

**BEFORE
HONOURABLE THE CHIEF JUSTICE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA**

ORDER

Date : 09.03.2022

Heard Mr. D. K. Das, learned counsel for the petitioners in PIL 29/2020 and PIL 36/2020; Mr. V. Rajkhowa, learned counsel for the petitioners in PIL 30/2020. Also heard Mr. P. N. Goswami, learned Additional Advocate General, Assam and Mr. R.K.D. Choudhury, learned Assistant Solicitor General of India.

The matter relates to protection of bio-diversity in Assam. During the course of argument, it has transpired that the National Biodiversity Authority, which is a statutory body created under Section 8 of the Biological Diversity Act, 2002 and the State Biodiversity Board, which is constituted under Section 22 of the said Act are necessary parties in these PILs. Accordingly, the National Biodiversity Authority and the State Biodiversity Board are impleaded as party/respondents in these PILs.

Let necessary corrections be made in the Cause Title of the PILs and notices be sent to the aforesaid two newly impleaded respondents within a week.

Pursuant to our order dated 27.01.2022, the State respondents have filed an affidavit, but there is no affidavit from the Central Government as to whether the Central Government has developed any strategies, plans, programmes etc. for conservation, promotion and sustainable use of biological diversity as mandated by Section 36 of the Biological Diversity Act, 2002.

We direct the Central Government to file affidavit positively by the next date of listing, failing which the Secretary/Joint Secretary, Department of

Environment and Forest, Government of India, shall be present in person before the court on the next date.

The State respondents shall also submit an action taken report based on the recommendations of Justice B. P. Katakey (Retired).

List again on **18.04.2022**.

JUDGE

CHIEF JUSTICE

Comparing Assistant