

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.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

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For Respondent(s) : Mr. Anil Shrivastav, AOR
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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)