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**GOVERNMENT OF MEGHALAYA
FOREST AND ENVIRONMENT DEPARTMENT**

ORDERS

No. FOR/CC/29/2019/Pt- I/7.

Dated Shillong the 5th March, 2024.

Whereas, the Hon'ble High Court has closed the PIL No.10 of 2019 in the matter In Re Cleanliness of Umiam Lake Vrs State of Meghalaya vide order dated 19.02.2024.

And, whereas, PIL No.10 of 2019 has been disposed of with the following guidelines, which shall be followed by all concerned in letter and spirit without any deviation and which are reproduced herewith for kind perusal and necessary action:

- i) If any public property is identified / retrieved on the orders / intervention of this court, a permanent steel display board with bar code & case number must be displayed at vantage points at the said site;
- ii) Such identified places should be displayed at all relevant Government websites, so as to prevent others to deal with the public property;
- iii) Hawking and parking must not be allowed at such regained public sites except in accordance with law;
- iv) No permission should be given to use the site as Auto / Taxi stand, causing hindrance to the general public or traffic at large except authorised;
- v) No one has right to put up temporary or permanent structures either in the site or on pavements / footpaths, if any, without any permission of the concerned authorities. If there is any unauthorized construction thereon, the authorities must take a rapid action to dismantle the same;
- vi) If there is any failure on the part of the Officials, who are responsible to follow the above guidelines, departmental action can be initiated against them and their dereliction can be entered in their Service Registers so as to deprive their promotion

The above directions may be strictly enforced and followed and brought to the notice for all subordinate officials and organizations/Boards/Agencies, etc for necessary strict compliance.

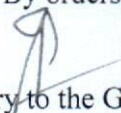
Sd/-(Pravin Bakshi IAS)
Commissioner & Secretary to the Government of Meghalaya
Forest & Environment Department
Shillong.

Copy forwarded to:

1. PS to the Chief Minister of Meghalaya for kind information of the Hon'ble Chief Minister.
2. PS to the Chief Secretary to the Government of Meghalaya, with a request to bring to the kind information of the Chief Secretary.
3. PA to the Additional Chief Secretary to the Government of Meghalaya, Home (Police)/Water Resources Departments with a request to bring to the kind information of the Additional Chief Secretary.
4. PA to the Commissioner & Secretary to the Government of Meghalaya, Forest & Environment/ Public Health Engineering/Urban Affairs/Planning/Finance/Power/PWD/ Soil and Water Conservation Departments with a request to bring to the kind information of the Commissioner & Secretary.
5. The Chairman-cum-Managing Director, MeECL, Shillong.
6. The Secretary to the Government of Meghalaya, Forest & Environment/Water Resources Departments.
7. The Principal Chief Conservator of Forest & HoFF, Forest & Environment Department, Meghalaya, Shillong.
8. The Chairman, Meghalaya State Pollution Board, Shillong.
9. The Member Secretary, Meghalaya State Pollution Board, Shillong.
10. The Deputy Commissioner, East Khasi Hills/Ri Bhoi District, Shillong for information and necessary action.
11. The Superintendent of Police, East Khasi Hills/Ri Bhoi District, Shillong for information and necessary action.
12. The Director Urban Affairs Department, Meghalaya, Shillong.
13. The Director Soil & Water Conservation Department, Meghalaya, Shillong.
14. The Director MePGCL/MePTCL/MePDCL, Shillong.
15. The Chief Engineer Public Health Engineering Department Meghalaya, Shillong.
16. The Chief Engineer (Environment & Sanitation) PHED, Meghalaya, Shillong.
17. The Chief Engineer, PWD (Roads) Shillong.
18. The Chief Executive Officer, Smart City Project/Shillong Municipal Board, Shillong for information and necessary action.
19. The Chief Conservator of Forests (Social Forestry & Environment), Meghalaya, Shillong.

20. The Secretary to Executive Committee, Khasi Hills Autonomous District Council, Shillong.
21. The Chief Executive Officer, Shillong Cantonment Board. Shillong.
22. Shri Nababrata Bhattacharjee, Chairman, State Expert Appraisal Committee (SEAC), Additional Secretariat, Shillong-793001.
23. The Senior System Analyst, NIC, Shillong with a request to upload in the Government website.
24. The Rangbah Shnong Mawlai/Umniam for necessary action.

By orders, etc.,


Joint Secretary to the Govt. of Meghalaya,
Forest & Environment Department
Meghalaya

Serial No. 07
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

Sept
Give orders in his
with this court
orders
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2024:M

PIL No. 10 of 2019

Date of order: 19.02.2024

In Re Cleanliness of Umiam Lake vs

State of Meghalaya

Coram:

Hon'ble Mr. Justice S. Vaidyanathan, Chief Justice
Hon'ble Mr. Justice W. Diengdoh, Judge

Appearance:

For the Petitioner : Mr S.P. Mahanta, Sr Adv. with
Mr D. Dkhar, Adv.

For the Respondents : Mr S. Sengupta, Addl Sr GA
Mr K.P. Bhattacharjee, GA
Mr K. Paul, Sr Adv. [For R 4&5]
Mr P. Nongbri, Adv. [For R 6]
Mr V.G.K. Kynta, Sr Adv. with
Ms C. Nongkhlaw, Adv. [For R 7]

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| i) | Whether approved for reporting in Law journals etc.: | Yes |
| ii) | Whether approved for publication in press: | Yes |

ORDER

(Made by Hon'ble the Chief Justice)

When the matter was taken up during on 14.02.2024, the sixth respondent sought time to ascertain the correctness of the Notification dated 13.02.2024, as he had been served with a copy of the notification only on that morning. Today, he has submitted that the Notification dated 13.02.2024 can be taken on record and the PIL may be closed.

RPCBR
28/02/24

FIS-21983/24
28/2/24

2. In view of the fact that the Notification dated 13.02.2024 has been duly issued after carrying out necessary rectification, which has also been duly confirmed by the sixth respondent, we are of the view that no further adjudication is required in the present PIL.

3. Accordingly, PIL No.10 of 2019 is disposed of with the following guidelines, which are to be followed by the State Respondents in letter and spirit:

i) If any public property is identified / retrieved on the orders / intervention of this court, a permanent steel display board with bar code & case number must be displayed at vantage points at the said site;

ii) Such identified places should be displayed at all relevant Government websites, so as to prevent others to deal with the public property;

iii) Hawking and parking must not be allowed at such regained public sites except in accordance with law;

iv) No permission should be given to use the site as Auto / Taxi stand, causing hindrance to the general public or traffic at large except authorised;

v) No one has right to put up temporary or permanent structures either in the site or on pavements / footpaths, if any, without any permission of the concerned authorities. If there is any unauthorized

construction thereon, the authorities must take a rapid action to dismantle the same;

vi) If there is any failure on the part of the Officials, who are responsible to follow the above guidelines, departmental action can be initiated against them and their dereliction can be entered in their Service Registers so as to deprive their promotion.

(W. Diengdoh)
Judge

(S. Vaidyanathan)
Chief Justice

Meghalaya
19.02.2024
"Sylvana PS"/"ar"