

GAHC010047922026



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THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : PIL/22/2026

ARKASISH CHALIHA AND ANR
S/O SRI. KIRIP CHALIHA R/O H.NO. 248, ZOO ROAD TINIALI GUWAHATI
781026, ASSAM.

2: MAHESH DEKA
S/O SRI. DANDIRAM DEKA R/O H.NO. 13
BHAGADUTTAPUR KAHILIPARA
GUWAHATI 781019 ASSA

VERSUS

THE UNION OF INDIA AND 7 ORS.
REPRESENTED BY THE SECRETARY, MINISTRY OF ROAD TRANSPORT
AND HIGHWAYS, TRANSPORT BHAWAN, 1, PARLIAMENT STREET, NEW
DELHI 110001.

2:THE MINISTRY OF ENVIRONMENT
FORESTS AND CLIMATE CHANGE
REPRESENTED BY ITS SECRETARY
INDIRA PARYAVARAN BHAWAN JORBAGH ROAD
NEW DELHI - 110003.

3:THE STANDING COMMITTEE
NATIONAL BOARD FOR WILD LIFE
REPRESENTED BY ITS CHAIRPERSON
MINISTRY OF ENVIRONMENT
FOREST AND CLIMATE CHANGE
INDIRA PARYAVARAN BHAWAN
JORBAGH ROAD
NEW DELHI - 110003.

4:THE WILDLIFE INSTITUTE OF INDIA
REPRESENTED BY ITS DIRECTOR
POST BOX NO. 18

CHANDRABANI
DEHRADUN 248001
UTTARAKHAND.

5:THE COMMISSIONER AND SECRETARY
DEPARTMENT OF ENVIRONMENT
FOREST AND CLIMATE CHANGE
DISPUR
GUWAHATI 781006.

6:THE PRINCIPAL CHIEF CONSERVATOR OF FOREST AND HEAD OF
FOREST FORCE
ARANYA BHAWAN
PANJABARI
GUWAHATI 781037.

7:THE COMMISSIONER AND SECRETARY
PUBLIC WORKS ROADS DEPARTMENT
DISPUR
GUWAHATI 781006.

8:THE NATIONAL HIGHWAYS AUTHORITY OF INDIA (NHAI)
REPRESENTED BY ITS CHAIRMAN
G- 5 6
SECTOR – 10, DWARKA
NEW DELHI 110075

For the appellant/petitioner(s) : Mr. K. N. Choudhury, Sr. Advocate
Mr. V. Rajkhowa, Advocate
Mr. A. J. Sarma, Advocate

For the Respondent(s) : Mr. S. K. Medhi, CGC
Mr. P.N. Goswami, Addl. AG, Assam

- B E F O R E -

HON'BLE THE CHIEF JUSTICE MR. ASHUTOSH KUMAR

HON'BLE MR. JUSTICE ARUN DEV CHOUDHURY

08.04.2026

(Ashutosh Kumar, CJ)

We have heard Mr. K. N. Choudhury, learned senior Advocate for the petitioners, and Mr. P. N. Goswami, learned Additional Advocate

General, Assam; Mr. S. K. Medhi, learned Central Government Advocate, for the respondents.

This Public Interest Litigation aims at protecting the environment.

In principle, the petitioners do not question the Guwahati Ring Road project, a massive 121 Kilometers highway project around the city of Guwahati, with the cost of around Rs. 6000 Crores, to be constructed by the National Highways Authority of India.

It has been pointed out on behalf of the petitioners that a concession agreement has already been signed sometimes in April, 2025 for undertaking and completion of the project, and the work includes a long bypass road requiring widening of the existing roads and construction of a bridge over the Brahmaputra river.

As noted above, the necessity for traffic management is not being questioned by the petitioners, but, according to them, the road which has been carved out for construction of the bypass, allegedly cuts through the Amchang Wildlife Sanctuary and the surrounding eco-sensitive zone. While the necessity of construction of the ring-road cannot be denied, at the same time, the importance of preserving the sanctuary can be assessed from the fact that the area is home to elephants, gibbons, leopards, pangolin and other animals. The area also covers other forests and the elephant corridor in the vicinity.

It stands admitted in this petition that the Standing Committee of the National Board for Wildlife has given the approval for the project, but such approval is conditional, requiring full impact study, no night-construction, etc.

The grievance of the petitioners is that those conditions are not

being properly followed.

The major concern of the petitioners today is that, according to the information they have, the mandatory forest clearance under the Forest (Conservation Act), 1980 (hereinafter referred to as "Act of 1980") has not been granted by the Central Government. However, the Divisional Forest Officer, Guwahati Wildlife Division, has already issued an e-tender for selecting a contractor for felling trees inside the sanctuary. Such action is dubbed as post-haste and if it is allowed to go through, it will cause irreparable damage before any proper scrutiny by the concerned authority is made.

Challenging such contentions, in the first instance Mr. Goswami, learned Additional Advocate General, Assam, has submitted that all clearances, including under the Act of 1980 have been obtained. However, before a detailed response affidavit is filed, he makes a statement that till the next date, the tender in question shall not be finalized.

Let the response affidavit be filed positively by the next date with a copy of the same served on the learned counsel for the petitioner in advance.

Let this matter come up for consideration on **23.04.2026**.

JUDGE

CHIEF JUSTICE

Comparing Assistant