

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)

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Mr. Ashok Kumar Singh, Adv.
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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