



7TH WILDLIFE PROTECTION GOVERNMENT LAW COLLEGE NATIONAL MOOT COURT COMPETITION, 2025-26

8th – 10th January, 2026

MOOT PROPOSITION

IN THE HIGH COURT OF HYSTERIA PUBLIC INTEREST LITIGATION NO.50 OF 2025

Earths Rights Collective

...Petitioner

Versus

State of Hysteria

...Respondent

1. The State of Hysteria (“**Hysteria**”) is a coastal state in the Republic of Muse (“**Muse**”). The State has a long coastline and a rich marine and coastal ecology. It is a rapidly developing region that has, over the past three decades, witnessed significant industrial growth, urban expansion, and infrastructural advancement. Large-scale projects ranging from special economic zones and highways to new ports and industrial corridors have attracted investment and increased employment opportunities, making the State one of the fastest-growing economies in the country.
2. Its estuaries, mangrove forests, and wetlands have historically supported diverse species of fish, migratory birds, and marine mammals. These ecosystems not only contribute to biodiversity but also provide critical livelihoods for traditional fisherfolk and coastal communities. However, the accelerated pace of development has placed mounting strain on these fragile ecosystems. Expanding ports and coastal industries have led to large-scale reclamation of coastal wetlands, degradation of mangroves, and pollution of estuaries and nearshore waters.

3. Recognising the vital role played by wetlands in supporting biodiversity, the Ministry of Environment, Forest and Climate Change (“**MoEF-CC**”) of the Republic of Hysteria introduced the *Wetland (Conservation and Management) Rules, 2010* (“**2010 Rules**”) under which, *inter alia*, the State Governments were given the responsibility of mapping and notifying the list of wetlands within their respective jurisdictions. Hysteria has not yet identified the wetlands within its jurisdiction and consequently has not notified a list of wetlands.
4. However, a National Wetland Inventory and Assessment (“**Wetland Atlas**”) containing an inventory of wetlands in the entire country was prepared by a premier research institution under the sponsorship of the MoEF-CC. Since the process of notifying wetlands under the *2010 Rules*, was not completed by the State Governments, the Supreme Court of Muse, in a PIL focused on the conservation and management of wetlands across the country directed that all the wetlands mapped out in the Wetland Atlas will be protected under the Wetland Rules. In the intervening period, the *2010 Rules* came to be replaced by the *Wetland (Conservation and Management) Rules, 2017* (“**2017 Rules**”). The MoEF-CC released an Office Memorandum clarifying that in light of the Supreme Court order in the aforementioned proceedings, the inventorised wetlands will continue to remain protected under the *2017 Rules* and that this protection is irrespective of the applicability of the said Rules.
5. Cydonia Wetland, located in Hysteria, is one such site that has been inventorised under the Wetlands Atlas. Waterbirds from the Deadstar Flamingo Sanctuary use this wetland as a roosting site when the sanctuary gets flooded during the high tide. It is one of the last available sites for roosting of waders, as the adjoining areas have witnessed rapid urbanisation and filling of wetland and intertidal areas. It is noted as being a satellite wetland to the Deadstar Flamingo Sanctuary.
6. Numerous reports have identified Cydonia Wetland as being significant in character. They have noted the presence of **thirty one (31)** migratory species, **six (6)** Near Threatened Species, **one (1)** Vulnerable Species, and **five (5)** Schedule-I Species of birds under the *Wildlife (Protection) Act, 1972* (“**the Act**”). Further, it notes that Cydonia Wetland is the largest migratory waterbird congregation site and one of the best birding sites in Hysteria. Noting the importance of this site as a habitat for several Schedule-I species of birds, there have been demands to protect this area under the provisions of the Act.
7. However, the site has been leased to a private company by Hysteria. The company intends to

set up an Integrated Industrial Township on part of this land. The planned development of this site would result in the complete loss of the wetland, and consequently the fate of around 20,000 birds regularly visiting the wetland would be in danger. The destruction of this wetland would lead to the displacement of a large population of waterbirds.

8. Apart from this, the site is already facing a number of anthropogenic threats such as blocking of tidal water, landfilling, excavation, and overcrowding by bird-watchers.
9. Earth Rights Collective, a Non-Governmental Organisation (“NGO”) working in the field of environmental conservation, filed a Public Interest Litigation before the High Court of Hysteria seeking the protection of Cydonia Wetland under the provisions of the Act as a Conservation Reserve or Sanctuary. It has relied on scientific evidence to show the ecological significance of the area as well as correspondence between departments of the State Government that note the importance of this site. It has been alleged that the State Government has failed to act in spite of ample material that demonstrates the importance of this wetland and the potential consequences of its damage. It relied on the Public Trust Doctrine to assert that the State Government is obligated to protect this wetland.
10. The NGO has also sought a consequent prayer that Cydonia Wetland be declared as a CRZ-IA area in terms of Clause 2.1.1 (v) of the Coastal Regulation Zone Notification, 2019.
11. The State Government has opposed the Petition on the ground that the power of the appropriate government to declare a Protected Area under the Act is a discretionary one and that the High Court cannot direct it to exercise this direction in a particular way. Moreover, it has contended that the land having been leased to a third party, it would not be possible to notify it as a Protected Area under the Act.
12. Following are the issues framed for consideration:
 - a. Whether the High Court of Hysteria can direct the State Government to notify a Protected Area under the Act or whether it is purely within the remit of the executive to do so?
 - b. Whether a Protected Area can be declared in the face of third party interests having been created by the State Government over the concerned land?
 - c. Whether Cydonia Wetland qualifies for protection under the provisions of the CRZ Notification, 2019?

NOTE

1. The laws of the Republic of Muse are *pari materia* to the laws of India.
2. All statutes, constitutional provisions, and judicial precedents of India are applicable unless stated otherwise.
3. The Moot Proposition is entirely fictitious. Any resemblance to real persons, or entities is purely coincidental.



DISCLAIMER

The Moot Proposition of the 7th Wildlife Protection Government Law College National Moot Court Competition, 2025-26, is an original work drafted by Ms. Meenaz Kakalia, an alumna of Government Law College, Mumbai, Batch of 2014, and currently working as a Counsel at the Bombay High Court. The Moot Proposition is the intellectual property of Ms. Kakalia, and any reproduction, distribution, or use without prior permission is strictly prohibited.

