

GAHC010039472021



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

**Case No. : PIL/15/2021**

NIPON DHOLUA  
R/O HOUSE NO. 8A, GITANAGAR, HATIGARH HILLSIDE, PO  
BAMUNIMAIDAM, PS GEETANAGAR, GUWAHATI , KAMRUP M ASSAM

VERSUS

THE STATE OF ASSAM AND 2 ORS  
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.  
OF ASSAM, GUWAHATI, DEVELOPMENT DEPARTMENT, DISPUR,  
GUWAHATI 781006,KAMRUP M ASSAM

2:THE COMMISSIONER  
GUWAHATI MUNICIPAL CORPORATION  
PANBAZAR  
GUWAHATI 781001  
KAMRUP M ASSAM

3:THE CHAIRMAN  
GUWAHATI METROPOLITAN DEVELOPMENT AUTHORITY 3RD FLOOR  
STATEFED BUILDING  
GMC HOSPITAL ROAD  
BHANGAGARH  
GUWAHATI 78100

**Advocate for the Petitioner** : MR. R P HAZARIKA,

**Advocate for the Respondent** : MR. D SAIKIA, GA, ASSAM, SC, G M D A,SC, GMC

Linked Case : WP(C)/5042/2014

STREET VENDORS' ASSOCIATION OF ASSAM and 3 ORS  
AN ASSOCIATION REGISTERED UNDER THE SOCIETIES REGISTRATION  
ACT

1860 AND REP. BHEREIN BY ITS PRESIDENT  
HAVING ITS OFFICE AT PUB SARANIA BY LAN ENO. 1 WEST  
CHANDMARI  
GUWAHATI- 781003  
DIST. KAMRUP M  
ASSAM.

VERSUS

THE STATE OF ASSAM AND 5 ORS  
REP. BY THE CHIEF SECRETARY TO THE GOVT. OF ASSAM  
SACHIVALAYA  
DISPUR  
GUWAHATI-6.

2:THE GUWAHATI MUNICIPAL CORPORATION

REP. BY ITS COMMISSIONER  
KACHARI  
PANBAZAR  
GUWAHATI-01  
DIST- KAMRUP(m)  
ASSAM.

3:THE COMMISSIONER  
GUWAHATI MUNICIPAL CORPORATION

KACHARI  
PANBAZAR  
GUWAHATI-01  
DIST-KAMRUP (M)  
ASSAM.

4:THE DY. COMMISSIONER  
GUWAHATI MUNICIPAL CORPORATION

KACHARI  
PANBAZAR  
GUWAHATI-01  
DIST-KAMRUP (M)  
ASSAM

5:THE SUPERINTENDENT OF POLICE

KACHARI  
PANBAZAR  
GUWAHATI-01  
DIST-KAMRUP (M)  
ASSAM

6:THE ROWN VENDING COMMITTEE

REP. BY ITS CHAIRMAN  
GUWAHATI MUNICIPAL CORPORATION

KACHARI  
PANBAZAR  
GUWAHATI-01  
DIST-KAMRUP (M)  
ASSAM.

7:THE DCP  
TRAFFIC

PANBAZAR  
ASSAM POLICE.

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Advocate for : MR.S BORTHAKUR  
Advocate for : MR.D SAIKIA appearing for THE STATE OF ASSAM AND 5 ORS

Linked Case : WP(C)/6436/2013

DEEPAK TALUKDAR and 10 ORS  
S/O LT. UPEN TALUKDAR  
R/O SRIMANTAPUR  
P.S. BHANGAGARH  
DIST- KAMRUP METRO  
ASSAM

2: DEBAJIT SENAPATI  
S/O LACHIT SENAPATI  
R/O JONALI  
AKASHI PATH  
P.S. GEETANAGAR  
DIST- KAMRUP METRO  
ASSAM

3: ANJALI TALUKDAR

W/O LT. SUREN TALUKDAR  
R/O RUP NAGAR  
HASTINAPUR  
P.S. BHANGAGARH  
DIST- KAMRUP METRO  
ASSAM

4: NILIMA DAS  
W/O SANATAN DAS  
R/O RUP NAGAR  
HASTINAPUR  
P.S. BHANGAGARH  
DIST- KAMRUP METRO  
ASSAM

5: SUSHILA BAISHYA  
W/O RAMEN BAISHYA  
R/O KAILASH NAGAR  
NIZARAPARA  
PS. CHANDMARI  
DIST- KAMRUP METRO  
ASSAM

6: PRATIMA RABHA  
W/O DEEPAK RABHA  
R/O RUP NAGAR  
HASTINAPUR  
P.S. BHANGAGARH  
DIST- KAMRUP METRO  
ASSAM

7: ALAKA DAS  
W/O MOHAN DAS  
R/O RUP NAGAR  
HASTINAPUR  
P.S. BHANGAGARH  
DIST- KAMRUP METRO  
ASSAM

8: JAYANTA CHOWDHURY  
S/O MONI RAM CHOWDHURY  
R/O RUP NAGAR  
HASTINAPUR  
P.S. BHANGAGARH  
DIST- KAMRUP METRO  
ASSAM

9: SAHABUDDIN AHMED

S/O SOMBARU ALI  
R/O BHANGAGARH  
P.S. BHANGAGARH  
DIST- KAMRUP METRO  
ASSAM

10: DIJEN KALITA  
S/O LT. DHARANI KALITA  
R/O RUP NAGAR  
GMCH ROAD  
P.S. BHANGAGARH  
DIST- KAMRUP METRO  
ASSAM

11: TAJUL HAQUE  
S/O FAIAGE ALI  
R/O BHANGAGARH  
P.S. BHANGAGARH  
DIST- KAMRUP METRO  
ASSAM  
VERSUS

THE STATE OF ASSAM AND 3 ORS  
REPRESENTED BY THE CHIEF SECRETARY TO THE GOVT. OF ASSAM  
DISPUR  
GHY-6

2:THE GUWAHATI MUNICIPAL CORPORATION  
REPRESENTED BY ITS COMMISSIONER  
KACHARI  
PAN BAZAR  
GHY-1  
DIST- KAMRUP METRO  
ASSAM

3:THE COMMISSIONER  
GUWAHATI MUNICIPAL CORPORATION  
KACHARI  
PAN BAZAR  
GHY-1  
DIST- KAMRUP METRO  
ASSAM

4:THE OFFICER IN CHARGE  
P.S. BHANAGAGARH  
BHANGAGARH  
GHY-5  
DIST- KAMRUP METRO ASSAM

Linked Case : Cont.Cas(C)/335/2017

STREET VENDOR ASSOCIATION OF ASSAM and 3 ORS.  
AN ASSOCIATION REGD. UNDER THE SOCIETIES REGISTRATION ACT  
1860 AND REP. HEREIN BY ITS PRESIDENT  
HAVING ITS OFFICE AT PUB SARANIA  
BYE LANE NO.1 WEST  
CHANDMARI  
GUWAHATI-03  
DIST- KAMRUPM  
ASSAM

2: NARENDRA RAJBONGSHI  
PRESIDENT  
STREET VENDORS ASSOCIATION OF ASSAM  
S/O- LATE ASHWINI KUMAR RAJBONGSHI  
R/O- ARUNDHATI  
P.O AND P.S- BASISTHA  
DIST- KAMRUPM  
ASSAM

3: CHANDAN GOSWAMI  
S/O- PRABHAT GOSWAMI  
R/O- BHABANIPUR  
NOONMATI  
GUWAHATI-20  
DIST- KAMRUPM  
ASSAM

4: DEBAJIT SENAPATI  
S/O- LACHIT SENAPATI  
R/O- JONALI  
AKASHI PATH  
P.O P.S -GEETANAGAR  
DIST- KAMRUPM ASSAM

**VERSUS**

M. ANGAMUTHU and 3 ORS.  
DEPUTY COMMISSIONER CUM DISTRICT MAGISTRATE  
KAMRUPM  
GUWAHATI  
ASSAM

2:MANALISA GOSWAMI  
COMMISSIONER  
GAUHATI MUNICIPAL CORPORATION

3:DEBAJIT BORA  
SECRETARY  
GAUHATI MUNICIPAL CORPORATION  
GUWAHATI

4:DEBA KUMAR MISHRA  
JOINT COMMISSIONER  
GAUHATI MUNICIPAL CORPORATION  
GUWAHATI  
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For the petitioners : Mr. R.P. Hazarika, Advocate  
In PIL 15/2021  
Mr. S. Borthakur, Advocate in the  
other petitions  
For the respondents : Mr. P. Nayak, S.C., G.M.C.

– B E F O R E –

**HON'BLE THE CHIEF JUSTICE MR. VIJAY BISHNOI**  
**HON'BLE MR. JUSTICE N. UNNI KRISHNAN NAIR**

**20-09-2024**

*(Vijay Bishnoi, C.J.)*

Pursuant to the direction given by this Court on 14.08.2024, an additional affidavit is filed on behalf of the Guwahati Municipal Corporation (GMC). This Court vide order dated 14.08.2024 issued a direction to the GMC to specify the details about 81 vending zones which have been established by it. It was also directed that the respondent GMC may provide information as to when the Phase-I is going to start and what facilities in those vending zones for the street vendors as well as the public at large are to be provided.

In the additional affidavit filed by the GMC, a list of vending zones declared by the GMC in exercise of power under Section 18(1) of The Street Vendors (Protection of Livelihoods and Regulation of Street Vending) Act, 2014

has been provided. In the said affidavit, it is further mentioned that the GMC engaged a Service Provider, namely, Indigenous Vendors Welfare India Association and entrusted it with the responsibility to develop/build uniform design, layout vending carts, conduct survey and allocate vending carts to the designated vendors. The responsibility of fixing monthly maintenance, including water supply, electricity connection, timely cleaning, waste management, maintain safety and hygiene standards, revenue generation for GMC, protection against illegal encroachments, etc. has also been entrusted to the Service Provider. It is also mentioned in the affidavit that the Service Provider was engaged vide order dated 05.08.2024. However, no such order is available on record.

It is to be noted that though the Service Provider was engaged on 05.08.2024, what action has been taken by it after its engagement, has not been elaborated in the additional affidavit.

We grant last opportunity to the counsel for the GMC to produce copy of the order dated 05.08.2024 whereby the Service Provider was engaged for developing and maintaining the vending zones and also to provide the details of works that have been done by the Service Provider after 05.08.2024.

List this matter again on **23.10.2024.**

**JUDGE**

**CHIEF JUSTICE**

**Comparing Assistant**