

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 117/2024

News item titled "**Nawabganj Bird Sanctuary Not (bird's) paradise lost yet but solace becoming a casualty**" appearing in The Hindustan Times dated 25.12.2023

Date of hearing: 06.02.2024

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

ORDER

1. This original application is registered *suo motu* on the basis of the news item titled "**Nawabganj Bird Sanctuary Not (bird's) paradise lost yet but solace becoming a casualty**" appearing in 'The Hindustan Times' dated 25.12.2023. As per the said news report, Nawabganj Bird Sanctuary is a paradise for birds but is adversely affected on account of increased highway traffic and new roads coming up in the area as also nearby construction activities. The continuous honking of horns has affected the birds in the Bird Sanctuary and has disturbed the eco-system. On account of above activities, the birds have limited themselves to the core area of the sanctuary, leaving up to 500 meters on three sides – east, west and north. As per the news report, the nearby land has been purchased by individuals and construction is going on cutting into natural vegetation.

2. The news item report raises substantial issue relating to compliance of the environmental norms.

3. Power of the Tribunal to take up the matter in *suo-motu* has been recognized by the Hon'ble Supreme Court in the matter of "*Municipal*

*Corporation of Greater Mumbai vs. Ankita Sinha & Ors.” reported in 2021
SCC Online SC 897.*

4. Hence, we implead following as respondents in this OA:
 - i. Principal Chief Conservator of Forests, (HoFF), Uttar Pradesh.
 - ii. Chief Wildlife Warden, Uttar Pradesh.
 - iii. Uttar Pradesh Pollution Control Board through its Member Secretary.
 - iv. Member Secretary, State Wetland Authority, Uttar Pradesh.
 - v. Uttar Pradesh State Bio-diversity Board.
5. A reply on behalf of the Principal Chief Conservator of Forests/Chief Wildlife Warden, UP has been filed on the basis of advance notice. But in that reply, the issue flagged in the news item has not been responded to.
6. Issue notice to the above Respondents for filing their response at least one week before the next date of hearing.
7. List on 03.04.2024.

Prakash Shrivastava, CP

Dr. A. Senthil Vel, EM

February 06, 2024
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DV.