

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 61/2024

News Item titled "**Assam: PCCF MK Yadava accused of illegally clearing protected forest for Commando Battalion**" appearing in the Northeast Now News dated 25.12.2023

Date of hearing: 23.01.2024

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Respondent: Mr. Azim H. Laskar & Mr. Bikar Kargupta, Advs. for the State of Assam
Mr. Thakur Sumit, Adv. for MoEF & CC

ORDER

1. This original application is registered *suo-moto* on the basis of the news item titled "Assam: PCCF MK Yadava accused of illegally clearing protected forest for Commando Battalion" published in Northeast Now News dated 25.12.2023.

2. The news item alleges that Assam government's top forest officials had illegally diverted 44 hectares of protected forest land for a Commando Battalion headquarters in Barak Valley, by passing the mandatory procedures under the Forest (Conservation) Act, 1980, permission has been granted for construction of the 2nd Assam Command Battalion Unit headquarter inside the Inner Line of Reserved Forest in Hailakandi district.

3. News item further states that Inner Line Reserved Forest, established in 1877, is a sprawling 1,10,000-hectare expanse, known for its rich biodiversity, including endangered species like the Hoolock gibbon, slow Loris and clouded leopard and it serves as a crucial habitat for elephants, tigers, and a variety of birdlife.

4. News item raises the substantial issue regarding compliance of environmental norms.

5. Power of the Tribunal to take up the matter in *suo-motu* has been recognized by the Hon'ble Supreme Court in the matter of "*Municipal Corporation of Greater Mumbai vs. Ankita Sinha & Ors.*" reported in 2021 SCC Online SC 897.

6. In the circumstance of the case, we deem it proper to implead the following as respondents in the matter:-

1. Inspector General, MoEF &CC;
2. Principal Chief Conservator of Forests (PCCF) & Head of Forest Force (HoFF), Assam Forest Department;
3. Chief Wildlife Warden, Assam Forest Department;
4. Deputy Commissioner/District Magistrate, District Hailakandi.

7. Respondent nos. 1 and 2 are represented today.

8. Let notice be issued to respondent nos. 3 and 4.

9. Learned Counsel appearing for respondent no.2 has submitted that reply has been filed after the working hours of the Tribunal on the previous working day. Let the said reply be placed on record.

10. List the matter for consideration on 15.02.2024.

Prakash Shrivastava, CP

Dr. A. Senthil Vel, EM

January 23, 2024
Original Application No. 61/2024
JG.