

Court No. - 2

WWW.LIVELAW.IN

Case :- PUBLIC INTEREST LITIGATION (PIL) No. - 110 of 2022

Petitioner :- Inner Wheel Club D.O.D Thru. President Pooja Jain And Ors.

Respondent :- State Of U.P. Thru. Prin. Secy. Forest Dept. And Ors.

Counsel for Petitioner :- Shailendra Kumar Misra, Anurag Narain Srivastava

Counsel for Respondent :- C.S.C.

Hon'ble Devendra Kumar Upadhyaya, J.

Hon'ble Mohd. Faiz Alam Khan, J.

Heard Ms. Aishwarya Mishra, learned counsel appearing for the petitioners and learned counsel for the State-respondents.

Notice on behalf of the respondents has been accepted by the office of learned Chief Standing Counsel.

This Public Interest Litigation expresses its concern about the poor upkeep of a wild life sanctuary known as 'Sandi Bird Sanctuary', which has a lake in its fold, apart from rich biodiversity and wild life. The sanctuary is situated in District Hardoi.

It has been stated by learned counsel for the petitioners that in the bird sanctuary there situates a lake having an area of about 3.084 square kilometers which though has been habitat of rich biodiversity and contains huge volume of water, however, presently on account of neglect by the authorities the lake as well as the bird sanctuary are not only loosing their status as such but are a cause of concern so far as preserving the biodiversity and ecology in the area are concerned. It has also been brought to our notice that Sandi Bird Sanctuary is a Ramsar Site, which is based on identification of wetlands under Ramsar Convention to which India is a signatory.

From the averments made and documents enclosed with the writ petition, it appears that the State Government has sanctioned quite big an amount for the upkeep and development of the lake and the bird sanctuary, however, their present status cannot be said to be satisfactory. It has, thus, been argued that appropriate upkeep of the lake and the sanctuary is essential for maintaining an Ecosystem which may support rich biodiversity in the area and by providing adequate arrangement for water storage in the lake, many environmental goals can be attained

but because of the neglect on the part of the authorities such goals are far from being achieved. We have been informed that the State Government had even prepared a project for conservation of Endangered Species in the lake in question for the year 2010-2011 to 2019-2020 i.e. for a decade.

As to whether the project envisaged for the aforesaid decade from 2010 to 2020 has achieved its goals or not needs to be ascertained in this public interest litigation and based on such assessment/ascertainment the authorities may be issued appropriate directions to ensure that the aforementioned wetland is maintained appropriately.

For the aforesaid purpose we require the Conservator of Forest, State of Uttar Pradesh, who is the In-charge of Endangered Species Project and the District Forest Officer, Hardoi to submit a comprehensive report about the present status of the lake and the bird sanctuary as also the steps which are either under way at present or have been proposed to be taken in future to maintain the said wetland. The report under this order shall be filed before this Court by the next date of listing.

We also require the presence of the District Forest Officer before this Court on the next date for our assistance.

List this case on 12th April, 2022.

Learned State Counsel shall immediately communicate this order to the Principal Chief Conservator of Forest, Uttar Pradesh, Additional/Principal Secretary, Department of Forest, Principal Secretary, Department of Tourism, Government of Uttar Pradesh, District Forest Officer and District Magistrate, Hardoi.

We also require the learned State Counsel to seek instructions from the Department of Tourism in the State Government as to whether there is any plan to develop the aforementioned wet land area as a tourist spot or as to whether it has already been attempted to be developed as such.

Order Date :- 5.3.2022
Praveen