

GAHC010190862024



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

**Case No. : PIL/66/2024**

RAJEEV BHATTACHARYYA AND ANR  
S/O LATE HIRANYA BHATTACHARYYA, 302 BASISTHA ROAD, THE  
WILDERNESS BELTOLA GUWAHATI ASSAM 781028

2: SHRI GAURAV CHOUDHURY

S/O SRI SUKRITI CHOUDHURY  
17  
ANANDA PATH  
BEHIND ML HOSTEL  
DISPUR GUWAHATI 781006 KAMRUP M ASSA

VERSUS

UNION OF INDIA AND 13 ORS  
REPRESENTED BY THE SECRETARY TO THE GOVT. OF INDIA, MINISTRY  
OF ENVIRONMENT FOREST AND CLIMATE CHANGE, INDIRA  
PARYAVARAN BHAWAN, JORBAGH ROAD, NEW DELHI 110003

2:MINISTRY OF ENVIRONMENT  
FOREST AND CLIMATE CHANGE  
NORTHEASTERN REGIONAL OFFICE  
LAW U SIB  
LUMBATNGEN  
NEAT MTC WORKSHOP SHILLONG  
793021

3:THE STATE OF ASSAM  
REPRESENTED BBY THE PRINCIPAL SECRETARY TO THE GOVT. OF  
ASSAM  
ENVIRONMENT AND FOREST DEPARTMENT  
DISPUR GUWAHATI 06

4:THE CHIEF SECRETARY TO THE GOVT. OF ASSAM

DISPUR SECRETARIAT COMPLEX  
GUWAHATI 06

5:THE CHIEF SECRETARY TO THE GOVT. OF ASSAM  
DEPARTMENT OF FOREST DISPUR ASSAM

6:THE PRINCIPAL CHIEF CONSERVATOR OF FOREST AND HEAD OF  
FOREST FORCE  
H BLOCK  
2ND FLOOR  
JANATA BHAWAN  
DISPUR  
GUWAHATI 781006  
ASSAM

7:THE PRINCIPAL CHIEF CONSERVATOR OF FOREST(WILDLIFE)  
H BLOCK  
2ND FLOOR  
JANATA BHAWAN  
DISPUR  
GUWAHATI 781006  
ASSAM

8:THE NORTH EASTERN FRONTIER RAILWAY

REPRESENTED BBY ITS CHIEF GENERAL MANAGER  
HEAD QUARTER MALIGAON GUWAHATI

9:THE CHIEF WILDLIFE WARDEN  
ASSAM DEPARTMENT OF FOREST GOVT. OF ASSAM  
GUWAHATI ASSAM

10:THE NATIONAL BOARD FOR WILDLIFE  
REP. BY THE SC  
NATIONAL BOARD FOR WILDLIFE MINISTRY OF ENVIRONMENT  
FOREST AND CLIMATE CHANGE (WILDLIFE DIVISION)6TH FLOOR  
VAYU WING  
INDIRA PARYAVARAN BHAWAN  
JORBAGH ROAD  
NEW DELHI 110003

11:THE STATE BOARD FOR WILDLIFE  
REPRESENTED BY ITS CHAIRMAN  
DISPUR SECRETARIAT COMPLEX  
GUWAHATI 06

12:THE DEPUTY COMMISSIONER

KAMRUP M ASSAM

13:THE DIVISIONAL FOREST OFFICER (WILDLIFE)  
KAMRUP M GUWAHATI DISPUR GUWAHATI

14:THE DIVISIONAL FOREST OFFICER  
KAMRUP EAST DIVISION  
GUWAHATI ASSA

**Advocate for the Petitioner** : MR. M KHATANIAR, MS. K M TALUKDAR,MR D K DAS

**Advocate for the Respondent** : DY.S.G.I., SC, FOREST,GA, ASSAM

Linked Case : PIL/62/2024

SUBRAT TALUKDAR  
S/O SRI GOPENDRA NATH TALUKDAR

RESIDENT OF 601  
BASERA RETREAT M.T ROAD  
LANKESHWAR GUWAHATI 781014 DIST KAMRUP M ASSAM

VERSUS

THE UNION OF INDIA AND 5 ORS  
REPRESENTED BY THE SECRETARY TO THE GOVT. OF INDIA .MINISTRY OF  
ENVIRONMENT FOREST AND CLIMATE CHANGE  
INDIRA PARYAVARAN BHAWAN  
JORBAGH ROAD NEW DELHI

2:THE STATE OF ASSAM  
REPRESENED BY THE CHIEF SECRETARY TO THE GOVT. OF ASSAM  
ASSAM SACHIVALAYA  
DISPUR GUWAHATI 781006

3:THE SPECIAL CHIEF SECRETARY  
GOVT. OF ASSAM  
ENVIRONMENT AND FOREST DEPARTMENT  
ASSAM SACHIVALAYA  
DISPUR GUWAHATI 781006

4:THE ADDITIONAL CHIEF SECRETARY

GOVT. OF ASSAM  
ENVIRONMENT AND FOREST DEPARTMENT  
ASSAM SACHIVALAYA  
DISPUR GUWAHATI 781006

5:THE PRINCIPAL CHIEF CONSERVATOR OF FOREST AND HEAD OF FOREST  
FORCE  
ARANYA BHAWAN  
PANJBARI  
GUWAHATI 781037

6:THE DISTRICT COMMISSIONER

KAMRUP M LICHUBAGAN  
HENGRABARI GUWAHATI 78103

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Advocate for : MR A.J.SARMA  
Advocate for : DY.S.G.I. appearing for THE UNION OF INDIA AND 5 ORS

**BEFORE**  
**HONOURABLE MR. JUSTICE KALYAN RAI SURANA**  
**HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND**

**ORDER**

**Date : 11.12.2024**  
(K.R. Surana, J)

Heard Mr. D.K. Das, learned counsel for the petitioner. Also heard Mr. I. Borthakur, learned standing counsel for Environment and Forest Department representing respondent nos. 3 to 7, 9, 11 and 13 to 14, Ms. R. Devi, learned CGC appearing for respondent nos. 1, 2, 8 and 10 and Mr. P. Sarma, learned Addl. Senior Govt. advocate appearing for respondent no.4.

At the outset, the learned counsel for the petitioner has submitted that the prayer (A) made in this PIL has also been raised by another petitioner in PIL 62/2024. In view of prayer (I) and (III) made in the said PIL, the petitioner in this PIL will not be pressing prayer (A). Accordingly, it is submitted that both the

matters relates to the issue of Garbhanga Wildlife Sanctuary and addition, in this PIL, the petitioner is also raising the issue of contiguous areas of the Ramsar site of Deepor Beell and in addition, in this PIL, the issue relating to the laying down the railway line from Azara to Tetelia which would traverse through the Garbhanga Wildlife Sanctuary is also raised.

Issue notice returnable in 4(four) weeks.

Requisite extra copy of this PIL be provided to the learned CGC, State and Departmental counsel within 2 days.

List after 4(four) weeks along with PIL 62/2024.

**JUDGE**

**JUDGE**

**Comparing Assistant**