

GAHC010033122024



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

Case No. : PIL/14/2024

NORTH EAST ECO DEVELOPMENT SOCIETY
REPRESENTED BY THE SECRETARY SRI BISWAJIT SAIKIA, AGED ABOUT
42 YEARS, S/O- LATE GOPAL SAIKIA, R/O- BASISTHA, GANESH NAGAR,
HOUSE NO. 31, BASISTHA CHARIALI PATH BYE LANE NO.7, P.O. AND P.S.
BASISTHA, GUWAHATI- 781029, DISTRICT- KAMRUP (M), ASSAM

VERSUS

1.THE STATE OF ASSAM AND 3 ORS
REPRESENTED BY THE ADDITIONAL CHIEF SECRETARY TO THE
GOVERNMENT OF ASSAM, FOREST AND ENVIRONMENT DEPARTMENT,
DISPUR, GUWAHATI-06

2:THE PRINCIPAL SECRETARY TO THE GOVT. OF ASSAM
REVENUE AND DISASTER MANAGEMENT DEPARTMENT
DISPUR GUWAHATI-06

3:THE CHIEF EXECUTIVE OFFICER
ASSAM STATE DISASTER MANAGEMENT AUTHORITY
ANCILLARY BLOCK JANATA BHAWAN DISPUR GUWAHATI-06

4:THE DIVISIONAL FOREST OFFICER
EAST KAMRUP DIVISION BASISTHA GUWAHATI-2

For the Petitioner(s) : Mr. K.N. Choudhury, Senior Advocate/*Amicus Curiae*.
: Mr. S.U. Ahmed, Advocate.

For the Respondent(s) : Mr. D. Saikia, Advocate General, Assam assisted by Mr. D.
Nath, Senior Government Advocate, Assam and Ms. R.
Barua, Advocate.
: Ms. N. Bordoloi, Standing Counsel, Revenue Department.

– BEFORE –

HON'BLE THE CHIEF JUSTICE MR. VIJAY BISHNOI

HON'BLE MR. JUSTICE KARDAK ETE

26.05.2025

(Vijay Bishnoi, CJ)

Pursuant to the direction given by this Court vide order dated 17.03.2025, an additional affidavit is filed on behalf of the Commissioner and Secretary to the Government of Assam, Department of Housing and Urban Affairs, wherein the measures taken by the State Government to stop the illegal hill cutting have been mentioned. The affidavit also highlights the existing Regulations to tackle the problem of hill cutting in Guwahati.

Mr. K.N. Choudhury, learned Senior Counsel/*Amicus Curiae* has submitted that though the State Government has taken some measures for restraining hill cutting but as a matter of fact, hill cutting is still going on. It is also submitted that the Regulations are very much there but strict compliance of the Regulations is not reflected from the actions of the authorities of the State Government. Learned *Amicus Curiae* prays for some time to highlight the recent incidents of hill cutting in and around the Guwahati City.

Time prayed for is granted.

It is also to be noticed that recently on account of rains the problem of flood has occurred on the roads and some of the residential areas in Guwahati, which has also been reported widely in the newspapers as well as on television.

Learned Advocate General, Assam is directed to furnish a detail report regarding the measures taken by the Administration in pursuance to the report

submitted by the Agency which has been hired for suggesting a plan for tackling flood menace in the Guwahati City.

List again on 11.06.2025.

JUDGE

CHIEF JUSTICE

Comparing Assistant