

GAHC040003752024



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

Case No. : WP(C)/119/2024

Thuing Singpho and Anr
Wife of Late Pisi Jawlai Singpho (Gaon Burah of Pisi Village) resident of Upper
colony, Miao, PO and PS Miao, Changlang District, Arunachal Pradesh 2: Siraiong
Singpho
Age:
Occupation :
Son of Shri Kumku Gam Singpho
(representative of the Chief of Singpho Tribe of Nhkmsang Area) resident of K G
Singpho Complex
Lower Miao
PO and PS Miao

Changlang District
Arunachal Pradesh

VERSUS

The Union of India and 11 Ors
represented by the Secretary (EF and CC) Ministry of Environment, Forest and
Climate Change, Govt of India, Indira Paryavaran Bhawan, Jorbagh Road, New Delhi
110003 2:The State of AP
Age: 0
Occupation :
represented by the Chief Secretary
Govt of Arunachal Pradesh
Civil Secretariat
Itanagar 791111

3:The Director General of Forest and Special Secretary
Age: 0
Occupation :
Ministry of Environment Forest and Climate Change
Govt of India

Indira Paryavaran Bhawan
Jorbagh Road
New Delhi 110003

4:The Principal Secretary
Age: 0
Occupation :
Govt of Arunachal Pradesh
Environment
Forest and Climate Change Department
Itanagar 791111

5:The Secretary Land Management
Age: 0
Occupation :
Land Management Department
Govt of Arunachal Pradesh
Civil Secretariat
Itanagar 791111

6:The Principal Chief Conservator of Forests
Age: 0
Occupation :
(Head of Forest Force) Govt of Arunachal Pradesh
Itanagar 791111

7:The Principal Chief Conservator of Forest (Wildlife and Bio Diversity) and Chief
Wildlife Warden
Age: 0
Occupation :
Govt of Arunachal Pradesh
Itanagar

8:The Chief Conservator of Forest (Wildlife)
Age: 0
Occupation :
Govt of Arunachal Pradesh
Itanagar 791111

9:The Conservator of Forest and Field Director (Project Tiger)
Age: 0
Occupation :
Namdapha Tiger Reserve
Miao
PO and PS Miao
Changlang District
Arunachal Pradesh 792121

10:The Divisonal Forest Officver
Age: 0
Occupation :
Nampong Forest Division
Jairampur
Changlang District
Arunachal Pradesh 792121

11:The Deputy Commissioner
Age: 0
Occupation :
Changlang District
Changlang
Arunachal Pradesh 792121

12:The Additional Deputy Commisisoner
Age: 0
Occupation :
Miao
PO and PS Miao
Changlang District
Arunachal Pradesh 79212

Advocate for the Petitioner : Parswajyoti Das Nair, 1 P Sarma,H Rahman,Khogen Bui,A Chetry

Advocate for the Respondent : Marto Kato, GA (AP),DSGI

BEFORE

HON'BLE MR. JUSTICE PRANJAL DAS

O R D E R

03.11.2025

Heard Mr. P.D. Nair, learned counsel for the writ petitioners. Also heard Mr. M. Kato, learned DY.SGI appearing for the respondent nos. 1 and 3; Mr. N. Ratan, learned Additional Advocate General appearing for respondent nos.2,4,6 to 12 and Mr. D. Kamduk, learned Standing Counsel for the Land Management

Department appearing for the respondent no.5.

2. The learned counsel for the State respondents submits that the matter necessitated hearing. Mr. P.D. Nair, learned counsel for the petitioner submits that the gist of the contentions is that the petitioners claimed to be original owners of the land in question belonging to Singpho tribe and as the said land has been declared as a reserve forest and thereby, they are seeking compensation for the same.

4. However, in the affidavit has filed by the respondent nos.7, 8 and 9, in para-7 to which my attention was drawn fairly by the learned counsel for the petitioner himself, it is stated that the lands were not acquired.

5. The learned counsel appearing for the State respondents submits that the lands have been declared for National Forests and therefore, perhaps the question of compensation pursuant to any acquisition would not come.

6. Mr. P.D. Nair, learned counsel for the petitioner submits that while the matter may be heard subsequently by the Court, but perhaps a joint verification report may be obtained from the District administration of Changlang and Tirap Districts of the State to ascertain as to whether the lands were originally acquired or whether, they originally was vested in the State itself.

7. The learned counsel for the State respondents has drawn my attention to the para-5 of the affidavit-in-opposition filed by the respondent nos.7, 8 and 9, wherein, it has been stated in para-5 that- *as per the field verification report of the Range Forest Officer Miao WL Range, Deban the present Pisi Village lies in the buffer area and not in the core zone of Namdapha National Park and Tiger Reserve.*

8. In this context, the learned counsel for the petitioner has draws my

attention to para-9 of the said affidavit, wherein, with regard to para-13, 14 and 15 of the writ petition, the respondents offered no comments. The learned counsel for the petitioner submits that though respondent no.10 in the affidavit stated that there is no records but it is submitted that the verification was done perhaps only with regard to the Changlang district though the area is concerned was part of the undivided Tirap district. In the backdrop, therefore, a joint verification by Changlang and Tirap districts is necessary. As already noted, the learned counsel for the State respondent objects to any such direction for verification submitting that it will complicate matters and would not help the process of adjudication.

9. I am given my anxious consideration to the matter. Despite opposition of the learned State respondents, I find some force in the contention of the petitioner side that a joint verification of both the districts would assist the fully adjudication of this matter. Thus, as the petitioners are agitating the issue of property rights and compensation thereof, such a report would perhaps assist the final hearing of the matter.

10. Therefore, the writ petition is admitted for hearing.

11. In the meantime, the District Administrations of Changlang and Tirap districts of Arunachal Pradesh, along with the with the Forest and Land Management Departments - will conduct a joint verification of the issue in the districts of Changlung and Tirap to ascertain as the status of the concerned lands prior to the declaration of the reserve forest.

12. The report if any, can be submitted before the Court through an additional affidavit which will be taken into at the time of final hearing.

13. A copy of this order shall be furnished to the learned Government

Advocate, for the needful.

14. List this matter again on **23.01.2026** in the orders column.

JUDGE

Comparing Assistant