

HIGH COURT OF MEGHALAYA
AT SHILLONG

PIL No. 11 of 2022

Date of order: 05.10.2023

Kynjaimon Amse vs National Highways Authority
of India (NHAI) & ors

Coram:

Hon'ble Mr. Justice Sanjib Banerjee, Chief Justice

Hon'ble Mr. Justice B. Bhattacharjee, Judge

Appearance:

For the Petitioner : Mr S. Panthi, Adv.

For the Respondents : Mr S. Sengupta, Adv. [For R 1]
 Mr K. Khan, AAG with
 Mr A.H. Kharwanlang, Addl Sr GA
 Ms R. Colney, GA

The National Highways Authority of India has filed a status report dated October 3, 2023 wherein it is indicated that a new contractor has been engaged on September 29, 2023 to undertake repair operations spanning from Sonapur (km 141+500) to Ratacherra (km 171.455). The report also indicates that the existing contractor has been required to undertake repair work from Jowai (km 69.20) to Sonapur (km 141.50). Details have been indicated as to filling the potholes, drain-cleaning in Khliehriat, the repair of damaged pavements and, particularly, attending to the Sonapur tunnel area. It is hoped that the work undertaken is as good as the report so that the misery of the

citizens in the locality and the trauma that the vehicles on the relevant stretch of NH-6 go through are alleviated, if not altogether removed.

2. Some photographs have been appended to the report, indicating the nature of the ongoing repair work. However, the petitioner has produced photographs from the NH-6 stretches near Mynkre village, Tongseng village, Sonapyrdis village and Lumshnong village, apparently taken on October 4, 2023, which reveal the abysmal condition of the roads with potholes that are more appropriate to be regarded as craters and with no sign of any blacktopping in the relevant stretches.

3. This is completely unacceptable in a civilised country and it is a shame that the Court has to remind a Central body as the NHAI as to what its duties and responsibilities may be. As it is, the terrain in the State is difficult to negotiate and far flung areas wait for supplies and essentials. This supply chain is completely disrupted by the poor conditions of roads, particularly of the nature in the Jowai-Ratecherra stretch of NH-6.

4. It is hoped that the repair work is completed to make the entire stretch from Jowai to Ratecherra more navigable within the next month or so. Work of more permanent nature should be taken up shortly thereafter. No road or highway in the country can ever be allowed to be

reduced to the state as in the present stretch of NH-6 from Jowai to Ratecherra.

5. Local officials of the State ought to have reported the matter well in advance to the higher authorities in Shillong for NHAI to be persuaded to ensure that the road was in better condition and not reduced to the pitiable state as evident from the photographs as relied upon by the petitioner.

6. The matter will appear four week hence. In addition to NHAI reporting on the work undertaken and completed, the Deputy Commissioner of the East Jaintia Hills district should file an independent report as to the status of the relevant stretch of NH-6.

7. The State should complete the repair and renovation of the Jowai Bypass within the next four weeks, now that the monsoon is petering out.

8. List on November 6, 2023.

(B. Bhattacharjee)
Judge

(Sanjib Banerjee)
Chief Justice

Meghalaya
05.10.2023
"Sylvana PS"