

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR
SUO MOTO PUBLIC INTEREST LITIGATION NO. 4 OF 2022

Court on its own motion

..VS..

State of Maharashtra , Department of Tribal/Social Welfare and others

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Ms. Renuka Sirpurkar, Amicus Curiae for the petitioner.
Mr. N.S. Deshpande, Deputy Solicitor General of India for
respondent Nos.1 and 2.
Mrs. K.S. Joshi, Additional Government Pleader for respondent
Nos. 3 to 6.

CORAM : SUNIL B. SHUKRE AND
G.A. SANAP, JJ.

DATED : 06.10.2022

Heard Ms. Renuka Sirpurkar, learned Amicus Curiae, Mrs. K.S. Joshi, learned Addl.G.P for respondent Nos.3 to 6 and Mr. N.S. Deshpande, D.S.G.I for respondent Nos.1 and 2.

2. We find that in spite of highlighting the emergency of the situation, in which the unfortunate Tribal brethren has got itself caught, the authorities in-charge of their welfare have done nothing except for paying lip service and sending a few communications here and there. Of course, it is stated by the learned Addl.G.P. that since the authorities are of the opinion that due to submergence of huge/large areas surrounding the concerned villages, it is not possible for them to make any efforts for construction of even a temporary bridge but, the authorities have

provided seven speed boats as a facility for commuting between the isolated villages and the main land of District Gadchiroli.

3. Providing of the facility of speed boat is certainly not enough, although, it is required. If this facility has been provided, the authorities should have simultaneously made their strenuous efforts for preparing plans and estimates for construction of the proposed eight bridges and taken necessary steps in that direction. So far, the plans and estimates, as we see from the reply filed on record by respondent No.3, have not been prepared and have not been forwarded to the State Government. Besides, this reply filed by respondent No.3 is silent about providing of other facilities like 24 x 7 supply of the electricity, 24 x 7 availability of medical facilities and also sufficient educational facilities. However, learned Addl.G.P. submits that providing of all these basic facilities is something which is not within the knowledge of the P.W.D. and the Collector i.e. respondent No.5, is the one who would be putting all these facts on the record. She submits that reply of the respondent No.5 is already prepared and it would be filed on record of the case in short time. According to her, all the basic facilities are already provided and now Sub Health Care Center has also been sanctioned for village Vengnur on 27.08.2022.

4. Mrs. Joshi, the learned Addl.G.P. further submits that according to the MAHAVITARAN, there is a regular

supply of electricity provided to all the affected villages and drinking water is also available to each of the villages. These facilities may be enough for the time being, but in order to lead a complete life, these facilities, in the long run would not be enough as these villages remain cut-off from the main land for more than half of the year, and, therefore, it is necessary for the State Government and the authorities in-charge at the ground level to take urgent steps in the matter and in spite of repeated requests made by this Court, the authorities appear to have not looked into the matter so far.

5. In the circumstances, we again direct the authorities to immediately prepare the plans and estimates for constructing each of the eight proposed bridges and forward the same to the State Government for approval on or before the next date.

6. The learned Amicus Curiae submits that the proposal for constructing eight bridges is a long term solution and, therefore, such proposal would not bring any immediate relief to the affected village of Vengnur. She submits that if a bridge having length of 450 mtrs. as per the own figures of the P.W.D. Gadchiroli is immediately constructed, many of the problems faced by the villagers would be addressed. She further submits that even for constructing these bridges, by making a permanent structure or using some other material of temporary nature, no efforts have been made by the authorities.

7. We direct respondent Nos.1, 2 and 5 to look into the matter and take necessary steps for constructing a temporary bridge between Vengnur and Regadi at the earliest.

8. Stand over to **16.11.2022**.

(G.A. SANAP, J.)

(SUNIL B. SHUKRE, J.)

Kirtak