

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 13 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

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

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

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

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

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 AGR 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

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:CHIARMANNAGAON 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 12 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 COMMISSIONER
SIVASAGAR 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.

9:THE SECRETARY,MINISTRY OF ENVIRONMENT AND CLIMATE CHANGE
JOR BAGH ROAD LODI COLONY NEW DELHI PIN-110003.

10:THE CHIEF SECRETARY TO THE GOVT. OF ASSAM
ASSAM SECRETARIAT DISPUR GUWAHATI-781006.

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

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

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

For the Petitioner(s) : Mr. N.K. Sarma, Advocate on behalf of Mr. H.K. Das,
Standing Counsel, Gauhati High Court/Amicus Curiae in PIL
No.38/2022.

For the Respondent(s) : Ms. M. Devi, Advocate on behalf of Mr. D. Nath, Senior
Government Advocate, Assam.

– BEFORE –

HON'BLE THE CHIEF JUSTICE MR. VIJAY BISHNOI
HON'BLE MR. JUSTICE KARDAK ETE

20.08.2024

(Vijay Bishnoi, CJ)

Mr. N.K. Sarma, learned counsel appearing on behalf of Mr. H.K. Das, learned Standing Counsel, Gauhati High Court/Amicus Curiae has submitted that in all these matters, amended cause-title has already been filed.

Office to take note of the amended cause-title of the PIL petitions and place the same at appropriate places.

Ms. M. Devi, learned counsel appearing on behalf of Mr. D. Nath, learned Senior Government Advocate, Assam prays for some time to file additional affidavit on behalf of the State.

Time, as prayed for, is granted.

List these matters after 3(three) weeks.

JUDGE

CHIEF JUSTICE

Comparing Assistant