

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G SWrit Petition(s) (Civil) No(s). 1284/2020

CHANDRABHAL SINGH

Petitioner(s)

VERSUS

UNION OF INDIA &amp; ANR.

Respondent(s)

(IA No. 115213/2020 - EXEMPTION FROM FILING AFFIDAVIT  
IA No. 115212/2020 - STAY APPLICATION)

WITH

W.P. (C) No. 232/2021 (X)  
(FOR APPROPRIATE ORDERS/DIRECTIONS ON IA 39827/2021  
IA No. 39827/2021 - APPROPRIATE ORDERS/DIRECTIONS)W.P. (C) No. 432/2021 (PIL-W)  
(FOR APPROPRIATE ORDERS/DIRECTIONS ON IA 242713/2023  
IA No. 242713/2023 - APPROPRIATE ORDERS/DIRECTIONS)

Date : 26-11-2024 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE HRISHIKESH ROY  
HON'BLE MR. JUSTICE S.V.N. BHATTIFor Petitioner(s) Mr. Sanjay Upadhyay, Sr. Adv.  
Ms. Mayuri Raghuvanshi, AOR  
Ms. Eisha Krishna, Adv.  
Ms. Geetanjali Sanyal, Adv.  
Mr. Vedant Bijalwan, Adv.Mr. Prashant Bhushan, AOR  
Ms. Neha Rathi, Adv.  
Ms. Kajal Giri, Adv.  
Mr. Kamal Kishore, Adv.Mr. Kunal Chatterji, AOR  
Ms. Maitrayee Banerjee, Adv.  
Mr. Rohit Bansal, Adv.For Respondent(s) Mr. Aishwarya Bhati, A.S.G.  
Mr. Gurmeet Singh Makker, AOR  
Ms. Archana Pathak Dave, Adv.  
Mr. Chinmayee Chandra, Adv.  
Ms. Suhashini Sen, Adv.  
Mr. Saurav Roy, Adv.

UPON hearing the counsel the Court made the following

O R D E R

1. Heard Mr. Sanjay Upadhyay, learned senior counsel appearing for the petitioner(s).
2. Ms. Aishwarya Bhati, learned ASG has referred to this Court's order dated 26.07.2024, which reads as under:

"1. Heard Mr. Sanjay Upadhyay, learned senior counsel and Mr. Prashant Bhushan, learned counsel appearing for the petitioners. Also heard Ms. Aishwarya Bhati, learned ASG appearing for the respondents.

2. The petitioners inter alia raised grievance about the nonsitting of the National Board for Wildlife under the aegis of the Wildlife Protection Act, 1972 which has not met for several years. According to the counsel, the objective of the Act is not being given the due degree of earnestness it deserves.

3. Responding to the above, learned ASG Ms. Aishwarya Bhati would refer to the counter affidavit to project that under Section 5B of the Wildlife Protection Act, 1972, the National Board for Wildlife can constitute Standing Committee for the purpose of exercising such powers and performing such duties as may be delegated to the Committee, by the National Board. Such a Committee has been constituted which is headed by the Minister In-charge of Environment and Forest. The constitution of Committee is adverted to in paragraph 11 of the counter affidavit. It is then pointed out that the Standing Committee ordinarily meet once in every three months and since its constitution, the Committee has held around 72 meetings. It is therefore argued that the requisite attention is being paid by the Union to discharge their responsibilities under the Act.

4. On the allegation of the National Board for Wildlife not sitting at least once a year as is required under Rule 4(1) of the National Board for Wildlife Rules,

2003, Ms. Bhati prays for time to obtain instruction. The requisite instruction be obtained within four weeks."

3. Adverting to the above, the learned ASG submits that all functions of the National Board for Wildlife were relegated to the Standing Committee headed by the Minister and therefore it is submitted that the non-sitting of the National Board of Wildlife at least once a year, is not adversely impacting the working of the statutory body, in terms of the provisions of Wildlife (Protection) Act, 1972.

4. However, Mr. Sanjay Upadhyay, learned senior counsel would submit that it is essential for the National Board of Wildlife to meet at least once a year as is statutorily mandated and the delegation of responsibility to the Standing Committee as has been indicated by the learned ASG, may not be the correct way of dealing with the matters.

5. The pleadings in the case are already exchanged.

6. Rule nisi.

7. Post it for final hearing after six months.

(NITIN TALREJA)  
ASTT. REGISTRAR-cum-PS

(KAMLESH RAWAT)  
ASSISTANT REGISTRAR