

GAHC010097922023



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

Case No. : PIL (Suo Moto)/4/2023

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VERSUS

THE STATE OF ASSAM AND 4 ORS
REP. BY THE COMMISSIONER AND SECRETARY ENVIRONMENT AND
FOREST DEPTT. JANATA BHAWAN DISPUR GUWAHATI 781006
2:THE SECRETARY
WATER RESOURCES DEPTT. JANATA BHAWAN DISPUR GUWAHATI 781006
3:THE CHIEF EXECUTIVE OFFICER
GUWAHATI METROPOLITA DEVELOPMENT AUTHORITY GMCH ROAD
BHANGAGARH GUWAHATI 781005
4:THE COMMISSIONER
GUWAHATI MUNICIPAL CORPORATION PANBAZAR GUWAHATI 781001
5:THE MEMBER SECRETARY
POLLUTION CONTROL BOARD ASSAM BAMUNIMAIDAM GUWAHATI
78102

Advocate for the Petitioner : SC, GHC
Advocate for the Respondent : SC, GMC

BEFORE
HONOURABLE THE CHIEF JUSTICE
HONOURABLE MR. JUSTICE SUMAN SHYAM

ORDER

Date : 11.05.2023

This *Suo Moto* PIL, which stands registered on the strength of a letter forward by Sri Pratap Chandra Das, a former student of Sonaram Higher

Secondary School, Guwahati, raising a very important issue regarding contamination and degradation of an important river flowing through the city of Guwahati, namely, Bharalu river. The petitioner has highlighted in his letter that the Bharalu river, which is a tributary to the mighty Brahmaputra river, has been severely polluted as hazardous waste materials have been dumped into the river, which is causing risk to the health and hygiene of the society. It is further alleged that none of the civic bodies entrusted with the task of maintaining the health and hygiene of the city dwellers of Guwahati has bothered to put in proper interventional measures on the devastating and precarious pollution of the river.

Issue notice to the respondents.

No formal step for service of notice upon the respondents is required to be taken as Mr. D. Saikia, learned Advocate General, Assam, has put in appearance on behalf of respondent Nos. 1 and 2; Mr. S. Bora, learned Standing counsel, GMC & GMDA, has put in appearance on behalf of respondent Nos. 3 and 4 and Mr. S. Baruah, learned Standing counsel, Pollution Control Board, Assam, has put in appearance on behalf of respondent No. 5.

Mr. D. Saikia, learned Advocate General, Assam, prays for and is granted a week's time to file preliminary affidavit in reference to the subject-matter of the *Suo Moto* PIL.

Re-notify on **18.05.2023**.

JUDGE

CHIEF JUSTICE

Comparing Assistant