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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, Advs.

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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