

GAHC010019732016



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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 BAMUNIMADAM 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

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 : 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 BAMUNIMADAM 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. D.K. Das, Amicus Curiae.
Mr. C. Kumar, Advocate.
Mr. H.K. Das, Amicus Curiae.

For the Respondent(s) : Mr. D. Nath, Senior Govt. Advocate, Assam.
: Mrs. R.B. Bora, Junior Govt. Advocate, Assam.
: Mr. S. Baruah, Standing Counsel, Pollution Control Board.
: Mr. R.K.D. Choudhury, Deputy Solicitor General of India.
: Mr. P. Nayak, Advocate.
: Mr. T. Gogoi, Standing Counsel, Sivasagar Municipal Board.

– **B E F O R E** –
HON'BLE THE CHIEF JUSTICE MR. VIJAY BISHNOI
HON'BLE MR. JUSTICE SUMAN SHYAM

05.02.2025
(Vijay Bishnoi, CJ)

It is noticed that the issue regarding the solid waste management in the whole country is in *seisin* of the Hon'ble Supreme Court in ***Outrage As Parents End Life After Child's Dengue Death, In Re***, reported in **(2019) 12 SCC 662**, wherein the Hon'ble Supreme Court has passed several orders from time to time. In this PIL also the issue regarding solid waste management in the State of Assam has been raised.

Having taken note of this fact, we, before passing any effective order in this PIL, want to go through the orders passed by the Hon'ble Supreme Court in the above referred case from time to time.

We request Mr. D.K. Das, learned Amicus Curiae to submit before this Court a compilation of the directions and orders passed by the Hon'ble Supreme

Court in the above referred case so that appropriate orders can be passed in this PIL petition.

List after 6(six) weeks, as prayed for.

JUDGE

CHIEF JUSTICE

Comparing Assistant