

GAHC010222692025



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

Case No. : PIL/47/2025

RAJESH SINGHPHO AND ANR
PRESIDENT OF TIRAP TRIBAL BELT PROTECTION COMMITTEE, SON OF
PHUBON GUDUNG SINGPHO, VILLAGE MUNGONG PATHER, P.O- INTHEM,
P.S- PENGREE, DISTRICT- TINSUKIA, ASSAM- 786174

2: HOTOI SEMA
GENERAL SECRETARY OF TIRAP TRIBAL PROTECTION COMMITTEE
SON OF MR. HAKIQUHE SEMA
VILLAGE- TINKUPATHER
P.O- BISHNUPUR
P.S- LEKHAPANI
DISTRICT- TINSUKIA
ASSAM- 78618

VERSUS

THE STATE OF ASSAM AND 4 ORS.
REPRESENTED BY THE CHIEF SECRETARY TO THE GOVT. OF ASSAM,
DISPUR, GUWAHATI- 781006

2:ADDITIONAL CHIEF SECRETARY TO THE GOVERNMENT OF ASSAM
REVENUE AND DISASTER MANAGEMENT DEPARTMENT
SURVEY AND SETTLEMENT BRANCH
ASSAM SECRETARIAT (CIVIL)
DISPUR
GUWAHATI- 781006

3:THE DIRECTOR OF LAND RECORDS AND SURVEY ETC.
ULUBARI
GUWAHATI
ASSAM- 781032

4:THE DISTRICT COMMISSIONER
TINSUKIA

OFFICE OF THE DISTRICT COMMISSIONER
P.O AND P.S- TINSUKIA
ASSAM- 786125

5:THE CIRCLE OFFICER
TIRAP REVENUE CIRCLE
MARGHERITA
ASSAM PIN- 78618

For the petitioners : Mr. HRA Choudhury, Sr. Advocate
Mrs. R. Rongmei, Advocate
For the respondents : Mr. D. Saikia, A.G., Assam
Mr. D.K. Sarma,
Addl. Sr. Govt. Advocate, Assam
Ms. N. Bordoloi, S.C., Revenue

– B E F O R E –

HON'BLE THE CHIEF JUSTICE MR. ASHUTOSH KUMAR

HON'BLE MR. JUSTICE ARUN DEV CHOUDHURY

22-10-2025

(Ashutosh Kumar, C.J.)

This PIL petition has been filed by social workers claiming themselves to be representative of indigenous scheduled tribe community in Tirap Tribal Belt of Tinsukia district of Assam. They seek to challenge a Government Notification dated 18.08.2025 issued by the Additional Chief Secretary to the Government of Assam, Revenue & Disaster Management Department under Chapter –X of the Assam Land and Revenue Regulation, 1886 (as amended), which, in fact, included 8 additional communities, viz. Ahom, Matak, Moran, Chutia, Gorkha, Koch Rajbongshi, Tea Garden and Adivasi in the list of protected classes of persons in the Tirap Tribal Belt.

The case of the petitioners is that these communities are

economically and socially advanced compared to the indigenous scheduled tribes such as Singpho, Khamti, Tai-Phake, Tangsa Naga, Sema Naga, Sonowal Kachari, Mising, Deori, Mech-Kachari, Rabha, Hajong, Bodo etc.

The contention of the petitioners is that the inclusion of the economically and socially advanced castes/tribes will dilute the land protections, leading to further marginalisation of the tribal population in the belt.

The contentions have been further buttressed on the ground that the afore-noted notification suffers from arbitrary classification without any rationale and without there being any evidence to justify inclusion of the communities, referred to above, which has made the entire purpose of coming out with the notification coloured.

However, we find from the petition that the challenge has been made on presumptuous grounds which are not based on any empirical data suggesting that the included tribes/castes are socially and economically advanced.

Under the afore-noted circumstances, we have requested the learned Advocate General of Assam to look into the matter and respond to this petition by the next date.

Re-notify on **16.12.2025**.

JUDGE

CHIEF JUSTICE

Comparing Assistant