

GAHC010096702022



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

Case No. : PIL/38/2022

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

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
BAMUNIMADAM
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- 78100

Advocate for the Petitioner : MR. A SARMA, MR H K DAS (AMICUS CURIAE),MR.
LENTSO,MR. A D CHOUDHURY

Advocate for the Respondent : GA, ASSAM, MR. S C KHOUND (R-4,5),MR. N M DUTTA (R-4,5)

Linked Case : PIL/50/2016

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

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.

Advocate for : MR.A C BORBORA

Advocate for : GA

ASSAM appearing for THE STATE OF ASSAM AND 13 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

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 appellant/petitioner(s) : Mr. H. K. Das, Advocate

For the Respondent(s) : Mr. D. Nath, Sr. GA, Assam
Ms. R.B. Bora, Jr. GA, Assam
Mr. S.C. Khound, Advocate
Mr. A. Barua, SC, SMB

- B E F O R E -

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

25.02.2026

(Ashutosh Kumar, CJ)

As prayed for by the learned Advocates for the parties, let these PILs
come up for consideration on **24.04.2026**.

JUDGE

CHIEF JUSTICE

Comparing Assistant