

PIL 27/2013

BEFORE

HON'BLE THE CHIEF JUSTICE MR. AJIT SINGH

HON'BLE MR. JUSTICE MANOJIT BHUYAN

(Ajit Singh, C.J.)

Mr.HK Das, learned counsel for the petitioner.

Mr.D Saikia, learned senior Additional Advocate General, Assam, assisted by Ms.

RB Bora, learned Government Advocate for the respondents.

In the additional affidavit filed by the Secretary to the Government of Assam (Environment & Forest) Department, it is stated that from 27.11.2017 upto 29.11.2017 another drive to remove encroachments from Amchang Wildlife Sanctuary was carried out and as many as 1015 encroachments have been removed. According to the affidavit, still more than 1000 households are within the Sanctuary and they are yet to be removed. A prayer is, however, made to permit temporary suspension of eviction drive because in the large number of households, school going students, are preparing for annual examination and they shall suffer irreparably. It is also stated that as some of the evicted encroachers are spending their nights in the jungle and they have refused to leave the forest areas, the State Government on humanitarian ground is contemplating to work out a rehabilitation package for erosion and flood affected landless persons.

We appreciate the removal of encroachments from the Amchang Wildlife Sanctuary and also the desire of the State Government to work out a rehabilitation or compensation package or both for the genuinely affected persons. We, accordingly, allow 2 (two) months time to the State Government to take steps in this regard. Needless to mention that the State Government shall immediately remove all commercial establishments, more particularly, industrial establishments from the Amchang Wildlife Sanctuary. We also direct the State Government to ensure that encroachments do not mushroom again at the places from where they have been removed. We must mention that the State Government is under a statutory obligation to make the Amchang Wildlife Sanctuary free from encroachment and that the State Government will do everything to make it free from encroachment.

List the case on 12.2.2018 for further order(s).