

GAHC010034512019



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

Case No. : I.A.(Civil)/627/2019

POLICY GROUP FOR PEOPLES RIGHT AND ANR.
REPRESENTED BY ITS PRESIDENT, JIBON PHUKAN NAGAR, DIBRUGARH,
ASSAM

2: DR. ARADHANA KATAKI
PRESIDENT OF POLICY GROUP OF PEOPLES RIGHTS
R/O JIBON PHUKAN NAGAR
OPPOSITE MANDIR
P.O.
P.S. AND DISTRICT-DIBRUGARH-786001
ASSA

VERSUS

THE STATE OF ASSAM AND ORS
REPRESENTED BY THE CHIEF SECRETARY TO THE GOVERNMENT OF
ASSAM, DISPUR, GUWAHATI-781006

2:THE PUBLIC WORKS DEPARTMENT
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE
GOVERNMENT OF ASSAM
PWD
ROADS
DISPUR
GUWAHATI-781006

3:THE DEPUTY COMMISSIONER
DIBRUGARH DISTRICT
DIBRUGARH-786001

4:THE DEPUTY DIRECTOR
TOWN AND COUNTRY PLANNING
DIBRUGARH-786001

5:THE DIBRUGARH MUNICIPALITY BOARD
REPRESENTED BY ITS CHAIRMAN
DISTRICT-DIBRUGAR

Advocate for the Petitioner : MR. P K GOSWAMI

Advocate for the Respondent : GA, ASSAM

BEFORE
HONOURABLE MR. JUSTICE N. KOTISWAR SINGH
HONOURABLE MR. JUSTICE ARUN DEV CHOUDHURY

ORDER

Date : 05-01-2023

(N. Kotiswar Singh, J.)

Heard Ms. S. Chakravarty, learned counsel for the applicants. Also heard Mr. N. Das, learned State Counsel.

2. The matter pertains to a very important and long pending issue affecting the Dibrugarh Township whereby major parts of the Dibrugarh town had been inundated due to water-logging, which has caused immense inconveniences to the public at large.

3. The pleadings would indicate that steps appear to have been taken by the State Government from time to time to deal with the situation. This is certainly an aspect, which requires not only the help of the local bodies but also the expertise of the experts. This Court directed the Government to indicate the present status of the various measures undertaken to deal with this perennial problem of water-logging in various parts of Dibrugarh Town.

4. In this regard, it has been submitted by Mr. Das, learned State Counsel, that an expert, one Prof. A.K. Sharma, IIT, Guwahati was appointed in this regard, who had given some suggestions for improving the drainage system in Dibrugarh which would ease the problem to a great extent and on the basis of the suggestion made by the expert, Government has already undertaken the project, namely, '*Improvement of Drainage System of Dibrubargh Town*' under Non-lapsable Central Pool of Resources (NLCPR) under which 82% of funds as well as the target have been utilized and completed, and the project is likely to be completed within March, 2023 for which if necessary, extension of work, which have been executed, can be given by the competent authority.

4. Accordingly, it has been submitted that major work for improvement of water-logging problem in Dibrugarh township will be taken care of.
5. Learned State Counsel submits that because of the aforesaid project undertaken, water-logging in major areas of Dibrugarh town have been substantially reduced and, in fact, there was no water-logging recorded in the last three rainy seasons. Learned State Counsel, in this regard, has submitted a status report of the works undertaken under the aforesaid project of '*Improvement of Drainage System in Dibrugarh Town under NLCPR*'.
6. Learned counsel for the applicants has expressed satisfaction in the improvement of the drainage system reducing water-logging in Dibrugarh town and expects that if the said project is fully implemented, perhaps the issue of water-logging in major areas of Dibrugarh Town will be addressed to a great extent. Learned counsel for the applicants submits that since there has been substantial improvement in the water-logging problem because of the aforesaid project, the IA may be closed, however, with direction to the State authorities to complete the project and to take further necessary actions, which may be required from time to time for which the applicants may approach the competent authority including the Court.
7. Ordered accordingly.
8. The copy of the instructions, so furnished, shall be kept on record.
9. With the above observations and directions, the IA is closed.

JUDGE

JUDGE

Comparing Assistant