

GAHC010027692023



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

Case No. : PIL/18/2023

PRAMOD KALITA AND 2 ORS
S/O UTTAM KALITA, BY OCCUPATION-CATTLE FARMER, R/O VILL-
CHAKARDO, NEAR DEEPOR BEEL RANGE OFFICE, P.O.-AZARA, DIST-
KAMRUP (M), ASSAM-781017

2: SONESH TERON
S/O LATE BINAN TERON
BY OCCUPATION-FARMER
R/O VILL-PAMOHI
P.O. AND P.S.-GARCHUK
DIST-KAMRUP(M)
ASSAM-781035

3: DIPAK TERANG
S/O LATE RADHARAM TERANG
BY OCCUPATION-SELF BUSINESS
R/ OVILL-PAMOHI
P.O. AND P.S.-GARCHUK
DIST-KAMRUP (M)
ASSAM-78103

VERSUS

THE UNION OF INDIA AND 17 ORS
REPRESENTED BY THE SECRETARY TO THE GOVERNMENT OF INDIA,
MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE, INDIRA
PARYAVARAN BHAWAN, JORBAGH ROAD, NEW DELHI-110003

2:THE MINISTRY OF INDIAN RAILWAYS
REPRESENTED BY ITS SECRETARY
RAIL BHAWAN HEAD QUARTERS 1 RAISINA ROAD NEW DELHI

3:MINISTRY OF ENVIRONMENT
FOREST AND CLIMATE CHANGE

NORTH EASTERN REGIONAL OFFICE
LAW-U-SIB
LUMBATNGEN
NEAR MTC WORKSHOP
SHILLONG-7930211

4:THE STATE OF ASSAM
REPRESENTED BY THE PRINCIPAL SECRETARY TO THE GOVERNMENT
OF ASSAM
ENVIRONMENT AND FOREST DEPARTMENT
DISPUR
GUWAHATI-781006

5:THE CHIEF SECRETARY TO THE GOVERNMENT OF ASSAM
REPRESENTING THE COMMITTEE APPOINTED BY THE NATIONAL GREEN
TRIBUNAL KOLKATA EAST ZONE (TO MONITOR ACTIVITIES IN DEEPOOR
BEEL AREA WITH SPECIFIC TOR) DISPUR SECRETARIAT COMPLEX
GUWAHATI-6

6:THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS AND HEAD OF
FOREST FORCE
H-BLOCK
2ND FLOOR
JANATA BHAWAN
DISPUR
GUWAHATI-781006
ASSAM

7:THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS (WILDLIFE)
H-BLOCK
2ND FLOOR
JANATA BHAWAN
DISPUR
GUWAHATI-781006
ASSAM

8:THE COMMISSIONER AND SECRETARY GUWAHATI MUNICIPAL
ADMINISTRATION
GUWAHATI

9:THE GUWAHATI MUNICIPAL CORPORATION
REPRESENTED BY ITS CHAIRMAN
GUWAHATI

10:THE GUWAHATI METROPOLITAN DEVELOPMENT AUTHORITY
REPRESENTED BY ITS CHIEF EXECUTIVE OFFICER
BHANGAGARH
GUWAHATI

11:STATE BOARD FOR WILDLIFE
REPRESENTED BY ITS CHAIRMAN
DISPUR SECRETARIAT COMPLEX
GUWAHATI-781006

12:THE NORTH EASTERN FRONTIER RAILWAY
REPRESENTED BY ITS CHIEF GENERAL MANAGER HEAD QUARTERS
MALIGAON
GUWAHATI

13:THE ASSAM STATE POLLUTION CONTROL BOARD
REPRESENTED BY ITS SECRETARY
GUWAHATI

14:CHIEF GENERAL MANAGER
NORTH EASTERN FRONTIER RAILWAYS
MALIGAON
GUWAHATI
ASSAM

15:THE ASSAM TOURISM DEVELOPMENT CORPORATION
REPRESENTED BY ITS DIRECTOR
GUWAHATI

16:THE DEPUTY COMMISSIONER
KAMRUP (M)
GUWAHATI

17:CENTRAL WETLAND REGULATORY AUTHORITY
REPRESENTED BY PCCF AND HOFF
ASSAM
ARANYA BHAWAN
PANJABARI
GUWAHATI-781037

18:THE SECRETARY TO THE GOVT. OF ASSAM
DEPARTMENT OF WATER RESOURCES
DISPUR
GUWAHATI-78100

For the Petitioners : Mr. M. Khataniar, Advocate

Mr. H. Betala, Advocate

For the Respondents : Mr. D. Nath, Sr. GA, Assam

Mr. P. Nayak, SC, GMDA

Mr. S.K. Medhi, CGC

Mr. B. Chakraborty, Advocate
Mr. K.P. Pathak, SC, Forest Deptt.
Ms. A. Lodha, Advocate
Mr. C. Sarma, Advocate

**BEFORE
HONOURABLE THE CHIEF JUSTICE
HONOURABLE MR. JUSTICE SUMAN SHYAM**

ORDER

**Date : 27-05-2024
(*Vijay Bishnoi, CJ*)**

The learned counsel appearing for the petitioners' has made a specific statement that earth-filling is going on in the Deepor Beel area which may severely affect the Deepor Beel.

Mr. P. Nayak, learned standing counsel, GMDA has submitted that as per his instructions no earth-filling is going on in the Deepor Beel area.

We direct, Mr. Nayak to file an affidavit from the concerned official that no earth-filling is going on in the Deepor Beel Area, by the next date of hearing.

Mr. D. Nath, learned Sr. Govt. Advocate, Assam is also directed to file an additional affidavit regarding demarcation of the Deepor Beel area by the Revenue Department.

List in the last week of July, 2024, before the Green Bench.

JUDGE

CHIEF JUSTICE

GS

Comparing Assistant