

GAHC010033122024



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

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

Advocate for the Petitioner : MR. S U AHMED, MD. ANARUL ISLAM,MR R DHAR

Advocate for the Respondent : GA, ASSAM, SC, FOREST,SC, REVENUE

**BEFORE
HONOURABLE THE CHIEF JUSTICE
HONOURABLE MR. JUSTICE N. UNNI KRISHNAN NAIR**

ORDER

Date : 23.09.2024
(Vijay Bishnoi, CJ)

Heard Mr. K. N. Choudhury, learned senior counsel, assisted by Mr. S. U. Ahmed. Also heard Mr. Devajit Saikia, learned Advocate General, Assam, assisted by Ms. R. Barua, learned counsel, appearing on behalf of the State Respondents.

Pursuant to the time granted by this Court; Mr. Saikia, learned Advocate General, Assam, has informed this Court that the Guwahati Metropolitan Development Authority(GMDA) vide order, dated 21.08.2024, has engaged one Haskoning DHV Consulting Pvt. Ltd., a consultancy agency services, for preparation of GIS-based Comprehensive Drainage Master Plan and Detailed Project Report(DPR) for Guwahati City, Assam.

The work order has also been issued to the said consultancy agency on the same very date and the agency has submitted an inspection report for Guwahati Drainage Master Plan, which contains the following aspects:

1. Introduction with Project background, Objectives and Scope of work
2. Project Area
3. Approach & Methodology
4. Scope of Topographical Survey and ground investigations, including preliminary assessment outcomes

5. Quality Assurance Plan
6. Project schedule, Milestones/Deliverables and Work plan

It is informed by Mr. Saikia, learned Advocate General, Assam, that the above-referred consultancy agency is to prepare the comprehensive drainage master plan for Guwahati city within 9(nine) months from the date of issuance of the work order.

It is stated that the inspection report submitted by the said consultancy agency would be placed by way of filing an additional affidavit by the next date of listing.

Mr. K. N. Choudhury, learned amicus curiae, has also made certain valuable suggestions in the matter.

Mr. Akash Deep Baruah, IFS(Retd.), has made a power-point presentation highlighting the reasons for flooding in the Guwahati city and has also proposed some solutions which can be taken into consideration for tackling the problem of flooding in the Guwahati city.

We appreciate the efforts of Mr. Baruah, IFS(Retd.), who has also submitted a comprehensive report in this regard.

Mr. Saikia, learned Advocate General, Assam, has submitted that the State is ready to take the services of Mr. Baruah, IFS(Retd.) for tackling the problem of flooding in the Guwahati city and assures this Court that he will

facilitate that the suggestions of Mr. Baruah, IFS(Retd.) be taken into consideration at the appropriate level by considering the inputs suggested by him.

Having considered the above; we are of the view that the State Government is serious in tackling the problem of water logging and flooding in the Guwahati city and we hope that effective measures shall be taken at the earliest to tackle the problem.

As prayed for, list this PIL petition on 29th of October, 2024.

By that time, Mr. Saikia, learned Advocate General, Assam, may furnish the progress report before this Court.

JUDGE

CHIEF JUSTICE

Comparing Assistant