

RMA

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION**

**WRIT PETITION NO. 4095 OF 2011  
WITH  
CIVIL APPLICATION NO. 2486 OF 2011  
WITH  
CIVIL APPLICATION NO. 398 OF 2012  
WITH  
CIVIL APPLICATION NO. 407 OF 2012**

Awaaz Foundation  
Vs

.. Petitioner

Union of India & Ors

.. Respondents

Mr. J.P. Cama, Sr. Advocate i/b M/s. JMB Partners for the Petitioner

Ms. Naveena Kumai for Respondent - Union of India

Mr. N.P. Deshpande, AGP for the Respondent - State

Mr. Y.S. Jahagirdar, Sr. Advocate with Mr. A.S. Khandeparkar for  
M/s. Khandeparkar & Associates for the Applicant in CA 2486/11

**CORAM : D. D. SINHA &  
SMT. V.K. TAHILRAMANI, JJ**

**DATE : 12th JUNE, 2012.**

**P.C.:**

1. Heard the leaned counsel for the respective parties.
2. Perused the orders dated 21.03.2012 and 10.04.2012 passed by this Court in the present Writ Petition. Perusal of these orders would show that the report of Dr. Madhav Gadgil Committee was submitted to the Ministry of Environment and Forests for its consideration. The learned Additional Solicitor General has contended that the report of Dr. Madhav Gadgil

Committee was forwarded to the State of Maharashtra and other concerned States whereby their comments and suggestions were invited and since the same were awaited, final decision in respect of acceptance of Dr. Madhav Gadgil Committee's report could not be taken by the Central Government.

3. Leaned counsel for respondent no. 1 has submitted that the said report was uploaded on the website on 23<sup>rd</sup> May, 2012.
4. Learned AGP has made a statement that the suggestions and recommendations in respect of the said report were already forwarded by the State of Maharashtra to the Central Government on 25<sup>th</sup> January, 2012. Learned counsel for respondent no. 1 is unable to inform the Court, for want of instructions, within what time the Central Government would take a decision in respect of acceptance of Dr. Madhav Gadgil Committee's report. She is also unable to appraise the Court whether Sawantwadi-Dodamarg corridor runs through various states or through the State of Maharashtra only.
5. It is no doubt true that on 10.04.2012, learned counsel for respondent no. 1 has made a statement that respondent no. 1 has decided not to grant any mining lease till the report of Dr. Madhav Gadgil Committee is finally accepted by the Central

Government. Similarly, this Court in its order dated 10.04.2012 has observed that till such time, authorities of the Forests Department as well as concerned Collectors to ensure that nobody should be permitted to cut the trees in the area concerned. However, it is high time for the Central Government to take a final decision in respect of Dr. Madhav Gadgil Committee's report.

**6.** We direct the learned counsel for respondent no. 1 to seek positive instructions and make a statement on the next date of hearing within what time the Central Government shall take a final decision in respect of acceptance of Dr. Madhav Gadgil Committee's report since the suggestions and recommendations have already been submitted by the State of Maharashtra to the Central Government in respect thereof.

**7.** The State Government is directed to produce a copy of the recommendations forwarded by the State Government to the Central Government in respect of Dr. Madhav Gadgil Committee's report on the next date of hearing.

**8.** S.O to 26<sup>th</sup> June, 2012.

**[ SMT. V.K. TAHILRAMANI, J ]**

**[ D. D. SINHA, J ]**

रविंद्र आंबेरकर