

GAHC010267422018



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

**Case No. : PIL 77/2018**

1:ASOM BASAOK

A NGO BEARING REGISTRATION NO. KAH(H)/263/K/211 HAVING ITS REGISTERED OFFICE AT ASOM BASAOK, 302 BASISTHA ROAD, THE WILDERNESS, BELTOLA, GUWAHATI- 781028 REPRESENTED BY ITS GENERAL SECRETARY, SHRI RAJEEV BHATTACHARYYA, S/O SHRI HIRANYA KUMAR BHATTACHARYYA.

VERSUS

1:THE MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE AND 37 ORS.  
REPRESENTED BY ITS SECRETARY, INDIRA PARYAVARAN BHAVAN, JORBAGH ROAD, NEW DELHI- 110003.

2:FOREST SURVEY OF INDIA  
(MINISTRY OF ENVIRONMENT AND FORESTS AND CLIMATE CHANGE)  
REPRESENTED BY ITS DIRECTOR GENERAL  
KAULAGARH ROAD  
P.O. IPE DHERADUN- 248195  
UTTARAKHAND (INDIA).

3:THE STATE OF ASSAM  
REPRESENTED BY THE CHIEF SECRETARY TO THE GOVERNMENT OF ASSAM  
DISPUR  
GUWAHATI- 781006.

4:THE PRINCIPAL SECRETARY TO THE GOVT. OF ASSAM  
FOREST AND ENVIRONMENT DEPARTMENT  
DISPUR  
GUWAHATI-6.

5:THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM  
LAND REVENUE AND DISASTER MANAGEMENT DEPARTMENT

DISPUR  
GUWAHATI-6.

6:THE PRINCIPAL CHIEF CONSERVATOR OF FOREST AND HEAD OF  
FOREST FORCE  
ASSAM  
PANJABARI  
GUWAHATI.

7:(SPECIAL) PRINCIPAL CHIEF CONSERVAOTR OF FOREST  
KARBI ANGLONG  
DIPHU.

8:(SPECIAL) PRINCIPAL CHIEF CONSERVATOR OF FOREST  
(LOWER ASSAM ZONE)

9:(SPECIAL) PRINCIPAL CHIEF CONSERVATOR OF FOREST  
(CAMPA)  
O/O THE PRINCIPAL CHIEF CONSERVATOR OF FOREST AND HEAD OF  
FOREST FORCE  
ASSAM.

10:(SPECIAL) PRINCIPAL CHIEF CONSERVATOR OF FOREST  
(BIO-DIVERSITY AND CLIMATE CHANGE)  
O/O THE PRINCIPAL CHIEF CONSERVATOR OF FOREST AND HEAD OF  
FOREST FORCE  
ASSAM.

11:THE DIVISIONAL FOREST OFFICER  
NAGAON DIVISION.

12:THE DIVISIONAL FOREST OFFICER  
GOLAGHAT.

13:THE DIVISIONAL FOREST OFFICER  
NORTH KAMRUP  
RANGIA.

14:THE DIVISIONAL FOREST OFFICER  
LAKHIMPUR.

15:THE DIVISIONAL FOREST OFFICER  
DHEMAJI DIVISION.

16:THE DIVISIONAL FOREST OFFICER  
NAGAON WL DIVISION.

17:THE DIVISIONAL FOREST OFFICER

CACHAR DIVISION

18:THE DIVISIONAL FOREST OFFICER  
EAWL  
BOKAKHAT.

19:THE DIVISIONAL FOREST OFFICER  
KAMRUP EAST DIVISION.

20:THE DIVISIONAL FOREST OFFICER  
JORHAT DIVISION.

21:THE DIVISIONAL FOREST OFFICER  
NAGAON SF DIVISION  
NAGAON.

22:THE DIVISIONAL FOREST OFFICER  
LAKHIMPUR SF DIVISION.

23:THE DIVISIONAL FOREST OFFICER  
SONITPUR EAST DIVISION  
BISWANATH CHARIALI.

24:THE DIVISIONAL FOREST OFFICER  
PARBOTJHORA DIVISION  
SUPARIGHAT.

25:ASSISTANT CONSERVATOR OF FOREST  
ATTACHED TO THE DIVISIONAL FOREST OFFICER  
SONITPUR WEST DIVISION.

26:ASSISTANT CONSERVATOR OF FOREST  
ATTACHED TO THE THE DIVISIONAL FOREST OFFICER  
LAKHIMPUR DIVISION.

27:ASSISTANT CONSERVATOR OF FOREST  
ATTACHED TO THE THE DIVISIONAL FOREST OFFICER EAWL DIVISION  
BOKAKHAT.

28:THE DIVISIONAL FOREST OFFICER  
KAMRUP WEST DIVISION  
BAMUNGAON  
KAMRUP  
ASSAM.

29:THE DIVISIONAL FOREST OFFICER  
KAMRUP EAST DIVISION  
BASISTHA

KAMRUP  
ASSAM.

30:THE DIVISIONAL FOREST OFFICER  
KARIMGANJ DIVISION  
DIST. KARIMGANJ  
ASSAM.

31:THE DIVISIONAL FOREST OFFICER  
DIGBOI DIVISION  
DIST. TINSUKIA  
ASSAM.

32:THE DIVISIONAL FOREST OFFICER  
N.C. HILLS DIVISION  
HAFLONG  
ASSAM.

33:THE DIVISIONAL FOREST OFFICER  
AIE VALLEY DIVISION  
BONGAIGAON  
ASSAM.

34:THE DIVISIONAL FOREST OFFICER  
KACHUGAON DIVISION  
GOSAIGAON  
ASSAM.

35:THE DIVISIONAL FOREST OFFICER  
HALTUGAON DIVISION  
KOKRAJHAR  
ASSAM.

36:THE DIVISIONAL FOREST OFFICER  
DHEMAJI DIVISION  
DHEMAJI  
ASSAM.

37:THE DIVISIONAL FOREST OFFICER  
SIVASAGAR DIVISION  
KAMRUP  
ASSAM.

38:THE DIVISIONAL FOREST OFFICER  
DIBRUGARH DIVISION  
KAMRUP  
ASSAM

**Advocate for the Petitioner** : MR. K N CHOUDHURY

**Advocate for the Respondent** : ASSTT.S.G.I.

**BEFORE**

**HON'BLE THE CHIEF JUSTICE MR. AJJIKUTTIRA SOMAIAH BOPANNA**

**HON'BLE MR. JUSTICE ARUP KUMAR GOSWAMI**

**ORDER**

**07.12.2018**

[*A.S. Bopanna, CJ*]

Heard Mr. K.N. Choudhury, learned Sr. counsel for the petitioner. Also heard Mr. S.C. Keyal, learned Assistant Solicitor General of India, appearing for respondent Nos.1 and 2; Mr. T.C. Chutia, learned Additional Senior Government Advocate, Assam, appearing for respondent No.3; Mr. A. Das, learned standing counsel, Forest, appearing for respondent Nos.4, 6, 8—31, 33, 36—38 and Ms. N. Bordoloi, learned standing counsel, Revenue, appearing for respondent No.5.

Issue notice, returnable in 8(eight) weeks.

No formal steps are called for with regard to the respondent Nos.1—6, 8—31, 33, 36--38, as they are duly represented. However, extra copies be furnished to the learned counsel appearing for the respondents to secure instructions in the matter.

Petitioner to take steps for service of notice on respondent Nos.7, 32, 34 and 35 by registered post with A/D.

The learned Sr. counsel for the petitioner seeks leave to appropriately describe respondent No.1.

Leave sought for is granted.

Correction be effected.

List after 8(eight) weeks.

Sd/-  
**JUDGE**

Sd/-  
**CHIEF JUSTICE**

**Comparing Assistant**