

GAHC010019732016



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

Case No. : PIL/50/2016

1.SRI ANIT CHETRI and 2 ORS.
S/O LT. DEBI BAHADUR CHETRI, VILL. MAIJAN BORSAIKIA GAON, P.O.
HILOIDHARI, DIST- DIBRUGARH, ASSAM

2: BINA SAIKIA
D/O UTTAM SASIKIA
VILL. MAIJAN BORSAIKIA GAON P.O. HILOIDHARI
DIST- DIBRUGARH ASSAM

3: MAYA SARMA
W/O SRI BISHNU SARMA
VILL. MAIJAN BORSAIKIA GOAN
P.O. HILOIDHARI DIST- DIBRUGARH ASSAM

VERSUS

1.THE STATE OF ASSAM AND 9 ORS
REP. BY THE CHIEF SECY., ASSAM SECRETARIAT, DISPUR, ASSAM

2:THE COMMISSIONER and SECY. TO THE GOVT. OF ASSAM
DEPTT. OF MUNICIPAL ADMINISTRATION
DISPUR ASSAM

3:THE COMMISSIONER and SECY. TO THE GOVT. OF ASSAM
DEPTT. OF PUBLIC HEALTH
DISPUR ASSAM

4:THE COMMISSIONER and SECY. TO THE GOVT. OF ASSAM
WATER RESOURCE DEPTT.
DISPUR ASSAM

5:THE SECY. TO THE GOVT. OF ASSAM
ENVIRONMENT and FOREST DEPTT.
DISPUR GHY-6

6:THE STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY ASSAM
BAMUNIMAIDAM GHY-21

7:THE DY. COMMISSIONER DIBRUGARH ASSAM

8:THE PROJECT DIRECTOR
ASSAM URBAN INFRASTRUCTURE INVESTMENT PROGRAM AUIIP
GUWAHATI DEV. DEPTT.
3RD FLOOR TRIPTI TOWERS
GANESHGURI GHY-5

9:DIBRUGARH MUNICIPAL BOARD

REP. BY ITS CHAIRMAN

10:THE SUPERINTENDENT OF POLICE
DISTRICT DIBRUGARH ASSAM

Linked Case : PIL/38/2022

1.ORIENTAL RURAL DEVELOPMENT SOCIETY AND 7 ORS
KATIMARI PATHER NAGAON
REPRESENTED BY ITS SECRETARY SHARIFUZ ZAMAN
AGE- 38 YEARS
S/O- ABDUL HEKIM
VILL.- KATIMARI PATHAR NEAR CRPF CAMP
P.O. HERAPATTY P.S. AND DIST. NAGAON
ASSAM PIN- 782002.

2: MAJ KATIMARI PATHER A.W.C
KATIMARI PATHER NAGAON
REPRESENTED BY ITS SECRETARY MS. MONOWARA BEGUM
AGE-54 YEARS
W/O- JALAL UDDIN
VILL.- KATIMARI PATHAR P.O. HERAPATTY
P.S. AND DIST. NAGAON ASSAM PIN- 782002

3: DAKHIN KATIMARI PATHER MINI A.W.C.
KATIMARI PATHER NAGAON
REPRESENTED BY ITS SECRETARY
MS. ZANNATUL FERDOUS
AGE- 30 YEARS
W/O- ARSHAFUL ANOWAR
VILL.- KATIMARI PATHAR P.O. HERAPATTY
PS.. AND DIST. NAGAON ASSAM PIN- 782002.

4: NO. 1 KATIMARI DOLONI PATHER A.W.C.
KATIMARI PATHER

NAGAON REPRESENTED BY ITS SECRETARY MS. SHAFIA BEGUM
AGE 44 YEARS
MS. SHAFIA BEGUM
AGE 44 YEARS
W/O- MOZIBUR RAHMAN
VILL.- KATIMARI PATHAR P.O. HERAPATTY
P.S. AND DIST. NAGAON ASSAM PIN- 782002.

5: HERAPATI GAON PANCHAYAT
WARD NO. 9 KATIMARI PATHER NAGAON
REPRESENTED BY ITS VICE PRESIDENT
MS. AKLIMA KHATUN AGE- 30 YEARS
D/O- SUKUR ALI
VILL.- KATIMARI PATHAR P.O. HERAPATTY
P.S. AND DIST. NAGAON ASSAM PIN- 782002.

6: HERAPATI GAON PANCHAYAT
WARD NO. 8 KATIMARI PATHER NAGAON
REPRESENTED BY ITS WARD MEMBER
MS. ELOWARA BEGUM AGE 30 YEARS
W/O- JAHIRUL ISLAM
VILL.- KATIMARI PATHAR
P.O. HERAPATTY P.S. AND DIST. NAGAON
ASSAM PIN- 782002.

7: MOZIBUR RAHMAN
S/O- ALAL UDDIN
VILL.- KATIMARI PATHAR P.O. HERAPATTY
P.S. AND DIST. NAGAON ASSAM PIN- 782002.

8: INNAS ALI
S/O- LATE SABED ALI
VILL.- KATIMARI PATHAR
P.O. HERAPATTY P.S. AND DIST. NAGAON
ASSAM PIN- 782002.

VERSUS

1.THE STATE OF ASSAM AND 9 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.
OF ASSAM, MUNICIPAL ADMINISTRATION DEPARTMENT
DISPUR GUWAHATI-781006.

2:THE DIRECTOR
MUNICIPAL ADMINISTRATION DEPARTMENT
DISPUR GUWAHATI-781006.

3:THE DEPUTY COMMISSIONER NAGAON DISTRICT NAGAON
ASSAM PIN- 782001.

4:NAGAON MUNICIPAL BOARD, REPRESENTED BY ITS CHAIRMAN
NAGAON PIN- 782001.

5:CHIARMAN,NAGAON MUNICIPAL BOARD
NAGAON PIN- 782001.

6:THE UNION OF INDIA,REPRESENTED BY THE SECRETARY
MINISTRY OF ENVIRONMENT AND CLIMATE CHANGE
JOR BAGH ROAD LODI COLONY NEW DELHI PIN- 110003

7:CENTRAL POLLUTION CONTROL BOARD
REPRESENTED BY CHAIRMAN
PARIVESH BHAWAN EAST ARJUN NAGAR DELHI PIN- 110032

8:THE POLLUTION CONTROL BOARD ASSAM
REPRESENTED BY CHAIRMAN
MILANPUR WEST JYOTINAGAR BAMUNIMAIDAM
GUWAHATI ASSAM PIN- 781004

9:HOUSING AND URBAN AFFAIRS DEPARTMENT
REPRESENTED BY THE CHIEF ENGINEER (TECHNICAL)
RAJGARH MAIN ROAD GUWAHATI- 781003

10:THE CHIEF SECRETARY TO THE GOVERNMENT OF ASSAM
DISPUR GUWAHATI PIN- 781006

Linked Case : I.A./1340/2015

SANTI LAL ACHARJEE

VERSUS

THE STATE OF ASSAM AND ORS

Linked Case : PIL/74/2019

ON THE DEATH OF SANTI LAL ACHARJEE
HIS LEGAL HEIR SMTI. SUMITA ACHARJEE
D/O LATE SANTI LAL ACHARJEE
R/O DARIKAPAR KHATAPATHAR
MOUZA NAGARMAHAL P.O.- NAMTIAL PATHAR
P.S. AND DIST- SIVASAGAR ASSAM PIN-785697

VERSUS

1.THE STATE OF ASSAM AND ORS
THROUGH THE SECY
DEPTT. OF MUNICIPAL ADMINISTRATION GOVT. OF ASSAM
ASOM SACHIVALAYA DISPUR GHY-6.

2:TO THE SECY.-IN-CHARGE
DEPT. OF URBAN DEVELOPMENT
GOVT. OF ASSAM
ASOM SACHIVALAYA DISPUR GHY-6.

3:DEPUTY COMMISSIONERSIVASAGAR DISTRICT
P.O. AND DIST. SIVASAGAR ASSAM

4:DISTRICT MEDICAL OFFICER
CIVIL HOSPITAL SIVASAGAR
P.O. AND DIST. SIVASAGAR ASSAM

5:DISTRICT-IN-CHARGE
POLLUTION CONTROL BOARD
MELACHAKAR SIVASAGAR
P.O. AND DIST. SIVASAGAR ASSAM

6:SIVASAGAR MUNICIPAL BOARD
REP. BY THE CHAIRMAN
P.O. AND DIST. SIVASAGAR ASSAM

7:SIVASAGAR DEVELOPMENT AUTHORITY
REP. BY THE CHAIRMAN
CENTRAL MARKET SIVASAGAR
P.O. AND DIST. SIVASAGAR ASSAM

8:THE UNION OF INDIA
REPRESENTED BY THE SECRETARY
MINISTRY OF HOUSING AND URBAN AFFAIRS
GOVERNMENT OF INDIA NEW DELHI-110001.

For the Petitioner(s)	: Mr. H.K. Das, Amicus Curiae/Standing Counsel, Gauhati High Court.
For the Respondent(s)	: Mr. D. Nath, Senior Government Advocate, Assam.
	: Mr. D.K. Das, Amicus Curiae.
	: Mr. R.K.D. Choudhury, Deputy Solicitor General of India.
	: Mr. P. Nayak, Advocate in PIL No.38/2022.
	: Mr. S. Baruah, Standing Counsel, Pollution Control Board, Assam.
	: Mr. T.J. Mahanta, Senior Advocate assisted by Ms. P.P. Das, Advocate for respondent No.6 in PIL No.74/2019.

– BEFORE –
HON'BLE THE CHIEF JUSTICE MR. VIJAY BISHNOI
HON'BLE MR. JUSTICE SUMAN SHYAM

05.08.2024

(Vijay Bishnoi, CJ)

Mr. H.K. Das, learned Amicus Curiae prays for a weeks' time to file amended cause-title of the petitions mentioning the names of the newly impleaded respondents as per this Court's order dated 01.05.2024.

Time, as prayed for, is granted.

List these matters again on 20.08.2024.

JUDGE

CHIEF JUSTICE

Comparing Assistant