

GAHC010165542025



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

Case No. : PIL/34/2025

PARESH DAS AND ORS
S/O. CHANDI SARA DAS, VILL.- ITARVITA, P/S. HOWLY, P/O. HOWLY, DIST.
BARPETA, ASSAM, PIN-781316.

2: HAREKRISHNA DAS
S/O. GOPESWAR DAS
VILL.- MAIRAMARA
P/S. HOWLY
P/O. HOWLY
DIST. BARPETA
ASSAM
PIN-781316.

3: NITUMONI DAS
S/O. MANIK DAS
VILL.- MAIRAMARA
P/S. HOWLY
P/O. HOWLY
DIST. BARPETA
ASSAM
PIN-781316.

4: CHAMPAK DAS
S/O. UTTAM DAS
VILL.- ITARVITA
P/S. HOWLY
P/O. HOWLY
DIST. BARPETA
ASSAM
PIN-781316.

5: AKAN KR. DAS
S/O. GIRISH CHANDRA DAS
VILL.- MAIRAMARA

P/S. HOWLY
P/O. HOWLY
DIST. BARPETA
ASSAM
PIN-781316.

6: KULAJIT DAS
S/O. GOPESH DAS
VILL.- MAIRAMARA
P/S. HOWLY
P/O. HOWLY
DIST. BARPETA
ASSAM
PIN-781316.

7: NABIN DAS
S/O. LT. NAREN DAS
VILL.- ITARVITA
P/S. HOWLY
P/O. HOWLY
DIST. BARPETA
ASSAM
PIN-781316.

8: TAPODHAN DAS
S/O. BIKRIRAM DAS
VILL.-ITARVITA
P/S. HOWLY
P/O. HOWLY
DIST. BARPETA
ASSAM
PIN-781316.

9: NAYON MANI DAS
S/O. SHRIRAM DAS
VILL.-ITARVITA
P/S. HOWLY
P/O. HOWLY
DIST. BARPETA
ASSAM
PIN-781316.

10: NASIR UDDIN ALI
S/O. MOKBUL HUSSAIN
VILL.-ITARVITA
P/S. HOWLY
P/O. HOWLY
DIST. BARPETA

ASSAM
PIN-781316.

11: LUKMAN HUSSAIN
S/O. RUSTAM ALI
VILL.-ITARVITA
P/S. HOWLY
P/O. HOWLY
DIST. BARPETA
ASSAM
PIN-781316.

12: AYNAL HAQUE
S/O. JALAL UDDINS
VILL.-ITARVITA
P/S. HOWLY
P/O. HOWLY
DIST. BARPETA
ASSAM
PIN-781316.

13: ASHRAFUL ALAM SIDDIQUE
S/O. ABU BAKKAR SIDDIQUE
VILL.-ITARVITA
P/S. HOWLY
P/O. HOWLY
DIST. BARPETA
ASSAM
PIN-781316.

14: MAHIDUL SIKDAR
S/O. MAYEJ UDDIN
VILL.-ITARVITA
P/S. HOWLY
P/O. HOWLY
DIST. BARPETA
ASSAM
PIN-781316

VERSUS

THE STATE OF ASSAM AND 3 ORS
REP. BY THE SECRETARY TO THE GOVT. OF ASSAM, DIRECTORATE OF
MUNICIPAL ADMINISTRATION, DISPUR, GUWAHATI-6.

2: THE DISTRICT COMMISSIONER
BARPETA
P/O. BARPETA TOWN

DIST. BARPETA
ASSAM
PIN-781301.

3:THE HOWLY MUNICIPAL BOARD
REP. BY ITS CHAIRMAN
P/O. HOWLY
DIST. BARPETA
ASSAM
PNI-781316.

4:THE ASSAM POLLUTION BOARD
REP. BY ITS MEMBER SECRETARY
BAMUNIMAIDAM
GUWAHATI
KAMRUP (M)
ASSAM
PIN-781021

For petitioner/applicant(s) : Mr. S. Ahmed, Advocate
Mr. B. Chanda, Advocate

For respondent(s) : Mr. D. Nath, Sr. GA, Assam
Mr. S. Baruah, SC, PCB, Assam

– **BEFORE** –

HON'BLE THE CHIEF JUSTICE MR. ASHUTOSH KUMAR
HON'BLE MRs. JUSTICE ARUN DEV CHOUDHURY

18.08.2025

(Ashutosh Kumar, CJ)

This Public Interest Litigation has been filed by the residents of village Itarvita in the district of Barpeta, Assam.

An open dumping site has been created by the Howly Municipal Board. Even before the site was created, the people of the municipality made very strong protest and submitted written representations to the authorities, but to no avail. Ultimately, the site so identified by the respondents is being used for openly dumping of all kinds of wastes, domestic and commercial, without any treatment and proper waste

management measures. Very near the site, a school, a hospital, a Namghar and a temple are located. The dumping site is creating environmental and health hazards and is also causing severe public nuisance.

Learned counsel appearing for respondent Nos. 1 to 4 seek some time to take instructions in the matter and get back to this Court with the suggested remedial steps.

Re-notify on **24.09.2025**.

JUDGE

CHIEF JUSTICE

Comparing Assistant