharma,Adv.
Mr. D.S. Mahra,Adv.
Mr. Ranjan Mukherjee,Adv.
Mr. V.G. Pragasam ,Adv
Mr. S.J. Aristotle,Adv.
Mr. Prabu Ramasubramanian,Adv.
Mr. Anil Kumar Jha,Adv.
Mr. B.S. Banthia,Adv
Mr.Khwairakpam Nobin Singh,Adv.
Mr. Shiv Sagar Tiwari,Adv.
Mr. Radha Shyam Jena,Adv.
Mr. Anil Shrivastav,Adv.
Mr. Sanjay R. Hegde,Adv.

Mr. Abhijit Sengupta, Adv.
Mr. R. Nedumaran, Adv.
Mr. Kamal Mohan Gupta, Adv.
M/S Corporate Law Group, Adv.
Mr. S. Chandra Shekhar, Adv.
Ms. Sumita Hazarika, Adv.
Mr. P.V. Yogeswaran, Adv.
Mr. P.V. Dinesh, Adv.
Mr. Milind Kumar, Adv.
Ms. Liz Mathew, Adv.
Mr. Sunil Fernandes, Adv.
Mr. Kunal Verma, Adv.
Mr. Suryanarayana Singh, Adv.
Ms. Pragati Neekhara, Adv.
Mr. Mishra Sourabh, Adv.
Mr. Sancahar Anand, Adv.
Mr. Anil Shrivastav, Adv.

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

Put up next week, as prayed for.

(O.P. Sharma)
Court Master

(M.S. Negi)
Court Master

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ITEM NO.103

COURT NO.11

SECTION PIL

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS
WRIT PETITION (CIVIL) NO(s). 230 OF 2001

M.K. BALAKRISHNAN & ORS.

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.
(With office report)

Respondent(s)

WITH SLP(C) NO. 5822 of 2006

Date: 08/04/2013 These Petitions were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE CHANDRAMAULI KR. PRASAD
HON'BLE MR. JUSTICE V. GOPALA GOWDA

For Petitioner(s) Mr. Gopal Sankaranarayanan, Adv.
(W.P. No. 230/01) for Mr. Naresh Kumar, Adv.

(S.L.P.(C) 5822/06) Mr. Altaf Ahmed, Sr. Adv.
Mr. R.S. Suri, Sr. adv.
Ms. Deepayan Mandal, Adv.
Ms. Pallavi Tayal Chadela, Adv.
Mr. C.K. Ganguly, Adv.

For Respondent(s) Mr. Rakesh Kr. Khanna, ASG
For UOI Mr. D.S.Mahra, Adv.
Mr. B.V. Balaram Das, Adv.

For NCT of Delhi Mr. S.Wasim A. Qadri, Adv.
Ms. Sunita Sharma, Adv.
Mr. T.A. Khan, Adv.
Mr. Yatin B., Adv.
Mr. D.S. Mahra, Adv.

For State of Arunachal Pradesh Mr. Anil Srivastava, Adv.
Mr. Ritu Raj, Adv.

For State of Punjab Mr. Sanchar Anand, Addl. A.G.

For State of W.B. Mr. Avijit Bhattacharjee, Adv.

For UT of Chandigarh Ms. Kamini Jaiswal, Adv.

For State of Gujarat Ms. Hemantika Wahi, Adv.

For State of Bihar Mr. Gopal Singh, Adv.
Mr. Manish Kumar, Adv.

For State of Sikkim Mr. A. Mariarputham, Adv. General
Mrs. Aruna Mathur, Adv.
Mr. Yusuf Khan, Adv.
for M/s. Arputham Aruna & Co, Adv.

For State of Manipur Mr. Khwairakpam Nobin Singh, Adv.
Mr. S. Biswajit Meitei, Adv.

For State of M.P. Mr. Mishra Saurabh, Adv.

For UT of Pondicherry Mr. V.G.Pragasam, Adv.

For State of J&K Mr. Sunil Fernandes, Adv.
Ms. Astha Sharma, Adv.

For State of T.N. Mr. B. Balaji, Adv.
Mr. T. Mouli Mahendran, Adv.
Mr. R. Rakesh Sharma, Adv.
Mr. P. Krishnamoorthy, Adv.

For State of Haryana Mr. Manjit Singh, AAG for Haryana
Ms. Vivekta Singh, Adv.
Mr. Tarjit Singh, Adv.
Mr. Anil Antil, Adv.
Mr. Kamal Mohan Gupta, Adv.

For State of U.P. Mr. Ameet Singh, Adv.
Ms. Pareena Swarup, Adv.
Ms. Alka Sinha, Adv.
Mr. Anuvrat Sharma, Adv.

For State of Jharkhand Mr. Tapes Kr. Singh, Adv.

For State of Assam Mr. Navneet Kumar, Adv.
Ms. Vartika Sahay Walia, Adv.
for M/s Corporate Law Group, Adv.

For State of H.P. Mr. Suryanarayana Singh, AAG
Ms. Pragati Neekhra, Adv.

For State of Meghalaya Mr. Ranjan Mukherjee, Adv.
Mr. S.C. Ghosh, Adv.
Mr. S. Bhowmick, Adv.
Mr. R.P. Yadav, Adv.

Ms. Liz Mathew, Adv.
Mr. M.F. Philip, Adv.

Ms. K. Enatoli Sema, Adv.
Mr. Amit Kumar Singh, Adv.

Mr. R.D. Upadhyay, Adv.

Mr. Shiv Sagar Tiwari, Adv.

Mr. Sanjay R.Hegde, Adv.

Mr. P.V. Yogeswaran, Adv.

Mr. Milind Kumar, Adv.

Ms. Sumita Hazarika, Adv.

Mr. R.Ayyam Perumal, Adv.

Mr. S. Chandra Shekhar, Adv.

Mr. Radha Shyam Jena, Adv.

Mr. Naresh K. Sharma, Adv.

Mr. B.S. Banthia, Adv.

Mr. P.V.Dinesh, Adv.

Mr. R. Nedumaran, Adv.

Mr. Anil Kumar Jha, Adv.

Mr. Abhijit Sengupta, Adv.

Mr. Kunal Verma, Adv.

UPON hearing counsel the Court made the following

O R D E R

Writ Petition (C) No. 230 of 2001:

Relevant portion of the Order dated 26th March, 2009 reads as follows:

"The present Writ Petition under Article 32 of the Constitution of India relates to conservation of wet lands which in our opinion would include ponds, tanks, canals, creeks, water channels, reservoirs, rivers, streams and lakes. Although, the writ petition as framed related to protection of wetlands in the country for preservation of the environment and maintaining the ecology, we have suo motu expanded its scope as mentioned below.

There is acute shortage of water in our country and one of the main reasons for that is that most of the water conservation bodies in our country such as ponds, tanks, small lakes etc. have been filled up in recent times by some greedy persons and such persons have constructed buildings, shops etc. on the same."

Thereafter, the matter came up for consideration on 28th April, 2009. On the said date, this Court directed as follows:

"We, therefore, direct the Central government to forthwith constitute a Committee to address the problems referred to in our order dated 26th March, 2009 which shall do scientific research on a war footing for solving the water shortage in most parts of our country because of which our people are suffering terribly. Without water there can be no life, as the Hindi poet Rahim wrote, and Article 21 of our Constitution guarantees the right to life to all persons living in India."

By the said Order, this Court further directed as follows:

"We propose to monitor this case from time to time. For this purpose this matter will be listed on the second Tuesday possibly of every alternative month. List again on the 11th August, 2009, on which date a progress report will be submitted before us by the Chairman of the Committee who is requested to be personally present before us. Thereafter the case will be listed on the 20th October, 2009 and so on."

Thereafter, the matter was listed on several occasions.

Mr. Rakesh Kumar Khanna, Additional Solicitor General appearing on behalf of the Union of India, prays for time.

List after four weeks under appropriate heading.

S.L.P. (C) No. 5822 of 2006

De-tagged from Writ Petition (C) No. 230 of 2001.

Leave granted.

The matter remains part heard.

| (S.K. Rakheja)
| Court Master

| |(Indu Satija)
| Court Master

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ITEM NO.102

COURT NO.8

SECTION PIL

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS
WRIT PETITION (CIVIL) NO.230 OF 2001

M.K. BALAKRISHNAN & ORS. Petitioner(s)

VERSUS

UNION OF INDIA & ORS. Respondent(s)

(With office report)

Date: 02/04/2014 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE CHANDRAMAULI KR. PRASAD

HON'BLE MR. JUSTICE PINAKI CHANDRA GHOSE

For Petitioner(s) Mr. Gopal Sankaranarayanan, Adv.
Mr. Vikramaditya, Adv.
For Mr. Naresh Kumar, Adv.

For Respondent(s) Mr. J.S. Attari, Sr. Adv.
Mr. S. Wasim A Qadri, Adv.
Mr. Zaid Ali, Adv.
Mr. D.S. Mahra, Adv.
Mr. B.V. Balaram Das, Adv.

Mr. Sanchar Anand, Adv.
For Mr. Kuldip Singh, Adv.

Mrs. K. Enatoli Sema, Adv.
Mr. Amit Kumar Singh, Adv.

Mr. Chandan Kumar, Adv.
For Mr. Gopal Singh, Adv.

Mr. Tapesk Kumar Singh, Adv.
Mr. Mohd. Waquas, Adv.

Ms. Asha G. Nair, Adv.
Mr. Abhishek Kumar Pandey, Adv.

Mr. Kamal Mohan Gupta, Adv.

Mr. K.V. Jagdishvaran, Adv.
Mrs. G. Indira, Adv.
Mr. Balasubramaiah, Adv.

Mr. S.S. Shamsbery, AAG
Mr. Sandeep Singh, Adv.
Mr. Amit Sharma, Adv.
For Mr. Milind Kumar, Adv.

Mr. Sanjay Visen, Adv.
Mr. Abhishek Chaudhury, Adv.

Mr. V.G. Pragasam, Adv.
Mr. S.J. Aristotle, Adv.
Mr. Prabu Ramasubramanian, Adv.

Ms. Puja Singh, Adv.
Ms. Preeti Bhardwaj, Adv.

For Ms. Hemantika Wahi, Adv.

Mr. Sapam Biswajit Meitei, Adv.
Mr. Khwairakpam Nobin Singh ,Adv

Mr. Anip Sachthey, Adv.

Ms. Vartika Sahay, Adv.
For M/S Corporate Law Group

Mrs. Aruna Mathur, Adv.
Mr. Yusuf, Adv.
Mr. Ashok S. Pillai, Adv.
For M/S Arputham, Aruna & Co.

Mr. B. Balaji, Adv.
Mr. S. Anand, Adv.

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

It is unfortunate that in a matter of such a great significance, learned Senior Counsel representing the Union of India, states that after 2010 Progress Report, he has no instruction in regard to the present status in the matter.

He prays for two weeks' time to file the present status report and disclose to the Court the steps which they had taken in the light of the earlier Report of 2010.

Reluctantly, we grant this prayer.

List the matter on 16.04.2014 at the top of the Board for further hearing.

| (Sanjay Kumar)

Court Master | (Indu Satija)
|Assistant Registrar

\2002Writ Petition (C) No. 230/2001

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ITEM NO.101

COURT NO.9

SECTION PIL

S U P R E M E C O U R T O F I N D I A

RECORD OF PROCEEDINGS

WRIT PETITION (CIVIL) NO(s). 230 OF 2001

M.K. BALAKRISHNAN & ORS.

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.
(With office report)

Respondent(s)

Date: 16/04/2014

This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE CHANDRAMAULI KR. PRASAD

HON'BLE MR. JUSTICE PINAKI CHANDRA GHOSE

For Petitioner(s)

Mr. Gopal Sankaranarayanan, Adv.
Mr. Naresh Kumar, Adv.

For Respondent(s)

Mr. J.S. Attri, Sr. Adv.
Ms. Sunita Sharma, Adv.
Ms. Priyanka Bharihoke, adv.
Mr. S. Wasim A Qadri, Adv.
Mr. Zaid Ali, Adv.
Mr. D.S. Mahra, Adv.
Mr. B.V. Balaram Das, Adv.Mr. Sanchar Anand, Addl. A.G., Punjab
Ms. Navjit Neelam Tegi, Addl. A.G., Punjab
For Mr. Kuldip Singh, Adv.Mrs. K. Enatoli Sema, Adv.
Mr. Amit Kumar Singh, Adv.
Ms. Shubhada Deshpande, Adv.Mr. Chandan Kumar, Adv.
Mr. Rituraj Biswas, Adv.
Mr. Gopal Singh, Adv.Mr. Tapesk Kumar Singh, Adv.
Mr. Mohd. Waquas, Adv.Ms. Asha G. Nair, Adv.
Mr. Abhishek Kumar Pandey, Adv.
Mr. A.P. Mayee, Adv.

Writ Petition (C) No. 230/2001

2

Mr. Manjit Singh, Addl.A.G., Haryana
Ms. Vivekta Singh, Adv.
Ms. Nupur Chaudhary, Adv.
Mr. Tarjit Singh Chikkara, Adv.
Mr. Kamal Mohan Gupta, Adv.Mr. Balasubramanian, Adv.
Mr. K.V. Jagdishvaran, Adv.
Mrs. G. Indira, Adv.Mr. S.S. Shamsbery, AAG, Rajasthan
Mr. Amit Sharma, Adv.
For Mr. Milind Kumar, Adv.

Mr. Sanjay Visen, Adv.

Mr. Abhishek Chaudhury, Adv.

Mr. V.G. Pragasam, Adv.

Mr. S.J. Aristotle, Adv.

Mr. Prabu Ramasubramanian, Adv.

Ms. Hemantika Wahi, Adv.

Mr. Sapam Biswajit Meitei, Adv.

Mr. Khwairakpam Nobin Singh, Adv.

Mr. Anip Sachthey, Adv.

Ms. Shagun Matta, Adv.

Ms. Vartika S. Walia, Adv.

For M/S Corporate Law Group, Advs.

Mrs. Aruna Mathur, Adv.

Mr. Yusuf, Adv.

Mr. Ashok S. Pillai, Adv.

For M/S Arputham, Aruna & Co., Advs.

Mr. B. Balaji, Adv.

Mr. S. Anand, Adv.

Mr. Naveen Sharma, Adv.

Ms. Swati B. Sharma, Adv.

For Mishra Saurabh, Adv.

Ms. Liz Mathew, Adv.

Mr. M.F. Philip, Adv.

Mr. Anil Shrivastav, Adv.

Mr. Riturai Biswas, Adv.

Mr. Suryanarayana Singh, Addl. A.G., H.P.

Ms. Pragati Neekhara, Adv.

Writ Petition (C) No. 230/2001

3

Mr. Naresh K. Sharma, Adv.

Mr. S. Chandra Shekhar, Adv.

Mr. Kunal Verma, Adv.

Mr. P.V. Dinesh, Adv.

Mr. Milind Kumar, Adv.

Ms. Kamini Jaiswal, Adv.

Mr. Shiv Sagar Tiwari, Adv.

Mr. R. Ayyam Perumal, Adv.

Ms. Sumita Hazarika, Adv.

Mr. R.D. Upadhyay, Adv.

Mr. Avijit Bhattacharjee, Adv.

Mr. Sibho Sankar Mishra, Adv.

Mr. Ranjan Mukherjee, Adv.

Mr. P.V. Yogeswaran, Adv.

Mr. Sunil Fernandes, Adv.

Mr. Anil Kumar Jha, Adv.

Mr. Abhijit Sengupta, Adv.

Mr. Abhishek Chaudhary, Adv.

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

Fifth Progress Report (July, 2010 - April, 2014) on
Technology Mission on Winning Augmentation and Renovation
(WAR) for water has been submitted. We are not at all
satisfied with the progress made.

Writ Petition (C) No. 230/2001 4

Learned senior counsel representing the Union of India
prays for a week's time for filing a Status Report.

The Status Report shall include the details of the
work to be done by the State Governments, the expenditure
as also the way the amount allocated to the Technology
Mission had been spent.

In case the Technology Mission had faced or likely to
face any difficulty in carrying out its recommendations, it
shall also indicate that.

The Status Report shall be made available to learned
counsel for the petitioner as also to all the State
Governments by 28.04.2014.

List the matter on 29.04.2014.

(S.K. Rakheja)
Court Master

(Indu Satija)
Assistant Registrar

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ITEM NO.108

COURT NO.1

SECTION PIL

S U P R E M E C O U R T O F
R E C O R D O F P R O C E E D I N G S

I N D I A

Writ Petition(s)(Civil) No(s). 230/2001

M.K. BALAKRISHNAN & ORS.

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(with appln. (s) for may refer to remarks and early hearing and
intervention and directions and directions and office report)

Date : 04/09/2014 This petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE KURIAN JOSEPH
HON'BLE MR. JUSTICE ROHINTON FALI NARIMANFor Petitioner(s) Mr. Gopal Sankaranaraynan, Adv.
Mr. Naresh Kumar, Adv.
Mr. Vikramaditya, Adv.For Respondent(s)
Ministry of Science Mr. J.S. Attri, Sr. Adv.
Mr. S. Wasim A. Qadri, Adv.
Ms. Sunita Sharma, Adv.for
Mr. D.S. Mahra, Adv.Assam Ms. Vartika Sahay, Adv. for
M/s. Corporate Law GroupTamil Nadu Mr. Rakesh Sharma, Adv.
Mr. Anand S., Adv.
Ms. R. Shase, Adv. for
Mr. B. Balaji, Adv.UP Mr. Sanjay Visen, Adv.
Mr. Abhishek Chaudhary, Adv.

Signature Not Verified

Sikkim
Digitally signed by
Pardeep Kumar
Date: 2014.09.0610:25:56 SAST
Reason:

Ms.Aruna Mathur, Adv.

Mr. Yusuf Khan, Adv. for
M/s. Arputham Aruna & Co.HP Mr. Suryanarayana Singh, Adv.
Ms. Pragati Neekhara, Adv.

2

Arunachal Pradesh Mr. Anil Shrivastav, Adv.
Mr. Rituraj Biswas, Adv.

Manipur Mr. Sapam Biswajit Meitei, Adv.

	Mr. Ashok Kumar Singh, Adv.
Maharashtra	Ms. Asha G. Nair, Adv. Mr. A.P. Mayee, Adv.
Rajasthan	Mr. S. S. Shamsbery, Adv. Mr. Sandeep Singh, Adv. Mr. Amit Sharma, Adv.
Amdman & Nicobar	Mr. K.V. Jagdishvaran, Adv. Ms.G. Indira, Adv.
West Bengal	Mr. Anip Sachthey, Adv. Mr. Mohit Paul, Adv. Mr. Saakaar Sardana, Adv.
	Mr. Ranjan Mukherjee, Adv.
Nagaland	Ms. K. Enatoli Sema, Adv. Mr. Amit Kumar Singh, Adv. Mr. Balaji Srinivasan, Adv.
Bihar	Mr. Gopal Singh, Adv. Mr. Manish Kumar, Adv.
Jharkhand	Mr. Gopal Singh, Adv. Mr. Rituraj, Adv.
Puducherry	Mr. V.G. Pragasam, Adv. Mr. S.J. Aristotle, Adv. Mr. Prabu Rmasubramanian, Adv.
Gujarat	Ms. Hemantika Wahi, Adv. Ms. Puja Singh, Adv. Ms. Preeti Bhardwaj, Adv.
R-21	Mr. Sanchar Anand, Adv. Mr. Nishant Bishnoi, Adv.
	Mr. Tapesk Kumar Singh, Adv. Mr. Mohd. Waquas, Adv
	Mr. Abhijit Sengupta,Adv.
	Mr. Abhishek Chaudhary,Adv.
	Mr. Anil Kumar Jha,Adv.

3

Mr. Anuvrat Sharma,Adv.
 Mr. B. S. Banthia,Adv.
 Mr. Kamal Mohan Gupta,Adv.
 Mr. Khwairakpam Nobin Singh,Adv.
 Mr. Kunal Verma,Adv.
 Mr. Milind Kumar,Adv.
 Mr. Naresh K. Sharma,Adv.
 Mr. P. V. Dinesh,Adv.
 Mr. P. V. Yogeswaran,Adv.
 Mr. R. Ayyam Perumal,Adv.

Mr. R. D. Upadhyay, Adv.

Mr. R. Nedumaran, Adv.

Mr. Sanjay R. Hegde, Adv.

Mr. S. Chandra Shekhar, Adv.

Mr. Shiv Sagar Tiwari, Adv.

Mr. Sibbo Sankar Mishra, Adv.

Mr. Sunil Fernandes, Adv.

Ms. Kamini Jaiswal, Adv.

Ms. Liz Mathew, Adv.

Ms. Sumita Hazarika, Adv.

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

List the matter on 10.9.2014 high on board.

(PARDEEP KUMAR)
AR-cum-PS

(RENU DIWAN)
COURT MASTER

ITEM NO.108

COURT NO.1

SECTION PIL

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Writ Petition(s) (Civil) No(s). 230/2001

M.K. BALAKRISHNAN & ORS.

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(with appln. (s) for may refer to remarks and early hearing and intervention and directions and directions and office report)

Date : 04/09/2014 This petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE KURIAN JOSEPH
HON'BLE MR. JUSTICE ROHINTON FALI NARIMAN

For Petitioner(s) Mr. Gopal Sankaranarayanan, Adv.
Mr. Naresh Kumar, Adv.
Mr. Vikramaditya, Adv.

For Respondent(s)

Ministry of Science Mr. J.S. Attri, Sr. Adv.
Mr. S. Wasim A. Qadri, Adv.
Ms. Sunita Sharma, Adv. for
Mr. D.S. Mahra, Adv.

Assam Ms. Vartika Sahay, Adv. for
M/s. Corporate Law Group

Tamil Nadu Mr. Rakesh Sharma, Adv.
Mr. Anand S., Adv.
Ms. R. Shase, Adv. for
Mr. B. Balaji, Adv.

UP Mr. Sanjay Visen, Adv.
Mr. Abhishek Chaudhary, Adv.

Ms. Aruna Mathur, Adv.
Mr. Yusuf Khan, Adv. for
M/s. Arputham Aruna & Co.

HP Mr. Suryanarayana Singh, Adv.
Ms. Pragati Neekhara, Adv.

Signature Not Verified

 Digital Signature by
Pardeep Kumar
Date: 2014.09.06
10:25:56 SAST
Reason: 

Arunachal Pradesh	Mr. Anil Shrivastav, Adv. Mr. Rituraj Biswas, Adv.
Manipur	Mr. Sapam Biswajit Meitei, Adv. Mr. Ashok Kumar Singh, Adv.
Maharashtra	Ms. Asha G. Nair, Adv. Mr. A.P. Mayee, Adv.
Rajasthan	Mr. S. S. Shamsbery, Adv. Mr. Sandeep Singh, Adv. Mr. Amit Sharma, Adv.
Amdman & Nicobar	Mr. K.V. Jagdishvaran, Adv. Ms.G. Indira, Adv.
West Bengal	Mr. Anip Sachthey, Adv. Mr. Mohit Paul, Adv. Mr. Saakaar Sardana, Adv. Mr. Ranjan Mukherjee, Adv.
Nagaland	Ms. K. Enatoli Sema, Adv. Mr. Amit Kumar Singh, Adv. Mr. Balaji Srinivasan, Adv.
Bihar	Mr. Gopal Singh, Adv. Mr. Manish Kumar, Adv.
Jharkhand	Mr. Gopal Singh, Adv. Mr. Rituraj, Adv.
Puducherry	Mr. V.G. Pragasam, Adv. Mr. S.J. Aristotle, Adv. Mr. Prabu Rmasubramanian, Adv.
Gujarat	Ms. Hemantika Wahi, Adv. Ms. Puja Singh, Adv. Ms. Preeti Bhardwaj, Adv.
R-21	Mr. Sanchar Anand, Adv. Mr. Nishant Bishnoi, Adv. Mr. Tapesk Kumar Singh, Adv. Mr. Mohd. Waquas, Adv. Mr. Abhijit Sengupta, Adv. Mr. Abhishek Chaudhary, Adv. Mr. Anil Kumar Jha, Adv.

Mr. Anuvrat Sharma,Adv.

Mr. B. S. Banthia,Adv.

Mr. Kamal Mohan Gupta,Adv.

Mr. Khwairakpam Nobin Singh,Adv.

Mr. Kunal Verma,Adv.

Mr. Milind Kumar,Adv.

Mr. Naresh K. Sharma,Adv.

Mr. P. V. Dinesh,Adv.

Mr. P. V. Yogeswaran,Adv.

Mr. R. Ayyam Perumal,Adv.

Mr. R. D. Upadhyay,Adv.

Mr. R. Nedumaran,Adv.

Mr. Sanjay R. Hegde,Adv.

Mr. S. Chandra Shekhar,Adv.

Mr. Shiv Sagar Tiwari,Adv.

Mr. Sibbo Sankar Mishra,Adv.

Mr. Sunil Fernandes,Adv.

Ms. Kamini Jaiswal,Adv.

Ms. Liz Mathew,Adv.

Ms. Sumita Hazarika,Adv.

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

List the matter on 10.9.2014 high on board.

(PARDEEP KUMAR)
AR-cum-PS

(RENU DIWAN)
COURT MASTER

R Writ Petition(s)(Civil) No(s). 230/2001

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ITEM NO.101

COURT NO.1

SECTION PIL

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Writ Petition(s)(Civil) No(s). 230/2001

M.K. BALAKRISHNAN & ORS.

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(with appln.(s) for may refer to remarks and early hearing and intervention and directions and directions and office report)

Date : 10/09/2014 This petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE KURIAN JOSEPH
HON'BLE MR. JUSTICE ROHINTON FALI NARIMAN

For Petitioner(s) Mr. Gopal Sankarnarayanan, Adv.
Mr. Vikramaditya, Adv.
Mr. Naresh Kumar, Adv.

For Respondent(s)

UOI Mr. J.S. Attri, Sr. Adv.
Mr. S. Wasim A. Qadri, Adv.
Ms. Sunita Sharma, Adv.
Mr. D.S. Mahra, Adv.

Mr. B. V. Balaram Das, Adv.

Mr. Abhijit Sengupta, Adv.

Uttar Pradesh Mr. Sanjay Visen, Adv.
Mr. Abhishek Chaudhary, Adv.

Mr. Anil Kumar Jha, Adv.

Arunachal Pradesh

Signature Not Verified

Mr. Anil Shrivastav, Adv.

Digitally signed by

Rajesh Dham

Date: 2014.09.11

17:12:39 IST

Reason:

Mr. Rituraj Biswas, Adv.

West Bengal

Mr. Anip Sachthey, Adv.

Mr. Mohit Paul, Adv.

Writ Petition(s)(Civil) No(s). 230/2001

2

Mr. Anuvrat Sharma, Adv.

Mr. Avijit Bhattacharjee, Adv.

Tamil Nadu

Mr. B. Balaji, Adv.

	Mr. Rakesh Sharma, Adv.
	Mr. S. Anand, Adv.
	Ms. R. Shase, Adv.
Nagaland	Ms. K. Enatoli Sema, Adv.
	Mr. Amit Kumar Singh, Adv.
	Mr. Balaji Srinivasan, Adv.
Maharashtra	Ms. Asha Gopalan Nair, Adv.
	Mr. A.P. Mayee, Adv.
	Mr. B. S. Banthia, Adv.
Telangana	Mr. P. Venkat Reddy, Adv.
	Mr. Sumanth Nookala, Adv.
Manipur	Mr. Sapam Biswajit Meitei, Adv.
	Mr. Ashok Kumar Singh, Adv.
Andhra Pradesh	Mr. Guntur Prabhakar, Adv.
	Ms. Prerna Singh, Adv.
Jharkhand	Mr. Tapesk Kumar Singh, Adv.
	Mr. Kumar Anurag Singh, Adv.
	Mr. Mohd. Waquas, Adv.
	Mr. Gopal Singh, Adv.
	Mr. Rituraj Biswas, Adv.
	Mr. Gopal Singh, Adv.
	Mr. Manish Kumar, Adv.
	Ms. Shubhra Rai, Adv.
Haryana	Mr. Manjit Singh, A.A.G.
	Ms. Nupur Choudhary, Adv.
	Ms. Vivekta Singh, Adv.
	Mr. Kamal Mohan Gupta, Adv.
	Mr. Khwairakpam Nobin Singh, Adv.
Writ Petition(s)(Civil)	Mr. Kunal Verma, Adv.
	No(s). 230/2001
	3
Rajasthan	Mr. S.S. Shamsbery, A.A.G.
	Mr. Amit Sharma, Adv.
	Mr. Sandeep Singh, Adv.
	Mr. Milind Kumar, Adv.
	Mr. Naresh K. Sharma, Adv.
	Mr. P. V. Dinesh, Adv.
	Mr. P. V. Yogeswaran, Adv.
Meghalaya	Mr. Ranjan Mukherjee, Adv.
	Mr. Subhro Sanyal, Adv.
	Mr. R. Ayyam Perumal, Adv.
	Mr. R. D. Upadhyay, Adv.
	Mr. R. Nedumaran, Adv.
	Mr. Sanjay R. Hegde, Adv.
	Mr. S. Chandra Shekhar, Adv.

	Mr. Shiv Sagar Tiwari, Adv.
	Mr. Sibho Sankar Mishra, Adv.
	Mr. Sunil Fernandes, Adv.
Puducherry	Mr. V. G. Pragasam, Adv. Mr. S.J. Aristotle, Adv. Mr. Prabu Ramasubramanian, Adv.
Madhya Pradesh	Mr. Mishra Saurabh, Adv. Ms. Vanshaja Shukla, Adv. Mr. Ankit Kr. Lal, Adv.
Sikkim	Ms. Aruna Mathur, Adv. Mr. Yusuf Khan, Adv. For M/s Arputham, nAruna & Co.
Assam	Ms. Vartika Sahay, Adv. For M/s Corporate Law Group
A & N Admn.	Mr. K.V. Jagdishvaran, Adv. Ms. G. Indira, Adv.
Writ Petition(s)(Civil)	No(s). 230/2001

4

Gujarat	Ms. Hemantika Wahi, Adv. Ms. Jesal, Adv. Ms. Puja Singh, Adv. Ms. Preeti, Adv. Ms. Kamini Jaiswal, Adv.
Kerala	Ms. Liz Mathew, Adv. Ms. Sumita Hazarika, Adv.
Punjab	Mr. Sanchar Anand, A.A.G. Mr. Piyush Hans, Adv. Mr. Kuldip Singh, Adv.
Himachal Pradesh	Mr. Surya Narain Singh, A.A.G. Ms. Pragati Nekhara, Adv.

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

Under Rule 5 of the Wetlands (Conservation and Management) Rules, 2010 (for short, '2010 Rules'), the Central Government, in exercise of the powers conferred by sub-section (3) of section 3 of the Environment (Protection) Act, 1986 constituted Central Wetlands Regulatory Authority (for short, 'Authority') consisting of the Chairperson and Members as mentioned therein.

Some of the Members are by name. Nothing is available on record as to whether the Authority under 2010 Rules is functional as on date because Writ Petition(s)(Civil) No(s). 230/2001

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under sub-rule (2) of Rule 5, the tenure of the Authority has been prescribed of three years. Sub-rule (3) of Rule 5 confers upon such Authority powers and functions.

We are informed that National Wetland Inventory and Assessment Project sponsored by the Ministry of Environment & Forests, Government of India through Space Applications Centre, ISRO, Ahmedabad has undertaken the task in 2010 of making an inventory of all the wetlands in the country at scales of 1:50,000.

Mr. Gopal Sankaranarayanan, learned counsel for the petitioner, submits that in view of the extensive and comprehensive inventory of the wetlands in the country having been prepared, it is not necessary to have the exercise for identification and classification of wetlands done under Rule 6(2) and (4) of the 2010 Rules.

We would like to know the views of the Central Government in this regard and also whether the Authority under Rule 5 stands presently functional and, if yes, details of its Writ Petition(s)(Civil) No(s). 230/2001

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composition.

Mr. J.S. Attri, learned senior counsel for the Union of India, prays for time to seek instructions in this regard for informing the Court on the above aspects on the next date.

List the matter after four weeks.

Interlocutory Application No. 16 of 2014

An application being Interlocutory Application No. 16 of 2014 has also been made by the petitioner praying for diverse reliefs, inter alia, for direction to the Union Government and the respondents States to bar any permissions given for construction and infrastructure purposes in and around known wetland areas, replace the existing Committee with a Committee consisting of environmentalists, lawyers, experts and petitioner No. 1 to be regularly nominated by the Court and direct the Committee to demarcate priority areas and wetlands.

Let notice be issued on the interlocutory Writ Petition(s)(Civil) No(s). 230/2001

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application to the Union of India and the State Governments.

Dasti, in addition to the ordinary process, is permitted.

Notice may be served on the standing counsel for the Union of India and so also the standing counsel representing the various State Governments.

List the interlocutory application after four weeks with the main matter.

(RAJESH DHAM)
COURT MASTER

(RENU DIWAN)
COURT MASTER

+1

ITEM NO.109

COURT NO.1

SECTION PIL(W)

S U P R E M E C O U R T O F I N D I A

RECORD OF PROCEEDINGS

Writ Petition(s)(Civil) No(s). 230/2001

M.K. BALAKRISHNAN & ORS.

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(With appln. (s) for may refer to remarks and early hearing and intervention and directions and directions and office report)

Date : 01/12/2016 This petition was called on for hearing today.

CORAM :

HON&#39;BLE THE CHIEF JUSTICE

HON&#39;BLE DR. JUSTICE D.Y. CHANDRACHUD

For Petitioner(s) Mr. Gopal Sankaranarayanan,Adv.
Mr. Zeeshan Diwan,Adv.
Mr. Naresh Kumar,Adv.

For Respondent(s) Mr. S. Wasim Qadri,Adv.
Mr. Shailinder Saini,Adv.
Ms. Sunita Sharma,Adv.
Mr. G.S. Makker,Adv.
Mr. B. V. Balaram Das,Adv.
Mr. D. S. Mahra,Adv.

For Kerala Mr. G.Prakash,Adv.
Mr. Jishnu M.L.,Adv.
Mrs.Priyanka Prakash,Adv.
Mrs.Beena Prakash,Adv.
Mr.Manu Srinath,Adv.

For Tamil Nadu Mr. B. Balaji,Adv.
Mr. Muthu Vel Palani M.,Adv.
Mr. Arvind Athithan,Adv.
For Maharashtra Mr.Nishant Katneshwarkar,Adv.
Mr.Arpit Rai,Adv.
For Karnataka Mr. V.N. Raghupathy,Adv.
Mr. Lagesh Mishra,Adv.
Mr. Parikshit P.Angadi,Adv.

2

Mr. B. S. Banthia,Adv.

For Tripura Mr. Gopal Singh,Adv.
Mr. Rituraj Biswas,Adv.
Ms. Varsha Poddar,Adv.
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Mr. Manish Kumar,Adv.
Mr. Advitiya Awasthi,Adv.
Ms. Varsha Poddar,Adv.
For H.P Mr. Suryanarayana Singh,Adv.
Ms. Pragati Neekhara,Adv.
For Jharkhand Mr. Tapes K.Singh,Adv.
Mr. Mohd. Waquas,Adv.
Mr. Aditya P.Singh,Adv.
For Assam Mr. Shuvodeep Roy,Adv.
Mr. Sayooj Mohandas Adv.
For Manipur Mr. Sapam Biswajit Meitei,Adv.
Ms. B. Khushbansi,Adv.
Mr. Ghanshyam,Adv.
Ms. Ashiswarya Bhati,Adv.
Ms. Sunita Sharma,Adv.
Mr. Adarsh Kr. Tiwari,Adv.
Mr. Raj Bahadur,Adv.

For Rajasthan Mr. S.S.Shamshery,AAG
Mr. Amit Sharma,Adv.
Mr. Prateek Yadav,Adv.
Mr. Ankit Raj,Adv.

Mr. Milind Kumar,Adv.
 For Telangana Mr.S.Udaya Kumar Sagar,Adv.
 Mr. Baskula Athik,Adv.

For M.P. Mr. Mishra Saurabh,Adv.
 Mr. Ankit Kr.Lal,Adv.

Mr. Naresh K. Sharma,Adv.

Mr. Mrinal Kanti Mandal,Adv.
 Mr. Parijat Sinha,Adv.

For J&K Mr. Sunil Fernandes,Adv.
 Ms. Mithu Jain,Adv.

For Puducherry Mr. V. G. Pragasam,Adv.
 Mr. Prabu Ramasubramanian,Adv.

3

For Sikkam Ms. Aruna Mathur,Adv.
 Mr. Yusuf Khan,Adv.
 Mr. Avneesh Arputham,Adv.
 Ms. Anuradha Arputham,Adv.
 M/s Arputham,Aruna & Co.,Adv.

M/s Corporate Law Group,Adv.
 For Haryana Dr. Monika Gusain,Adv.

For Andaman & Mr. K.V. Jagdishvaran,Adv.
 Nicobar Admn. Ms. G. Indira,Adv.

Ms. Hemantika Wahi,Adv.
 Ms. Puja Singh,Adv.

Ms. Kamini Jaiswal,Adv.

For Nagaland Ms. K. Enatoli Sema,Adv.
 Mr. Edward Belho,Adv.
 Mr. Amit Kumar Singh,Adv.
 Mr. K.Luikang Michael,Adv.
 For Chattisgarh Mr. A.P.Mayee,Adv.
 Mr. A.Selvin Raja,Adv.

Ms. Sumita Hazarika,Adv.
 Mr. P. V. Dinesh,Adv.

Mr. P. V. Yogeswaran,Adv.

Mr. Ranjan Mukherjee,Adv.

Mr. R. Ayyam Perumal,Adv.

Mr. R. D. Upadhyay,Adv.

Mr. R. Nedumaran,Adv.

Mr. Sanjay Kumar Visen,Adv.

Mr. Sanjay R. Hegde,Adv.

Mr. S. Chandra Shekhar,Adv.

Mrs. D. Bharathi Reddy,Adv.

Mr. Shiv Sagar Tiwari,Adv.

Mr. Sibbo Sankar Mishra,Adv.

4

Mr. Abhijit Sengupta, Adv.

Mr. Abhishek Chaudhary, Adv.

Mr. Anil Kumar Jha, Adv.

Mr. Anil Shrivastav, Adv.

Mr. Anip Sachthey, Adv.

Mr. Anuvrat Sharma, Adv.

Mr. A. Venayagam Balan, Adv.

Mr. G. Prakash, Adv.

Mr. Khwairakpam Nobin Singh, Adv.

Mr. Kunal Verma, Adv.

UPON hearing the counsel the Court made the following

O R D E R

Learned counsel for the respondent-Union of India was, by this Court's Order dated 10.09.2014, directed to take instructions whether the authority under Rule 5 of the Wetlands (Conservation and Management) Rules, 2010 was functional and, if so, what was its composition. Learned counsel for the respondent has not done the needful inspite of repeated opportunities given.

The Central Government was also directed to place on record its views whether it was necessary to undertake an exercise for identification and clarification of wetlands in view of the fact that a comprehensive inventory of wetlands already said to have been prepared. Learned counsel for the Union of India has not done the needful in that regard also. Six weeks' time finally is granted to

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do the needful.

Post after six weeks.

(Shashi Sareen)

(Veena Khara)

AR-cum-PS Court Master

n*WP(C)No.230/2001 1
ITEM NO.101

COURT NO.1 SECTION PIL(W)
S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Writ Petition(s)(Civil) No(s).230/2001

M.K. BALAKRISHNAN & ORS.

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(With appln.(s) for may refer to remarks and early hearing and intervention and directions and directions and office report)

Date : 17/01/2017 This petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE

HON'BLE DR. JUSTICE D.Y. CHANDRACHUD

For Petitioner(s) Mr.Gopal Sankaranarayanan, Adv.

Mr.Zeeshan Diwan, Adv.

Mr. Naresh Kumar, Adv.

For Respondent(s) Mr.A.K.Panda, Sr.Adv.

Mr.A.K.Sinha, Sr.Adv.

Mr.S.Wasim Qadri, Adv.

Ms.Binu Tamta, Adv.

Mr.Shalinder Saini, Adv.

Mr.G.S.Makker, Adv.

Mr.A.K.Sanghi, Sr.Adv.

Mr.S.Wasim Qadri, Adv.

Ms.Sunita Sharma, Adv.

Mr.B.K.Prasad, Adv.

Mr.Ajit Kumar Sinha, Sr.Adv.

Mr.Vibhu Shanker Mishra, Adv.

Mr.W.A.Qadri, Adv.

Mr.Raj Bahadur Yadav, Adv.

Mr.Rajesh Mishra, Adv.

Mr.D.K.Thakur, AAG

Mr.Varinder Kumar Sharma, Adv.

Mr.S.S.Shamshery, AAG

Mr.Amit Sharma, Adv.

Mr.Milind Kumar, Adv.

Mr. Abhijit Sengupta, Adv.

Mr. Abhishek Chaudhary, Adv.

Mr. Anil Kumar Jha, Adv.

WP(C)No.230/2001 2

Mr. Anil Shrivastav, Adv.

Mr.Rituraj Biswas, Adv.

Mr. Anip Sachthey, Adv.

Mr. Anuvrat Sharma, Adv.

Mr.A.R.Takkar, Adv.

Mrs.V.S.Lakshmi, Adv.

Mr. A. Venayagam Balan, Adv.

Mr. B. Balaji, Adv.

Mr.Muthuvel Palani, Adv.

Mr. B. S. Banthia, Adv.

Mr. B. V. Balaram Das, Adv.

Mr. D. S. Mahra, Adv.

Mr. Gopal Singh, Adv.

Mr.Manish Kumar, Adv.

Mr.Rituraj Biswas, Adv.

Ms.Varsha Poddar, Adv.

Mr. G. Prakash, Adv.

Mr.Jishnu M.L., Adv.

Mrs.Priyanka Prakash, Adv.

Mrs.Beena Prakash, Adv.

Mr.Manu Srinath, Adv.

Mr. Khwairakpam Nobin Singh, Adv.

Mr. Kunal Verma, Adv.

Mr. Mishra Saurabh, Adv.

Mr.Ankit Kr.Lal, Adv.

Mr. Naresh K. Sharma, Adv.

Mr.Joydeep Mazumdar, Adv.

Mr. Debojyoti Bhattacharya, Adv.

Mr. Rohit Dutta, Adv.

Mr. Parijat Sinha, Adv.

Mr. P. V. Dinesh, Adv.

Mr. Shikhar Garg, Adv.

Mr. Ganesh Bapu, Adv.

Mr. P. V. Yogeswaran, Adv.

Mr. Ranjan Mukherjee, Adv.

Mr. S. C. Ghosh, Adv.

WP(C)No.230/2001 3

Mr. R. Ayyam Perumal, Adv.

Mr. R. D. Upadhyay, Adv.

Mr. Mohd. Shahid Hussain, Adv.

Mr. R. Nedumaran, Adv.

Mr. Sanjay Kumar Visen, Adv.

Mr. Sanjay R. Hegde, Adv.

Mr. S. Chandra Shekhar, Adv.

Mrs. D. Bharathi Reddy, Adv.

Mr. Shiv Sagar Tiwari, Adv.

Mr. Sibbo Sankar Mishra, Adv.

Mr. Umakant Mishra, Adv.

Mr. Niranjana Sahu, Adv.

Mr. Ashok Sahu, Adv.

Mr. Sunil Fernandes, Adv.

Mr. Arnav Vidyarthi, Adv.

Mr. V. G. Pragasam, Adv.

Mr. Prabu Ramasubramanian, Adv.

Mr. V. N. Raghupathy, Adv.

Mr. Lagnesh Mishra, Adv.

Mr. Parikshit P. Angadi, Adv.

Mr. Prakash Jadhav, Adv.

Ms. Aruna Mathur, Adv.

Mr. Yusuf Khan, Adv.

Mr. Avneesh Arputham, Adv.

Ms. Anuradha Arputham, Adv.

Mr. Amit Arora, Adv.

For M/s Arputham Aruna & Co., Adv.

M/s Corporate Law Group, Adv.

Mr. K. V. Jagdishvaran, Adv.

Mr. Bhupesh Narula, Adv.

Ms. G. Indira, Adv.

Ms. Hemantika Wahi, Adv.

Ms. Mamta Singh, Adv.

Ms. Puja Singh, Adv.

Ms. Kamini Jaiswal, Adv.

WP(C)No.230/2001 4

Ms. K. Enatoli Sema, Adv.

Mr. Edward Belho, Adv.

Mr. Amit Kumar Singh, Adv.

Mr. K. Luikang Michael, Adv.

Ms. Sumita Hazarika, Adv.

Mr. Nishant R. Katneshwarkar, Adv.

Mr. Tapes Kumar Singh, Adv.

Mr. Mohd. Waquas, Adv.

Ms. Aishwarya Bhati, Adv.

Ms. Sunita Sharma, Adv.

Mr. Adarsh Kumar Tiwari, Adv.

Mr. Raj Bahadur, Adv.

Mr. Pankaj Pandey, Adv.

Mr. Shuvodeep Roy, Adv.

Mr. A. P. Mayee, Adv.

Mr. A. Selvin Raja, Adv.

Dr. Monika Gusain, Adv.

Mr. Karunesh K. Shukla, Adv.

Mr. Sapam Biswajit Meitei, Adv.

Mr. Naresh Kumar Gaur, Adv.

Mr.M.Ghanshyam, Adv.

Mr.Ashok Kumar Singh, Adv.

Mr.S.Udaya Kumar Sagar, Adv.

Mr.Mrityunjai Singh, Adv.

Upon hearing the counsel the Court made the following

O R D E R

Learned counsel for the petitioners seeks a week's time, so as to enable him to peruse the different orders passed by the National Green Tribunal, Principal Bench, New Delhi, and so as to determine whether the instant petition should also be considered by the National Green Tribunal with the other pending matters.

List again on 24.01.2017.

(SATISH KUMAR YADAV)

AR-CUM-PS

(RENUKA SADANA)

ASSISTANT REGISTRAR

SECTION PIL (WRIT)

MATTER FOR : 17.01.2017

COURT NO. : 01

ITEM NO. : 101

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

WRIT PETITION (CIVIL) NO. 230 OF 2001
(Under Article 32 of the Constitution of India)

WITH

INTERLOCUTORY APPLICATION NO. 12
(Application for including the applicant in the committee of experts
and to sanction an amount of rupees 10 crores
for national wetlands yatra)

WITH

INTERLOCUTORY APPLICATION NOS. 14 & 15
(Application for intervention and directions)

WITH

INTERLOCUTORY APPLICATION NO. 16
(Application for directions on behalf of Petitioner)

M.K.Balakrishnan & Ors.

.... Petitioners

Versus

Union of India & Ors.

.... Respondents

OFFICE REPORT

The Writ Petition alongwith applications above-mentioned was listed before the Court on 01.12.2016, when the Court was pleased to pass the following Order:-

“Learned counsel for the respondent-Union of India was, by this Court's Order dated 10.09.2014, directed to take instructions whether the authority under Rule 5 of the Wetlands (Conservation and Management) Rules, 2010 was functional and, if so, what was its composition. Learned counsel for the respondent has not done the needful inspite of repeated opportunities given.

The Central Government was also directed to place on record its views whether it was necessary to undertake an exercise for identification and clarification of wet lands in view of the fact that a comprehensive inventory of wetlands already said to have been prepared. Learned counsel for the Union of India has not done the needful in that regard also. Six weeks' time finally is granted to do the needful.

Post after six weeks.”

It is submitted for the kind information of the Hon'ble Court that no further documents have been received so far.

The Writ Petition alongwith applications above-mentioned is listed before the Hon'ble Court with this Office Report for orders.

Dated this the 16th day of January, 2017.

Sd/-
Assistant Registrar

WP (C) No. 230/2001

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ITEM NO.101

COURT NO.1

SECTION PIL(W)

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Writ Petition(s) (Civil) No(s).230/2001

M.K. BALAKRISHNAN & ORS.

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(With appln.(s) for may refer to remarks and early hearing and intervention and directions and directions and office report)

Date : 17/01/2017 This petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE

HON'BLE DR. JUSTICE D.Y. CHANDRACHUD

For Petitioner(s) Mr.Gopal Sankaranarayanan, Adv.
Mr.Zeeshan Diwan, Adv.
Mr. Naresh Kumar, Adv.

For Respondent(s) Mr.A.K.Panda, Sr.Adv.
Mr.A.K.Sinha, Sr.Adv.
Mr.S.Wasim Qadri, Adv.
Ms.Binu Tamta, Adv.
Mr.Shalinder Saini, Adv.
Mr.G.S.Makker, Adv.

Mr.A.K.Sanghi, Sr.Adv.
Mr.S.Wasim Qadri, Adv.
Ms.Sunita Sharma, Adv.
Mr.B.K.Prasad, Adv.

Mr.Ajit Kumar Sinha, Sr.Adv.
Mr.Vibhu Shanker Mishra, Adv.
Mr.W.A.Qadri, Adv.
Mr.Raj Bahadur Yadav, Adv.
Mr.Rajesh Mishra, Adv.

Mr.D.K.Thakur, AAG
Mr.Varinder Kumar Sharma, Adv.

Mr.S.S.Shamshery, AAG
Mr.Amit Sharma, Adv.
Mr.Milind Kumar, Adv.

Mr. Abhijit Sengupta, Adv.

Mr. Abhishek Chaudhary, Adv.

Mr. Anil Kumar Jha, Adv.

Mr. Anil Shrivastav, Adv.
Mr. Rituraj Biswas, Adv.

Mr. Anip Sachthey, Adv.

Mr. Anuvrat Sharma, Adv.

Mr. A. R. Takkar, Adv.
Mrs. V. S. Lakshmi, Adv.
Mr. A. Venayagam Balan, Adv.

Mr. B. Balaji, Adv.
Mr. Muthuvel Palani, Adv.

Mr. B. S. Banthia, Adv.

Mr. B. V. Balaram Das, Adv.

Mr. D. S. Mahra, Adv.

Mr. Gopal Singh, Adv.
Mr. Manish Kumar, Adv.
Mr. Rituraj Biswas, Adv.
Ms. Varsha Poddar, Adv.

Mr. G. Prakash, Adv.
Mr. Jishnu M.L., Adv.
Mrs. Priyanka Prakash, Adv.
Mrs. Beena Prakash, Adv.
Mr. Manu Srinath, Adv.

Mr. Khwairakpam Nobin Singh, Adv.

Mr. Kunal Verma, Adv.

Mr. Mishra Saurabh, Adv.
Mr. Ankit Kr. Lal, Adv.

Mr. Naresh K. Sharma, Adv.

Mr. Joydeep Mazumdar, Adv.
Mr. Debojyoti Bhattacharya, Adv.
Mr. Rohit Dutta, Adv.
Mr. Parijat Sinha, Adv.

Mr. P. V. Dinesh, Adv.

Mr. Shikhar Garg, Adv.
Mr. Ganesh Bapu, Adv.
Mr. P. V. Yogeswaran, Adv.

Mr. Ranjan Mukherjee, Adv.
Mr. S. C. Ghosh, Adv.

Mr. R. Ayyam Perumal, Adv.

Mr. R. D. Upadhyay, Adv.
Mr. Mohd. Shahid Hussain, Adv.

Mr. R. Nedumaran, Adv.

Mr. Sanjay Kumar Visen, Adv.

Mr. Sanjay R. Hegde, Adv.

Mr. S. Chandra Shekhar, Adv.

Mrs. D. Bharathi Reddy, Adv.

Mr. Shiv Sagar Tiwari, Adv.

Mr. Sibbo Sankar Mishra, Adv.
Mr. Umakant Mishra, Adv.
Mr. Niranjana Sahu, Adv.
Mr. Ashok Sahu, Adv.

Mr. Sunil Fernandes, Adv.
Mr. Arnav Vidyarthi, Adv.

Mr. V. G. Pragasaam, Adv.
Mr. Prabu Ramasubramanian, Adv.

Mr. V. N. Raghupathy, Adv.
Mr. Lagnesh Mishra, Adv.
Mr. Parikshit P. Angadi, Adv.
Mr. Prakash Jadhav, Adv.

Ms. Aruna Mathur, Adv.
Mr. Yusuf Khan, Adv.
Mr. Avneesh Arputham, Adv.
Ms. Anuradha Arputham, Adv.
Mr. Amit Arora, Adv.
For M/s Arputham Aruna & Co., Adv.

M/s Corporate Law Group, Adv.

Mr. K. V. Jagdishvaran, Adv.
Mr. Bhupesh Narula, Adv.
Ms. G. Indira, Adv.

Ms. Hemantika Wahni, Adv.
Ms. Mamta Singh, Adv.
Ms. Puja Singh, Adv.

Ms. Kamini Jaiswal, Adv.

Ms. K. Enatoli Sema, Adv.
Mr. Edward Belho, Adv.
Mr. Amit Kumar Singh, Adv.
Mr. K. Luikang Michael, Adv.

Ms. Sumita Hazarika, Adv.

Mr. Nishant R. Katneshwarkar, Adv.

Mr. Tapes Kumar Singh, Adv.
Mr. Mohd. Waquas, Adv.

Ms. Aishwarya Bhati, Adv.
Ms. Sunita Sharma, Adv.
Mr. Adarsh Kumar Tiwari, Adv.
Mr. Raj Bahadur, Adv.

Mr. Pankaj Pandey, Adv.

Mr. Shuvodeep Roy, Adv.

Mr. A. P. Mayee, Adv.
Mr. A. Selvin Raja, Adv.

Dr. Monika Gusain, Adv.
Mr. Karunesh K. Shukla, Adv.

Mr. Sapam Biswajit Meitei, Adv.
Mr. Naresh Kumar Gaur, Adv.
Mr. M. Ghanshyam, Adv.
Mr. Ashok Kumar Singh, Adv.

Mr. S. Udaya Kumar Sagar, Adv.
Mr. Mrityunjai Singh, Adv.

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

Learned counsel for the petitioners seeks a week's time, so as to enable him to peruse the different orders passed by the National Green Tribunal, Principal Bench, New Delhi, and so as to determine whether the instant petition should also be considered by the National Green Tribunal with the other pending matters.

List again on 24.01.2017.

(SATISH KUMAR YADAV)
AR-CUM-PS

(RENUKA SADANA)
ASSISTANT REGISTRAR

f*1

ITEM NO.101

COURT NO.5

SECTION PIL(W)

S U P R E M E C O U R T O F I N D I A

RECORD OF PROCEEDINGS

Writ Petition(s)(Civil) No(s).230/2001

M.K. BALAKRISHNAN & ORS.

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(with appln. (s) for may refer to remarks and early hearing and intervention and directions and directions and office report)

Date : 31/01/2017 This petition was called on for hearing today.

CORAM :

HON&#39;BLE MR. JUSTICE MADAN B. LOKUR

HON&#39;BLE MR. JUSTICE PRAFULLA C. PANT

For Petitioner(s) Mr. Gopal Sankaranarayanan, Adv.

Mr. Zeeshan Diwan, Adv.

Mr. Naresh Kumar, AOR

For Respondent(s)

UOI Mr. A.K. Panda, Sr. Adv.

Mr. A.K. Sanghi, Sr. Adv.

Mr. Wasim A. Qadri, Adv.

Ms. Binu Tamta, Adv.

Mrs. Sunita Sharma, Adv.

Mr. Shalinder Saini, Adv.

Mr. Vibhu Shanker Mishra, Adv.

Mr. Pankaj Pandey, Adv.

Mr. Raj Bahadur, Adv.

Mr. G.S. Makker, Adv.

Mr. B.K. Prasad, Adv.

Mr. Rajesh Mishra, Adv.

Mr. M.K. Maroria, Adv.

Mr. A.K. Kaul, Adv.

Assam Mr. Shuvodeep Roy, Adv.

Arunachal Pradesh Mr. Anil Shrivastav, AOR

Mr. Rituraj Biswas, Adv.

Bihar Mr. Gopal Singh, AOR

Ms. Varsha Poddar, Adv.

Chhattisgarh Mr. A.P. Mayee, Adv.

Mr. A. Selvin Raja, Adv.

2

Gujarat Ms. Hemantika Wahi, AOR

Ms. Jesal Wahi, Adv.

Ms. Puja Singh, Adv.

Ms. Mamta Singh, Adv.

Haryana Mr. Sanjay Kumar Visen, AOR

H.P. Mr. D.K. Thakur, AAG

Mr. Shariq Ahmed, Adv.

Mr. Varinder Kumar Sharma, Adv.

Ms. Pragati Neekhara, Adv.

J&K Mr. Sunil Fernandes, AOR

Ms. Mithu Jain, Adv.

Mr. Arnav Vidyarthi, Adv.

Jharkhand Mr. Tapeshe Kumar Singh, Adv.

Mr. Mohd. Waquas, Adv.

Mr. Aditya Pratap Singh, Adv.

Mr. Sukant Vikram, Adv.

Karnataka Mr. V. N. Raghupathy, AOR

Kerala Mr. G. Prakash, AOR

Mr. Jishnu M.L., Adv.

Mrs. Priyanka Prakash, Adv.

Mrs. Beena Prakash, Adv.

Mr. Manu Srinath, Adv.

M.P. Mr. Mishra Saurabh, AOR

Mr. Ankit Kr. Lal, Adv.

Maharashtra Mr. Nishant R. Katneshwarkar, Adv.

Mr. Arpit Rai, Adv.

Manipur Mr. Sapam Biswajit Meitei, Adv.

Ms. B. Khushbansi, Adv.

Meghalaya Mr. Ranjan Mukherjee, AOR
 Mr. K.V. Kharlyngdoh, Adv.
 Mr. Daniel Stone Lyngdoh, Adv.
 Nagaland Mrs. K. Enatoli Sema, AOR
 Mr. Edward Belho, Adv.
 Mr. Amit Kumar Singh, Adv.
 Mr. K. Luikang Michael, Adv.
 Mr. Z.H. Isaac Haiding, Adv.
 Punjab Mr. Sanchar Anand, AAG
 Mr. Anant K. Vatsya, Adv.

3

Rajasthan Mr. S.S. Shamsbery, AAG
 Mr. Amit Sharma, Adv.
 Mr. Prateek Yadav, Adv.
 Mr. Ankit Raj, Adv.
 Mr. Milind Kumar, Adv.
 Sikkim Ms. Aruna Mathur, Adv.
 Mr. Yusuf Khan, Adv.
 Mr. Avneesh Arputham, Adv.
 Ms. Anuradha Arputham, Adv.
 Mr. Amit Arora, Adv.
 for M/s Arputham Aruna & Co.
 Tamil Nadu Mr. B. Balaji, Adv.
 Mr. Muthuvel Palani, Adv.
 Mr. S. Kumar, Adv.
 Telangana Mr. S. Udaya Kumar Sagar, Adv.
 Mr. Mrityunjai Singh, Adv.
 Tripura Mr. Gopal Singh, AOR
 Mr. Rituraj Biswas, Adv.
 Ms. Varsha Poddar, Adv.
 West Bengal Mr. Joydeep Mazumdar, Adv.
 Mr. Rudra Dutta, Adv.
 Mr. Parijat Sinham Adv.
 Puducherry Mr. V. G. Pragasam, AOR
 Mr. S. Prabu Ramasubramani, Adv.
 A&N Islands Mr. Bhupesh Narula, Adv.
 Mr. K.V. Jagdishvaran, Adv.
 Ms. G. Indira, AOR
 Dr. Monika Gusain, Adv.
 Mr. Abhijit Sengupta, AOR
 Mr. Abhishek Chaudhary, AOR
 Mr. Anil Kumar Jha, AOR
 Mr. Anuvrat Sharma, AOR
 Mr. A. Venayagam Balan, AOR
 Mr. B. S. Banthia, AOR
 Mr. Khwairakpam Nobin Singh, AOR
 Mr. Kunal Verma, AOR

4

Mr. Naresh K. Sharma, AOR
 Mr. P. V. Dinesh, AOR
 Mr. P. V. Yogeswaran, AOR
 Mr. R. Ayyam Perumal, AOR
 Mr. R. D. Upadhyay, AOR
 Mr. R. Nedumaran, AOR
 Mr. S. Chandra Shekhar, AOR
 Mrs. D. Bharathi Reddy, AOR
 Mr. Shiv Sagar Tiwari, AOR
 Mr. Sibho Sankar Mishra, AOR
 M/s Corporate Law Group (NP)
 Ms. Kamini Jaiswal, AOR
 Ms. Sumita Hazarika, AOR

UPON hearing the counsel the Court made the following

O R D E R

On the request of learned senior counsel appearing for the Union of India, list the matter on 7 th February, 2017.

In the meanwhile, we would like him to take definite instructions on whether the Draft Wetlands (Conservation and Management) Rules, 2016 which were said to have been circulated some time in March, 2016 have been finalized or not and, if not, reasons for the delay.

We would also like to know specifically whether the Central Wetlands Regulatory Authority, whose term expires on or about 14 th February, 2017, has been reconstituted

5
and, if not, reasons for the delay.

We would also like the Union of India to tell us what specific steps have been taken to preserve the 26 wetlands covered by the Ramsar Convention, 1971.

We make it clear that the petition is required to be taken seriously by the Union of India.

(SANJAY KUMAR-I)
AR-CUM-PS

(JASWINDER KAUR)
COURT MASTER

SECTION PIL (WRIT)

MATTER FOR : 07.02.2017

COURT NO. : 05

ITEM NO. : 101

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

WRIT PETITION (CIVIL) NO. 230 OF 2001
(Under Article 32 of the Constitution of India)

WITH

INTERLOCUTORY APPLICATION NO. 12
(Application for including the applicant in the committee of experts
and to sanction an amount of rupees 10 crores
for national wetlands yatra)

WITH

INTERLOCUTORY APPLICATION NOS. 14 & 17
(Applications for intervention)

WITH

INTERLOCUTORY APPLICATION NO. 15 & 16
(Applications for directions on behalf of Petitioner)

M.K.Balakrishnan & Ors.

.... Petitioners

Versus

Union of India & Ors.

.... Respondents

OFFICE REPORT

The Writ Petition alongwith applications above-mentioned was listed before the Court on 17.01.2017, when the Court was pleased to pass the following Order:-

“Learned counsel for the petitioners seeks a week's time,so as to enable him to peruse the different orders passed by the National Green Tribunal, Principal bench, New Delhi, and so as to determine whether the instant petition should also be considered by the National Green Tribunal with the other pending matters.

List again on 24.01.2017.”

Thereafter the Writ Petition alongwith applications above-mentioned was listed before the Court on 31.01.2017, when the Court was pleased to pass the following Order:-

“On the request of learned senior counsel appearing for the Union of India, list the matter on 7th February, 2017.

In the meanwhile, we would like him to take definite instructions on whether the Draft

Wetlands (Conservation and Management) Rules, 2016 which were said to have been circulated some time in March, 2016 have been finalized or not and, if not, reasons for the delay.

We would also like to know specifically whether the Central Wetlands Regulatory Authority, whose term expires on or about 14th February, 2017, has been reconstituted and, if not, reasons for the delay.

We would also like the Union of India to tell us what specific steps have been taken to preserve the 26 wetlands covered by the Ramsar Convention, 1971.

We make it clear that the petition is required to be taken seriously by the Union of India. ”

It is submitted for the kind information of the Hon'ble Court that Mr. G.S. Makkar has on 01.02.2017 filed affidavit on behalf of Ministry of Environment and Forest and Climate Change and the same is being circulated before the Hon'ble Court.

It is further submitted for the kind information of the Hon'ble Court that Mr. G.S. Makkar has on 01.02.2017 filed reply affidavit on behalf of Ministry of Science and Technology, the department of technology and the same is being circulated before the Hon'ble Court.

It is next submitted that Mr. Rohit Kumar Singh, Advocate has on 04.02.2017 filed an application for intervention on behalf of Anand Arya which has been registered as Interlocutory Application No. 17 and the same is being circulated before the Hon'ble Court.

The Writ Petition alongwith applications above-mentioned is listed before the Hon'ble Court with this Office Report for orders.

Dated this the 06th day of February, 2017.

sd/-
Assistant Registrar

o1
 ITEM NO.102 COURT NO.5 SECTION PIL(W)
 S U P R E M E C O U R T O F I N D I A
 RECORD OF PROCEEDINGS

Writ Petition(s)(Civil) No(s).230/2001

M.K. BALAKRISHNAN & ORS.

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(with appln. (s) for including the applicant in the Committee of Experts and to sanction an amount of Rs.10 crores for National Wetlands Yatra and early hearing and intervention and directions and directions and office report)

Date : 08/02/2017 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MADAN B. LOKUR

HON'BLE MR. JUSTICE PRAFULLA C. PANT

For Petitioner(s) Mr. Gopal Sankaranarayanan, Adv.

Mr. Zeeshan Diwan, Adv.

Dr. Joginder Samal, Adv.

Mr. Naresh Kumar, AOR

Mr. Ravindra Kr. Singh, Adv.

For Respondent(s)/

applicant(s)

UOI Mr. A.K. Panda, Sr. Adv.

Mr. Ajit Kumar Sinha, Sr. Adv.

Mr. A.K. Sanghi, Sr. Adv.

Mr. Wasim A. Qadri, Adv.

Ms. Binu Tamta, Adv.

Mrs. Sunita Sharma, Adv.

Mr. Shalinder Saini, Adv.

Mr. Vibhu Shanker Mishra, Adv.

Mr. Pankaj Pandey, Adv.

Mr. Raj Bahadur, Adv.

Mr. G.S. Makker, Adv.

Mr. B.K. Prasad, Adv.

Mr. Rajesh Mishra, Adv.

Mr. M.K. Maroria, Adv.

Mr. A.K. Kaul, Adv.

Mr. Abhinav Mukerji, Adv.

Mr. Jayant Bhushan, Sr. Adv.

For States of

Andhra Pradesh Mr. Guntur Prabhakar, Adv.

2

Ms. Prerna Singh, Adv.

Assam Mr. Shuvodeep Roy, Adv.

Arunachal Pradesh Mr. Anil Shrivastav, AOR

Bihar Mr. Gopal Singh, AOR

Ms. Varsha Poddar, Adv.

Chhattisgarh Mr. A.P. Mayee, Adv.

Mr. A. Selvin Raja, Adv.

Gujarat Ms. Hemantika Wahi, AOR

Ms. Puja Singh, Adv.

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Mr. Mohd. Waquas, Adv.

Mr. Aditya Pratap Singh, Adv.

Mr. Sukant Vikram, Adv.

Karnataka Mr. V. N. Raghupathy, AOR

Mr. Prakash Jadhav, Adv.

Mr. Lagnesh Mishra, Adv.

Kerala Mr. G. Prakash, AOR

Mr. Jishnu M.L., Adv.

Mrs. Priyanka Prakash, Adv.
 Mrs. Beena Prakash, Adv.
 Mr. Manu Srinath, Adv.
 M.P. Mr. Purushaindra Kaurav, AAG
 Mr. Mishra Saurabh, AOR
 Mr. Ankit Kr. Lal, Adv.
 Maharashtra Mr. Nishant R. Katneshwarkar, Adv.
 Manipur Mr. Sapam Biswajit Meitei, Adv.
 Ms. B. Khushbansi, Adv.
 Meghalaya Mr. Ranjan Mukherjee, AOR

3

Mizoram Mr. Pragyan Sharma, Adv.
 Mr. Shikhar Garg, Adv.
 Mr. Ganesh Bapu, Adv.
 Mr. P. V. Yogeswaran, AOR
 Nagaland Mrs. K. Enatoli Sema, AOR
 Mr. Edward Belho, Adv.
 Mr. Amit Kumar Singh, Adv.
 Mr. K. Luikang Michael, Adv.

Odisha Mr. Sibho Sankar Mishra, AOR
 Mr. Umakant Mishra, Adv.
 Punjab Mr. Sanchar Anand, AAG
 Mr. Apoorv Singhal, Adv.
 Mr. Anant K. Vatsya, Adv.
 Rajasthan Mr. S.S. Shamsheery, AAG
 Mr. Amit Sharma, Adv.
 Mr. Ankit Raj, Adv.
 Mr. Milind Kumar, Adv.
 Sikkim Ms. Aruna Mathur, Adv.
 Mr. Yusuf Khan, Adv.
 Mr. Avneesh Arputham, Adv.
 Ms. Anuradha Arputham, Adv.
 Mr. Amit Arora, Adv.
 for M/s Arputham Aruna & Co.
 Tamil Nadu Mr. B. Balaji, Adv.
 Mr. S. Kumar, Adv.
 Telangana Mr. S. Udaya Kumar Sagar, Adv.
 Mr. Mrityunjai Singh, Adv.
 Tripura Mr. Gopal Singh, AOR
 Mr. Rituraj Biswas, Adv.
 Ms. Varsha Poddar, Adv.
 West Bengal Mr. Joydeep Mazumdar, Adv.
 Mr. Debojyoti Bhattacharya, Adv.
 Mr. Parijat Sinham Adv.
 Puducherry Mr. V. G. Pragasam, AOR
 Mr. S. Prabu Ramasubramani, Adv.
 A&N Islands Mr. Bhupesh Narula, Adv.
 Ms. G. Indira, AOR
 Dr. Monika Gusain, Adv.

Mr. Abhijit Sengupta, AOR

4

Mr. Abhishek Chaudhary, AOR
 Mr. Anil Kumar Jha, AOR
 Mr. Anuvrat Sharma, AOR
 Mr. A. Venayagam Balan, AOR

Mr. B. S. Banthia, AOR
 Mr. Khwairakpam Nobin Singh, AOR
 Mr. Kunal Verma, AOR

Mr. Naresh K. Sharma, AOR
 Mr. P. V. Dinesh, AOR

Mr. R. Ayyam Perumal, AOR
 Mr. R. D. Upadhyay, AOR
 Mr. R. Nedumaran, AOR

Mr. S. Chandra Shekhar, AOR
 Mrs. D. Bharathi Reddy, AOR
 Mr. Shiv Sagar Tiwari, AOR

M/s Corporate Law Group (NP)

Ms. Kamini Jaiswal, AOR
 Ms. Sumita Hazarika, AOR
 Ms. Minati Rani, Adv.

UPON hearing the counsel the Court made the following

O R D E R

We have, at length, heard learned counsel for the parties including learned counsel for the Union of India.

An affidavit dated 7th February, 2017 filed by the Union of India has been shown to us.

5

Annexed to the affidavit is an Office Memorandum issued on 6th January, 2017 with reference to the Draft Wetlands (Conservation and Management) Rules, 2016. The Draft Rules were made available to the public for inviting objections/suggestions some time in March, 2016. As many as 175 comments were received. For the examination of these comments, a Committee has been constituted. The Committee was given 45 days to look into the suggestions and submit its report to the Union of India.

We are told orally by learned counsel appearing for the Union of India that perhaps the term of the Committee may need to be extended. This is stated by him on the basis of information received pursuant to a meeting held yesterday, i.e., 7th February, 2017 by the said Committee.

Be that as it may, for the reasons given below, we are compelled to direct that the Wetlands (Conservation and Management) Rules, 2016 should be notified on or before 30th

June, 2017. We are compelled to issue this direction since the matter has been pending with the Union of India for the last almost a year and there has to be some finality to the publication of the Rules. The comments/suggestions have been given by all stakeholders such as the State Governments including its organizations, individuals and civil society organizations. That being the position, there is obviously a great deal of interest in the Rules being

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formulated and notified. Under these circumstances, there is no justification why the Union of India should not have taken prompt action and constituted the Committee much earlier for the purposes of finalizing the Rules. Finally, the conservation of wetlands is of immense ecological importance.

Learned counsel for the Union of India says that all efforts will be made to ensure compliance with this direction and to ensure that the Rules are notified on or before 30th

June, 2017.

We are sure that both the Committee as well as the Union of India will take into consideration the comments and suggestions offered by the State Governments and its organizations, individuals and civil society organizations before taking a final decision.

With regard to the Central Wetlands Regulatory Authority, we are told that its term is expiring on 14th

February, 2017. We have been informed by learned counsel for the Union of India that the Central Wetlands Regulatory Authority will be notified on 13th February,

2017. The Union of India is bound by the statement made by learned counsel for the Union of India, which statement has been made on instructions received by him from an officer of the Ministry of Environment, Forest and Climate Change.

In our order dated 31st January, 2017, we had required the Union of India to tell us the steps taken to preserve

7
the 26 wetlands covered by Ramsar Convention, 1971. The affidavit that has now been filed by the Union of India merely gives the disbursement of amount made by the Union of India from time to time. What specific steps have been taken including how the funds made available have been utilized and what is the impact of those steps have not been adverted to. We must have specific details. We direct the Union of India to file an affidavit within four weeks positively giving required specific details.

Learned counsel for the petitioners has drawn our attention to an additional affidavit filed by the Union of India on or about 9th

September, 2014. The additional affidavit contains an Information Brochure $\hat{=}$ SNational Wetland Inventory & Assessment $\hat{=}$ \235. This Brochure indicates on page 11 thereof that 2,01,503 wetlands have been mapped at 1:50,000 scale. All these wetlands have an area of more than 2.25 hectares. As a first step, the $\&\#39;$ Brief Documents $\&\#39;$ with regard to these 2,01,503 wetlands should be obtained by the Union of India from the respective State Governments in terms of Rule 6 of the Wetlands (Conservation and Management) Rules, 2010. We are told that obtaining these $\&\#39;$ Brief Documents $\&\#39;$ may take some time. We are inclined to grant adequate time for this purpose. The Union of India should follow this up with the State Governments and inform us of the time frame on the next date of hearing.

8
The apprehension expressed by learned counsel for the petitioners is that with the passage of time there is a possibility that some of the wetlands may disappear. On a reading of the Information Brochure, this apprehension is not unfounded.

Accordingly, we direct the application of the principles of Rule 4 of the Wetlands (Conservation and Management) Rules, 2010 to these 2,01,503 wetlands that have been mapped by the Union of India. The Union of India will identify and inventorize all these 2,01,503 wetlands with the assistance of the State Governments and will also communicate our order to the State Governments which will also bind the State Governments to the effect that these identified 2,01,503 wetlands are subject to the principles of Rule 4 of the Wetlands (Conservation and Management) Rules, 2010, that is to say:

$\hat{=}$ S (i) reclamation of wetlands;

(ii) setting up of new industries and expansion of existing industries;

(iii) manufacture or handling or storage or disposal of hazardous substances covered under the Manufacture, Storage and Import of Hazardous Chemical Rules, 1989 notified vide S.O. No. 966(E), dated the 27th November, 1989 or the Rules for Manufacture, Use, Import, Export and Storage of Hazardous Micro-organisms/Genetically engineered organisms or

cells notified vide GSR No. 1037(E), dated the 5th December, 1989 or the Hazardous Wastes (Management, Handling and Transboundary Movement) Rules, 2008 notified vide S.O. No. 2265(E), dated the 24th September, 2008;

(iv) solid waste dumping: provided that the existing practices, if any, existed before the commencement of these rules shall be phased out within a period not exceeding six months from the date of commencement of these rules;

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(v) discharge of untreated wastes and effluents from industries, cities or towns and other human settlements: provided that the practices, if any, existed before the commencement of these rules shall be phased out within a period not exceeding one year from the date of commencement of these rules;

(vi) any construction of a permanent nature except for boat jetties within fifty metres from the mean high flood level observed in the past ten years calculated from the date of commencement of these rules;

(vii) any other activity likely to have an adverse impact on the ecosystem of the wetland to be specified in writing by the Authority constituted in accordance with these rules.â- \235

Learned counsel for the Union of India has shown us a chart of proposals/brief documents that have already been received by the Union of India under Rule 6 of the Wetlands (Conservation and Management) Rules, 2010. The total number of wetlands covered in this document are 1683. Many of these proposals/brief documents received by the Union of India contain deficiencies which have already been identified in the document handed over to us.

The Central Wetland Regulatory Authority will take up the rectification of deficiencies with the State Governments with promptitude and ensure that all these deficiencies are removed and complete proposals/brief documents are furnished within the next about one month so that the Central Wetland Regulatory Authority is in a position to take a final decision with regard to these 1683 wetlands and their notification, if required, on or before 31 st March, 2017.

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List the matter on 3 rd April, 2017.

(SANJAY KUMAR-I)
AR-CUM-PS

(JASWINDER KAUR)
COURT MASTER

ITEM NO.102

COURT NO.5

SECTION PIL(W)

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Writ Petition(s) (Civil) No(s).230/2001

M.K. BALAKRISHNAN & ORS.

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(with appln. (s) for including the applicant in the Committee of Experts and to sanction an amount of Rs.10 crores for National Wetlands Yatra and early hearing and intervention and directions and directions and office report)

Date : 08/02/2017 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MADAN B. LOKUR
HON'BLE MR. JUSTICE PRAFULLA C. PANT

For Petitioner(s) Mr. Gopal Sankaranarayanan, Adv.
Mr. Zeeshan Diwan, Adv.
Dr. Joginder Samal, Adv.
Mr. Naresh Kumar, AOR
Mr. Ravindra Kr. Singh, Adv.

For Respondent(s)/
applicant(s)

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Mr. A.K. Panda, Sr. Adv.
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Mr. Pankaj Pandey, Adv.
Mr. Raj Bahadur, Adv.
Mr. G.S. Makker, Adv.
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Mr. Jayant Bhushan, Sr. Adv.

For States of
Andhra Pradesh

Mr. Guntur Prabhakar, Adv.

	Ms. Prerna Singh, Adv.
Assam	Mr. Shuvodeep Roy, Adv.
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M.P.	Mr. Purushaindra Kaurav, AAG Mr. Mishra Saurabh, AOR Mr. Ankit Kr. Lal, Adv.
Maharashtra	Mr. Nishant R. Katneshwarkar, Adv.
Manipur	Mr. Sapam Biswajit Meitei, Adv. Ms. B. Khushbansi, Adv.
Meghalaya	Mr. Ranjan Mukherjee, AOR

Mizoram	Mr. Pragyan Sharma, Adv. Mr. Shikhar Garg, Adv. Mr. Ganesh Bapu, Adv. Mr. P. V. Yogeswaran, AOR
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Punjab	Mr. Sanchar Anand, AAG Mr. Apoorv Singhal, Adv. Mr. Anant K. Vatsya, Adv.
Rajasthan	Mr. S.S. Shamsbery, AAG Mr. Amit Sharma, Adv. Mr. Ankit Raj, Adv. Mr. Milind Kumar, Adv.
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Mr. P. V. Dinesh, AOR
Mr. R. Ayyam Perumal, AOR
Mr. R. D. Upadhyay, AOR
Mr. R. Nedumaran, AOR
Mr. S. Chandra Shekhar, AOR
Mrs. D. Bharathi Reddy, AOR
Mr. Shiv Sagar Tiwari, AOR
M/s Corporate Law Group (NP)
Ms. Kamini Jaiswal, AOR
Ms. Sumita Hazarika, AOR
Ms. Minati Rani, Adv.

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

We have, at length, heard learned counsel for the parties including learned counsel for the Union of India.

An affidavit dated 7th February, 2017 filed by the Union of India has been shown to us.

Annexed to the affidavit is an Office Memorandum issued on 6th January, 2017 with reference to the Draft Wetlands (Conservation and Management) Rules, 2016. The Draft Rules were made available to the public for inviting objections/suggestions some time in March, 2016. As many as 175 comments were received. For the examination of these comments, a Committee has been constituted. The Committee was given 45 days to look into the suggestions and submit its report to the Union of India.

We are told orally by learned counsel appearing for the Union of India that perhaps the term of the Committee may need to be extended. This is stated by him on the basis of information received pursuant to a meeting held yesterday, i.e., 7th February, 2017 by the said Committee.

Be that as it may, for the reasons given below, we are compelled to direct that the Wetlands (Conservation and Management) Rules, 2016 should be notified on or before 30th June, 2017. We are compelled to issue this direction since the matter has been pending with the Union of India for the last almost a year and there has to be some finality to the publication of the Rules. The comments/suggestions have been given by all stakeholders such as the State Governments including its organizations, individuals and civil society organizations. That being the position, there is obviously a great deal of interest in the Rules being

formulated and notified. Under these circumstances, there is no justification why the Union of India should not have taken prompt action and constituted the Committee much earlier for the purposes of finalizing the Rules. Finally, the conservation of wetlands is of immense ecological importance.

Learned counsel for the Union of India says that all efforts will be made to ensure compliance with this direction and to ensure that the Rules are notified on or before 30th June, 2017.

We are sure that both the Committee as well as the Union of India will take into consideration the comments and suggestions offered by the State Governments and its organizations, individuals and civil society organizations before taking a final decision.

With regard to the Central Wetlands Regulatory Authority, we are told that its term is expiring on 14th February, 2017. We have been informed by learned counsel for the Union of India that the Central Wetlands Regulatory Authority will be notified on 13th February, 2017. The Union of India is bound by the statement made by learned counsel for the Union of India, which statement has been made on instructions received by him from an officer of the Ministry of Environment, Forest and Climate Change.

In our order dated 31st January, 2017, we had required the Union of India to tell us the steps taken to preserve

the 26 wetlands covered by Ramsar Convention, 1971. The affidavit that has now been filed by the Union of India merely gives the disbursal of amount made by the Union of India from time to time. What specific steps have been taken including how the funds made available have been utilized and what is the impact of those steps have not been adverted to. We must have specific details. We direct the Union of India to file an affidavit within four weeks positively giving required specific details.

Learned counsel for the petitioners has drawn our attention to an additional affidavit filed by the Union of India on or about 9th September, 2014. The additional affidavit contains an Information Brochure "National Wetland Inventory & Assessment". This Brochure indicates on page 11 thereof that 2,01,503 wetlands have been mapped at 1:50,000 scale. All these wetlands have an area of more than 2.25 hectares. As a first step, the 'Brief Documents' with regard to these 2,01,503 wetlands should be obtained by the Union of India from the respective State Governments in terms of Rule 6 of the Wetlands (Conservation and Management) Rules, 2010. We are told that obtaining these 'Brief Documents' may take some time. We are inclined to grant adequate time for this purpose. The Union of India should follow this up with the State Governments and inform us of the time frame on the next date of hearing.

The apprehension expressed by learned counsel for the petitioners is that with the passage of time there is a possibility that some of the wetlands may disappear. On a reading of the Information Brochure, this apprehension is not unfounded.

Accordingly, we direct the application of the principles of Rule 4 of the Wetlands (Conservation and Management) Rules, 2010 to these 2,01,503 wetlands that have been mapped by the Union of India. The Union of India will identify and inventorize all these 2,01,503 wetlands with the assistance of the State Governments and will also communicate our order to the State Governments which will also bind the State Governments to the effect that these identified 2,01,503 wetlands are subject to the principles of Rule 4 of the Wetlands (Conservation and Management) Rules, 2010, that is to say:

"(i) reclamation of wetlands;

(ii) setting up of new industries and expansion of existing industries;

(iii) manufacture or handling or storage or disposal of hazardous substances covered under the Manufacture, Storage and Import of Hazardous Chemical Rules, 1989 notified vide S.O. No. 966(E), dated the 27th November, 1989 or the Rules for Manufacture, Use, Import, Export and Storage of Hazardous Micro-organisms/Genetically engineered organisms or cells notified vide GSR No. 1037(E), dated the 5th December, 1989 or the Hazardous Wastes (Management, Handling and Transboundary Movement) Rules, 2008 notified vide S.O. No. 2265(E), dated the 24th September, 2008;

(iv) solid waste dumping: provided that the existing practices, if any, existed before the commencement of these rules shall be phased out within a period not exceeding six months from the date of commencement of these rules;

(v) discharge of untreated wastes and effluents from industries, cities or towns and other human settlements: provided that the practices, if any, existed before the commencement of these rules shall be phased out within a period not exceeding one year from the date of commencement of these rules;

(vi) any construction of a permanent nature except for boat jetties within fifty metres from the mean high flood level observed in the past ten years calculated from the date of commencement of these rules;

(vii) any other activity likely to have an adverse impact on the ecosystem of the wetland to be specified in writing by the Authority constituted in accordance with these rules."

Learned counsel for the Union of India has shown us a chart of proposals/brief documents that have already been received by the Union of India under Rule 6 of the Wetlands (Conservation and Management) Rules, 2010. The total number of wetlands covered in this document are 1683. Many of these proposals/brief documents received by the Union of India contain deficiencies which have already been identified in the document handed over to us.

The Central Wetland Regulatory Authority will take up the rectification of deficiencies with the State Governments with promptitude and ensure that all these deficiencies are removed and complete proposals/brief documents are furnished within the next about one month so that the Central Wetland Regulatory Authority is in a position to take a final decision with regard to these 1683 wetlands and their notification, if required, on or before 31st March, 2017.

List the matter on 3rd April, 2017.

(SANJAY KUMAR-I)
AR-CUM-PS

(JASWINDER KAUR)
COURT MASTER

vCl
 ITEM NO.56 COURT NO.5 SECTION PIL(W)
 S U P R E M E C O U R T O F I N D I A
 RECORD OF PROCEEDINGS

Writ Petition(s)(Civil) No(s). 230/2001

M.K. BALAKRISHNAN & ORS.

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(WITH APPLN. (S) FOR directions and intervention and application for including the applicant in the committee of experts and to sanction an amount of Rs. 10 crores for national wetlands yatra and Office Report)

Date : 03/04/2017 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MADAN B. LOKUR

HON'BLE MR. JUSTICE DEEPAK GUPTA

For Petitioner(s) Mr. Gopal Sankaranarayanan, Adv.

Mr. Zeeshan Diwan, Adv.

Dr. Jogendra Samal, Adv.

Mr. Naresh Kumar, AOR

For Respondent(s)/

applicant(s)

UOI Mr. A.K. Panda, Sr. Adv.

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Mr. Wasim A. Qadri, Adv.

Ms. Binu Tamta, Adv.

Mrs. Sunita Sharma, Adv.

Mr. Shalinder Saini, Adv.

Mr. Vibhu Shanker Mishra, Adv.

Mr. Pankaj Pandey, Adv.

Mr. Raj Bahadur, Adv.

Mr. G.S. Makker, Adv.

Mr. B.K. Prasad, Adv.

Mr. M.K. Maroria, Adv.

Mr. A.K. Kaul, Adv.

Mr. S.A. Siddiqui, Adv.

2

Mr. Satya Siddiqui, Adv.

Mr. S.N. Terdal, Adv.

For States of

Andhra Pradesh Mr. Guntur Prabhakar, Adv.

Ms. Prerna Singh, Adv.

Assam Mr. Shuvodeep Roy, Adv.

Mr. Sayooj Mohandas M., Adv.

Arunachal Pradesh Mr. Anil Shrivastav, AOR

Bihar Mr. Gopal Singh, AOR

Mr. Manish Kumar, Adv.

Chhattisgarh Mr. Jugal Kishore Gilda, Adv. Gen.

Mr. A.P. Mayee, Adv.

Mr. A. Selvin Raja, Adv.

Gujarat Ms. Hemantika Wahi, AOR

Ms. Jesal Wahi, Adv.

Ms. Puja Singh, Adv.

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Mr. Varinder Kumar Sharma, Adv.

J&K Mr. M. Shoeb Alam, Adv.

Ms. Fauzia Shakil, Adv.

Mr. Ujjwal Singh, Adv.

Mr. Mojahid Karim Khan, Adv.

Jharkhand Mr. Tapeshe Kumar Singh, Adv.

Mr. Mohd. Waquas, Adv.

Mr. Aditya Pratap Singh, Adv.

Karnataka Mr. V. N. Raghupathy, AOR

Mr. Prakash Jadhav, Adv.

Mr. Lagnesh Mishra, Adv.

Mr. Parikshit P. Angadi, Adv.
 Kerala Mr. G. Prakash, AOR
 Mr. Jishnu M.L., Adv.
 Mrs. Priyanka Prakash, Adv.

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Mrs. Beena Prakash, Adv.
 Mr. Manu Srinath, Adv.
 M.P. Mr. Purushaindra Kaurav, AAG
 Mr. Mishra Saurabh, AOR
 Vanshaja Shukla, Adv.
 Ms. Anuradha Mishra, Adv.
 Maharashtra Mr. Mahaling Pandarge, Adv.
 Mr. Nishant R. Katneshwarkar, Adv.
 Manipur Mr. Sapam Biswajit Meitei, Adv.
 Mr. Naresh Kumar Gaur, Adv.
 Mr. M.N. Singh, Adv.
 Mr. Ashok Kumar Singh, Adv.
 Meghalaya Mr. Ranjan Mukherjee, AOR
 Mr. Subhro Sanyal, Adv.
 Mizoram Mr. Pragyan Sharma, Adv.
 Mr. Shikhar Garg, Adv.
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 Mr. P. V. Yogeswaran, AOR
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 Mr. Z.H. Isaac Haiding, Adv.
 Ms. Elix Gangmei, Adv.

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 Mr. Umakant Mishra, Adv.
 Mr. Niranjana Sahu, Adv.
 Punjab Mr. Sanchar Anand, AAG
 Mr. Apoorv Singhal, Adv.
 Mr. Rajiv Singhal, Adv.
 Rajasthan Mr. S.S. Shamsheery, AAG
 Mr. Amit Sharma, Adv.
 Mr. Milind Kumar, Adv.
 Sikkim Ms. Aruna Mathur, Adv.
 Mr. Avneesh Arputham, Adv.
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Mr. Amit Arora, Adv.
 for M/s Arputham Aruna & Co.
 Tamil Nadu Mr. B. Balaji, Adv.
 Mr. Muthuvel Palani, Adv.
 Telangana Mr. S. Udaya Kumar Sagar, Adv.
 Mr. Mrityunjai Singh, Adv.
 Tripura Mr. Gopal Singh, AOR
 Mr. Rituraj Biswas, Adv.
 Ms. Varsha Poddar, Adv.
 Puducherry Mr. V. G. Pragasam, AOR
 Mr. S. Prabu Ramasubramani, Adv.
 A&N Islands Mr. Bhupesh Narula, Adv.
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 Ms. G. Indira, AOR
 Dr. Monika Gusain, Adv.
 Mr. Karunish Kumar Shukla, Adv.
 Mr. Abhijit Sengupta, AOR
 Mr. Abhishek Chaudhary, AOR
 Mr. Anil Kumar Jha, AOR
 Mr. Anuvrat Sharma, AOR
 Mr. A. Venayagam Balan, AOR
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 Mr. Khwairakpam Nobin Singh, AOR

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5

Mr. R. Nedumaran, AOR

Mr. S. Chandra Shekhar, AOR

Mrs. D. Bharathi Reddy, AOR

Mr. Shiv Sagar Tiwari, AOR

M/s Corporate Law Group (NP)

Ms. Kamini Jaiswal, AOR

Ms. Sumita Hazarika, AOR

Ms. A. Subhashini, Adv.

UPON hearing the counsel the Court made the following

O R D E R

Pursuant to our last order dated 8th

February, 2017,

it has been brought to our notice by learned counsel appearing for Union of India that Central Wetland Regulatory Authority (CWRA) has since been constituted on 14th

February, 2017. The Ministry of Tourism and the Ministry of Social Justice and Empowerment have not nominated an officer not below the rank of Joint Secretary to the Authority. We expect these two Ministries to make the nominations at the earliest so that the Central Wetland Regulatory Authority can comprehensively carry on its mandate under the law.

We have also been shown a statement of expenditure that has been filed by the Union of India along with an affidavit dated 28th March, 2017. While huge amounts

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appear to have been spent to the extent of Rs.945.95 crores, it appears from a reading of the affidavit that not much improvement seems to have been made at least on the ground. That apart, the activities or the steps undertaken and the expenditure incurred in respect of those activities are extremely general in nature. We are also not sure whether the accounts have been audited or not.

Learned counsel for the Union of India says that he will ascertain whether the accounts of the amounts that have been disbursed to the State Governments have been audited and file an affidavit in this regard.

We have put it to learned counsel for the petitioner that insofar as the Ramsar Convention sites are concerned, since they are matters of international heritage, it might be more appropriate if the concerned High Courts monitor the management of these sites at least till there is some visible improvement. Learned counsel for the petitioner says that he has no objection to this.

Under the circumstances, we direct the Registry of this Court to make photocopies of the affidavit filed by the Union of India by Dr. A. Duraisamy, Scientist 'F' and Member Secretary, Central Wetland Regulatory Authority and send it to the following High Courts:

High Court of Judicature at Hyderabad for the States of Telangana and Andhra Pradesh, Gauhati High Court,

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Gujarat High Court, Himachal Pradesh High Court, J&K High Court, Kerala High Court, Madhya Pradesh High Court, Manipur High Court, Orissa High Court, Punjab and Haryana High Court, Rajasthan High Court, Madras High Court, Tripura High Court, Allahabad High Court and High Court at Calcutta.

The affidavit be sent to the Registrar General of all the aforementioned High Courts within two weeks from today. A copy of all the orders passed by this Court from 10 th

September, 2014 till today shall also be sent to the concerned High Courts along with the affidavit.

We request Hon'ble the Chief Justice of the concerned High Court to treat the affidavit as a suo motu public interest petition and, if necessary, appoint an amicus to assist the court so as to ensure that the Ramsar Convention sites within their jurisdiction are properly maintained.

The affidavit by the Union of India should be filed within six weeks. List the matter on 12 th July, 2017.

(SANJAY KUMAR-I)
AR-CUM-PS

(SHARDA KAPOOR)
COURT MASTER

ITEM NO.110

COURT NO.5

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Writ Petition(s) (Civil) No(s). 230/2001

M.K. BALAKRISHNAN & ORS.

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(With application for directions and intervention and application for including the applicant in the committee of experts and to sanction an amount of Rs.10 crores for national wetlands yatra and office report)

Date : 13-07-2017 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MADAN B. LOKUR
HON'BLE MR. JUSTICE DEEPAK GUPTA

For Petitioner(s)

Mr. Gopal Sankaranarayanan, Adv.
Mr. Zeeshan Diwan, Adv.
Mr. Naresh Kumar, AOR

For Respondent(s)/
applicant(s)
UOI

Mr. A.N.S. Nadkarni, ASG
Mr. A.K. Panda, Sr. Adv.
Mr. S. Wasim A. Qadri, Adv.
Ms. Binu Tamta, Adv.
Mrs. Sunita Sharma, Adv.
Mr. Shalinder Saini, Adv.
Mr. G.S. Makker, Adv.

For States of
Andhra Pradesh

Mr. Guntur Prabhakar, Adv.
Ms. Prerna Singh, Adv.

Assam

Mr. Shuvodeep Roy, Adv.
Mr. Sayooj Mohandas M., Adv.


Arunachal Pradesh

Mr. Anil Shrivastav, AOR
Mr. Rituraj Biswas, Adv.

Bihar

Mr. Gopal Singh, AOR
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Ms. Ambika, Adv.

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10:00:59 IST
Reason: 

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Mr. Chirag Jain, Adv.

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Goa	Mr. Atmaram N.S. Nadkarni, ASG Mr. Jai A. D., Adv. Mr. S.S. Rebello, Adv. Ms. Supriya Juneja, Adv. Ms. S. G. Gupta, Adv.
Haryana	Dr. Monika Gusain, Adv.
H.P.	Mr. D.K. Thakur, AAG Mr. Varinder Kumar Sharma, Adv.
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Mr. P. V. Dinesh, AOR
Mr. R. Ayyam Perumal, AOR
Mr. R. D. Upadhyay, AOR
Mr. R. Nedumaran, AOR
Mr. S. Chandra Shekhar, AOR
Mrs. D. Bharathi Reddy, AOR
Mr. Shiv Sagar Tiwari, AOR
M/s Corporate Law Group (NP)
Ms. Kamini Jaiswal, AOR
Ms. Sumita Hazarika, AOR
Ms. A. Subhashini, Adv.

UPON hearing the counsel the Court made the following

O R D E R

We have heard learned counsel for the Union of India and are dissatisfied with the progress made. In fact, there is hardly any progress made except that Central Wetland Regulatory Authority (CWRA) has been notified.

Learned ASG who is present in Court today says that he will take instructions directly from the Secretary, Ministry of Environment, Forest and Climate Change and will get back to us on 20th July, 2017.

For this adjournment which is totally unnecessary and unwarranted, we impose costs of Rs.50,000/- which will be deposited with the Supreme Court Legal Services Committee before the next date of hearing for utilization of environmental issues.

List the matter on 20th July, 2017 in miscellaneous matters list.

(MEENAKSHI KOHLI)
COURT MASTER

(SHARDA KAPOOR)
ASSISTANT REGISTRAR

ITEM NO.9

COURT NO.5

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Writ Petition(s) (Civil) No(s). 230/2001

M.K. BALAKRISHNAN & ORS.

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

Date : 20-07-2017 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MADAN B. LOKUR
HON'BLE MR. JUSTICE DEEPAK GUPTA

For Petitioner(s) Mr. Gopal Sankaranarayanan, Adv.
Mr. Zeeshan Diwan, Adv.
Dr. Jogendra Samal, Adv.
Mr. Naresh Kumar, AOR

For Respondent(s)/
applicant(s)
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Mr. Ajit Kumar Sinha, Sr. Adv.
Mr. Wasim A. Qadri, Adv.
Ms. Binu Tamta, Adv.
Mrs. Sunita Sharma, Adv.
Mr. Shalinder Saini, Adv.
Mr. Pankaj Pandey, Adv.
Mr. Raj Bahadur, Adv.
Mr. G.S. Makker, Adv.
Mr. B.V. Balaram Das, Adv.
Mr. B.K. Prasad, Adv.
Mr. M.K. Maroria, Adv.
Mr. S.A. Siddiqui, Adv.
Mr. Satya Siddiqui, Adv.
Mr. Zaki Kazmi, Adv.
Mr. S.N. Terdal, Adv.

For States of
Andhra Pradesh

Mr. Guntur Prabhakar, Adv.
Ms. Prerna Singh, Adv.

Assam

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SANJAY KUMAR
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17:10:43 IST
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Mr. Shuvodeep Roy, Adv.
Mr. Sayooj Mohandas M., Adv.

Mr. Debojit Borkawati, Adv.
Mr. M. Balashivendu, Adv.

Arunachal Pradesh

Mr. Anil Shrivastav, AOR

Bihar	Mr. Gopal Singh, AOR Mr. Manish Kumar, Adv.
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Gujarat	Ms. Hemantika Wahi, AOR Ms. Jesal Wahi, Adv. Ms. Mamta Singh, Adv.
Haryana	Dr. Monika Gusain, Adv. Mr. Karunish Kumar Shukla, Adv. Mr. Sanjay Kumar Visen, AOR
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Mr. Naresh K. Sharma, AOR

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Mrs. D. Bharathi Reddy, AOR

Mr. Shiv Sagar Tiwari, AOR

M/s Corporate Law Group (NP)

Ms. Kamini Jaiswal, AOR

Ms. Sumita Hazarika, AOR

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

Learned Additional Solicitor General says that he will be filing an affidavit by tomorrow.

Learned counsel for the petitioners may study that affidavit and if there is any gap in implementation of our orders that may be pointed out to learned Additional Solicitor General who assures us that the deficiencies, if any, will be made up within two weeks.

It is stated that the costs has been deposited.

List the matter on 16th August, 2017.

(SANJAY KUMAR-I)
AR-CUM-PS

(MADHU NARULA)
COURT MASTER

ITEM NO.1

COURT NO.5

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Writ Petition(s) (Civil) No(s). 230/2001

M.K. BALAKRISHNAN & ORS.

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

Date : 16-08-2017 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MADAN B. LOKUR

HON'BLE MR. JUSTICE DEEPAK GUPTA

For Petitioner(s) Mr. Gopal Sankaranarayanan, Adv.
Mr. Zeeshan Diwan, Adv.
Dr. Jogendra Samal, Adv.
Mr. Naresh Kumar, AOR

For Respondent(s)/
applicant(s)
UOI/Delhi

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Mr. Ajit Kumar Sinha, Sr. Adv.
Mr. A.K. Sanghi, Sr. Adv.
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Mr. Shalinder Saini, Adv.
Mr. Raj Bahadur, Adv.
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Mr. S.A. Siddiqui, Adv.
Mr. Satya Siddiqui, Adv.
Mr. Zaki Kazmi, Adv.
Mr. S.N. Terdal, Adv.

Dr. Rajeev Dhavan, Sr. Adv.
Mr. Ravindra Adsure, Adv.
Mr. Anand Landge, Adv.

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SANJAY KUMAR
Date: 2017.08.19
10:24:20 IST
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States of
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Mr. Guntur Prabhakar, Adv.
Ms. Prerna Singh, Adv.

Assam

Mr. Debojit Borhakati, Adv.
Mr. M. Balashivudu, Adv.

	Mr. Shuvodeep Roy, Adv. Mr. Sayooj Mohandas M., Adv.
Arunachal Pradesh	Mr. Anil Shrivastav, AOR
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M.P.	Mr. Mishra Saurabh, AOR Mr. Ankit Kr. Lal, Adv.

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Meghalaya	Mr. Ranjan Mukherjee, AOR Mr. Daniel Stone Lyngdoh, Adv.
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West Bengal	Mr. Raja Chatterjee, Adv.

Runa Bhuyan, Adv.
Mr. Chanchal Kr. Ganguli, Adv.

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Mr. Prabu Ramasubramanian, Adv.
Mr. Menu Sundaram, Adv.

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Ms. G. Indira, AOR

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Mr. Ketan Paul, Adv.
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Mr. Karunish Kumar Shukla, Adv.

Mr. Abhijit Sengupta, AOR

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Mr. B. S. Banthia, AOR

Mr. Khwairakpam Nobin Singh, AOR

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Mr. M.S. Mangla, Adv.
Ms. Babita, Adv.
Ms. Aakansha Tiwari, Adv.
Mr. V.S. Sharma, Adv.
Mr. Shiv Sagar Tiwari, AOR

M/s Corporate Law Group (NP)

Ms. Kamini Jaiswal, AOR

Ms. Sumita Hazarika, AOR

UPON hearing the counsel the Court made the following

O R D E R

We have heard learned counsel for the parties as well as learned Additional Solicitor General.

Our dissatisfaction as recorded in the order dated 13th of July, 2017 continues and has now transformed into disappointment due to governmental apathy.

As far as the Wetlands Rules are concerned, an assurance is given to us by learned Additional Solicitor General that these will be finalized and notified on or before 30th September, 2017. We take the assurance of the learned Additional Solicitor General on record.

As far as the constitution of the Central Wetlands Regulatory Authority is concerned, we have seen the notification issued by the Government of India. The notification indicates that there are four experts who are constant members of the Authority for the next three years. The remaining eight members can change and theoretically it is possible that in every meeting a different combination may participate. This is hardly conducive to an effective functioning of the Regulatory Authority.

It would be appropriate, as suggested by learned counsel for the petitioners, that the concerned officers be named so that there is continuity in the composition

of the Regulatory Authority without any frequent change in the participation.

Learned Additional Solicitor General says that he would like to take instructions in this regard and see to what extent the suggestion of learned counsel for the petitioners can and should be complied with.

With regard to the steps taken to preserve the Ramsar sites and the accounts of funds, we had clearly mentioned in our order dated 8th February, 2017 followed by the order dated 3rd April, 2017 that we would like to know the specific steps taken with regard to the funds made available, their utilization and impact of the utilization of those funds.

We had noted in our order dated 3rd April, 2017 that the amount spent seems to be to the extent of Rs.945.95 crores. This is a huge amount and unless there is proper utilization of this amount with audited accounts, it will not serve any purpose.

Learned Additional Solicitor General informs us that despite several letters having been written to the various State Governments there is no effective response from most of the States except perhaps from two States.

This is an extremely unfortunate situation and a matter of concern for preservation of wetlands which are absolutely necessary for the preservation of the environment and water resources as well.

At the instance of learned counsel for the

petitioners as well as learned Additional Solicitor General, we direct the Chief Secretaries of all the States to look into the entire issue and inform the Secretary in the Ministry of Environment, Forests and Climate Change the amount that has been received by the State Government towards wetlands preservation till date along with audit reports and indicate the impact of the expenditure incurred. We expect this to be done by all the Chief Secretaries within a period of four weeks from today failing which we will have no option but to require the presence of the concerned Chief Secretary given the seriousness of the issue that has been raised both by learned counsel for the petitioners as well as by the learned Additional Solicitor General.

With regard to the furnishing of brief documents as well as rectification of deficiencies in the brief documents and protection of the wetlands under Rule 4 of the existing Wetlands Rules, we have been informed by learned Additional Solicitor General that there is no effective response from the State Governments.

We have already expressed our dissatisfaction and now our disappointment at the lack of interest shown by the State Governments in this regard, particularly when it concerns the environment and preservation of water resources in the country. We, therefore, require the Chief Secretary of each State to comply with all the requirements of the Ministry of Environment, Forests and

Climate Change and to furnish all necessary information. Information is required with regard to the brief documents, removal of deficiencies in the brief documents as well as identification of wetlands in the State.

We need not emphasise again and again about the importance of the wetlands for the purposes of the environment and for the purposes of conserving and preserving water resources of the country. We expect the Chief Secretaries to comply with this direction within a period of four weeks from today.

We had already by our order dated 3rd April, 2017 requested the Chief Justices of 15 High Courts to look into the matter of maintenance of Ramsar sites. We have received no intimation whether the documents have been furnished by the Registry of this Court and whether they have been received by the concerned High Courts and whether a public interest litigation has been registered on receipt of the documents.

We require the Secretary General of this Court to coordinate with the Registrar General of the concerned High Courts and let us have the information on or before the next date of hearing.

We have been informed by the learned Additional Solicitor General that the Space Application Centre in Ahmedabad has some time in 2010-2011 identified 1,75,740 wetlands (area greater than 2.25 hectares) excluding rivers/streams which are about 25,763. About six or

seven years have gone by since then. Given the state of affairs, we will not at all be surprised to know that many of the identified wetlands have disappeared or shrunk.

We require the learned Additional Solicitor General to take instructions from the Space Application Centre, Ahmedabad and inform us how much time it will take to ascertain whether and how many of the 1,75,740 wetlands exist today. We are not presently concerned with shrinkage of the wetlands but we are certainly concerned with the existence of wetlands and whether they have disappeared or not. Necessary information will be provided by learned Additional Solicitor General within four weeks from today.

We expect the Chief Secretaries of the State Governments to cooperate with the Secretary in the Ministry of Environment, Forests and Climate Change as well as the Government of India in providing the requisite information and data.

List the matter on 4th October, 2017.

Liberty is granted to learned Additional Solicitor General to file additional documents/affidavit.

(SANJAY KUMAR-I)
AR-CUM-PS

(MADHU NARULA)
COURT MASTER

ITEM NO.814

COURT NO.1

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Writ Petition(s) (Civil) No(s). 230/2001

M.K. BALAKRISHNAN & ORS.

Petitioner(s)

VERSUS

UNION OF INDIA MINISTRY OF ENVIRONMENT,
FOREST AND CLIMATE CHANGE & ORS.

Respondent(s)

WITH

W.P. (C) No. 539/2017 (PIL-W)
(FOR APPROPRIATE ORDERS/DIRECTIONS)

Date : 29-08-2017 This petition was orally mentioned today.

CORAM : HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE PRAFULLA C. PANT
HON'BLE MR. JUSTICE D.Y. CHANDRACHUD

For Petitioner(s) Mr. Naresh Kumar, AOR
Ms. Shobha, AOR

For Respondent(s) Mr. Mishra Saurabh, AOR
Mr. V.N. Raghupathy, AOR
Mr. Chanchal Kumar Ganguli, AOR
Mr. Sanjay Kumar Visen, AOR
Mr. G. Prakash, AOR
Mr. D. Bharathi Reddy, AOR
Mr. K. Enatoli Sema, AOR
Mr. Abhishek Chaudhary, AOR
Mr. A. Venayagam Balan, AOR
Mr. Shuvodeep Roy, AOR
Mr. G. Indira, AOR
Mr. Abhijit Sengupta, AOR
Mr. Anuvrat Sharma, AOR
Mr. Sibho Sankar Mishra, AOR
Mr. P. V. Dinesh, AOR
Mr. Ranjan Mukherjee, AOR
Mr. Arputham Aruna And Co, AOR
Mr. R. Nedumaran, AOR
Mr. Anil Kumar Jha, AOR
Mr. V.G. Pragasam, AOR

Mr. S. Chandra Shekhar, AOR
Mr. Naresh K. Sharma, AOR
Mr. R. Ayyam Perumal, AOR
Ms. Hemantika Wahi, AOR
Mr. Milind Kumar, AOR
Mr. Sumita Hazarika, AOR
Mr. Anil Shrivastav, AOR
Mr. Gopal Singh, AOR
Mr. Kunal Verma, AOR
Mr. B. Balaji, AOR
Mr. P.V. Yogeswaran, AOR
Mr. R. D. Upadhyay, AOR
Mr. Shiv Sagar Tiwari, AOR
Mr. Ashok Kumar Singh, AOR
Mr. Sunil Fernandes, AOR
Mr. Uttara Babbar, AOR
Mr. B. V. Balaram Das, AOR
Ms. Supriya Juneja, AOR
Mr. Rohit K. Singh, AOR

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

On being mentioned, the matter is taken on Board.

List the matter on 30.08.2017 before the appropriate
Bench.

(Gulshan Kumar Arora)
Court Master

(H.S. Parasher)
Assistant Registrar

ITEM NO.4

COURT NO.3

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Writ Petition(s) (Civil) No(s). 230/2001

M.K. BALAKRISHNAN & ORS.

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

Date : 04-10-2017 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MADAN B. LOKUR
HON'BLE MR. JUSTICE S. ABDUL NAZEER
HON'BLE MR. JUSTICE DEEPAK GUPTA

For Petitioner(s) Mr. Gopal Sankaranarayanan, Adv.
Mr. Shrutanjaya Bhardwaj, Adv.
Ms. Veera Mahuli, Adv.
Mr. Naresh Kumar, AOR

For Respondent(s)/
applicant(s)
UOI/Delhi

Mr. A.N.S. Nadkarni, ASG
Mr. A.K. Panda, Sr. Adv.
Mr. Wasim A. Qadri, Adv.
Mr. Ajay Kumar Singh, Adv.
Ms. Binu Tamta, Adv.
Mrs. Sunita Sharma, Adv.
Mr. Sanjai Kumar Pathak, Adv.
Mr. Shalinder Saini, Adv.
Mr. G.S. Makker, Adv.
Mr. B.V. Balram Das, Adv.
Mr. S.A. Siddiqui, Adv.
Mr. Satya Siddiqui, Adv.
Mr. Zaki Kazmi, Adv.

Intervenor

Mr. Jayant Bhushan, Sr. Adv.
Mr. Ketan Paul, Adv.
Ms. Reeja Varghese, Adv.
Mr. Chirayu Jain, Adv.

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

We have heard learned counsel for the petitioner and the learned Additional Solicitor General.

We have been informed that the Wetland Rules have since been notified and they are now called the Wetlands (Conservation and Management) Rules, 2017. These Rules have come into force on the date of publication in the official gazette, that is, 26th September, 2017.

Learned counsel for the parties say that they have very serious objections to some of these Rules. It is submitted that it appears that the Central Government has abdicated its responsibility under the Environment (Protection) Act, 1986 and instead of delegating its powers, it has abdicated its power in favour of the State Governments. We have also been informed that the Central Wetlands Regulatory Authority has since been disbanded and the State Wetlands Authority and the National Wetlands Committee have been constituted under Rules 5 and 6 of the new Rules.

With regard to the expenditure on Ramsar Convention sites, we have been informed by learned Additional Solicitor General that the audited accounts have so far been received from the States of West Bengal, Madhya Pradesh and Odisha. Audited accounts have not been received from any other State with regard to the Ramsar

Convention sites.

We have also been informed that apart from Ramsar Convention sites, further funds have been given to the States and the Union Territories for conservation of wetlands. No audited accounts have been received in regard to these funds disbursed as well as their expenditure by the State Governments and the Union Territories.

With regard to the brief documents required to be furnished under the old Rules, it appears that only ten States and one Union Territory have responded. It appears that there is now no necessity of brief documents under the new Rules. We make it clear that this does not mean that the earlier brief documents already submitted can be discarded completely. The contents of these brief documents will still be followed as far as the implementation of the Wetlands (Conservation and Management) Rules, 2017 is concerned.

Finally, with regard to the satellite images, we are told that the Space Application Centre would require between 12 to 18 months to make an inventory of 1,75,740 wetlands as they exist today. We make no comment on this but request learned Additional Solicitor General to re-check with the Space Application Centre since the wetlands are diminishing in our country at a very fast rate. It is very likely that many more will disappear by the time the task is completed by the Space Application

Centre.

We make it clear and reiterate that in terms of our order dated 8th February, 2017, 2,01,503 wetlands that have been mapped by the Union of India should continue to remain protected on the same principles as were formulated in Rule 4 of the Wetlands (Conservation and Management) Rules, 2010.

Learned counsel for the parties may file their objections to the new Rules within a period of two weeks. We direct that only one set of objections should be filed and both learned counsel should sit together and arrive at some consensus on the objections.

We further direct the State Governments that have not complied with earlier orders or directions given by the Central Government should do so within a period of four weeks from today failing which we will be constrained to require the presence of the Chief Secretaries of the State Governments in addition to imposition of heavy costs keeping in mind the necessity of conserving whatever water bodies are left in the country.

List the matter for further directions and for hearing on the objections to the new Rules on 9th November, 2017.

We would require the presence of a senior officer of the Ministry of Environment, Forests and Climate Change, Government of India to be present in Court on the next date of hearing so that any questions that may be raised

can be answered immediately. Needless to say, the senior officer who should be present in Court should be well-versed with the subject. The files on the basis of which the new Rules have been framed may also be kept ready for perusal when the matter is taken up.

(SANJAY KUMAR-I)
AR-CUM-PS

(KAILASH CHANDER)
COURT MASTER

ITEM NO.1 COURT NO.4 SECTION PIL-W
 S U P R E M E C O U R T O F I N D I A
 RECORD OF PROCEEDINGS

Writ Petition(s) (Civil) No(s). 230/2001

M.K. BALAKRISHNAN & ORS. Petitioner(s)

VERSUS

UNION OF INDIA & ORS. Respondent(s)
 (Application for intervention and application for direction)

Date : 09-11-2017 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE MADAN B. LOKUR
 HON'BLE MR. JUSTICE DEEPAK GUPTA

For Petitioner(s) Mr. Gopal Sankaranarayanan, Adv.
 Mr. Shrutanjaya Bhardwaj, Adv.
 Ms. Veera Mahuli, Adv.
 Mr. Naresh Kumar, AOR

For Respondent(s)/
 applicant(s)
 UOI Mr. A.N.S. Nadkarni, ASG
 Mr. A.K. Panda, Sr. Adv.
 Mr. Wasim A. Qadri, Adv.
 Mr. Ajay Kumar Singh, Adv.
 Ms. Binu Tamta, Adv.
 Mrs. Sunita Sharma, Adv.
 Mr. Shalinder Saini, Adv.
 Mr. G.S. Makker, Adv.
 Mr. B.V. Balram Das, Adv.
 Mr. S.A. Siddiqui, Adv.
 Mr. Satya Siddiqui, Adv.
 Mr. Zaki Kazmi, Adv.
 Mr. Sarfraz Ahmed Siddiqui, Adv.

Intervenor Mr. Jayant Bhushan, Sr. Adv.
 Mr. Ketan Paul, Adv.
 Ms. Reeja Varghese, Adv.

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

Learned counsel for the petitioners would like to amend the
 petition to challenge the constitutional validity of the Wetlands
 (Conservation and Management) Rules, 2017.

Signature Not Verified
 Digitally signed by
 MEENAKSHI KOHLI
 Date: 2017.11.11
 10:52:17 IST
 Reason: 

List the matter after amended petition is filed.

(MEENAKSHI KOHLI)
 COURT MASTER

(KAILASH CHANDER)
 COURT MASTER

ITEM NO.3

REGISTRAR COURT. 1

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

BEFORE THE REGISTRAR MR. KAPIL MEHTA

WRIT PETITION (CIVIL) Diary No(s). 4365/2018

ANAND ARYA

Petitioner(s)

VERSUS

UNION OF INDIA

Respondent(s)

(FOR ADMISSION and IA No.42316/2018-CONDONATION OF DELAY IN
REFILING)

Date : 02-04-2018 This petition was called on for hearing today.

For Petitioner(s)

Mr Anupam Kirti, Adv.
Mr Surjoy Das, Adv.
Ms Reeja Varghese, Adv.
Mr. Rohit Kumar Singh, AOR

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E RDelay of 17 days in refiling is condoned. Process as per
rules.KAPIL MEHTA
Registrar
02.04.2018

hj

ITEM NO.34

COURT NO.4

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Writ Petition(s) (Civil) No(s). 304/2018

ANAND ARYA

Petitioner(s)

VERSUS

UNION OF INDIA

Respondent(s)

Date : 13-04-2018 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE MADAN B. LOKUR
HON'BLE MR. JUSTICE DEEPAK GUPTAFor Petitioner(s) Mr. Jayant Bhushan, Sr. Adv.
Mr. Ketan Paul, Adv.
Mr. Tushar Bhushan, Adv.
Mr. Rohit Kumar Singh, AOR

For Respondent(s)

UPON hearing the counsel the Court made the following

O R D E R

Issue notice returnable in six weeks.

(MEENAKSHI KOHLI)
COURT MASTER(SAROJ KUMARI GAUR)
COURT MASTER

ITEM NO.1

COURT NO.3

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Writ Petition(s)(Civil) No(s). 230/2001

M.K. BALAKRISHNAN & ORS.

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(IA No.28355/2018-CLARIFICATION/DIRECTION)

Date : 18-07-2018 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MADAN B. LOKUR
HON'BLE MR. JUSTICE DEEPAK GUPTAFor Petitioner(s) Mr. Gopal Sankaranarayanan, Adv.
Mr. Shrutanjaya Bhardwaj, Adv.
Ms. Veera Mahuli, Adv.
Mr. Naresh Kumar, AORFor Respondent(s)/
applicant(s)
UOI/DelhiMr. A.N.S. Nadkarni, ASG
Mr. A.K. Panda, Sr. Adv.
Mr. Wasim A. Qadri, Adv.
Mr. Ajay Kumar Singh, Adv.
Ms. Binu Tamta, Adv.
Mrs. Sunita Sharma, Adv.
Mr. Ajay Sharma, Adv.
Mr. Shalinder Saini, Adv.
Mr. G.S. Makker, Adv.
Ms. Alka Agrawal, Adv.
Mr. Raj Bahadur, Adv.
Mr. B.V. Balram Das, Adv.
Mr. S.A. Siddiqui, Adv.
Mr. Satya Siddiqui, Adv.
Mr. Zaki Kazmi, Adv.

Intervenor

Mr. Jayant Bhushan, Sr. Adv.
Mr. Ketan Paul, Adv.
Ms. Reeja Varghese, Adv.
Mr. Chirayu Jain, Adv.

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

The petitioners are allowed to amend the writ petition to challenge the Wetlands (Conservation and Preservation) Rules, 2017.

The amended petition be filed within four weeks.

Counter affidavit be filed within four weeks thereafter.

List thereafter.

(SANJAY KUMAR-I)
AR-CUM-PS

(KAILASH CHANDER)
COURT MASTER

ITEM NO.53

COURT NO.3

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Writ Petition(s)(Civil) No(s).304/2018

ANAND ARYA

Petitioner(s)

VERSUS

UNION OF INDIA

Respondent(s)

Date : 30-07-2018 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MADAN B. LOKUR
HON'BLE MR. JUSTICE DEEPAK GUPTAFor Petitioner(s) Mr. Jayant Bhushan, Sr. Adv.
Ms. Priya Varghese, adv.
Mr. Tushar Bhushan, Adv.
Mr. Rohit Kumar Singh, AORFor Respondent(s) Mr. A.N.S. Nadkarni, ASG
Mr. Ajit Kumar Sinha, Sr. Adv.
Mr. Sanjai Kumar Pathak, Adv.
Mr. Ritesh Kumar, Adv.
Mr. G.S. Makker, Adv.UPON hearing the counsel the Court made the following
O R D E R

Reply be filed within four weeks.

List the matter after six weeks.

(SANJAY KUMAR-I)
AR-CUM-PS(KAILASH CHANDER)
COURT MASTER

ITEM NO.30

REGISTRAR COURT. 1

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

BEFORE THE REGISTRAR ANIL LAXMAN PANSARE

Writ Petition(s) (Civil) No(s). 230/2001

M.K. BALAKRISHNAN . & ORS.

Petitioner(s)

VERSUS

UNION OF INDIA MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE &
ORS. Respondent(s)

Date : 26-11-2018 This petition was called on for hearing today.

For Petitioner(s)

Mr. Naresh Kumar, AOR

For Respondent(s)

Mr. Mishra Saurabh, AOR
Mr. V. N. Raghupathy, AOR
Mr. Sanjay Kumar Visen, AOR
Ms. Priyanka Prakash, Adv.
Mr. Jishnu M.L., Adv.
Ms. Beena Prakash, Adv.
Mr. G. Prakash, AOR
Ms. Vidyottma, Adv.
Ms. Gitanjali N. Sharma, Adv.
Mrs. D. Bharathi Reddy, AOR
Ms. K. Enatoli Sema, AOR
Mr. Abhishek Chaudhary, AOR
Mr. A. Venayagam Balan, AOR
Mr. Shuvodeep Roy, AOR
Mr. K.V. Jagdishvaran, Adv.
Ms. G. Indira, AOR
Mr. Anuvrat Sharma, AOR
Mr. Sibbo Sankar Mishra, AOR
Mr. P. V. Dinesh, AOR
Mr. K.V. Khar Lyngdoh, Adv.
Mr. Deniel Stone Lyngdoh, Adv.
Mr. Ranjan Mukherjee, AOR
Ms. Aruna Mathur, AOR
Ms. Anuradha Arputham, Adv.
M/S. Arputham Aruna And Co, AOR
Mr. R. Nedumaran, AOR
Mr. Anil Kumar Jha, AOR
Mr. V. G. Pragasam, AOR
Mr. R. Ayyam Perumal, AOR

Ms. Parul Luthra, Adv.
Ms. Hemantika Wahi, AOR
Ms. Uttara Babbar, AOR
Ms. Varsha Poddar, Adv.
Mr. Jai Dehadraj, Adv.
Mr. S.S. Rebello, Adv.
Ms. Shivangini Gupta, Adv.
Ms. Supriya Juneja, AOR
Mr. Ujjwal Singh, Adv.
Mr. Mojahid Karim Khan, Adv.
Mr. M. Shoeb Alam, AOR
Mr. Gopal Prasad, AOR
Mr. B. V. Balaram Das, AOR
Mr. Kunal Verma, AOR
Mr. Ashok Kumar Singh, AOR
Mr. Anil Shrivastav, AOR
Mr. R. D. Upadhyay, AOR
Mr. Milind Kumar, AOR
Mr. B. Balaji, AOR
Mr. Sunil Fernandes, AOR
Mr. Gopal Singh, AOR
Mr. Shiv Sagar Tiwari, AOR
Ms. Sumita Hazarika, AOR
Mr. Mudit Makhijani, Adv.
Mr. Shikhar Garg, Adv.
Mr. P. V. Yogeswaran, AOR
Mr. Abhinav Mukerji, AOR
Ms. Astha Sharma, Adv.
Ms. Dimple Nagpal, Adv.
M/S. Plr Chambers And Co., AOR
Mr. Abhishek Raj, Adv.
Mr. G.S. Makker, AOR
Mr. Rituraj Biswas, Adv.
Mr. Satyendra Kumar Srivastav, Adv.
Mr. Anil Shrivastav, AOR
Mr. Rituraj Biswas, Adv.
Mr. Shuvodeep Roy, AOR
Mrs. K. Enatoli Sema, Adv.
Mr. Amit Kumar Singh, Adv.
Mr. P. Venkat Reddy, Adv.
Mr. Prashant Tyagi, Adv.
M/s Venkat Palwai Law, AOR
Mr. Rituraj Biswas, Adv.
Mr. Somnath Banerjee, Adv.
Mr. Shuvodeep Roy, AOR
Mr. S. Partha Sarathi, Adv.
Mr. M. Yogesh Kanna, AOR
Mr. S.K. Singh, Adv.
Mr. Gopal Prasad, AOR
Dr. Monika Gusain, AOR

Item No.30

-3-

Ms. Maibam Babina, Adv.
Ms. Anupama Ngangom, Adv.
Mr. Leishangthem Roshmani Kh, AOR

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

Process as per order dated 18.7.2018.

ANIL LAXMAN PANSARE
Registrar

ITEM NO.17

COURT NO.13

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Writ Petition(s)(Civil) No(s). 302/2020

VANASHAKTI PUBLIC TRUST & ANR.

Petitioner(s)

VERSUS

UNION OF INDIA & ANR.

Respondent(s)

(FOR ADMISSION and I.R.)

Date : 20-02-2020 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DEEPAK GUPTA
HON'BLE MR. JUSTICE ANIRUDDHA BOSE

For Petitioner(s) Ms. Anitha Shenoy, Sr. Adv.
Ms. Shibani Ghosh, AOR
Mr. Zaman Ali, Adv.
Ms. Sanjana G. Adv.
Mr. Siddharth Acharya, Adv.

For Respondent(s)

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

Issue notice.

Tag with W.P.(Civil) No. 304 of 2018.

(MADHU BALA)
COURT MASTER (SH)

(PRADEEP KUMAR)
BRANCH OFFICER

ITEM NO.30

Court 6 (Video Conferencing)

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Writ Petition(s)(Civil) No(s).304/2018

ANAND ARYA

Petitioner(s)

VERSUS

UNION OF INDIA

Respondent(s)

(WITH IA No. 131361/2018 - INTERVENTION APPLICATION)

WITH

W.P.(C) No. 302/2020 (PIL-W)

Date : 12-04-2021 These petitions were called on for hearing today.

CORAM : HON'BLE DR. JUSTICE D.Y. CHANDRACHUD
HON'BLE MR. JUSTICE M.R. SHAH

For Petitioner(s) Mr. Jayant Bhushan Sr. Adv.
Mr. Rohit Kumar Singh, AOR
Mr. Tushar Bhushan, Adv.
Mr. Amartya Bhushan, Adv.

Ms. Shibani Ghosh, AOR

For Respondent(s) Ms. Aishwarya Bhati, ASG
Mr. Ajit Kr Sinha, Sr. Adv.
Mr. Gurmeet Singh Makker, AOR
Ms. Aakanksha Kaul, Adv.
Ms. Archana Pathak Dave, Adv.
Mr. Bhuvan Mishra, Adv.

Ms. Anitha Shenoy, Sr. Adv.
Mr. Ritwick Dutta, Adv.
Ms. Srishti Agnihotri, AOR
Ms. Sanjana Grace Thomas, Adv.
Ms. Anmol Gupta, Adv.
Mr. Chandratany Chaube, Adv.

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

List the Writ Petitions on 20 July 2021.

Signature Not Verified
Digitally signed by
Sanjay Kumar
Date: 2021.04.12
18:03:05 IST
Reason: 

(SANJAY KUMAR-I)
AR-CUM-PS

(SAROJ KUMARI GAUR)
COURT MASTER

ITEM NO.11 Court 5 (Video Conferencing) SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Writ Petition(s)(Civil) No(s).304/2018

ANAND ARYA

Petitioner(s)

VERSUS

UNION OF INDIA

Respondent(s)

(WITH IA No. 131361/2018 - INTERVENTION APPLICATION)

WITH

W.P.(C) No. 302/2020 (PIL-W)

Date : 20-07-2021 These petitions were called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE D.Y. CHANDRACHUD

HON'BLE MR. JUSTICE M.R. SHAH

For Petitioner(s) Mr. Jayant Bhushan Sr. Adv.
Mr. Rohit Kumar Singh, AOR
Mr. Tushar Bhushan, Adv.
Mr. Amartya Bhushan, Adv.
Mr. Ketan Paul, Adv.

Ms. Anitha Shenoy, Sr. Adv.
Ms. Shibani Ghosh, AOR
Ms Sanjana Grace Thomas, Adv.
Mr. Zaman Ali, Adv.
Ms. Aarti Krupa Kumar, Adv.

For Respondent(s) Ms. Aishwarya Bhati, ASG
Mr. Ajit Kr Sinha, Sr. Adv.
Mr. Gurmeet Singh Makker, AOR
Ms. Aakanksha Kaul, Adv.
Ms. Archana Pathak Dave, Adv.
Mr. Bhuvan Mishra, Adv.

Ms. Anitha Shenoy, Sr. Adv.
Ms. Srishti Agnihotri, AOR
Ms. Sanjana Grace Thomas, Adv.
Ms. Aarti Krupa Kumar, Adv.
Mr. Chandratany Chaube, Adv.

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

List the petitions on 27 July 2021.

**(SANJAY KUMAR-I)
AR-CUM-PS**

**(SAROJ KUMARI GAUR)
COURT MASTER**

WP(C) 304/2018

1

ITEM NO.10

Court 5 (Video Conferencing)

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G SWrit Petition (Civil) No.304/2018

ANAND ARYA

Petitioner(s)

VERSUS

UNION OF INDIA

Respondent(s)

(With appln.(s) for IA No. 131361/2018 - INTERVENTION APPLICATION)

WITH W.P.(C) No.302/2020 (PIL-W)

Date : 27-07-2021 These matters were called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE D.Y. CHANDRACHUD
HON'BLE MR. JUSTICE M.R. SHAH

For Petitioner(s)

Mr. Jayant Bhushan, Sr. Adv.
Mr. Rohit Kumar Singh, AOR
Mr. Tushar Bhushan, Adv.
Mr. Amartya Bhushan, Adv.
Mr. Ketan Paul, Adv.Ms. Anitha Shenoy, Sr. Adv.
Ms. Shibani Ghosh, AOR
Ms. Sanjana Grace Thomas, Adv.
Mr. Zaman Ali, Adv.
Ms. Aarti Krupa Kumar, Adv.

For Respondent(s)

Ms. Aishwarya Bhati, ASG
Mr. Gurmeet Singh Makker, AOR
Mr. Ajit Kr. Sinha, Sr. Adv.
Ms. Aakanksha Kaul, Adv.

Ms. Archana Pathak Dave, Adv.
Mr. Bhuvan Mishra, Adv.

Mr. Ritwick Dutta, Adv.
Ms. Srishti Agnihotri, AOR
Mr. Chandratany Chaube, Adv.

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

- 1 List the Writ Petitions on 5 August 2021.

(CHETAN KUMAR)
A.R. - cum - P.S.

(SAROJ KUMARI GAUR)
BRANCH OFFICER

WPC 230/2001

1

ITEM NO.1

COURT NO.1

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Writ Petition (Civil) No.230/2001

M.K. BALAKRISHNAN & ORS.

Petitioner(s)

VERSUS

**UNION OF INDIA MINISTRY OF ENVIRONMENT,
FOREST AND CLIMATE CHANGE & ORS.**

Respondent(s)

(With IA No. 203606/2022 - INTERVENTION APPLICATION)

Date : 10-07-2023 These matters were called on for hearing today.

CORAM :

**HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE PAMIDIGHANTAM SRI NARASIMHA**

For Petitioner(s) Mr. Gopal Shankaranarayanan, Sr. Adv.
Mr. Naresh Kumar, AOR
Ms. Trisha Chandran, Adv.

For Respondent(s) Ms. Aishwarya Bhati, ASG
Mr. S. Wasim A Qadri, Sr. Adv.
Mr. A.K. Panda, Sr. Adv.
Ms. Sunita Sharma, Adv.
Ms. Ruchi Kohli, Adv.
Mr. S.N. Terdal, Adv.

Mr. P. V. Yogeswaran, AOR

Ms. Sumita Hazarika, AOR

**Mr. Shiv Sagar Tiwari, AOR
Ms. Aakanksha Tiwari, Adv.**

WPC 230/2001

2

Ms. Ruby Mohd. Wasim, Adv.

Mr. Gopal Singh, AOR

Mr. B. Balaji, AOR

Dr. Manish Singhvi, Sr. Adv.

Mr. Arpit Parkash, Adv.

Ms. Shubhangi Agarwal, Adv.

Mr. Milind Kumar, AOR

Mr. Anil Shrivastav, AAG, AOR

Mr. Shantwanu Singh, Adv.

Mr. Rahul Dubey, Adv.

Ms. Pragya Singh, Adv.

Mr. Sunny Singh, Adv.

Mr. Akshay Singh, Adv.

Mr. Ashok Kumar Singh, AOR

Mr. Kunal Verma, AOR

Mr. G.N. Reddy, AOR

Mr. Shuvodeep Roy, AOR

Mr. Sai Shashank, Adv.

Mr. Deepayan Dutta, Adv.

Mr. Abhimanyu Tewari, AOR

Ms. Eliza Bar, Adv.

Ms. Swati Ghildiyal, AOR

Mr. Bhagwati Prasad, Adv.

Ms. Devyani Bhatt, Adv.

Ms. Supriya Juneja, AOR

Mr. Alok Sangwan, Adv.

Mr. Sumit Sharma, Adv.

Ms. Monika Gusain, Adv.

Mr. Sanjay Kumar Visen, AOR

WPC 230/2001

3

Mr. Abhinav Mukerji, AOR
Mr. Akshay C. Shrivastava, Adv.
Mrs. Bihu Sharma, Adv.

Mr. Shailesh Madiyal, AOR

Mr. V.N. Raghupathy, AOR
Mr. Manendra Pal Gupta, Adv.
Mr. Md. Apzal Ansari, Adv.

Mr. P.V. Dinesh, AOR
Ms. Urvashi Chauhan, Adv.

Mr. Nishe Rajen Shonker, AOR
Mrs. Anu K Joy, Adv.
Mr. Alim Anvar, Adv.

Mr. Sunny Choudhary, AOR

Mr. Pukhrambam Ramesh Kumar, AOR
Mr. Karun Sharma, Adv.

Mr. Avijit Mani Tripathi, AOR
Mr. T.K. Nayak, Adv.
Mr. K.V. Kharlyngdoh, Adv.
Mr. Daniel Lyngdoh, Adv.
Ms. Marbiang Khongwir, Adv.

Ms. K. Enatoli Sema, AOR
Ms. Limayinla Jamir, Adv.
Mr. Amit Kumar Singh, Adv.
Ms. Chubalemla Chang, Adv.
Mr. Prang Newmai, Adv.

Mr. Sibho Sankar Mishra, AOR
Mr. Niranjana Sahu, Adv.
Ms. Prabhati Nayak, Adv.
Mr. Debabrata Dash, Adv.
Ms. Apoorva Sharma, Adv.

Mr. Vinod Ghai, Sr. Adv.
Mr. Ajay Pal, AOR
Mr. Aman Pal, AAG

WPC 230/2001

4

Mr. Amardeep Hooda, Adv.
Mr. Mayank Dahiya, Adv.
Ms. Sugandh Rathor, Adv.

Mr. Narendra Kumar, AOR
Mr. Raghvendra Kumar, Adv.
Mr. Anand Kumar Dubey, Adv.

Mr. R. Ayyam Perumal, AOR

Ms. Purnima Krishna, AOR
Mr. M.F. Philip, Adv.
Mr. Karamveer Singh Yadav, Adv.

Mr. Ravindra Raizada, AAG
Mr. Rajeev Kumar Dubey, Adv.
Mr. Ashiwan Mishra, Adv.
Mr. Kamlendra Mishra, AOR

Ms. Mantika Haryani, Adv.
Mr. Shreyas Awasthi, Adv.
Mr. Bhanu Mishra, Adv.
Ms. Astha Sharma, AOR

Ms. G. Indira, AOR

Mr. Aravindh S., AOR
Ms. Uma Bhuvaneshwari C., Adv.
Mr. Abbas B., Adv.

Mrs. D. Bharathi Reddy, AOR
Mr. Aviral Saxena, Adv.

Mr. Gopal Prasad, AOR

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

- 1 Mr Gopal Sankaranarayanan, senior counsel submits that since the orders of this Court dated 8 February 2017 and 4 October 2017, there has been a material change in the extent of wetlands identified under the Indian

WPC 230/2001

5

Wetlands Atlas 2021 prepared by ISRO which has increased from 2.01 lakh hectares to 2.31 lakh hectares. Hence, it has been submitted that the protection which was granted by this Court may be extended to the expanded area as well.

- 2 Ms Aishwarya Bhati, Additional Solicitor General submits that some time may be granted to her especially on this aspect, having regard to the Wetlands (Conservation and Management) Rules which have come into force in 2017.
- 3 List the Petition along with Writ Petition (C) No 304 of 2018 on 21 July 2023.

(CHETAN KUMAR)
A.R. - cum - P.S.

(SAROJ KUMARI GAUR)
Assistant Registrar

ITEM NO.5

COURT NO.4

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Writ Petition(s)(Civil) No(s).304/2018

ANAND ARYA

Petitioner(s)

VERSUS

UNION OF INDIA

Respondent(s)

(WITH IA No. 131361/2018 - INTERVENTION APPLICATION)

WITH W.P.(C) No. 302/2020 (PIL-W)

Date : 22-02-2022 These matters were called on for hearing today.

CORAM : HON'BLE DR. JUSTICE D.Y. CHANDRACHUD
HON'BLE MR. JUSTICE SURYA KANT
HON'BLE MR. JUSTICE VIKRAM NATH

For Petitioner(s) Mr. Jayant Bhushan Sr. Adv.
Mr. Rohit Kumar Singh, AOR
Mr. Tushar Bhushan, Adv.
Mr. Amartya Bhushan, Adv.
Mr. Ketan Paul, Adv.

Ms. Anitha Shenoy, Sr. Adv.
Ms. Shibani Ghosh, AOR
Ms. Aarti Krupa Kumar, Adv.

For Respondent(s) Ms. Aishwarya Bhati, ASG
Mr. Ajit Kr Sinha, Sr. Adv.
Mr. Gurmeet Singh Makker, AOR
Ms. Aakanksha Kaul, Adv.
Ms. Archana Pathak Dave, Adv.
Mr. Bhuvan Mishra, Adv.

Ms. Srishti Agnihotri, AOR

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

List the petitions on 24 March 2022.

Signature Not Verified
Digitally signed by
Sanjay Kumar
Date: 2022.02.22
17:05:46 IST
Reason: 

(SANJAY KUMAR-I)
AR-CUM-PS

(SAROJ KUMARI GAUR)
COURT MASTER

ITEM NO.10

COURT NO.4

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Writ Petition(s)(Civil) No(s). 304/2018

ANAND ARYA

Petitioner(s)

VERSUS

UNION OF INDIA

Respondent(s)

(WITH IA No. 131361/2018 - INTERVENTION APPLICATION)

WITH

W.P.(C) No. 302/2020 (PIL-W)

Date : 31-03-2022 These matters were called on for hearing today.

CORAM : HON'BLE DR. JUSTICE D.Y. CHANDRACHUD
HON'BLE MR. JUSTICE SANJIV KHANNA
HON'BLE MR. JUSTICE SURYA KANT

For Petitioner(s) Mrs. Rebecca George, Adv.
Mr. Rohit Kumar Singh, AOR
Mr. Tushar Bhushan, Adv.
Mr. Amartya Bhushan, Adv.
Mr. Ketan Paul, Adv.

Ms. Anitha Shenoy, Sr. Adv.
Ms. Shibani Ghosh, AOR
Ms. Aarti Krupa Kumar, Adv.
Ayushma Awasti, Adv.

For Respondent(s) Ms. Aishwarya Bhati, ASG
Mr. Ajit Kumar Sinha, Sr. Adv.
Ms. Archana Pathak Dave, Adv.
Ms. Aakanksha Kaul, Adv.
Mr. Bhuvan Mishra, Adv.
Mr. Gurmeet Singh Makker, AOR

Ms. Srishti Agnihotri, AOR

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

List the petition on 11 May 2022.

Signature Not Verified
Digitally signed by
Sanjay Kumar
Date: 2022.04.01
18:13:33 IST
Reason: 

(SANJAY KUMAR-I)
AR-CUM-PS

(DIPTI KHURANA)
COURT MASTER

ITEM NO.3

COURT NO.1

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Writ Petition(s)(Civil) No(s). 230/2001

M.K. BALAKRISHNAN . & ORS.

Petitioner(s)

VERSUS

UNION OF INDIA MINISTRY OF ENVIRONMENT, FOREST
AND CLIMATE CHANGE & ORS.

Respondent(s)

Date : 11-10-2022 This petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE S. RAVINDRA BHAT
HON'BLE MS. JUSTICE BELA M. TRIVEDI

Counsel for the parties

Mr. Gopal Sankaranarayanan, Sr. Adv.
Mr. Naresh Kumar, AOR

Ms. Sumita Hazarika, AOR

Mr. Shiv Sagar Tiwari, AOR

Mr. Ashok Kumar Panda, Sr. Adv.
Mr. G.S. Makker, AOR

Mr. Gopal Singh, AOR

Mr. K.M. Natraj, ASG
Ms. Indira Bhakar, Adv.
Mr. G.S. Makker, AOR
Mr. Neeraj Kumar Sharma, Adv.

Ms. Aishwarya Bhati, ASG
Mr. Wasim A Qadri, Sr. Adv.
Ms. Sunita Sharma, Adv.
Ms. Ruchi Kohli, Adv.
Ms. Swarupma Chaturvedi, Adv.
Mr. G.S. Makker, AOR

Mr. K.M. Nataraj, ASG
Mr. Neeraj Kr. Sharma, Adv.
Ms. Indira Bhakar, Adv.
Mr. Harsh Singhal, Adv.
Mr. Prahil Sharma, Adv.
Ms. Priyanka Sharma, Adv.

Signature Not Verified

Digitally signed by
BABITA PANDEY
Date: 2022.10.12
14:03:42 IST
Reason: 

Mr. Prabhat Pachauri, Adv.
Mr. Ambuj Saraswat, Adv.
Mr. Harender Singh, Adv.
Mr. Nakul Chengappa K.K., Adv.
Mr. G.S. Makker, AOR

Mr. B. Balaji, AOR

Dr. Manish Singhvi, Sr. Adv.
Mr. Arpit Parkash, Adv.
Mr. Vikalp Sharma, Adv.
Mr. Milind Kumar, AOR

Mr. Anil Shrivastav, AOR

Mr. Ashok Kumar Singh, AOR
Mr. Shantwanu Singh, Adv.
Ms. Pragya Singh, Adv.
Mr. Akshay Singh, Adv.

Mr. Kunal Verma, AOR

Mr. Mahfooz A. Nazki, AOR
Mr. Polanki Gowtham, Adv.
Mr. Shaik Mohamad Haneef, Adv.
Mr. T. Vijaya Bhaskar Reddy, Adv.
Mr. K.V. Girish Chowdary, Adv.
Ms. Rajeswari Mukherjee, Adv.
Ms. Niti Richhariya, Adv.

Mr. P. V. Yogeswaran, AOR

Mr. G. N. Reddy, AOR

Mr. Vikas Bansal, Adv.
Mr. Avijit Mani Tripathi, AOR

Mr. Shuvodeep Roy, AOR
Mr. Arnav Singhdeo, Adv.

Ms. Hemantika Wahi, AOR

Ms. Supriya Juneja, AOR

Mr. Sanjay Kumar Visen, AOR

Mr. Abhinav Mukerji, AOR
Mr. Akshay C. Shrivastava, Adv.
Mrs. Bihu Sharma, Adv.
Ms. Pratishtha Vij, Adv.

Mr. Prashant Bhagwati, Adv.
Ms. Deepanwita Priyanka, AOR

Ms. Ruchi Kohli, Adv.
Mr. G.S. Makker, Adv.

Mr. M. Shoeb Alam, AOR

Mr. V. N. Raghupathy, AOR
Mr. Parikshit Angadi, Adv.
Mr. Md. Apzal Ansari, Adv.

Mr. Nishe Rajen Shonker, AOR
Mrs. Anu K. Joy, Adv.
Mr. Alim Anvar, Adv.

Mr. Avijit Mani Tripathi, AOR
Mr. Upendra Mishra, Adv.
Mr. K.V. Kharlyngdoh, Adv.
Mr. P.S. Negi, Adv.

Mr. B.K. Mishra, Sr. Adv.
Mr. Hitesh Kumar Sharma, Adv.
Mr. Akhileshwar Jha, Adv.
Mr. Deepak Namdari, Adv.
Ms. Kavita S. Nikare, Adv.
Mr. Sanjay Singh, Adv.
Mr. Narendra Pal Sharma, Adv.

Mr. Aaditya A. Pande, AOR
Mr. Siddharth Dharmadhikari, Adv.
Mr. Bharat Bagla, Adv.

Ms. Aishwarya Bhati, ASG
Mr. Wasim Qadri, Sr. Adv.
Mr. G.S. Makker, AOR
Ms. Ruchi Kohli, Adv.
Ms. Sunita Sharma, Adv.
Ms. Swarupama Chaturvedi, Adv.

Mr. P. V. Dinesh, AOR

Dr. Monika Gusain, AOR
Mr. Hari Om Yaduvanshi, Adv.
Miss S. Harini, Adv.

Mr. VVM Pattabhiram, DAG
Mr. Yashraj Singh Bundela, GA
Mr. Sunny Choudhary, AOR
Mr. Prakash Gautam, Adv.

Mr. Pukhrambam Ramesh Kumar, AOR
Mr. Karun Sharma, Adv.
Ms. Anupam Ngangom, Adv.

Mr. Wahengbam Immanuel Meitei, Adv.

Mr. Avijit Mani Tripathi, AOR

Mr. Marbiang Khongwir, Adv.

Mr. T.K. Nayak, Adv.

Mr. Vikas Bansal, Adv.

Ms. K. Enatoli Sema, AOR

Ms. Limayinla Jamir, Adv.

Mr. Amit Kumar Singh, Adv.

Ms. Chubalemla Chang, Adv.

Mr. Prang Newmai, Adv.

Mr. Sibho Sankar Mishra, AOR

Ms. Ranjeeta Rohatgi, AOR

Mr. Raghvendra Kumar, Adv.

Mr. Anand Kumar Dubey, Adv.

Mr. Simanta Kumar, Adv.

Mr. Sunil Saraogi, Adv.

Mr. Rajiv Kumar Sinha, Adv.

Mr. Varun Singh, Adv.

Mr. Ashish Kumar Sinha, Adv.

Mr. Narendra Kumar, AOR

Mr. R. Ayyam Perumal, AOR

Mr. R. Nedumaran, AOR

Dr. Joseph Aristotle S., AOR

Ms. Nupur Sharma, Adv.

Mr. Shobhit Dwivedi, Adv.

Mr. Sanjeev Kumar Mahara, Adv.

Ms. Richa Vishwakarma, Adv.

Mr. Ravindra Raizada, AAG

Mr. Rajeev Kumar Dubey, Adv.

Mr. Ashiwan Mishra, Adv.

Ms. Vaidruti Mishra, Adv.

Mr. Kamlendra Mishra, AOR

Ms. Astha Sharma, AOR

Ms. G. Indira, AOR

Mr. Aravindh S., AOR

Mr. Abbas B., Adv.

Mr. Ajay Pal, AOR

Ms. Priyanka C., Adv.

Mr. Mayank Dahiya, Adv.

Mrs. D. Bharathi Reddy, AOR

Mr. Gopal Prasad, AOR

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

This petition filed in the year 2001 has prayed inter alia for following reliefs :

- (i) Issue notice to the Union of India and the States of the Union and after hearing parties direct the respondents to refrain from converting wetlands and to take all necessary measures for protection and preservation of wetlands in India.
- (ii) Issue a writ, order or direction in the nature of writ of mandamus directing the respondents to refrain from converting wetlands and to take all necessary steps to protect and preserve wetlands in National interest under Section 5 of the Environment (Protection) Act, 1986.
- (iii) Issue directions to the respondents to constitute an authority under Section 3(3) of the Environment (Protection) Act, 1986 with all the powers necessary to deal with the situation created by conversion of wetlands in India and for protection and preservation of balance remaining wetlands and to pay compensation for such illegal conversion, as this Hon'ble Court feels fit and proper in the circumstances of the cases.
- (iv) Issue any other writ or order or directions which this Hon'ble Court deems fit and proper in the circumstances of the case.

This matter has been engaging attention of this Court on number of occasions and pleadings have been exchanged between the parties. Various orders and directions have been passed by this

Court from time to time and there have been amendments in the governing statutory provisions.

Mr. Gopal Sankaranarayanan, learned Senior Counsel appearing for the petitioners, submits that with the passage of time, certain issues which still survive and require attention of this Court shall be catalogued by the petitioners along with material in support of his submissions by way of fresh affidavit so that attention can be focused on those issues; which will in turn enable all the learned counsel for the appearing parties to address their submissions.

We accept the submissions made by Mr. Sankaranarayanan, learned Senior Counsel, and give time of three weeks to him to place the affidavit on record. Let the digitised version of the affidavit be shared with all the learned counsel for appearing parties who may file their responses within three weeks. No response shall thereafter be entertained by the Registry of this Court.

Learned Advocate instructing Mr. Sankaranarayanan, learned Senior Counsel, shall compile all those responses in a compilation along with basic affidavit and the matter shall be considered in light of these pleadings alone.

List the matter for further consideration on 29.11.2022.

(SANJAY KUMAR-II)
ASTT. REGISTRAR-cum-PS

(VIRENDER SINGH)
BRANCH OFFICER

ITEM NO.3

COURT NO.1

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Writ Petition(s)(Civil) No(s). 230/2001

M.K. BALAKRISHNAN . & ORS.

Petitioner(s)

VERSUS

UNION OF INDIA MINISTRY OF ENVIRONMENT, FOREST
AND CLIMATE CHANGE & ORS.

Respondent(s)

Date : 11-10-2022 This petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE S. RAVINDRA BHAT
HON'BLE MS. JUSTICE BELA M. TRIVEDI

Counsel for the parties

Mr. Gopal Sankaranarayanan, Sr. Adv.
Mr. Naresh Kumar, AOR

Ms. Sumita Hazarika, AOR

Mr. Shiv Sagar Tiwari, AOR

Mr. Ashok Kumar Panda, Sr. Adv.
Mr. G.S. Makker, AOR

Mr. Gopal Singh, AOR

Mr. K.M. Natraj, ASG
Ms. Indira Bhakar, Adv.
Mr. G.S. Makker, AOR
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Ms. Aishwarya Bhati, ASG
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Ms. Ruchi Kohli, Adv.
Ms. Swarupma Chaturvedi, Adv.
Mr. G.S. Makker, AOR

Mr. K.M. Nataraj, ASG
Mr. Neeraj Kr. Sharma, Adv.
Ms. Indira Bhakar, Adv.
Mr. Harsh Singhal, Adv.
Mr. Prahil Sharma, Adv.
Ms. Priyanka Sharma, Adv.

Mr. Prabhat Pachauri, Adv.
Mr. Ambuj Saraswat, Adv.
Mr. Harender Singh, Adv.
Mr. Nakul Chengappa K.K., Adv.
Mr. G.S. Makker, AOR

Mr. B. Balaji, AOR

Dr. Manish Singhvi, Sr. Adv.
Mr. Arpit Parkash, Adv.
Mr. Vikalp Sharma, Adv.
Mr. Milind Kumar, AOR

Mr. Anil Shrivastav, AOR

Mr. Ashok Kumar Singh, AOR
Mr. Shantwanu Singh, Adv.
Ms. Pragya Singh, Adv.
Mr. Akshay Singh, Adv.

Mr. Kunal Verma, AOR

Mr. Mahfooz A. Nazki, AOR
Mr. Polanki Gowtham, Adv.
Mr. Shaik Mohamad Haneef, Adv.
Mr. T. Vijaya Bhaskar Reddy, Adv.
Mr. K.V. Girish Chowdary, Adv.
Ms. Rajeswari Mukherjee, Adv.
Ms. Niti Richhariya, Adv.

Mr. P. V. Yogeswaran, AOR

Mr. G. N. Reddy, AOR

Mr. Vikas Bansal, Adv.
Mr. Avijit Mani Tripathi, AOR

Mr. Shuvodeep Roy, AOR
Mr. Arnav Singhdeo, Adv.

Ms. Hemantika Wahi, AOR

Ms. Supriya Juneja, AOR

Mr. Sanjay Kumar Visen, AOR

Mr. Abhinav Mukerji, AOR
Mr. Akshay C. Shrivastava, Adv.
Mrs. Bihu Sharma, Adv.
Ms. Pratishtha Vij, Adv.

Mr. Prashant Bhagwati, Adv.
Ms. Deepanwita Priyanka, AOR

Ms. Ruchi Kohli, Adv.
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Mr. Md. Apzal Ansari, Adv.

Mr. Nishe Rajen Shonker, AOR
Mrs. Anu K. Joy, Adv.
Mr. Alim Anvar, Adv.

Mr. Avijit Mani Tripathi, AOR
Mr. Upendra Mishra, Adv.
Mr. K.V. Kharlyngdoh, Adv.
Mr. P.S. Negi, Adv.

Mr. B.K. Mishra, Sr. Adv.
Mr. Hitesh Kumar Sharma, Adv.
Mr. Akhileshwar Jha, Adv.
Mr. Deepak Namdari, Adv.
Ms. Kavita S. Nikare, Adv.
Mr. Sanjay Singh, Adv.
Mr. Narendra Pal Sharma, Adv.

Mr. Aaditya A. Pande, AOR
Mr. Siddharth Dharmadhikari, Adv.
Mr. Bharat Bagla, Adv.

Ms. Aishwarya Bhati, ASG
Mr. Wasim Qadri, Sr. Adv.
Mr. G.S. Makker, AOR
Ms. Ruchi Kohli, Adv.
Ms. Sunita Sharma, Adv.
Ms. Swarupama Chaturvedi, Adv.

Mr. P. V. Dinesh, AOR

Dr. Monika Gusain, AOR
Mr. Hari Om Yaduvanshi, Adv.
Miss S. Harini, Adv.

Mr. VVM Pattabhiram, DAG
Mr. Yashraj Singh Bundela, GA
Mr. Sunny Choudhary, AOR
Mr. Prakash Gautam, Adv.

Mr. Pukhrambam Ramesh Kumar, AOR
Mr. Karun Sharma, Adv.
Ms. Anupam Ngangom, Adv.

Mr. Wahengbam Immanuel Meitei, Adv.

Mr. Avijit Mani Tripathi, AOR

Mr. Marbiang Khongwir, Adv.

Mr. T.K. Nayak, Adv.

Mr. Vikas Bansal, Adv.

Ms. K. Enatoli Sema, AOR

Ms. Limayinla Jamir, Adv.

Mr. Amit Kumar Singh, Adv.

Ms. Chubalemla Chang, Adv.

Mr. Prang Newmai, Adv.

Mr. Sibho Sankar Mishra, AOR

Ms. Ranjeeta Rohatgi, AOR

Mr. Raghvendra Kumar, Adv.

Mr. Anand Kumar Dubey, Adv.

Mr. Simanta Kumar, Adv.

Mr. Sunil Saraogi, Adv.

Mr. Rajiv Kumar Sinha, Adv.

Mr. Varun Singh, Adv.

Mr. Ashish Kumar Sinha, Adv.

Mr. Narendra Kumar, AOR

Mr. R. Ayyam Perumal, AOR

Mr. R. Nedumaran, AOR

Dr. Joseph Aristotle S., AOR

Ms. Nupur Sharma, Adv.

Mr. Shobhit Dwivedi, Adv.

Mr. Sanjeev Kumar Mahara, Adv.

Ms. Richa Vishwakarma, Adv.

Mr. Ravindra Raizada, AAG

Mr. Rajeev Kumar Dubey, Adv.

Mr. Ashiwan Mishra, Adv.

Ms. Vaidruti Mishra, Adv.

Mr. Kamlendra Mishra, AOR

Ms. Astha Sharma, AOR

Ms. G. Indira, AOR

Mr. Aravindh S., AOR

Mr. Abbas B., Adv.

Mr. Ajay Pal, AOR

Ms. Priyanka C., Adv.

Mr. Mayank Dahiya, Adv.

Mrs. D. Bharathi Reddy, AOR

Mr. Gopal Prasad, AOR

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

This petition filed in the year 2001 has prayed inter alia for following reliefs :

- (i) Issue notice to the Union of India and the States of the Union and after hearing parties direct the respondents to refrain from converting wetlands and to take all necessary measures for protection and preservation of wetlands in India.
- (ii) Issue a writ, order or direction in the nature of writ of mandamus directing the respondents to refrain from converting wetlands and to take all necessary steps to protect and preserve wetlands in National interest under Section 5 of the Environment (Protection) Act, 1986.
- (iii) Issue directions to the respondents to constitute an authority under Section 3(3) of the Environment (Protection) Act, 1986 with all the powers necessary to deal with the situation created by conversion of wetlands in India and for protection and preservation of balance remaining wetlands and to pay compensation for such illegal conversion, as this Hon'ble Court feels fit and proper in the circumstances of the cases.
- (iv) Issue any other writ or order or directions which this Hon'ble Court deems fit and proper in the circumstances of the case.

This matter has been engaging attention of this Court on number of occasions and pleadings have been exchanged between the parties. Various orders and directions have been passed by this

Court from time to time and there have been amendments in the governing statutory provisions.

Mr. Gopal Sankaranarayanan, learned Senior Counsel appearing for the petitioners, submits that with the passage of time, certain issues which still survive and require attention of this Court shall be catalogued by the petitioners along with material in support of his submissions by way of fresh affidavit so that attention can be focused on those issues; which will in turn enable all the learned counsel for the appearing parties to address their submissions.

We accept the submissions made by Mr. Sankaranarayanan, learned Senior Counsel, and give time of three weeks to him to place the affidavit on record. Let the digitised version of the affidavit be shared with all the learned counsel for appearing parties who may file their responses within three weeks. No response shall thereafter be entertained by the Registry of this Court.

Learned Advocate instructing Mr. Sankaranarayanan, learned Senior Counsel, shall compile all those responses in a compilation along with basic affidavit and the matter shall be considered in light of these pleadings alone.

List the matter for further consideration on 29.11.2022.

(SANJAY KUMAR-II)
ASTT. REGISTRAR-cum-PS

(VIRENDER SINGH)
BRANCH OFFICER

ITEM NO.7

COURT NO.1

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Writ Petition(s)(Civil) No(s).304/2018

ANAND ARYA

Petitioner(s)

VERSUS

UNION OF INDIA

Respondent(s)

(WITH IA No. 131361/2018 - INTERVENTION APPLICATION)

WITH

W.P.(C) No. 302/2020 (PIL-W)

Date : 06-02-2023 These petitions were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE PAMIDIGHANTAM SRI NARASIMHA
HON'BLE MR. JUSTICE J.B. PARDIWALA

For Petitioner(s) Mr. Rohit Kumar Singh, AOR
Mr. Harsh Jain, Adv.
Mr. Tushar Bhushan, Adv.
Mr. Amartya Bhushan, Adv.

Ms. Shibani Ghosh, AOR

For Respondent(s) Ms. Aishwarya Bhati, Attorney General for India
Mr. Gurmeet Singh Makker, AOR
Ms. Aakanksha Kaul, Adv.
Ms. Archana Pathak Dave, Adv.
Mr. Bhuvan Mishra, Adv.

Ms. Srishti Agnihotri, AOR
Ms. Sanjana Grace Thomas, Adv.
Ms. Mantika Vohra, Adv.

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

In view of the letter circulated by counsel for the petitioner, list the petitions on 13 February 2023.

Signature Not Verified
Digitally signed by
Sanjay Kumar
Date: 2023.02.06
18:08:42 IST
Reason: 

(SANJAY KUMAR-I)
DEPUTY REGISTRAR

(SAROJ KUMARI GAUR)
ASSISTANT REGISTRAR

ITEM NO.4

COURT NO.1

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Writ Petition(s)(Civil) No(s).304/2018

ANAND ARYA

Petitioner(s)

VERSUS

UNION OF INDIA

Respondent(s)

(WITH IA No. 131361/2018 - INTERVENTION APPLICATION)

WITH W.P.(C) No. 302/2020 (PIL-W)

Date : 13-02-2023 These matters were called on for hearing today.

CORAM : HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE PAMIDIGHANTAM SRI NARASIMHA
HON'BLE MR. JUSTICE J.B. PARDIWALA

For Petitioner(s) Mrs. Rebecca George, Adv.
Mr. Rohit Kumar Singh, AOR
Mr. Amartya Bhushan, Adv.
Mr. Tushar Bhushan, Adv.
Mr. Harsh Jain, Adv.

Ms. Anitha Shenoy, Sr. Adv.
Ms. Shibani Ghosh, AOR
Ms. Ayushma Awasthi, Adv.
Ms. Namrata Sarah Caleb, Adv.

For Respondent(s) Ms. Aakanksha Kaul, Adv.
Ms. Archana Pathak Dave, Adv.
Mr. Bhuvan Mishra, Adv.
Ms. Aishwarya Bhati, A.S.G.
Mr. Aman Sharma, Adv.
Dr. Arun Kumar Yadav, Adv.
Mr. Gurmeet Singh Makker, AOR

Ms. Srishti Agnihotri, AOR

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

List the petitions on 27 February 2023.

Signature Not Verified
Digitally signed by
Sanjay Kumar
Date: 2023.02.14
13:37:00 IST
Reason: 

(SANJAY KUMAR-I)
DEPUTY REGISTRAR

(SAROJ KUMARI GAUR)
ASSISTANT REGISTRAR

ITEM NO.29

COURT NO.1

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Writ Petition(s)(Civil) No(s). 304/2018

ANAND ARYA

Petitioner(s)

VERSUS

UNION OF INDIA

Respondent(s)

(WITH IA No. 131361/2018 - INTERVENTION APPLICATION)

WITH

W.P.(C) No. 302/2020 (PIL-W)

Date : 27-02-2023 These petitions were called on for hearing today.

CORAM : HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE PAMIDIGHANTAM SRI NARASIMHA
HON'BLE MR. JUSTICE J.B. PARDIWALA

For Petitioner(s) Mrs. Rebecca George, Adv.
Mr. Rohit Kumar Singh, AOR
Mr. Amartya Bhushan, Adv.
Mr. Tushar Bhushan, Adv.
Mr. Harsh Jain, Adv.

Ms. Anitha Shenoy, Sr. Adv.
Ms. Ayushma Awasthi, Adv.
Ms. Namrata Sarah Caleb, Adv.
Ms. Anuja Mishra, Adv.
Ms. Shibani Ghosh, AOR

For Respondent(s) Mr. Gurmeet Singh Makker, AOR
Ms. Aakanksha Kaul, Adv.
Ms. Archana Pathak Dave, Adv.
Mr. Bhuvan Mishra, Adv.
Ms. Aishwarya Bhati, A.S.G.
Mr. Aman Sharma, Adv.
Dr. Arun Kumar Yadav, Adv.

Ms. Srishti Agnihotri, AOR

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

Signature Not Verified
Digitally signed by
Sanjay Kumar
Date: 2023.02.27
17:45:27 IST
Reason: []

List the petitions on 27 March 2023.

(SANJAY KUMAR-I)
DEPUTY REGISTRAR

(SAROJ KUMARI GAUR)
ASSISTANT REGISTRAR

ITEM NO.19

COURT NO.1

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Writ Petition(s)(Civil) No(s).304/2018

ANAND ARYA

Petitioner(s)

VERSUS

UNION OF INDIA

Respondent(s)

(WITH IA No. 131361/2018 - INTERVENTION APPLICATION)

WITH

W.P.(C) No. 302/2020 (PIL-W)

Date : 21-04-2023 These petitions were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE PAMIDIGHANTAM SRI NARASIMHA

For Petitioner(s)

Mr. Jayant Bhushan, Sr. Adv.
Mr. Amartya Bhushan, Adv.
Mr. Tushar Bhushan, Adv.
Mr. Rohit Kumar Singh, AOR
Mr. Harsh Jain, Adv.

Mrs. Anitha Shenoy, Sr. Adv.
Ms. Shibani Ghosh, AOR

For Respondent(s)

Ms. Aishwarya Bhati, A.S.G.
Mr. Gurmeet Singh Makker, AOR
Ms. Aakanksha Kaul, Adv.
Ms. Archana Pathak Dave, Adv.
Mr. Bhuvan Mishra, Adv.
Mr. Aman Sharma, Adv.
Dr. Arun Kumar Yadav, Adv.

Ms. Srishti Agnihotri, AOR
Ms. Sanjana Grace Thomas, Adv.

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

List the petitions on 12 May 2023.

Signature Not Verified
Digitally signed by
Sanjay Kumar
Date: 2023.04.21
16:55:08 IST
Reason: 

(SANJAY KUMAR-I)
DEPUTY REGISTRAR

(SAROJ KUMARI GAUR)
ASSISTANT REGISTRAR

ITEM NO.32

COURT NO.1

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Writ Petition(s)(Civil) No(s). 304/2018

ANAND ARYA

Petitioner(s)

VERSUS

UNION OF INDIA

Respondent(s)

(IA No. 131361/2018 - INTERVENTION APPLICATION)

WITH

W.P.(C) No. 302/2020 (PIL-W)

Date : 12-05-2023 These matters were called on for hearing today.

CORAM : HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE PAMIDIGHANTAM SRI NARASIMHA

For Petitioner(s) Ms. Rebecca George Bhushan, Adv.
Mr. Rohit Kumar Singh, AOR
Mr. Tushar Bhushan, Adv.
Mr. Harsh Jain, Adv.

Ms. Anitha Shenoy, Sr. Adv.
Ms. Shibani Ghosh, AOR
Ms. Ayushma Awasthi, Adv.
Ms. Namrata Sarah Caleb, Adv.

For Respondent(s) Mr. Gurmeet Singh Makker, AOR
Ms. Aakanksha Kaul, Adv.
Ms. Archana Pathak Dave, Adv.
Mr. Bhuvan Mishra, Adv.
Ms. Aishwarya Bhati, A.S.G.
Mr. Aman Sharma, Adv.
Dr. Arun Kumar Yadav, Adv.

Ms. Srishti Agnihotri, AOR
Ms. Sanjana Grace Thomas, Adv.

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

Signature Not Verified
Digitally signed by
NEETA SARKAR
Date: 2023.05.12
17:33:23 IST
Reason: 

List the Writ Petitions on a non-miscellaneous day on 22 August 2023.

(GULSHAN KUMAR ARORA)
AR-CUM-PS

(SAROJ KUMARI GAUR)
ASSISTANT REGISTRAR

ITEM NO.32

COURT NO.1

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Writ Petition(s)(Civil) No(s). 304/2018

ANAND ARYA

Petitioner(s)

VERSUS

UNION OF INDIA

Respondent(s)

(IA No. 131361/2018 - INTERVENTION APPLICATION)

WITH

W.P.(C) No. 302/2020 (PIL-W)

Date : 12-05-2023 These matters were called on for hearing today.

CORAM : HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE PAMIDIGHANTAM SRI NARASIMHA

For Petitioner(s) Ms. Rebecca George Bhushan, Adv.
Mr. Rohit Kumar Singh, AOR
Mr. Tushar Bhushan, Adv.
Mr. Harsh Jain, Adv.

Ms. Anitha Shenoy, Sr. Adv.
Ms. Shibani Ghosh, AOR
Ms. Ayushma Awasthi, Adv.
Ms. Namrata Sarah Caleb, Adv.

For Respondent(s) Mr. Gurmeet Singh Makker, AOR
Ms. Aakanksha Kaul, Adv.
Ms. Archana Pathak Dave, Adv.
Mr. Bhuvan Mishra, Adv.
Ms. Aishwarya Bhati, A.S.G.
Mr. Aman Sharma, Adv.
Dr. Arun Kumar Yadav, Adv.

Ms. Srishti Agnihotri, AOR
Ms. Sanjana Grace Thomas, Adv.

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

Signature Not Verified
Digitally signed by
NEETA SARKAR
Date: 2023.05.12
17:33:23 IST
Reason: 

List the Writ Petitions on a non-miscellaneous day on 22 August 2023.

(GULSHAN KUMAR ARORA)
AR-CUM-PS

(SAROJ KUMARI GAUR)
ASSISTANT REGISTRAR

ITEM NO.801

COURT NO.12

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Writ Petition(s)(Civil) No(s). 304/2018

ANAND ARYA

Petitioner(s)

VERSUS

UNION OF INDIA

Respondent(s)

WITH

W.P.(C) No. 230/2001 (PIL-W)

I.A.NO.203606/2022 IN W.P.(C)NO.230/2001

Date : 08-05-2025 These petitions were called on for mentioning today.

CORAM : HON'BLE MR. JUSTICE SUDHANSHU DHULIA
HON'BLE MR. JUSTICE K. VINOD CHANDRAN

For Petitioner(s) : Mr. Shishir Pinaki, AOR (Mentioned by)

Mr. Rohit Kumar Singh, AOR

For Respondent(s) : Mr. Prakash Gautam, Adv.
Mr. Mukesh Kumar Maroria, AOR

UPON being mentioned by counsel the Court made the following
O R D E R

List the matter on 22.07.2025.

(JAYANT KUMAR ARORA)
ASTT. REGISTRAR-cum-PS

(RENU BALA GAMBHIR)
ASSISTANT REGISTRAR

ITEM NO.36

COURT NO.8

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Writ Petition (Civil) No.304/2018

ANAND ARYA

Petitioner(s)

VERSUS

UNION OF INDIA

Respondent(s)

IA No. 131361/2018 - INTERVENTION APPLICATION

WITHW.P.(C) No. 230/2001 (PIL-W)

I.A.NO.203606/2022 IN W.P.(C)NO.230/2001

IA No. 203606/2022 - INTERVENTION APPLICATION

W.P.(C) No. 302/2020 (PIL-W)

FOR impleading party ON IA 172736/2024

FOR INTERVENTION/IMPLEADMENT ON IA 172736/2024

FOR APPROPRIATE ORDERS/DIRECTIONS ON IA 172737/2024

IA No. 172737/2024 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 172736/2024 - INTERVENTION/IMPLEADMENT

Date : 22-07-2025 These matters were mentioned today.

CORAM : HON'BLE MR. JUSTICE SUDHANSHU DHULIA
HON'BLE MR. JUSTICE ARAVIND KUMAR

For Petitioner(s) :Mr. Shishir Pinaki, AOR

Mr. Jayant Bhushan, Sr. Adv.
Ms. Rebecca George, Adv.
Mr. Rohit Kumar Singh, AOR
Mr. Amartya Bhushan, Adv.
Ms. Ayushi Gaur, Adv.

Ms. Anitha Shenoy, Sr. Adv.
Ms. Shibani Ghosh, AOR
Ms. Sadhana Madhavan, Adv.
Ms. Kavana Rao, Adv.

For Respondent(s) : Ms. Aishwarya Bhati, A.S.G.
 Mr. Gurmeet Singh Makker, AOR
 Ms. Swarupma Chaturvedi, Sr. Adv.
 Mr. Bhuvan Mishra, Adv.
 Ms. Sunita Sharma, Adv.
 Mr. Rohan Gupta, Adv.

Mr. P.V. Yogeswaran, AOR
 Ms. Sumita Hazarika, AOR
 Mr. Shiv Sagar Tiwari, AOR

Mr. Manish Kumar, AOR
 Mr. Kumar Saurav, Adv.
 Mr. Divyansh Mishra, Adv.

Mr. Milind Kumar, AOR
 Mr. Anil Shrivastav, AOR

Mr. Ashok Kumar Singh, AOR
 Mr. Shantwanu Singh, Adv.
 Mrs. Pragya Singh, Adv.
 Mr. Akshay Singh, Adv.

Mr. Kunal Verma, AOR

Mr. Guntur Pramod Kumar, AOR
 Ms. Perna Singh, Adv.
 Mr. Dhruv Yadav, Adv.

Mr. Shuvodeep Roy, AOR
 Mr. Saurabh Tripathi, Adv.
 Mr. Deepayan Dutta, Adv.

Ms. Eliza Barr, Adv.
 Ms. Disha Singh, AOR

Mrs. Aishwarya Bhati, A.S.G.
 Mrs. Swarupama Chaturvedi, Sr. Adv.
 Mrs. Ruchi Kohli, Sr. Adv.
 Mr. Mukesh Kumar Maroria, AOR
 Mr. A K Panda, Adv.
 Mr. Sunita Sharma, Adv.
 Mr. Rohit Pandey, Adv.

Ms. Swati Ghildiyal, AOR

Ms. Supriya Juneja, AOR

Mr. Alok Sangwan, Sr. A.A.G.
 Mr. Akshay Amritanshu, AOR
 Mr. Sumit Kumar Sharma, Adv.
 Mr. Rajat Sangwan, Adv.

Mr. Shikhar Narwal, Adv.
 Ms. Drishti Rawal, Adv.
 Ms. Drishti Saraf, Adv.

Mr. Vishwanathan Iyer, Adv.
 Ms. Shimpy Sharma, Adv.
 Mr. Arman Roop Sharma, Adv.
 Mrs. Pooja Sharma, Adv.
 Mr. Sandeep Jindal, AOR

Mr. Parth Awasthi, Adv.
 Mr. Pashupathi Nath Razdan, AOR

Mr. Sanchit Garga, AOR

Mr. Nishe Rajen Shonker, AOR
 Mrs. Anu K Joy, Adv.
 Mr. Alim Anvar, Adv.
 Mr. Santhosh K, Adv.
 Mrs. Devika A.L., Adv.

Mr. Sunny Choudhary, AOR

Mr. Adarsh Dubey, Adv.
 Mr. Siddharth Dharmadhikari, Adv.
 Mr. Aaditya Aniruddha Pande, AOR
 Mr. Shrirang B. Varma, Adv.

Mr. Pukhrambam Ramesh Kumar, AOR
 Mr. Karun Sharma, Adv.
 Ms. Anupama Ngangom, Adv.
 Ms. Rajkumari Divyasana, Adv.

Mr. Amit Kumar, Advocate General
 Mr. Avijit Mani Tripathi, AOR
 Mr. T.k. Nayak, Adv.
 Ms. Marbiang Khngwir, Adv.

Mr. Anando Mukherjee, AOR
 Mr. Shwetank Singh, Adv.

Ms. K. Enatoli Sema, AOR
 Mr. Amit Kumar Singh, Adv.
 Ms. Chubalemla Chang, Adv.
 Mr. Prang Newmai, Adv.

Mr. Gaurav Khanna, AOR
 Ms. Natasha Sahrawat, Adv.
 Mr. Gautam Barnwal, Adv.
 Mr. Rudraksh Pandey, Adv.
 Ms. Deepali Bhanot, Adv.

Mr. Siddhant Sharma, AOR

Mr. Shiv Mangal Sharma, A.A.G.

Ms. Abhinandini Sharma, Adv.

Mr. Amogh Bansal, Adv.

Ms. Nidhi Jaswal, AOR

Mr. Sameer Abhyankar, AOR

Mr. Rahul Kumar, Adv.

Mr. Aakash Thakur, Adv.

Ms. Yashika Sharma, Adv.

Mr. R. Ayyam Perumal, AOR

Ms. Purnima Krishna, AOR

Mr. M.f.philip, Adv.

Mr. Karamveer Singh Yadav, Adv.

Mr. Togin M. Babichen, Adv.

Ms. Garima Prashad, Sr. A.A.G.

Mr. Sudeep Kumar, AOR

Ms. Manisha, Adv.

Ms. Rupali, Adv.

Ms. Ananya Rai, Adv.

Mr. Prashant Alai, Adv.

Mr. Kunal Mimani, AOR

Mr. K.M Nataraj, A.S.G.

Ms. Aishwarya Bhati, A.S.G.

Mr. Varun Chugh, Adv.

Mr. Krishna Kant Dubey, Adv.

Mr. Bhuvan Kapoor, Adv.

Mr. Neeraj Kumar Sharma, Adv.

Ms. Indira Bhakar, Adv.

Ms. Swarupama Chaturvedi, Sr. Adv.

Mr. Ashok Kumar Panda, Adv.

Ms. Ruchi Kohli, Adv.

Ms. Sunita Sharma, Adv.

Mr. Gautam Kumar, Adv.

Mr. N Visakamurthy, aor, Adv.

Mr. Shreekant Neelappa Terdal, AOR

Mr. Aravindh S., AOR

Mr. Aman Gautam, Adv.

Ms. Anika Bansal, Adv.

Ms. Suveni Bhagat, AOR

Mr. Gopal Prasad, AOR

Mr. Pukhrambam Ramesh Kumar, AOR
Mr. Karun Sharma, Adv.
Ms. Anupama Ngangom, Adv.
Ms. Rajkumari Divyasana, Adv.

Ms. Srishti Agnihotri, AOR
Ms. Sanjana Grace Thomas, Adv.
Mr. D.P. Singh, Adv.
Ms. Tara Elizabeth Kurien, Adv.

Mr. Shishir Pinaki, AOR
Mr. Dhanaeswar Gudapalli, Adv.
Ms. Mallika Das, Adv.

Mr. Akash Vashishtha, Adv.
Mr. Rishi Sehgal, AOR
Mr. Midhun Aggarwal, Adv.

Mr. Sravan Kumar Karanam, AOR
Mr. Kumar Nikhil, Adv.

Mr. Sanjai Kumar Pathak, AOR
Mrs. Shashi Pathak, Adv.
Mr. Arvind Kumar Tripathi, Adv.

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

List on 19.08.2025.

(VIJAY KUMAR)
ASTT. REGISTRAR-cum-PS

(RENU BALA GAMBHIR)
ASSISTANT REGISTRAR

ITEM NO.34

COURT NO.15

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Writ Petition (Civil) No.304/2018

ANAND ARYA

Petitioner(s)

VERSUS

UNION OF INDIA

Respondent(s)

IA No. 131361/2018 - INTERVENTION APPLICATION

WITH

W.P.(C) No. 230/2001 (PIL-W)

I.A.NO.203606/2022 IN W.P.(C)NO.230/2001

IA No. 203606/2022 - INTERVENTION APPLICATION

W.P.(C) No. 302/2020 (PIL-W)

IA No. 172737/2024 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 172736/2024 - INTERVENTION/IMPLEADMENT

Date : 19-08-2025 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE ARAVIND KUMAR

HON'BLE MR. JUSTICE N.V. ANJARIA

For Petitioner(s) : Mr. Shishir Pinaki, AOR

Mr. Jayant Bhushan, Sr. Adv.

Mr. Rohit Kumar Singh, AOR

Mr. Amartya Bhushan, Adv.

Ms. Rajlakshmi Singh, Adv.

Ms. Vidushi Srivastava, Adv.

Ms. Rambha Singh, Adv.

Ms. Anitha Shenoy, Sr. Adv.

Ms. Shibani Ghosh, AOR

Ms. Sadhana Madhavan, Adv.

Ms. Kavana Rao, Adv.

Mr. Shovan Mishra, AOR

Bipasa Tripathy, Adv.

Shlok Luthra, Adv.

For Respondent(s) : Mr. Anil Shrivastav, AOR

Mr. Ashok Kumar Singh, AOR

Mr. Kunal Verma, AOR

Ms. Aishwarya Bhati, A.S.G.

Signature Not Verified
Digitally signed by
SNEHA DAS
Date: 2025.08.22
17:07:34 IST
Reason: 

Ms. Swarupma Chaturvedi, Sr. Adv.
 Mr. Gurmeet Singh Makker, AOR
 Mr. Bhuvan Mishra, Adv.
 Ms. Sunita Sharma, Adv.
 Mr. Aman Sharma, Adv.
 Mr. Pratyush Srivastava, Adv.
 Mr. Rohan Gupta, Adv.

Mr. P. V. Yogeswaran, AOR
 Ms. Sumita Hazarika, AOR

Ms. Aakanksha Tiwari, Adv.
 Mrs. Priyanka Dwivedi, Adv.
 Mrs. Monika, Adv.
 Ms. Nazish Fatima, Adv.
 Mahipal Singh, Adv.
 Ravinder Pal Singh, Adv.
 Dilip Kumar, Adv.
 Mr. Supriya, Adv.
 Kanchan Kumari, Adv.
 Javed Raza, Adv.
 Mr. Shiv Sagar Tiwari, AOR

Mr. Manish Kumar, AOR
 Mr. Divyansh Mishra, Adv.

Mr. Milind Kumar, AOR

Mr. Guntur Pramod Kumar, AOR
 Ms. Purna Singh, Adv.
 Mr. Dhruv Yadav, Adv.

Mr. Shuvodeep Roy, AOR

Ms. Eliza Barr, Adv.
 Ms. Disha Singh, AOR

Mrs. Aishwarya Bhati, A.S.G.
 Mrs. Swarupama Chaturvedi, Sr. Adv.
 Mrs. Ruchi Kohli, Sr. Adv.
 Mr. Mukesh Kumar Maroria, AOR
 Mr. Sunita Sharma, Adv.
 Mr. Pratyush Srivastav, Adv.

Ms. Swati Ghildiyal, AOR

Ms. Supriya Juneja, AOR

Mr. Alok Sangwan, Sr. A.A.G.
 Mr. Akshay Amritanshu, AOR
 Mr. Sumit Kumar Sharma, Adv.
 Mr. Rajat Sangwan, Adv.

Mr. Shikhar Narwal, Adv.
Ms. Drishti Rawal, Adv.
Ms. Drishti Saraf, Adv.
Mr. Mayur Goyal, Adv.

Mr. Vishwanathan Iyer, Adv.
Mrs. Shimpy Sharma, Adv.
Ms. Pooja Sharma, Adv.
Mr. Sandeep Jindal, AOR

Mr. Parth Awasthi, Adv.
Mr. Pashupathi Nath Razdan, AOR

Mr. Muhammad Ali Khan, A.A.G.
Mr. Sanchit Garga, AOR
Mr. Shashwat Jaiswal, Adv.
Mr. Kunal Rana, Adv.
Mr. Bhanu Pratap Singh, Adv.

Mr. Nishe Rajen Shonker, AOR
Mrs. Anu K Joy, Adv.
Mr. Alim Anvar, Adv.
Mr. Santhosh K, Adv.
Mrs. Devika A.L., Adv.

Mr. Sunny Choudhary, AOR

Mr. Adarsh Dubey, Adv.
Mr. Siddharth Dharmadhikari, Adv.
Mr. Aaditya Aniruddha Pande, AOR
Mr. Shrirang B. Varma, Adv.

Mr. Pukhrambam Ramesh Kumar, AOR
Mr. Karun Sharma, Adv.
Ms. Rajkumari Divyasana, Adv.
Ms. Anupama Ngangom, Adv.

Mr. Avijit Mani Tripathi, AOR
Mr. T.K. Nayak, Adv.

Mr. Anando Mukherjee, AOR

Ms. K. Enatoli Sema, AOR
Mr. Amit Kumar Singh, Adv.
Ms. Chubalemla Chang, Adv.
Mr. Prang Newmai, Adv.
Ms. Yanmi Phazng, Adv.

Mr. Gaurav Khanna, AOR
Ms. Natasha Sahrawat, Adv.
Mr. Gautam Barnwal, Adv.
Mr. Rudraksh Pandey, Adv.

Ms. Deepali Bhanot, Adv.

Mr. Siddhant Sharma, AOR

Mr. Shiv Mangal Sharma, A.A.G.

Ms. Abhinandini Sharma, Adv.

Mr. Amogh Bansal, Adv.

Ms. Nidhi Jaswal, AOR

Mr. Sameer Abhyankar, AOR

Ms. Yashika Sharma, Adv.

Mr. Aryan Srivastava, Adv.

Mr. R. Ayyam Perumal, AOR

Ms. Purnima Krishna, AOR

Mr. M.F. Philip, Adv.

Mr. Karamveer Singh Yadav, Adv.

Mr. Tugin M. Babichen, Adv.

Mr. Sudeep Kumar, AOR

Ms. Garima Prashad, Sr. A.A.G.

Mr. Sudeep Kumar, Adv.

Mr. Abhishek Saket, Adv.

Ms. Manisha, Adv.

Ms. Rupali, Adv.

Mr. Kunal Mimani, AOR

Mr. Prashant Alai, Adv.

Mr. K.M Nataraj, A.S.G.

Ms. Aishwarya Bhati, A.S.G.

Ms. Swarupama Chaturvedi, Sr. Adv.

Mr. Ashok Kumar Panda, Adv.

Ms. Ruchi Kohli, Adv.

Ms. Sunita Sharma, Adv.

Mr. Gautam Kumar, Adv.

Mr. N Visakamurthy, aor, Adv.

Mr. Varun Chugh, Adv.

Mr. Krishna Kant Dubey, Adv.

Mr. Bhuvan Kapoor, Adv.

Mr. Neeraj Kumar Sharma, Adv.

Ms. Indira Bhakar, Adv.

Neeraj Kumar Sharma, Adv.

Diksha Verma, Adv.

Mr. Shreekant Neelappa Terdal, AOR

Mr. Aravindh S., AOR

Ms. Anika Bansal, Adv.

Ms. Ishita Bist, Adv.

Ms. Suveni Bhagat , AOR

Mr. Gopal Prasad, AOR

Mr. Rishi Sehgal, AOR
Mr. Akash Vashishtha, Adv.

Mr. Sravan Kumar Karanam, AOR
Mr. Kumar Abhishek, Adv.
Mr. Kumar Nikhil, Adv.
Mr. P. Venkatraju, Adv.

Mr. Sanjai Kumar Pathak, AOR
Mrs. Shashi Pathak, Adv.
Mr. Arvind Kumar Tripathi, Adv.
Ms. Shweta Jayshankar Dwivedi, Adv.
Ms. Smriti Singh, Adv.

Mr. Pukhrambam Ramesh Kumar, AOR
Mr. Karun Sharma, Adv.
Ms. Rajkumari Divyasana, Adv.
Ms. Anupama Ngangom, Adv.

Ms. Srishti Agnihotri, AOR
Mr. D.P. Singh, Adv.

Mr. Shishir Pinaki, AOR

Mr. Abhimanyu Singh, GA
Mr. Sarad Kr. Singhanian, AOR
Ms. Rashmi Singhanian, Adv.

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

1. This Court by order dated 11.12.2024 had taken note of the fact that prior to 2017, the figures given by ISRO regarding the number of wetlands in India having an area of more than 2.25 Hectares was 2,01,503 and the latest ISRO data of the year 2021 reflected the figure having increased to 2,31,195. Hence, this Court was of the view that said figures will have to be checked at the ground level. The manner, method and mode in which this evaluation has to be undertaken has been traced to the Wetlands (Conservation of Management) Rules, 2017 namely identification of

such wetlands, which is described as 'Ground truthing'. This exercise ought to be undertaken by the respective States, same have been neglected by most of the States, except the State of Punjab to some extent and nothing have been done in that regard. Hence, Court vide order dated 11.12.2024 directed each of the State / Union Territory Wetland Authorities to complete ground truthing as well as demarcation of wetland boundaries of each of the wetland which have been identified by Space Application Center Atlas (SAC Atlas), 2021. A specific direction was issued by this Court that above said task was required to be expeditiously completed and at any rate within a period of three months from the date of the order.

2. Ms. Aishwarya Bhati, learned Additional Solicitor General assured that Union of India had undertaken the task of monitoring with each of the State and a detailed affidavit was agreed to be filed before the next date. Accordingly, an affidavit has been filed on 24.03.2025 and today, a brief note has also been furnished enclosing therewith a chart, which reflects the ground truthing and boundary demarcation undertaking by respective State Wetland Authorities. The comparative statement *via-a-vis* with reference to the ground truthing carried out as on 22.03.2025 and 21.07.2025 as well as the boundary demarcation carried out by the authorities would reflect the sorry state of affairs.

3. Mr. Jayant Bhushan, learned Senior Counsel appearing for the petitioner(s) would draw the attention of the Court that seven States namely, Andaman & Nicobar Islands, Arunachal Pradesh, Dadra Nagar Haveli & Daman and Diu, Haryana, Goa, Jharkhand, Puducherry, Sikkim, Karnataka and Ladakh have achieved less than 50% and the

States of Delhi, Haryana and Himachal Pradesh have achieved less than 40%. This would clearly indicate that the respective States Wetland Authorities seem to be moving at a snail's pace and the direction issued by this Court has not yielded positive results.

4. In that view of the matter, we direct these States to expedite the ground truthing and boundary demarcation expeditiously and at any rate within an outer limit of two months from today, failing which, the Secretaries of the concerned States of the Department of Environment and Ecology will have to personally remain present before this Court on next date of hearing. It is also made clear that inaction on the part of these State Wetland Authorities would compel this Court to pass coercive orders against such of those States which has failed to comply with the direction issued earlier as well as the direction issued by this order.

5. In the light of the wetlands having been identified, it is incumbent upon the State Wetland Authorities to publish the same in the respective State Governments' website indicating such of those Wetland which have been identified together with the areas, where ground truthing and demarcation of boundaries have been undertaken by distinctly and separately indicating the same, which exercise shall be undertaken before next date of hearing.

6. Let the affidavit of compliance be filed immediately after such an exercise being undertaken and at any rate before the next date of hearing.

7. Union of India shall coordinate with the State Level Wetland Authorities and expedite the issuance of notifications for which the draft notifications are already in place which would reflect

the pro-active action undertaken by such authorities and a meeting in this regard shall be conveyed by Union of India of all the State Level Wetland Authorities and make them aware of the situation and expedite the works which are required to be undertaken by them.

8. The statistics furnished today would also reflect that wetlands which are less than 2.25 Hectares are required to be identified as prescribed under the extant Rules and the affidavits of the State Governments of Wetland Authorities shall also dwelve upon as to the manner and method in which steps have been taken or being taken to protect these wetlands which are less than 2.25 Hectares which according to the statistics is around 5,55,557 as mentioned in the Wetland Atlas.

9. List on 07.10.2025.

IA No.203606/2022 in W.P. (C) No.230/2001:

Issue notice to the respondents in W.P. (C) No.230/2001, returnable on 07.10.2025. The petitioner(s) shall furnish requisite number of copies in the Registry for issuance of notice.

(NEHA GUPTA)
SENIOR PERSONAL ASSISTANT

(AVGV RAMU)
COURT MASTER (NSH)

ITEM NO.801

COURT NO.14

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Writ Petition(s)(Civil) No(s). 304/2018

ANAND ARYA

Petitioner(s)

VERSUS

UNION OF INDIA

Respondent(s)

[ONLY IA NO. 214036 OF 2025 IN WP (C) NO. 230 OF 2001 IS LISTED]

WITH

W.P.(C) No. 230/2001 (PIL-W)

ONLY I.A.NO.214036/2025 IN W.P.(C)NO.230/2001 IS TO BE LISTED

I.A. Nos.76161/25, 76150/2025, 76117/2025, 30632/2025, 30648/2025,
103394/2025.

Date : 02-09-2025 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ARAVIND KUMAR
HON'BLE MR. JUSTICE N.V. ANJARIA

For Petitioner(s) : Mr. Shishir Pinaki, AOR
Mr. Rohit Kumar Singh, AOR

For Respondent(s) : Mr. Milind Kumar, AOR
Mr. Anil Shrivastav, AOR
Mr. Ashok Kumar Singh, AOR
Mr. Kunal Verma, AOR
Mr. Gurmeet Singh Makker, AOR
Mr. P. V. Yogeswaran, AOR
Ms. Sumita Hazarika, AOR
Mr. Shiv Sagar Tiwari, AOR
Mr. Manish Kumar, AOR

Ms. Purna Singh, Adv.
Mr. Guntur Pramod Kumar, AOR

Mr. Shuvodeep Roy, AOR
Ms. Disha Singh, AOR

Ms. Sunita Sharma, Adv.

Mr. Mukesh Kumar Maroria, AOR
 Mr. G.S. Makker, AOR
 Mr. N. Visaka Murthy, AOR

Ms. Swati Ghildiyal , AOR
 Ms. Supriya Juneja, AOR
 Mr. Akshay Amritanshu , AOR

Shimpy Sharma, Adv.
 Mr. Vishwanathan Iyer, Adv.
 Ms. Pooja Sharma
 Mr. Sandeep Jindal, AOR

Mr. Pashupathi Nath Razdan, AOR
 Mr. Sanchit Garga, AOR
 Mr. Nishe Rajen Shonker, AOR
 Mr. Sunny Choudhary, AOR
 Mr. Aaditya Aniruddha Pande, AOR
 Mr. Pukhrambam Ramesh Kumar, AOR
 Mr. Avijit Mani Tripathi, AOR
 Mr. Anando Mukherjee, AOR
 Ms. K. Enatoli Sema, AOR
 Mr. Gaurav Khanna, AOR
 Mr. Siddhant Sharma, AOR
 Ms. Nidhi Jaswal, AOR
 Mr. Sameer Abhyankar, AOR
 Mr. R. Ayyam Perumal, AOR
 Ms. Purnima Krishna, AOR
 Mr. Sudeep Kumar, AOR
 Mr. Kunal Mimani, AOR
 Mr. Shreekant Neelappa Terdal, AOR
 Mr. Aravindh S., AOR
 Ms. Suveni Bhagat , AOR
 Mr. Gopal Prasad, AOR
 Mr. Rishi Sehgal, AOR
 Mr. Sravan Kumar Karanam, AOR
 Mr. Sanjai Kumar Pathak, AOR
 Mr. Pukhrambam Ramesh Kumar, AOR
 Ms. Srishti Agnihotri, AOR
 Mr. Shishir Pinaki, AOR

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

Not to be deleted from the date already notified i.e.08.09.2025.

(RASHI GUPTA)
 COURT MASTER (SH)

(AVGV RAMU)
 COURT MASTER (NSH)

ITEM NO.18

COURT NO.15

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Writ Petition (Civil) No.304/2018

ANAND ARYA

Petitioner(s)

VERSUS

UNION OF INDIA

Respondent(s)

[ONLY IA NOS. 76161/25, 76150/25, 76117/25, 30632/25, 30648/25,
103394/25 IN WP (C) NO. 230 OF 2001 ARE LISTED]

WITH

W.P.(C) No. 230/2001 (PIL-W)

ONLY

IA No. 76161/2025 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 76150/2025 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 76117/2025 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 30632/2025 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 103394/2025 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 30648/2025 - PERMISSION TO FILE APPLICATION FOR DIRECTION

Date : 08-09-2025 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE ARAVIND KUMAR
HON'BLE MR. JUSTICE N.V. ANJARIA

For Petitioner(s) : Mr. Shishir Pinaki, AOR

Mr. Jayant Bhushan, Sr. Adv.

Mr. Rohit Kumar Singh, AOR

Ms. Rebecca George, Adv.

Mr. Amartya Bhushan, Adv.

Ms. Rajlakshmi Singh, Adv.

Ms. Vidushi Srivastava, Adv.

For Respondent(s) : Mr. Kunal Verma, AOR

Ms. Aishwarya Bhati, A.S.G.

Mr. Gurmeet Singh Makker, AOR

Mr. Bhuvan Mishra, Adv.

Ms. Sunita Sharma, Adv.

Mr. Aman Sharma, Adv.

Mr. Pratyush Srivastava, Adv.

Mr. Rohan Gupta, Adv.

Mr. Raghav Sharma, Adv.

Mr. P. V. Yogeswaran, AOR

Ms. Sumita Hazarika, AOR
Mr. Shiv Sagar Tiwari, AOR

Mr. Manish Kumar, AOR
Mr. Kumar Saurav, Adv.

Mr. Milind Kumar, AOR

Mr. Anil Shrivastav, AOR

Mr. Ashok Kumar Singh, AOR

Mr. Guntur Pramod Kumar, AOR
Ms. Prerna Singh, Adv.
Mr. Dhruv Yadav, Adv.

Mr. Shuvodeep Roy, AOR
Mr. Deepayan Dutta, Adv.
Mr. Saurabh Tripathi, Adv.

Ms. Eliza Barr, Adv.
Ms. Disha Singh, AOR

Mrs. Aishwarya Bhati, A.S.G.
Mrs. Ruchi Kohli, Sr. Adv.
Mr. Mukesh Kumar Maroria, AOR
Mr. Sunita Sharma, Adv.

Ms. Swati Ghildiyal, AOR
Mr. Prashant Bhagwati, Adv.

Ms. Supriya Juneja, AOR

Mr. Alok Sangwan, Sr. A.A.G.
Mr. Akshay Amritanshu, AOR
Mr. Sumit Kumar Sharma, Adv.
Mr. Rajat Sangwan, Adv.
Mr. Shikhar Narwal, Adv.
Ms. Drishti Rawal, Adv.
Ms. Drishti Saraf, Adv.
Ms. Divya Sharma, Adv.
Mr. Sarthak Srivastava, Adv.
Mr. Mayur Goyal, Adv.

Mrs. Shimpy Sharma, Adv.
Mr. Arman Roop Sharma, Adv.
Ms. Pooja Sharma, Adv.
Mr. Sandeep Jindal, AOR

Mr. Parth Awasthi, Adv.
Mr. Pashupathi Nath Razdan, AOR

Mr. Muhammed Ali Khan, A.A.G.
 Mr. Sanchit Garga, AOR
 Ms. Eesha Bakshi, Adv.
 Mr. Omar Hoda, Adv.

Mr. Nishe Rajen Shonker, AOR
 Mrs. Anu K Joy, Adv.
 Mr. Alim Anvar, Adv.
 Mr. Santhosh K, Adv.
 Mrs. Devika A.l., Adv.

Mr. Sunny Choudhary, AOR

Mr. Adarsh Dubey, Adv.
 Mr. Siddharth Dharmadhikari, Adv.
 Mr. Aaditya Aniruddha Pande, AOR
 Mr. Shrirang B. Varma, Adv.

Mr. Pukhrambam Ramesh Kumar, AOR
 Mr. Karun Sharma, Adv.
 Ms. Anupama Ngangom, Adv.
 Ms. Rajkumari Divyasana, Adv.

Mr. Avijit Mani Tripathi, AOR
 Mr. T.K. Nayak, Adv.
 Ms. Marbiang Khongwir, Adv.

Mr. Anando Mukherjee, AOR
 Mr. Shwetank Singh, Adv.

Ms. K. Enatoli Sema, AOR
 Mr. Amit Kumar Singh, Adv.
 Ms. Chubalemla Chang, Adv.
 Mr. Prang Newmai, Adv.
 Ms. Yanmi Phazng, Adv.

Mr. Gaurav Khanna, AOR
 Ms. Natasha Sahrawat, Adv.
 Ms. Deepali Bhanot, Adv.
 Mr. Gautam Barnwal, Adv.
 Mr. Rudraksh Pandey, Adv.

Mr. Siddhant Sharma, AOR

Ms. Nidhi Jaswal, AOR
 Mr. Shiv Mangal Sharma, A.A.G.
 Mr. Amogh Bansal, Adv.

Mr. Sameer Abhyankar, AOR
 Mr. Krishna Rastogi, Adv.
 Mr. Aryan Srivastava, Adv.

Mr. R. Ayyam Perumal, AOR

Ms. Purnima Krishna, AOR

Mr. M.F.Philip, Adv.

Mr. Karamveer Singh Yadav, Adv.

Mr. Togin M. Babichen, Adv.

Ms. Garima Prashad, Sr. A.A.G.

Mr. Sudeep Kumar, AOR

Ms. Manisha, Adv.

Ms. Rupali, Adv.

Mr. Prashant Alai, Adv.

Mr. Kunal Mimani, AOR

Mr. K.M Nataraj, A.S.G.

Ms. Aishwarya Bhati, A.S.G.

Mr. Ashok Kumar Panda, Adv.

Ms. Ruchi Kohli, Adv.

Ms. Sunita Sharma, Adv.

Mr. Gautam Kumar, Adv.

Mr. Varun Chugh, Adv.

Mr. Krishna Kant Dubey, Adv.

Mr. Bhuvan Kapoor, Adv.

Mr. Neeraj Kumar Sharma, Adv.

Ms. Indira Bhakar, Adv.

Ms. Chitrangda Rastravara, Adv.

Mr. N Visakamurthy, aor, Adv.

Mr. Shreekant Neelappa Terdal, AOR

Mr. Aravindh S., AOR

Mr. Aman Gautam, Adv.

Ms. Anika Bansal, Adv.

Ms. Suveni Bhagat, AOR

Mr. Ajay Bahuguna, Adv.

Mr. Gopal Prasad, AOR

Mr. Sravan Kumar Karanam, AOR

Mr. Kumar Nikhil, Adv.

Mr. P. Venkatraju, Adv.

Mr. Sanjai Kumar Pathak, AOR

Mrs. Shashi Pathak, Adv.

Mr. Arvind Kumar Tripathi, Adv.

Ms. Ruhi Sultana, Adv.

Ms. Shweta Jayshankar Dwivedi, Adv.

Ms. Smriti Singh, Adv.

Mr. Pukhrambam Ramesh Kumar, AOR

Mr. Karun Sharma, Adv.

Ms. Anupama Ngangom, Adv.
Ms. Rajkumari Divyasana, Adv.

Ms. Srishti Agnihotri, AOR
Mr. D.p. Singh, Adv.
Ms. Tara Elizabeth Kurien, Adv.
Ms. Anchal Kanthed, Adv.

Mr. Shishir Pinaki, AOR

Mr. Akash Vashishtha, Adv.
Mr. Rishi Sehgal, AOR

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

IA Nos.76161/25, 76150/25, 76117/25, 30632/25, 30648/25,
103394/25 in WP (C) No.230 OF 2001:

List on 07.10.2025.

(NEHA GUPTA)
SENIOR PERSONAL ASSISTANT

(AVGV RAMU)
COURT MASTER (NSH)

ITEM NO.6

REGISTRAR COURT. 2

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

BEFORE THE REGISTRAR SH. MASHROOR ALAM KHAN

Writ Petition(s) (Civil) No(s). 304/2018

ANAND ARYA

Petitioner(s)

VERSUS

UNION OF INDIA

Respondent(s)

[ONLY IA NO. 214036/2025 IN WP (C) NO. 230 OF 2001 IS LISTED UNDER THIS ITEM]

WITH

W.P. (C) No. 230/2001 (PIL-W)

ONLY FOR CONDONATION OF DELAY IN FILING THE SPARE COPIES ON IA 214036/2025

IA No. 214036/2025 - CONDONATION OF DELAY IN FILING THE SPARE COPIES

Date : 12-09-2025 This petition was called on for hearing today.

For Petitioner(s) : Mr. Shishir Pinaki, AOR

Ms. Rajlakshmi Singh, Adv.
Mr. Rohit Kumar Singh, AORFor Respondent(s) : Mr. P. V. Yogeswaran, AOR
Mr. Gurmeet Singh Makker, AOR
Ms. Sumita Hazarika, AORMs. Nazish Fatima, Adv.
Mrs. Priyanka Dwivedi, Adv.
Mrs. Monika, Adv.
Mr. Preeti Chauhan, Adv.
Mr. Gyanendra Pandey, Adv.
Mr. Shiv Sagar Tiwari, AORMr. Manish Kumar, AOR
Mr. Amrtya Shreya, Adv.

Mr. Birjes Singh Meena, Adv.
Mr. Sanjiv Kumar Jain, Adv.
Mr. Hitesh Kumar Sharma, Adv.
Mr. Milind Kumar, AOR
Mr. Anil Shrivastav, AOR
Mr. Ashok Kumar Singh, AOR
Mr. Kunal Verma, AOR

Mr. Guntur Pramod Kumar, AOR
Mr. Keshav Singh, Adv.

Mr. Shuvodeep Roy, AOR
Mr. Deepayan Dutta, Adv.
Mr. Saurabh Tripathi, Adv.

Ms. Eliza Barr, Adv.
Ms. Disha Singh, AOR

Mr. Mukesh Kumar Maroria, AOR

Ms. Swati Ghildiyal, AOR

Ms. Supriya Juneja, AOR

Mr. Alok Sangwan, Sr. A.A.G.
Mr. Akshay Amritanshu, AOR
Mr. Sumit Kumar Sharma, Adv.
Mr. Rajat Sangwan, Adv.
Mr. Shikhar Narwal, Adv.
Ms. Drishti Rawal, Adv.
Ms. Drishti Saraf, Adv.
Ms. Divya Sharma, Adv.
Mr. Sarthak Srivastava, Adv.
Mr. Mayur Goyal, Adv.

Ms. Shimpy Sharma, Adv.
Mr. Arman Roop Sharma, Adv.
Ms. Pooja Sharma, Adv.
Mr. Sandeep Jindal, AOR

Mr. Parth Awasthi, Adv.
Mr. Pashupathi Nath Razdan, AOR

Mr. Sanchit Garga, AOR
Ms. Diksha Arora, Adv.

Mr. Nishe Rajen Shonker, AOR

Mrs. Anu K Joy, Adv.
Mr. Alim Anvar, Adv.
Mr. Santhosh K, Adv.
Mrs. Devika A.l., Adv.

Mr. Sunny Choudhary, AOR

Mr. Yuvaraj Gaikwad, Adv.
Mr. Siddharth Dharmadhikari, Adv.
Mr. Aaditya Aniruddha Pande, AOR
Mr. Shrirang B. Varma, Adv.

Mr. Pukhrambam Ramesh Kumar, AOR
Mr. Karun Sharma, Adv.
Ms. Rajkumari Divyasana, Adv.
Ms. Anupama Ngangom, Adv.

Mr. Avijit Mani Tripathi, AOR
Mr. T.K. Nayak, Adv.
Ms. Marbiang Khongwir, Adv.

Mr. Anando Mukherjee, AOR

Ms. K. Enatoli Sema, AOR
Mr. Amit Kumar Singh, Adv.
Ms. Chubalemla Chang, Adv.
Mr. Prang Newmai, Adv.
Ms. Yanmi Phazng, Adv.

Mr. Gaurav Khanna, AOR
Mr. Gautam Barnwal, Adv.
Mr. Rudraksh Pandey, Adv.
Ms. Deepali Bhanot, Adv.

Mr. Siddhant Sharma, AOR

Mr. Shiv Mangal Sharma, A.A.G.
Mr. Amogh Bansal, Adv.
Ms. Nidhi Jaswal, AOR

Mr. Sameer Abhyankar, AOR
Mr. Krishna Rastogi, Adv.
Mr. Aryan Srivastava, Adv.

Mr. R. Ayyam Perumal, AOR
Ms. Purnima Krishna, AOR

Mr. Sudeep Kumar, AOR
Ms. Rupali, Adv.

Mr. Prashant Alai, Adv.
Mr. Kunal Mimani, AOR

Mr. Shreekant Neelappa Terdal, AOR

Mr. Raghvendra Shukla, Adv.
Mr. Manu Shukla, Adv.
Mr. N. Visakamurthy, Sr. Adv.

Mr. Aravindh S., AOR
Mr. Aman Gautam, Adv.
Ms. Anika Bansal, Adv.

Ms. Suveni Bhagat, AOR

Mr. Gopal Prasad, AOR

Mr. Sanjai Kumar Pathak, AOR
Mrs. Shashi Pathak, Adv.
Mr. Arvind Kumar Tripathi, Adv.
Ms. Ruhi Sultana, Adv.
Ms. Shweta Jayshankar Dwivedi, Adv.
Ms. Smriti Singh, Adv.

Mr. Pukhrambam Ramesh Kumar, AOR
Mr. Karun Sharma, Adv.
Ms. Rajkumari Divyasana, Adv.
Ms. Anupama Ngangom, Adv.

Ms. Srishti Agnihotri, AOR
Mr. Shishir Pinaki, AOR

Mr. Akash Vashishtha, Adv.
Mr. Rishi Sehgal, AOR
Mr. Midhun Aggarwal, Adv.

Mr. Sravan Kumar Karanam, AOR
Mr. Santosh Kumar Yadav, Adv.
Ms. M. Harshini, Adv.

Mr. Laxmikant Matadan Shukla, AOR

Mr. Aravindh S., AOR
Mr. Aman Gautam, Adv.
Ms. Anika Bansal, Adv.

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

W.P.(C) No. 230/2001

Delay in filing spare copies is condoned.

Let notice be issued immediately.

List the matter before the Hon'ble Court as per the directions
of the Hon'ble Court vide order dated 19.8.2025.

MASHROOR ALAM KHAN
Registrar

MG

ITEM NO.34

COURT NO.16

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Writ Petition(s)(Civil) No(s). 304/2018

ANAND ARYA

Petitioner(s)

VERSUS

UNION OF INDIA

Respondent(s)

IA No. 131361/2018 - INTERVENTION APPLICATION, IA No. 225339/2025 - INTERVENTION/IMPLEADMENT, IA No. 224942/2025 - MODIFICATION OF COURT ORDER

WITH

W.P.(C) No. 230/2001 (PIL-W)

IA No. 103394/2025 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 76161/2025 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 76150/2025 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 76117/2025 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 30632/2025 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 203606/2022 - INTERVENTION APPLICATION, IA No. 30648/2025 - PERMISSION TO FILE APPLICATION FOR DIRECTION

W.P.(C) No. 302/2020 (PIL-W)

IA No. 172737/2024 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 172736/2024 - INTERVENTION/IMPLEADMENT

Date : 07-10-2025 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ARAVIND KUMAR

HON'BLE MR. JUSTICE N.V. ANJARIA

For Petitioner(s) Mr. Shishir Pinaki, AOR

Mr. Jayant Bhushan, Sr. Adv.

Mr. Amartya Bhushan, Adv.

Ms. Rajlakshmi Singh, Adv.

Ms. Vidushi Srivastava, Adv.

Mr. Rohit Kumar Singh, AOR

Ms. Anitha Shenoy, Sr. Adv. (NP)

Ms. Shibani Ghosh, AOR

Ms. Sadhana Madhavan, Adv.

Ms. Kavana Rao, Adv.

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Mrs. Monika, Adv.
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 Mr. Shivam Raj, Adv.
 Mr. Ashwini Kumar, Adv.
 Mr. Aziz Hasan, Adv.

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Mr. Chitvan Singhal, AOR

Ms. Shailja Singh, Adv.

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

IA No.225339/2025 & IA No.224942/2025 in Writ Petition(s)
(Civil)Nos.304/2018,

1. This application for impleading without specifying the provision of law has been filed by the applicant (Mr. Ashwini Kumar) seeking to implead himself as petitioner in the present writ petition on the ground that he intends to bring on record the National Atlas Wetland Map 2024 and for modifying the interim order dated 11.12.2024.

2. This Court had observed that 'Ground Truthing' and 'demarcation' of wetland boundary is the next step which is to be undertaken by each of the State/Union Territories Wetland authorities in coordination with the concerned nodal department

as provided under the Rules.

3. This writ petition(s) has been filed challenging the Wetlands (Conservation and Management) Rules 2017 (for short 'the 2017 Rules') by raising concern relating to identification, demarcation and protection of wetlands across India, specially in the light of the obligations under the Ramsar Convention and the Environment (Protection) Act, 1986.

4. The petitioner is said to be a practicing advocate and an environment enthusiast. As such claiming to have participated in several initiative in advancing the environment and justice and particularly emphasis to preservation and the restoration of wetlands and to safeguard ecological rights.

5. The present writ petition has been pending from the year 2018. From time to time this Court had passed several orders and at this stage, if the present applicant is allowed to intervene and permitted to join as petitioner, the likelihood of the bandwagon getting bigger and bigger, day by day is a hard fact which cannot go unnoticed. As such permitting the applicant to assist the writ petitioner in prosecuting this case and to place on record all such records through the writ petitioner, the present application stands rejected.

6. Consequently, application for direction (IA No.224942/2025) filed by the impleading applicant is also rejected.

Writ Petition(s)(Civil)Nos.304/2018, 230/2001 & 302/2020

1. By order dated 19.08.2025, we had directed the States to expedite the 'Ground Truthing' and 'boundary demarcation'

within a period of two months from the date of the said order. The period of two months granted by this Court would expire on 19.10.2025. Hence, it would be apt and appropriate to list these matters after 19.10.2025. Hence, we direct the Registry to list these matters on 28.10.2025.

2. Mr. Jayant Bhushan, learned senior counsel has brought to our notice Annexure 2 to the Status Note submitted by the Ministry of Environment, Forest and Climate change (Wetlands Division), Government of India whereunder the exercise of 'Ground Truthing' and 'boundary demarcation' seems to have been carried out in a reverse manner which is not in consonance with Rule 7 of the Wetlands (Conservation and Management Rules) 2017. It is needless to state that the exercise which is being carried out shall be in compliance with Rule 7(1)(a) of the Rules and the reports, as already ordered, shall be filed on or before 19.10.2025.

3. The reports which have been filed by the respective States is placed on record. The status reports, affidavits and any other pleadings that is being filed in the present petitions by the State or instrumentalities of the State or Union Territories shall be served upon the respective learned advocates appearing for the petitioners in all these petitions.

4. Re-list these matters on 28.10.2025.

(NIRMALA NEGI)
ASTT. REGISTRAR-cum-PS

(AVGV RAMU)
COURT MASTER (NSH)

ITEM NO.6

COURT NO.14

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Writ Petition (Civil) No.304/2018

ANAND ARYA

Petitioner(s)

VERSUS

UNION OF INDIA

Respondent(s)

IA No. 131361/2018 - INTERVENTION APPLICATION
IA No. 225339/2025 - INTERVENTION/IMPLEADMENT
IA No. 224942/2025 - MODIFICATION OF COURT ORDER

WITH

W.P.(C) No. 230/2001 (PIL-W)

IA No. 30632/2025 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 103394/2025 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 76161/2025 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 76150/2025 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 76117/2025 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 203606/2022 - INTERVENTION APPLICATION
IA No. 30648/2025 - PERMISSION TO FILE APPLICATION FOR DIRECTION

W.P.(C) No. 302/2020 (PIL-W)

IA No. 172737/2024 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 172736/2024 - INTERVENTION/IMPLEADMENT

Date : 28-10-2025 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE ARAVIND KUMAR
HON'BLE MR. JUSTICE N.V. ANJARIA

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 Ms. Ruhi Sultana, Adv.
 Ms. Smriti Singh, Adv.

Ms. Bharti Tyagi, AOR
 Ms. Visakha Raghuram, Adv.

Mr. Rishi Sehgal, AOR

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

IA No.203606/2022 in W.P. (C) No.230/2001:

1. The application is filed for intervention in these proceedings by the applicant - Foundation for Wetlands (Registered for Indian) through its Founder President, Shri M.K. Balakrishnan.
2. Having regard to the averments made in the application and the nature of dispute involved in the present petition which is not adversarial and the applicant's intends to espouse the cause for the benefit of the public, we are of the considered view that the applicant should be permitted to intervene in the matter and accordingly, the application stands allowed. The applicant is permitted to be added as a respondent in W.P. (C) No.230/2001. The petitioner shall carry out amendment to the cause-title of Writ Petition.

IA No.76161/2025 in W.P. (C) No.230/2001 :

1. This application is filed for a direction, namely, to direct the first respondent to pay sum of Rs.10,00,00,000/- (Rupees Ten Crores) to the applicant contending *inter alia* that in order to enable the applicant to travel from Kanyakumari to Kashmir every year and for opening the office the applicant in five major metropolitan cities of India for propagating the need for protection of wetlands for human welfare.
2. Having heard the applicant appearing in person, we are of the considered view that this application does not require to be entertained and it requires to be nipped at the bud and deserves

to be rejected for the simple reason that the statutory framework which is in place as of now and being monitored by this Court for its effective implementation would sufficiently safe-guard the cause which is being espoused by the applicant. In that view of the matter, the application stands rejected.

IA No.76150/2025 in W.P. (C) No.230/2001:

1. The applicant is seeking for a direction to the first respondent to pay him a sum of Rs.6,500 Crores initially and in the prayer column, he has sought for release payment of Rs.7,000 Crores for cleaning Yamuna River by contending that the annexures appended to the application for intervention would be the mirror raising for such demand.

2. It is an admitted fact that the issue relating to the Yamuna River was the subject matter of adjudication before the National Green Tribunal wherein an order came to be passed on 09.01.2023 and the said matter is seized by this Court in C.A. No.4402/2023 in the matter of Government of NCT of Delhi Vs. Ashwani Yadav as such we are of the considered view that it could not be apt and proper to entertain the application or prayer made in the application. Hence, application stands rejected.

IA No.131361/2018 in W.P. (C) No.304/2018:

1. This application has been filed for intervening in the matter and both the applicants, namely, Pushp Kumar Jain and Ramamurthi Sreedhar are said to have expired. In that view of the matter, the application is dismissed as having become infructuous.

W.P. (C) No.304/2018, W.P. (C) No.230/2001 and W.P. (C)

No.302/2020:

1. Learned counsel appearing for the states of Orissa, Goa, Uttar Pradesh, Telangana, Karnataka seeks four weeks' time to file compliance report. Hence, four weeks' time is granted.
2. The State Governments are also at liberty to file the updated affidavits as sought for within a period of three weeks from today.
3. List on 02.12.2025.

(NEHA GUPTA)
COURT MASTER (SH)

(AVGV RAMU)
COURT MASTER (NSH)

ITEM NO.15

COURT NO.16

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Writ Petition(s)(Civil) No(s).304/2018

ANAND ARYA

Petitioner(s)

VERSUS

UNION OF INDIA

Respondent(s)

IA No. 131361/2018 - INTERVENTION APPLICATION
IA No. 225339/2025 - INTERVENTION/IMPLEADMENT
IA No. 224942/2025 - MODIFICATION OF COURT ORDER

WITH

W.P.(C) No. 230/2001 (PIL-W)

IA No. 103394/2025 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 76161/2025 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 76150/2025 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 76117/2025 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 30632/2025 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 203606/2022 - INTERVENTION APPLICATION

IA No. 30648/2025 - PERMISSION TO FILE APPLICATION FOR DIRECTION

W.P.(C) No. 302/2020 (PIL-W)

IA No. 172737/2024 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 172736/2024 - INTERVENTION/IMPLEADMENT

Date : 09-12-2025 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE ARAVIND KUMAR
HON'BLE MR. JUSTICE N.V. ANJARIA

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

List in the third week of January, 2026.

(NEHA GUPTA)
COURT MASTER (SH)

(AVGV RAMU)
COURT MASTER (NSH)

ITEM NO.34

COURT NO.16

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Writ Petition(s)(Civil) No(s). 304/2018

ANAND ARYA

Petitioner(s)

VERSUS

UNION OF INDIA

Respondent(s)

IA No. 131361/2018 - INTERVENTION APPLICATION
IA No. 225339/2025 - INTERVENTION/IMPLEADMENT
IA No. 224942/2025 - MODIFICATION OF COURT ORDER

WITH

W.P.(C) No. 230/2001 (PIL-W)

IA No. 30632/2025 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 103394/2025 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 76161/2025 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 76150/2025 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 76117/2025 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 203606/2022 - INTERVENTION APPLICATION
IA No. 30648/2025 - PERMISSION TO FILE APPLICATION FOR DIRECTION

W.P.(C) No. 302/2020 (PIL-W)

IA No. 172737/2024 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 172736/2024 - INTERVENTION/IMPLEADMENT

Date : 20-01-2026 These matters were called on for hearing today.

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Mr. Gopal Prasad, AOR

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

List the matters on 24.02.2026.

(KANCHAN CHOUHAN)
SENIOR PERSONAL ASSISTANT

(AVGV RAMU)
COURT MASTER (NSH)

ITEM NO.13

COURT NO.15

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGSWRIT PETITION (CIVIL) NO. 304/2018

ANAND ARYA

PETITIONER(S)

VERSUS

UNION OF INDIA

RESPONDENT(S)

IA No. 131361/2018 - INTERVENTION APPLICATION
IA No. 225339/2025 - INTERVENTION/IMPLEADMENT
IA No. 224942/2025 - MODIFICATION OF COURT ORDER

WITH

W.P.(C) No. 230/2001 (PIL-W)

IA No. 30632/2025 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 103394/2025 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 76161/2025 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 76150/2025 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 76117/2025 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 203606/2022 - INTERVENTION APPLICATION
IA No. 30648/2025 - PERMISSION TO FILE APPLICATION FOR DIRECTION

W.P.(C) No. 302/2020 (PIL-W)

IA No. 172737/2024 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 172736/2024 - INTERVENTION/IMPLEADMENT

Date : 10-03-2026 These matters were called on for hearing today.

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HON'BLE MR. JUSTICE PRASANNA B. VARALE

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Mr. Amit Kumar Singh, Adv.
Ms. Chubalemla Chang, Adv.
Mr. Prang Newmai, Adv.
Ms. Yanmi Phazang,, Adv.

Mr. Shishir Pinaki, AOR

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

List on 24.03.2026 at 2.00 p.m.

(POOJA SHARMA)
AR-CUM-PS

(AVGV RAMU)
COURT MASTER (NSH)

THE WETLANDS (CONSERVATION AND MANAGEMENT) RULES, 2010¹

In exercise of the powers conferred by section 25, read with sub-section (1) and clause (v) of sub-section (2) and sub-section (3) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government hereby makes the following rules for conservation and management of wetlands, namely:—

1. Short title and commencement.—(1) These rules may be called the Wetlands (Conservation and Management) Rules, 2010.

(2) They shall come into force on the date² of their publication in the Official Gazette.

2. Definitions.—(1) In these rules, unless the context otherwise requires,—

- (a) "Act" means the Environment (Protection) Act, 1986 (29 of 1986);
- (b) "Authority" means the Central Wetlands Regulatory Authority constituted under rule 5;
- (c) "dredging" means an excavation activity or operation usually carried out at least partly underwater, in shallow sea or fresh water areas with the purpose of gathering up bottom sediments and disposing them off at a different location;
- (d) "National Park" means an area declared, as National Park under section 35 or section 38, or deemed to be declared as a National Park under sub-section (3) of section 66, of the Wild Life (Protection) Act, 1972 (35 of 1972);
- (e) "Ramsar Convention" means the Convention on Wetlands signed at Ramsar, Iran in 1971;
- (f) "UNESCO" means the United Nations Educational, Scientific and Cultural Organisation;
- (g) "wetland" means an area or of marsh, fen, peatland or water; natural or artificial, permanent or temporary, with water that is static or flowing, fresh, brackish or salt, including areas of marine water, the depth of which at low tide does not exceed six metres and includes all inland waters such as lakes, reservoir, tanks, backwaters, lagoon, creeks, estuaries and manmade wetland and the zone of direct influence on wetlands that is to say the drainage area or catchment region of the wetlands as determined by the authority but does not include main river channels, paddy fields and the coastal wetland covered under the notification of the Government of India in the Ministry of Environment and Forest, S.O. No. 114(E), dated the 19th February, 1991 published in the Gazette of India, Extraordinary, Part II, Section 3, sub-section (ii) of dated the 20th February, 1991;

1. *Vide* G.S.R. 951(E), dated 4th December, 2010, published in the Gazette of India, Extra., Pt. II, Sec. 3(i), dated 4th December, 2010.

2. Came into force on 4-12-2010.

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- (h) "wildlife sanctuary" means an area declared as a wildlife sanctuary under the provisions of Chapter IV of the Wild Life (Protection) Act, 1972 (35 of 1972) and shall include an area deemed to be sanctuary under sub-section (4) of section 66 of the said Act.

(2) The word and expressions used in these rules and not defined but defined in the Act, shall have the meaning respectively assigned to them in the Act.

3. Protected wetlands.—Based on the significance of the functions performed by the wetlands for overall well being of the people and for determining the extent and level of regulation, the following wetlands shall be regulated under these rules, namely:—

- (i) wetlands categorised as Ramsar Wetlands of International Importance under the Ramsar Convention as specified in the Schedule;
- (ii) wetlands in areas that are ecologically sensitive and important, such as, national parks, marine parks, sanctuaries, reserved forests, wildlife habitats, mangroves, corals, coral reefs, areas of outstanding natural beauty or historical or heritage areas and the areas rich in genetic diversity;
- (iii) wetlands recognised as or lying within a UNESCO World Heritage Site;
- (iv) high altitude wetlands or high altitude wetland complexes at or above an elevation of two thousand five hundred metres with an area equal to or greater than five hectares;
- (v) wetlands or wetland complexes below an elevation of two thousand five hundred metres with an area equal to or greater than five hundred hectares;
- (vi) any other wetland as so identified by the Authority and thereafter notified by the Central Government under the provisions of the Act for the purposes of these rules.

4. Restrictions on activities within wetlands.—(1) The following activities within the wetlands shall be prohibited, namely:—

- (i) reclamation of wetlands;
- (ii) setting up of new industries and expansion of existing industries;
- (iii) manufacture or handling or storage or disposal of hazardous substances covered under the Manufacture, Storage and Import of Hazardous Chemical Rules, 1989 notified *vide* S.O. No. 966(E), dated the 27th November, 1989 or the Rules for Manufacture, Use, Import, Export and Storage of Hazardous Micro-organisms/Genetically engineered organisms or cells notified *vide* GSR No. 1037(E), dated the 5th December, 1989 or the Hazardous Wastes (Management, Handling and Transboundry Movement) Rules, 2008 notified *vide* S.O. No. 2265(E), dated the 24th September, 2008;
- (iv) solid waste dumping: provided that the existing practices, if any, existed before the commencement of these rules shall be phased out within a period not exceeding six months from the date of commencement of these rules;

- (v) discharge of untreated wastes and effluents from industries, cities or towns and other human settlements: provided that the practices, if any, existed before the commencement of these rules shall be phased out within a period not exceeding one year from the date of commencement of these rules;
- (vi) any construction of a permanent nature except for boat jetties within fifty metres from the mean high flood level observed in the past ten years calculated from the date of commencement of these rules;
- (vii) any other activity likely to have an adverse impact on the ecosystem of the wetland to be specified in writing by the Authority constituted in accordance with these rules.

(2) The following activities shall not be undertaken without the prior approval of the State Government within the wetlands, namely:—

- (i) withdrawal of water or the impoundment, diversion or interruption of water sources within the local catchment area of the wetland ecosystem;
- (ii) harvesting of living and non-living resources;
- (iii) grazing to the level that the basic nature and character of the biotic community is not adversely affected;
- (iv) treated effluent discharges from industries, cities or towns, human settlements and agricultural fields falling within the limits laid down by the Central Pollution Control Board or the State Pollution Control Committee, as the case may be;
- (v) plying of motorized boat, if it is not detrimental to the nature and character of the biotic community;
- (vi) dredging, only if the wetland is impacted by siltation;
- (vii) construction of boat jetties;
- (viii) activities within the zone of influence, as per the definition of wetlands, that may directly affect the ecological character of the wetland;
- (ix) facilities required for temporary use, such as pontoon bridges, that do not affect the ecological character of the wetland;
- (x) aquaculture, agriculture and horticulture activities within the wetland;
- (xi) repair of existing buildings or infrastructure including reconstruction activities;
- (xii) any other activity to be identified by the Authority.

(3) Notwithstanding anything in sub-rule (1) or sub-rule (2), the Central Government may permit any of the prohibited activities or non-wetland use in the protected wetland on the recommendation of the Authority.

(4) The State Government shall ensure that a detailed Environment Impact Assessment is carried out in accordance with the procedures specified in the notification of the Government of India in the Minister of Environment and Forests S.O. No. 1533(E), dated the September 14th, 2006 as amended from time-to-time.

(5) No wetland shall be converted to non-wetland use unless the Central Government is satisfied on the recommendation of the Authority that it is expedient in the public interest and reasons justifying the decision are recorded.

5. Constitution of Central Wetlands Regulatory Authority.—(1) The Central Government, in exercise of the powers conferred by sub-section (3) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986), hereby constitutes Central Wetlands Regulatory Authority consisting of the following Chairpersons and members for the purpose of these rules, namely:—

- (a) Secretary, Ministry of Environment and Forests, Government of India – Chairperson;
- (b) a representative (not below the rank of Joint Secretary) from Ministry of Tourism, Government of India – Member *ex-officio*;
- (c) a representative (not below the rank of Joint Secretary) from Ministry of Water Resources, Government of India – Member *ex-officio*;
- (d) a representative (not below the rank of Joint Secretary) from Ministry of Agriculture, Government of India – Member *ex-officio*;
- (e) a representative (not below the rank of Joint Secretary) from Ministry of Social Justice, Government of India – Member *ex-officio*;
- (f) Chairman or his nominee, the Central Pollution Control Board, – Member *ex-officio*;
- (g) Joint Secretary or Adviser, dealing with the wetland in the Ministry of Environment and Forests, Government of India – Member *ex-officio*;
- (h) Dr. Asad R. Rahmani, Director, Bombay Natural History Society, Hornbill House, Dr. Salim Ali Chowk, Shaheed Bhagat Singh Road, Mumbai - 400 023; Expert Ornithology – Member;
- (i) Dr. M.R.D. Kunadangar, Darul Aloom Qasmia Lane, Botshah Mohalla, Lal Bazar, Srinagar, Kashmir; Expert Limnology – Member;
- (j) Dr. C.K. Varshney, 88 Vaishali, Pitampura, New Delhi-110034; Expert Ecology – Member;
- (k) Dr E.J. James, Director, Water Institute, Karunya University, Coimbatore, Tamil Nadu; Expert Hydrology – Member.

¹[***]

²[(2) The term of the Authority shall be upto 31st March, 2015.]

(3) The Authority shall exercise the following powers and perform the following functions, namely:—

- (i) appraise proposals for identification of new wetlands, projects or activities in consultations with the concerned local authorities;
- (ii) identify and interface with the concerned local authorities to enforce the provisions contained under these rules and other laws for the time being in force;

1. Clause (l) omitted by G.S.R. 617(E), dated 22nd August, 2014. Clause (l), before omission, stood as under:

“(l) Director or Additional Director or Joint Director dealing with the Wetland in the Ministry of Environment and Forests – Member Secretary.”.

2. Subs. by G.S.R. 824(E), dated 14th November, 2014, for sub-rule (2). Earlier sub-rule (2) was substituted by G.S.R. 617(E), dated 22nd August, 2014. Sub-rule (2), before substitution by G.S.R. 824(E), dated 14th November, 2014, stood as under:

“(2) The term of the Authority shall be upto 30th September, 2014.”.

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- (iii) grant clearances or identify in consultation with the local State Government, the areas for the grant of clearance for regulated activities in the wetlands within their respective jurisdictions;
- (iv) determine, in consultation with concerned local authority, the zone of direct influence of the wetlands;
- (v) issue whatever directions, necessary for the conservation, preservation and wise use of wetlands to the State Governments.

(4) The Authority shall periodically review the list of wetlands and the details of prohibited and regulated activities under the rules.

(5) The Authority shall specify the threshold levels for activities to be regulated and the mode and methodology for undertaking activities in wetland.

6. Process for identification of wetlands under different categories.—(1) Wetlands covered under item (i) of rule 3 specified under Schedule shall be the wetland to be regulated under these rules.

(2) The States Government shall prepare, within a period of one year from the commencement of these rules, 'Brief Document' identifying and classifying the wetlands within their respective territories in accordance with the criteria specified under rule 3 and submit the same to Authority.

(3) The 'Brief Document' of each wetland for identification shall comprise of following information, namely:—

- (i) broad geographic delineation of the wetland;
- (ii) its zone of influence along with a map (accurate and to scale);
- (iii) the size of the wetland;
- (iv) account of pre-existing rights and privileges, consistent or not consistent with the ecological health of the wetland.

(4) The Authority, shall on receipt of the 'Brief document' under sub-rule (2), if consider it necessary refer in consultation with the State Government to a research institute or university having relevant multi-disciplinary expertise related to wetlands, to conduct a comprehensive survey of the wetland within a period of thirty days:

Provided that the institute or university to which the matter has been referred under sub-rule (4) shall submit a report within next ninety days from the date of such reference to Authority, which shall contain information with respect to the criteria specified under rule 3.

(5) The Authority shall, thereafter, arrive at a decision in consultation with the State Government, on the proposal, within a period of ninety days from the date of receipt of the report under sub-rule (4).

(6) The Central Government shall on the receipt of the recommendation of the Authority notify the area of wetlands as recommended by the Authority for public information inviting objections and suggestions from the general public likely to be affected to make representation to the Central Government within a period of sixty days.

(7) The Authority shall consider all the representations which the Central Government may receive under sub-rule (6) and submit its recommendation on the

such representations to Central Government within a period of sixty days for final notification.

(8) The Central Government shall on receipt of the recommendations of the Authority under sub-rule (7) issue a final notification notifying therein the area of the wetland its category or classification to be regulated under these rules and display the said notification in public places in English and vernacular languages.

(9) The Authority may, *suo moto* or on application made to it, review any decision under these rules or issue direction for inclusion of wetland under these rules.

7. Overlapping provisions.—(1) The wetlands within the protected areas of the National Parks and Wildlife Sanctuaries shall be regulated by the provisions of Wild Life (Protection) Act, 1972 (35 of 1972).

(2) The wetlands within the protected or notified forest areas shall be regulated by the provisions of the Indian Forest Act, 1927 (16 of 1927); the Forest (Conservation) Act, 1980 (69 of 1980); and the Environment (Protection) Act, 1986 (29 of 1986).

(3) The gaps in the regulation of wetlands within the protected and notified forest areas, if any, under the provisions of the Indian Forest Act, 1927 (16 of 1927); Wild Life (Protection) Act, 1972 (35 of 1972); and Forest (Conservation) Act, 1980 (69 of 1980); shall be plugged by invoking provisions of the Environment (Protection) Act, 1986 (29 of 1986).

(4) The wetlands situated outside the protected or notified forest areas referred to in sub-rule (2) shall be regulated by the relevant provisions of the Environment (Protection) Act, 1986 (29 of 1986).

8. Enforcement of regulated activities.—(1) The identified activities for management and wise use of wetlands situated within the protected or notified forest areas referred to in sub-rule (2) of rule 7 shall be regulated by the Forest Department of the State concerned.

(2) The identified activities for management and wise use of wetlands situated outside the protected or notified forest areas shall be regulated by the nodal Department or the relevant local State agencies to be designated by the State Government within a period of six months from the date of commencement of these rules.

9. Appeals against the decisions of Authority.—Any person aggrieved by the decision of the Authority may prefer an appeal to the National Green Tribunal constituted under the National Green Tribunal Act, 2010 (19 of 2010) within a period of sixty days from the date of such decision:

Provided the National Green Tribunal may entertain any appeal after the expiry of the said period of sixty days if it is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.

THE SCHEDULE

[See rule 3(i)]

**LIST OF WETLANDS IN INDIA IDENTIFIED AS RAMSAR SITES
UNDER RAMSAR CONVENTION ON WETLAND**

Sl. No.	Name of Wetland	State
(1)	(2)	(3)
1	Ashtamudi Wetland	Kerala
2	Bhitarkanika Mangroves	Orissa
3	Bhoj Wetland	Madhya Pradesh
4	Chilika Lake	Orissa
5	Deepor Beel	Assam
6	East Calcutta Wetlands	West Bengal
7	Harike Lake	Punjab
8	Kanjli	Punjab
9	Keoladeo National Park	Rajasthan
10	Kolleru Lake	Andhra Pradesh
11	Loktak Lake	Manipur
12	Point Calimere Wildlife and Bird Sanctuary	Tamil Nadu
13	Pong Dam Lake	Himachal Pradesh
14	Ropar	Punjab
15	Sambhar Lake	Rajasthan
16	Sasthamkotta Lake	Kerala
17	Tsomoriri	Jammu and Kashmir
18	Vembanad-Kol Wetland	Kerala
19	Wular Lake	Jammu and Kashmir
20	Chandratat	Himachal Pradesh
21	Renuka	Himachal Pradesh
22	Rudrasagar	Tripura
23	Upper Ganga	Uttar Pradesh
24	Hokarsar (Hokera)	Jammu and Kashmir
25	Surinsar and Mansar (complex)	Jammu and Kashmir

Item No. 02

Court No. 1

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 325/2015

(With reports dated 01.10.2020 & 29.10.2020)

Lt. Col. Sarvadaman Singh Oberoi

Applicant

Versus

Union of India & Ors.

Respondent

Date of hearing: 18.11.2020

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE MR. JUSTICE SHEO KUMAR SINGH, JUDICIAL MEMBER
HON'BLE DR. SATYAWAN SINGH GARBYAL, EXPERT MEMBER
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

Applicant: Ms. Nivedita Sharma, Advocate in MA 26/2019, 252/2019
& 69/2020

Respondent: Mr. Raj Kumar, Advocate for CPCB
Mr. Pradeep Misra & Mr Daleep Dhyani, Advocate for UPPCB
Ms. Madhumita Bhattacharjee, Advocate for State of West Bengal
Mr. Rahul Khurana, Advocate for State of Haryana
Mr. Mukesh Kumar, Advocate for KSPCB
Ms. Jyoti Mendiratta, Advocate for GNCTD

ORDER

The Issue

1. The issue for consideration in the original application was identification, protection and restoration of water bodies in Gurgaon in Haryana. However, in the light of proceedings which took place, the scope of the application was extended to the entire State and then to the entire country, in the interest of protection of environment. This became necessary to give effect to the law laid down by the Hon'ble Supreme Court to which reference will be made later.

Procedural History

Order dated 20.07.2018

2. We may briefly mention the background of the proceedings. Vide order dated 20.07.2018, the Tribunal disposed of the original application

with direction for restoration of 123 water bodies in Gurgaon which were admittedly in the possession of the State in the first instance by assigning Unique Identification Number (UID) and making them free from encroachment. Further direction was to file compliance report.

3. While technically, the matter was disposed of with directions on 20.07.2018, as noted above, it remained pending for consideration of compliance report. The Tribunal considered the matter further vide order dated 10.5.2019 in the light of the compliance report filed by the State of Haryana.

Order dated 10.05.2019

4. The State of Haryana reported that it enacted a special law on the subject, namely, the *Haryana Pond and Waste Water Management Authority Act, 2018* ("Haryana Act"). The Haryana Act creates an Authority to deal with restoration of water bodies at the State level and also appoints District Level Officers for the purpose. The ponds are proposed to be connected to the canal network. It was also reported that the Gurgaon Metropolitan Development Authority (GMDA) had taken up the work of restoration of 123 water bodies in District Gurgaon.

5. The Tribunal noted the need for conservation of water bodies throughout India for healthy environment, particularly in the light of judgment of the Hon'ble Supreme Court in *Hinch Lal Tiwari v. Kamala Devi & Ors.* (2001) 6 SCC 496. The Tribunal observed that under Public Trust Doctrine, the State has to maintain and restore the water bodies. This *inter-alia* helps availability of water, protection of aquatic life, maintaining micro climate, recharge the ground water and e-flow of the rivers. In view of mandate of law laid down by the Hon'ble Supreme Court and the NGT Act, 2010, the Tribunal directed all States/UTs to

take up the task of restoration of the water bodies in their respective jurisdiction and the Chief Secretaries of all States/UTs to oversee the compliance in the course of monitoring compliance of waste management rules and other significant environmental issues for which separate directions were issued by this Tribunal (in OA 606/2018) in the light of directions of the Hon'ble Supreme Court. Further directions of this Tribunal (in OA 673/2018) related to remedial action for abatement of 351 identified polluted river stretches which were also to be monitored by the Chief Secretaries. A Central Monitoring Committee (CMC) comprising Secretary Ministry of Jal Shakti with CPCB and other authorities were to monitor compliance at National level. A status report was directed to be compiled and filed by the CPCB. Operative part of order dated 10.5.2019 is reproduced below:

“13. Thus, to give effect to ‘Precautionary’ principle and ‘Sustainable Development’ principle, we direct all the States and UTs to review the existing framework of restoration all the water bodies by preparing an appropriate action plan. Such action plans may be prepared within three months and a report furnished to the CPCB. The CPCB may examine all such plans and furnish its comments to this Tribunal within two months thereafter. The Chief Secretaries of all the States/UTs in the course of undertaking monitoring exercise in pursuance of the order of this Tribunal in *O.A No. 606/2018, Compliance of MSW Rules, 2016*, may also include restoration of water bodies as one of the items as the same is also incidental to waste management which are covered by orders in *O.A No. 606/2018, Compliance of MSW Rules, 2016*.

14. The CPCB may prepare and place on its website guidelines in the matter of restoration of water bodies in the light of above order within one month.

15. The matter may also be monitored by Central Monitoring Committee constituted in terms of order dated 08.04.2019 in *O.A No. 673/2018, News item published in “The Hindu” authored by Shri Jacob Koshy titled “More river stretches are now critically polluted: CPCB*, as this matter is connected to the steps required for remedying the polluted river stretches as already explained.”

Orders dated 25.02.2020 and 01.06.2020

6. The matter was then considered on 25.02.2020 in the light of the report of the CPCB. The report mentioned that CPCB had issued the necessary guidelines on the subject such as identification and geo-tagging of ponds and lakes, maintaining water quality as per norms and removing encroachments. It was further stated that the States had failed to give proper response and the requisite information. The Tribunal, on consideration, directed as follows:

“ ...
 3. In pursuance of the above, the learned counsel for the CPCB has handed over a status report during the course of hearing to the effect that indicative guidelines for restoration of water bodies have been uploaded on the website of the CPCB on 18.06.2019 but most the States have not submitted their action plans. Out of 435 locations monitored, 357 locations were not complying with the primary water quality criteria for bathing. CPCB constituted an expert committee vide order dated 28.08.2019 under the Chairmanship of MS, CPCB comprising, representatives of MoEF&CC, MoJS, MoHUA, IIT Delhi, officials of CPCB and DHWQM-I as member convener. First meeting of the expert Committee was held on 16.09.2019. The Tribunal has suggested following actions:

S. No.	Activity proposed	Organization Responsible
1	Identification and Geo-Tagging of Ponds or Lakes in the Country	NRSA, State Space Application Centre and Concerned State Departments
2	Assessment of Water Quality of Ponds or lakes.	Through Laboratories approved under E(P) Act, 1986 by the Concerned State Department /ULBs/ State Environment Dept./SPCB/PCC.
3	Prioritization of Ponds or Lakes for restoration in consultation with the respective SPCB.	State Environment Dept./SPCB /PCC.
4	Preparation and submission of action plans for restoration of prioritized Ponds or Lakes to CPCB for random scrutiny of proposed action plans.	State Environment Dept./SPCB /PCC.
5	Execution of approved action plans.	State Environment Dept./SPCB /PCC under the overall supervision of Principal Secretary, Environment Department.

The CPCB conducted a workshop on the subject on 30.01.2020.

4. *Learned counsel for the CPCB states that further progress in the matter is being monitored and a status report will be filed before the next date. It is stated that only 14 States/UTs have furnished information which is not complete while 22 States/UTs have not furnished any information.*

5. *Having regard to the significance of the issue and unsatisfactory response of the States as shown above, we direct that the information may be furnished by all the States/UTs by March 31, 2020 positively to the CPCB failing which the States will be liable to pay compensation at the rate of Rs. 1 lakh per month till information is furnished. Payment of compensation will be the responsibility of the Chief Secretaries of the respective States/UTs. **Since we are informed that plans for restoration furnished by some of the States run even upto ten years, we direct that the action plans should provide for commencement of the work by 01.04.2020 and conclusion by 31.03.2021. The CPCB will be at liberty to issue appropriate directions to all the States/UTs by for compliance. The Ministry of Jal Shakti is also at liberty to take further remedial action in the matter.***

7. Next order of the Tribunal is dated 1.6.2020 on consideration of the report dated 22.05.2020 filed by the CPCB giving information received from some of the States and seeking time on account of COVID situation. The Tribunal extended the time for completion of the action in terms of order dated 25.2.2020 by four months i.e. upto 31.07.2020, instead of 31.3.2020. It was further directed that capacity of the water bodies be increased to utilise surplus rain water and rain water harvesting structures be set up in the sub-watersheds utilizing the MGNREGA funds, involving the community at large including the panchayats which action may be coordinated by the District Magistrates, Department of Irrigation and Flood Control, Department of Rural Development/Urban Development/Local Bodies/Forests/Revenue etc. On both these aspects, the Tribunal sought report from the CPCB. The operative part of the order dated 1.6.2020 is reproduced below:

“
 5. *Having regard to the fact situation noted above, we extend the time for the States to complete action in terms of order dated 25.02.2020 till 31.07.2020. The CPCB may thereafter file its report by 31.10.2020 by e-mail at judicial-ngt@gov.in preferably*

in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF.

6. *However, we wish to add a further direction having bearing on the subject. We have already noted the significance of protection and restoration of water bodies for the environment. The protection of water bodies not only add to availability of water for different purposes, it also contributes to recharge of ground and maintaining e-flow in the rivers, is congenial to micro climate in sub-watersheds as well as enhancing the natural aesthetics. While the rain water harvesting is certainly important, **harvesting surplus water during excessive rains from any areas of catchment needs to be optimized by enhancing the capacity of the existing ponds/water bodies, creation of water harvesting structures in the sub-watersheds to the extent possible, apart from setting up of additional water bodies/water harvesting structures wherever viable, utilizing available funds including under MGNREGA and involving the community at large at every level.** Gram Panchayats can certainly play a significant role in the matter. Once adequate capacity enhancement of waterbodies takes place, excess flood/rain water can be channelized by using appropriate water harvesting techniques. This action needs to be coordinated by the District Magistrates in coordination with the Department of Irrigation and Flood Control or other concerned Departments such as Department of Rural Development/Urban Development/Local Bodies/Forests/Revenue etc. The District Magistrate may as far as possible hold a meeting of all the stakeholders for the purpose as per the District Environment Plan or Watershed Plan within one month from today. The District Magistrates may also ensure that as far as possible atleast one pond/water body must be restored in every village, apart from creation of any new pond/water body.”*

Today's proceedings

CPCB Report

8. Accordingly, a consolidated report has been filed by the CPCB on 29.10.2020 in two parts. Part A deals with the aspect of plans for restoration of water bodies and status of their execution while part B deals with the status of compliance of direction relating to water harvesting. **The CPCB report points out the need for making a proper and centralized inventory of water bodies, and assessment of their water quality; the absence of a single nodal agency to oversee the management of restoration of polluted water bodies, and water harvesting; and recommends that the relevant Central**

Ministries, especially MoJS, play an increased and major role in implementation and oversight.

9. We first consider **part A** of the report. It mentions that 24 States mentioned therein have provided information on the subject which has been compiled in Table 1 and 2 as follows:-

“Based on the information received from the States/UTs, State-wise status on Ponds, Lakes and Restoration of Water Bodies, State-wise Status on Inventorisation, Geo-Tagging, UIN Allocation, Water Quality Assessment, Action Plans for Restoration of Water Bodies Pond compiled and presented at Table 1 and Table 2 below.

Table 1. State-wise Status on Ponds, Lakes and Restoration of Water Bodies

S. No	Name of State/UT	Information submitted as Per the format circulated by CPCB	Identified Water Bodies				Total No. of Water Bodies Identified	Status on Restoration of Water Bodies		
			Lakes	Ponds	Tanks	Others (Pynes/Aahars/wells/Reservoirs etc.)		No. of Water Bodies Selected for Restoration	No. of Water Bodies Restored so far	No. of Water Bodies presently under Restoration
1	Andaman & Nicobar	No	-	-	-	-	37	-	-	-
2	Andhra Pradesh (Panchayati Raj and Rural Development Department, Municipal Administration & Urban Development (MA & UD) Department, Municipal Administration & Urban Development (MA & UD) Department, Irrigation Department)	No	-		1699	-	13171	9284	6608	781
3	Arunachal Pradesh	-	-	-	-	-	-	-	-	-
4	Assam	Yes	17	14	-	-	31	-	-	-
5	Bihar	Yes		50150		51437	101587		12867	24075
6	Chattisgarh (Department of Panchayat and Rural Development)	Yes	-	-	-	-	1658	68803	271110	-
7	Daman & Diu & Dadra & Nagar Haveli	Yes	1	5			6	-	-	-

S. No	Name of State/UT	Information submitted as Per the format circulated by CPCB	Identified Water Bodies					Status on Restoration of Water Bodies		
			Lakes	Ponds	Tanks	Others (Pynes/Aahars/wells/Reservoirs etc.)	Total No. of Water Bodies Identified	No. of Water Bodies Selected for Restoration	No. of Water Bodies Restored so far	No. of Water Bodies presently under Restoration
8	Delhi	Yes	-	-	-	-	256	49	4	-
9	Goa	Yes	9	-	-	-	9	4	-	-
10	Gujarat	Yes	1939	42119	-	-	44058	156	3	153
11	Haryana	Yes	3	16534	-	-	16537	10794	146	189
12	Himachal Pradesh	Yes	6	-	-	-	6	4	-	4
13	Jammu & Kashmir	No	-	2815	-	-	1230	-	-	-
14	Jharkhand	Yes	-	282	-	-	282	221	4	6
15	Karnataka	Yes	-	-	-	-	33350	-	-	-
16	Kerala	Yes	-	40000	-	-	40000	-	-	-
17	Lakshadweep	Yes	-	297	-	-	297	-	59	238
18	Madhya Pradesh	Yes	-	-	-	-	66438	-	-	-
19	Maharashtra	Yes	-	-	-	-	354	-	-	-
20	Manipur	Yes	4	14	-	-	18	-	-	-
21	Meghalaya	Yes	2	-	-	-	2	1	-	-
22	Mizoram	Yes	9	31	-	-	40	-	-	-
23	Nagaland	Yes	1	8	-	1	10	2	-	2
24	Odisha	Yes	1	8	-	2	11	2	1	-
25	Punjab	Yes	-	15715	-	-	15715	600	310	290
26	Puducherry	Yes	84	843	-	-	927	547	321	43
27	Rajasthan	No	-	-	-	-	-	12127	1963	6348
28	Sikkim	Yes	4	-	-	-	4	4	1	3
29	Tamil Nadu (Public Works Department (PWD), Director of Town Panchayats)	Yes	-	-	-	-	15658	1317	5986	1766
30	Telangana	Yes	-	-	-	-	46531	27631	21436	6195
31	Tripura	Yes	-	180	-	-	180	30	-	26
32	Uttar Pradesh	Yes	-	508	-	-	508	504	84	424
33	Uttarakhand	No	-	-	-	-	-	-	-	-
34	West Bengal	No	-	-	-	-	15000	-	-	-
Total			2080	169523	1699	51440	413911	132080	320903	40543

“Table 2. State-wise Status on Inventorisation, Geo-Tagging, UIN Allocation, Water Quality Assessment, Action Plans for Restoration of Water Bodies Pond

S. No	Name of State/UT	Information submitted as per the format circulated by CPCB	Inventory Status as Reported by States/UTs	Status on Geotagging	Status on UIN Allocated	Status on Assessment of Water Quality of Water Bodies in the State	Prioritisation based on Designated Best Use Criteria or Bathing Criteria Compliance	Preparation & Submission of Action Plans	Proposed Timelines for Restoration	Water Bodies under the Custody of Concerned Authorities in the State/UT
1	Andaman & Nicobar	No	Yes	No	No	Not Provided	Not Provided	Not required as per A & N UT	Not Provided	Port Blair Municipal Council & Andaman Public Works Department.
2	Andhra Pradesh	No	Yes	Yes	No	No	No	No	Not Provided	Panchayati Raj and Rural Development Department ,Irrigation Department, Municipal Administration & Urban Development (MA & UD) Department, Municipal Administration & Urban Development (MA & UD) Department,
3	Arunachal Pradesh	No	No	No	No	No	No	Being prepared for 3 lakes	-	Department of Environment & Forest
4	Assam	Yes	Yes	No	No	Yes	No	No	-	Environment and Forest Department, Government of Assam

5	Bihar	No	Yes	Yes	No	No	No	No	-	<i>Environment and Forest Department , Minor Water Resources Department Govt. of Bihar and Rural Development Department, Govt. of Bihar</i>
6	Chhattisgarh	Yes	Yes	Yes	Yes	Not provided	Yes	Yes (Pilot Project)	-	<i>Department of Panchayat and Rural Development, Urban Administration and Development Department</i>
7	Daman & Diu & Dadra & Nagar Haveli	Yes	Yes	No	No	No	No	Yes	Not provided	<i>Daman Municipal Council, District Panchayat, Daman</i>
8	Delhi	Yes	Yes	Yes	No	No	No	Yes	-	<i>DDA, BDO/REV. (PANCHAYAT), EDMC, SDMC, NORTH MCD, DJB, PWD, CPWD, ASI, FOREST, DELHI ARCHAEOLOGICAL DEPTT., DELHI WAKF BOARD, DUSIB, DSIDC, JNU and IIT</i>
9	Goa	Yes	Yes	NO	Not provided	Yes	Yes	Yes	March 2021	<i>Goa State Wetland Authority (GSWA) , Goa State Pollution Control Board (GSPCB) ,</i>
10	Gujarat	Yes	Yes	In Progress	No	No	No	No	-	<i>Panchayat Department, Revenue Department , Water Resources Department), and Urban Development Department)</i>

11	Haryana	Yes	Yes	Yes	Yes	Partial	Partial	Yes	2020-2024 (14 Ponds)	<i>The Haryana Ponds and Waste Water Management Authority (HPWWMA), Irrigation & Water Resources Dept. Development & Panchayats Department of Urban Local Bodies and Govt./Educational Institutes</i>
12	Himachal Pradesh	Yes	Partial	No	No	Yes	Yes	Yes	2020-21	<i>Himachal Pradesh State Wetlands Authority (HPSWA), HPSPCB, RD & UD, H.P. Forest Department</i>
13	Jammu & Kashmir	No	Partial	No	No	No	No	No	-	<i>Forest Department, Wildlife, Soil & Water Conservation Department, Revenue Department, Jammu Municipal Corporation, DERS/Revenue</i>
14	Jharkhand	Yes	Yes	In progress	In progress	No	No	Yes		<i>Urban Development and Housing Department</i>
15	Karnataka	Yes	Yes	Yes	Yes	Partial	Partial	No	-	<i>Bengaluru Water Supply & Sewerage Board (BWS&SB), Bengaluru Development Authority (BDA) & Cauvery Neeravari Nigama Limited (C>NNL).</i>
16	Kerala	Yes	Yes	Yes	Yes	Partial	No	Yes	30.03.2022	<i>Irrigation Design and Research Board (IDRB), Irrigation Design and Research Board (IDRB), ULBs</i>
17	Lakshadweep	Yes	Yes	No	No	Yes	Yes		September. 2020	-
18	Madhya Pradesh	Yes	Yes	Yes	Yes	Partial	Partial	Partial	2020-22	<i>The Environmental Planning and Coordination Organization (EPCO)</i>

19	Maharashtra	Yes	No	Partial	No	No	No	Yes	-	WaterResources Department, ULBs
20	Manipur	Yes	Yes	Yes	Partial	Yes	Yes	No	-	Environment & Climate Change, Water Resources Department, Public Health & Engineering Department, Trade, Commerce and Industries, Manipur Pollution Control Board and Loktak Development Authority
21	Meghalaya	Yes	Yes	No	No	Yes	No	Yes	-	Meghalaya SPCB, Tourism Department, Department of Fisheries, Department of Forest and Environment
22	Mizoram	Yes	Yes	Yes	No	No	No	No	-	Irrigation and Water Resources Department, Govt. of Mizoram
23	Nagaland	Yes	Yes	No	No	No	No	Yes	31.03.2022	Public Health Engineering Department, Nagaland Pollution Control Board and Dimapur Municipal Corporation
24	Odisha	Yes	Yes	Yes	No	No	No	Yes	March, 2022	Orissa Wetland Development Authority, Water Resources Department
25	Punjab	Yes	Yes	Yes	Yes	No	No	Yes	-	Department of Rural Development & Panchayats (DRDP), Department of Local Government, Punjab Pollution Control Board (PPCB) and Directorate of Environment and Climate Change (DECC), Department of Science, Technology & Environment (DSTE), Government of Punjab
26	Puducherry	Yes	Yes	Yes	Yes	No	No	Yes	-	Irrigation Division of the Public Works Department and the village ponds lies with the respective Municipalities and Commune Panchayats Under the Local Administration Department.

27	Rajasthan	No	No	No	No	No	No	No	No	<i>Water Resources Department, Government of Rajasthan</i>
28	Sikkim	Yes	Yes	Yes	No	No	No	No	-	<i>Forest & Environment Department</i>
29	Tamil Nadu	Yes	-	-	-	-	---	-	-	<i>Public Works Department (PWD)</i>
30	Telangana	Yes	Yes	Partial	No	Partial	No	Yes	One Year	<i>Hyderabad Municipal Water Supply & Sewerage Board (HMWS&SB), Irrigation & CAD Department (I&CAD) and Hyderabad Metropolitan Development Authority (HMDA (L&P)).</i>
31	Tripura	Yes	Yes	Yes	No	Partial	No	Yes	Dec, 2020	<i>ULBs/ Urban Development Department, Department of Science Technology & Environment (DSTE), Tripura State Pollution Control Board (TSPCB), Horticulture & Forest Department, District Administration</i>
32	Uttar Pradesh	Yes	Yes	Yes	No	No	No	No	-	<i>Forest Department, Auraiya, Government of Uttar Pradesh</i>
33	Uttarakhand	No	-	-	-	-	---	-		
34	West Bengal	No	-	-	-	-	--	-	31.12.2020	<i>Fisheries, P&RD, L&LR & Urban Development, DST, Department of IT, DoE</i>

10. The CPCB has observed that the information given by the States/UTs was not scientific. Proper inventories were required to be made. Water quality was required to be monitored. Instead of different departments dealing with the issue, single agency was required to be set up as a nodal agency for restoration of all water bodies in the States/UTs. It was also necessary to constitute Wetland Authority in every State/UT as per Wetland (Conservation and Management) Rules, 2017. The said authority can be given responsibility for restoration of water bodies or a separate body for the purpose can be set up on a pattern of Haryana, Madhya Pradesh and Mizoram. The Ministry of Jal Shakti can provide assistance in the light of programmes undertaken by the Government of India like AMRUT, Smart City, MGNREGA and other programmes.

11. It will be appropriate to reproduce the observations and suggestions of the CPCB:-

“2.5 Observations and suggestions of CPCB

- *23 States & 4 UTs have provided information as per the format circulated by CPCB.*
- *Based on the information received from the States/UTs, there are Lakes- 2,080 (11 States and 2 UTs), Ponds- 1,69,523 (13 States and 4 UTs), Tanks- 1,699 (1 State), Others like pynes, aahars, reservoirs etc. - 1,51,440 (3 States), Total number of water bodies identified as - 4, 13,911 (25 States and 6 UTs), Total number of identified water bodies selected for restoration- 1,32,080 (17 States and 02 UTs), Total number of identified water bodies already restored- 3, 20,903 (13 States and 3 UTs), Total number of identified water bodies presently under restoration- 40,543 (14 States and 2 UTs).*
- *It appears, number of water bodies identified by the States/UTs as reported is not scientific and therefore **States/UTs have to carry out proper inventory of water bodies using Geological Survey Maps of India (reconnaissance survey) or using any other available technologies like Remote Sensing.***
- *For prioritization of all the identified water bodies is possible only after **assessment of water quality** of all the water bodies.*

Presently, water quality of water bodies are monitored by the State Water Resources Department/Agricultural Department/Fisheries Department/Public Health Engineering Departments apart from Central Water Commission (CWC), Central Pollution Control Board (under National Water Quality Monitoring Programme). **Therefore, all the water bodies to be assessed for water quality for prioritisation and for restoration. Also, there is a need to pool all the water quality data under /NOIA -WRIS Portal under National Water Informatics Centre as it facilitates policy decision.**

- Presently, various departments in the States/UTs are custodians of water bodies **therefore there is a need that all the States/UTs need to designate a 'single agency' as a nodal agency to ensure restoration of all polluted stagnant water bodies in the respective State/UT in consultation with the concerned departments.** Such a nodal agency also may co-ordinate with the respective State Pollution Control Board (SPCB) in the State or Pollution Control Committee (PCC) in the respective UT for ensuring timely compliance to Hon'ble NGT directions in the matter.
- Presently, States Governments /UT Administrations are required to constitute Wetland Authority in the respective States/UTs under the Wetland (Conservation and Management) Rules, 2017. The wetland authority may be given responsibility of restoration of water bodies or a nodal agency or a separate body may be designated as done in case of Haryana (Haryana Pond Waste Water Management Authority), Madhya Pradesh (The Environmental Planning and Coordination Organization (EPCO) and Mizoram (Irrigation and Water Resource Department).
- Presently, water bodies are undergoing restoration of water bodies under the various schemes like financial support of Ministry of Jal Shakti or State schemes (like Mission Kakatiya in case of Telangana). Therefore, Ministry of Jal Shakti being nodal Ministry for Water Resources in the country, there is a need to integrate with the programmes such as 'National Lake Conservation Programme, National Wetland Conservation Programme, Ministry of Water Resources Programmes like 'Repair, Renovation & Restoration of Water bodies with Domestic/External Assistance which are undertaken by Government of India, Central Sector Schemes like AMRUT, Smart City, MGNREGA or any other programmes for restoration of water bodies in the country."

12. **Part B of the report** deals with the status of rain water harvesting systems. The report mentions that meetings of joint Committee comprising the CPCB and the Ministry of Jal Shakti were held to comply with the directions of this Tribunal. Information was sought from all the

States/UTs. Only 25 States/UTs have provided information. The information has been compiled as follows:-

- “
- *As regards provisions for Rain Water Harvesting in Building Bye-laws, 11 States viz. Arunachal Pradesh, Haryana, HP, Karnataka, Madhya Pradesh, Maharashtra, Meghalaya, Odisha, Punjab, Tamil Nadu, Tripura and 3 UTs viz Delhi, J&K, Puducherry have provisions for RWH in Building Bye-laws. Two States viz. Assam and Mizoram have communicated that there are no provisions for RWH in Building Bye-laws yet.*
 - *Multiple organizations are implementing Rain Water Harvesting in the States /UTs.*
 - *None of the States/UTs have provided time frame for installation of Rain Water Harvesting structures on all Government and Private buildings that require Rain Water Harvesting systems/structures in accordance with Building Bye-Laws.”*

13. Finally, the CPCB has given following suggestions:-

“7.0 Suggestions

- *As multiple agencies or State Departments/UT Administration Departments are involved in implantation of policies related to Rain Water Harvesting (RWH), information provided by different departments of the State/UT are not corroborating with each other leading to confusion. All the States/UTs shall nominate single Nodal Department for implementation of policies relating to rain water harvesting system.*
- *Every ULBs should have one Rain Water Harvesting cell in place to regulate and monitor the Rain Water Harvesting related activities effectively.*
- *Ministry of Housing & Urban Affairs (MoHUA), Central Ground Water Authority (CGWA) and Department of Water Resources (DoWR), Ministry of Jal Shakti (MoJS) should play a major role in ensuring implementation of policies relating to rain water harvesting in the Country with a mutual co-ordination and for providing requisite guidance and necessary initiatives for ensuring compliance to Hon'ble NGT orders passed in the matter of Tribunal in its Own Motion Vs Government of NCT of Delhi & Ors in OA No 496/2016 in connection with Rain Water Harvesting and Ground water recharging for water conservation.*
- *Presently, provisions for Rain Water Harvesting (RWH) Systems are incorporated mainly under Building Bye-Laws by the States/UTs/ULBs. There is a need to enact legislation/law by*

various States/UTs as done by Tamil Nadu to make RWH measures mandatory.”

UP Oversight Committee Report

14. The Oversight Committee constituted by this Tribunal for the State of UP, headed by Justice SVS Rathore, former Judge, Allahabad High Court, has filed a separate report giving the compliance status in the State, in a tabular form, as follows: -

“V. SUMMARY OF COMPLIANCE STATUS IN O.A 325/2015 AS PER ORDER DATED 1.06.2020

O.A. 325/2015 (in re: M.A NO. 26/2019 in Original Application No.325/2015, I.A. No. 700/2019 & MA. No. 252/2019)					
S. No	<i>Directions by Hon'ble NGT</i>	Concerned Department	<i>Compliance status July</i>	<i>Compliance status August</i>	Compliance status September
1	<i>Action Plan including the following:</i> 1. Number of identified water bodies 2. Location details 3. Water quality status 4. Compliance status with respect designated value 5. Identified water bodies. 6. Prioritization to be sent to CPCB by 31.07.2020	UPPCB	Partially complied <i>On behalf of UPPCB, it has been submitted that Action Plans are being prepared by all the districts and will be sent to CPCB before the deadline i.e. by 31.07.2020.</i>	Partially Complied <i>Action plans have not been submitted</i>	Partially Complied <i>Action plans have not been submitted</i>

2	Identification and geo tagging of ponds	Dept. of Rural Development, Dept. of Forest, U.P.	Partially Complied Rural Development Commissioner, Shri Ravindra Naik informed the Oversight Committee that Identification of ponds is being done and restoration/Rejuvenati on work is in process. Representative of the Department of Forest informed that a list of all the wetlands (under its authority) with geo reference has been prepared. The Committee noted that such a list is to be provided and steps have to be taken to assign a unique ID to every water body.	Partially Complied Wetland inventory list available on website of Uttar Pradesh Environment Compliance Portal.	Partially Complied Under MGNREGA, 240649 ponds have been identified and restored till 15.09.2020.
3	Steps for restoration of water bodies	Dept. of Minor Irrigation, Rural Development and Panchayati Raj	Partially Complied Vide meeting dated 25.06.2020, the Representatives from Minor Irrigation Dept. And Rural Development, Panchayati Raj Informed that Continuous steps are being taken up for identification and restoration of ponds. The best practices with reference to restoration of water bodies being implemented in Mathura and Gautam Budhh Nagar were Discussed in detail. Such steps to be Implemented in other parts of the State.	No further progress reported	No further progress reported

15. The Committee has thereafter made following recommendations:-

“VII. RECOMMENDATIONS BY OVERSIGHT COMMITTEE

1. Hon'ble NGT had asked that Action Plans may be prepared by 31st March, 2020. Uttar Pradesh has so far not prepared its Action Plan despite extension of time by

Hon'ble NGT till 31.07.2020. The Oversight Committee was informed by the Commissioner, Rural Development during the review meeting that Action Plan is under preparation. In the State of Uttar Pradesh, water bodies/ponds are looked after by the newly created Department of Namami Gange and rural water supply. In each village, village ponds are maintained by Village Panchayat under the Panchayati Raj Department. The Forest Department also is involved in identification, development and maintenance of wetlands in the State. The construction and repair work on these ponds and water bodies is done under the Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA), which is run by the Rural Development Department. These ponds are filled by Irrigation Department from their canals during summer season. **So, it is quite clear that a holistic Action Plan has to be prepared. It has to have components of all these Departments. The Action Plan prepared by the Rural Development Department alone would not suffice. It would be in the fitness of things if the Chief Secretary, UP calls a meeting of all these Departments, asks all of them to survey these water bodies, identify each and every water body in each village, geo-tag it, assign a UID number and then get the Action Plan prepared allocating the role of each Department. This Action Plan should also have a component regarding continuous assessment of water quality of these water bodies to be done by State Pollution Control Board. The action plan also should indicate the prioritization of the work as to which work would be taken at what time; budgetary allocations have to be done and specific time-lines have to be fixed. Only then a meaningful Action Plan would be prepared. The statement of Rural Development Department that so far 2,40,469 water bodies have been restored under MGNREGA is a general statement of works done under the MGNREGA scheme right since its inception rather than the result of a well coordinated action plan based on a state level synchronised geo-tagged survey of all the water bodies. The Chief Secretary may, in compliance of Hon'ble NGT directions, call all these Departments and get the Action Plans prepared on the above lines within the time-lines stipulated by Hon'ble NGT.**

2. The Forest Department may be directed to plan out afforestation activities on the banks of these water bodies. This year the Forest Department's target of afforestation for the entire state is planting of 25 crore trees. This afforestation plan on the banks of these water bodies can be taken up as an important component of that programme and targets can be given Panchayat-wise to the respective departments right now so that they can plan all activities over the year in a sustainable manner.

3. ***The District Magistrates have been directed to take up one pond per village this year. This programme may be included in the District Environment Plan to be monitored by the District Magistrates on a monthly basis. The list of one pond per village may be collected from the districts by the Rural Development Department/Namami Gange Department and it may be made a part of the Action Plan for this year. Funds for the activity may be allocated by budgetary grant from the budget heads of the respective Departments. Alternatively, MGNREGA funds from Rural Development Department may be allowed for conducting these works. Another option is use of devolution funds by the respective Panchayats for maintaining these ponds. Annual District Plan based on this list may be prepared indicating the names of the water bodies to be rejuvenated, the budgetary allocation for each water body and their respective time-lines. These should be monitored on a regular basis by the District Magistrates as part of the District Environment Plan on a monthly basis. Periodical reports of implementation of these Action Plans may be sent at the Headquarters to Chief Secretary through respective Principal Secretaries of various Departments who may further intimate it to Hon'ble NGT.***
4. *CPCB should explain why it has not issued notice for compensation at the rate of Rs. 1 lakh/per month beyond the deadline of 31.07.2020 on each district for non-compliance of Hon'ble NGT direction regarding submission of action plan.*
5. ***The Committee also recommends that active efforts be made in close coordination with technical bodies to tap excess runoff of rivers/canals during rainfall season to recharge old water bodies and retain water in new ponds to be constructed specifically for the purpose.. Such simple interventions have been taken up in district Mathura, Uttar Pradesh to increase groundwater level and rejuvenate water bodies (refer Annexure VI).The Mathura experiment may be technically vetted by some technical body under the Ministry of Water Resources, Govt of India.***
6. ***Development of Bio Diversity Parks in the vicinity of rivers lead to continuous recharge of aquifers and maintenance of E Flow of the rivers. It has been put to notice that project of Biodiversity parks was submitted to NMCG but could not get approved due to shortage of funds. The Committee recommends re-formulation of project by Forest Department after in-depth analysis of such projects in other states viz. Wetland park in Delhi and taking technical advice from experts.***

7. *Hon'ble NGT vide order dated 14.07.2020 in O.A.985/2019 had directed CPCB to issue strict directions to ensure that no authority allows discharge of polluted sewage or polluted effluents directly into a water channel or stream even during the monsoon season. Though orally CPCB representative in the meeting confirmed issuance of some memo to this effect by them, the Oversight Committee is not aware of any such directions available in public domain. CPCB may comply with Hon'ble NGT's orders with a copy to the Oversight Committee.*
8. ***Success story of rejuvenation of river Tamsa in Ayodhya should be circulated among all the District Magistrates and they should be asked to identify and take up similar activities, with the involvement of local public, that may help in improvising the water bodies/rivers / groundwater or environment in any manner that too with the minimum financial burden.***
9. ***The concept of floating islands can be replicated in several water bodies of the State. Moreover, floating barriers can also be used to capture trash in water bodies. In the year 2015, Alpha MERS developed an indigenous design of floating trash barrier for controlling hyacinth and trash from flowing in water. The barrier made of steel and aluminium with a high tensile strength claims to have an ability to survive in both polluted water bodies and change in water levels. For the first time in November 2017 these barriers were deployed in Cooum river in Chennai. Currently, the barriers have been deployed at eight locations in Cooum river (NDTV, 2018)***
10. ***Use of bio-plastics/bio-degradables in every sector viz. domestic and industrial sectors is a viable solution to prevent rivers and water bodies from choking and warding off adverse implications on biodiversity. The State government may develop plans for switching to bio-plastics/bio-degradables at macro level within six months.***
13. ***Restoration of ponds, lakes require involvement from all stakeholders especially local people. Community participation must be encouraged and campaigns be started in areas to restore, conserve water bodies. Ansupa Lake in Odisha has been restored by sincere efforts of Self Help Groups in the area.”***

Analysis and Directions

16. We find that the steps taken so far can hardly be held to be adequate. As already noted, protection of water bodies serves great public purpose and is essential for protection of the environment. It helps not only aesthetics but also water availability, aquatic life, micro climate, recharge of ground water and maintaining e-flow of the rivers. Under the Public Trust Doctrine, the State has to act as trustee of the water bodies to protect them for the public use and enjoyment for current and future generations. We may note the observations of the Hon'ble Supreme Court on the subject which are as follows:

i. ***State of T.N. v. Hind Stone, (1981) 2 SCC 205, at page 212:***

*“6. Rivers, Forests, Minerals and such other resources constitute a nation’s natural wealth. These resources are not to be frittered away and exhausted by any one generation. **Every generation owes a duty to all succeeding generations to develop and conserve the natural resources of the nation in the best possible way. It is in the interest of mankind. It is in the interest of the nation.**”*

ii. ***Hinch Lal Tiwari v. Kamala Devi, (2001) 6 SCC 496, at page 500:***

“13. It is important to notice that the material resources of the community like forests, tanks, ponds, hillock, mountain etc. are nature’s bounty. They maintain delicate ecological balance. They need to be protected for a proper and healthy environment which enables people to enjoy a quality life which is the essence of the guaranteed right under Article 21 of the Constitution.”

iii. ***T.N. Godavarman Thirumulpad v. Union of India, (2002) 10 SCC 606, at page 628:***

*“...
33. ... As was observed by this Court in *M.C. Mehta v. Kamal Nath* our legal system based on English common law includes the public trust doctrine as part of its jurisprudence. **The State is the trustee of all natural resources which are by nature meant for public use and enjoyment.** The public at large is the beneficiary of the seashore, running waters, air, forests and ecologically fragile lands. **The State as a trustee is under a legal duty to protect the natural resources. These resources meant for public use cannot be converted into private ownership.**”*

iv. ***Intellectuals Forum v. State of A.P., (2006) 3 SCC 549, at page 574:***

“75. In *M.C. Mehta v. Kamal Nath & Ors.* (1997) 1 SCC 388, Kuldip Singh, J., writing for the majority held:

“34. Our legal system ... includes the public trust doctrine as part of its jurisprudence. The State is the trustee of all natural resources which are by nature meant for public use and enjoyment. ... The State as a trustee is under a legal duty to protect the natural resources.”

76. The Supreme Court of California, in *National Audubon Society v. Superior Court of Alpine Country* also known as *Mono Lake* case summed up the substance of the doctrine. The Court said:

“Thus, the public trust is more than an affirmation of State power to use public property for public purposes. It is an affirmation of the duty of the State to protect the people’s common heritage of streams, lakes, marshlands and tidelands, surrendering the right only in those rare cases when the abandonment of the right is consistent with the purposes of the trust.”

This is an articulation of the doctrine from the angle of the affirmative duties of the State with regard to public trust. Formulated from a negatory angle, the doctrine does not exactly prohibit the alienation of the property held as a public trust. However, when the State holds a resource that is freely available for the use of the public, it provides for a high degree of judicial scrutiny on any action of the Government, no matter how consistent with the existing legislations, that attempts to restrict such free use. To properly scrutinise such actions of the Government, the courts must make a distinction between the Government’s general obligation to act for the public benefit, and the special, more demanding obligation which it may have as a trustee of certain public resources [Joseph L. Sax “The Public Trust Doctrine in Natural Resource Law: Effective Judicial Intervention”, *Michigan Law Review*, Vol. 68, No. 3 (Jan. 1970) pp. 471-566]. According to Prof. Sax, whose article on this subject is considered to be an authority, three types of restrictions on governmental authority are often thought to be imposed by the public trust doctrine [ibid]:

1. **the property subject to the trust must not only be used for a public purpose, but it must be held available for use by the general public;**
2. **the property may not be sold, even for fair cash equivalent;**
3. **the property must be maintained for particular types of use (i) either traditional uses, or (ii) some uses particular to that form of resources.”**

v. ***Jitendra Singh v. Ministry of Environment & Ors.*, 2019 SCC Online 1510 pr 20**

“....
20. **Waterbodies, specifically, are an important source of fishery and much needed potable water. Many areas of this**

country perennially face a water crisis and access to drinking water is woefully inadequate for most Indians. Allowing such invaluable community resources to be taken over by a few is hence grossly illegal.”

17. In NGT order dated 27.08.2020 in OA 351/2019, *Raja Muzaffar Bhat vs. State of Jammu and Kashmir & Ors.*, it was observed:

“... ..
 8. **One of the serious challenges is solid and liquid waste management, apart from encroachments. There are binding directions of the Hon’ble Supreme Court in *Almitra H. Patel Vs. Union of India & Ors*¹. and *Paryavaran Suraksha vs. Union of India*² on the subject of scientific management of solid waste and sewage/effluents in accordance with the statutory provisions of the Water (Prevention and Control of Pollution) Act, 1974, (‘Water Act’) Air (Prevention and Control of Pollution) Act, 1981, (‘Air Act’) and waste management rules framed under the Environment (Protection) Act, 1986 (‘EP Act’). There is large scale non-compliance of the said statutory provisions which has led this Tribunal to consider the issue of river pollution in OA No. 673/2018, News item published in “The Hindu” authored by Shri Jacob Koshy Titled “More river stretches are now critically polluted: CPCB” in view of acknowledged data of 351 polluted river stretches in the country. Apart from the said issue, large scale failure has been found in the matter of solid waste management as repeatedly recorded in O.A. No. 606/2018. The Chief Secretaries of all the States/UTs were required to remain present in person before this Tribunal for interaction and further planning. In O.A. No. 325/2015, *Lt. Col. Sarvadaman Singh Oberoi v. UOI & Ors.*, the Tribunal has considered the issue of restoration of water bodies. In Original Application No. 593/2017, *Paryavaran Suraksha Samiti & Anr. v. UOI & Ors.*, the issue of untreated sewage or effluent being discharged in water bodies have been taken up for consideration. There are several other matters dealing with the such issues, including coastal pollution, pollution of industrial clusters etc.**

9. **There is discussion in the media about inadequacy of monitoring of action for restoration of lakes, wetlands and ponds which is certainly necessary for strengthening the rule of law and protection of public health and environment³. Several directions have been issued by the Hon’ble Supreme Court in *M.K. Balakrishnan and Ors. v. UOI & Ors.*⁴”**

¹ (2000) 2 SCC 679

² (2017) 5 SCC 326

³ <https://gradeup.co/lakes-in-india-i-4b99dc80-f6ce-11e7-9d78-07a242af4480>
<http://www.saconenvis.nic.in/publication/Lake%20Protection%20and%20Management%20of%20Urban%20Lakes%20in%20India.pdf>
http://www.worldlakes.org/uploads/Management_of_lakes_in_India_10Mar04.pdf

⁴ (2017) 7 SCC 805

18. We also note that the Ministry of Urban Development, Government of India, Central Public Health and Environmental Engineering Organization (CPHEEO) has issued an advisory on **“Conservation and Restoration of Water Bodies in Urban Areas”**⁵ in August, 2013 which need to be followed. The matter was also considered by the Standing Committee on Water Resources (2015-16), Sixteenth Lok Sabha. Its Tenth Report has been published by the Ministry of Water Resources, River Development and Ganga Rejuvenation under the heading **“Repair, Renovation and Restoration of Water Bodies-Encroachment on Water Bodies and Steps Required to Remove the Encroachment and Restore the Water Bodies”**⁶ in August, 2016. Further, the **“Guidelines for the Scheme on Repair, Renovation and Restoration (RRR) of Water Bodies under PMKSY (HKKP)”**⁷ have been published by the Ministry of Water Resources, River Development and Ganga Rejuvenation, Govt. of India in June, 2017. The said report also provides useful material to be looked into by the enforcement agencies.

19. As regards, report of the CPCB on the subject of rain water harvesting, it appears that CPCB has not appreciated the direction of this Tribunal on the subject. While rain water harvesting may be required in all buildings and other places in urban areas, in the present context, the Tribunal has directed setting up of such facilities in sub water sheds along ponds for utilization of surplus rain water for restoration of the ponds which have become dry and for augmenting other ponds.

⁵ <http://mohua.gov.in/upload/uploadfiles/files/Advisory%20on%20Urban%20Water%20Bodies.pdf>

⁶ http://164.100.47.193/lsscommittee/Water%20Resources/16_Water_Resources_10.pdf

⁷ http://pmksy-mowr.nic.in/documents/RRR_PMKSY_Guidelines_2017.pdf

20. There is, thus, need for continuous planning and monitoring at National, State and District levels. Suggestions and observations of CPCB and the Oversight Committee need to be acted upon.

21. As suggested by the CPCB, a single agency needs to be set up in every State/UTs within one month. This work may either be assigned to the Wetland Authority of the State or the River Rejuvenation Committee or to any other designated authority such as the Secretary, Irrigation and Public Health/Water Resources. It is made clear that if the State Wetland Authority is to be assigned the task of protection of all water bodies, this task will be in addition to the normal functioning of the State Wetland Authority under the Wetland (Conservation and Management) Rules, 2017. Such nodal agency must call a preliminary meeting on the subject with all the District Magistrates on or before 31.01.2021 to take stock of the situation and to plan further steps. Thereafter, a regular meeting may be held for periodic monitoring at the District level as well as the State level with the identified targets of proper and scientific identification and protection of all water bodies, assigning unique identification number, removing encroachments, preventing dumping of waste, maintaining water quality and restoration by taking other appropriate steps, involving the Panchayats and the community, utilizing the financial resources available from different sources. Steps taken need to be documented and compiled and reported to a central authority, preferably the CPCB. This Tribunal has already constituted a CMC to be headed by the Secretary, MoJS with the assistance of CPCB and other authorities to monitor remedial action for 351 polluted river stretches. Restoration of water bodies is also a connected issue which can be monitored by the same Committee atleast thrice a year at the national level.

Directions

22. Accordingly, we dispose of this application with following directions:

- (i) All States/UTs may forthwith designate a nodal agency for restoration of water bodies, wherever no such agency has so far been so designated.
- (ii) Under oversight of the Chief Secretaries of the States/UTs, the designated nodal agency may
 - a. Hold its meeting not later than 31.1.2021 to take stock of the situation and plan further steps, including directions to District authorities for further course of action upto Panchayat levels and to evolve further monitoring mechanism as well as Grievance Redressal Mechanism (GRM).
 - b. Submit periodical reports to the CPCB/Secretary Jal Shakti, Government of India. First such report may be furnished by 28.02.2021.
- (iii) The CMC for monitoring remediation of 351 polluted river stretches, headed by the Secretary, MoJS may monitor the steps for restoration of water bodies by all the States periodically, atleast thrice in a year. First such monitoring may take place by 31.3.2021.
- (iv) The CMC may give its action reports to this Tribunal in OA 673/2018 and first such report may be furnished preferably by 30.4.2021 by e-mail.

23. Any individual grievances may be first raised before the appropriate GRM or by moving the concerned District Magistrate which may be looked into on merits.

The application stands disposed of accordingly.

A copy of this order be forwarded to the Secretary, MoJS, CPCB, the Chief Secretaries of all the States/UTs and all District Magistrates by e-mail for compliance.

All pending I.A.s and M.A.s will stand disposed of.

Adarsh Kumar Goel, CP

S.K. Singh, JM

Dr. S.S. Garbyal, EM

Dr. Nagin Nanda, EM

November 18, 2020
Original Application No. 325/2015
SN