

WP(C) 6148/2006

BEFORE

HON'BLE MR JUSTICE D.BISWAS, CHIEF JUSTICE(ACTING)

HON'BLE SMT. JUSTICE A.HAZARIKA

D.Biswas, CJ (Acting)

This taken up matter has been initiated on the basis of a news item captioned Sonaighuli hill earth-cutting creating serious hazards published in the Assam Tribune in its issue dated December 11, 2006. It has been reported in the said news item that large scale cutting is going on in the Sonaighuli hill appertaining to the land belonging to the Directorate of Geology and Mining at Dakhin gaon, Kalihipara, Guwahati. The earth cutting has caused severe threat to the locality and the inhabitants are facing serious health hazards due to pollution of air caused by suspended dust particles. The news item further shows that there is a prohibitory order in force in the district of Kamrup against earth cutting on city hills. But this order has not been seriously implemented by the District Administration. It was on this context this Court took up the matter suo-moto and issued notice.

The Senior Superintendent of Police, City, Guwahati in his affidavit dated 11.1.2007 has submitted that on receipt of complaint from the Director, Geology and Mining, Assam, direction was given to the Deputy Superintendent of Police, Dispur Division to stop illegal earth cutting in the hills in and around the said premises. It is further submitted that in pursuance of the order passed by the respondent No.4, illegal earth cutting in and around the premises in question has been stopped. It has also been averred in the affidavit that Dispur Police Station has registered a case against Budheswar Saikia being Dispur P.S. Case No . 1378/05 under Section 188 IPC.

In view of the above position explained by the Superintendent of Police, we think the purpose for which this matter has been taken up has been served. Hence, we direct that the petition be consigned to file.