

GAHC010267422018



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

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

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 CONSERVATOR 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

**Linked Case : PIL/39/2023**

1.PARITOSH KUMAR DAS AND ANR  
S/O- LATE ROMENDRA MOHAN DAS  
VILLAGE- PUB BAZARICHERRA (BLK-2)  
P.S.- BAZARICHERRA DIST.- KARIMGANJ  
ASSAM PIN- 788727.

2: RAJ SHEKHAR DUTTA  
S/O- LATE CHIRANJIB DUTTA  
RESIDENT OF STATION ROAD KARIMGANJ TOWN  
WARD NO. 22 (NEW) PS- KARIMGANJ DIST- KARIMGANJ  
ASSAM PIN- 788710.

VERSUS

1.THE STATE OF ASSAM AND 6 ORS.  
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE  
GOVERNMENT OF ASSAM ENVIRONMENT AND FOREST DEPARTMENT  
DISPUR GUWAHATI-06 DIST- KAMRUP(M) ASSAM.

2:THE PRINCIPAL CHIEF CONSERVATOR OF FOREST AND HEAD OF FOREST  
FORCES ASSAMENVIRONMENT AND FOREST DEPARTMENT  
ARANYA BHAWAN PANJABARI ROAD GUWAHATI- 781037  
DIST.- KAMRUP(M) ASSAM.

3:THE DIVISIONAL FOREST OFFICER KARIMGANJ  
P.O.- KARIMGANJ PS.- KARIMGANJ  
DIST.- KARIMGANJ ASSAM.

4:THE RANGE FOREST OFFICER LOWAIRPOA RANGE  
KARIMGANJ PS- KARIMGANJ DIST- KARIMGANJ ASSAM.

5:THE RANGE FOREST OFFICER DUHALIA RANGE KARIMGANJ  
PS- KARIMGANJ DIST- KARIMGANJ ASSAM.

6:THE RANGE FOREST OFFICER  
PATHARKANDI RANGEKARIMGANJ  
PS- KARIMGANJ DIST- KARIMGANJ ASSAM.

7:THE DEPUTY COMMISSIONER KARIMGANJ  
P.O. AND PS- KARIMGANJ DIST- KARIMGANJASSAM.

- For the Petitioner(s) : Mr. D.J. Das, Advocate in PIL No.77/2018.  
: Mr. M.P. Sarma, Advocate in PIL No.39/2023
- For the Respondent(s) : Mr. D. Gogoi, Standing Counsel, Forest Department.  
: Mr. H. Gupta, Central Government Counsel.  
: Ms. R.B. Bora, Junior Government Advocate, Assam.  
: Ms. P. Bhattacharya, Additional Advocate General, Mizoram.  
: Ms. M. Kechii, Additional Advocate General, Nagaland.  
: Mr. A. Chandran, Senior Government Advocate, Arunachal Pradesh.  
: Mr. R. Borpujari, Standing Counsel, Revenue.

– **BEFORE** –  
**HON'BLE THE CHIEF JUSTICE MR. VIJAY BISHNOI**  
**HON'BLE MR. JUSTICE SUMAN SHYAM**

**04.02.2025**

*(Vijay Bishnoi, CJ)*

Pursuant to the direction given by this Court on 08.08.2024, affidavits have been filed on behalf of the States of Mizoram and Arunachal Pradesh. However, no affidavit has been filed on behalf of the State of Nagaland.

Ms. M. Kechii, learned Additional Advocate General, Nagaland prays for one more opportunity to file affidavit on behalf of the State of Nagaland pursuant to the direction given by this Court on 08.08.2024.

In the interest of justice, time prayed for by Ms. Kechii is granted.

List again on 06.03.2025.

**JUDGE**

**CHIEF JUSTICE**

**Comparing Assistant**