

GAHC010265462025



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

Case No. : PIL/63/2025

ROHIT CHOUDHURY
S/O- MR. DEBI PRASAD AGARWAL, R/O VILLAGE GORMUR, P.O.
LOKHUJAN, BOKAKHAT, DISTRICT GOLAGHAT, ASSAM, PIN- 785612

VERSUS

1.THE STATE OF ASSAM AND 10 ORS
REPRESENTED BY THE CHIEF SECRETARY TO THE GOVERNMENT OF
ASSAM, JANATA BHAWAN, DISPUR, GUWAHATI- 781006

2:STATE OF ASSAM
ENVIRONMENT FOREST AND CLIMATE CHANGE DEPARTMENT
REPRESENTED BY THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS
(WILDLIFE) AND CHIEF WILDLIFE WARDEN
ARANYA BHAWAN PANJABARI GUWAHATI ASSAM PIN- 781037

3:THE DIRECTOR GENERAL OF POLICE
GOVERNMENT OF ASSAM ASSAM POLICE HEADQUARTERS DR B.K.
KAKATI ROAD ULUBARI GUWAHATI ASSAM PIN- 781007

4:THE FIELD DIRECTOR
KAZIRANGA NATIONAL PARK AND TIGER RESERVE BOKAKHAT
DISTRICT GOLAGHAT ASSAM PIN- 785612

5:THE DIVISIONAL FOREST OFFICER
EASTERN ASSAM WILDLIFE DIVISION KAZIRANGA NATIONAL PARK
BOKAKHAT DISTRICT GOLAGHAT ASSAM PIN- 785612

6:THE DISTRICT COMMISSIONER
GOLAGHAT COURT ROAD DISTRICT GOLAGHAT
ASSAM PIN- 785621

7:THE CO-DISTRICT COMMISSIONER
BOKAKHAT BOKAKHAT DISTRICT GOLAGHAT

ASSAM PIN- 785612

8:THE DISTRICT COMMISSIONER NAGAON
OLD TRUNK ROAD CHRISTIANPATTY
DISTRICT NAGAON ASSAM PIN- 782001

9:THE CO-DISTRICT COMMISSIONER KALIABOR
P.O. KUWARITOL DISTRICT NAGAONASSAM PIN- 782137

10:THE SUPERINTENDENT OF POLICE NAGAON
CHRISTIANPATTY P.O. AND DISTRICT NAGAON
ASSAM PIN- 782001

11:THE SUPERINTENDENT OF POLICE GOLAGHAT
KACHUGAON GOLAGHAT DISTRICT -GOLAGHAT
ASSAM PIN- 78562

For the Petitioner(s) : Mr. A. Phukan, Advocate (through Video Conferencing).
: Mr. S.K. Sarfraj Karim, Advocate.

For the Respondent(s) : Mr. D. Gogoi, Standing Counsel, Forest Department.
: Ms. R.B. Bora, Junior Government Advocate, Assam.

- B E F O R E -

HON'BLE THE CHIEF JUSTICE MR. ASHUTOSH KUMAR

HON'BLE MR. JUSTICE ARUN DEV CHOUDHURY

08.12.2025

(Ashutosh Kumar, CJ)

We have heard Mr. A. Phukan, learned Advocate for the petitioner and Mr. D. Gogoi, learned Standing Counsel, Forest Department. Ms. R.B. Bora, learned Junior Government Advocate is present.

This Public Interest Litigation (PIL) is for seeking urgent judicial intervention to curb large scale fishing in the water bodies of Kaziranga National Park and Tiger Reserve in Assam.

Mr. A. Phukan, learned Advocate for the petitioner has informed

this Court that people in multitude enter the park annually during the Magh Bihu festival, which is celebrated between January 13 to 14, to carry out their traditional practices which includes fishing in the water bodies in the Kaziranga National Park. He has submitted that this is in flagrant violation of the wildlife protection laws and has a cascading effect which disrupts the already fragile ecosystem of the Park.

Such action threatens the biodiversity including the endangered species, namely, one-horned rhinoceros, many kinds of migratory birds and approximately 42 species of fish.

The Kaziranga National Park has been declared a UNESCO World Heritage Site and an Important Bird Area.

With these activities going unchecked, the status of the Park is compromised.

Mr. D. Gogoi, learned Standing Counsel, Forest Department, on the other hand, has submitted that the respondents are cognizant of this and, therefore, prohibitory orders have been issued regularly to control such illegal fishing in the water bodies in Kaziranga National Park. However, there appears to be some difficulty in executing such prohibitory orders for the reason of large number of people congregating at that site with religious fervour.

In any view of the matter, the protection of such site is necessary or else there would be a violation of Wildlife protection Act, 1972; Forest Conservation Act, 1980; and breach of various constitutional obligations under Article 48A of the Constitution of India and of international obligations as well.

We, therefore, deem it necessary to direct that the necessary prohibitory orders must be enforced.

Mr. Gogoi is asked to put on record the steps taken by the respondents in controlling such activities in the Kaziranga National Park and the ways in which such activities could be effectively controlled.

The matter requires immediate attention of the respondents.

Let the affidavit be filed by the next date as to the steps taken for preventing such activities in the first and second week of January in the Kaziranga National Park.

Re-notify on **07.01.2026**.

JUDGE

CHIEF JUSTICE

Comparing Assistant