

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

**WRIT PETITION Nos.29415, 34308, 34873, 34876, 34879, 34880,
34901, 34902, 34928, 34938, 34939 and 34955 of 2014**

COMMON ORDER:

Since the issue involved in these Writ Petitions is common, they are clubbed together and are being disposed by this common order.

Petitioners are all licence holders under the provisions of the Andhra Pradesh Saw Mill (Regulations) Rules, 1969, and they had installed additional machinery pursuant to the permission granted to them by the licensing authority. However, respondent No.3 - Divisional Forest Officer passed order, dated 28.10.2014, directing the petitioners to deinstall such additional machinery on the ground that the permission granted by the Licensing Authority was without the approval of the Central Empowered Committee. Aggrieved by the same, the petitioners filed these Writ Petitions.

On 12.09.2014, this Court, while ordering notice to the respondents, granted interim stay of the impugned order for a limited period. The same was extended from time to time.

On behalf of the respondents, a counter-affidavit is filed by respondent No.3.

Now, it is brought to the notice of this Court by the learned counsel for the petitioners as well as the learned Government Pleader for Forests appearing for the respondents that pursuant to the order of the Apex Court dated 05.10.2015 in W.P.(C) No.202/95, the Ministry of Environments, Forests & Climate Change, Government of India, New Delhi, framed the “Wood Based Industries (Establishment and Regulation) Guidelines, 2016”, and in pursuance thereof, the State Government duly repealing the T.S. Saw Mill (Regulation) Rules, 1969, notified the Telangana Wood Based Industries (Regulations) Rules, 2016 vide G.O.Ms.No.55, dated 26.09.2016 and constituted a State Level Committee (SLC) vide G.O.RT.No.203, dated 16.12.2016.

In view of the aforesaid developments which are taken place after filing of these Writ Petitions, the learned counsel for the petitioners as well as the learned Government Pleader for Forests appearing for the respondents fairly submits that necessary directions may be issued to the authorities concerned to consider the cases of the petitioners in terms of the Telangana Wood Based Industries (Regulations) Rules, 2016 (for short ‘the Rules’) as notified in G.O.Ms.No.55, dated 26.09.2016.

In those circumstances, all these Writ Petitions are disposed of, granting liberty to the petitioners to submit their applications

in Form-I to the Licensing Authority, within four weeks from today. There upon, the Licensing Authority shall process the same in accordance with the Rules, within a period of four (4) months thereafter. Till such time, the petitioners shall be entitled to operate their wood based industries.

It is made clear that the Chief Conservator of Forests shall issue necessary instructions to all the Licensing Authorities with respect to passing of this order for necessary implementation. It is further made clear that the respondent authorities shall not insist upon furnishing a copy of the order in the respective Writ Petitions and based on the common order passed in this batch of cases, a copy of which is made available, the authorities shall act upon and take necessary steps.

Miscellaneous Petitions, if any pending, shall stand closed. There shall be no order as to costs.

CHALLA KODANDA RAM, J

20th AUGUST, 2018.

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