

GAHC010192072013



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

Case No. : PIL/27/2013

X X X

VERSUS

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
ASSAM

127:MAJULIPUR DEVELOPMENT COMMITTEE
MAJULIPUR
PO KHANAPARA
GUWAHATI
ASSAM REPRESENTED BY ITS PRESIDENT SRI RAJIB KUMBANG

128:SRI RAJIB KUMBANG
R/O GAROBASTI
PS SATGAON
PO PANJABARI

129:SMTI JUNU SANGMA
R/O GAROBASTI
PS SATGAON
PO PANJABARI

130:MONESH SANGMA
R/O GAROBASTI
PS SATGAON
PO PANJABARI

131:RAJU SANGMA
R/O GAROBASTI
PS SATGAON
PO PANJABARI

132:PINTU SANGMA
R/O GAROBASTI
PS SATGAON
PO PANJABARI

133:SMTI. DAMAYANTI BARMAN DEKA
R/O GAROBASTI
PS SATGAON
PO PANJABARI

134:SUBHADRA MARAK
R/O GAROBASTI
PS SATGAON
PO PANJABARI

135:RABITA MARAK
R/O GAROBASTI
PS SATGAON
PO PANJABARI

136:MINTU MARAK
R/O GAROBASTI
PS SATGAON
PO PANJABARI

137:PRUTUL DAIMARI
R/O GAROBASTI
PS SATGAON

PO PANJABARI

138:SHANTA SHIL CHAKMA
R/O GAROBASTI
PS SATGAON
PO PANJABARI

139:KARUNA BORO
R/O GAROBASTI
PS SATGAON
PO PANJABARI

140:KALYAN CHAKMA
R/O GAROBASTI
PS SATGAON
PO PANJABARI

141:HAILU RAMSIARY
R/O GAROBASTI
PS SATGAON
PO PANJABARI

142:SMTI SUMITRA SANGMA
R/O GAROBASTI
PS SATGAON
PO PANJABARI

143:ANIL SANGMA
R/O GAROBASTI
PS SATGAON
PO PANJABARI

144:DIPALI BORO
R/O GAROBASTI
PS SATGAON
PO PANJABARI

145:DAMAYANTI BORO
R/O GAROBASTI
PS SATGAON
PO PANJABARI

146:KHAGEN SWARGIARY
R/O GAROBASTI
PS SATGAON
PO PANJABARI

147:KANAK BORO

R/O GAROBASTI
PS SATGAON
PO PANJABARI

148:DURGA MONI DAIMARI
R/O GAROBASTI
PS SATGAON
PO PANJABARI

149:RAMESWAR BASUMATARY
R/O GAROBASTI
PS SATGAON
PO PANJABARI

150:PULAK TALUKDAR
R/O GAROBASTI
PS SATGAON
PO PANJABARI

151:ANIMA SHARMA
R/O GAROBASTI
PS SATGAON
PO PANJABARI

152:KAMITA BORO
R/O GAROBASTI
PS SATGAON
PO PANJABARI

153:RAGESWAR DAIMARI
R/O GAROBASTI
PS SATGAON
PO PANJABARI

154:NIRMALA BORO
R/O GAROBASTI
PS SATGAON
PO PANJABARI

155:ANGAJAI MOG
R/O GAROBASTI
PS SATGAON
PO PANJABARI

156:BABUL BARMAN
R/O GAROBASTI
PS SATGAON
PO PANJABARI

157:NILJEN BORO
R/O GAROBASTI
PS SATGAON
PO PANJABARI

158:BIPIN DAIMARI
R/O GAROBASTI
PS SATGAON
PO PANJABARI

159:AJALI BORO
R/O GAROBASTI
PS SATGAON
PO PANJABARI

160:HARI CH. RAVA
R/O GAROBASTI
PS SATGAON
PO PANJABARI

161:PRADIP CH. NATH
R/O GAROBASTI
PS SATGAON
PO PANJABARI

162:PARAMESWAR DAIMARI
R/O GAROBASTI
PS SATGAON
PO PANJABARI

163:ANANDA GOGOI
R/O GAROBASTI
PS SATGAON
PO PANJABARI

164:PADUMIBALA BARMAN
R/O GAROBASTI
PS SATGAON
PO PANJABARI

165:DIPALI SANGMA
R/O GAROBASTI
PS SATGAON
PO PANJABARI

166:GOBIN BASUMATARY
R/O GAROBASTI

PS SATGAON
PO PANJABARI

167:PRANAB BORAH
R/O GAROBASTI
PS SATGAON
PO PANJABARI

168:KANAK DAIMARY
R/O GAROBASTI
PS SATGAON
PO PANJABARI

169:BINOD BASUMATARY
R/O GAROBASTI
PS SATGAON
PO PANJABARI

170:SAMBAR BORO
R/O GAROBASTI
PS SATGAON
PO PANJABARI

171:PRADIP KUMAR RAVA
R/O GAROBASTI
PS SATGAON
PO PANJABARI

172:MADHU MADHAB DAS
R/O GAROBASTI
PS SATGAON
PO PANJABARI

173:CHANDAN NARZARY
R/O GAROBASTI
PS SATGAON
PO PANJABARI

174:ABDUL LATIF
R/O GAROBASTI
PS SATGAON
PO PANJABARI

175:SUREN BORAH
R/O GAROBASTI
PS SATGAON
PO PANJABARI

176:MRINAL DUTTA
R/O GAROBASTI
PS SATGAON
PO PANJABARI

177:DECOROUS MOCHAHARY
R/O GAROBASTI
PS SATGAON
PO PANJABARI

178:MALABITA CHANGMAI
R/O GAROBASTI
PS SATGAON
PO PANJABARI

179:MINA BARMAN
R/O GAROBASTI
PS SATGAON
PO PANJABARI

180:SABIDAR DAIMARY
R/O GAROBASTI
PS SATGAON
PO PANJABARI

181:SURESH NANDA CHAKMA
R/O GAROBASTI
PS SATGAON
PO PANJABARI

182:ANJALI BASUMATARY
R/O GAROBASTI
PS SATGAON
PO PANJABARI

183:AJIT DEKA
R/O GAROBASTI
PS SATGAON
PO PANJABARI

184:SANTI KUMAR CHAKMA
R/O GAROBASTI
PS SATGAON
PO PANJABARI

185:MAHINDRA DAS
R/O GAROBASTI
PS SATGAON

PO PANJABARI

186:NILIMA DAIMARI
R/O GAROBASTI
PS SATGAON
PO PANJABAR

Advocate for the Petitioner : MR.S S DEY

Advocate for the Respondent : GA, ASSAM

Linked Case : WP(C)/415/2018

LALIT GOGOI
R/O HOUSE NO. 36
BATAHGHULI
PANJABARI
JANASIMALU NC VILLAGE GUWAHATI
KAMRUP
ASSAM

2: MR SASHINDRA KUMAR BURHAGOHAIN
R/O HOUSE NO. 109

BATAHGHULI
PANJABARI
JANASIMALU NC VILLAGE
GUWAHATI
KAMRUP
ASSAM

3: MR NARENDRA NATH SARMA
R/O HOUSE NO. 57 B
BATAHGHULI
PANJABARI
JANASIMALU NC VILLAGE

GUWAHATI
KAMRUP
ASSAM

4: MR RANJIT KUMAR BARUA
R/O HOUSE NO. 37

BATAHGHULI
PANJABARI
JANASIMALU NC VILLAGE
GUWAHATI
KAMRUP
ASSAM

5: SMTI. ANIMA DEVI PATHAK
R/O HOUSE NO. 72
BATAHGHULI
PANJABARI
JANASIMALU NC VILLAGE
GUWAHATI
KAMRUP
ASSAM

VERSUS

THE STATE OF ASSAM
REP. BY THE CHIEF SECRETARY
GOVT. OF ASSAM
DISPUR
GUWAHATI
KAMRUP (METRO)
ASSAM

2:THE COMMISSIONER AND SECRETARY
FOREST AND ENVIRONMENT DEPARTMENT
DISPUR
GUWAHATI
KAMRUP (METRO)
ASSAM

3:THE COMMISSIONER AND SECRETARY
REVENUE AND DISASTER MANAGEMENT DEPARTMENT
SETTLEMENT BRANCH
GOVT. OF ASSAM
DISPUR
GUWAHATI
KAMURP (METRO)
ASSAM

4:THE UNION OF INDIA
THROUGH THE SECRETARY
MINISTRY OF ENVIRONMENT
FOREST AND CLIMATE CHANGE
INDIRA PARYAVARAN BHAVAN
JOR BAGH ROAD

NEW DELHI- 110003

Advocate for : MR. S DUTTA

Advocate for : GA

ASSAM appearing for THE STATE OF ASSAM

**BEFORE
HONOURABLE THE CHIEF JUSTICE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA**

ORDER

Date : 07-02-2022

The matter is taken up through video conferencing.

List again on **09.02.2022.**

JUDGE

CHIEF JUSTICE

Comparing Assistant