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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 4740/2020 & CM APPL. 17100/2020**

CROP CARE FEDERATION OF INDIA & ORS. Petitioners

Through: Mr.Akhil Sibal, Sr. Adv. with
Mr.Ashish Kothari & Ms.Shriya
Mishra, Advs.

versus

UNION OF INDIA & ORS. Respondents

Through: Mr.Chetan Sharma, ASG & Mr.Vivek
Goyal, CGSC for UOI/R-1& R-2.

(3) **W.P.(C) 4831/2020 & CM APPL. 17439/2020**

M/S AGRO CHEM FEDERATION OF INDIA & ORS.

..... Petitioners

Through: Mr.Rajesh Aggarwal, Adv.

versus

UNION OF INDIA & ANR. Respondents

Through: Mr.Chetan Sharma, ASG & Mr.Vikas
Mahajan, CGSC for UOI with
Mr.Amit Gupta, Adv.
Mr.Waizeali, GP for UOI.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

% **10.08.2020**

This hearing has been held through video conferencing.

1. These petitions have been filed praying for a Writ of Mandamus directing the respondents to provide to the petitioners/make public, *inter alia*, the reports that allegedly formed the basis for issuance of Notification

No. S.O. 2268(E) dated 06.07.2020 published in the Gazette of India on 07.07.2020.

2. The petitioners further pray for extension of time for filing of objections/comments to the said Notification to 90 days from the date when all the reports and documents sought for are provided by the respondents to the petitioners.

3. On 30.07.2020, the learned ASG had submitted that the report of the State Government of Kerala and the report submitted by the Registration Committee would be duly put in the public domain for all the stake holders to submit their comments to the Notification. Pursuant thereto, the report of the State Government of Kerala and the report/recommendation submitted by the Registration Committee to the Central Government have been put in the public domain.

4. The learned counsels for the petitioners, however, submit that the recommendations of the Registration Committee are in turn based on the report of a Sub-committee that was constituted in a meeting held on 04.10.2019. They submit that the same be provided to the petitioners.

5. On the other hand, the learned ASG submits that the entire report/recommendations received from the Registration Committee and which forms the basis of the Notification dated 06.07.2020, have been duly put on the public domain by the respondents.

6. In view of the above, I find no merit in the prayer made by the petitioners. The respondents having acted on the final recommendations/report of the Registration Committee and having put the same in the public domain. The respondents cannot be expected to share further documents, which have not formed part of the decision making

process of the Impugned Notification.

7. As far as the prayer for extension of time for filing suggestions/objections to the Impugned Notification, the respondents have issued an Addendum Notification dated 05.08.2020 extending the time period for filing objections to 90 days from the date of original Notification, that is 06.07.2020. The learned counsels for the petitioners submit that as the documents were put in the public domain only on 03.08.2020, the period of 90 days must be counted from that date.

8. The learned counsels for the petitioners, however, have not been able to point out any statutory provision which requires a minimum of 90 days period to be granted for filing such objections. Their claim is based on another Notification proposing to ban some other insecticidal molecules for which 90 days period was granted for filing objections.

9. In absence of any statutory requirement of giving atleast 90 days period, this Court cannot pass any such direction in the present petition. It would, however, be open to the petitioners to make similar request to the respondents, if so advised.

10. Accordingly, the present petitions are disposed of.

NAVIN CHAWLA, J

AUGUST 10, 2020/rv