

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

I.A. NO.6 OF 2011

IN

WRIT PETITION (CIVIL) NO.443 OF 2006

STATE OF ORISSA

Petitioner(s)

VERSUS

GOVERNMENT OF INDIA & ANR.

Respondent(s)

O R D E R

This is a matter in which this Court on 6th February, 2009, had directed the Central Government to constitute a Water Disputes Tribunal to settle the disputes between the State of Orissa and the State of Andhra Pradesh regarding the diversion of the water of river Vamsadhara. Since then, the Tribunal has been constituted but it has not been able to function on account of the fact that no office space or residential accommodation, has been provided for the Tribunal and its Members. Apart from that, even infrastructure in the form of staff, have not been made available. This matter was brought to our notice on 26th November, 2010, when we had directed the Union of India to ensure that suitable accommodation and infrastructure, which was necessary for functioning of the Tribunal, including the appointment of staff and providing suitable

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residential accommodation to the members of the Tribunal, were made available within three months from the date of the order. Even, thereafter, little was done and the matter was again brought to our notice on 8th April, 2011, when the Union of India was granted further time till 31st July, 2011, to provide the facilities indicated hereinabove. On 6th September, 2011, the matter was again mentioned on behalf of the Union of India, praying for further time in the matter. We had, accordingly, directed the matter to be listed today, so that learned counsel for the Union of India could inform us as to the progress made in providing the aforesaid facilities.

Today, the learned Attorney General has appeared for the Union of India and has very frankly stated that certain internal problems within the administration have caused the delay in providing such facilities. He very candidly submitted that the Ministry of Water Resources have been unable to find any government accommodation, either for office purposes or for the residence of the members of the

Tribunal. In such circumstances, we have no option but to direct the Ministry of Water Resources that in the event no government accommodation is available within 15 days from date, it will take on rent suitable accommodation for providing not only office space, but also residential accommodation for the members of the Tribunal and to make the same available to the Tribunal, within one month thereafter. Needless to say, all supporting staff and other infrastructure is also to be made available within the aforesaid period. The same is to be done upon intimation to the Chairman of the Tribunal.

In the peculiar facts of the case, as brought to our IA 6/11 in WP 443/06

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notice by the learned Attorney General, the Ministry of Water Resources shall take whatever decisions that are required to be taken on its own.

Let a copy of this order be made available to the learned Advocate-on-Record for the Union of India, to enable the learned Attorney General to take further steps in the matter.

I.A. No.6 of 2011, stands disposed of.

.....J.
(ALTAMAS KABIR)

.....J.
(SURINDER SINGH NIJJAR)

New Delhi;
September 20, 2011.

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ITEM NO.2 COURT NO.2 SECTION X

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS
I.A. NO.6 OF 2011 in WRIT PETITION (C) NO.443 OF 2006

STATE OF ORISSA Petitioner(s)

VERSUS

GOVERNMENT OF INDIA & ANR. Respondent(s)

(With appln(s) for directions and office report)

Date: 20/09/2011 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ALTAMAS KABIR
HON'BLE MR. JUSTICE SURINDER SINGH NIJJAR

For Petitioner(s) Mr. Raju Ramchandran, Sr. Adv.
Mr. S.P. Singh, Sr. Adv.
Mr. M.V. Kartarki, Adv.
Mr. Radha Shyam Jena, AOR

For Respondent(s) Mr. G.E. Vahanvati, A.G.
Mr. Mohan Jain, A.S.G.
Mr. H.P. Raval, A.S.G.
Mr. S. Wasim A. Qadri, Adv.
Mr. D.K. Thakur, Adv.
Mr. Sunil Roy, Adv.
Mrs. Asha G. Nair, Adv.
Mr. S.S. Rawat, Adv.
Mr. Zaid Ali, Adv.
Mr. D.S. Mahra, AOR

Mrs. D. Bharathi Reddy, AOR

Mr. C.S. Vaidyanathan, Sr. Adv.
Mr. Y. Raja Gopala Rao, AOR
Ms. Y. Visami Rao, Adv.

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UPON hearing counsel the Court made the following
O R D E R

I.A. No.6 of 2011, is disposed of in terms of the
signed order.

(Chetan Kumar)
Court Master

(Juginder Kaur)
Assistant Registrar

(Signed order is placed on the file)