

HIGH COURT OF MEGHALAYA
AT SHILLONG

MC (PIL) No. 8 of 2018

Date of order: 18.02.2021

Kynjaimon Amse

Vs.

The Union of India & Ors.

Coram:

Hon'ble Mr. Justice Biswanath Somadder, Chief Justice

Hon'ble Mr. Justice H. S. Thangkhiew, Judge

Appearance:

For the Petitioner/Appellant(s) : Mr. S. Panthi, Amicus Curiae

For the Respondent(s) : Mr. R. Debnath, CGC
Mr. S. Sengupta, Addl.Sr.GA

Pursuant to our order dated 9th February, 2021, the Chief Engineer, PWD (Roads), Meghalaya, Shillong, has filed an affidavit wherefrom it appears that approval and sanction by the North Eastern Council (NEC) of a Detailed Project Report is awaited, even as of date. However, from the records available in our file, it appears that as far back as on 20th November, 2019, a stand was taken by the North Eastern Council (NEC), that on receipt of the proposal from the Public Works Department (PWD), Government of Meghalaya, the North Eastern Council (NEC), forwarded the matter for sanction of necessary budget to the Ministry of Development of North Eastern Region (DoNER), Government of India, New Delhi. Relevant extract from the order dated 20th November, 2019 is reproduced hereinbelow:

“In view of the stand taken by the North Eastern Council (NEC) that it has on receipt of the proposal from Public Works Department, Government of Meghalaya, forwarded the matter for sanction of necessary budget to the Ministry of Development of North Eastern Region (DoNER), Government of India, New Delhi, let Union of India, through its Secretary, Ministry of Development of North Eastern Region, New Delhi be impleaded as respondent No.4.”

Since the learned advocate representing the North Eastern Council (NEC), seeks time to take instructions in the matter and almost one year three months' time has elapsed since the order dated 20th November, 2019, we direct the Registry to immediately communicate a copy of this order to the Secretary, Ministry of Development of North Eastern Region (DoNER), Government of India, New Delhi (who has been impleaded as respondent No. 4, in terms of the order dated 20th November, 2019), alongwith a copy of the order of this Court dated 9th February, 2021, and the affidavit filed by the Chief Engineer, PWD (Roads), Government of Meghalaya, affirmed on 16th February, 2021. This will enable the Secretary, Ministry of Development of North Eastern Region (DoNER), Government of India, New Delhi, to clarify as to why, till date, nothing substantial has been done for improvement of the Sonapur-Borkhat Road situated in East Jaintia Hills District, and where exactly the problem lies.

The matter shall be listed on Tuesday (23rd February, 2021), for further consideration.

(H. S. Thangkhiew)
Judge

(Biswanath Somadder)
Chief Justice

Meghalaya
18.02.2021
"Sylvana PS"