

**BEFORE THE NATIONAL GREEN TRIBUNAL EASTERN ZONE  
BENCH, KOLKATA  
ORIGINAL APPLICATION NO.186/2023/EZ**

**IN THE MATTER OF:**

Analson Sangma

.....Applicant

Versus

Deputy Commissioner, Baghmara,  
South Garo Hills, Meghalaya & Ors.

.....Respondents

**N.D.O.H. - 19.04.2024**

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Filed on: 16.04.2024  
New Delhi

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HON'BLE NATINAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKOTA  
ORIGINAL APPLICATION NO.186/2023(EZ)

**IN THE MATTER OF:-**

Analsan Sangma .....Applicant

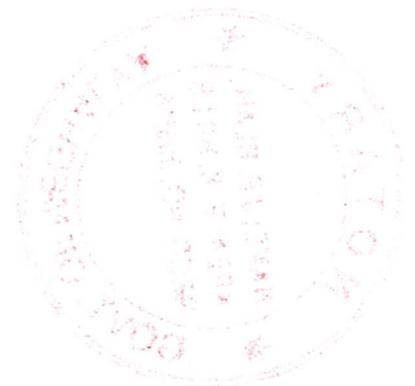
Versus

State of Meghalaya ....Respondents

**STATUS REPORT ON AFFIDAVIT ON BEHALF OF  
RESPONDENT NO. 4- MEGHALAYA POLLUTION  
CONTROL BOARD PURSUANT TO ORDER DATED 4.3.2024**

I, Shri. Dr. George Hagi Chyrmang, MFS, S/o Shri (L) Datip Kyndiah, Age 43 years, having office at Lumpyngngad, Shillong, Meghalaya, do hereby solemnly affirm and declare as under :-

1. That I presently posted as the Member Secretary of the Meghalaya State Pollution Control Board, MSPCB, and as such in my official capacity I am conversant with the facts and records of the case and hence competent and authorized to swear this affidavit on behalf of MSPCB, hereinafter referred to as the 'Board'.
2. On 4.03.2024, this Hon'ble Tribunal was pleased to direct as under:-



MEMBER SECRETARY  
Meghalaya State Pollution Control Board  
Shillong

SI/J Instrument No. 42

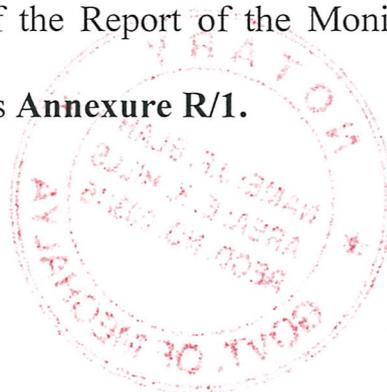
Date: 16/4/24

“With respect to the Observations and Recommendations in the Inspection Report, Ms. K. Enatoli Sema, learned Counsel for Respondent No.2, Meghalaya State Pollution Control Board, states that a show cause notice dated 24.01.2024 has been issued to M/s Alpha D. Marak Building Stone Mine. Learned Counsel also states that water samples have to be taken and, therefore, a fresh Report and Action Taken Report will be filed on affidavit. She prays for and is granted further four weeks time for filing fresh report on affidavit.”

3. It is stated that pursuant to the directions of this Hon’ble Tribunal, and in view of the recommendations and observations of the constituted Committee of this Hon’ble Tribunal, a team was deputed by the Meghalaya Pollution Control Board to carry out monitoring of the water quality, ambient air and noise level at Budugre Chokpot, South Garo Hills District at the stone quarry of M/s Alpha D Marak on 26-28.3.2024.

A copy of the Report of the Monitoring Team is marked and annexed as **Annexure R/1**.

MEMBER SECRETARY  
Meghalaya State Pollution Control Board  
Shillong



4. I say that the facts stated in the above paras are true and correct to the best of my knowledge and information.

**DEPONENT**

MEMBER SECRETARY  
Meghalaya State Pollution Control Board  
Shillong

**Identified by:**

Miss P.S. Boreh

(Advocate)

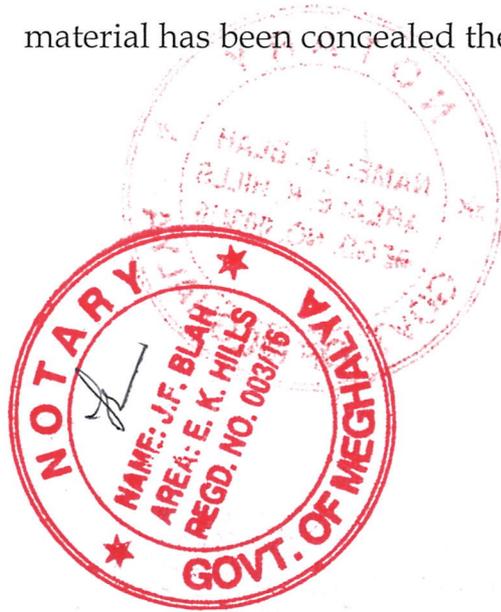


SOLEMNLY AFFIRMED BEFORE ME THIS DAY  
ON 16/4/20 THE DEPONENT IS IDENTIFIED BY P.S. Boreh  
I CERTIFY THAT THE CONTENTS OF THE AFFIDAVIT  
ARE READ ORDER AND EXPLAINED TO THE  
DEPONENT WHO VERIFIED THE SAME BEFORE ME

J. F. BLAH  
NOTARY  
East Khasi Hills District  
Government of Meghalaya

VERIFICATION

Verified at \_\_\_\_\_ on this the \_\_\_\_\_ day of April, 2024 that the contents of the above affidavit are true and correct to the best of my knowledge and belief. No part of it is false and nothing material has been concealed there from.



  
**DEPONENT**  
MEMBER SECRETARY  
Meghalaya State Pollution Control Board  
Shillong

## ANNEXURE R-1

### REPORT ON THE MONITORING OF WATER QUALITY, AMBIENT AIR & NOISE LEVEL AT BUDUGRE, CHOKPOT, SOUTH GARO HILLS DISTRICT, AT THE STONE QUARRY OF M/S ALPHA D. MARAK, CONDUCTED ON 26<sup>TH</sup>-28<sup>TH</sup> MARCH, 2024

In pursuance to Hon'ble NGT O. A. No. 186/2023/EZ Analson Sangma Vs State of Meghalaya dated 04.03.2024, and compliance to the observations & recommendations of the Committee, officials of the Meghalaya State Pollution Control Board, viz. Shri S. Swer, Senior Scientist, & Team, carried out monitoring of water quality, ambient air and noise level at Budugre, Chokpot, South Garo Hills District, at the stone quarry of M/S Alpha D. Marak, on 26<sup>th</sup> - 28<sup>th</sup> March, 2024.

#### DESCRIPTION OF SAMPLING AREA

The stone quarry is situated on top of a steep hill surrounded by thick vegetation. Though the area has been cleared of trees and vegetation etc. as a result of the quarrying activity, thick forest encircles it. The quarry is located about 150 meters away from the main road and some 200 meters away from the nearest habitation. The river Dareng, an important river in the area, is located downhill and about 100 meters away from the quarry. Water from this river is used by locals for various purposes. No mining activity or presence of machinery or miners at the quarry site observed during the monitoring.

#### MONITORING OF WATER QUALITY

**Water Sampling Location 1:** The first sampling point, is located along the river Dareng, at Budugre, Wanchi Agitok, Chokpot, South Garo Hills District. This sampling point is designated as 'Upstream' since it is located in the upper reaches, upstream and away from area where the stone quarry is situated. As this point lies upstream, any potential run-off or erosion/discharge from the quarry in question will have no impact at this stretch of the river. Water sampled at this point therefore represents the river water quality that is unaffected by quarrying activity.

**Water Sampling Location 2:** The second sampling point, is located 100 meters approximately downstream of the 1<sup>st</sup> sampling location along the river Dareng, at Budugre, Wanchi Agitok, Chokpot, South Garo Hills District. This sampling point is designated as 'Midstream' as it lays midpoint of the whole sampling stretch from the first sampling point to the last one, and is equidistant from the two. As this point lies along the stretch of the river which is situated downhill of the stone quarry, any potential run-off or erosion/discharge from the quarry will have its effect on the water quality of the river at this location. Water sampled at this point therefore represents the quality that is potentially affected by quarrying activity at the stone quarry in question. There was no run-off or erosion from uphill, where the quarry is located.

**Water Sampling Location 3:** The third sampling point is located 100 meters approximately downstream of the 2<sup>nd</sup> sampling location along the river Dareng, at Budugre, Wanchi Agitok, Chokpot, South Garo Hills District. This sampling point is designated as 'Downstream' since it is located downstream of the area where the stone quarry is situated. Therefore any potential run-off or

erosion/discharge from the quarry will have its resultant effect on the water quality of the river at this stretch. Water sampled at this point therefore represents the quality that is potentially affected by quarrying activity at the stone quarry in question.



#### **Sampling methodology & parameters analyzed:**

Samples from the three sampling points were collected using the ‘Grab sample’ method. The quality of water was examined in terms of pH, Conductivity, Alkalinity, Nitrite, Nitrate, Dissolved Oxygen, Biochemical Oxygen Demand, Chemical Oxygen Demand, Chloride, Sulphate, Sodium, Calcium, Magnesium, Turbidity, Total Kjeldahl-N, Hardness, Total Dissolved Solids, Ammonia Nitrogen, Ortho Phosphate, Total Suspended Solids, Potassium, Flouride, Iron, Cadmium, Chromium, Copper, Lead, Nickel, Zinc and Manganese among the physico-chemical parameters. The biological parameter was examined in terms of Total Coliform, Fecal Coliform and Fecal Streptococci.

The analysis was carried out in accordance with the standard procedures APHA-AWWA-WEF (American Public Health Association, American Water Works Association, Water Environment Federation) – 23<sup>rd</sup> Edition.

#### **Interpretation of water quality data/results:**

The analysis report enclosed in Annexure-I indicates the physico-chemical and biological characteristic of the monitored water body at 3(three) different locations. Based on the analysis report, the following are the observations:

- pH was observed to conform to the criteria.
- Dissolved Oxygen is above 5 mg/l and therefore conform to the criteria.
- The concentration of Bio-Chemical Oxygen Demand is below 3 mg/l and as such conforms to the criteria.
- Fecal Coliform is below 2500 MPN/100 ml, and conforms to the criteria.
- Fecal Streptococci is below 500 MPN/100ml and conforms to the criteria.

The findings therefore reveals that the river water quality at the 3(three) sampling locations conforms to the Primary Water Quality Criteria for Bathing as per MOEF Notification G.S.R. 742(E)

dated 25<sup>th</sup> September, 2000 (pH 6.5 – 8.5, BOD  $\leq$  3.0 mg/l, DO  $\geq$  5 mg/l, Fecal Coliform  $<$  2500 MPN/100 ml, Fecal Streptococci  $<$  500 MPN/100 ml).

### **MONITORING OF AMBIENT AIR QUALITY**

#### **Air sampling location:**

The site where monitoring of ambient air quality was carried out is located within the premises of the stone quarry of M/S Alpha D. Marak at Budugre, Chokpot, South Garo Hills District. The instruments used for sampling of air were stationed in an open ground away from any obstruction that could potentially affect the free flow of air around the sampling site. There was no observable mining activity, presence of machinery or miners in the premises of the quarry throughout the period/duration of monitoring.



#### **Sampling methodology:**

The ambient air quality was monitored using Respirable Dust Sampler (Envirotech APM 460NL) and PM 2.5 Sampler (Envirotech APM 550 MFC). Monitoring for Sulphur dioxide (SO<sub>2</sub>), Nitrogen dioxide (NO<sub>2</sub>) and Particulate matter (PM<sub>10</sub> and PM<sub>2.5</sub>) was carried out for a sampling period of 24 hours (whereby Particulate Matter was sampled for 8 hours interval & gaseous pollutants for 4 hours interval). The results were expressed in  $\mu\text{g}/\text{m}^3$ . The monitoring was conducted from 27<sup>th</sup> to 28<sup>th</sup> March, 2024.

#### **Interpretation of ambient air quality data/results:**

The analysis report of ambient air quality monitored at the stone quarry of M/S Alpha D. Marak is presented in Annexure-II where the table therein presents the data on the concentrations of SO<sub>2</sub>, NO<sub>2</sub>, PM<sub>10</sub> and PM<sub>2.5</sub> at the sampling site. The parameters tested were found to be within the prescribed limits of National Ambient Air Quality Standards (NAAQS) as per EPA Notification GSR 826(E), dated New Delhi, the 16<sup>th</sup> Nov. 2009.

## **MONITORING OF AMBIENT NOISE LEVEL**

### **Noise level sampling location:**

The site where sampling of ambient noise level was carried out is located within the premises of the stone quarry of M/S Alpha D. Marak at Budugre, Chokpot, South Garo Hills District.. The location is an open ground devoid of any obstruction that may potentially affect the sampling of noise level at the site. There was no observable mining activity, presence of machinery or miners in the premises of the quarry throughout the period/duration of monitoring. At intermittent periods, however, the silence was punctuated with the sound of birds and insects as the quarry is surrounded by thick forest.

### **Noise sampling methodology:**

The monitoring team was equipped with Envirotech SLM 109 Sound Level Meter. The noise level was measured in dB(A) i.e. the level of sound in decibels on scale – A as per the human ear sensitivity requirements. The result was expressed in Leq denoting the A weighted energy mean of the noise level averaged over the measurement period. The noise level was monitored for day time (06:00 Hrs. to 22:00 Hrs.) and night time (22:00 Hrs. to 06:00 Hrs.), from 27<sup>th</sup> to 28<sup>th</sup> March, 2024.

### **Interpretation of ambient noise level data/results:**

The analysis report of ambient noise level monitored at the stone quarry of M/S Alpha D. Marak is presented in Annexure-III where the table therein presents the data on the recorded level during day and night time sampled at the location. The ambient noise level monitored at the location is found to be within the prescribed limits/standard(s) during day and night time as per the Noise Pollution (Regulation and Control) Rules, 2000 under EPA, 1986.

## **CONCLUSION**

The findings from the monitoring of water quality, ambient air and noise level at Budugre, Chokpot, South Garo Hills District, reveals:

- That the water quality of the river Dareng conforms to the Primary Water Quality Criteria for Bathing as per MOEF Notification G.S.R. 742(E) dated 25<sup>th</sup> September, 2000 (pH 6.5 – 8.5, BOD  $\leq$  3.0 mg/l, DO  $\geq$  5 mg/l, Fecal Coliform < 2500 MPN/100 ml, Fecal Streptococci < 500 MPN/100 ml). There is no observable contamination to the water of the river located downhill of the quarry.
- That the ambient air quality monitored at the premises of the stone quarry of M/S Alpha D. Marak was found to be within the prescribed limits of National Ambient Air Quality Standards (NAAQS).
- That the ambient noise level monitored at the premises of the stone quarry of M/S Alpha D. Marak was found to be within the ambient noise level standard(s)/prescribed limits during day and night time as per the Noise Pollution (Regulation and Control) Rules, 2000.

It was observed that there was no quarrying/mining activity or the presence of machinery or miners at the stone quarry of M/S Alpha D. Marak during/throughout the period/duration of sampling. Further, it was also observed that proper safety measures like retaining wall, drainage system and settling tank etc. for arresting landslide and runoff in downhill, is yet to be constructed. Same was the case with regard to compacting/stabilization of approach road etc.



S. Swer  
Senior Scientist  
MSPCB, Shillong



**MEGHALAYA STATE POLLUTION CONTROL BOARD**  
**CENTRAL LABORATORY**  
 "Arden", Lumpynggad, Shillong-793014  
**TEST REPORT**



Annex-I

Report No: WQ/2024/60

1. Issue Date : 9.4.2024
2. Name of the Project : Water quality
3. Sample matrix : Water
4. Date of sample collection : 27.3.2024
5. Date of sample receipt : 28.3.2024
6. Samples collected by : MSPCB
7. Date of sample analysis : 28.3.2024-7.4.2024
8. Sample Registration No. : N/20/24, N/21/24, N/22/24
9. Sample plan reference : -
10. Report sent to (Name & Address) : -
11. Deviation, if any : --
12. Remarks if any : --
13. Method of sampling : IS-3025 Part - I

Sl. No	Parameters	Test Method: APHA 23 <sup>rd</sup> Ed.	Limits	Sampling Code/Location		
			Primary water Quality Criteria for Bathing as per MOEF Notification, 25th Sept 2000	N/20/24 Dareng River at Budugre Upstream (Water Sampling Location 1)	N/21/24 Dareng River at Budugre Midstream (Water Sampling Location 2)	N/22/24 Dareng River at Budugre Downstream (Water Location Location 3)
1.	<i>pH</i>	4500-H <sup>+</sup> B	6.5-8.5	7.2	7.2	7.3
2.	<i>Conductivity</i> ( $\mu\text{mho/cm}$ )	2510 A	*	42.0	43.0	41.0
3.	<i>Turbidity</i> (NTU)	2130 B	*	5.6	3.9	2.9
4.	<i>Total Dissolved Solids</i> (mg/l)	2540C	*	29.0	30.0	28.0
5.	<i>Total Suspended Solids</i> (mg/l)	2540D	*	12.0	8.0	7.0
6.	<i>Chloride</i> (mg/l)	4500-Cl <sup>-</sup> B	*	5.0	6.0	6.0
7.	<i>Alkalinity</i> (mg/l)	2320 B	*	16.0	16.0	16.0
8.	<i>Total Hardness</i> (mg/l)	2340 C	*	22.0	24.0	20.0
9.	<i>Nitrate-N</i> (mg/l)	4500-NO <sub>3</sub> <sup>-</sup> D	*	0.87	1.13	0.73
10.	<i>Nitrite-N</i> (mg/l)	4500NO <sub>2</sub> -B	*	NIL	Nil	Nil
11.	<i>Dissolved Oxygen</i> (mg/l)	4500-O C	5.0	8.2	8.4	8.6
12.	<i>Biochemical Oxygen Demand</i> (mg/l)	IS-3025(P-44)	3.0	1.3	1.2	1.0



**MEGHALAYA STATE POLLUTION CONTROL BOARD**  
**CENTRAL LABORATORY**  
 "Arden", Lumpynggad, Shillong-793014  
**TEST REPORT**



13.	Chemical Oxygen Demand (mg/l)	5220-C	*	10.0	10.0	10.0
14.	Total Kjeldahl-N mg/l	4500 NH3 B,C,D & 4500 Norg B	*	0.08	0.04	0.04
15.	Ammonia Nitrogen (mg/l)	4500- NH3A&C	*	0.04	0.02	0.02
16.	Calcium as CaCO <sub>3</sub> (mg/l)	3500-CaB	*	14.0	16.0	14.0
17.	Magnesium as CaCO <sub>3</sub> (mg/l)	3500-MgB	**	8.0	8.0	6.0
18.	Sulphates (mg/l)	4500-SO4-2E	*	20.8	15.4	15.8
19.	Sodium (mg/l)	3500-NaB	*	2.8	3.4	3.4
20.	Ortho Phosphates (mg/l)	4500-P D	*	BDL**	BDL**	BDL**
21.	Potassium (mg/l)	3500-KB	*	1.2	1.5	1.5
22.	Fluoride (mg/l)	4500-F-D	*	0.07	0.07	0.08
23.	Total Coliform (MPN/100ml)	9221 B	*	430	430	350
24.	Fecal Coliform (MPN/100ml)	9221 E	<2500	27	23	17
25.	Faecal Streptococci (MPN/100 ml)	9230 B	<500	11	10	4
26.	Iron (mg/l)	3500-Fe B	*	0.13	0.12	0.11
27.	Cadmium (mg/l)	3030 E,3111B	*	BDL**	BDL**	BDL**
28.	Chromium (mg/l)		*	BDL**	BDL**	BDL**
29.	Copper (mg/l)		*	BDL**	BDL**	BDL**
30.	Lead (mg/l)		*	BDL**	BDL**	BDL**
31.	Nickel (mg/l)		*	BDL**	BDL**	BDL**
32.	Zinc (mg/l)		*	BDL**	BDL**	BDL**
33.	Manganese (mg/l)		*	0.01	BDL**	0.01

\*Not Prescribed/\*\*Below Detectable Limit

  
 (J. Sawian)  
 Sr. Scientist



**MEGHALAYA STATE POLLUTION CONTROL BOARD**  
**CENTRAL LABORATORY**  
 "Arden", Lumpynggad, Shillong-793014  
**TEST REPORT**



Annex - II  
 Report No. : AQ/2024/034

1.	Name of the Project	:	Ambient Air Quality in Budugre, Chokpot, South Garo Hills District	
2.	Sample matrix	:	<b>Ambient Air</b>	
3.	Samples collected by	:	D.Ch.Momin & S.Sangma	
4.	Date of sample collection	:	27.03.2024	
5.	Date & time of sample receipt	:	01.04.2024	
6.	Date of sample analysis	:	02.04.2024	
7.	Date of Issue	:	-	
8.	Sample Registration No.	:	A/34/24	
9.	Test method reference	:	IS 5182 Pt. 23, EPA CFR-40 (Pt-50) IS:5182 (Pt-2), IS:5182 (Pt-6)	
10.	Name & Address of Industry/Sampling Location	:	Stone Quarry of M/S Alpha D.Marak, Budugre, Chokpot, South Garo Hills District, Meghalaya.	
12.	Time duration of sampling	:	24 hrs (8 hrs interval for PM <sub>10</sub> & PM <sub>2.5</sub> , 4 hrs interval for gaseous)	
13.	Category	:	Industrial, Residential, Rural and other Areas	
14.	Meteorological Parameters			
	General Weather condition	:	P. Cloudy	
	Temperature (°C)	:	Min: 27.9°C	Max: 32.1°C
	Relative Humidity (%)	:	Min: 33.4%	Max: 42.5%
	Wind Speed (km/hr)	:	Min: 0.1	Max: 1.8
	Wind Direction (most prevailing)	:	290°SW	
	Rainfall (mm)	:	Sum : Nil	

Parameters	Test Method	Permissible Limits (24 hours average) EPA Notification GSR 826(E), dated New Delhi, the 16 <sup>th</sup> Nov. 2009.	Sampling Station Code/Name
			A/34/24 Near Cabin of the Quarry Site
Particulate Matter (PM 10) (µg/m <sup>3</sup> ) (24 hrs avg.)	IS:5182 (Pt-23)	100	56.5
Particulate Matter (PM 2.5) (µg/m <sup>3</sup> ) (24 hrs avg.)	EPA CFR-40 (Pt-50)	60	30.4
Sulphur dioxide (SO <sub>2</sub> ) (µg/m <sup>3</sup> ) (24 hrs avg.)	IS:5182 (Pt-2)	80	3.7
Nitrogen dioxide (NO <sub>2</sub> ) (µg/m <sup>3</sup> ) (24 hrs avg.)	IS:5182 (Pt-6)	80	6.4

**Remarks:** Parameters tested were found to be within the prescribed limits of National Ambient Air Quality Standards (NAAQS) as per EPA Notification GSR 826(E), dated New Delhi, the 16<sup>th</sup> Nov. 2009.

Statement:

1. Test values are reported based on the materials received.
2. Sample(s) will be destroyed after 15 days from date of issues of the Test Report.
3. The test report shall not be reproduced except in full, without the written approval of laboratory.

(S.Swer)

Senior Scientist

(J.Sawian)

Senior Scientist



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# MEGHALAYA STATE POLLUTION CONTROL BOARD

## CENTRAL LABORATORY

"Arden", Lumpynggad, Shillong-793014

### TEST REPORT



13

Annex-III

Report No.: NL/2024/28

1.	Name of the Project	:	Ambient Noise Level Monitoring at Budugre, Chokpot, South Garo Hills District
2.	Sample matrix	:	<b>Noise level</b>
3.	Monitored by	:	D.Ch.Momin & S. Sangma
4.	Date of monitoring	:	27.03.2024-28.03.2024
5.	Date of sample receipt	:	01.04.2024
6.	Date of sample analysis	:	01.04.2024
7.	Date of Issue	:	-
8.	Sample Registration No.	:	N/28/24
9.	Test method reference	:	IS-9989/981-RA 2001/MPCB/CL-SOP/2017-18/21
10.	Name & Address of Industry/Sampling Location	:	Stone Quarry of M/S Alpha D. Marak, Budugre, Chokpot, South Garo Hills District, Meghalaya.
11.	Category of Area	:	Residential

Parameters	Limits in {dB(A)Leq}		Test method	Sampling Station Code/Name
	{Noise Pollution(Regulation and Control) Rules,2000.} Under EPA, 1986.			N/28/24
Ambient Noise Level {dB(A)Leq}	Day Time (06:00 Hrs. to 22:00 Hrs.)	55	IS-9989/981-RA 2001/MPCB/CL-SOP/2017-18/21	Stone Quarry of M/S Alpha D. Marak
	Night Time (22:00 Hrs. to 06:00 Hrs.)	45		52.1
				41.0

**Remarks:** Noise level monitored at the location was found to be within the prescribed limits during day and night time as per the Noise Pollution (Regulation and Control) Rules, 2000 under EPA, 1986.

**Statement:**

1. Test values are reported based on the information provided to the laboratory.
2. The test report shall not be reproduced except in full, without the written approval of laboratory.

  
( S. Swer )  
Senior Scientist

  
(J. Sawian)  
Senior Scientist



amit singh &lt;semasingh.office@gmail.com&gt;

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**OA NO.186/2023/EZ Analsn Sangma VS. Deputy Commissioner, Baghmara, South Garo Hills, Meghalaya & Ors**

1 message

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**amit singh** <semasingh.office@gmail.com>

Tue, Apr 16, 2024 at 7:21 PM

To: "M.P. Srivignesh" &lt;mpsrivignesh@gmail.com&gt;, Avijit Mani Tripathi &lt;avijitmani@gmail.com&gt;

Dear Sir,/Madam

Kindly Find attached scanned copy of Affidavit being e- filed on behalf of Respondent No.4 Meghalaya Pollution Control Board. which is being served in advance copy as proof of service.

Thanking you.

Best Regards,  
Ms. K. Enatoli Sema Adv.  
(Clerk)  
Rahul 7503630697

--  
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 **Affidavit Pursuance to Order Dated 04.03.2024.pdf**

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