

(2012) 10 SC CK 0009

In the Supreme Court Of India

Case No : SLP (C) No. 21339 of 2011, W.P. (C) No. 387 of 2012 and W.P. No. 438 of 2012

Ajay Dubey

APPELLANT

Vs

National Tiger Conservation Auth. and Others

RESPONDENT

Date of Decision : 09-10-2012

Acts Referred:

Wild Life (Protection) Act, 1972 — Section 38(O)

Citation : (2012) 10 SCALE 576

Hon'ble Judges : Swatanter Kumar, J;A.K. Patnaik, J

Bench : Division Bench

Judgement

1. We have heard learned Counsel for the parties on the Comprehensive Guidelines for Project Tiger and Tourism in Tiger Reserves framed by the National Tiger Conservation Authority u/s 38(O) of the Wildlife (Protection) Act, 1972. In this proceeding, which is a SLP against the interim order dated 19th January, 2011 of the High court of Madhya Pradesh in Writ Petition No. 1235 of 2010, we cannot either declare the Guidelines as valid by approving the same or declare the Guidelines to be ultra vires by rejecting the Guidelines. The National Tiger Conservation Authority may, therefore, issue the formal Notification notifying the Comprehensive Guidelines for Project Tiger and Tourism in Tiger Reserves in accordance with the provisions of the Act. Learned Additional Solicitor General appearing for the National Tiger Conservation Authority submits that the Notification will be issued within a week.

2. List these matters for further hearing on Tuesday, the 16th October, 2012 at 2:00 P.M. on the prayer for vacation/modification of the interim order and directions, if any, to be issued to the State Governments and other authorities.