

GAHC010266542018



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

Case No. : PIL/76/2018

EARLY BIRDS AND ANR.

(A REGISTERED SOCIETY AND A NATURE CARE GROUP, REP. BY ITS PRESIDENT MR. MOLOY BARUA SON OF LATE ASWINI KANTA BARUA), HAVING ITS REGISTERED OFFICE AT 26, SURAJMUKHI, CHANDMARI P.O. SILPUKHURI, GUWAHATI, ASSAM, IN THE DISTRICT OF KAMRUP, ASSAM, PIN - 781003.

2: MR RANJAN BHUYAN
S/O LATE KAMALA KANTA BHUYAN
R/O HOUSE NO. 5A
OPPOSITE - LUIT REGENCY APARTMENTS BASISTHAPUR BYLANE NO. 2
WIRELESS
DISPUR
GUWAHATI IN THE DIST. OF KAMRUP (M)
ASSAM
PIN -781028

VERSUS

THE STATE OF ASSAM AND 14 ORS.
THROUGH ITS CHIEF SECRETARY, GOVT. OF ASSAM, DISPUR, GUWAHATI,
IN THE DIST. OF KAMRUP (METRO), PIN- 781006

2:THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM

DEPARTMENT OF ENVIRONMENT AND FOREST
DISPUR
GUWAHATI
IN THE DIST.OF KAMRUP (METRO)
PIN - 781006.

3:THE PRINCIPAL CHIEF CONSERVATOR OF FOREST
(FOREST) AND HEAD OF THE FOREST FORCE
DEPARTMENT OF ENVIRONMENT AND FOREST

GOVT. OF ASSAM

PANJABARI
GUWAHATI
IN THE DIST. OF KAMRUP (M)
PIN - 781037.

4:THE COMMISSIONER AND SECRETARY

DEPARTMENT OF WIRE OF PLAIN TRIBES AND BACKWARD CLASSES
GOVT. OF ASSAM
DISPUR
GUWAHATI
PIN - 781006.

5:THE PRINCIPAL CHIEF CONSERVATOR OF FOREST (WILDLIFE)

DEPARTMENT OF ENVIRONMENT AND FOREST
GOVT. OF ASSAM

PANJABARI
GUWAHATI
IN THE DIST. OF KAMRUP (METRO)
PIN - 781037.

6:THE DIVISIONAL FOREST OFFICER

SONITPUR WEST DIVISION

DEPARTMENT OF ENVIRONMENT AND FOREST
GOVT. OF ASSAM

TEZPUR
IN THE DIST. OF SONITPUR
PIN - 784001.

7:THE DIVISIONAL FOREST OFFICER

SONITPUR EAST DIVISION
DEPARTMENT OF ENVIRONMENT AND FOREST
GOVT. OF ASSAM
IN THE DIST. OF BISWANATH
PIN -784176

8:THE DIVISIONAL FOREST OFFICER

WESTERN ASSAM WILDLIFE DIVISION
DEPARTMENT OF ENVIRONMENT AND FOREST

GOVT. OF ASSAM
IN THE DIST. OF SONITPUR
PIN - 784501.

9:THE DIVISIONAL FOREST OFFICER

DHANSARI FOREST DIVISION

DEPARTMENT OF ENVIRONMENT AND FOREST
GOVT. OF ASSAM
IN THE DIST. OF UDALGURI (BTAD)
PIN - 784509.

10:THE DEPUTY COMMISSIONER BISWANATH

GOVT. OF ASSAM
IN THE DIST. OF BISWANATH
PIN 784176.

11:THE DEPUTY COMMISSIONER SONITPUR

GOVT. OF ASSAM
IN THE DIST. OF SONITPUR
PIN- 784001.

12:THE DEPUTY COMMISSIONER UDALGURI

GOVT. OF ASSAM
IN THE DIST. OF UDALGURI
PIN - 784509.

13:THE BODOLAND TERRITORIA COUNCIL

REP. BY ITS SECRETARY
BODOLAND TERRITORIAL AREA DISTRICT
IN THE DIST. OF KOKRAJHAR
PIN - 783370.

14:THE UNION OF INDIA

THROUGH ITS SECRETARY

MINISTRY OF ENVIRONMENT AND FOREST AND CLIMATE CHANGE
NEW DELHI- 110003.

15:NATIONAL TIGER CONSERVATION AUTHORITY

THROUGH ITS MEMBER SECRETARY

B-1 WING 7TH FLOOR
PARYAVARAN BHAWAN
CGO COMPLEX
NEW DELHI- 11000

Advocate for the Petitioner : MR A K DAS

Advocate for the Respondent : GA, ASSAM

BEFORE
HON'BLE THE CHIEF JUSTICE (ACTING) MR. N. KOTISWAR SINGH
HON'BLE MR. JUSTICE MANISH CHOUDHURY

ORDER

04.12.2020

[N. Kotiswar Singh, CJ(Acting)]

Heard Mr. P. Bharadwaj, learned counsel for the petitioners. Also heard Mr. T.C. Chutia, learned Additional Senior Government Advocate, Assam, appearing for respondent Nos.1, 10, 11, 12; Mr. R. Dhar, learned counsel appearing for respondent No.4; Mr. K.P. Pathak, learned standing counsel, Forest appearing for respondent Nos.2, 3, 5, 6, 7 and 8; Mr. S. Bora, learned standing counsel, BTC, appearing for respondent Nos.9 and 13 and Mr. H. Gupta, learned counsel appearing for respondent Nos.14 and 15.

Issue notice, returnable on 21.01.2021.

No formal steps are called for in respect of the respondents, as they are duly represented.

It has been submitted that some of the respondents have filed their affidavit.

However, it has been submitted by the learned counsel for the petitioners that the affidavits of the Deputy Commissioners of the Biswanath, Sonitpur and Udalguri impleaded as

respondent Nos.10, 11 and 12 will be necessary for just determination of the case we also feel so.

Let them accordingly file their response to this PIL.

List the matter accordingly on 21.01.2021.

Sd/- Manish Choudhury
JUDGE

Sd/- N. Kotiswar Singh
CHIEF JUSTICE (ACTING)

Comparing Assistant