

GAHC010192072013



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

**Case No. : PIL 27/2013**

1:X X X

VERSUS

1:IN RE - THE STATE OF ASSAM and 125 ORS  
REP. BY THE CHIEF SECRETARY, ASSAM SECRETARIAT, DISPUR, GHY-6.

2:MINISTRY OF ENVIRONMENT AND FOREST  
GOVT.OF ASSAM  
DISPUR  
GHY-6.

3:COMMISSIONER and SECY.  
ENVIRONMENT AND FOREST DEPARTMENT  
DISPUR  
GHY-6.

4:THE PRINCIPAL CHIEF CONSERVATOR OF FOREST  
REHABARI  
GHY-8.

5:DIVISIONAL FOREST OFFICER  
KAMRUP EAST DIVISION  
BASISTHA  
GHY-29.

6:TREASURED WHEELS-  
THE NORTH EAST HERITAGE FOUNDATION  
REP. BY ONE OF ITS TRUSTEES SRI PICKLOO DEKA S/O SRI PRAFULLA  
CHANDRA DEKA  
R/O HENGRABARI HOUSING COLONY  
GUWAHATI - 78106

DIST. KAMRUP M  
ASSAM

7:RANJIT TERON  
S/O LT. MASAL TERON

8:ABDUL HAKIM  
S/O SAFER ALI

9:REZIA KHATUN  
W/O LILU AHMED BARBHUYAN

10:AKRAM AHMED SHAH  
S/OLT. ABDUL JABBAR

11:LAILA BEGUM  
W/O JAYNUL HOQUE BARBHUYAN

12:HAMID ALI  
S/O HAFIZ ALI

13:SWAPNA BEGUM LASKAR  
W/O ABDUL HANAN MAZUMDAR

14:BADARUDDIN  
S/O LT. MONOWAR ALI

15:SYEDA NAZMA BEGUM  
D/O ABDUL JABBAR

16:HANNUFA KHATUN  
D/O LIYAKAT ALI

17:KHAIRUL ANAM  
S/O LT. ABDUL REZZAK

18:KARIMUDDIN CHOUDHURI  
S/O ABDUL MATLIB CHAUDHARY

19:IMADUL CHAUDHURY  
S/O REZZAK CHAUDHURY

20:MANIK PODDAR  
S/O LT. BOLO PODDAR

21:GITANJALI HALOI  
W/O KANGKAN HALOI

22:MAYA DAS  
W/O ASHUTOSH BISWAS

23:GOFUR ALI  
S/O LT. MAFIZ ALI

24:KHEMRAJ SHARMAH  
S/O LT. BHIMRAM SHARMAH

25:MOINUDDIN AHMED  
S/O SHARMAN ALI

26:BARIK ALI  
S/O LT. ABU BAKKAR ALI

27:SHER KADIR SIKDER  
S/O LT. KADDUS SIKDAR

28:SANTOSH CHAUHAN  
S/O GANESH CHAUHAN

29:SHAIJUDDIN  
S/OLT. BASHI SEIKH

30:ABDUL AZIZ  
S/O JAFAR ALI

31:BOBY HIRA  
S/O LT. JAYRAM HIRA RESPONDENTS NOS. 7 TO 32 ARE RESIDENTS OF  
VILL/TOWN - BATHAGHULI PART  
YUSUF NAGAR  
B AJARA NC  
P.S. SATGAON P.O. PANJABARI  
GUWAHATI  
DIST. KAMRUP M  
ASSAM

32:DONYI POLO NAGAR DEVELOPMENT COMMITTEE  
PANJABARI  
DONYI POLO NAGAR  
P.O. PANJABARI  
WARD NO. 54  
P.S. SATGAON  
GUWAHATI - 781037  
DIST. KAMRUP M  
ASSAM  
REP. BY ITS SECRETARY  
SRI DHARMENDRA DEORI.

- 33:SRI DHARMENDAR DEORI  
S/O MANAMOHAN DEORI  
CHUKAFA PATH PART  
P.S. SATGAON  
SUB-DIVISION  
GUWAHATI  
DIST. KAMRUP M  
ASSAM
- 34:SRI JAGARAN MARAK  
S/O RANIK MARAK
- 35:SMTI. MIRA SANGMA @ MIRA MARAK  
W/O KHANKAR SANGMA
- 36:SMTI. NIRU SANGMA  
W/O SULINDAR SANGMA
- 37:SMTI. RENILA MARAK  
W/O AKUL CHAN MARAK
- 38:SRI BHABEN CHANDRA BORO  
S/O TARUN CH. BORO
- 39:SRI RABEN CH. BORO  
S/O BHABEN CH. BORO
- 40:SMTI. MANJU BORO  
W/O AJAY DAS
- 41:SMTI. CHAPNA MARAK  
W/O PULIN SANGMA
- 42:SMTI. PITIKA MARAK  
W/O SHATIN SANGMA
- 43:SMTI. GRIPICH SANGMA  
W/O RAJEN SANGMA
- 44:SRI RAJEN MARAK  
S/O RABARTS SANGMA
- 45:SMTI. BHARATI MARAK  
S/O KALARAM MARAK
- 46:SRI NIKIN MARAK  
S/O BANE SANGMA

47:SRI LENUCH T. SANGMA  
S/O METHEN MARAK

48:KHELO SANGMA @ KEHLO SANGMA  
S/O GANESH SANGMA

49:SMTI. BEAUTY SANGMA  
W/O OWELFINA MARAK

50:SMTI. NIRDAI MARAK  
W/O RAMATHI SANGMA

51:SMTI. SUSHILA SANGMA  
W/O JAHINATH MARAK

52:SMTI. SABITA MARAK  
W/O BALEN SANGMA

53:SRI THICHAN SANGMA  
S/O KHALADANG SANGMA

54:SRI LALIN MARAK  
S/O LABAR SANGMA

55:SRI DABIN MARAK  
S/OLT. HANDIN MARAK

56:SMTI. KERAN MARAK  
W/O MICHAN SANGMA

57:SRI HEMEN BORO  
S/O TERA BORO

58:SRI TULARAM BORO  
S/O HALADHAR BORO

59:PULIN SANGMA  
S/O LT. NANDARAM SANGMA

60:POLLITHSON MARAK @ FALITCHAN MARAK  
S/O GOPAL SANGMA

61:AUGUSTINE SANGMA @ AGESON MARAK  
S/O MINJENG MARAK

62:SRI THOMAS SANGMA  
S/O METHIN MARAK

63:SRI MANTU MARAK  
S/O A J SANGMA RESPONDENTS NOS. 35 TO 64 ARE RESIDENTS OF  
KHANKAR  
PANIKHAITI  
P.O. and P.S. PRAGJYOTISHPUR  
DIST. KAMRUP M  
ASSAM  
PIN - 781026.

64:DEVONAGAR DEVELOPMENT COMMITTEE  
KHANAPARA  
GUWAHATI - 781022  
DIST. KAMRUP M  
ASSAM  
REP. BY ITS SECRETARY  
SRI DEBANDANDA DOLEY.

65:SRI DEBANDANDA DOLEY  
S/O SRI TANKESWAR DOLEY R/O DEVONAGAR  
KHANAPARA  
GUWAHATI - 781022  
DIST. KAMRUP M  
ASSAM

66:RUWAD NAGAR DEVELOPMENT COMMITTEE  
P.O. KHANAPARA  
P.S. DISPUR  
GUWAHATI - 781022  
DIST. KAMRUP M  
ASSAM REP. BY ITS SECRETARY  
SRI BIREN DOLEY.

67:SRI BIREN DOLEY  
S/O SHANGKADHAR DOLEY  
RUWAD NAGAR  
P.O. KHANAPARA  
P.S. DISPUR  
GUWAHATI - 781022  
DIST.KAMRUP M  
ASSAM

68:SRI BHASKAR JYOTI PEGU  
S/O SRI KULABAR PEGU

69:SRI BENI DOLEY  
S/O SRI TANUJ DOLEY

70:SRI ANIL DOLEY  
S/O SRI DECEMBER DOLEY

71:SRI TARA NATH DOLEY  
S/OS RI PHULESWAR DOLEY

72:SRI HEMA KT. PEGU  
S/OLT. ANANDA PEGU

73:SRI BISWAJIT DOLEY  
S/O BIDHESWAR DOLEY

74:SRI MINO KT. PAIT  
S/OLT. BHABO KT. PEGU

75:SRI JITEN PEGU  
S/O SRI KHUKEN PEGU

76:SRI UMESH PATIR  
S/O SRI TUNI RAM PATIR

77:SRI NABA BORO  
S/O SRI HANTU BORO

78:SRI PRADIP PEGU  
S/O SRI BOMBESWAR

79:SADANANDA PEGU  
S/O KULASON PEGU

80:SRI RANJIT DARIK  
S/O SUNA RAM DARIK

81:SRI KIRAN KUTUM  
S/O BROJENDRANATH KUTUM

82:SRI PRANJIT DOLEY  
S/O SRI PATIR DOLEY

83:SMTI. PROVAWATI PEGU  
D/O LT. KULANATH PEGU

84:SMTI. SWARNALATA DOLEY  
D/O LT. BAPUNG DOLEY

85:SRI RAJIV PEGU  
S/O BOMBESWAR PEGU

86:SRI BINOD DOLEY  
S/O SRI TANUJ DOLEY

87:SRI SAURAV SAIKIA  
S/O PUNA SAIKIA

88:SRI NABAJIT PATIR  
S/O SRI JIBAN PATIR

89:SRI BHUPEN DOLEY  
S/O DHANU RAM DOLEY

90:SRI KUSHAL MILI  
S/O UBHAY RAM MIRI

91:SRI SANJIB DOLEY  
S/O SRI BOLEN DOLEY

92:SRI MANUJ PEGU  
S/O SRI LOKHESWAR PEGU

93:SRI AJOY RAM DOLEY  
S/O SRI DEBEN DOLEY

94:SRI DILIP TAID  
S/O SRI TANKESWAR TAID

95:SRI PUNA RAM DOLEY  
S/OLT. GANDHI RAM DOLEY

96:SRI RANJAN DOLEY  
S/O SRI KULAMON DOLEY

97:SRI TARJAN PATIR  
S/O SRI BILUWAR PATIR

98:SRI RAJU PEGU  
S/O SRI SHAPIDHAR PEGU

99:SRI CHANDAN PEGU  
S/O SRI HIRA PEGU

100:SRI NABIN DEORI  
S/O DHIREN DEORI

101:SRI ROBIN PEGU  
S/O SRI HOLIRAM PEGU

102:SRI BIJOY BASUMATARY  
S/O SRI CHATARAM BASUMATARY

103:SRI SATYA PEGU  
S/OS RI HALIRAM PEGU

104:SRI NARENDRA KUTUM  
S/O SRI BIRASON KUTUM RESPONDENTS OS. 69 TO 105 ARE RESIDENTS  
OF KANGKAN NAGAR  
2 NO. KHANAPARA  
MOUZA- BELTOLA  
P.O. BAGHABARI  
P.S. DISPUR  
GUWAHATI DIST. KAMRUP  
ASSAM

105:SRI RATAN ROY  
S/O SRI DEBARU ROY

106:SRI BANKIM SARMA  
S/OLT. UTSAB CHANDRA SARMA

107:SRI NAYANJYOTI DAS  
S/OLT. NITUL DAS

108:SRI DHANMONI KALITA  
S/O KAMINI KANTA KALITA

109:SRI BHUBAN DAS  
S/OLT. DHARANI DAS

110:SRI KANAK PATOWARY  
S/OLT. BHABIN PATOWARY

111:SRI BIREN DAS  
S/O SRI RAM DHAN DAS

112:SRI RAM KRISHNA DAS  
S/O SRI KAMAKHYA DAS

113:SRI AJIT CHANDRA DAS  
S/O SRI BHABEN CHANDRA DAS

114:SMTI. JONALI KALITA  
W/O HAREN KALITA

115:HARPATI SARMA  
S/OLT. JADAB SARMA

116:SRI PINU KALITA  
S/O SRI HEMANTA KALITAA

117:SRI KUMUD CHANDRA DEKA  
S/O PRAHLAD DEKA

118:SRI PABAN BAISHYA  
S/O LT. SARAT BAISHYA

119:HEMANTA CHOUDHURY  
S/OLT. UTTAM CHOUDHURY

120:SRI GIRIN DEKA  
S/O SRI RAMESH DEKA

121:SRI KANDARPA DAS  
S/O SRI ADITYA DAS

122:SRI MRINAL TALUKDAR  
S/O GAJEN TALUKDAR

123:SMTI. KAMINI BORO  
W/O SRI BIMAL BORO

124:SRI SUKUMAR BORO  
S/O SRI PRAFULLA BORO

125:SRI NARAYAN DAS  
S/OS RI GAURI DAS

126:SRI KAMALA MILI  
W/O SRI ACHYUT HAZARIKA ALL ARE APPLICANTS ARE RESIDENT OF  
VILL/TOWN- SIVASAGAR  
MOUZA- BELGOLA P.O. BAGHARBARI  
P.S. SATGAON  
GUWAHATI DIST. KAMRUP METRO  
ASSA

**Advocate for the Petitioner** : MR.S S DEY

**Advocate for the Respondent** : GA, ASSAM

**ORDER**

**BEFORE**

**HON'BLE THE CHIEF JUSTICE MR. AJIT SINGH  
HON'BLE MR. JUSTICE MANOJIT BHUYAN**

**02.02.2018**

*(Ajit Singh, CJ)*

Mr. SS Dey, learned senior counsel assisted by Mr. HK Das, learned counsel.

Ms. R Boro Bora, learned Government Advocate, Assam for the respondents.

Mr. S Borthakur, learned counsel states that he has filed two interlocutory applications on 01.02.2018. Registry shall trace the applications and place them on record.

List the case on 12.02.2018.

Sd/-  
**JUDGE**

Sd/-  
**CHIEF JUSTICE**

**Comparing Assistant**