

Item No.03

Court No.1

**BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
(Through Video Conferencing)**

Original Application No.102/2022/EZ

Mirjum Karba

Applicant(s)

Versus

Union of India & ors.

Respondent(s)

Date of hearing: 02.09.2022.

**CORAM: HON'BLE MR. JUSTICE B. AMIT STHALEKAR, JUDICIAL MEMBER
HON'BLE MR. SAIBAL DASGUPTA, EXPERT MEMBER**

For Applicant(s) : Mr. Kallol Basu, Advocate (in Virtual Mode) a/w
Ms. Joyee Maiti, Advocate

For Respondent(s) : Mr. Soumitra Mukherjee, Advocate for R.-1,
Mr. Ashok Prasad, Advocate for R.-2,3,4,5,7 & 8,
Mr. Surendra Kumar, Advocate for R.-6,

ORDER

1. Heard Mr. Kallol Basu, learned Counsel assisted by Ms. Joyee Maiti, learned Counsel for the Applicant.
2. The allegation in this Original Application is that *Siji* District Headquarter of Lower Siang District is coming up in an area which is only 4-6 kilometers away from the *Kane Wild Life Sanctuary in Lower Siang* District.
3. It is also alleged that the *Kane Wild Life Sanctuary* is spread over an area of 31sq Km around *Likabali* and *Siji* area. The *Kane Wildlife Sanctuary* is surrounded in the North by the confluence of *Siri River* and its tributary and the boundary runs along the ridge in an easterly direction till it meets the source of the tributary of *Yanchi Nallah* and then follows the same tributary downstream till it meets the *Yanchi Nallah* upto the confluence of *Siji Nallah*. It further falls along with *Siji Nallah* downstream till it meets a foot path leading to *Likabali* – Along road at 18 Km post from *Likabali* near *Hanuman*

Mandir (Akashi Ganga). The Kane Wildlife Sanctuary is stated to be surrounded in the East by *Likabali* – Along road towards *Likabali* up to 15 Km and in the South, along with the Western most rivulent of *Nilakh Nullah* upstream up to its source and then along with the ridge “*Bardam Modi*” and in the West, along the *Siri River* upstream up to the starting point.

4. It is also alleged that the proposed *Siji District* Headquarter of *Lower Siang* district is proposed to be an extension of *Likabali Township*, located at *Likabali tehsil* comprising of an approximate area of 414 hectares surrounded by *Kane Wildlife Sanctuary* and other dense forest area. The proposed location is surrounded to the North by Hill area; to the South by *Siji River*; in the East by *Bokso stream* and in the West by *Sui River*.
5. It is alleged that the proposed District Headquarter area shares its boundary with the forest of the “*Kane Wildlife Sanctuary*” and its *Eco Sensitive Zone* which is rich in biodiversity and home to various flora and fauna and is also an Elephant Corridor around *Siji, Magi* and *Kane area*. It is stated that the proposed District Headquarter at *Siji* is in the heart of a virgin tropical semi evergreen forest to moist subtropical forest area and that the establishment of the District Headquarter at this place will lead to destruction of the forests in question.
6. In our opinion, the matter requires consideration.
7. Issue notice to the Respondents, returnable within three weeks.
8. All the Respondents shall file their counter-affidavits within three weeks.

9. Mr. Soumitra Mukherjee, learned Counsel who is in Virtual Mode; accepts notice on behalf of Respondent No.1, Ministry of Environment, Forest and Climate Change.
10. Mr. Ashok Prasad, learned Counsel who is present in court; accepts notice on behalf of State Respondent No.2,3,4,5,7 & 8.
11. Mr. Surendra Kumar, learned Counsel who is in Virtual Mode; is directed to accept notice on behalf of Respondent No.6, Arunachal Pradesh State Pollution Control Board.
12. Mr. Kallol Basu, learned Counsel for Applicant, shall provide e-copy/soft copy of the Original Application along with its annexures to Mr. Soumitra Mukherjee, Mr. Ashok Prasad, Mr. Surendra Kumar today itself.
13. **List on 30.09.2022.**

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B. Amit Sthalekar, JM

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Saibal Dasgupta, EM

September 02, 2022,
Original Application No.102/2022/EZ
BD