

**NATIONAL GREEN TRIBUNAL EASTERN ZONE BENCH,
KOLKATA**

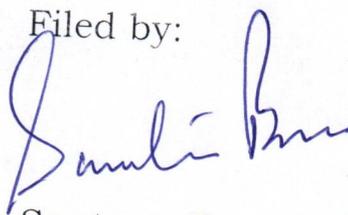
ORIGINAL APPLICATION No. 105 / 2024/EZ

(Rohit Choudhary _vs- The State of Assam and others)

I N D E X

Sl. No.	Particulars	Description	Page No.
1	Affidavit		1 to 14
2	Annexure I	Complaint dated 24.07.23	15 to 26
3	Annexure -II	Copy of the letter dated 28.09.23	27
4	Annexure - III	Chronological details with map	28 to 57

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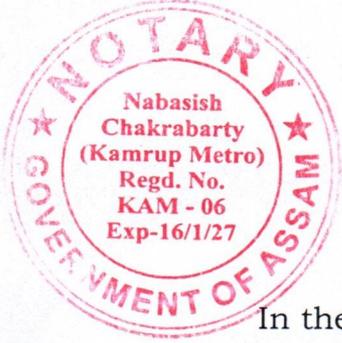
Santanu Bora, Advocate

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**BEFORE THE NATIONAL GREEN TRIBUNAL,
EASTERN ZONE BENCH, KOLKATA**

Original Application No. 105 of 2024/EZ



In the Matter of:

Rohit Choudhury.....*APPLICANT*

-VERSUS-

The State of Assam and others*RESPONDENTS*

Rajpal Singh

Principal Chief Conservator of Forest &
Head of Forest Force, Assam

Affidavit in Reply on behalf of the Respondent No.2, The Principal Chief Conservator of Forest, and Head Of Forest

I, Shri Rajpal Singh, son of Shri Shyam Lal, aged about 59 years, by faith Hindu, by occupation service, residing at Panjabari, Guwahati - 37, in the district of Kamrup (Metro), Assam do hereby solemnly affirm and state as follows: -

1. That I am the Principal Chief Conservator of Forests & Head of Forest Force, State of Assam and as such I am fully conversant with the facts and circumstances of the case.

2. That I have received the copy of the above-mentioned Original application, have gone through the same and understood the contents made therein.

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Regd. No. KAM - 06
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08 AUG 2024

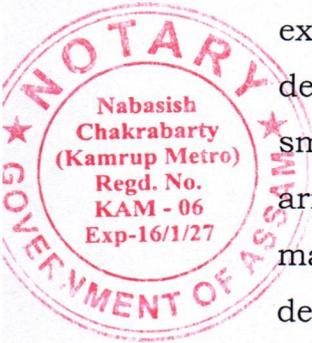
3. That I have also gone through the Orders and directions of the Hon'ble NGT, EZ Bench, dated 29.05.2024, directing the Respondents to file Counter Affidavits, hence, I am affirming this affidavit.

4. That I will traverse only through those portion which are relevant for the present purpose, as well as for which the clarifications are sought for. The portions of Original application, not replied to shall not be treated as to be my admission.

5. That before entering into the facts and merits of the instant case, I would like to state that the ground situation of Assam on its sensitive borders where as many as 72 reserved Forests are situated warrants of an EXTRAORDINARY situation which perhaps does not exist in any other State in the country with respect to rampant destruction of forests. The matter is not of illegal felling by timber smuggler or wildlife crime alone, which the Forest Department with its armed personnel and battalions are capable of handling, but the matter on the border extends to illegal settlements, large scale denudation, deforestation, setting of administrative units from across the border within the RF areas of the State, and large chunks of forest land going out of reach of the Forest Department, so much so that forest staff are not allowed to venture into the encroached areas. They can only venture to these territories only with large contingent of Police Force and with proper intimation to authorities across the border. This destruction of forest tagged with security issues cannot be handled by Forest Department alone or cannot be effectively tackled by remote policing. A large battalion camp is required for

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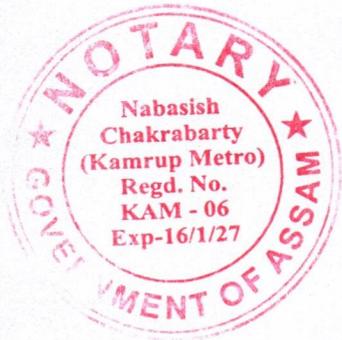
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08 AUG 2024

sheer deterrence and to stop further advancement of migrants and encroachers from across the border. This raises a larger question of internal security of the State.

6. That at the outset I would like to draw the attention of the Hon'ble Court to certain matters of fact which amply demonstrate that the petitioner has not approached the Hon'ble Tribunal with clean hands, and that his petitions deserves to be rejected at the outset only. These are as follows:-

(i) The instant petitioner who although claims to be an Environmentalist working for the betterments of society, but unfortunately his acts practically stall critically important project of the Government on grounds of Forest Conservation and/ or Environment Protection. Besides, through his certain activities in the grab of RTI activist, it is also proved that, the instant Applicant has the habit collecting information through RTI application in certain special cases only. In this respect detail facts vide letter No. FG.4/RTI Act, 2005/2012 Dt. 24 July, 2023 was written to the Secretary, Assam Information Commission, Guwahati-37 on the subject of "Misuse of RTI Act, 2005 and constant harassment, blackmailing, defamation by one Sri Rohit Choudhury- reg" with copies to the DGF & SS to Gol, MoEF&CC, New Delhi, ADGF & director, Wildlife Preservation, MoEF&CC, Gol, New Delhi and ADGF & MS, NTCA, MoEF&CC, Gol, New Delhi by Shri M.K. Yadava, the former PCCF & HoFF, Assam about whom, the petitioner has filed a false allegation. He has filed the instant OA 105/2024/EZ



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08 AUG 2024

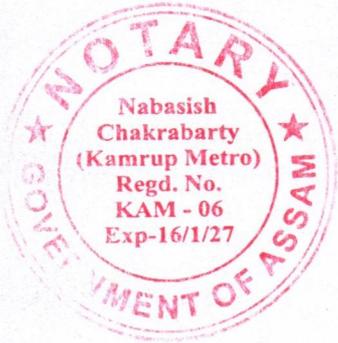
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 Principal Chief Conservator of Forest &
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with a complaint that Sri M.K. Yadava, PCCF & HoFF allegedly diverted 28 ha. of Forest land in Geleki Reserve Forest in violation of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980.

The photocopy of the said complaint is enclosed herewith and marked as **Annexure -I**.

(ii) Be it mentioned that it has been observed that, of late the petitioner has developed a new technique and resorts to obtain document by any means with an intention to make the same public by sharing it in certain portal based News Channels such as www.nenow.in and resorting to tweeting and thereafter, spreading it further in media purposely to malign the reputation of certain Officers. This intention is clear from the fact of lodging complaint in respect of setting up of Commando Battalion in Hailakandi District of Barak Valley, Assam, about which the petitioner has mentioned ample number times in current petition. Besides, this fact is also evident from the news published in the NE Now News Portal on 25th December, 2023 at 6.44 PM, which states in the very first line "An environmental Activist has filed a complaint with the MoEF&CC, accusing the Assam Government's top forest official of illegally diverting 44 ha of protected forest land for a Commando Battalion headquarters in Barak Valley. The complaint, filed against Shri M.K Yadava, the then PCCF&HoFF, alleges that he bypassed mandatory procedures under the Forest (Conservation) Act, 1980, to grant permission for the construction of the Second Assam Commando Battalion Unit headquarters inside

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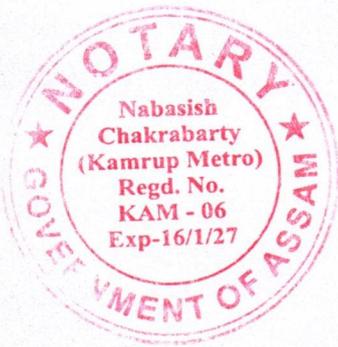
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the Inner Line RF in Hailakandi District.” From the above news it is clear that the said news have been published without obtaining information through RTI application, from the concerned Ministry, which was issued by the then PCCF &HoFF address to APCCF, LAZ letter no. FG.40/14/Mizoram Border/Pt-II dtd. 28/09/2023 .

The Photocopy of the letter is annexed as **Annexure -II.**

And thereafter the same along with some satellite images on the site are flashed in all the news media across the country. But the fact of the source of obtaining the information is not disclosed by the said activists.

(iii) It is also pertinent to mention here that for reasons best known to him, the instant applicant captures and bring on record and highlights only the half-truth. For example, he has used satellite images exactly to locate 20-50 ha. of land being “used” by raising of Battalion Camps but his satellite imaging fail to look even 50 meters beyond to assess and see what kind of destruction have been unleashed from across the border. In fact, the petitioner has a very specialized vision to isolate only selected patches of forest land which the State is using as foot hold for Forest Protection, but he does not bring on record any other patch of destruction in the satellite image. The actual fact is this, that in reality the forest patches beyond Battalion Camps are all encroached, trees felled and removed, habitations settled, but surprisingly to the petitioner, it all looks very green, verdant and a thriving eco system.



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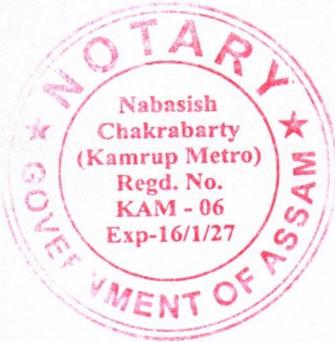
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(iii) The acts of the Petitioner shows that he is only concerned with limited portions, and is not at all concerned with whatever is happening to the forest a few meters away. He has never raised any issue nor did any application under RTI act or filed any petition against the neighbours from where armed miscreants have been destroying the forest systematically. His acts proved that, being an environmental activists, he is interested in saving only 28 hectors of forests and not the entire forest.

(iv) At this juncture it is very much essential to draw the kind attention of the Hon'ble Court to the fact that, actually it is the events occurring in the Assam- Nagaland border which have led to destruction of these forest. The answering respondent has also gone into details as to the necessity of setting up of Battalion Camp and states that the same is not in contravention of the FC Act, 1980 and para 11.8 of the Consolidated Guidelines and Clarifications issued by the MoEF&CC in 2019.

7. With regard to the statements made in paragraphs 2 and 3 of the original application, I beg to state that the same are baseless and made with a malafide intention to mislead the Hon'ble court. With regard to the said paragraph the answering deponent begs to state that the instant applicant is quite ignorant of the fact, that, it takes about Rs. 300 Cr. of infrastructure, two years for recruitment and training and annually Rs. 50 Cr. to pay for salaries and emoluments of 800 plus strong armed battalions and to invest such huge amount of finances for protecting the forest of Sivasagar and Golaghat District



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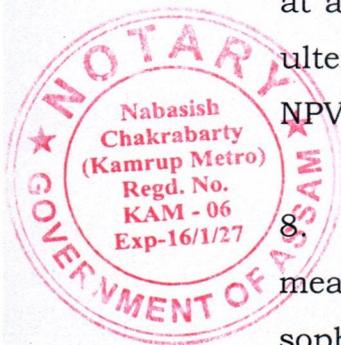
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which borders Nagaland, so that further encroachment in these forest can be stopped. It is not compensatory afforestation or the Net Present Value (NPV) cost, which is a small amount compared to the actual investment being made by the State Government. If only Compensatory Afforestation (CA) and NPV were the only issue before the petitioner to show that Forest Department has done something illegal, it would not take much time for the Government to deposit the same in the Compensatory Afforestation Fund Management and Planning Authority (CAMPA) fund. But the instant petitioner is trying to give an impression before the Hon'ble Tribunal that 28 ha. is being used for some commercial projects from which the forests of the area do not benefit and it is a net loss of the forest. On the contrary, the project is not a commercial project, neither a project of profit nor even a utility project. It is an infrastructure that is meant for protecting the forest which are getting degraded and the degradation must be halted at any cost. Therefore, the statement of petitioner that, there was an ulterior motive to divert forest land without fulfilling the condition of NPV and CA is totally baseless and false.

8. It is humbly submitted that the Battalion infrastructure is meant to house 800 personnel with arms, ammunitions and sophisticated weapons which requires a very strong construction which cannot be easily overpowered by armed miscreants from across the border including members of the Nagaland Armed Police (NAP) who already have been seen to be aiding these encroachments and protecting the encroachers and various other non-forestry activity in Geleki Reserve Forest. It is to be stated that if 800 people were to be scattered in small structures or Forest check posts with sophisticated

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NABASISH CHAKRABARTY
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Regd. No. KAM - 06
Panbazer, Guwahati - 781001

08 AUG 2024

weapons, they won't be able to withstand the armed aggression from the other side. Instead such a situation can only lead to a massacre of our forces and this cannot be allowed to happen. Therefore, the battalion camp which needs to house 800 armed constables needs adequate housing, residential area, parade area, exercise areas, shooting area etc. so that the battalion can remain comfortable and fit to stand up to any call of duty at any hour. Hence, it is humbly submitted that the value of Forest Protection by the Battalion has been completely misjudged and undermined.

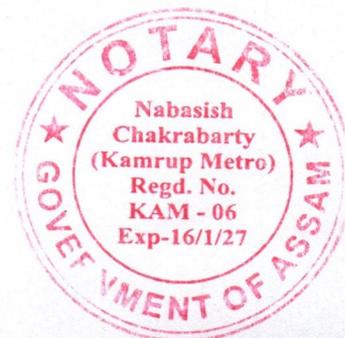
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9. I deny and dispute the statements which are made in paragraph 6 and 7 of the Application, on the ground that they are vague, false and misleading to this Hon'ble Court. With regard to the said paragraph, I state that, Section 2 of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980, as stated by the Applicant is not applicable here, since the order issued by the PCCF and HOFF was on 15/11/2022 when the Section 2 of the Forest (Conservation) Act, was read differently. The sub sub-sections (I to VIII), were not there in the Forest (Conservation) Act, 1980, nor was the phrase "*which the Central Govt. may, by order, specify*" appendant to Clause "*and any other like purposes*". Since the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980, is effective from 1st December, 2023, and the order of the PCCF & HoFF which exclusively mentions the Section 2(iv)(b) does not apply to these order., since it issued prior to the date of effect of the new Van (Sanrakshan Evam Samvardhan) Adhiniyam 2023.

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08 AUG 2024

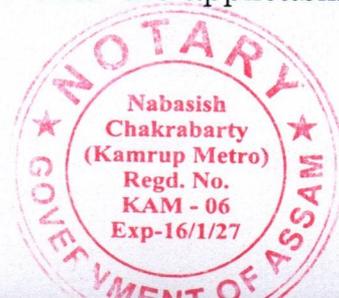


10. It is further submitted that there is a major departure in respect of Section 2 (iv) (b) which now gets replaced by 2 (i) (iv) (b) with sub clause (i)-(viii) in the amended Van (Sanrakshan Evam Sambardhan) Adhiniyam, 1980 and the clause "*any other like purposes*" in the FC Act 1980, which was not qualified by any other phrase and was a standalone clause now has been modified to read as "*any other like purposes which the Central Govt. may by order specify*". This specific change of the phrase "*any other like purposes*" of the Forest (Conservation) Act, 1980 in its present form clearly indicates that there was no explicit authority to decide "*any other like purpose*" prior to 01.12.2023, so it could be either the State Govt. in case of land pertaining to State and Central Govt. in case of land pertaining to Central Govt. However, in the new amendment it is clear that the phrase "*any other like purposes*" is now qualified with "*which the Central Govt. may by order specify*". It clearly indicates that prior to the promulgation of the Van (Sanrakshan Evam Sambardhan) Adhiniyam, 1980 on 1st December 2023, the State Govt. was within its right to interpret the Clause "*any other like purposes*" on any forest land under its control and therefore, the State Govt. acted in accordance with the provisions of Section 2 (iv) (b) of the Forest Conservation Act and thus could not have acted in violation of the said provisions.

11. That the in paragraph 8 of the Original Application, the applicant quoted para 11.8 of the Consolidated Guidelines and Clarifications, 2023, issued in 2019 by MoEF&CC., and having considered all that, only then issued an order under Section 2(iv)(b). Firstly, the answering respondent would like to clear the applicability

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08 AUG 2024



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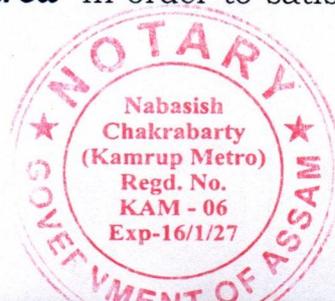
of the 11.8 to the subject matter in the instant case. As per the Para 11.8 of the Consolidated Guidelines and Clarifications, 2019, issued by MoEF&CC, the Guideline in case of large structures stipulates that **"But if structures are large and would impact on conservation, prior permission under the Forest (Conservation) Act, 1980 would be required"**. In order to satisfy the condition two clauses namely "large structures"**AND** "impact on conservation" must be met. In the instant case, the structures in question are large, and hence the first condition is met. However, since no trees were felled as the areas was already broken, encroached, and only secondary succession bamboo existed. Further, **NO TREES WERE FELLED**, and hence, there would be no question of any adverse impact on conservation. If any tree felling would have been allowed, it could not have been done without prior permission of the Central Government. Hence the question of "impact on conservation" would not arise at all. Further, the set up was intended to aid in protection and conservation only. Therefore, the stipulated conditions of Para 11.8 prescribed by the MoEF&CC did not meet fully, and the PCCF &HoFF in his judgment assumed that prior permission was not needed. The guidelines of the Ministry in Para 11.8 with two conditions joined by "**AND**" clearly indicate that it is not sufficient for the structure to be large but also the structure should be negatively impacting on forest conservation, then only prior permission of Central Govt. is required. As per the Para 11.8 of the Consolidated Guidelines and Clarifications, 2019, issued by MoEF& CC, the Guideline in case of large structures stipulates that **"But if structures are large and would impact on conservation, prior permission under the Forest (Conservation) Act, 1980 would be required"** In order to satisfy the

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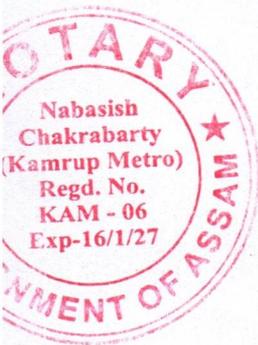
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08 AUG 2024



condition two clauses namely "large structures" AND "impact on conservation" must be met. In the instant case, the structures in question are large, and hence the first condition is met. However, since no trees were felled as the areas was already broken, encroached, and used for agricultural purposes for four decades, and the Department after giving notices, evicted the encroachers based on the Hon'ble Gauhati High Court vide order dt. 9/5/2023 in WPC No. 8366/2022 had rejected the claim of the encroachers, and thereafter only the structure was allowed by the PCCF &HoFF. Further, **NO TREES WERE FELLED**, and hence, there would be no question of any adverse impact on conservation. If any tree felling would have been allowed, it could not have been done without prior permission of the Central Government. Hence the question of "impact on conservation" would not arise at all. Further, the set up was intended to aid in protection and conservation only, and the PCCF &HoFF in his judgment assumed that prior permission was not needed. The para 11.8. deals with "**Infrastructure ancillary to forest department**", which reads thus:- *"according to the explanation in the Act , any work relating to ancillary to the conservation, development and management of the forests and wildlife, namely the establishment of check-posts, fire lines wireless management, communications and constructions of fencing, bridges and culverts, dams, waterholes, trench marks, boundary marks, pipelines or other like purposes is not a non-forest use, and therefore taking up such works in forest lands does not require diversion under FC Act. As such all state government should ensure that the basic spirit and essence of the Forest (conservation) Act, 1980 is not to divert Forest Land for construction of residential building, bungalows, quarters etc. Bare minimum (operational) buildings which*

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 Regd. No. KAM - 06
 Panbazer, Guwahati - 781001

08 AUG 2024

are essential for management of bio-wealth such as forest guard hut, check-posts range offices, small inspection bunglow (2-3 rooms), un-tarred single lane roads etc, can be taken up without causing damage/destruction to the forest thereon. But if the structure is large and would impact on conservation, prior permission under Forest (conservation) Act, 1980 would be required". As already stated, the site was already devoid of trees felled earlier by miscreants and as such no destruction to the forest is caused. Rather whatever is done cannot be termed as non-forest activity as stipulated by the Ministry in Para 11.8 are not met, and hence the activity in question should not be termed non forest activity.

Thus, it is clearly submitted, that the construction of the Forest Battalion is an activity for Forest Conservation and Forest Management and while undertaking the activity, no tree felling has been resorted to.

12. With reference to the statements made in paragraph 9 of the application, I state that, the applicant mentions about the applicability of 3A and 3B Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980, which will mislead the Hon'ble Tribunal and any innocent citizen who is not aware of the full nuances of the Forest (Conservation) Act of 1980. As already stated in the previous paragraphs, the order of the PCCF is as per Rule 2(iv) (b) of the Forest (Conservation) Act, 1980 and also in compliance to para 11.8 of the guidelines issued by the MoEF&CC and hence there cannot be a question of invocation of Section 3A and 3B.

Chronological Details of incidents in Abhoypur Reserve Forest among with encroachment details and satellite maps is annexed and marked as **Annexure**

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08 AUG 2024

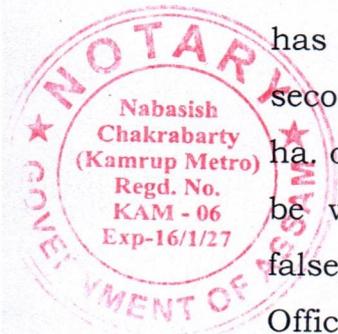
Rejpal Singh
 Principal Chief Conservator of Forest &
 Head of Forest Force, Assam

13. I deny and dispute each and every statement of paragraphs 10 and 11 of the original Application, since those are made with a malafide intention of misleading the Hon'ble court. With regard to the said paragraphs I state that, it has already been explained above that, it is not a matter of compensatory afforestation and NPV simply because by paying any amount of CA and NPV values, the remaining forests of Jorhat and Sivasagar Districts bordering Nagaland cannot be saved. Therefore, the statement was only made by the petitioner to give a colour to his petition.

Besides, by mentioning *the activity of construction of Battalion Camp* as illegal, the petitioner has apparently submitted that no other illegality has been committed in the 5929 ha. of the Reserve Forest of Geleki and the entire area is intact of evergreen forest except the 28 ha. broken for construction of the Battalion Camp. This is far from the truth as already stated. The Geleki Reserve Forest on the other hand has lost all its natural evergreen forest and is only having at present secondary succession of bamboos and out of 5929 ha. of forests, 4000 ha. of forests is already fully encroached by Nagaland. Therefore it can be well-said that, the entire petition is based on falsehood and falsehood alone, just to malign the Government of Assam and its Officials, and does not deserve any consideration by the Hon'ble Tribunal.

14. I deny and dispute all the grounds stated in paragraph 12 of the Original application. In this respect it is sufficient to state that the activity is not a non-forest activity, as it is meant for protection of the forest and Forest Department as custodian of the forest and full moral obligation has ordered and allowed setting up of the battalion

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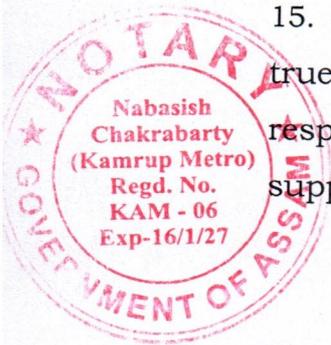


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08 AUG 2024

knowing fully well that there is no other way of efficacious measure to save the forest of Geleki and other adjoining forests such as Desso valley, Desso, Tiru Hills and Abhayapur, all of which are under constant threat of encroachment, tree felling from across the border with full aid and support of Nagaland Armed Police and Armed miscreants. The petitioner before filing the instant Application should have known the actual facts as to who is actually responsible for damage of these forests. It is actually the Naga Armed Police and local Nagaland Government Authorities who are perpetrating the destruction of forests of Assam. It is clear that those responsible for damaging for 4000 ha of Geleki Reserve Forest and several thousands more in the other adjoining forests should bear the cost of restoration of the damaged forest of Assam.

15. That the statements made out in the foregoing paragraphs are true to the best of my knowledge and belief and the same are also my respectful submissions before this Hon'ble Court and that I have not suppressed any material facts.



Identified by -
Sanku Bana
 Advocate

Rajpal Singh
 Deponent

Principal Chief Conservator of Forest &
 Head of Forest Force, Assam

SOLEMNLY AFFIRMED and
 declared before me by the
 Deponent on being identified
 by learned Advocate

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08 AUG 2024

ANNEXURE I - 15-



GOVERNMENT OF ASSAM
OFFICE OF THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS &
HEAD OF FOREST FORCE, ASSAM, ARANYA BHAWAN, GUWAHATI- 37
E-mail: hoff-assam@gov.in

Letter No.FG.4/RTI Act, 2005/2012

Date: 24th July, 2023

To,

The Secretary,
Assam Information Commission,
Godapani Path, Juripar, Panjabari,
Guwahati- 37.

Sub: Misuse of RTI Act, 2005 and constant harassment, blackmailing, defamation by one Sri Rohit Choudhury- reg.

Sir,

With reference to the subject cited above, I have the honour to make the following few submissions for kind perusal and consideration of the Hon'ble Assam information Commission as put forth here under:-

1. That one Sri Rohit Choudhury hailing from Bokakhat and earlier being a part of the NGO named "LIFE" run by Learned Advocate Sri Ritwik Dutta at New Delhi and allegedly now busted by the CBI (proof of conduct of raid as per Media report attached), had filed as many as 82 nos. of RTI applications with the O/o the PCCF, Wildlife & CWLW, Assam, O/o the Field Director, Kaziranga National Park & Tiger Reserve (KNP & TR) and O/o the DFO, Eastern Assam Wildlife Division, Bokakhat from 2018 to 2023 till date. It is pertinent to mention here that, CBI registered a case against the above named Learned Advocate Sri Ritwik Dutta, Environmental lawyer & the President of the NGO "LIFE", allegedly for violation of the regulatory provisions of the Foreign Contribution (Regulation) Act (FCRA), 1976. It will not be out place to put on record that Learned Advocate Sri Ritwik Dutta has been the Legal Counsel to Sri Rohit Choudhury for a long duration of time. (Annexure- 1), (Annexure-2, 2A, 2B).
2. That the RTI Applicant Sri Rohit Choudhury has been constantly trying to damage the reputation of the Kaziranga National Park and its Management since I was holding the post of the Director of the Protected Area from December, 2013 to March, 2016, a period during which he filed a slew of RTI applications through which he had sought voluminous information pertaining to the administration, management, funding, details

Page 1 of 12

Certified to be true copy
Sanku B
Advocate

of various meetings etc. which also contained sensitive information covering the entire administrative setup as maintained by the Kaziranga National Park & Tiger Reserve. Similarly, Sri Rohit Choudhury continued to seek voluminous information from the O/o the PCCF, WL & CWLW, Assam from November, 2019 to March, 2023 during the tenure of the undersigned as the CWLW of Assam there by making it amply clear that he had used the RTI Act as the mode of personal attack against me out of personal vendetta instead of seeking information involving public interest. (Annexure-3).

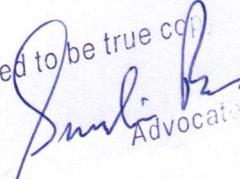
RTI applications filed by Sri Rohit Choudhury in the offices of PCCF, Wildlife & CWLW, Assam, Field Director, KNP & TR and DFO, EAWL Division:

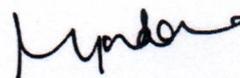
Sl. No.	Year	No. of RTI applications	Remarks
1	2018	6	RTI applications received by the O/o PCCF, WL & CWLW, Assam
2	2019	6	
3	2020	7	
4	2021	5	
5	2022	9	
6	Total	33	
7	2017	2	RTI applications received by the O/o FD, KNP & TR, Bokakhat.
8	2018	6	
9	2019	7	
10	2020	3	
11	2021	7	
12	2022	16	
	Total	41	
13	2018	1	RTI applications received by the O/o DFO, EAWL, Bokakhat.
	2019	2	
	2020	1	
	2021	2	
	2022	2	
	Total	8	
Grand total		82	

- That in terms of the orders passed by the Hon'ble Commission as also in due deference to the provisions of the RTI Act, 2005 several orders were also issued to Sri Rohit Choudhury by the undersigned while tenure of the undersigned as Director, Kaziranga NP.

Copies of the orders issued by the undersigned as Director of the PA, in respect of Sri Rohit Choudhury during the above mentioned period are enclosed herewith. (Annexure-4, 4A, 4B, 4C, 4D).

- Further, the period of the undersigned as the Director, Kaziranga NP, Sri Rohit Choudhury has been personally and constantly targeting me through the RTI

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applications submitted to the KNP authorities. In this regard, the present Field Director, KNP & TR has already filed an application to the Hon'ble Information Commission, Assam vide letter No. KNP/FG/RTI/Rohit Choudhury/Pt, dated 04.07.2023 seriously complaining about causing harassing & demoralizing effect on the staff, adverse impact on efficient functioning of office work, defamation of KNP & public authority, and also causing threat to the security of KNP by making public confidential information about density of rhino of the park despite categorical restraining letters to him, now having serious future ramifications in overall conservation efforts of the Greater One-horned Rhinoceros. (Annexure-5).

5. That Sri Rohit Choudhury has not been content with filing voluminous RTI applications only and ensuring that there is little time left for administration and management of wildlife to address the issues by way of furnishing replies. He has been personally targeting the undersigned through a series of tweets from his tweeter handle @Rohitskaziranga. All these tweets have been circulated by him in social media and later on in the newspapers across the country to defame the undersigned. It transpires to be a blackmailing tactics of Sri Rohit Choudhury by bombarding the Print/ Social Media with defamatory material as a part of vilification propaganda sinisterly designed against the undersigned. The *modus operandi* of Sri Rohit Choudhury has been to file RTI application and from the material received thereof, to cook up defamatory stories against the undersigned without ever verifying the truth, and throw up the stories in the media & social media in a targeted manner attempting to cause personal harm by defaming the undersigned. On careful perusal of the RTIs filed by Sri Rohit Choudhury it will be abundantly clear that there is no iota of public interest served at all but he is committed to ensure that a lot of time that should have been fruitfully spent in public interest gets wasted in making copies of replies to his RTI applications.

As a testimony a set of sample of some of the media reports along with the copies of tweets are enclosed herewith. (Annexure-6, 6A, 6B, 6C, 6D, 6E, 6F).

6. It is also to be noted that Sri Rohit Choudhury appears to be having a system of information collection from offices of the CWLW, Field Director, KNP & TR; DFO, EAWL Division and Aranya Bhawan; and deliberately gathers half cooked facts through his cohorts, and many a times his tweet messages reflect information collected without submitting RTI application. It will be pertinent to point out about the revenue

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Sanku
Advocate

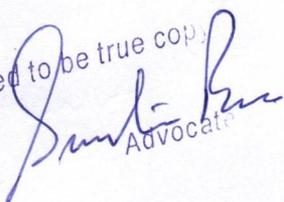
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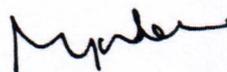
target of Forest Department, and renovation of HoFF Office as a case at hand. (Annexure-7, 7A).

- 7. Further, Sri Rohit Choudhury filed a complaint against the undersigned regarding alleged rhino estimation conducted during March, 2022 in KNP, towards the end of January, 2023 nearly after a year of the estimation exercise. (Annexure-8, 8A).

I may kindly be permitted to humbly submit that due to sudden demise of my father on 10th February, 2023 followed by demise of my great aunt (Bor maa) after a month due to which (reasons beyond my control) the replies could not be sent to the Ministry on time as called for based on the baseless and concocted allegations leveled by Sri Rohit Choudhury against me in particular. However, replies were furnished to the Ministry vide letter No. FG.26/hoff-office/wildlife, dated 11.04.2023 with specific and point wise replies to the issues selectively and with a sinister design raised by Sri Rohit Choudhury before the MoEF & CC. (Annexure-9). A bare perusal of the replies furnished to the authorities will make it amply clear that Sri Rohit Choudhury has a very strong bias towards me and he can go any length to maliciously defame the undersigned; and in this process he also defames the much acclaimed and cherished international reputation of Kaziranga National Park. Sri Rohit Choudhury is bent upon to selectively cause damage not only to my reputation but also the administration of the KNP as he is not being facilitated with privileges as he used to enjoy as reported by the Director, KNP.

- 8. All the above narrated facts and circumstances clearly indicate that Sri Rohit Choudhury has caused severe damage to KNP internationally without any basis or any concrete proof in support of his wild allegations. While targeting KNP authority especially the undersigned in the matter of rhino estimation, he has also raised doubts of the capability of enumerators, observers and media observers. This fact also has been mentioned in the reply to the MoEF & CC, Govt. of India. Sri Rohit Choudhury has artificially created such a situation that, it might be difficult to conduct rhino estimation in KNP next time. Thus, a great public injury and mistrust has been inflicted on KNP by Sri Rohit Choudhury which is irreparable.
- 9. It is for the first time in the history of KNP that population density of rhinos has been made public by anybody. Such open publishing of sensitive data would mean that the poachers and wildlife traffickers internationally get a clear picture of KNP for planning & executing poaching of rhino. This criminal act of Sri Rohit Choudhury is an

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unpardonable offence by any stretch of imagination more so when he was repeatedly being requested not to share the information with anybody by the Park Director and therefore cannot be condoned; making himself liable as an offender for each case of poaching *prima facie*.

The attention of the Hon'ble Assam Information Commission is drawn to the fact that, by revealing certain information in such a great detail leveraging the provisions of the RTI Act, 2005 by Sri Rohit Choudhury appears to be criminal in nature.

10. Further, tweeter messages flooded by Sri Rohit Choudhury by fetching important data/information through RTI applications and thereafter planting the same in the print media/social media is an established *modus operandi* of Sri Choudhury in order to maliciously intimidate me publicly also with an aim to blackmail the undersigned. To this now he has added another methodology of collecting half cooked information clandestinely through his cohorts against me and making the same public through social media. Therefore, it is clear that Sri Rohit Choudhury is maintaining a constant link with a few officers and staff in the Department to gather information that suits him to defame me, and none of this information has been gathered through RTI application. (Annexure-10) and (Annexure-10A to 10Q).

11. Sri Rohit Choudhury, later, probably realizing the risk of such an endeavor has changed his *modus operandi* to first getting a news item in the newspapers published and then tweeting the same in order to defame and bully the undersigned. As an instance one of the tweets of this nature is enclosed herewith for kind reference. (Annexure-11).

I would like to quote one more example that, the O/o the PCCF & HoFF, Assam is running short of IT experts and for that MD, AMTRON provides technical support by sparing services of IT experts temporarily. Sri Rohit Choudhury has gone to the extent of collecting data from the O/o the MD, AMTRON, Guwahati and used the same in his tweet message to defame & bully the undersigned as a personal vendetta. (Annexure-12).

12. Further, I beg to draw kind attention of the Hon'ble Information Commission to some of the RTI application filed by Sri Rohit Choudhury, **categorically, in the name of the undersigned**, and then he has tweeted defamatory messages which clearly indicates that his intention is not in the interest of public but only to defame the undersigned and to create an atmosphere so that the undersigned is derailed from the focus of discharge

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Sumali
Advocat

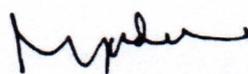
- 20 -

of official duties and divert attention to the obnoxious messages and news sinisterly designed by him at the behest of his cohorts. It also demonstrates that Sri Rohit Choudhury under the garb of so called environmental activism allegedly preached by him, runs a blackmailing institution to bring his soft targets under his control; but unfortunately to his dreams and wishes he has not been successful in my case. (Annexure-13, 13A, 13B, 13C).

13. Sri Rohit Choudhury went to the extent of creating hysteria in the news media and social media during the visit of the First Citizen of India the Hon'ble President in April, 2023 to KNP, by publishing news against me concerning the visit of the Hon'ble President of India. Thus, he tried to create an environment wherein I could have easily lost my focus and composure and failed in discharge of bounden duties. The news reports against me appeared in almost every newspaper in the country. Another intention of Sri Rohit Choudhury and his close associates could have been to ensure that so much muck is thrown in media that the President House, after reading so much anti Kaziranga propaganda in the media, would have called off the visit of the Hon'ble President of India. It is reiterated here that as loyal and humble government servant the undersigned does not keep in touch with media or go for any undue publicity. During the period of the visit of the Hon'ble President of India, I was painted a complete villain in all the news media/social media in every nook and corner of the country. This was definitely an activity which was PAID and fuelled by Sri Rohit Choudhury and his niche of cohorts in the Forest department. Further, it also cannot be denied that Sri Rohit Choudhury have ably been supported by some officers and staff of the Department. This is a very serious matter which needs to be investigated in detail and to unearth the real culprits as to how a single individual in cahoots with a few officials and staff in the Department could launch such an offensive campaign even to attempt to defame Kaziranga KNP knowing adequately well that the VVIP visit was in the offing, and it was directly against the interest and reputation of Kaziranga National Park and also the state of Assam as a whole.

It may be further noted by the Hon'ble Commission that the RTI reply on expenditure on the visit of the Hon'ble President of India in last week of February, 2022 was provided to Sri Rohit Choudhury by the Park authorities on 30th November, 2022 and he chose to release this information in the public domain through print / social media at an opportune moment, on 28th March, 2023 (first report in Times of India) when the

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VVIP visit of the Hon'ble President of India was being worked out. If he had an element of public interest, he could have made the news public in December, 2022 itself. BUT HE CHOSE NOT TO. Sri Rohit Choudhury was waiting for an opportune moment to cause maximum damage to the reputation of Kaziranga and also cause personal damage to my posting and position as CWLW, Assam, just at the time of the VVIP visit. Therefore, the *mens rea* in the mind of Sri Rohit choudhury is clearly visible and his criminal intent to cause irreparable damage to a national park of international repute is proved beyond doubt. It is requested humbly that the Hon'ble Commission may take a strong note of the timing of these activities of Sri Rohit Choudhury, and how skillfully he is misusing the RTI Act, 2005 for causing public damage to reputed institutions such as Kaziranga NP and try every way to embarrass the State of Assam. (Annexure-14, 14A, 14B).

Further, had he filed similar RTI applications in other National parks and Sanctuaries of the country on expenditure incurred on any VVIP visit, his environmental and wildlife interest and public interest would have got an excellent reflection; but Sri Rohit Choudhury is a pseudo environmental activist and has the sole intention of causing damage to Kaziranga NP only, and its authorities, especially the Park Director and the undersigned. Therefore, this is another example which clearly shows that Sri Rohit Choudhury is a highly biased individual, a black mailer with sinister design to foster his personal enjoyment leaving aside the public interest, whose primary livelihood is by defaming and disgracing Kaziranga NP and the undersigned in public. The attention of the Hon'ble Commission is solicited to keep a hawk's eye / strict vigil as there is huge wastage of time of public institutions on these aspects of Sri Rohit Choudhury as well.

14. Therefore, it is seen that, Sri Rohit Choudhury has been bombarding through newspaper reports, RTI applications seeking voluminous data/information and social media tweets from his tweeter handle @Rohitskaziranga solely targeted to attack Kaziranga and especially the undersigned personally and, thus, hinder and exert unnecessary pressure to divert the attention from meaningful discharge of duties and attending crucial works of public interest and other important issues involving forest conservation through malicious propaganda in print media/social media. I may also be permitted to point out that such malicious propaganda constantly has adversely jeopardized and caused serious trauma to my family members. The constant nuisance created by Sri Rohit Choudhury and his cohort gang of informers is unlawful, and it is my earnest prayer

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before the Hon'ble Commission that he must be restrained from unhindered vilification propaganda immediately as he has been misusing the RTI Act, 2005.

15. The undersigned prays to the Hon'ble Information Commission that the documents and evidences provided through this humble petition shall indicate that Sri Rohit Choudhury has not only singled out KNP for defamation worldwide but also has singled out the undersigned for defamation and causing under severe mental pressure and agony on the undersigned to decapacitate from discharge of lawful duties properly. While many of his fake stories are based on RTI applications, his sole intention is only to defame KNP and the undersigned, which to the best of my humble knowledge cannot be treated a public cause.

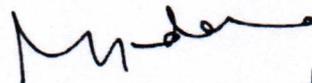
16. It is brought to the notice of the Hon'ble Assam Information Commission that the intent of RTI Act is clearly spelled out in the preamble of the RTI Act, 2005 which is reproduced below:

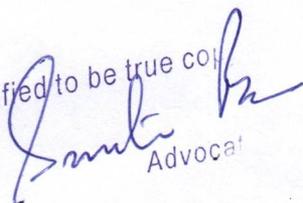
"An Act to provide for setting out the practical regime of right to information for citizens to secure access to information under the control of public authorities, to promote transparency and accountability in the working of every public authority, the constitution and for matters connected therewith or incidental thereto...

... AND WHEREAS revelation of information in actual practice is likely to conflict with other public interests including efficient operations of the Governments, optimum use of limited fiscal resources and the preservation of confidentiality of sensitive information".

It is humbly brought to the notice of the Hon'ble Assam Information Commission that Sri Rohit Choudhury through his RTI applications never pursued the public interests but instead adversely impacted the efficient operations, delivery and administration of the Government, and has gone to the extent of damaging the reputation of the prestigious institution such as Kaziranga National Park which directly harms the international tourist potential of the national park.

17. With regards to the above narrated constant harassment and defamation caused to the undersigned by misusing RTI Act, 2005 by Sri Rohit Choudhury, few judgments passed by the Hon'ble Supreme Court and different Hon'ble Central Information Commission & State Information Commission are quoted hereunder for kind perusal of the Hon'ble Commission:



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a. The Hon'ble Supreme Court while hearing an application filed by Ms. Anjali Bhardwaj and retired Commodore Lokesh Batra on December 16, 2019 about the lack of transparency in the appointment process of Information Commissioners despite a judgement from Supreme Court on February 15, the Hon'ble Chief Justice of India Sharad Arvind Bobde said, " the time has come to lay down guidelines on the use of the RTI and the guidelines should be put in place to check the locus of the RTI Applicant and put a filter on the kind of requests made under the 2005 Act". The Hon'ble CJI also said that the court was not against the exercise of the Right to Information, but it could not be an unrivalled right. He also observed that there is a serious problem of people filling RTT requests with malafide intention, people set up by rival and that the RTI Act had become a source of criminal intimidation by people with an axe to grind. He said "Criminal intimidation is a nice word for blackmail." People who call themselves RTI Activities and were in no way concerned with the issues on which they file RTI requests had impeded government functioning.

b. The Institute of Chartered Accountants of India Vs. Shaunak H. Satya and Ors, A.I.R 2011 SC 3336.

The competent authorities under the RTI Act will have to maintain a proper balance so that while achieving transparency, the demand for information does not reach unmanageable proportions affecting other public interests, which include efficient operation of public authorities and government, preservation of confidentiality of sensitive information and optimum use. "(The Institute of Chartered Accountants of India Vs Shaunak H. Satya and Ors, A.I.R 2011 SC 3336)"

c. The Punjab State Information Commission while disposing of the Appeal Cases Nos. 217, 218, 219 and 220 of 2017, in its order dated 05.04.2017 stated as follows-

"The Commission finds that it is the duty of the Commission to see that such blatant misuse of RTI Act should not be allowed further and such situation need to be appropriately dealt with to secure the faith of the public in this 'Sun Shine Act' and remove obstacles in functioning of public authority which would have eventually prevent public authority from focusing on transparency. His act of running riot with filing repeated application s seeking insane and voluminous

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Sankar
Advocate

M. D. Page 9 of 12

information's has become counter-productive of public interest. The Commission cannot allow such fishing operations of the appellant. We see acts as a misuse rather abuse of the RTI Act with unsavory motives".

d. Shall Sahni -Vs- Valsa Sara Mathew and Ors (05.07.2013 DELHC) MANU DE/1897/2013

*In this case the Hon'ble Delhi High Court has also observed that indiscriminate and impractical demands or directions under the RTI Act for disclosure of all and sundry information (unrelated to transparency and accountability in the functioning of public authorities and eradication of corruption) would be counterproductive as it will adversely affect the efficiency of the administration and result in the executive getting bogged down with the non-productive work of collecting and furnishing information. The Act should not be allowed to be misused or abused, to become a tool to obstruct the national development and integration or to destroy the peace, tranquility and harmony among its citizens. Nor should it be converted in to a tool of oppression or intimidation of honest officials striving to do their duty. The nation does not want a scenario where 75% of the staff of public authorities spends 75% of their time in collecting and furnishing information to applicants instead discharging their regular duties. **The threat of penalties under the RTI Act and the pressure of the authorities under the RTI Act should lead to employees of a public authorities prioritizing information furnishing" at the cost of their normal and regular duties.***

e. Hon'ble Assam State Information Commission's order in case No. SIC/AE.83/2020 dated 24.12.2020 stated as:

"Unfortunate to see seasoned applicants, the Act of 2005 never intended to create professionals but to provide access to information to common citizens".

f. The Central Information Commission In case No. : CIC/SG/C/2011/000760, CIC/SM/A/2011/000926/SG, CIC/SM/A/2011/001111/SG, CIC/SG/A/2011/002909

The CIC while passing the order on the above cases had opined that though the right to information is a fundamental right of the citizens, it cannot be used indiscriminately to fulfill the demands of one individual.

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Samudra
Advocate



"The Commission is also conscious of the fact that it is financed by the poorest man in this country who may be starving to death. The complainant, by repeatedly filling similar RTI applications and appeals with the respondent public authority and the commission, is wasting time of the public authorities." the CIC had said.

g. Satish Tiwari Vs IOCL

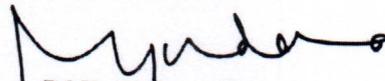
CIC in Satish Tiwari vs IOCL case observed that it is indeed very unfortunate that a large number of persons who themselves are not so clean in so far as their conduct and behavior, including economic integrity is concerned and it is they who have been misusing the provisions of the RTI Act for promotion of personal interest at the heavy cost of public expenditure which are incurred in processing the RTI applications.

In view of the above submissions and explanations, it is humbly prayed to take action against Sri Rohit Choudhury as deemed proper for misusing the statutory provisions under RTI Act, 2005 to harass, intimidate, bully and blackmail the public authorities to meet his ulterior motives, and to defame the undersigned with *malafide* intentions and vindictive attitude.

For this act of kindness, as in duty bound, I shall ever pray.

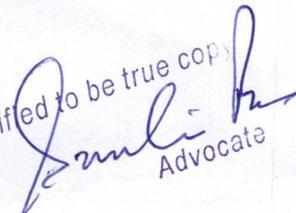
Enclo: As stated above.

Yours faithfully,



(M.K. Yadava, IFS)

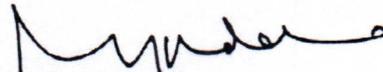
Principal Chief Conservator of Forests
& Head of Forest Force, Assam,

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Advocate

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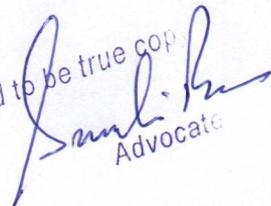
Copy to:

1. The Director General of Forests & Special Secretary to the Govt. of India, MoEF&CC, New Delhi.
2. The Director General of Police, Assam for favour of his kind information and needful action.
3. The Additional Chief Secretary to the Govt. of Assam, Environment & Forest Department, Dispur, Guwahati-06.
4. The Additional Director General of Forests & Director, Wildlife Preservation, MoEF & CC, Govt. of India, New Delhi.
5. The Additional Director General of Forests and Member Secretary, NTCA, MoEF & CC, Govt. of India, New Delhi.
6. The Principal Chief Conservator of Forests, Wildlife & Chief Wildlife Warden, Assam, Panjabari, Guwahati-37.
7. The Director, Kaziranga National Park, Bokakhat
8. The Divisional Forest Officer, Eastern Assam Wildlife Division, Bokakhat
9. The Registrar, Assam Information Commission, Godapani Path, Juripar, Panjabari, Guwahati-37, for kind appraisal of the Hon'ble Assam Information Commission.



(M.K. Yadava, IFS)

Principal Chief Conservator of Forests
& Head of Forest Force, Assam,

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Advocate

GOVERNMENT OF ASSAM
OFFICE OF THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS AND
HEAD OF FOREST FORCE, ASSAM
ARANYA BHAWAN, PANJABARI, GUWAHATI-37

E-mail: hoff-assam@gov.in

Date: 28.09.2023

FG.40/14/Mizoram Border/Pt-II

To,

The Additional Principal Chief Conservator of Forests (T)
Lower Assam Zone, Basistha, Guwahati-29

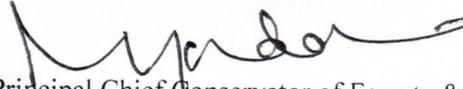
Sub: Assam-Mizoram Inter State Border -proposal for establishment of 2nd Commando Battalion Unit inside Inner Line Reserve Forest at Damcherra area under Gharmurah Range, Hailakandi Division-Reg.

Ref: Your office letter No. FGT.26/Border/Assam-Mizoram/Pt.II dated 07.08.2023.

With reference to the above, I am to inform you that As per Section 2 (b) of FC Act, 1980 the non-forest purpose means the following:

"any purpose other than re-afforestation; but does not include any work relating or ancillary to conservation, development and management of forests and wildlife, namely, the establishment of check-posts, fire lines, wireless communications and construction of fencing, bridges and culverts, dams, waterholes, trench marks, boundary marks, pipelines or other like purposes".

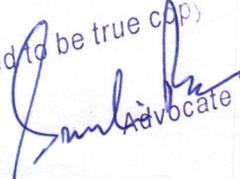
Since the purpose of proposal for 43.99 Ha. Forest land for establishment of 2nd Commando Battalion Unit in the Assam-Mizoram interstate border area of Inner Line Reserve Forest is for protection and conservation of Reserved Forest land, it qualifies as an activity relating to conservation of forests mentioned under Section 2 (b) of Forest Conservation Act, 1980. Therefore you are allowed to go ahead with the establishment of the proposed 2nd Commando Battalion Unit in the interest of conservation and protection of forest land.

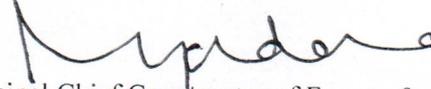

Principal Chief Conservator of Forests &
Head of Forest Force, Assam
v-t

Copy for information and necessary action to:

1. The Chief Conservator of Forests, Southern Assam Circle, Silchar.
2. The Divisional Forest Officer, Hailakandi Division, Hailakandi.

28/9/2023
ISSUED ON

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Principal Chief Conservator of Forests &
Head of Forest Force, Assam
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**CHRONOLOGICAL LIST OF INCIDENTS IN ABHOYPUR RESERVE FOREST
(ASSAM-NAGALAND BORDER)**

Date of occurrence	Incident
1-9-89	Two smugglers arrested.
23-10-89	One Naga miscreant died in cross firing
14-9-89	3 nos. of elephants engaged for dragging timber were seized.
28-9-89	Two miscreants were arrested.
28-1-90	One miscreant was arrested.
7-8-90	One elephant used for dragging timber seized.
29-8-90	Two Naga people arrested.
7-10-90	One arrested & one died in cross firing.
23-10-90	One smuggler died in cross firing.
10-11-90	One Naga people died in cross firing.
19-1-91	One miscreant was arrested.
4-6-91	One elephant seized engaged in illegal dragging to timber.
10-10-91	One elephant engaged for dragging timber illegally died & two persons arrested in cross firing.
23-10-91	Two persons arrested.
3-11-91	One miscreant died and one elephant seized after cross firing.
22-1-92	One person was arrested.
1-2-92	Illegal construction of bridge over river Suffrai was reported.
5-2-92	One person was arrested.
22-2-92	Two persons were arrested.
2-4-92	One person was arrested.
18-5-92	One miscreant died in cross firing.

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[Signature]
Advocate

Date of occurrence	Incident
26-6-92	One Naga & one Nepali person died in cross firing.
29-10-92	One SBBL 12 bore Gun was seized from timber smuggler.
16-12-93	One boat seized used by Naga miscreant to cross Towkok River while trying for entering R.F.
20-12-93	During night continuous firing took place for about 2 (Two) hours.
21-12-93	Again firing took place at night.
6-1-94	Two miscreants arrested.
20-1-94	Timber smugglers with truck entering from Nagaland and stolen 2 (Two) Paruli trees.
31-1-94	One Naga miscreant died in cross firing.
23-2-94	Some miscreant fired one round towards Joymoti camp.
5-5-94	Some miscreants fired towards patrolling party.
30-6-94	Firing and counter firing took place during exchanged of fired. One tusker was injured on belly.
23-7-94	2 (Two) timber smugglers caught when they sectioning a wind fallen Hollong tree.
20-12-94	Firing and counter firing took place at Joymoti camp.
18-2-95	Firing incident took place in Comptt. No. 27. Three persons were arrested.
3-3-95	Firing incident took place in Comptt.No. 33.
10-3-95	Firing & counter firing took place during cross firing. 2 nos. timber loaded trucks damaged.
11-4-95	Illegal felling of logs in Comptt.no. 37/38 by Naga people.
4-7-95	Patrolling party fired one round in air when miscreant felling trees.
25-7-95	Firing & counter firing took place in Compt.No. 37. One miscreant was injured.
4-8-95	Firing & counter firing took place. During firing probably one miscreant was injured.

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Date of occurrence	Incident
7-8-95	Firing & counter firing took place.
17-8-95	Firing incidents took place in Comptt.No. 25.
18-8-95	Firing & counter firing took place. In this counter firing one Sri Uma Dehingia was dead and two elephants used by miscreant were seized.
6-10-95	Miscreants open fired towards patrolling party. In reply patrolling party fired five round. No injuries to the patrolling party.
15-8-96	Timber smugglers fired 15/16 round towards patrolling party. In reply patrolling party fired 9 rounds.
19-8-96	During patrolling, firing & counter firing took place. The miscreant fired 12 rounds towards patrolling party. In reply patrolling party fired 5 rounds.
21-8-96	Firing & counter firing took place between patrolling party & miscreants. Total fired 8 rounds.
10-9-96	During patrolling, firing & counter firing took place. The miscreants fired 17 to 18 rounds. In reply patrolling party fired 8 round. No casualty took place.
25-9-96	Firing & counter firing took place. Miscreants fired several round. In reply patrolling party fired 1 round.
27-2-97	Firing & counter firing took place in Feeder Tin-Ali of Abhoypur R.F. During firing one havilder of AFPP of Kherbari badly injured.
28-2-97	Again, firing & counter firing took place between miscreants & forest staff, C.R.P.F. personnel. In this firing 2 AFPP personnel injured.
7-3-97	Firing & counter firing took place. Miscreants fired towards AFPP camp. On return AFPP also fired 21 rounds. No casualty took place.
7-6-97	On 7-6-97 forest staff & 1sr A.P.Bn of Lechai camp arrested 2 nos. log cutter in Comptt. no. 30 of Abhoypur R.F. Suddenly, some timber smugglers fired several rounds towards patrolling party. In reply patrolling party also fired 3 rounds. No casualty took place.
16-3-98	Firing & counter firing took place in between AFPP personnel of Joymoti camp under Abhoypur R.F. with miscreants. Learnt firing from miscreants is still going on till 2.30 p.m. of 17 th instant. No casualty took place.

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31-

Date of occurrence	Incident
1-4-98	On 1-4-98 at 1.30 p.m. patrolling party during patrolling met armed miscreants & fired 11 rounds. After firing one civil gun & one saw were seized. No casualty took place.
3-4-98	Extremist fired 3 rounds. In reply our forest staff along with 1 st A.P.Bn. personnel fired 2 rounds. As a result Sri Biren Duarah, Fr-I sustained injury in his right leg when going position at the Nylon bridge of Comptt. No. 26. No casualty took place.
9-4-98	On 9-4-98 about 1.30 pm. 7 persons patrolling party fired 4 rounds with the extremist. No any injury seen.
30-5-98	Comptt. No. 27 & 28. Divisional Forest Officer along with Deputy Commissioner, Supdt. of Police and forest staff did patrolling visited the site thoroughly. During the inspection miscreants fired one round (SBBL Gun) from Nagaland side.
31-5-98	Range Officer, Sonari along with Asstt. Commandant, 1 st A.P.Bn. Ligoripukhuri and police personnel of Namtola went inside the Abhoypur R.F. Comptt.No. 27 & 28 and noticed some miscreants lifting the logs tying the logs in the towkok riverbed. Seeing patrolling party the miscreants fled away to the Nagaland side leaving a loaded SBBL gun and same was handed over to the Sonari Police Station.
14-7-98	Staff of Lechai has seized a pair of buffaloes (domesticated) as unclaimed.
24-7-98	Range Officer, Sonari accompanied by the A.F.P.F. personnel carried out a patrolling duty in Abhoypur R.F. for encounter against timber smugglers fired 9 rounds. No casualty occurred.
24-7-98	On 23-7-98 at about 9.00 p.m. 4 (four) nos. of accused are arrested by the forest staff of Sonari Range for involvement of smuggling activity of sawn timber by Truck No. AS-04-5194 from border areas of Abhoypur R.F. The forest produces were confiscated to the Govt.
6-8-98	On 6-8-98 patrolling party consisting forest staff led by Range Officer, Sonari with AFPPF personnel while on regular patrolling at about 12.15 p.m. in compt. no. 20 of Abhoypur R.F., a group of miscreants with guns found inside the R.F. The miscreants started firing towards the patrolling party. The A.F.P.F. personnel & the patrolling party also open fired. After the exchange of fire the miscreants took cover in the deep forest & fled away. The patrolling party searched the whole area and one no. SBBL gun along with a bag of full of gunpowder and a cross out saw were found. Immediately seized the above materials & hand over the Gun & Gun powder to Sonari police station.

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Date of occurrence	Incident
27-8-98	On 27-8-98 patrolling party consisting of A.F.P.F. and staff of Sonari Forest Range Office on routine patrolling went towards Joymoti camp from Kherbari side. On reaching Compt. No. 20 of Abhoypur R.F. the patrolling party noticed 2 nos. of elephants & a calf trying to hand a log deep inside the R.F. Seeing the patrolling party the miscreants mostly Nagas started firing towards the patrolling party . The patrolling party also retaliated and fired back. The exchange of firing continued for more than 20 minutes. Taking advantage the miscreants fled away towards Nagaland. During the exchange of fire a domestic female elephant, which was engaged to drag the logs, fell in between & died in the spot. Police and Vety. Surgeon went to spot for post-mortem.
19-9-98	During patrolling by forest staff & A.P.Bn personnel of Lechai in Comptt.No. 26 miscreants from Nagaland side fired 2 (two) rounds towards patrolling party. No casualty took place.
23-9-98	While D.F.O. Sibsagar Division along with Conservator of Forests, Eastern Assam Circle, Jorhat & Range Officer, Sonari visited Abhoypur R.F. near Towkok river toward Lechai camp miscreants from Nagaland side fired towards the party in reply of A.F.P.F. personnel fired 3 rounds. No casualty in either side.
17-11-98	During patrolling by forest staff & A.P.Bn. personnel of Lechai Comptt. No. 26 miscreants from Nagaland side fired 2 (Two) rounds towards patrolling party. The patrolling party also replied with 6 (six) rounds. No casualty took place in either side
1-3-99	The Forest Range officer, Sonari has remanded two nos. of Naga people in the jail hazot of S.D.J.M. Charaideo which were involved in illegalities in Abhoypur R.F.
4-3-99	On 4-3-99, the Forest Range officer, Sonari has remanded two nos. of timber smugglers to the jail hazot of the S.D.J.M. Charaideo.
7-5-99	On 7-5-99 at about 1.30 p.m. Range officer, Sonari accompanied by A.F.P.F. entered Abhoypur R.F. from Namtola faced Naga miscreants. The Naga miscreants fired 6 (six) rounds on defence the A.F.P.F. personnel fired 4 (four) rounds.
9-5-99	On 9-5-99 D.F.O. accompanied by Conservator o f Forests, EAC, Jorhat, A.C.F. (HQ) & Range Officer, Sonari visited Abhoypur R.F. During their course of visit the miscreants fired with automatic weapons continuously for more than fifteen minutes for self-defence. A.F.P.F. personnel fired 23 (twenty three) rounds.

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-33-

Date of occurrence	Incident
16-7-99	On 16-7-99 at about 2 p.m. 6 to 7 miscreants came dressed olive green & sophisticated weapons near Kherbari camp. The staff of camp could hear sound of firing near the camp.
12-10-99	During patrolling, the patrolling party saw few miscreants trying a fell of tree. On seeing the patrolling party the miscreants started firing towards the patrolling party.
4-1-2000	Miscreants from Nagaland side fired towards patrolling party. In retaliation the patrolling party also fired 9 (Nine) rounds. 3 (Three) person were captured & handed over to Sonari Police Station.
10-2-2000	While proceeding from Lechai accompanied by A.P.Bn. & forest staff with Sri D. K. Bora, ACF(HQ) towards Feeder Tin-Ali, the miscreants fired upon the patrolling party. In return the 1st A.P.Bn. also fired. The firing took place for 30 minutes. (All together 42 (forty two) rounds were fired.
28-3-2000	During patrolling in Feeder Tin-Ali road near Silonijan some unknown timber smuggler fired towards patrolling party. On reply the A.F.P.F. party fired 12 (Twelve) rounds towards the miscreants. As a result patrolling party recovered one live cartridge, one blank cartridge, one cross cut saw, one measuring tap, one Naga Dao, one seizure, one Sengal. Out of 12 rounds of ammunitions, 2 rounds mis-fired.
31-3-2000	While on patrolling in the Comptt.No. 36 of Abhoypur R.F. miscreants from Nagaland side started firing on the patrolling party. The Joint patrolling party forest 7 police also return fired. Heavy firing continued for more than 15 minutes & two persons and one elephant of the miscreants hurt in the firing, but they were taken away by the miscreants towards Nagaland. One female elephant captured from the miscreants with gaddis, one chain. No casualty reported from Joint patrolling party.
24-5-2000	1 st A.P.Bn. & forest staffs while on patrolling near Nylon bridge on compt. no. 25 patrolling party was fired upon by miscreants from Nagaland side. Five rounds fired on the patrolling party. The patrolling party while firing continued from the Nagaland side hide themselves in forest. But inspite of request by the forest staff the force personnel did not open fired. The patrolling party returned from the spot. The A.P.Bn. personnel did not search the area nor any ambush was laid to catch the culprit.

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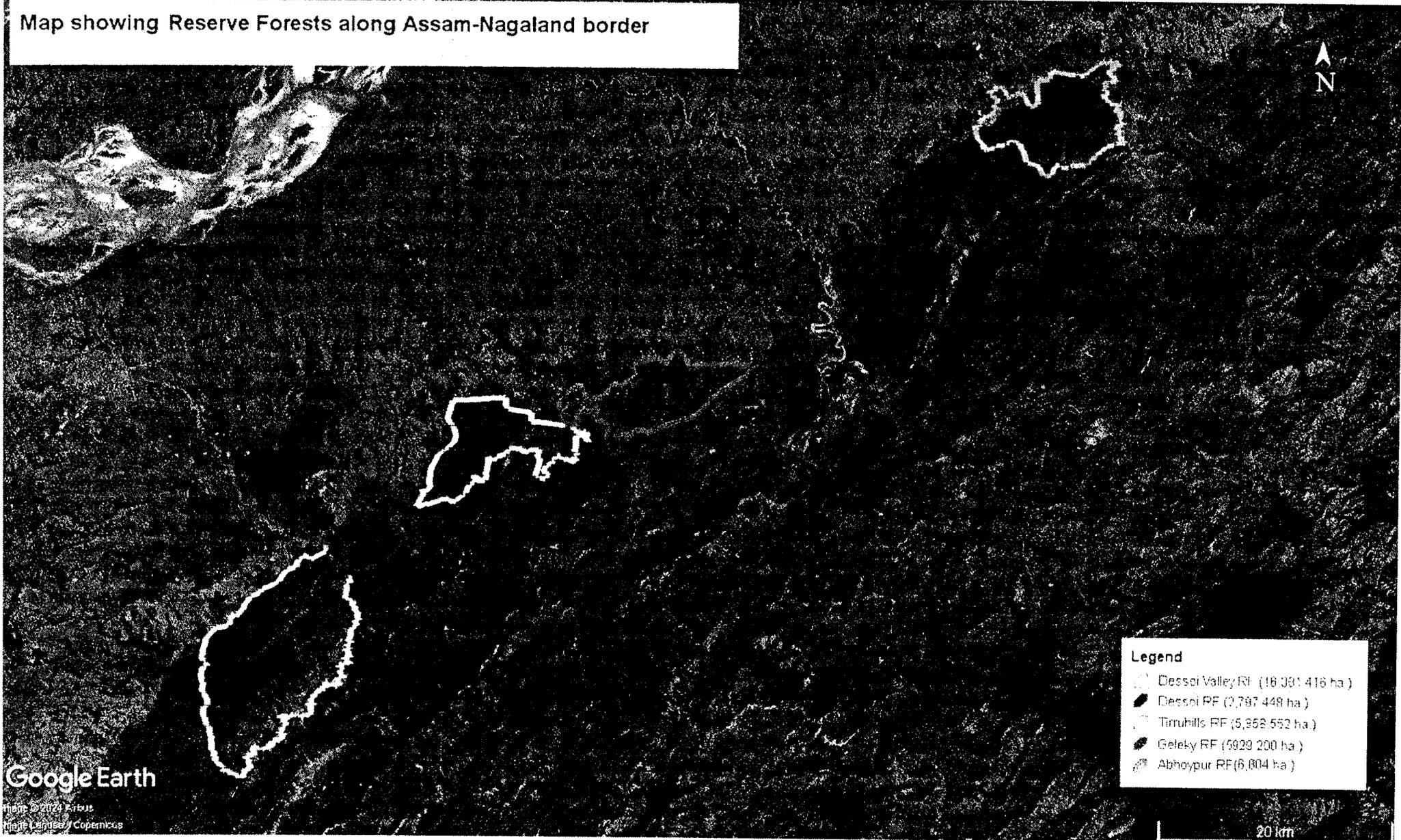
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- 34 -

Sl. No.	Division	Name of RF	Total Area (ha)	Encroached Area (ha) by Naga People
1	Sibsagar	Abhayapur RF	6737.99	125
2	Sibsagar	Geleki RF	5929.2	4000
3	Jorhat	Tiru Hills RF	5858.55	4829.22
4	Jorhat	Dissai RF	2797.15	500
5	Jorhat	Dissai Valley R F	17441.14	13322.14
6	Golaghat	Doyang RF	24635.77	1114.18
7	Golaghat	Rengma RF	13921.49	3061.84
8	Golaghat	Nambor South RF	61027.24	14416.35
9	Golaghat	Diphu RF	18363	17711.71
Total			156711.53	59080.44

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Map showing Reserve Forests along Assam-Nagaland border



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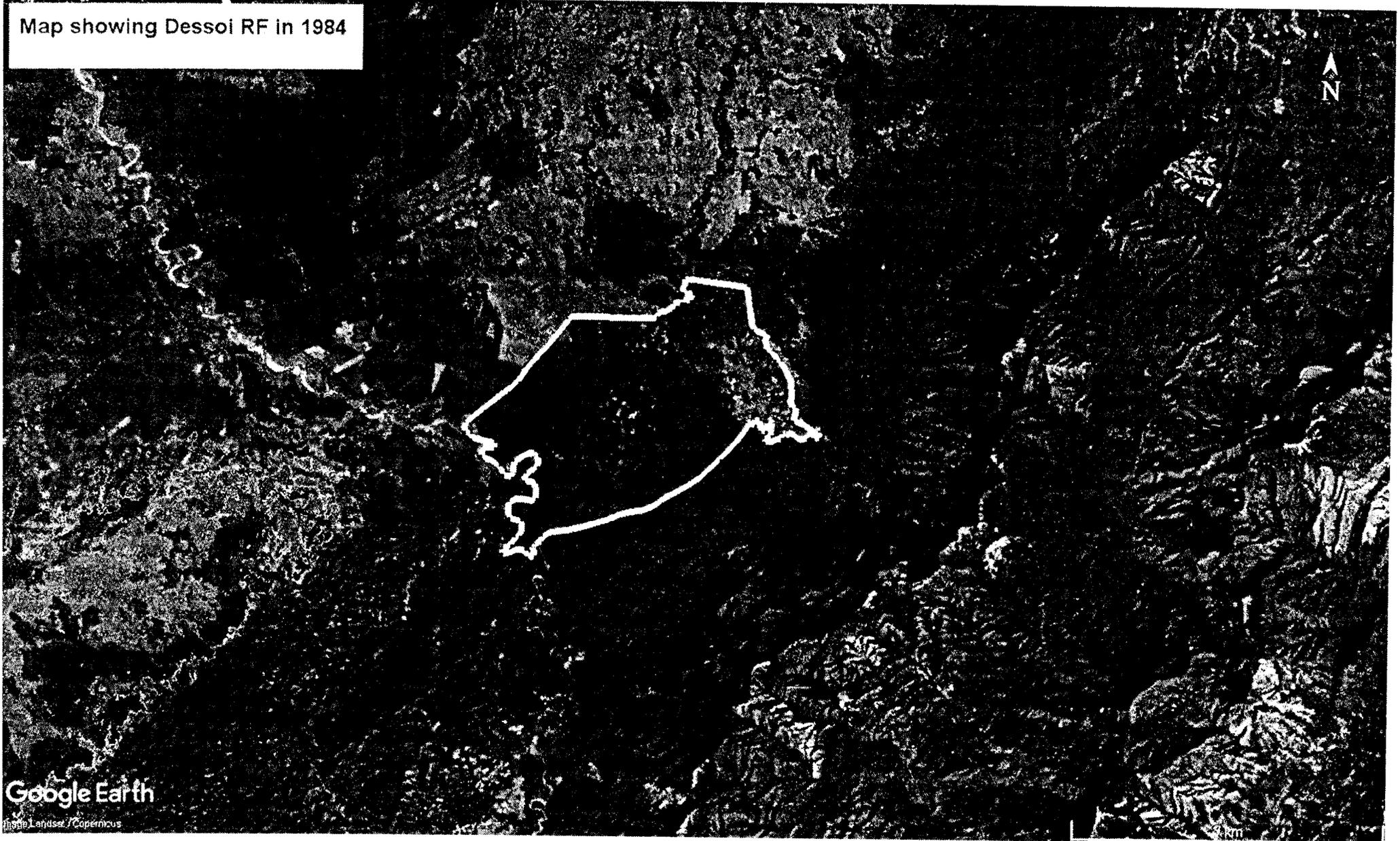
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Legend
Bessol Valley RF (16,381,416 ha)
Bessol RF (2,787,448 ha)
Tiruhills RF (5,862,552 ha)
Geleky RF (5929,200 ha)
Abhoypur RF (6,804 ha)

20 km

Sanjib Kumar
Advocate

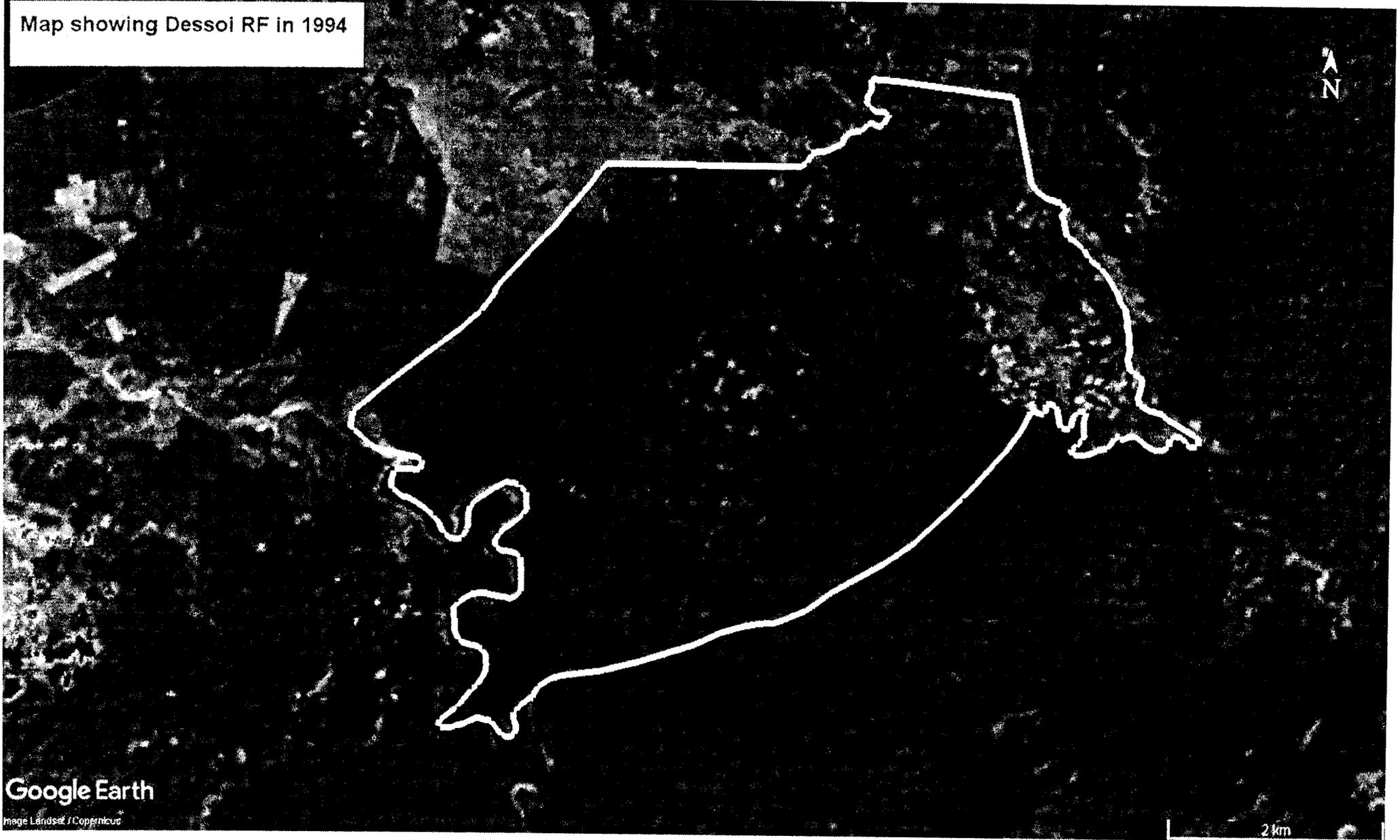
Map showing Dessoi RF in 1984



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-37-

Map showing Desso RF in 1994



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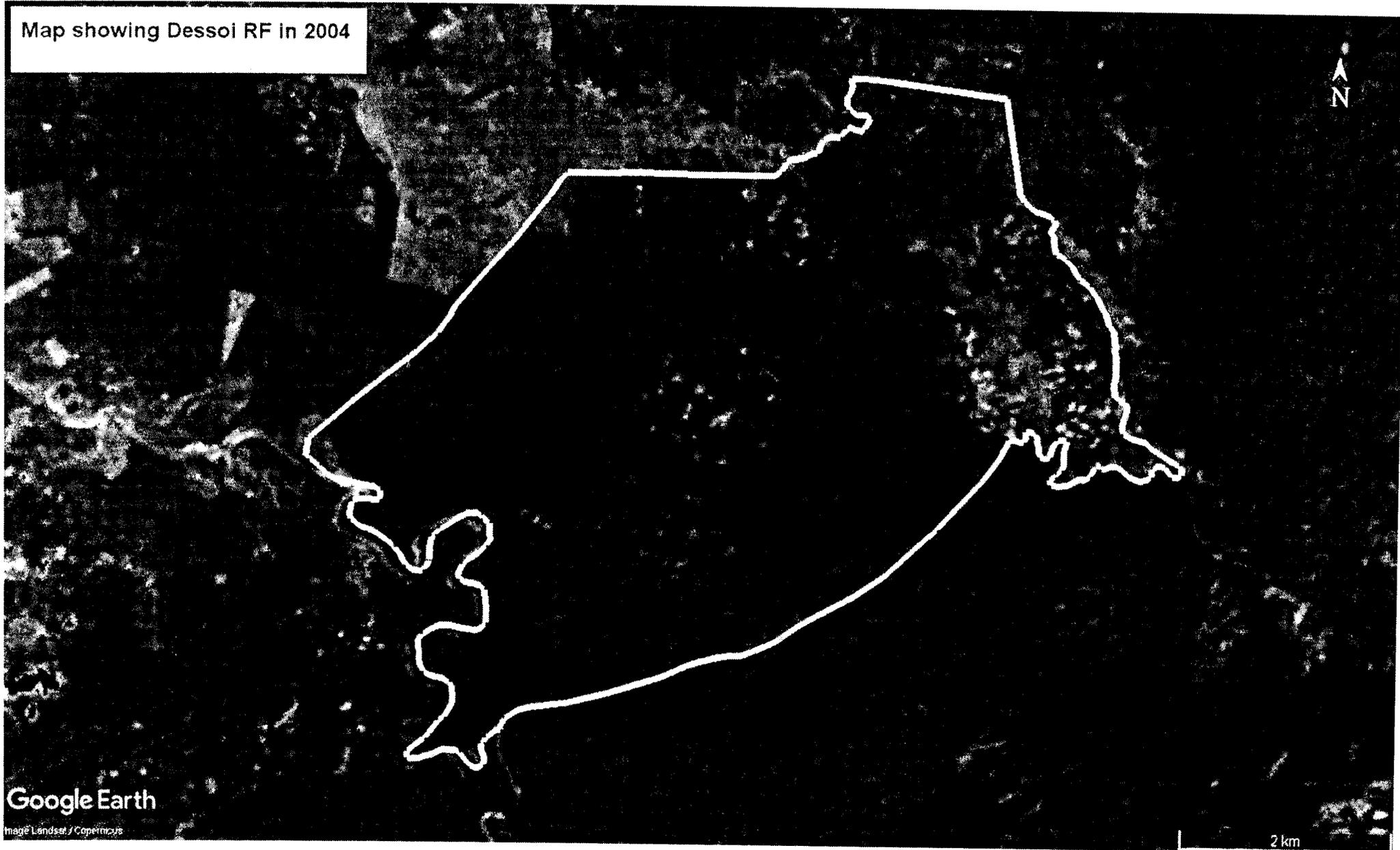
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- 28 -

Map showing Desso RF in 2004



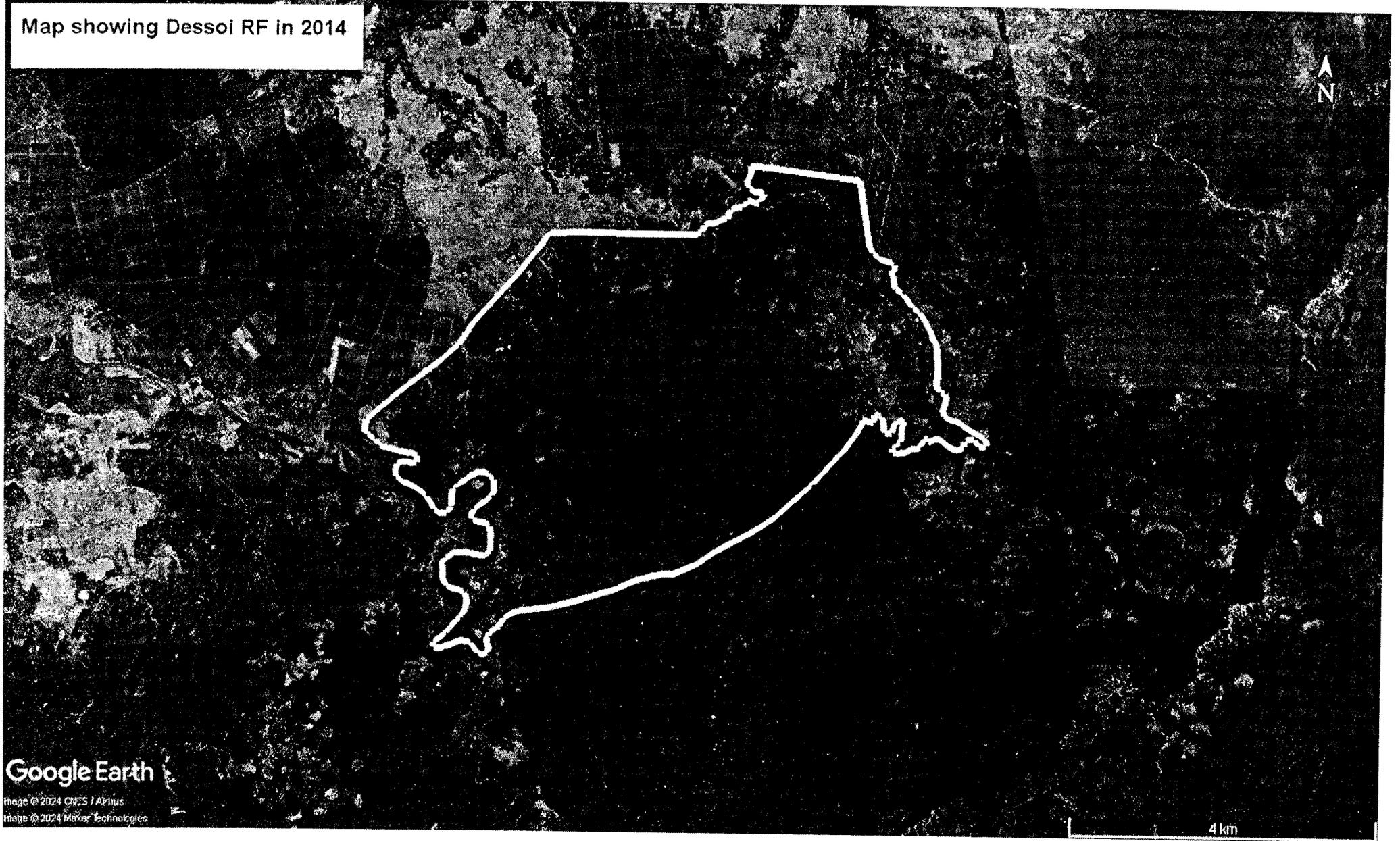
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Map showing Dessoi RF in 2014



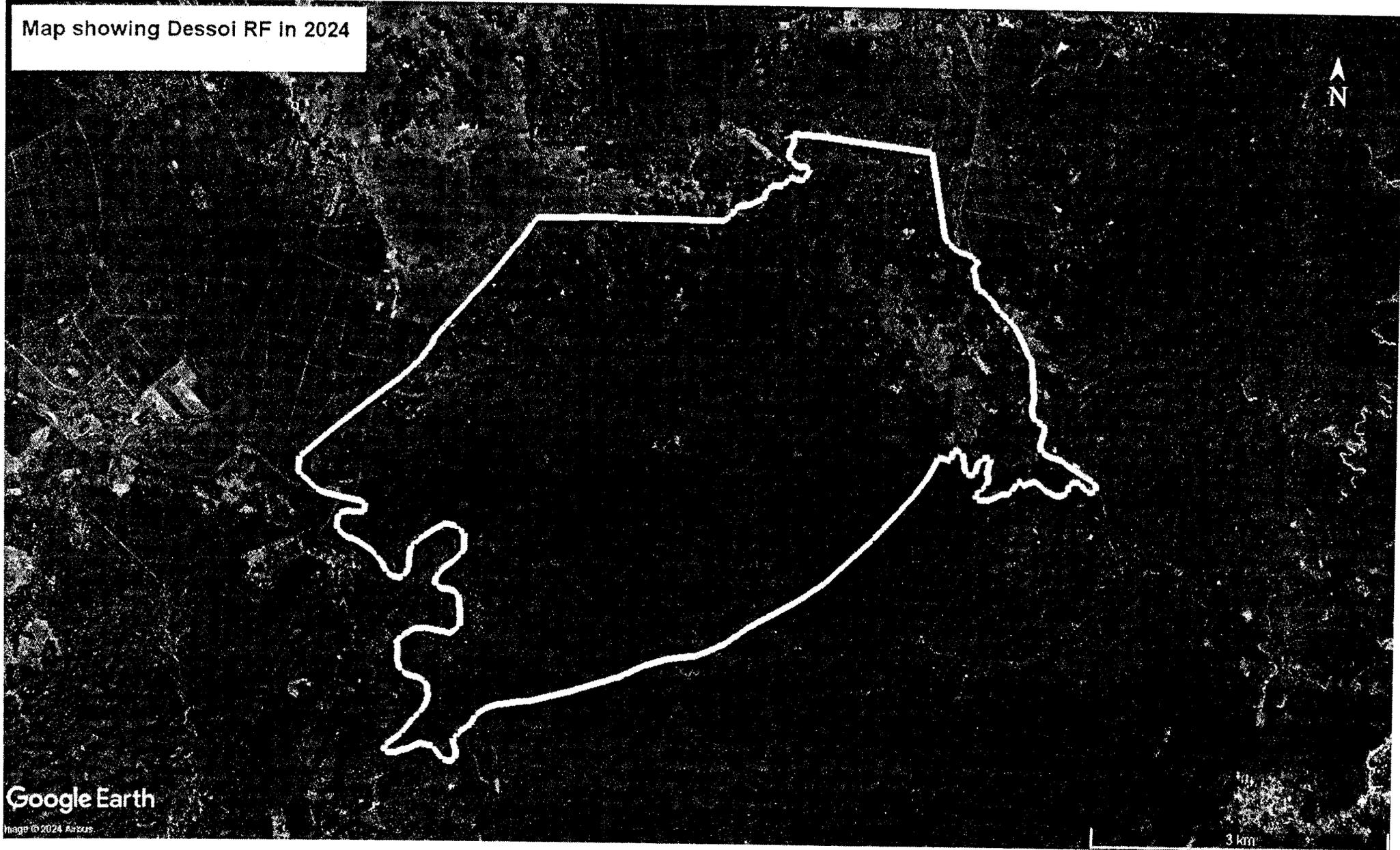
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-40-

Map showing Desso RF in 2024



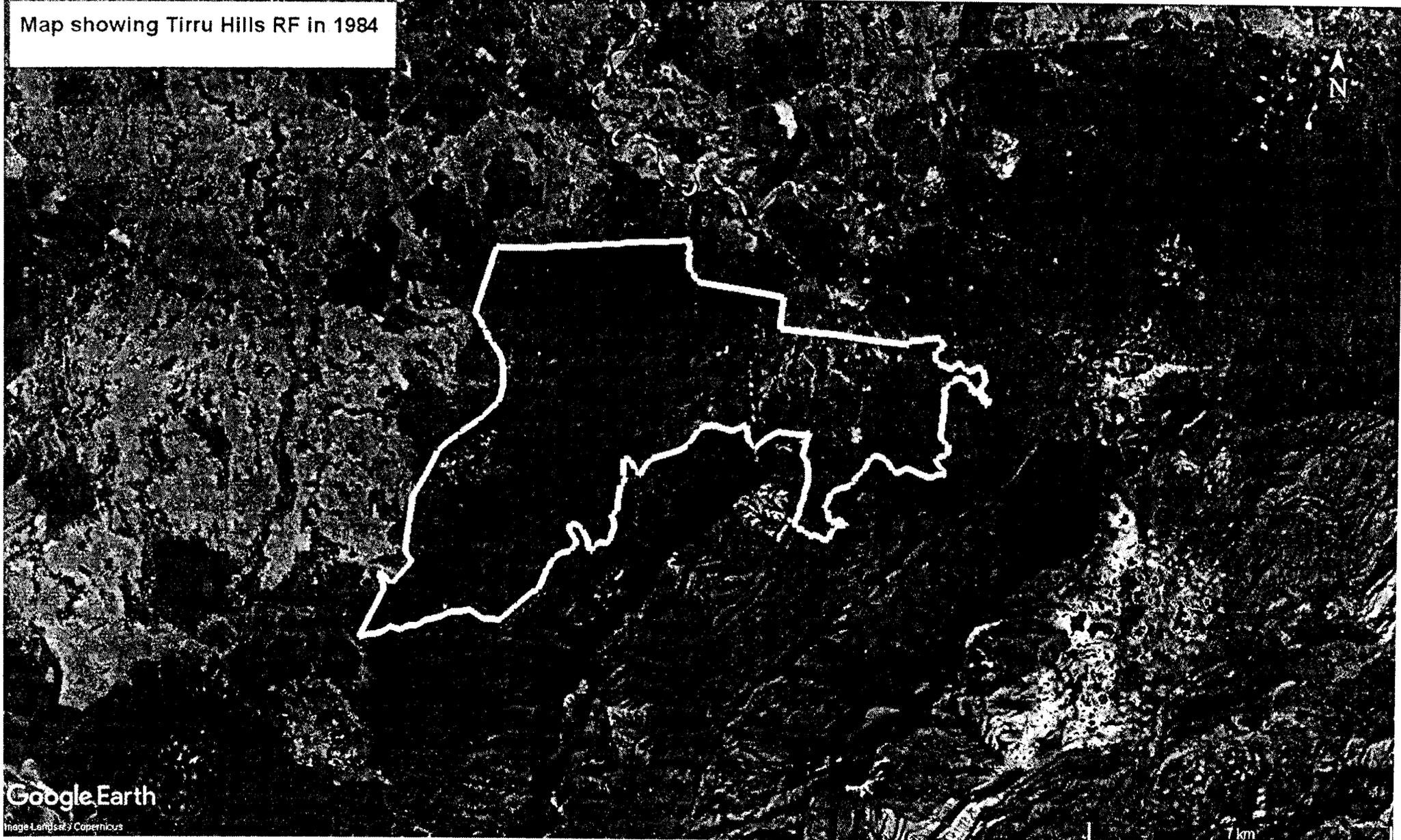
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3 km

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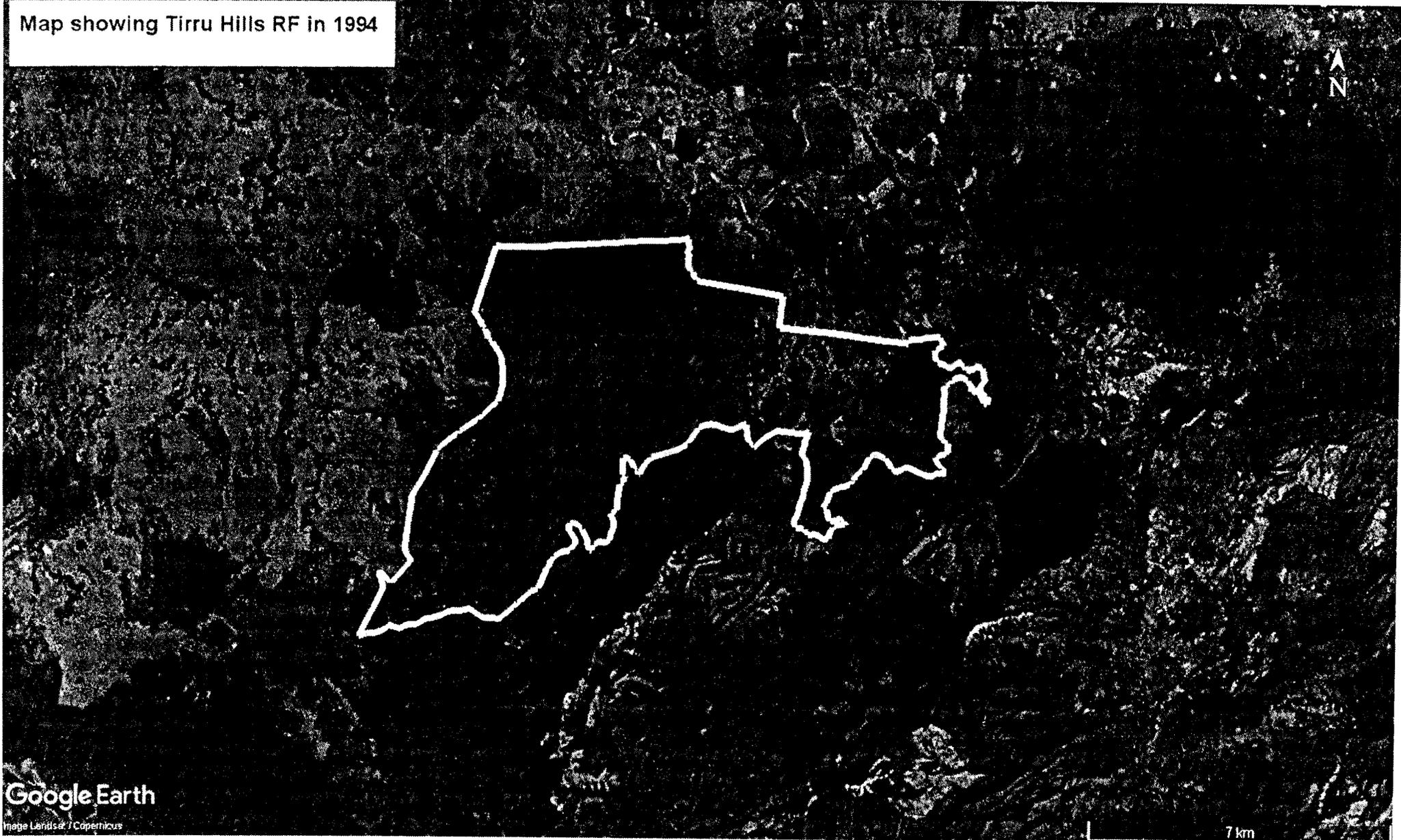
Map showing Tirru Hills RF in 1984



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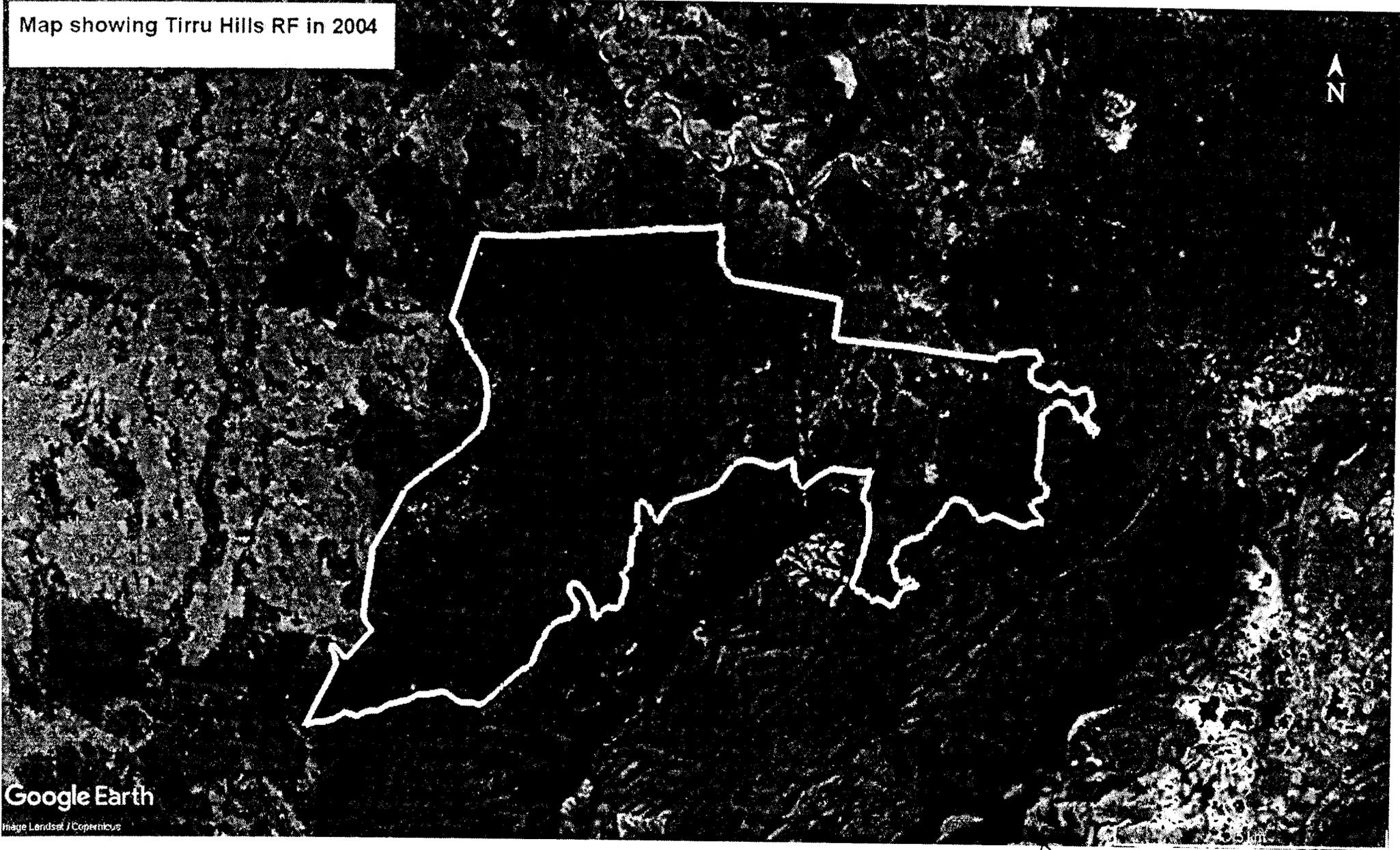
Map showing Tirru Hills RF in 1994



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- 43 -

Map showing Tirru Hills RF in 2004



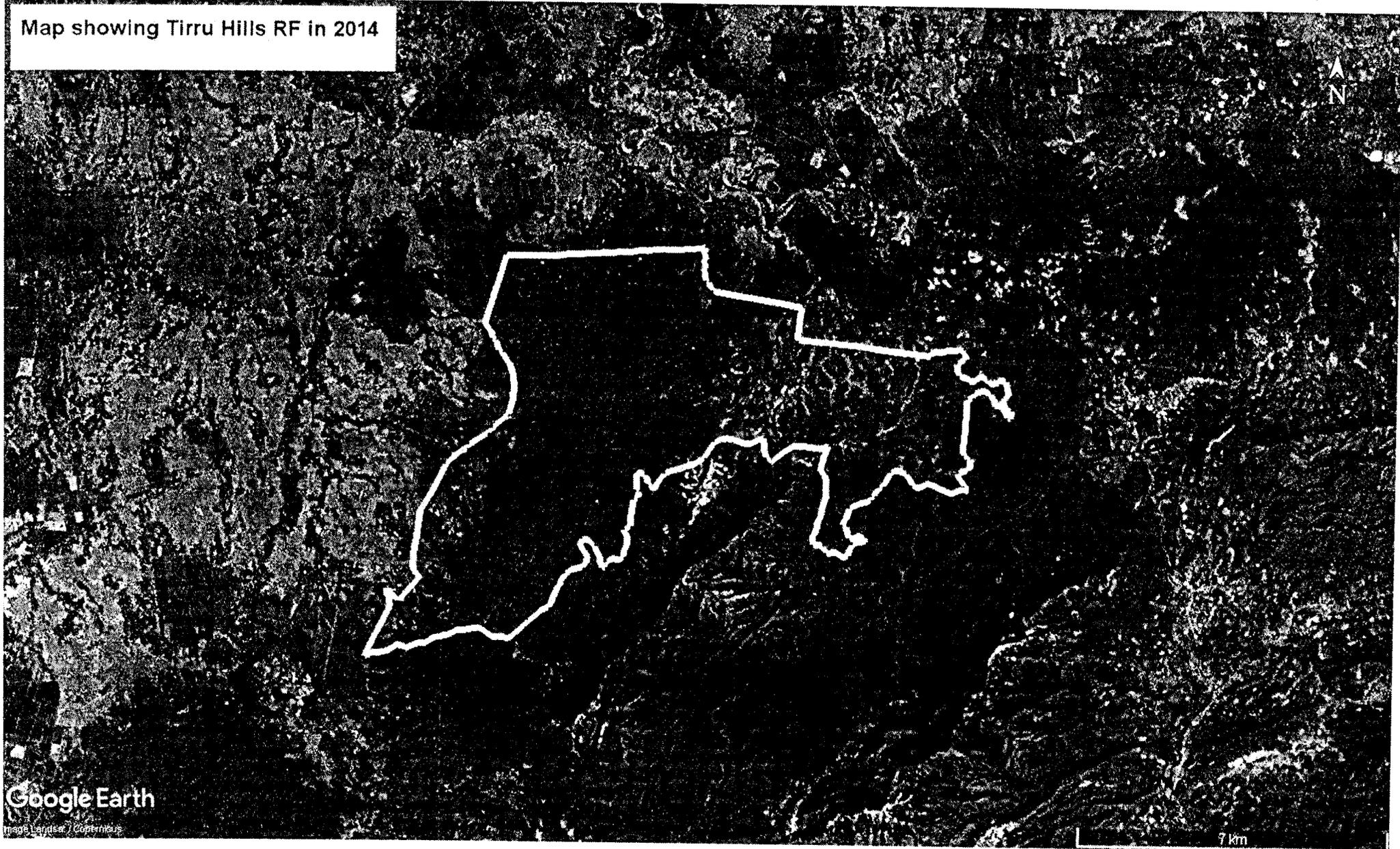
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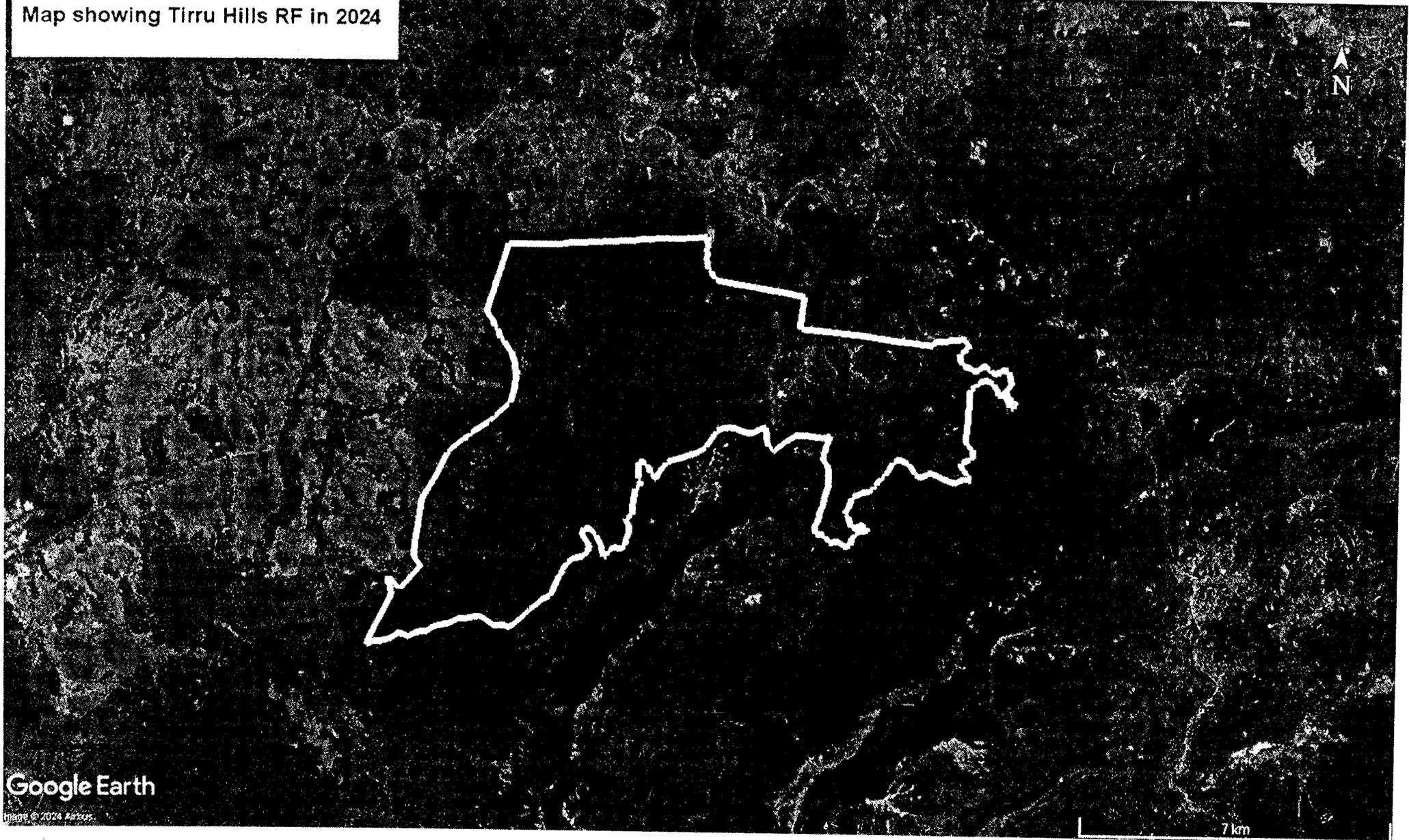
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Map showing Tirru Hills RF in 2014



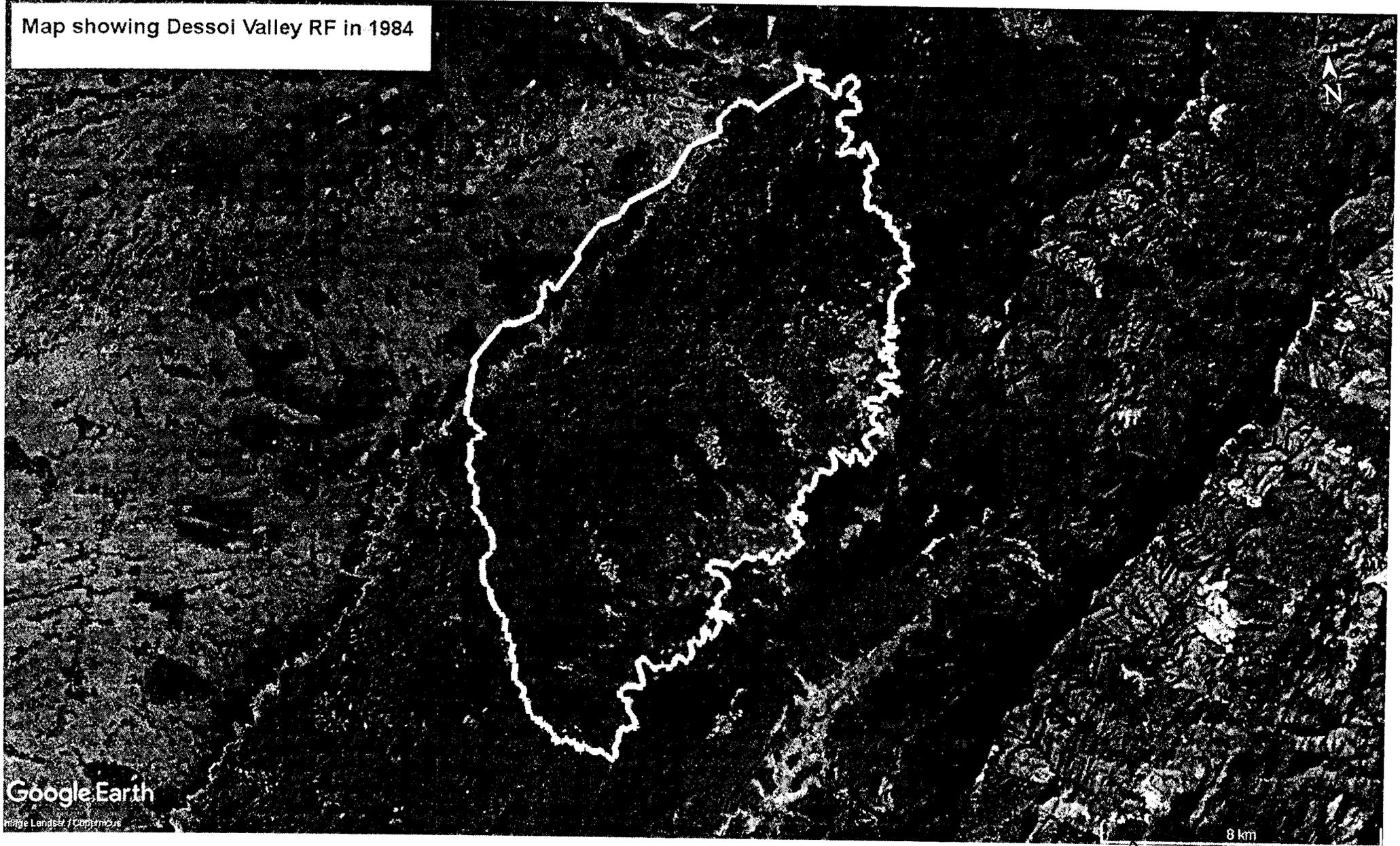
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Map showing Tirru Hills RF in 2024



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Map showing Desso Valley RF in 1984



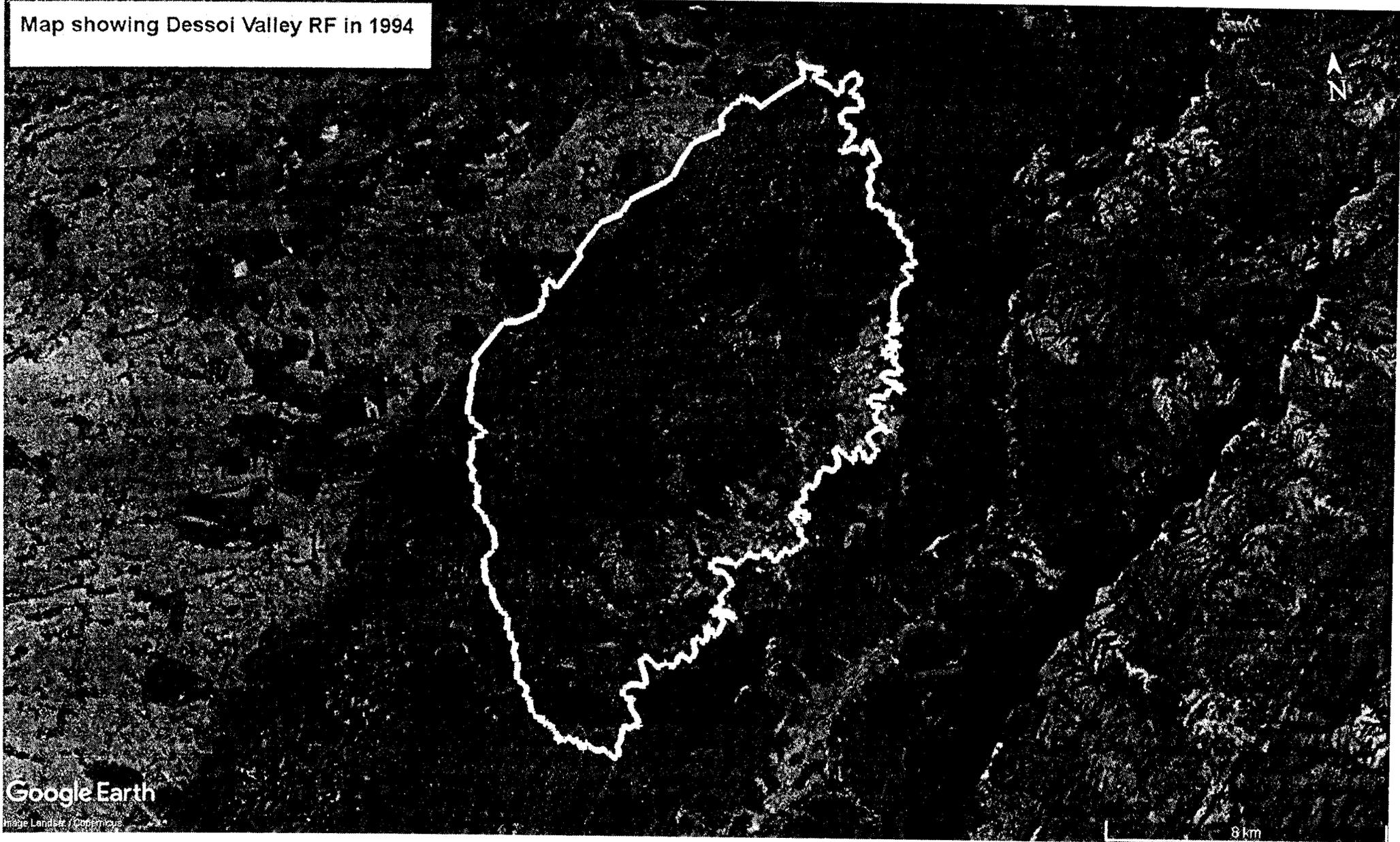
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Map showing Dessol Valley RF in 1994

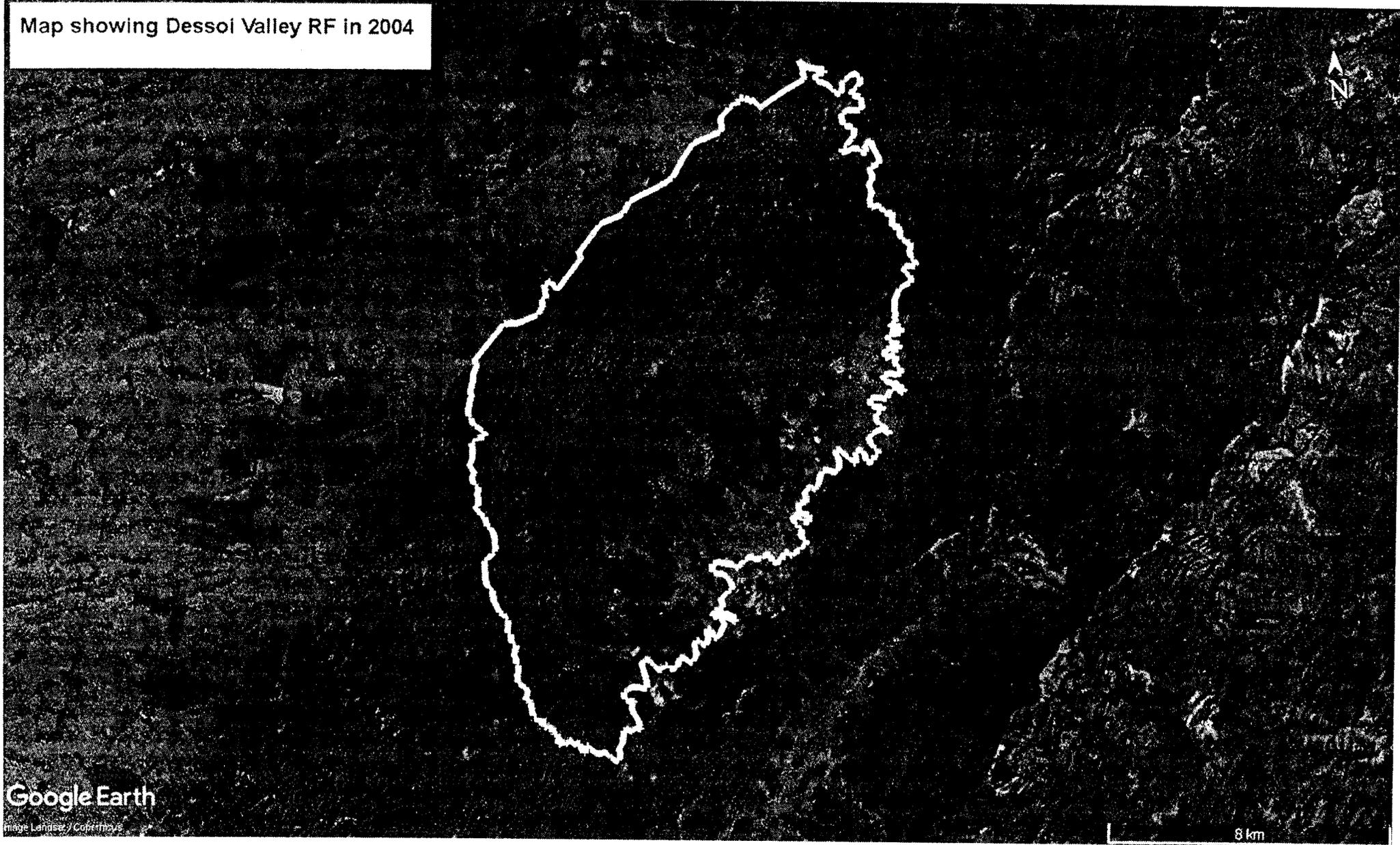


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Map showing Dessoi Valley RF in 2004



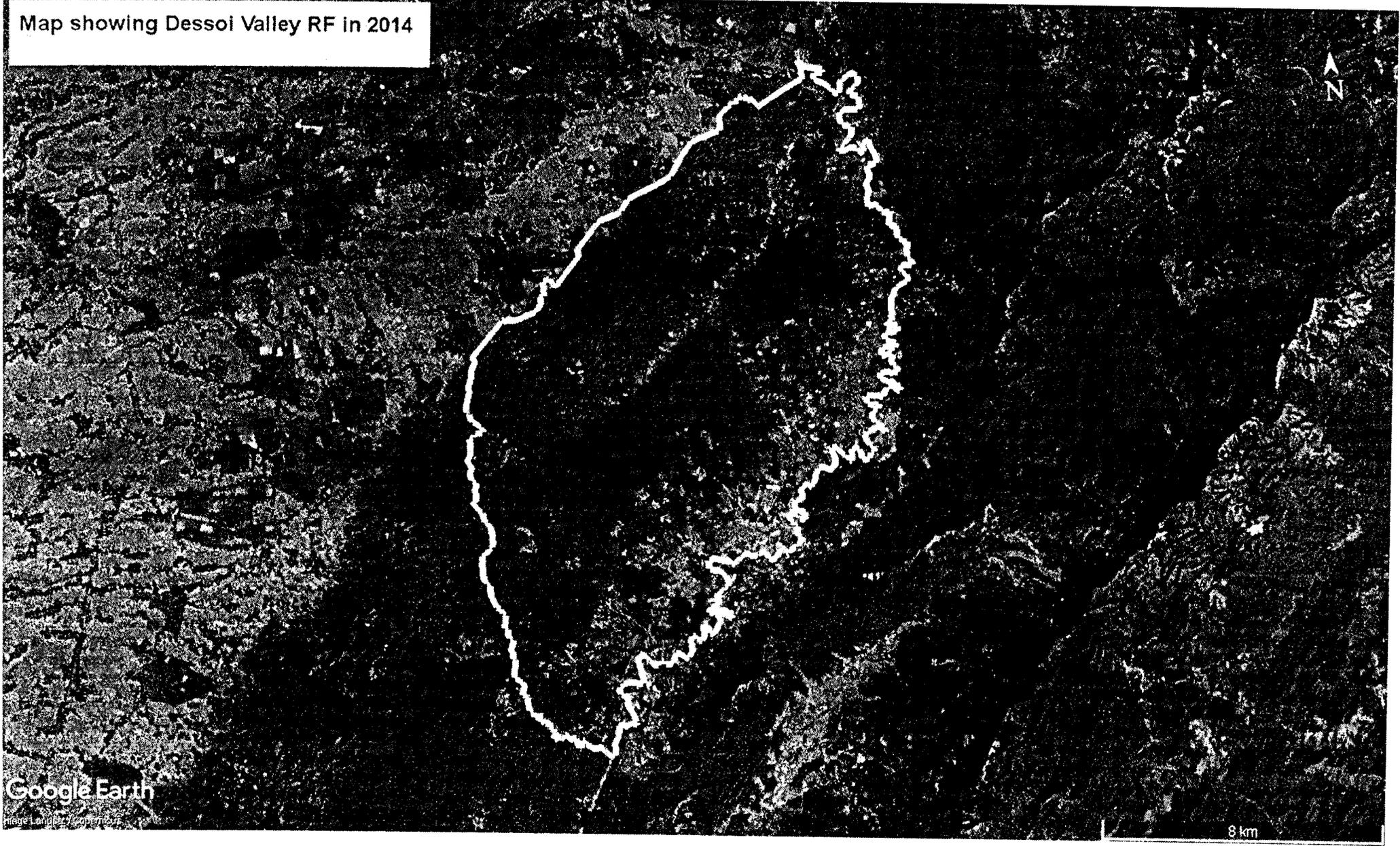
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Map showing Dessoi Valley RF in 2014



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1991

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1995

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Sandhya
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2000



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2005

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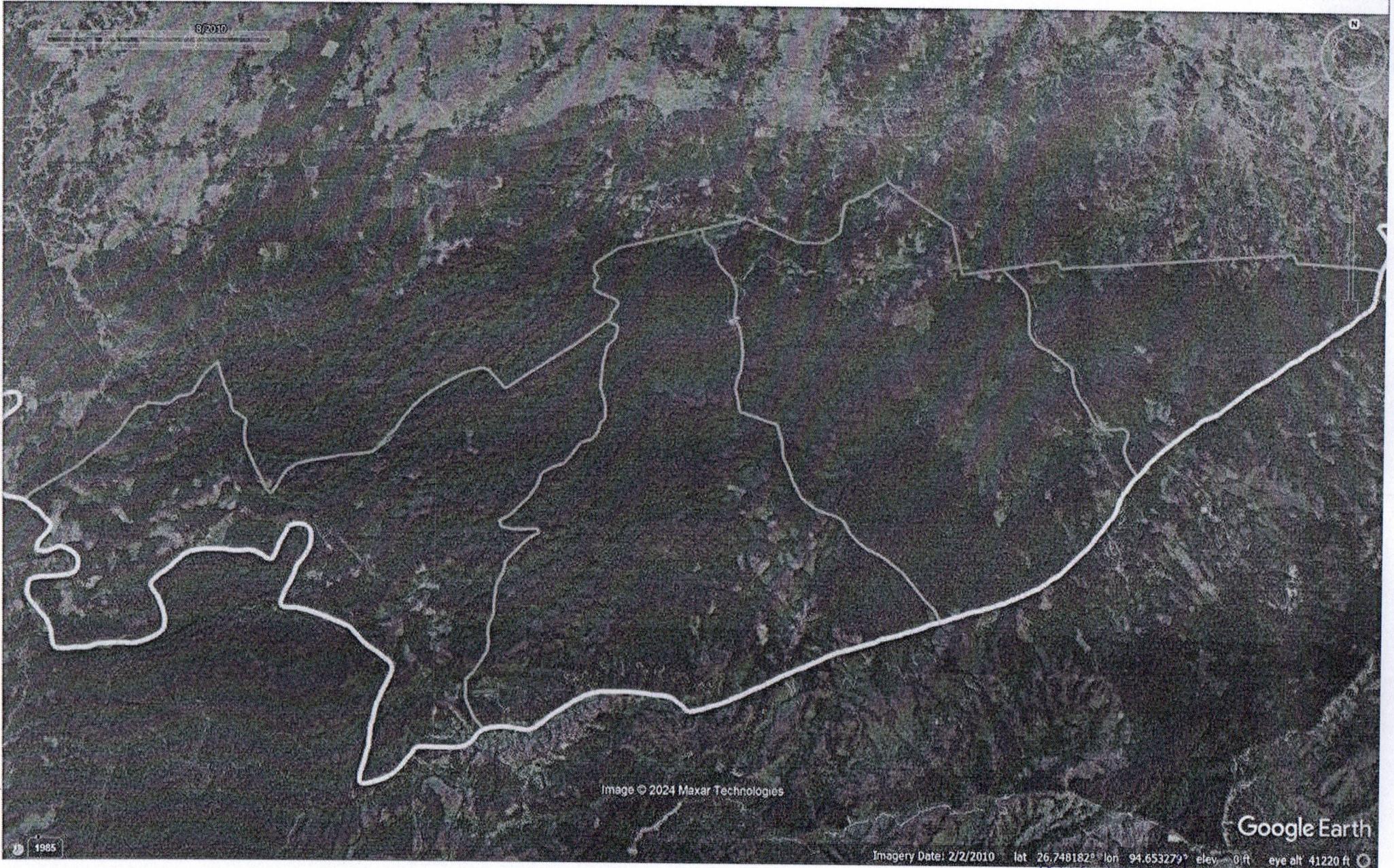
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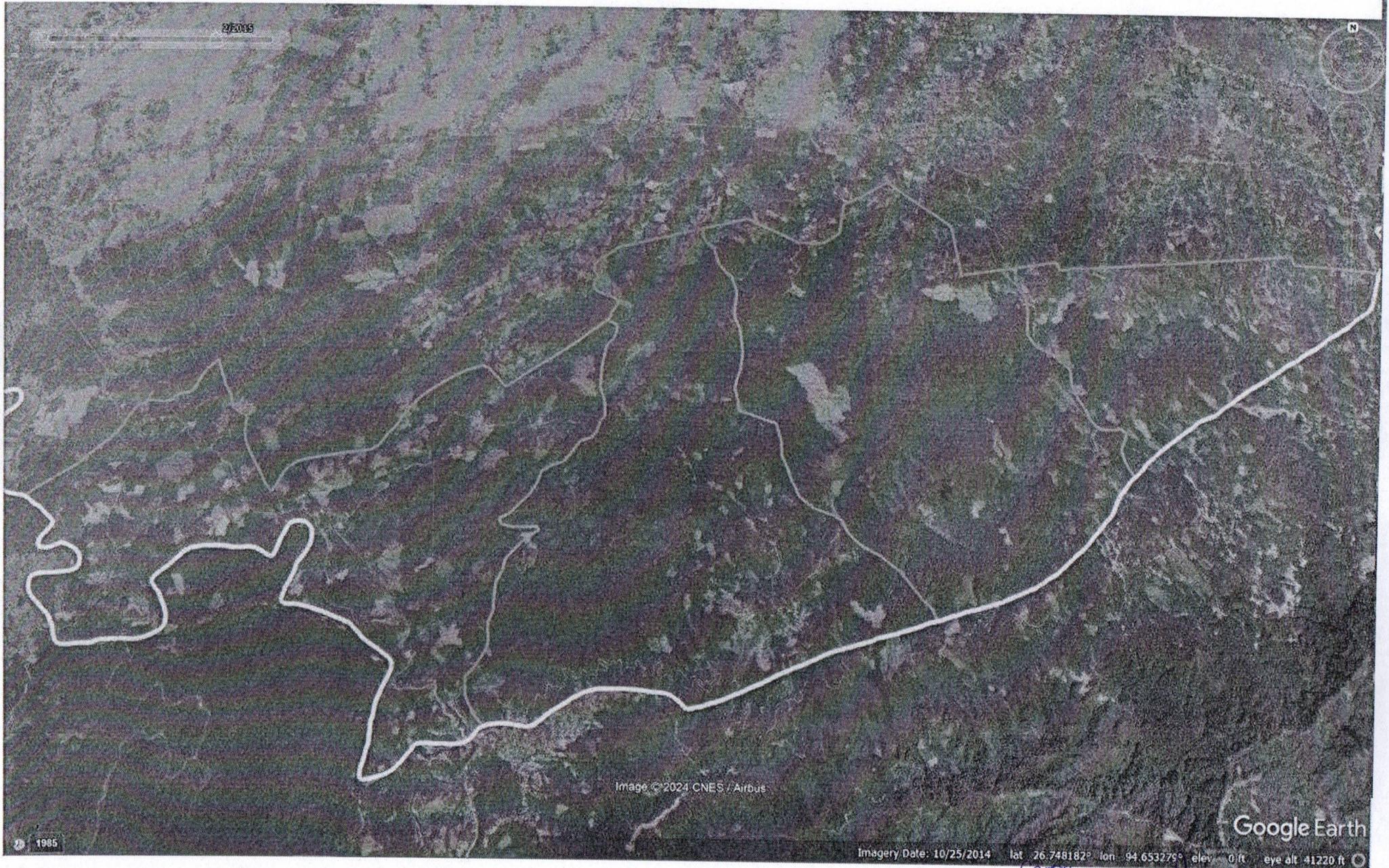
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2015



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2020

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1985

Santhosh
Abhishek

2024

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