

GAHC040006742025



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

Case No. : WP(C)/197/2025

Sokhep Kri and Anr
Son of Late K Kri, permanent resident of Paya Village, PO and PS Sunpura, Lohit
District, Arunachal Pradesh. 2: Khijum Draï
Age:
Occupation :
authorized representative of Paya Village
permanent resident of Village Paya
Po and PS Sunpura
Lohit District
Arunachal Pradesh

VERSUS

The State of AP and 7 Ors
represented by the Chief Secretary, Govt of Arunachal Pradesh, Itanagar. 2:The
Secretary
Age: 0
Occupation :
Environment and Forest
Govt of Arunachal Pradesh
Itanagar.

3:The Principal Chief Conservator of Forest
Age: 0
Occupation :
Department of Environment and Forest
Govt of Arunachal Pradesh
Itanagar.

4:The Conservator of Forest (Cons)
Age: 0
Occupation :
Department of Environment and Forest

Govt of Arunachal Pradesh
Itanagar.

5:The Chief Conservator of Forest
Age: 0
Occupation :
EAC
Tezu
Department of Environment and Forest
Lohit District
Arunachal Pradesh.

6:The Divisional Forest Officer
Age: 0
Occupation :
Tezu
Lohit District
Arunachal Pradesh.

7:The Deputy Commissioner
Age: 0
Occupation :
Tezu
Lohit District
Arunachal Pradesh.

8:The Union of India
Age: 0
Occupation :
represented by the Secretary
Ministry of Environment
Forest and Climate Change
Govt of India
Indira Paryavaran Bhawan
Jorbagh Road
New Delhi 11000

Advocate for the Petitioner : Rintu Saikia, Ligam Nochi, Vijay Jamoh

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

BEFORE
HONOURABLE MR. JUSTICE MANASH RANJAN PATHAK

ORDER

Date : 05.05.2025

Heard Mr. R. Saikia, learned counsel appearing for the petitioners. Also heard Ms P. Pangu, learned Government Advocate for the respondent Nos.1 to 7 and Mr. M. Ete, learned counsel appearing on behalf of Mr. M. Kato, learned DSGI for the respondent No.8.

The petitioners herein have challenged the Notification dated 06.04.1998 issued by the Department of Environment and Forest, Government of Arunachal Pradesh published in the Arunachal Pradesh Gazette Extraordinary on 27.04.1998, by which, after obtaining the approval from the Government of India, Ministry of Environment and Forest, New Delhi vide No.86/96-FC dated 28.11.1996 declared an area of 204.45. Sq. Km of Lohit District of Arunachal Pradesh as Digaru Reserved Forest.

The contentions of the petitioners herein are that while declaring the land measuring 204.45. Sq. Km of Lohit District of Arunachal Pradesh as Digaru Reserved Forest, the provisions of the Assam Forest Regulations, 1891, were not complied with.

This writ petition was filed on 03.05.2025 and the petitioners stated that they came to know about the said Notification of the Department of Environment and Forest, Government of Arunachal Pradesh dated 06.04.1998, very recently when Deputy Commissioner, Tezu passed an order on 04.12.2023 pursuant to an order dated 13.10.2023 passed in WP(C) 514 (AP)/2023, where the Deputy Commissioner, Lohit District

rejected granting of ownership to the petitioners considering the land involved as Reserve Forest Land.

As already noted above, the Department of Environment and Forest Department, Government of Arunachal Pradesh have issued the necessary Gazette Notification way back on 27.04.1998 with due approval of the Union of India in the Ministry of Environment and Forest, New Delhi, dated 28.11.1996, the claim of the petitioners in this petition, at this belated stage, that too after 27 years, is legally not permissible.

At this stage, Mr. R. Saikia, learned counsel for the petitioners prays for some time to urge his case once again to which the learned counsel for the respondents have no objection.

List the matter on **15.05.2025**.

JUDGE

Comparing Assistant