

GAHC030004692021



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

Case No. : PIL/7/2021

In Re Indiscriminate Felling of Trees, Aizawl City
Aizawl, Mizoram

VERSUS

1.State of Mizoram and 6 Ors.
Aizawl, Mizoram

2:Secretary to the Govt. of Mizoram
Forest, Environment and Climate Change Department.
Aizawl Mizoram.

3:Secretary to the Govt. of Mizoram
Public Works Department.
Aizawl Mizoram.

4:Secretary to the Govt. of Mizoram
Education Department.
Aizawl Mizoram.

5:The Principal Conservator of Forest
Forest Environment and Climate Change Department.
Aizawl Mizoram.

6:SIPMIU R/b the Project Director
Aizawl Mizoram.

7:Secretary to the Govt. of Mizoram
PHE Department.
Aizawl Mizoram

For the Petitioner : Mr. Lalfakawma, Amicus Curiae.

For the Respondent(s) : Ms. Lalnunhluii, Government Advocate, Mizoram.

- B E F O R E -

HON'BLE THE CHIEF JUSTICE MR. VIJAY BISHNOI

HON'BLE MR. JUSTICE MICHAEL ZOTHANKHUMA

06.09.2024

(Vijay Bishnoi, CJ)

An additional affidavit is filed on behalf of the respondent Nos.1 to 7, wherein it is mentioned that the State of Mizoram, way back in the year 1996, has issued a Notification in the Official Gazette, under Section 15(1) of Mizo District (Forest) Act, 1955 Act, whereby restraining the general public from cutting trees in Ailawng and Reiek and other villages.

It is further submitted that in the year 2017, the Government has issued another Notification precisely on 26.09.2017 whereby guidelines for felling and removal of dead, dying and wind fallen trees which are dangerous to life and property have been given.

It appears that despite the issuance of the above referred notification and other orders, the felling of trees in Aizawl as well as villages such as Ailawng and Reiek is going on till date without any check. It is also noticed that recently a road is being constructed in Ailawng area where big trees aging about 30-40 years have also been cut by the concerned contractors but there is no clarity that any permission from the State or the authorities concerned for felling of trees has been given or not.

In the affidavit dated 04.09.2024 filed on behalf of the respondent Nos.1 to 7, the State has failed to disclose what strategy is going to be adopted for stopping the felling of trees by the public as well as the persons engaged in the

construction activities.

Learned counsel appearing for the State is directed to file a detailed affidavit in respect of the measures taken by the State Government or proposed to be taken by the State Government for curbing the menace of felling of trees in Aizawl as well as in above referred two and other villages of the State of Mizoram.

As prayed for by the learned counsel appearing for the State, list this matter after 3(three) weeks.

JUDGE

CHIEF JUSTICE

Comparing Assistant