

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
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.

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 petitioner(s) : Mr. H.K. Das, Sr. Advocate
Assisted by Mr. N.K. Sarma,
Advocate

For the respondents : Mr. D. Nath,
Sr. Govt. Advocate, Assam
Mr. T. Gogoi, S.C., S.M.B.

– B E F O R E –

HON'BLE THE CHIEF JUSTICE MR. ASHUTOSH KUMAR

HON'BLE MR. JUSTICE ARUN DEV CHOUDHURY

17-07-2026

(Ashutosh Kumar, C.J.)

As prayed for by Mr. D. Nath, learned Senior Government Advocate,
Assam, let all these matters come up for consideration on **09.09.2026**.

JUDGE

CHIEF JUSTICE

Comparing Assistant