

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
NAGPUR BENCH : NAGPUR  
S.M. P.I.L. NO.4 OF 2022**

Court's on its own motion

VS.

Union of India, Ministry of Health, through its Secretary, New Delhi and others

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. Zeeshan Haq, Advocate for amicus curiae.

Mrs. Ketki Joshi, Government Pleader for respondent Nos. 3 to 6.

Mr. N.S. Deshpande, ASGI for respondent Nos.1 and 2.

**CORAM : SUNIL B. SHUKRE AND  
G.A. SANAP, J.J.**

**DATE : 15.06.2022**

1. Heard.

2. The issue raised by this Suo Moto Public Interest Litigation is of great public interest as it affects the fundamental rights of tribals residing in remote and isolated villages such as Vengnur, Surgaon, Adangepalli, Padkotola following within Vengnur District Gadchiroli. These villages are surrounded by dense forest and are situated near the water of Dina River Project. In the rainy season, water of Dina Dam Kannamwar Reservoir surrounds these villages from all sides. With the result, these villages remain completely cut-off from the rest of the World for at least five months continuously. The villagers during this period of difficult time can only access outer World through boats, which ride itself is

fraught with danger and risk. Issues like non-availability of electricity, non-availability of water, non-availability of essential medical services, non availability of educational facilities and so on take serious turn during the period of five months and all these facilities are almost non-existent for the tribal villagers. Curiously, as stated by the villagers in the letter submitted to this Court, neither any boat nor any boatman has been made available to the villagers by the State and its authorities. Denial of the aforesaid facilities to the villagers for almost half of the year leads to serious violation of fundamental rights of the villagers who are all tribal. We, therefore, take cognizance of this petition and direct that an experienced advocate be appointed to assist the Court.

3. We direct Ms Renuka Sirpurkar be appointed as amicus curiae who shall be assisted by Mr. I. Haq, Advocate.

4. We request the instructing counsel to prepare proper memo of petition by complying with list and file before this Court.

5. Meanwhile, notices be issued to the State Government through the Chief Secretary, State of Maharashtra, Principal Secretary, Ministry of Revenue and Forest, Home Secretary, Principal Secretary of Public Health Department Social Tribal Welfare Department,

Public Works Department and Director of Health Services, Nagpur, the District Collector, Gadchiroli and Superintendent of Police Gadchiorli, returnable in eight weeks.

**JUDGE**

**JUDGE**

*Manisha*