

SUPREME COURT OF INDIA

Center for Environmental Law, Wwf-I

Vs.

Union of India (Uoi)

(S Agrawal and G Nanavati JJ.)

07.11.1997

ORDER

Regarding Constitution of Wildlife Advisory Board

1. From the affidavits filed on behalf of the various States the following position emerges:

Goa

The Wildlife Advisory Board has not yet been constituted in the State of Goa, Ms Subhashini states that necessary action in this regard is under consideration and the order shall be passed within a period of two weeks. Gujarat

2. In the State of Gujarat although the Wildlife Advisory Board was constituted in 1994, non-official members have not been appointed as yet. The learned counsel for the State prays for four weeks' time to appoint the non-official members of the Board. Haryana

3. The affidavit filed on behalf of the State of Haryana does not indicate whether the Wildlife Advisory Board has been constituted for the State. The learned counsel for the State prays for one week's time to file an affidavit indicating the steps that have been taken by the State to constitute the Wildlife Advisory Board and states that if it has not been constituted as yet, the same shall be constituted within a period of four weeks. Karnataka

4. In the affidavit filed on behalf of the State of Karnataka it is stated that Wildlife Advisory Board has been constituted but the date of the Constitution of the Board has not been mentioned. The learned counsel for the State prays for one week's time to file an affidavit indicating the date on which the Wildlife Advisory Board was constituted.

5. The time as prayed for is granted and it is directed that the States concerned shall take the necessary steps to ensure that the directions of this Court regarding Constitution of the Wildlife Advisory Board in the States are complied with. Appointment of Honorary Wildlife Wardens

6. As regards the appointment of Honorary Life Warden, we find from the affidavits filed on behalf of the various States that necessary information has not been given in the affidavits filed on behalf of the States of Arunachal Pradesh, Bihar, Gujarat, Haryana, Himachal Pradesh, Manipur, Meghalaya, Mizoram and Delhi. The learned counsel appearing for the said States pray for four weeks' time to file an affidavit giving the necessary information in that regard. Time prayed for is allowed. If the Honorary Life Wardens have not been appointed in any of the States, the State Government concerned shall take necessary steps to appoint the Honorary Wildlife Warden within the said period.

7. The learned counsel appearing for the State of Maharashtra states that by notification dated 16-10-1997 appointment of Honorary Life Warden has been made and he will file an affidavit within two weeks in this behalf. Time prayed for is allowed.

8. The learned counsel appearing for the State of Orissa states that steps are being taken to appoint Honorary Wildlife Wardens and such appointment would be made within two weeks. He is directed to file an affidavit in that regard within three weeks.

9. From the affidavit filed on behalf of the State of U.P. it appears that even though there are a large number of districts only one Honorary Wildlife Warden has been appointed as yet. The learned counsel states that the process for appointment of Honorary Wildlife Warden for other districts is going on and such appointment shall be made within four weeks and an affidavit about such appointment shall be filed within five weeks.

10. As regards issuance of proclamation under Section 21 of the Act we find from the affidavits filed on behalf of the States that in the event of the States such proclamation has not been issued in respect of the national parks and sanctuaries, the State Governments are directed to take the necessary steps in that regard. The same shall be done within two months failing which contempt proceedings will have to be initiated against the State concerned.

11. Put up after two months.