

Item No. 02

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI  
(Through Video Conferencing)**

Original Application No. 459/2019 (EZ)

Atul Bora, M.L.A., Dispur Constituency

Applicant

Versus

State of Assam

Respondent(s)

Date of hearing: 14.05.2019

**CORAM: HON'BLE MR. JUSTICE S. P. WANGDI, JUDICIAL MEMBER  
HON'BLE MR. JUSTICE K. RAMAKRISHNAN, JUDICIAL MEMBER  
HON'BLE DR. SATYAWAN SINGH GARBYAL, EXPERT MEMBER**

For Applicant(s) : -

For Respondent (s) : -

**ORDER**

1. This O.A. has been registered based on a complaint sent by Mr. Atul Bora, M.L.A., Dispur Constituency, Assam, raising concern about large scale construction of buildings and also other activities at Sristinagar, Chunsali, Guwahati (Assam).
2. It is stated that Chunsali which is a place at the bank of the river Brahmaputra, Guwahati is ecologically fragile and sensitive which requires protection. The Sristinagar Infrastructure Development Corporation Limited, is alleged to have taken up a large number of construction works and have undertaken other activities in the area which has the potential of creating grave threat to the ecology and environment of the area. It is also stated that the activities are in violation of the Green Assam Policy of the State.
3. The Environment (Protection) Act, 1986 defines environment as:

*“environment” includes water, air and land and the inter-relationship which exists among and between water, air and land, and human beings, other living creatures, plants, micro-organism and property;”*

4. Article 48A of the Constitution of India enjoins the State to endeavour to protect and improve the environment and to safeguard the forests and wild life of the country.
5. We are prima facie of the view that the application raises substantial question of environment requiring our consideration.
6. Therefore, we issue notice upon the following:

- 1 The Chief Secretary  
Government of Assam,  
Block C, 3<sup>rd</sup> Floor, Assam Sachivalaya,  
Guwahati-781006

- 2 The Principal Secretary  
Environment & Forest Department  
Government of Assam  
H-Block, 2<sup>nd</sup> Floor, Janata Bhawan,  
Disupr, Guwahati-781006,

- 3 PCCF AND HOFF  
Government of Assam  
Aranya Bhawan, Panjabari  
Guwahati-781037

- 4 The Chairman  
Guwahati Metropolitan Development Authority  
3<sup>rd</sup> Floor, STATFED Building,  
GMC Hospital Rd, Bhangagarh,  
Guwahati-781005

- 5 The Commissioner  
Guwahati Municipal Corporation  
Panbazar, Guwahati-781001

- 6 The Member Secretary,  
Assam Pollution Control Board,  
Bamunimaidan, Guwahati-781021

- 7 DM/DC, Dispur, Guwahati

- 8 M/s. Sristinagar Infrastructure  
Development Corporation Limited  
**Registered Office:**  
DPSC Building, Plot No. X : 1, 2 & 3,  
Block: EP, Sector: V,  
Salt Lake City, Kolkata – 700091  
**Guwahati Office:**  
5th Floor Astha Plaza, G S Road,  
Opposite SB Deorah College, Ulubari,  
Guwahati -781007

7. Issue notice returnable in three weeks.
8. Copies of this order and the complaint shall be transmitted to the above said authorities by the Registry within a period of one week from hence in order to enable them to take appropriate actions in accordance with law.
9. In the meanwhile, the DM/DC, Dispur, PCCF and HOFF and the Guwahati Metropolitan Development Authority shall submit a report on the factual position obtaining in the area through e-mail at [ngt.filing@gmail.com](mailto:ngt.filing@gmail.com), before the next date.
10. List on 13.08.2019 for further consideration.

S. P. Wangdi, JM

K. Ramakrishnan, JM

Dr. Satyawan Singh Garbyal, EM

14<sup>th</sup> May, 2019

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