

## Environmental Injustice: Insights from Civil Society’s initiative over encroachment in Lawsotun, Shillong

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The Greater Laban Community Development Society (GLCDS) on 12 April 2017 filed a petition before National Green Tribunal (NGT) over encroachment and pollution in a catchment area in Shillong, Meghalaya by the defence authorities<sup>1</sup>. The application was before NGT, East Zone (Bench) and the same has been registered as “Original Application No: 64 of 2017 / EZ”. The petition was regarding the rampant cutting of trees and unauthorized construction of boundary wall around Lawsotun area.

The Guwahati High Court in 2005 directed to declare and notify Lawsotun and surrounding places as catchment area under Meghalaya Protection of Catchment Area Act, 1990 within two months from then passed order, however nothing has been done so far<sup>2</sup>.



Graphical representation of Lawsotun area

<sup>1</sup> Civil society moves NGT over pollution in Lawsotun area, THE SHILLONG TIMES, <http://www.theshillongtimes.com/2017/04/17/civil-society-moves-ngt-over-pollution-in-lawsotun-area/> (last visited Apr 17, 2017).

<sup>2</sup> PIL No: 06 (SH) of 2005.

This above represented area, along the Shillong district has a rich forest cover with many valuable plant species and streams (source of drinking water for the local inhabitants) coming from the Shillong peak. The rapid construction activities and felling of trees at an exponential rate has been adversely affecting the ecosystem and thus substantial dilemma relating to protection of environment and critical catchment area arises in which public at large is affected by the environmental consequences.

Such encroachments' are not merely illegal construction but also represents a form of control that not only restricts the local communities from responding to such incidents but also prevent them from accessing their own basic rights. Community based actions have traditionally been used for ages for regulating conflicts and providing justice. Such mechanisms however are not able to stand tall before the authorities, environmental degradation, intensity and violence of conflicts, displacement of communities and thus such traditional mechanisms at times need legitimate backing. It is often seen that the local communities mistrust the state apparatus because of past abuses.

GLCDS's General Secretary Anthony Marwein in the petition observed that Lawsohtun forest area belongs to the locals and military administration has no right and title over it. Unless immediate action is taken, the failure of the State machinery to fulfil its legal and constitutional duties could adversely affect the people of Lawsohtun and Shillong. The petition further seeks the tribunal to enforce the High Court order to the earliest and declare Lawsohtun as a catchment area and direct the military authorities to stop all the construction activities with immediate effect.

The effort of the GLCDS rooted in global consciousness is to address the negative impacts of globalisation. This encounter reflects the extent to which globalisation has been unfolding in the recent years at the cost of the consent of the affected parties, rule of law in the arenas of decision, human rights, transparency and accountability, and support for public goods to address basic needs. Hence there has been a downward pressure on social and legal agendas of the government and other international institutions.