

GAHC010265462025



DB

2026:GAU-AS:3078-

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

Case No. : PIL/63/2025

ROHIT CHOUDHURY
S/O- MR. DEBI PRASAD AGARWAL, R/O VILLAGE GORMUR, P.O.
LOKHUJAN, BOKAKHAT, DISTRICT GOLAGHAT, ASSAM, PIN- 785612

VERSUS

THE STATE OF ASSAM AND 10 ORS
REPRESENTED BY THE CHIEF SECRETARY TO THE GOVERNMENT OF
ASSAM, JANATA BHAWAN, DISPUR, GUWAHATI- 781006

2:STATE OF ASSAM
ENVIRONMENT
FOREST AND CLIMATE CHANGE DEPARTMENT
REPRESENTED BY THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS
(WILDLIFE) AND CHIEF WILDLIFE WARDEN
ARANYA BHAWAN
PANJABARI
GUWAHATI
ASSAM
PIN- 781037

3:THE DIRECTOR GENERAL OF POLICE
GOVERNMENT OF ASSAM
ASSAM POLICE HEADQUARTERS DR B.K. KAKATI ROAD
ULUBARI GUWAHATI
ASSAM
PIN- 781007

4:THE FIELD DIRECTOR
KAZIRANGA NATIONAL PARK AND TIGER RESERVE BOKAKHAT
DISTRICT GOLAGHAT

ASSAM
PIN- 785612

5:THE DIVISIONAL FOREST OFFICER
EASTERN ASSAM WILDLIFE DIVISION KAZIRANGA NATIONAL PARK
BOKAKHAT
DISTRICT GOLAGHAT
ASSAM
PIN- 785612

6:THE DISTRICT COMMISSIONER
GOLAGHAT COURT ROAD
DISTRICT GOLAGHAT
ASSAM
PIN- 785621

7:THE CO-DISTRICT COMMISSIONER
BOKAKHAT
BOKAKHAT
DISTRICT GOLAGHAT
ASSAM
PIN- 785612

8:THE DISTRICT COMMISSIONER
NAGAON
OLD TRUNK ROAD
CHRISTIANPATTY
DISTRICT NAGAON
ASSAM
PIN- 782001

9:THE CO-DISTRICT COMMISSIONER
KALIABOR
P.O. KUWARITOL
DISTRICT NAGAON
ASSAM
PIN- 782137

10:THE SUPERINTENDENT OF POLICE
NAGAON
CHRISTIANPATTY
P.O. AND DISTRICT NAGAON
ASSAM
PIN- 782001

11:THE SUPERINTENDENT OF POLICE
GOLAGHAT
KACHUGAON

GOLAGHAT
DISTRICT -GOLAGHAT
ASSAM
PIN- 78562

For the appellant/petitioner(s) : Mr. A. Phukan, Advocate

For the Respondent(s) : Mr. P. N. Goswami,
Addl. AG, Assam
Ms. R.B. Bora, Jr. GA, Assam

- B E F O R E -
HON'BLE THE CHIEF JUSTICE MR. ASHUTOSH KUMAR
HON'BLE MR. JUSTICE ARUN DEV CHOUDHURY

27.02.2026

(AshutoshKumar, CJ)

We have heard Mr. A. Phukan, learned Advocate for the petitioner and Mr. P.N. Goswami, learned Additional Advocate General, Assam, assisted by Ms. R.B. Bora, learned Junior Government Advocate, Assam.

The Public Interest Litigation petition had been filed seeking an urgent intervention by this Court prohibiting the large-scale fishing in the water bodies in the Kaziranga National Park and Tiger Reserve, Assam. It is contended that the situation becomes alarming, particularly, on the eve of Bihu festivals.

This Court had directed the local administration to prevent such commercial fishing in the water bodies in Kaziranga, keeping in mind the extreme necessity of maintaining bio-diversity and saving the endangered species, particularly, the one-horned Rhinoceros; many kinds of migratory birds and approximately 42 species of fish. With any

commercial fishing or fishing by multitude during Bihu festivals would spoil the eco-system which is already very fragile.

Necessary corrective measures were taken by the District Administration concerned. However, despite that, there were some isolated instances of restive crowd entering Kaziranga for fishing, which they claim to be a matter of consuetudinal right.

The report indicates that those instances were few and far between and very sporadic.

Mr. Phukan, however, contends that such emergent situation would arise only by the next Bihu festive season, but then steps should be stepped up for preventing any commercial fishing in that area in question.

We appreciate the concern expressed by the petitioner and conclude this PIL proceeding by directing that all steps shall be taken to maintain ecological balance of the area in question, which is not only an administrative necessity but a constitutional obligation as well.

The writ petition is closed with a liberty to the petitioner to approach this Court again in case it is found that commercial fishing is not stopped in that area.

JUDGE

CHIEF JUSTICE

Comparing Assistant