

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).1164/2023

ASHOK KUMAR SHARMA, INDIAN
FOREST SERVICE (RETD) & ORS.

Petitioner(s)

VERSUS

UNION OF INDIA & ANR.

Respondent(s)

[ONLY IA No. 89433/2025 AND IA No. 89434/2025 ARE LISTED UNDER THIS
ITEM]

IA No. 89434/2025 - APPLICATION FOR PERMISSION

IA No. 89433/2025 - INTERVENTION/IMPLEADMENT

Date : 15-07-2026 This matter was called on for hearing today.

CORAM : HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE JOYMALYA BAGCHI
HON'BLE MRS. JUSTICE V. MOHANA

For Petitioner(s) :Mr. Prashanto Chandra Sen, Sr. Adv.
Mr. Kaushik Choudhury, AOR
Ms. Shibani Ghosh, Adv.
Ms. Rashi Goswami, Adv.
Mr. Jyotirmoy Chatterjee, Adv.
Ms. Aaheli Roy, Adv.

For Respondent(s) :Mr. Tushar Mehta, Solicitor General
Ms. Aishwarya Bhati, A.S.G.
Mr. Gurmeet Singh Makker, AOR
Ms. Ruchi Kohli, Adv.
Ms. Bani Dixit, Adv.
Mr. Rajat Nair, Adv.
Mr. Sridhar Pottaraju, Adv.
Mr. Kanu Agarwal, Adv.
Mr. Rohan Gupta, Adv.

Mr. Avijit Mani Tripathi, AOR
Mr. Z.H. Isaac Haiding, Adv.
Mr. T.K. Nayak, Adv.
Mr. Daniel Stone Lyngdoh, Adv.
Ms. Marbiang Khongwir, Adv.

Ms. Ayushma Awasthi, AOR

Mr. K M Natraj, A.S.G.
Mr. Sharan Dev Singh Thakur, Sr. A.A.G.

Mr. Sudeep Kumar, AOR
Ms. Indira Bhakar, Adv.
Ms. Manisha, Adv.
Ms. Rupali, Adv.

Mr. Shadan Farasat, Sr. Adv.
Mr. Yash S. Vijay, AOR
Mr. Shikhar Aggarwal, Adv.
Ms. Varisha Sharma, Adv.
Mr. Joshua Tom Thomas, Adv.

Mr. Kunal Chatterji, AOR

Mr. Aravindh S., AOR
Mr. Aadithya Aravindh, Adv.
Ms. Anika Bansal, Adv.

Mr. Sridhar Potaraju, A.A.G.
Ms. Mrinal Gopal Elker, AOR
Ms. Aarushi Singh, Adv.
Ms. Srajan Yadav, Adv.
Ms. Rashika, Adv.

Mr. Bharat Bagla, Adv.
Mr. Siddharth Dharmadhikari, Adv.
Mr. Aaditya Aniruddha Pande, AOR
Mr. Shrirang B. Varma, Adv.

Ms. Anitha Shenoy, Sr. Adv.
Ms. Rashmi Nandakumar, AOR
Ms. Yashmita Pandey, Adv.

Mr. Abhishek Atrey, AOR
Dr. Abhishek Atrey, Adv.
Ms. Ishita Bist, Adv.
Ms. Vidyottma Jha, Adv.
Mr. Brijesh Kumar, Adv.
Mr. Jagdeep Sharma, Adv.

Mr. Nishe Rajen Shonker, AOR
Applicant-in-person, AOR
Mr. Anantha Narayana M.G., AOR
Mr. Atul Shankar Vinod, AOR

Mr. Satyajit A. Desai, Adv.
Mr. Shashank Upadhyay, Adv.
Mr. Sachin Singh, Adv.
Mr. Pratik Kumar Singh, Adv.
Ms. Anagha S. Desai, AOR

Mr. Tejaswi Kumar Pradhan, AOR

Mr. A.K. Ganguli, Sr. Adv.
Mr. Prashant Padmanabhan, AOR

Mr. Akshay Amritanshu, AOR
Mr. Sarthak Srivastava, Adv.

Mr. Zulfiker Ali P.S., AOR
Ms. Lakshmi Sree P., Adv.
Mr. Manish Sindwani, Adv.
Mr. Anna Oommen, Adv.
Ms. Lebina Baby, Adv.

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

I.A. No.89433/2025

1. This application has been moved by the State of Uttar Pradesh seeking impleadment as a party respondent in the writ petition. The application is allowed. The State of Uttar Pradesh shall be impleaded as a party respondent. The cause title shall be amended accordingly.

I.A. No.89434/2025

2. The newly impleaded respondent, the State of Uttar Pradesh, has moved this application seeking prior permission/appropriate directions for establishment of a Night Safari and Zoological Park in the Kukrail Forest Area, Lucknow. The application has been filed in view of the *interim* order dated 19.02.2024, whereby this Court directed that any proposal for establishment of zoos and safaris referred to in the Wild Life (Protection) Act, 1972 by the Government or any authority in forest areas other than protected areas shall not be finally approved by the States/Union Territories except with prior permission of this Court.

3. The State has submitted that, *vide* Government Order dated 24.08.2022, a decision was taken to shift the existing Nawab Wajid

Ali Shah Zoological Park, Lucknow, and to instead establish a night safari in the Kukrail Forest Area. The proposal was initially for the establishment of a zoological park over about 150 acres and a night safari over about 350 acres. The project area was thereafter revised to 855.07 acres by Government Order dated 22.07.2024. According to the State, such relocation has been proposed as the existing zoo is situated in a densely populated part of the city and near busy roads/highways, making the present location unsuitable for conservation, breeding, expansion and modernisation of animal enclosures.

4. Notably, the Kukrail Forest Area is notified as a reserved forest under Section 20 of the Indian Forest Act, 1927 and comprises approximately 2,027.4 hectares. The proposed project is stated to cover 855.07 acres. As per the State, about 610.34 acres, i.e. approximately 71% of the project area, would remain under green cover and that felling/translocation of trees would be restricted to what is unavoidable. It is further stated that invasive species would be replaced with native species for ecological restoration, in consonance with the directions enumerated by this Court by order dated 12.12.2023 in I.A. No.10784/2023 in W.P.(C) No.13381/1984, *M.C. Mehta v. Union of India & Ors.* (Taj Trapezium Zone matter).

5. The State has further averred that the proposed project area does not serve as a wildlife corridor and is not situated in the vicinity of any protected area. The sequence of events as per the State is that: (i) the Central Zoo Authority granted prior approval for establishment of the zoo and night safari on 15.05.2023; (ii)

such approval was followed by permission for setting up the zoo and night safari on 10.06.2024; (iii) the DPR/layout was authenticated by the Authority on 20.09.2024; and (iv) finally the Authority approved the animal enclosure drawings/schematic design submitted by the State on 31.01.2025. The State has also referred to Government Order dated 28.02.2025, whereby the estimated project cost has been approved, granting administrative and financial sanction for Phase-I of the project.

6. Subsequently, *vide* order dated 29.08.2025, this Court directed the applicant-State to furnish a copy of the subject-application seeking establishment of the proposed project to the Member Secretary, Central Empowered Committee (CEC). The CEC was similarly requested to examine the proposal and submit a Report. The Court also granted liberty to non-applicants/person(s) opposing the project to file replies before the CEC, which have subsequently been placed on record. The CEC has thereafter submitted Report No. 65 of 2025 dated 27.11.2025.

7. In such Report, the CEC after considering the materials placed before it, including the approvals granted by the Central Zoo Authority, and the information furnished by the State and the objections received, recommended that permission may be granted for the establishment of the Kukrail Night Safari and Zoological Park, subject to strict compliance with the conditions and safeguards contained in the aforestated Report.

8. Shri K.M. Natraj, learned Additional Solicitor General, appearing for the State of Uttar Pradesh, submits that the State accepts and shall comply with all conditions recommended by the

CEC, apart from the conditions imposed by the Central Zoo Authority/MoEFCC and any other competent authority.

9. Having regard to the material placed on record, the approvals granted by the Central Zoo Authority, the recommendation of the CEC and the undertaking given on behalf of the State, we are inclined to grant prior permission in terms of the *interim* order dated 19.02.2024. We clarify that this permission is confined to the requirement of prior permission of this Court as per the order dated 19.02.2024 and shall not dispense with, dilute or override any statutory approval, clearance, consent or permission required under any other law.

10. I.A. No. 89434/2025 is accordingly allowed. The State of Uttar Pradesh is permitted to proceed with the Kukrail Night Safari and Zoological Park project, subject to strict compliance with: (i) the conditions and safeguards contained in CEC Report No. 65 of 2025; (ii) the conditions imposed by the Central Zoo Authority and MoEFCC; and (iii) all other conditions imposed by any competent statutory authority. The conditions contained in the CEC report shall stand incorporated in this order. Any deviation, non-compliance or breach shall be viewed seriously.

11. To ensure compliance, we direct the CEC, through its Member Secretary, to conduct periodic site inspections and verify compliance with the above conditions on the ground. The CEC shall conduct its first site inspection on or before 28.10.2026 and submit a status report thereafter. Needless to say, the State shall render full cooperation to the CEC and shall furnish all documents, records and information sought by the CEC.

12. It is further clarified that the State shall not commence any component of work for which a separate statutory clearance or permission is required unless such clearance or permission has first been obtained from the competent authority. This order shall remain subject to any further orders that may be passed by this Court.

13. Lastly, the parties, intervenors and any public-spirited person(s) may submit suggestions relating to environmental safeguards, compliance monitoring or implementation of the conditions to the CEC. The CEC may consider such suggestions objectively and make appropriate recommendations to this Court, wherever necessary.

14. We also deem it appropriate to appoint Mr. Saurabh Mishra, Senior Advocate, as *Amicus Curiae*, and request them to render their assistance to this Court. The Registry is directed to supply a copy of this order to the same.

I.A. No.146216/2026, 146211/2026, 93509/2026 & 93506/2026

15. Issue notice, returnable on 16.09.2026.

(ARJUN BISHT)
ASTT. REGISTRAR-cum-PS

(PREETHI DILEEP KUMAR)
DY. REGISTRAR