

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
( Special Original Jurisdiction )

Wednesday, the Twenty Fourth day of May Two Thousand and Twenty  
Three

PRESENT

**The Hon`ble Mr.Justice M.S.RAMESH**  
and

**The Hon`ble Ms.Justice P.T.ASHA**

WP (MD) No.12360 of 2023

and

WMP (MD) No.10500 of 2023

THEERAN THIRUMURUGAN

... PETITIONER

Vs

1 UNION OF INDIA  
REP BY THE SECRETARY,  
MINISTRY OF ENVIRONMENT,  
FOREST AND CLIMATE CHANGE,  
INDIRA PARYAVARAN BHAWN,  
JORBAGH ROAD,  
NEW DELHI - 110 003.

2 THE JOINT SECRETARY (JM)  
LOK SABHA SECRETARIAT,  
ROOM NO.440, PARLIAMENT HOUSE ANNEXE,  
NEW DELHI 110 001

3 STATE OF TAMIL NADU  
REP BY THE PRINCIPAL SECRETARY,  
DEPARTMENT OF ENVIRONMENT,  
FOREST AND CLIMATE CHANGE,  
STATE OF TAMIL NADU,  
CHENNAI.

... RESPONDENTS

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to issue a Writ of Mandamus directing the respondents to make Tamil translated copy of the Forest (Conservation) Amendment Bill 2023 and upload the same in the website of the respondents and consequently to invite and receive suggestions in Tamil language pertaining to the Forest (Conservation) Amendment Bill 2023 in accordance law within a time stipulated by this Honble Court.

Prayer in WMP(MD). 10500/ 2023 :

To direct the respondents to extend the date of receiving memoranda/suggestions required to carry out the necessary changes in the Forest (Conservation) Amendment Bill 2023 for one month or for further sufficient time.



ORDER : This petition coming up for orders on this day, on perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.ALAGUMANI.R, Advocate for the petitioner and of MR.S.JEYASINGH, Central Government Standing Counsel on behalf of the Respondent Nos.1 & 2 and MR.S.P.MAHARAJAN, Special Government Pleader on behalf of the 3<sup>rd</sup> Respondent, the court made the following order:-

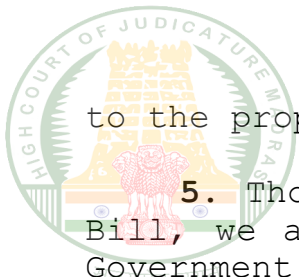
**[Order of the Court was made by M.S.RAMESH, J.]**

Through a Press Communique dated 03.05.2023, the Joint Committee on the 'Forest (Conservation) Amendment Bill, 2023', (hereinafter referred to as 'Amendment Bill'), had invited suggestions on examination of the Amendment Bill, from the public in general and NGOs / experts / stakeholders and institutions in particular. Such suggestions were required to be sent to the Committee in English or in Hindi, within 15 days from the date of publication of the advertisement. The petitioner herein seeks for direction to the respondents to upload the Tamil translated copy of the Amendment Bill in the website of the respondents and consequently to invite and receive suggestions in Tamil language pertaining to the Amendment Bill.

2. The Amendment Bill proposes many crucial amendments to the Forest (Conservation) Act, 1980, which would have wider implications, when the Bill is passed. While the endeavour of the respondents in calling for suggestions from the public is laudable, the same could rendered futile if the notification seeking for suggestions does not reach to such sections of the public, who are not familiar with either the English or the Hindi languages. Thus if the Amendment Bill or the Press Communique are not made available in the vernacular languages other than English and Hindi, the object behind calling for suggestions from the public could be defeated.

3. In identical circumstances, when the Central Government had issued a draft notification for imposing certain restrictions and prohibition on the projects entailing capacity addition under the Environment (Protection) Act, 1986, similar suggestions were called for from the public, in Hindi and English languages alone, the Delhi High Court in the case of **Vikrant Tongad Vs. Union of India (MOEFCC)** reported in **2020 SCC OnLine Del 2552**, had held that it would be in aid of effective dissemination of the proposed notification if arrangements are made for its translation into other languages as well and that such translations may be undertaken by the Government of India itself and published through the website of the Ministry of Environment, Forest and Climate Change, as well as on the website of the Environment Ministries of all States.

4. The same Ministry, as in the case of **Vikrant Tongad** has once again ventured to reiterate the same endeavour of calling objections



to the proposed Amendment Bill in Hindi or English languages

5. Though it is not our desire to stall an important Amendment Bill, we are constrained to put it on hold for some time, for the Government to explore the possibilities of publishing translated copies of the Amendment Bill as well as Press Communique in all the vernacular languages of the Country.

6. The petitioner has sought for extension of time limit for rendering suggestions as called for the Press Communique. We are of the view that the object behind calling for suggestions would be well met if the Bill is translated and published in the website and suggestions be called in all the vernacular languages and therefore, we deem it fit to stay all further happenings pursuant to the Press Communique for the present.

7. Accordingly, there shall be an order of interim stay of the Press Communique dated 03.05.2023 and all further proceedings therefrom till 16.06.2023.

8. Mr.S.Jeyasingh, learned Central Government Standing Counsel takes notice for the respondents 1 and 2. Mr.S.P.Maharajan, learned Special Government Pleader takes notice for the third respondent.

9. Post on 16.06.2023.

sd/-

24/05/2023

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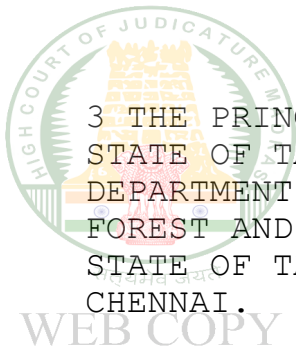
Sub-Assistant Registrar (C.S.)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

vsm

TO

1 THE SECRETARY,  
UNION OF INDIA  
MINISTRY OF ENVIRONMENT,  
FOREST AND CLIMATE CHANGE,  
INDIRA PARYAVARAN BHAWN,  
JORBAGH ROAD, NEW DELHI - 110 003.

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3 THE PRINCIPAL SECRETARY,  
STATE OF TAMIL NADU  
DEPARTMENT OF ENVIRONMENT,  
FOREST AND CLIMATE CHANGE,  
STATE OF TAMIL NADU,  
CHENNAI.

+1 CC to M/s.S.JEYASINGH, Advocate ( SR-7853[I] dated 25/05/2023 )

+1 CC to M/s.ALAGUMANI .R, Advocate ( SR-7833[I] dated 25/05/2023 )

ORDER  
IN  
WP (MD) No.12360 of 2023  
and  
WMP (MD) No.10500 of 2023  
Date :24/05/2023

RS//SAR-(29.05.2023) 4P 6C