

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL, EASTERN
ZONE BENCH AT KOLKATA
ORIGINAL APPLICATION NO. 73/2025/EZ**

IN THE MATTER OF:

SHRI DULAL BORA

...Petitioner / Applicant

VERSUS

STATE OF ASSAM AND OTHERS

....Respondents

INDEX

| Sl.No | Particulars | Page Nos. |
|--------------|--|------------------|
| 1. | Counter Affidavit of the Respondent No. 3 to the Supplementary Affidavit filed by the Petitioner/Applicant | 1-18 |
| 2. | Annexure A-1: Copy of detailed history of Application No. 2844183 duly applied by M/s. JAI Brick Industry (I2024RG8260) with regard to Consent to Establish (CTE) | 19-23 |
| 3. | Annexure A-2: Copy of the letter dated 01.03.2025 being forwarded by the Environment and Forest Department, Government of Assam to the Chairman, Pollution Control Board of Assam | 24 |



| | | |
|----|---|-------|
| 4. | Annexure A-3: Copy of the Allegation Letter being no. D.B. 053-1-25(D) dated 26.02.2025 issued by Dulal Bora to the Additional Chief Secretary of Environment and Forest Department, Government of Assam | 25-29 |
| 5. | Annexure A-4: Copy of the reply letter dated 03.04.2025 vide Reference No. TECH-14012/19/2025-CCA-PCBA issued by the Pollution Control Board, Assam to the Joint Secretary to the Govt. of Assam, Environment and Forest Department | 30-31 |
| 6. | Annexure A-5: Copy of application made by M/s JAI Enterprise represented by one of its Partners Jakir Hussain before the Assam State Pollution Control Board vide Common Application for Consent to Establish (under Water Act, 1974 and Air Act, 1981) under Application No: 3032570 | 32-38 |
| 7. | Annexure A-6: Copy of application made by M/s JAI Brick Industry represented by its Sole Proprietor Mijanur Rahman before the Assam State Pollution Control Board vide Common Application for Consent to Establish (under Water Act, 1974 and Air Act, 1981) under Application No: 2844183 | 39-46 |
| 8. | Annexure A-7: Copy of the letter dated 24-04-2025 issued to the Member Secretary, pollution | 47-48 |

X

| | | |
|-----|--|-------|
| | Control Board of Assam by the Joint Secretary to the Government of Assam, Environment, Forest and Climate Change Department | |
| 9. | Annexure A-8: Copy of the RTI application no. D.B.-7292/25/(D) dated 10/04/2025 issued by Mr. Dulal Bora | 49-50 |
| 10. | Annexure A-9: Copy of Allegation Letter no. D.B. 057-2-25(D) dated 03.03.2025 issued by Dulal Bora | 51-52 |
| 11. | Annexure A-10: Copy of reply letter dated 11-06-2025 issued to Mr. Dulal Bora against his RTI as above by the Pollution Control Board, Assam | 53-56 |
| 12. | Annexure A-11: Copy of the Report of the Enquiry Committee formed by Office Order No. RTI-12/10/2025-CCA-PCBA dated 17.05.2025 | 57-58 |
| 13. | Annexure A-12: Copies of photographs of Chamaria Satra | 59-61 |
| 14. | Annexure A-13: Copies of printed version of Google Map showing aerial distance between the Chamaria Satra and the brick factory | 62 |
| 15. | Annexure A-14: Copy of the Office Order dated 01-06-2024 under Reference No. WB/G-1686/20-21/112 issued by the Pollution Control Board, Assam | 63-65 |
| 16. | Annexure A-15: Copy of the Office Order dated 15.07.2024 under Reference No. WB/G-295/20- | 66 |

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| 21/448/987 issued by the Pollution Control Board, Assam | |
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FILED BY:

Advocate

High Court, Calcutta

Shyamvar Deb
Adv.
for, Assam Pollution Control Board

Encl. NO. : F/1661/1556/2016

M: 9038688558

Date: 23.08.2025

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL, EASTERN
ZONE BENCH AT KOLKATA
ORIGINAL APPLICATION NO. 73/2025/EZ**

IN THE MATTER OF:

SHRI DULAL BORA

...Petitioner / Applicant

VERSUS

STATE OF ASSAM AND OTHERS

...Respondents

**COUNTER AFFIDAVIT ON BEHALF OF RESPONDENT NO. 3 (ASSAM
POLLUTION CONTROL BOARD) TO THE SUPPLEMENTARY
AFFIDAVIT FILED BY THE APPLICANT**

I, Mukunda Madhab Bora, son of Late Durga Dutta Baghri, aged about 59 years, working as Chief Environmental Engineer in Pollution Control Board, Assam, having its office at Bamunimaidam, Guwahati – 781 021, Assam, do hereby solemnly affirm and state as follows:

1. That the deponent is working as Chief Environment Engineer in the Pollution Control Board, Assam (hereinafter referred to as the Board/answering respondent), representing the Respondent No. 3 in the present Application. I am well conversant with the facts and circumstances of the present case and being duly authorized to swear and affirm this Affidavit on behalf of the Respondent No. 3.



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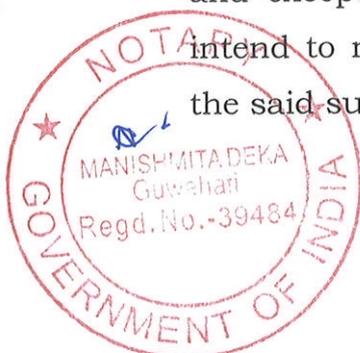
The deponent is competent to swear and affirm the present counter affidavit to the Supplementary Affidavit.

2. That the deponent has gone through the Supplementary Affidavit preferred by the applicant in its Original Application being O.A. No. 73/2025/EZ and understood the contents thereof. At the outset, the deponent denies each and every averment made by the Applicant in its Supplementary Affidavit, save and except what are matters of record. The instant counter affidavit is filed for the limited purpose of replying to the contentions made in the said Supplementary Affidavit to the Application being O.A. No. 73/2025/EZ, so far as the same concern the answering respondent herein, and being limited in scope, no part of the said supplementary affidavit shall be deemed to be admitted by the answering Respondent on account of non-traversal.

3. Save as aforesaid and save matters of record, each and every allegation and/or contention contained in the said supplementary affidavit is denied as if the same were set out ad seriatim herein and specifically traversed.

PARA-WISE REPLY:

4. With regard to paragraph nos. 1 to 5 of the said supplementary affidavit, the answering respondent states that save and except matters of record, the answering respondent does not intend to make any comment against the contentions contained in the said supplementary affidavit of the applicant.



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5. Save matters of record, each and every allegation contained in paragraphs 6 and 7 of the Supplementary Affidavit are denied. The answering respondent states that the Brick Kiln in question is M/S JAI Brick Industry, not *M/s Jai Brick Industry*, and the Consent to Establish (CTE) was issued on 05.08.2024 in favour of JAI Brick Industry, not *Jai Brick Industry*.

The answering respondent states that as per the Note History of the Application no. 2844183 (M/s JAI Brick Industry), Additional Chief Environmental Engineer (ACEE), then Senior Environmental Engineer (SEE) granted the CTE under the following conditions: -

- a. The CTE application was received by the ACEE on 05.07.2024 after being processed by the Regional Office, South Bank with note as quoted as follows; -

“M/s JAI Brick Industry has applied for CTE for setting up a brick kiln at Baguriguri, P.O: Malibari Pathar Bazar, Kamrup, Assam-781136. The unit has submitted necessary documents such as photographs of site, affidavit on adoption of Zi-g-zag technology, GP NOC, Project report, Google map, Process flow chart, Source of raw materials, Site plan, Source of Raw materials, with capital investment Rs. 75.00 lakh and necessary CTE fees has been deposited Rs. 50,500/- (CTE- 50,000/- +appln. 500/-) vide UTR No. 41670951159 dtd. 13.6.2024. The proposed capacity of Clay brick



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manufacturing unit is 75,00,000/year and will be used Soil, Sand and water as raw material. The unit used 5 KLD water. The unit was directed to conduct public hearing but already the RO, Kamrup was instructed to conduct the public Hearing and submitted the public hearing document with videography, attendance and proceeding register and the copy of withdrawal letter of public complaint by the complainant which has been uploaded. The unit proposed to adopt Zig-Zag Technology and proposed stack height is 45 meters. Based on inspection report as well as information provided in the application forwarded with the draft CTE order for grating of CTE under the terms and condition.”

- b. The Regional Office (RO), South Bank processed the application in question by conducting a site inspection, organising Public Hearing through RO-Kamrup and verifying of the relevant documents submitted by the applicant.
- c. After verifying the application within the capacity of the then SEE, ACEE, forwarded the application to then Member Secretary for approval on the same dated 05-07-2024. The application was reverted back as on date 11-07-2024 by the then Member Secretary for re-examination.



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- d. Following re-examination, it was found that the application was in order based on the documents furnished with the application and was recommended for CTE vide note dated 12-07-2024 by the ACEE.
- e. The application was reverted back to ACEE by the then Member Secretary vide note dated 15-07-2024 in line of the Office Order no. WB/G-295/21-22/448 dtd. 15.07.2024 so the application can be granted in Zone level.
- f. As per the Office Order WB/G-295/21-22/448 dtd. 15.07.2024, the ACEE granted the CTE.

Copy of detailed history of Application No. 2844183 duly applied by M/s. JAI Brick Industry (I2024RG8260) with regard to Consent to Establish (CTE) is annexed hereto and marked as **Annexure A-1**. It is denied that the consent was granted in violations of the mandatory sitting criteria. It is denied that there has been a flagrant and unconscionable disregard for both environmental law and public health. It is further denied that the answering respondent has granted consent without proper site verification, distance measurement, or environmental impact assessment as alleged.

6. Save matters of record, each and every allegation contained in paragraph 8 of the Supplementary Affidavit is denied. The answering respondent states that in the Board's OCMMS (Online Consent Management and Monitoring System) Portal, there is no such kind of



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options available in the existing portal, as it is mentioned in paragraph no. 8 in the said supplementary affidavit. It is denied that there has been flagrantly violative application was processed and approved despite the existence of these technological safeguards. It is denied that there is either gross technical inadequacy of the system, deliberate manipulations of software controls, or conscious override of safety mechanisms to circumvent environmental protection protocols as alleged.

7. Save matters of record, each and every allegation contained in paragraph 9. The answering respondent state that as per the information available with the RTI Section of the answering respondent, no RTI application dated 01.04.2025 has been received by the answering respondent. However, a response was issued vide letter no. TECH-14012/19/2025-CCA-PCBA dated 03.04.2025, addressed to the Joint Secretary to the Government of Assam, Environment and Forest Department, Dispur, Guwahati-06. This was in reference to an allegation letter No. D.B. 053-1-25(D), which was forwarded by the Government of Assam vide letter dated 01.03.2025.

Copy of the letter dated 01.03.2025 being forwarded by the Environment and Forest Department, Government of Assam to the Chairman, Pollution Control Board of Assam is annexed hereto and marked as **Annexure-A-2**.

Copy of the Allegation Letter being no. D.B. 053-1-25(D) dated 26.02.2025 issued by Dulal Bora to the Additional Chief Secretary of

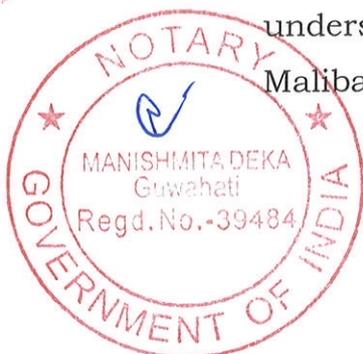


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Environment and Forest Department, Government of Assam is annexed hereto and marked as **Annexure-A-3**.

Copy of the reply letter dated 03.04.2025 vide Reference No. TECH-14012/19/2025-CCA-PCBA issued by the Pollution Control Board, Assam to the Joint Secretary to the Govt. of Assam, Environment and Forest Department is annexed hereto and marked as **Annexure-A-4**

8. Save matters of record, each and every allegation contained in paragraphs 10 and 11 of the Supplementary Affidavit are denied. The statements made in the said paragraphs are misleading and incorrect. The allegations that the response revealed alarming and disturbing pattern of administrative incompetence and systemic corruption within respondent no.3 is denied vehemently. The said allegations are made to tarnish the image of the respondent no.3 and its officers without any basis. The answering respondent states that the response furnished by the Board was based on the allegation filed by Dulal Bora (the Applicant) vide No. D.B. 053-1-25(D), regarding the cancellation of permission of a Brick Kiln unit situated in Village Batiamari, Kamrup (Rural) District. This allegation was forwarded to the Board by the Government of Assam vide letter No. E-623375/3 dated 01.03.2025. In the said letter, the applicant did not explicitly name the industry, but referred to it as the JAI (or JAIE) Brick Kiln Unit located in Village Batiamari, P.O., District Kamrup (R), Assam. Based on this, the unit under reference was understood to be M/s JAI Enterprise, located at Batiamari, P.O. Malibari Pathar Bazar, District Kamrup (R), Assam - 781136.



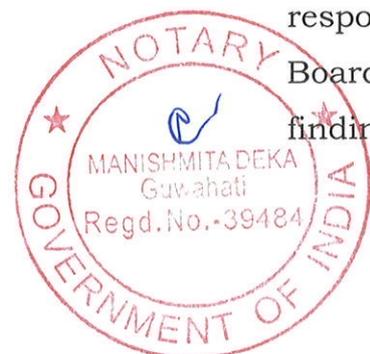
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However, the unit named M/s JAI Brick Industry, as now claimed in the supplementary affidavit, is located at Baguriguri, P.O. Malibari Pathar Bazar, District Kamrup (R), Assam – 781136, which is distinct and separate from the one referred to in the applicant's original allegation. Copy of application made by **M/s JAI Enterprise** represented by one of its Partners Jakir Hussain before the Assam State Pollution Control Board vide Common Application for Consent to Establish (under Water Act, 1974 and Air Act, 1981) under **Application No: 3032570** is annexed hereto and marked as **Annexure A-5**. Copy of application made by **M/s JAI Brick Industry** represented by its Sole Proprietor Mijanur Rahman before the Assam State Pollution Control Board vide Common Application for Consent to Establish (under Water Act, 1974 and Air Act, 1981) under Application No: 2844183 is annexed hereto and marked as Annexure **A-6**. Therefore, the statement in Para 10 of the Supplementary Affidavit alleging a mistaken inspection is factually incorrect. The inspection and subsequent response were made in good faith and in accordance with the contents of the applicant's original allegation letter No. D.B. 053-1-25(D), which referred to M/s JAI Enterprise, not M/s JAI Brick Industry. It is denied that the allegations made in paragraph no. 11 of the supplementary affidavit that there have been illegal environmental consents. It is further denied that there has been corruption, negligence and institutional failure that pervade the entire functioning of the respondent no. 3. It is further denied that there has been violation of environmental norms indicates that respondent no. 3 verification and compliance mechanisms have completely collapsed under the current leadership, resulting in violation of environmental law across Assam.



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9. Save matters of record, each and every allegation contained in paragraph 12 of the Supplementary Affidavit is denied. The answering respondent states that the answering respondent categorically denies the statement made in Para 12 of the Supplementary Affidavit. The claim is factually incorrect and misleading. The answering respondent states that the Board has not received any RTI application from the applicant for which a response dated 03.04.2025 could have been issued. The only correspondence dated 03.04.2025 pertains to the response given in connection with the allegation letter No. D.B. 053-1-25(D), which was forwarded to the Board by the Joint Secretary to the Government of Assam vide letter No. E-623375/3 dated 01.03.2025, and replied to vide letter no. TECH-14012/19/2025-CCA-PCBA dated 03.04.2025. This response was in reference to M/s JAI Enterprises, a brick kiln unit located in Village Batiamari, P.O., District Kamrup (R), Assam, having CTE No. PCBA/SBCH/T-433/2024-25/97 dated 30.09.2024. The answering respondent states that with regard to the RTI application dated 10.04.2025, the same was forwarded to the Board by the Joint Secretary to the Government of Assam, Environment, Forest & Climate Change Department (DoEF&CC), vide letter No. E-643498/7 dated 24.04.2025. It was accompanied by the applicant's second allegation letter No. D.B. 057-2-25(D) and was duly processed. A reply was sent directly to the applicant by the Board vide letter No. PCBA/G-232/25-26/24 dated 11.06.2025. The answering respondent states that the enquiry committee constituted by the Board reviewed all relevant facts and documents and submitted its findings with respect to the grant of CTE to M/s JAI Brick Industry.



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Based on this comprehensive examination, the Board maintains that the procedures followed were appropriate and in compliance with applicable norms. Accordingly, the answering respondent denies the assertions made in Para 12 of the Supplementary Affidavit.

Copy of the letter dated 24-04-2025 issued to the Member Secretary, pollution Control Board of Assam by the Joint Secretary to the Government of Assam, Environment, Forest and Climate Change Department is annexed hereto and marked as Annexure **A-7**

Copy of the RTI application no. D.B.-7292/25/(D) dated 10/04/2025 issued by Mr. Dulal Bora is annexed hereto and marked as Annexure **A-8**

Copy of Allegation Letter no. D.B. 057-2-25(D) dated 03.03.2025 issued by Mr. Dulal Bora is annexed hereto and marked as Annexure **A-9**

Copy of reply letter dated 11-06-2025 issued to Mr. Dulal Bora against his RTI as above by the Pollution Control Board, Assam is annexed hereto and marked as Annexure **A-10**

Copy of the Report of the Enquiry Committee formed by Office Order No. RTI-12/10/2025-CCA-PCBA dated 17.05.2025 is annexed hereto and marked as Annexure **A-11**

It is denied that the RTI response dated 11th June, 2025, demonstrates a calculated, systematic, unconscionable attempt to

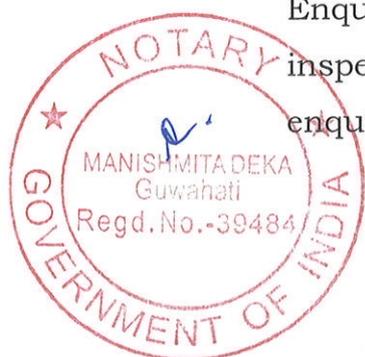


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shield Mousumi Bardalai from accountability while deflecting entire blame on to M/s Jai Brick Industries through spurious, legally untenable and factually baseless arguments that reveal the institutional capture of the regulatory mechanism. The allegation is made to tarnish the image of the answering respondent and its officer without any basis.

10. Save matters of record, each and every allegation contained in paragraph 13 of the Supplementary Affidavit is denied. The answering respondent states that a three-member Enquiry Committee was duly constituted vide Order dated 17.05.2025, to examine the issues raised in the allegation submitted by the applicant. The answering respondent states that upon careful scrutiny of the records and facts, the Committee found that the proprietor of the unit in question, in connection with Application ID No. 3297761, had submitted misleading information through a notarized affidavit. The Committee's conclusions were based on the factual content as stated on Page 48 of the Supplementary Affidavit, specifically under Annexure II of Annexure Letter A-4 of the said affidavit. These findings and observations were duly submitted to the then competent authority of the Board for necessary consideration and further action in relation to the applicant's allegations.

11. Save matters of record, each and every allegation contained in paragraphs 14 and 15 of the Supplementary Affidavit are denied. The Enquiry Committee constituted by the Board conducted a site inspection of the unit in question on 24.05.2025. In the course of the enquiry, the Committee thoroughly examined all relevant documents



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submitted by the proprietor of the unit, along with the records and findings of the earlier inspection conducted by the Regional Office. After a comprehensive review of the facts, documents, and circumstances surrounding the case, the Enquiry Committee arrived at the following conclusions:

- i. *Since the said brick unit did not satisfy the MoEF&CC Notification No GSR 143 (E) dtd. 22/02/2022 and furnished false information, the CTE order may be withdrawn as per clause no. 4 (b) 'Obtaining the CTE by misrepresentation or failure to disclose fully all relevant facts' which is stated in the CTE order granted vide order No. PCBA/BONG/T-1352/24-25/222 dtd.5th August, 2024 to M/s JAI Brick Industry, which is based on Section 38 (g) of Air Act, 1981. Therefore the unit is punishable for making a false statement which may attract penal action against the unit. In view of this, the unit may be 'Show caused' or Board may withdraw the CTE.*
- ii. *The Regional Office-South Bank had forwarded misleading information to the Zonal Authority. Therefore, Regional Office-South Bank may be warned to forward only verified and true locational details along with proper technical facts of any unit and also not to mislead the Board in future.*

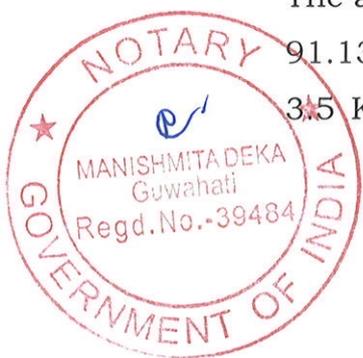


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12. Save matters of record, each and every allegation contained in paragraph 16 of the Supplementary Affidavit is denied. The statement is misleading and incorrect. The answering respondent hereby reiterates the statements made in paragraph no. 10 herein above in support of its contentions and also relies upon the annexures annexed therein. The answering respondent further states that the Board has considered the report of the enquiry committee and has withdrawn the CTE order vide letter no. RTI-12/10/2025-CCA-PCBA dated 02-08-2025 issue no. I/3775/2025 and corrigendum vide letter no. RTI-12/10/2025-CCA-PCBA/65 dated 08-08-2025 and the Officials of Regional Office- South Bank were warned vide letter no. RTI-12/10/2025-CCA-PCBA with issued no. 1/3774/2025 dated 02-08-2025.

13. Save matters of record, each and every allegation contained in paragraphs 17, 18 and 19 of the Supplementary Affidavit are denied. The answering respondent does not intend to make any comment against the contentions contained in the said paragraphs of the supplementary affidavit of the applicant.

14. Save matters of record, each and every allegation contained in paragraph 20 of the Supplementary Affidavit is denied. The answering respondent states that the allegation made in the Supplementary Affidavit pertaining to the brick kiln's close proximity to Chamaria Satra known as Sri Sri Bar-Bishnu Ata is totally false. The areal distance from the brick factory (GPS coordinate 26.083820, 91.136489) to Chamaria Satra (26.062847, 91.162461) is approx. 3.5 KM and in this connection photographs of Chamaria Satra are



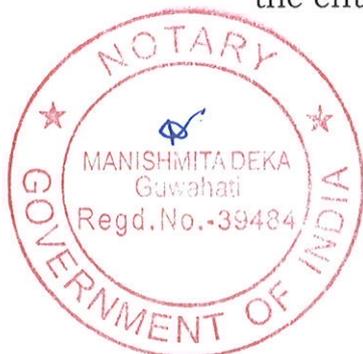
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annexed hereto and marked as **Annexure-A-12** along with Google map showing aerial distance between the Chamaria Satra and the brick factory as stated above are annexed hereto and marked as **Annexure-A-13**.

15. Save matters of record, each and every allegation contained in paragraph 21 of the Supplementary Affidavit is denied. The answering respondent states that it is mentioned that the unit is situated at village which is not flood prone area which can be understood by prima-facie. As per views of the public of that area no flood has been occurred in the last 30 years. Hence, there is no possibility of contaminations of unwanted chemical etc. to the nearby environment.

16. Save matters of record, each and every allegation contained in paragraph 22 of the Supplementary Affidavit is denied. The answering respondent states that the answering respondent follows guidelines of MoEF&CC and CPCB issued under provision of various Environmental laws.

17. Save matters of record, each and every allegation contained in paragraph 23 of the Supplementary Affidavit is denied. The answering respondent states that Vide Office Order No WB/G-1686/20-21/112 dated 01-06-2024, the then Member Secretary, in public Service, the Jurisdiction of the Technical wing of the answering respondent for the entire State was divided into five (5) Zones, viz.



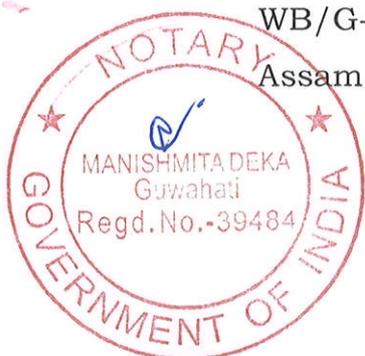


| ZONE | Name of the Regional Office |
|----------------------|--|
| Zone-1(North) | Kamrup (R) and Tezpur |
| Zone-II (South) | Sivasagar, Golaghat, Guwahati and Nagaon |
| Zone-III(East) | Dibrugarh and Tinsukia |
| Zone-IV(West) | Bongaigaon and South Bank (RO) |
| Zone-V(Barak Valley) | Silchar |

Mrs. Bardalai was allotted Zone-4, under which jurisdiction covers the Regional Offices of South Bank and Bongaigaon. Further, vide Office Order No. WB/G-295/21-22/448 dated 15.07.2024, the then Member Secretary has authorized all the Zonal Heads to approve and issue of CTE and CTO/CCA of the Brick Industries in the State subject to fulfilment of the criteria mentioned in the Order. The aforesaid orders were executed solely at the level of the then Member Secretary, without any written prior approval of the Chairman. Hence, the statement alleging the Chairman's failure to establish effective oversight and corrective mechanisms is unfounded and incorrect.

Copy of the Office Order dated 01-06-2024 under Reference No. WB/G-1686/20-21/112 issued by the Pollution Control Board, Assam is annexed hereto and marked as Annexure **A-14**.

Copy of the Office Order dated 15.07.2024 under Reference No. WB/G-295/20-21/448/987 issued by the Pollution Control Board, Assam is annexed hereto and marked as Annexure **A-15**.



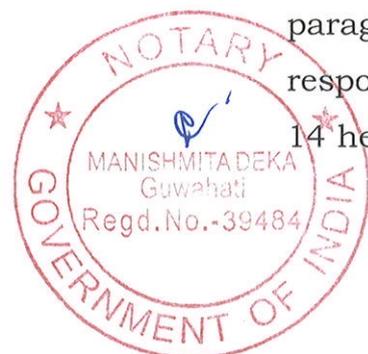
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18. Save matters of record, each and every allegation contained in paragraphs 24 and 25 of the Supplementary Affidavit are denied. It is denied that there has been violation of mandatory sitting criteria by the respondent no.3's officials as alleged. It is further denied that the environmental consents are being granted based on external factors other than compliance with environmental norms as alleged. It is also denied that the actions of the answering respondent constitute violations of the environmental laws.

19. Save matters of record, each and every allegation contained in paragraph 26 of the Supplementary Affidavit is denied. The answering respondent states that the Board did not grant the CTO to the said brick industry or allowed the unit to operate in any way. Hence, there is no violation of environmental laws. It is further stated that the answering respondent has rejected the CTO application vide No. 3297761, which reveals that answering respondent did not allow to operate the unit. Moreover, the answering respondent has withdrawn the CTE granted to the unit vide dated. 02.08.2025.

20. Save matters of record, each and every allegation contained in paragraph 27 of the Supplementary Affidavit is denied. It is denied that there has been any violation of the environmental laws as alleged.

21. Save matters of record, each and every allegation contained in paragraph 28 of the Supplementary Affidavit is denied. The answering respondent hereby reiterates the statements made in paragraph no. 14 herein above in support of its contentions.



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22. Save matters of record, each and every allegation contained in paragraphs 29, 30, 31, 32 and 33 of the Supplementary Affidavit are denied.

23. The answering respondent states that the supplementary affidavit being preferred by the applicant in connection with the Original Application No. 73/2025/EZ is barred by the principles of acquiescence, estoppel, waiver and/or acceptance and/or principles analogous thereto. The answering respondent further states that the said supplementary affidavit is malafide, vexatious, harassing and is liable to be dismissed.

24. The answering respondent is duty bound to abide by and implement any direction passed by this Hon'ble Tribunal in the facts and circumstances of the present case.

25. The statements made in paragraph nos. 1 to 22 are bonafide and true and correct and the rests are the humble submissions made before this Hon'ble Tribunal.

22/8/25
 NOTARY
 MANISHMITA DEKA
 Guwahati
 Regd.No.-39484

Mukunda Madhab Barua

DEPONENT

VERIFICATION

I, the deponent herein above, do hereby verify that the contents of the above affidavit are true and correct to the best of my knowledge



22/8/25
 NOTARY
 MANISHMITA DEKA
 Guwahati
 Regd.No.-39484

18~~X~~

| | |
|-------------|-----------|
| Sl. No..... | 24..... |
| Date..... | 22/8/2025 |

and belief, that no part of it is false and nothing material has been concealed therefrom.

Verified at Guwahati on this day of August, 2025.

Mukunda Madhab Bora

DEPONENT

Identified by

Siddhantha Baruah
 Advocate 495/99

Solemnly affirmed before me this day, I certify that I read over and explained the contents to the declarant and that the declarant seemed perfectly to understand them.

MD
 22/8/25
 NOTARY
 MANISHMITA DEKA
 Guwahati
 Regd.No.-39484





Application Details

[Print](#)

From : M/s **M/s JAI Brick Industry (I2024RG8260)**
 Vill.: Baguriguri,P.O.: Malibari Pather Bazar, Boko, South Bank Kamrup Rural
No : 2844183 **Date :** 2024-06-13 20:52:37.504
Sub : Application For - CTE

Note By:RO-South Bank(ROSOUTH0024)

Date Time: 12-06-2024 07:12 AM

Forwarded To: RO-South Bank

Description:

Activity: Forward

Scrutiny Query: Please submit affidavit on adoption of Zig-zag technology.

Scrutiny Status: In-Complete [View Scrutiny Report](#)

Scrutiny Description Please submit affidavit on adoption of Zig-zag technology.

Activity: Forward

Activity: Application Re-Submitted

Query Reply:

Date Time: 13-06-2024 03:28 PM

Note By: M/s JAI Brick Industry(Industry)

Forwarded To:
s

RO-South Bank

Note By:RO-South Bank(ROSOUTH0024)

Date Time: 13-06-2024 03:29 PM

Forwarded To: Industry

Description:

Activity: Forward

Scrutiny Query:

Scrutiny Status: Complete

Scrutiny Description

Note By:Industry(I2024RG8260)

Date Time: 13-06-2024 08:41 PM

Forwarded To: RO-South Bank

Description:

Activity: Forward

Note By:RO-South Bank(ROSOUTH0024)

Date Time: 14-06-2024 06:28 PM

Forwarded To: AEE NAGEN BODO

Description: Please process.

Activity: Forward

Note By:AEE NAGEN BODO(NAGEN002)

Date Time: 15-06-2024 08:16 AM

Forwarded To: AEE NAGEN BODO

Description:

Activity: Forward

Activity: Inspection

Description:

Note By:AEE NAGEN BODO(NAGEN002)



Date Time: 21-06-2024 04:33 PM

Forwarded To: RO-South Bank**Description:****Activity:** Forward**Activity:** Inspection Closed**Description:****Note By:**RO-South Bank(ROSOUTH0024)

Date Time: 21-06-2024 04:36 PM

Forwarded To: AEE NAGEN BODO**Description:** Please upload draft CTE and relevant document.**Activity:** Forward**Note By:**AEE NAGEN BODO(NAGEN002)

Date Time: 21-06-2024 04:41 PM

Forwarded To: AEE NAGEN BODO**Description:** Uploaded Public hearing document which was submitted to the RO Kamrup.**Activity:** Forward**Attached Letter:** [Letter Attached By Officials](#)
[View Letter](#)**Note By:**AEE NAGEN BODO(NAGEN002)

Date Time: 21-06-2024 04:43 PM

Forwarded To: AEE NAGEN BODO**Description:** Uploaded withdrawal of public complaint letter.**Activity:** Forward**Attached Letter:** [Letter Attached By Officials](#)
[View Letter](#)**Note By:**AEE NAGEN BODO(NAGEN002)

Date Time: 21-06-2024 05:00 PM

Forwarded To: RO-South Bank

M/s JAI Brick Industry has applied for CTE for setting up a brick kiln at Baguriguri, P.O: Malibari Pathar Bazar, Kamrup, Assam-781136, depositing fees Rs. 50,500/ (CTE-50,000+appln. 500/) vide UTR No. 41670951159 dtd. 13.6.2024 based on capital investment Rs. 75.00 Lacs. The proposed capacity of Clay brick manufacturing unit is 75,00,000/year and will be used Soil, Sand and water as raw material. The unit used 5 KLD water. The unit uploaded photographs of site, affidavit on adoption of Zi-g-zag technology, GP NOC, Project report, Google map, Process flow chart, Source of raw materials, Site plan, Source of Raw materials. The unit was directed to conduct public hearing but already the RO, Kamrup was instructed to conduct the public Hearing and submitted the public hearing document with videography, attendance and proceeding register and the copy of withdrawal letter of public complaint by the complainant which has been uploaded. The unit proposed to adopt Zig-Zag Technology and proposed stack height is 45 meter. The draft CTE has been uploaded. The Board may kindly be granted CTE under the terms and condition.

Activity: Forward**Attached Letter:** [Letter Attached By Officials](#)
[View Letter](#)

**Note By:**RO-South Bank(ROSOUTH0024)**Date Time:** 01-07-2024 03:03 PM**Forwarded To:** AEE NAGEN BODO**Description:** Please asked the unit proprietor to submit the proper affidavit.**Activity:** Forward**Note By:**AEE NAGEN BODO(NAGEN002)**Date Time:** 03-07-2024 02:23 PM**Forwarded To:** RO-South Bank**Description:** The unit has submitted the Brick kiln affidavit which has been uploaded.**Activity:** Forward**Attached Letter:** [Letter Attached By Officials](#)
[View Letter](#)**Note By:**RO-South Bank(ROSOUTH0024)**Date Time:** 05-07-2024 12:31 PM**Forwarded To:** M Bardalai, Zone IV**Description:** M/s JAI Brick Industry has applied for CTE for setting up a brick kiln at Baguriguri, P.O: Malibari Pathar Bazar, Kamrup, Assam-781136.The unit has submitted necessary documents such as photographs of site, affidavit on adoption of Zi-g-zag technology, GP NOC, Project report, Google map, Process flow chart, Source of raw materials, Site plan, Source of Raw materials, with capital investment Rs. 75.00 lakh and necessary CTE fees has been deposited Rs. 50,500/- (CTE-50,000/-+appln. 500/-) vide UTR No. 41670951159 dtd. 13.6.2024. The proposed capacity of Clay brick manufacturing unit is 75,00,000/year and will be used Soil, Sand and water as raw material. The unit used 5 KLD water. The unit was directed to conduct public hearing but already the RO, Kamrup was instructed to conduct the public Hearing and submitted the public hearing document with videography, attendance and proceeding register and the copy of withdrawal letter of public complaint by the complainant which has been uploaded. The unit proposed to adopt Zig-Zag Technology and proposed stack height is 45 meters. Based on inspection report as well as information provided in the application forwarded with the draft CTE order for grating of CTE under the terms and condition.**Activity:** Forward**Note By:**M Bardalai, Zone IV(mousumi001)**Date Time:** 05-07-2024 02:49 PM**Forwarded To:** MEMBER SECRETARY**Description:** Above note of RO may please be referred. Public Hearing was conducted by RO Kamrup. Minutes and Attendance are uploaded. The site was visited on the 29/06/24 and observed that the stack is under construction. Forwarded for approval.**Activity:** Forward**Note By:**MEMBER SECRETARY(shantanu)**Date Time:** 11-07-2024 01:32 PM**Forwarded To:** M Bardalai, Zone IV**Description:** Plz re-examine.



Activity: Forward

Note By:M Bardalai, Zone IV(mousumi001)

Date Time: 12-07-2024 01:52 PM

Forwarded To: MEMBER SECRETARY

Description: Application re-examined and found in order. Recommended for CTE.

Activity: Forward

Note By:MEMBER SECRETARY(shantanu)

Date Time: 15-07-2024 04:27 PM

Forwarded To: M Bardalai, Zone IV

Description: To process the application in line of the Office Order No. WB/G-295/21-22/448 dtd. 15.07.2024. Strict compliance of the terms of the order shall be ensured.

Activity: Forward

Note By:M Bardalai, Zone IV(mousumi001)

Date Time: 16-07-2024 11:13 AM

Forwarded To: Sarat Nath-AA-II

Description: Please check for strict compliance in line with the Office Order No. WB/G-295/21-22/448 dtd. 15.07.2024.

Activity: Forward

Note By:Sarat Nath-AA-II(sarat001)

Date Time: 30-07-2024 10:42 AM

Forwarded To: M Bardalai, Zone IV

Description: As per instructions, forwarded back.

Activity: Forward

Note By:M Bardalai, Zone IV(mousumi001)

Date Time: 31-07-2024 01:30 PM

Forwarded To: Sarat Nath-AA-II

Description: Please put up CTE order.

Activity: Forward

Activity: Approved

Description:

Note By:Sarat Nath-AA-II(mousumi001)

Date Time: 31-07-2024 01:30 PM

Forwarded To: Sarat Nath-AA-II

Description: Please put up CTE order.

Activity: Forward

Note By:Sarat Nath-AA-II(sarat001)

Date Time: 06-08-2024 11:15 AM

Forwarded To: M Bardalai, Zone IV

Description: As per the note history, the CTE order has been uploaded.

Activity: Forward

Note By:M Bardalai, Zone IV(mousumi001)

Date Time: 07-08-2024 12:11 PM

Forwarded To: MEMBER SECRETARY

Description: For final disposal.

Activity: Forward



Note By: MEMBER SECRETARY(shantanu)

Date Time: 12-08-2024 01:58 PM

Forwarded To: RECORD ROOM

Description:

Activity: Forward

Activity: Close After Approval

Description:

Pollution Control Board, Assam

File No. E-6691
Dtd. 20/3/25
Date

GOVERNMENT OF ASSAM
ENVIRONMENT AND FOREST DEPARTMENT
DISPUR: GUWAHATI-6

Ecf No, E-623375/ 3

Dtd.Dispur the ...March,2025

To : The Chairman,
Pollution Control Board of Assam
Bamunimaidan, Guwahati-21

Sub : Allegation received from Sri Dulal Bora vide No. D. B.053-1-25(D)
regarding cancellation of Permission of Brick Klin Industry in Vill-
Botiamari in Kamrup(R)

Ref : Allegation Letter D. B.053-1-25(D) dtd.27-02-2025

Sir,

With reference to the subject cited above, I am directed to forward herewith the allegation letter under reference alongwith its enclosure (in original), the content of which is self explanatory and request you authenticity of the allegation through a preliminary enquiry and submit a report to this Department at an early date.

Encl: As stated above

Signed faithfully,
Sachindra Das
Date: 01-03-2025 13:18:42

Joint Secretary to the Govt. of Assam
Environment & Forest Department

Memo No. E-623375/ 3-A

Dtd.Dispur the ...March,2025

Copy to

- 1. Shri Dulal Bora, S/O, Late Deben Bora, Rajib Gandhi Path, H/No-118, Kainadhara Tiniali, Khanapara,, Guwahati-781022, Dist-Kamrup (M),(Assam),Ph No-9435707133 for information.

By order etc.

(e. signed)
Joint Secretary to the Govt. of Assam
Environment & Forest Department

1161
19.03.2025
d

ACCE (M.B)
PL process. urgently.
Shri D
20/3/25

M.S
Govt. need a preliminary report. We may give a small note.
Advised
19.03.2025

19/03/25
P.D.

To,
The Additional Chief Secretary of Environment & Forest Dept.
Govt. of Assam
Ananta Bhawan
Dispur, Guwahati-06
Assam

Allegation Letter.D.B.053-1-25(D)

বিষয়ঃ- কামৰূপ গ্ৰাম্য জিলাৰ বটিয়ামাৰী গাঁৱত নিৰ্মাণ কৰা JAI(JAIE) ইটাভাটাৰ অনুমতি বাতিল কৰাৰ লগতে অসম প্ৰদূষণ নিয়ন্ত্ৰণ পৰিষদৰ দুই বিঘাৰ ওপৰত শাস্তিমূলক ব্যৱস্থা গ্ৰহণ কৰাৰ কাৰণে আবেদন।

মহোদয়,

বিনিত সন্মান পূৰ্বক এই যে কামৰূপ গ্ৰাম্য জিলাৰ ছমৰীয়া ৰাজহ চক্ৰ বিষয়াৰ কাৰ্যালয়ৰ অন্তৰ্গত বটিয়ামাৰী, কাহিবাৰী আৰু পুঠিমাৰী গাঁৱৰ কৃষিজীৱী লোকসকলে কৃষি কৰি জীৱন যাপন কৰে। লগতে কাহিবাৰী মধ্য ইংৰাজী বিদ্যালয়ৰ ছাত্ৰ-ছাত্ৰীসকলৰ বিদ্যালয়লৈ যোৱাৰ একমাত্ৰ যি পথ সেই পথতেই JAI(JAIE) ইটাভাটা স্থাপন কৰাৰ বাবে অসম প্ৰদূষণ নিয়ন্ত্ৰণ পৰিষদৰ বামুণীগাঁও আঞ্চলিক কাৰ্যালয়ৰ পৰা কাৰ্যবাহী অভিযন্তা শ্ৰী নগেন বড়ো আৰু শ্ৰীমতী মৌচুমী বৰদৈলয়ে চৰকাৰী নিৰ্দেশনাক অমান্য কৰি ইটাভাটা স্থাপন কৰাৰ বাবে NOC প্ৰদান কৰিলে। ছমৰীয়া ৰাজহ চক্ৰ বিষয়াৰ কাৰ্যালয়ৰ অন্তৰ্গত বটিয়ামাৰী, কাহিবাৰী আৰু পুঠিমাৰী গাঁৱৰ স্থানীয় ৰাইজে উক্ত ইটাভাটাটো স্থাপন কৰাৰ বাবে NOC প্ৰদান নকৰিবলৈ অসম প্ৰদূষণ নিয়ন্ত্ৰণ পৰিষদৰ অধ্যক্ষ অৰূপ কুমাৰ মিশ্ৰক এখন লিখিত আবেদন দাখিল কৰিছিল। কিন্তু ৰাইজৰ অভিযোগৰ প্ৰতি তিলমানো গুৰুত্ব প্ৰদান নকৰি উক্ত ইটাভাটাটো স্থাপন কৰাৰ বাবে অসম প্ৰদূষণ নিয়ন্ত্ৰণ পৰিষদৰ বামুণীগাঁও আঞ্চলিক কাৰ্যালয়ৰ পৰা কাৰ্যবাহী অভিযন্তা শ্ৰী নগেন বড়োৱে ইটাভাটাটোৰ মালিকৰ লগত গোপন বুজাবুজি কৰি NOC প্ৰদান কৰিলে। উল্লেখযোগ্য যে The Assam Brick Kilns and Establishment Rules and Regulation, 2013. অনুসৰি ইটা ভাটা স্থাপন কৰা মালিকে নিম্নলিখিত চাৰ্টাফিকেট সমূহ সংশ্লিষ্ট কৰ্তৃপক্ষৰ পৰা লাভ কৰিব লাগে -

1. Certificate as non-agriculture land certified by the concerned Circle Officer of the Revenue Dept. to the Govt. of Assam.
2. NOC from the concerned Gaon Panchayat.
3. An affidavit regarding valid source of raw materials.
4. Valid consent for establishment and operation to be obtained from Pollution Control Board, Assam under Air (Prevention & Control of Pollution) Act, 1981.
5. Brick Kiln shall be provided with port hole, platform, ladder etc.
6. Green Belt development shall be done all along the periphery of the brick field with local trees and bamboos etc.
7. Brick unit shall use crushed coal for better burning efficiency.
8. Brick unit shall install and operate adequate pollution control measures such as gravity chamber, water sprays etc at strategic location.
9. The Brick unit shall use local agricultural wastage.
10. Fly ash shall be used in brick moulding under the provision of environment (Protection) Act, 1986.
11. In the event of closing down of Brick field, the site shall be completely reclaimed before abandoning.
12. The brick kiln must seek prior Consent to Establishment and Consent to Operate under Air (Prevention & Control of Pollution) Act, 1981.
13. Enough space should be available all around in a brick kiln for Planting at least two rows of trees, shrubs or bamboo along the periphery.
14. Approach road within the premises of brick kiln area should be pucca/ stabilized with bricks & bats etc.
15. Active haul roads inside the work should be adequately wetted with water.
16. Wheel cleaning facility should be provided, for delivery trucks leaving the works, for the removal of mud.
17. Water storage facility (min.3000litres) must be provided at brick clean site.
18. A high standard of housekeeping should be maintained.
19. A sign board showing the name, address, capacity of brick kiln as well as validity of consents should be displayed at entrance of the site.

PM
25/2/25

50
Muder

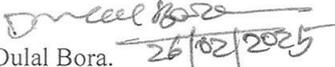
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3210965

Office of the Spl Chief
to the
Date: 26/02/2025
Environment
ECR No. 354
Date: 27/02/25

20. Brick kiln industry must have valid source for raw materials either in self ownership or with proper legal arrangement. An affidavit to this effect shall be submitted.
21. Clay mining area should be retained after utilization.
22. Lighting arrestor as per PWD norms shall be installed for brick kiln to avoid damage to stacks/chimney cause due to lighting attack.
23. The minimum 33% of land on which industry is established or proposed to be established is covered by plantation.
24. Multi layer and multi story green belt of 10 mtrs widths or two rows of bamboo shall be developed along the periphery of brick kiln leaving two 10 mtrs width gaps in the boundary for entry and exit of vehicles. A wall of 3 mtrs height shall be constructed on the sites where land is not available for green belt development to prevent fugitive dust emission. For installation of brick kiln development, the minimum area is 5 bigha.
25. Copy of report for excavation of bricks required to be obtained from forest dept. in accordance to rule 26 of Assam minor mineral concession rule, 2013 from DIM i and PIM ii.
26. Status of implementation of the action plan for green belt development i.e., the number of plants planted, the number of plants surviving, area already covered by plantation etc. along with photograph of plantation.
27. Annual compliance and report of consent condition to the competent authority.
28. Annual emission plant and ambient Air quality monitoring report to the competent authority.
29. Annual environment statement in the prescribed format as under environment (protection) Act, 1986 to the competent authority.
30. Annual production and dispatch details of bricks.
31. The top layer i.e. the HUMUS layer of the land used for earth mining as well as clean area must be preserved safely in a area inside brick field to be used for reclamation of the depleted. Abandoned brick field or kiln area later on.

উক্ত চৰকাৰী নিয়ম ভংগ কৰি শস্য উৎপাদিত কৃষিভূমিত স্থাপিত JAI(JAIE) দূৰত্ব ঘন জনবসতিপূৰ্ণ এলেকাৰ ৫০ মিটাৰ মান, কাহিবাৰী মধ্য ইংৰাজী বিদ্যালয়ৰ পৰা দূৰত্ব ২০০ মিটাৰ মান, বটিয়ামাৰী অংগনবাদী কেন্দ্ৰৰ পৰা দূৰত্ব ২০০ মিটাৰ মান, বটিয়ামাৰী গাঁৱত পূৰ্বে স্থাপন কৰা BSI ইটা ভাটাৰ পৰা দূৰত্ব প্ৰায় ৭০০ মিটাৰ মান। ইটাভাটাটো স্থাপন কৰিলে কাষৰীয়া খেতিয়কৰ কৃষিভূমি ক্ষতিগ্ৰস্ত হোৱাৰ লগতে অঞ্চলবাসী ৰাইজ আৰু শিক্ষাৰ্থী ব্যাপক ক্ষতিৰ সন্মুখীন হ'ব। এই বিষয়টোৰ সন্দৰ্ভত তদন্ত কৰিবলৈ আপোনাক অনুৰোধ জনালো। লগতে চৰকাৰী নিয়ম উলংঘা কৰি ইটাভাটা স্থাপন কৰাৰ বাবে NOC প্ৰদান উক্ত কাৰ্যবাহী অভিযন্তা শ্ৰী নগেন বড়ো আৰু শ্ৰীমতী মৌচুমী বৰদৈলৰ ওপৰত শাস্তিমূলক ব্যৱস্থা গ্ৰহণ কৰাৰ বাবে অনুৰোধ জনালো।

Thanking You,
Yours Faithfully


Dulal Bora. 26/02/2025

S/O -Late. Deben Bora.

House No-118.

Rajib Gandhi Path.

Kainadhara Tiniali

Khanapara, Guwahati-781022.

Dist-Kamrup(M).(Assam)

Ph. No-9435707133.

Email- associatesdbpa@gmail.com

(Translated Copy)

To,
The Additional Chief Secretary of Environment & Forest Dept.
Govt. of Assam
Janata Bhawan
Dispur, Guwahati-06
Assam

Allegation Letter.D.B.053-1-25 (D)

Subject: Application for termination of permission of JAI Brick Kilns established in Batiamari village of Kamrup Rural District and for disciplinary action against two officers of Assam Pollution Control Board.

Respected Sir,

With due respect, it is stated that the people of Batiamari, Kahibari and Puthimari village under Samaria Revenue Circle of Kamrup rural district lives in agriculture. Besides, Sri Nagen Boro and Smti. Mousami Bardalai of Regional Office, APCB granted NOC to establish JAI Brick Kilns by violating government directions on the road which is the only road by which students of Kahibari ME School go to school. The villagers submitted written application to the Chairman of APCB not to provide NOC to establish the said brick kiln. However, Nagen Boro of RO, APCB granted NOC after dealing secretly with the owner of the brick kiln. It may be noted that Brick Kiln owner has to acquire the following certificates from the authority as per The Assam Brick Kilns and Establishment Rules and Regulation, 2013.

With due respect, it is stated that the people of Batiamari, Kahibari & Puthimari village under Samaria Revenue Circle of Kamrup

1. Certificate as non-agriculture land certified by the concerned Circle Officer of the Revenue Dept. to the Govt. of Assam.
2. NOC from the concerned Gaon Panchayat.
3. An affidavit regarding valid source of raw materials.
4. Valid consent for establishment and operation to be obtained from Pollution Control Board, Assam under Air (Prevention & Control of Pollution) Act, 1981.
5. Brick Kiln shall be provided with port hole, platform, ladder
6. Green Belt development shall be done all along the periphery of the brick field with local trees and bamboos etc.
7. Brick unit shall use crushed coal for better burning efficiency.
8. Brick unit shall install and operate adequate pollution control measures such as gravity chamber, water sprays etc at strategic location.
9. The Brick unit shall use local agricultural wastage.

10. Fly ash shall be used in brick moulding under the provision of environment (Protection) Act, 1986.
11. In the event of closing down of Brick field, the site shall be completely reclaimed before abandoning.
12. The brick kiln must seek prior Consent to Establishment and Consent to Operate under Air (Prevention & Control of Pollution) Act, 1981.
13. Enough space should be available all around in a brick kiln for Planting at least two rows of trees, shrubs or bamboo along the periphery.
14. Approach road within the premises of brick kiln area should be pucca/ stabilized with bricks & bats etc.
15. Active haul roads inside the work should be adequately wetted with water.
16. Wheel cleaning facility should be provided, for delivery trucks leaving the works, for the removal of mud.
17. Water storage facility (min.3000 litres) must be provided at brick clean site.
18. A high standard of housekeeping should be maintained.
19. A sign board showing the name, address, capacity of brick kiln as well as validity of consents should be displayed at entrance of the site.
20. Brick kiln industry must have valid source for raw materials either in self ownership or with proper legal arrangement. An affidavit to this effect shall be submitted.
21. Clay mining area should be retained after utilization.
22. Lighting arrestor as per PWD norms shall be installed for brick kiln to avoid damage to stacks/chimney cause due to lighting attack.
23. The minimum 33% of land on which industry is established or proposed to be established is covered by plantation.
24. Multi layer and multi story green belt of 10 mtrs widths or two rows of bamboo shall be developed along the periphery of brick kiln leaving two 10 mtrs width gaps in the boundary for entry and exit of vehicles. A wall of 3 mtrs height shall be constructed on the sites where land is not available for green belt development to prevent fugitive dust emission. For installation of brick kiln development, the minimum area is 5 bigha.
25. Copy of report for excavation of bricks required to be obtained from forest dept. in accordance to rule 26 of Assam minor mineral concession rule, 2013 from DIM I and PIM ii.
26. Status of implementation of the action plan for green belt development i.e., the number of plants planted, the number of plants surviving, area already covered by plantation etc. along with photograph of plantation.
27. Annual compliance and report of consent condition to the competent authority.
28. Annual emission plant and ambient Air quality monitoring report to the competent authority.

29. Annual environment statement in the prescribed format as under environment (protection) Act, 1986 to the competent authority.
30. Annual protection and dispatch details of bricks.
31. The top layer i.e. the HUMUS layer of the land used for earth mining as well as clean air must be preserved safely in a area inside brick field to be used for reclamation of the depleted. Abandoned brick field or kiln area later on.

A brick kiln has been established by JAI (JAIE) on agricultural land designated for high-yield crop cultivation, in clear violation of government regulations. The said brick kiln is situated within 50 meters of a residential area, 200 meters from a nearby Kahibari ME school, 200 meters from the Batiamari Anganwadi Centre, and approximately 700 meters from the existing BSI brick Kiln. The location of this kiln poses a serious threat to the surrounding agricultural land and may cause significant environmental and health hazards to local residents and students. In this regard, it is requested that appropriate disciplinary action be taken against Mr. Nagen Boro and Mrs. Mousami Bardalai for allegedly issuing the No Objection Certificate (NOC) in contravention of government norms and regulations.

Thanking You,
Yours Faithfully

(sign by the applicant)

Dulal Bora.
S/O-Late. Deben Bora.
House No-118,
Rajib Gandhi Path,
Kainadhara Tiniali
Khanapara, Guwahati-781022.
Dist- Kamrup (M), (Assam)
Ph. No-9435707133.
Email- associatesdbpa@gmail.com



Pollution Control Board:: Assam
Bamunimaidan; Guwahati-21
 (Department of Environment & Forests:: Government of Assam)
 Phone: 0361-2652774 & 2550258; Fax: 0361-2550259
 Website: www.pcbassam.org

ANNEXURE A-4 143



No. TECH-14012/19/2025-CCA-PCBA

Dated Guwahati, the 03rd April, 2025

To,

The Joint Secretary to the Govt. of Assam
 Environment and Forest Department
 Dispur, Guwahati-06.

Sub: Allegation received from Sri Dulal Bora vide No. D.B.053-1-25(D) regarding
 cancelation of permission of Brick Kiln Industry in Vill.: Boitamari in Kamrup (R).

Ref: Ecf No. E-623375/3 dtd. 01.03.2025.

Sir,

With reference to the subject and letter under reference, as cited above, please find herewith the Enquiry Report on JAI Enterprise, Vill.: Batiamari, P.O.: Malibari Pathar Bazar, Dist.: Kamrup, Assam-781136 which is self-explanatory. However, it is pertinent to inform that Consent to Establish issued to the unit earlier has already been withdrawn.

Yours sincerely,

Member Secretary

Memo No. TECH-14012/19/2025-CCA-PCBA

Dated Guwahati, the 03rd April, 2025

Copy to:

1. Sri Dulal Bora, S/o Late Deben Bora, Rajib Gandhi Path, Kainadhara Tiniali, Khanapara, Guwahati- 781022 for information.
2. P.A. to the Chairman for kind appraisal of the Hon'ble Chairman, PCBA.

(E-signed)**Member Secretary**

Enquiry Report on M/s JAI Enterprise

An enquiry was carried out on CTE granted to M/s JAI Enterprise (CTE No. PCBA/SBCH/T-433/2024-25/97 dtd. 30.09.2024), Jakir Hussain, Partner located at Vill.: Batiamari, P.O.: Malibari Pathar Bazar, Dist.: Kamrup, Assam-781136 as per Office Order No. ESTT-36/19/2025-HRA-PCBA/4 dtd. 17.03.2025 and No. ESTT-36/19/2025-HRA-PCBA / 7 dtd. 28.03.2025.

The Consent to Establish (CTE) was accorded to the unit only for regularizing the unit since it was seen that the unit had already carried on with construction work of the unit before the CTE was granted by the Board. For this matter, CTE penalty of 100% was levied on the unit.

The applicant submitted the CTE application along with an Affidavit based on which the Board had granted the said CTE.

The affidavit submitted by M/s JAI Enterprise stated that:

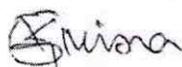
- a. "The distance of the site from the nearest house and or fruit orchards is 300 metres".
- b. "The distance of the site from the nearest brick kiln is 1 Km and the name of the nearest brick kiln is BSI Brick Industry".
- c. "The distance of the site from the worship places, public building, schools and hospitals is 6 Km and school 500 metre".

However, in response to a public complaint received against the said unit, verification of various siting criteria was carried out by the officials of this Board. And found that the distances mentioned in the Affidavit are not true and hence not as per the required criteria for establishment of such type of industry. The Affidavit was found to be containing some false information which misled the Officials of the Board.

In view of the above, the CTE order No. PCBA/SBCH/T-433/2024-25/97 dtd. 30.09.2024 issued to M/s JAI Enterprise has been withdrawn vide No. TECH-14014/2/2024-CCA-PCBA I/1813/2025 dtd. 12/03/2025 on the following grounds:

- i) **As per Sl. No. 4 (b) of the said CTE order dtd. 30.09.2024 - Obtaining the CTE by misrepresentation or failure to disclose fully all relevant facts;**
- ii) **As per Sl. No. 4 (c) of the said CTE order dtd. 30.09.2024 - Genuine complaint received.**

The above report is compiled on the available records with the office and report of Regional Office, South Bank Kamrup.



(G.K. Misra)
Chief Env. Scientist



(M.M. Bora)
Addl. Chief Env. Engineer

APPLICATION NO: 3032570

Assam State Pollution Control Board
Common Application for Consent to Establish (under Water Act, 1974 and Air Act, 1981)

From :

Jakir Hussain

Vill.: Batiamari, P.O.: Malibari Pother Bazar P.O.: Boko, Chaygaon, Boko, KAMRUP, 781136

| | |
|--|--|
| Sir, I / We hereby apply for * (i) Consent to Establish under section 25 and 26 of the Water (Prevention and Control of Pollution) Act, 1974, as amended. (ii) Consent to Establish under Section 21 of the Air (Prevention and Control of Pollution) Act, 1981, as amended. (iii) Authorization under rule 5 of the Hazardous Wastes (Management and Handling) Rules, 2016, as amended in connection with my / our existing / proposed / altered / additional manufacturing / processing activity from the premises as per the details given below. | |
| Part A : General | |
| 1. | Name, designation, office address with telephone number, e-mail of the Applicant Name : Jakir Hussain Street Name 1 : Vill.: Batiamari, P.O.: Malibari Pother Bazar Street Name 2 : P.O.: Boko, Chaygaon Village/Town : Boko District : KAMRUP Pincode : 781136 Mobile : 9957691694 Phone Number : 9957691694 Email-id : jhn1122334@gmail.com |
| 2(a) | Name and location of the industrial unit / premises for which the application is made. (Give revenue Survey Number /plot number, name of Taluka and District also telephone number) Name : M/s JAI Enterprise Applicant Designation : PARTNER Street Name 1 : Vill.: Batiamari, P.O.: Malibari Pother Bazar Street Name 2 : P.O.: Boko, Chaygaon Village/Town : P.O.: Boko, Chaygaon District : South Bank Kamrup Rural Pincode : 781136 Mobile Number : 9957691694 Phone Number : 9957691694 |
| 2(b) | Details of the planning permission obtained from the local body / Town and Country Planning authority / metropolitan development authority / designate authority Permission Reference No. : Nil Date : 18/12/2023 Issuing Authority : Bamunbori GP |
| 2(c) | Name of the local body under whose jurisdiction the unit is located and name of the license issuing authority Local Body Name : Bamunbori GP License Issuing Authority : President and Secretary |



| | | |
|------|---|---|
| 3. | Names, addresses with telephone number of Managing Director/Managing Partner and officer responsible for matters connected with pollution control and / or hazardous waste disposal. | Name : Jakir Hussain Designation : PARTNER Street Name 1 : Vill.: Batiamari, P.O.: Malibari Pother Bazar Street Name 2 : P.O.: Boko, Chaygaon Village/Town : Boko District : Pincode : Mobile Number : 9957691694 Phone Number : 9957691694 Email ID : jhn1122334@gmail.com |
| 4. | (a) Are you registered as a small-scale industrial unit? | |
| 4(b) | If yes, give the number and date of registration. | Reg. No. : Date of Registration : 03/09/2024 |
| 5. | Gross capital investment of the unit without depreciation till the date of application (Cost of building, land, plant and machinery) | 95.0 |
| | (To be supported by an affidavit, Annual Report or certificate from a Chartered Accountant. For proposed unit(s), give estimated figure) | |
| 6. | If the site is located near sea-shore / river bank / other water bodies; indicate the distance and the name of the water body, if any | Distance meters Name of the water body |
| 7. | Does the location satisfy the requirements under relevant Central / State Govt. notifications such as Coastal Regulation Zone, Notification on Ecologically Fragile Area, Industrial location policy, etc. If so, give details. | |
| 8. | If the site is situated in notified industrial estate | No |
| (a). | whether effluent collection, treatment and disposal system has been provided by the authority | |
| (b). | will the applicant utilize the system, if provided | |
| (c). | if not provided, details of proposed arrangement. | |
| 9. | Total plot area, built-up area and area available for the use of treated sewage / trade effluent | Plot Area (sq. meters) 10033 Build-up Area (sq. meters) 1560 Area for Treated Sewage (sq. meters) |
| 10. | Month and year of proposed commissioning of the unit | Month : November Year : 2024 |
| 11. | Number of workers and office staff. | 105 |
| 12. | Do you have a residential colony within the premises in respect of which the present application is made ? | No |
| (a). | If yes, please state population staying | |
| (b). | Indicate its location and distance with reference to plant site. | Location: Distance: |
| 13. | List of products and by-products manufactured in tonnes / month, kl / month or numbers / month (Give figure corresponding to maximum installed production capacity) | |

| Sr. No. | Name | Type | Quantity | Units | | | |
|-------------------------------------|--|--|----------------|--|------------------------|-------------------------------|--|
| 1 | Clay Bricks | product | 6500000/Year | Metric Tonnes/Day | | | |
| 14. | List of raw materials and process chemicals with annual consumption corresponding to above stated production figures, in tonnes / month or kl / month or numbers / month. | | | | | | |
| | Sr. No. | Name | Type | Quantity | Units | | |
| | 1 | Soil, Sand and Water | Raw Materials | 12500 CuM/Year | Metric Tonnes/Day | | |
| 15. | Description of process of manufacture for each of the products showing input, output, quality and quantity of solid, liquid and gaseous wastes, if any from each unit process. (To be supported by flow sheet and / or material balance and water balance sheet). | | | | | | |
| Part B : Waste water aspects | | | | | | | |
| 16. | Water consumption for different uses (in m ³ / day) | | | | | | |
| 16(i). | Industrial cooling, spraying - in mine pits or boiler feeds. | | 2.50 | | | | |
| 16(i). | Domestic purpose | | 1.5 | | | | |
| 16(ii). | Processing whereby water gets polluted and the pollutants are easily biodegradable | | | | | | |
| 16(i). | Processing whereby water gets polluted and the pollutants are not easily bio-degradable and are toxic | | | | | | |
| 16(v). | Others such as agriculture, gardening etc. (specify) | | 0.50 | | | | |
| | Total | | 4.5 | | | | |
| 17. | Source of water supply. Name of authority granting permission if applicable and quantity permitted | | | | | | |
| | Source of water supply | Name of authority granting permission if applicable | | Quantity permitted (in m³/day) | | | |
| | Ground Water | Proposed to obtain permission from cgwa | | 7 | | | |
| 18. | Quantity of waste water (effluent) generated (in m ³ / day) | | | | | | |
| | Domestic | Industrial | Process | Washings | Boiler Blowdown | Cooling water blowdown | DM Plant/Softening Plant washings |
| 19. | Water budget calculations accounting for difference between water consumption and effluent generated. : | | | | | | |
| 20. | Present treatment of sewage / canteen effluent (Give sizes / capacities of treatment units). | | | | | | |
| 21. | Present treatment of trade effluent (Give sizes / capacities of treatment units). (A schematic diagram of the treatment scheme with inlet / outlet characteristics of each unit operation / process is to be provided. Include details of residue management system (ETP sludges)) | | | | | | |

| | | | |
|---------------------------------|--|-------------------------------------|--|
| 22(a) | Are sewage and trade effluents mixed together ? | | |
| 22(b) | If yes, state at which stage whether before, intermittently or after treatment. | | |
| 23. | Capacity of treated effluent sump. Guard Pond if any. | | |
| 24. | Mode of disposal of treated effluents, with respective quantity, in m ³ / day | | |
| | Name of river | Name of creek/estuary | Name of sea |
| | | | Owner of sewer |
| | | | Owened land |
| | | | Quantity of treated effluent reused / recycled, m³ / day |
| | | | Provide a location map of disposal arrangement indicating the outlet (s) for sampling |
| 25. | (a) Quality of untreated / treated effluents (Specify pH and concentration of SS, BOD, COD and specific pollutants relevant to the industry. TDS to be reported | | |
| | pH | Biochemical Oxygen Demand | Specific Pollutants |
| | | | Concentration of Suspended Solid |
| | | | Chemical Oxygen Demand |
| | | | Total Dissolved Solids |
| | (b) Enclose a copy of the latest report of analysis from the laboratory approved by State Board / Committee / Central Board / Central Government in the Ministry of Environment & Forests. For proposed unit furnish expected characteristics of the untreated / treated effluent. | | DOCUMENT IS ATTACHED |
| Part - C : Air emission aspects | | | |
| 26. | Fuel Consumption | | |
| | Fuel | Fuel consumption (TPD / KLD) | Calorific value |
| | | | Ash content % |
| | | | Sulphur content % |
| | | | Other (specify) |
| 27.(a) | Stack Details | | |



| Stack number | Attached to | Capacity | Fuel type | Fuel quantity (TPD / KLD) | Material of construction | Shape (round / rectangular) | Height, m (above ground level) | Diameter / size, in meters | Gas quantity, Nm ³ / hr | Gas temperature, °C | Exit gas velocity, m/sec | Control equipment preceding the stack |
|--------------|-------------|-------------|-----------|---------------------------|--------------------------|-----------------------------|--------------------------------|----------------------------|------------------------------------|---------------------|--------------------------|---------------------------------------|
| 1 | Kiln | 55000/Daily | Coal | 1.5 | RCC | Round | 44.2 | 3.5 | | | | Gravity settling chamber |

| | | | | | | | | | | | | |
|-------|---|--|--|--|--|--|--|--|--|--|--|--|
| 27(b) | Whether any release of odoriferous compounds such as Mercaptans, Phorate etc. are coming out | | | | | | | | | | | |
| 28 | Do you have adequate facility for collection of samples of emissions in the form of port holes, platform, ladder etc. as per Central Board Publication 'Emission Regulations Part-III' December 1985) | | | | | | | | | | | |
| 29 | Quality of treated flue gas emissions and process emissions.(Specify concentration of criteria pollutants and industry / process-specific pollutants stack-wise. Enclose a copy of the latest report of analysis from the approved laboratory by State Board / Central Board / Central Government in the Ministry of Environment and Forests. For proposed units furnish the expected characteristics of the emission | | | | | | | | | | | |

| Part - D : Hazardous waste aspects | | |
|------------------------------------|--|----------------------------------|
| 30 | Whether the unit is generating hazardous waste as defined in the Hazardous Waste (Management and handling) Rules, 2016, as amended. | No |
| (a) | If so, the category No.: | |
| 31. | Authorization required for * | |
| 32. | Quantity of hazardous waste generated (in kg / day) or (in mt / month) | |
| 33. | Characteristics of the hazardous waste(s).Specify concentration of relevant pollutants. Enclose a copy of the latest report of analysis from the laboratory approved by State Board/Central Board/ Central Government in the Ministry of Environment and Forests). For proposed units furnish expected characteristics. | |
| 34. | Mode of storage (intermediate or final) (describe area, location and methodology). | |
| 35. | Present treatment of hazardous waste, if any (give type and capacity of treatment units) | |
| 36. | Quantity of hazardous waste disposed | |
| | pH | Biochemical Oxygen Demand |

Part - E : Additional information

| | | |
|-------|--|--|
| 37(a) | Do you have any proposals to upgrade the present system for treatment and disposal of effluent/ emission and / or hazardous waste | |
| 37(b) | If yes, give the details with time-schedule for the implementation and approximate expenditure to be incurred on it. | |
| 38 | Capital and recurring (O & M) expenditure on various aspects of environment protection such as effluent, emission ,hazardous waste, solid waste, tree plantation, monitoring, date acquisition etc. (give figures separately for items implemented / to be implemented). | |
| 39. | To which of the pollution control equipment, separate meters for recording consumption of electric energy are installed ? | |
| | Pollution Control Equipment | Emission/Effluent Type |
| | | Seperate Meters are installed ? |
| 40. | Which of the pollution control items are connected to D.G. set (captive power source) to ensure their running in the event of normal power failure ? | |
| 41. | Nature, quantity and method of disposal of non-hazardous solid waste generated separately from the process of manufacture and waste treatment. (Give details of area / capacity available in applicants land) | |
| 42. | Hazardous Chemicals - Give details of chemicals and quantities handled and stored. | |
| (i) | Is the unit a Major Accident Hazard unit as per MSIHC Rules ? | Yes |
| (ii) | Is the unit an isolated storage as defined under the MSIHC Rules ? | Yes |
| (iii) | Indicate status of compliance of Rules 5, 7, 10, 11, 12, 13 and 18 of the MSIHC Rules. | Yes |
| (iv) | Has approval of site been obtained from the concerned authority ? | Yes |
| (v) | Has the unit prepared an Off-site Emergency Plan ? | Yes |
| (vi) | Has information on imports of chemicals been provided to the concerned authority ? | Yes |
| (vii) | Does the unit possess a policy under the PLI Act? | Yes |
| 43 | Brief details of tree plantation / green belt development within applicants premises (in hectares). | |
| 44 | Information of schemes for waste minimization, resource recovery and recycling - implemented and to be implemented, separately. | |
| 45(a) | The applicant shall indicate whether industry comes under Public Hearing, if so, the relevant documents such as EIA, EMP, Risk Analysis etc. shall be submitted, if so, the relevant documents enclosed shall be indicated accordingly | |
| (b) | Any other additional information that the applicant desires to give. | |
| 46. | Do You Have DG Set? | |



| SI. No. | Name | Product ID | Maker's Name | Capacity | Investment | Final Quantity per Annum | Stack Height | Control Equipment | Acoustic Enclosure |
|-----------------------------------|--|-----------------------|--------------|------------------------------------|------------|--|--------------|---------------------------|--------------------|
| 47. | I / We further declare that the information furnished above is correct to the best of my / our knowledge. | | | | | | | | |
| 48. | I / We hereby submit that in case of any change from what is stated in this application in respect of raw materials, products, process of manufacture and treatment and / or disposal of effluent, emissions, hazardous wastes etc. in quality and quantity; a fresh application for Consent / Authorization shall be made and until the grant of fresh Consent / Authorization no change shall be made. | | | | | | | | |
| 49. | I / We undertake to furnish any other information within one month of its being called by the Board / Committee. | | | | | | | | |
| 50. | I / We agree to submit to the Board an application for renewal of consent / authorization in two months in advance before the date of expiry of the consent / authorization validity period: | | | | | | | | |
| Payment Details : | | | | | | | | | |
| Payment Mode : | | | | | | OFFLINE | | | |
| Payment Transaction Details : | | | | | | Transaction Status: Successfully Completed | | | |
| Bank Name | | Branch Name | | Draft No./Money Receipt No. | | Date | | Amount (In Rupees) | |
| NEFT | | PCBA | | BARBV24249835 844 | | 05/09/2024 | | 100500.0 | |
| Payment Details : | | | | | | Payment Mode : | | | |
| ONLINE | | | | | | Payment Transaction Details : | | | |
| Application Id | | Transaction Id | | Date | | Amount | | Status | |
| Place :KAMRUP Date :05/09/2024 | | | | | | Yours faithfully, Name :Jakir Hussain Designation :PARTNER | | | |

Acknowledgement

Your APPLICATION FOR CONSENT TO ESTABLISH (UNDER WATER ACT, 1974 AND AIR ACT 1981)has been submitted successfully to POLLUTION CONTROL BOARD ASSAM , Assam.

Your Application Number is 3032570

You may track your application by entering <https://asocmms.nic.in/OCMMS/> URL and after login Track Your Application inside complete tab in the dashboard.

Disclaimer : This is a computed generated acknowledgement, which is subject to granting of the final approval from the concerned authority. This acknowledgement should not be treated as the approval or its substitute for the purpose of any other application and/or approval. The concerned authority holds no responsibility if any other approvals are granted based on this acknowledgement.



APPLICATION NO: 2844183

Assam State Pollution Control Board
Common Application for Consent to Establish (under Water Act, 1974 and Air Act, 1981)

From :

Mijanur Rahman

Vill.: Batiamari P.O.: Malibari Pather Bazar, Boko, KAMRUP, 781136

| | |
|--|--|
| Sir, I / We hereby apply for * (i) Consent to Establish under section 25 and 26 of the Water (Prevention and Control of Pollution) Act, 1974, as amended. (ii) Consent to Establish under Section 21 of the Air (Prevention and Control of Pollution) Act, 1981, as amended. (iii) Authorization under rule 5 of the Hazardous Wastes (Management and Handling) Rules, 2016, as amended in connection with my / our existing / proposed / altered / additional manufacturing / processing activity from the premises as per the details given below. | |
| Part A : General | |
| 1. Name, designation, office address with telephone number, e-mail of the Applicant | Name : Mijanur Rahman Street Name 1 : Vill.: Batiamari Street Name 2 : P.O.: Malibari Pather Bazar Village/Town : Boko District : KAMRUP Pincode : 781136 Mobile : 7002616474 Phone Number : 7002616474 Email-id : abdurouf12@gmail.com |
| 2(a) Name and location of the industrial unit / premises for which the application is made. (Give revenue Survey Number /plot number, name of Taluka and District also telephone number) | Name : M/s JAI Brick Industry Applicant Designation : Proprietor Street Name 1 : Vill.: Baguriguri Street Name 2 : P.O.: Malibari Pather Bazar Village/Town : P.O.: Malibari Pather Bazar District : South Bank Kamrup Rural Pincode : 781136 Mobile Number : 7002616474 Phone Number : 7002616474 |
| 2(b) Details of the planning permission obtained from the local body / Town and Country Planning authority / metropolitan development authority / designate authority | Permission Reference No. : Date : 06/06/2024 Issuing Authority : Baguriguri GP |
| 2(c) Name of the local body under whose jurisdiction the unit is located and name of the license issuing authority | Local Body Name : Baguriguri GP License Issuing Authority : President and Secretary |

| | | |
|------|---|--|
| 3. | Names, addresses with telephone number of Managing Director/Managing Partner and officer responsible for matters connected with pollution control and / or hazardous waste disposal. | Name : Mijanur Rahman Designation : Proprietor Street Name 1 : Vill.: Batiamari Street Name 2 : P.O.: Malibari Pather Bazar Village/Town : Boko District : Pincode : Mobile Number : 7002616474 Phone Number : 7002616474 Email ID : abdurouf12@gmail.com |
| 4. | (a) Are you registered as a small-scale industrial unit? | |
| 4(b) | If yes, give the number and date of registration. | Reg. No. : Date of Registration : 06/06/2024 |
| 5. | Gross capital investment of the unit without depreciation till the date of application (Cost of building, land, plant and machinery) | 75.0 |
| | (To be supported by an affidavit, Annual Report or certificate from a Chartered Accountant. For proposed unit(s), give estimated figure) | |
| 6. | If the site is located near sea-shore / river bank / other water bodies; indicate the distance and the name of the water body, if any | Distance meters Name of the water body |
| 7. | Does the location satisfy the requirements under relevant Central / State Govt. notifications such as Coastal Regulation Zone, Notification on Ecologically Fragile Area, Industrial location policy, etc. If so, give details. | |
| 8. | If the site is situated in notified industrial estate | No |
| (a). | whether effluent collection, treatment and disposal system has been provided by the authority | |
| (b). | will the applicant utilize the system, if provided | |
| (c). | if not provided, details of proposed arrangement. | |
| 9. | Total plot area, built-up area and area available for the use of treated sewage / trade effluent | Plot Area (sq. meters) 11162 Build-up Area (sq. meters)1450 Area for Treated Sewage(sq. meters)00 |
| 10. | Month and year of proposed commissioning of the unit | Month :November Year :2024 |
| 11. | Number of workers and office staff. | 120 |
| 12 . | Do you have a residential colony within the premises in respect of which the present application is made ? | No |
| (a). | If yes, please state population staying | |
| (b). | Indicate its location and distance with reference to plant site. | Location: Distance: |
| 13. | List of products and by-products manufactured in tonnes / month,kl / month or numbers / month (Give figure corresponding to maximum installed production capacity) | |



| Sr. No. | Name | Type | Quantity | Units | | | |
|-------------------------------------|---|---|---|--------------|-------------------|------------------------|-----------------------------------|
| 1 | Clay Bricks | product | 7500000 | Numbers/Year | | | |
| 14. | List of raw materials and process chemicals with annual consumption corresponding to above stated production figures, in tonnes / month or kl / month or numbers / month. | | | | | | |
| | Sr. No. | Name | Type | Quantity | Units | | |
| | 1 | Soil, Sand and water | Raw material | 12500 | Cubic Meters/Year | | |
| 15. | Description of process of manufacture for each of the products showing input, output, quality and quantity of solid, liquid and gaseous wastes, if any from each unit process. (To be supported by flow sheet and / or material balance and water balance sheet). | | | | | | |
| Part B : Waste water aspects | | | | | | | |
| 16. | Water consumption for different uses (in m ³ / day) | | | | | | |
| 16(i). | Industrial cooling, spraying - in mine pits or boiler feeds. | | 2.0 | | | | |
| 16(i). | Domestic purpose | | 2.5 | | | | |
| 16(ii). | Processing whereby water gets polluted and the pollutants are easily biodegradable | | | | | | |
| 16(i). | Processing whereby water gets polluted and the pollutants are not easily bio-degradable and are toxic | | | | | | |
| 16(v). | Others such as agriculture, gardening etc. (specify) | | 0.5 | | | | |
| | Total | | 5 | | | | |
| 17. | Source of water supply. Name of authority granting permission if applicable and quantity permitted | | | | | | |
| | Source of water supply | Name of authority granting permission if applicable | Quantity permitted (in m ³ /day) | | | | |
| | Ground water | Proposed to obtain permission from CGWA | 7.5 | | | | |
| 18. | Quantity of waste water (effluent) generated (in m ³ / day) | | | | | | |
| | Domestic | Industrial | Process | Washings | Boiler Blowdown | Cooling water blowdown | DM Plant/Softening Plant washings |
| | 1.5 | | | | | | |
| 19. | Water budget calculations accounting for difference between water consumption and effluent generated. : | | | | | | |
| 20. | Present treatment of sewage / canteen effluent (Give sizes / capacities of treatment units). | | | | | | |

| | | | | | | | |
|---------------------------------|--|-------------------------------------|----------------------------|---|-------------------------------|--|--|
| 21. | Present treatment of trade effluent (Give sizes / capacities of treatment units). (A schematic diagram of the treatment scheme with inlet / outlet characteristics of each unit operation / process is to be provided. Include details of residue management system (ETP sludges)) | | | | | | |
| 22(a) | Are sewage and trade effluents mixed together ? | | | | | | |
| 22(b) | If yes, state at which stage whether before, intermittently or after treatment. | | | | | | |
| 23. | Capacity of treated effluent sump. Guard Pond if any. | | | | | | |
| 24. | Mode of disposal of treated effluents, with respective quantity, in m ³ / day | | | | | | |
| | Name of river | Name of creek/estuary | Name of sea | Owner of sewer | Owned land | Quantity of treated effluent reused / recycled, m³ / day Provide a location map of disposal arrangement indicating the outlet (s) for sampling | Provide a location map of disposal arrangement indicating the outlet (s) for sampling |
| 25. | (a) Quality of untreated / treated effluents (Specify pH and concentration of SS, BOD, COD and specific pollutants relevant to the industry. TDS to be reported | | | | | | |
| | pH | Biochemical Oxygen Demand | Specific Pollutants | Concentration of Suspended Solid | Chemical Oxygen Demand | Total Dissolved Solids | |
| | (b) Enclose a copy of the latest report of analysis from the laboratory approved by State Board / Committee / Central Board / Central Government in the Ministry of Environment & Forests. For proposed unit furnish expected characteristics of the untreated / treated effluent. | | | | DOCUMENT IS ATTACHED | | |
| Part - C : Air emission aspects | | | | | | | |
| 26. | Fuel Consumption | | | | | | |
| | Fuel | Fuel consumption (TPD / KLD) | Calorific value | Ash content % | Sulphur content % | Other (specify) | |
| | Coal | 1.5 | | | | | |
| 27.(a) | Stack Details | | | | | | |

| Stack number | Attached to | Capacity | Fuel type | Fuel quantity (TPD / KLD) | Material of construction | Shape (round / rectangular) | Height, m (above ground level) | Diameter / size, in meters | Gas quantity, Nm ³ / hr | Gas temperature, °C | Exit gas velocity, m/sec | Control equipment preceding the stack |
|---|---|-------------|-----------|---------------------------|--------------------------|-----------------------------|----------------------------------|----------------------------|------------------------------------|---------------------|--------------------------|---------------------------------------|
| 1 | Kiln | 62500/Daily | Coal | 1.5 | RCC | Round | 45 | 3.5 | | | | Gravity settling Chamber |
| 27(b) | Whether any release of odoriferous compounds such as Mercaptans, Phorate etc. are coming out | | | | | | | | | | | |
| 28 | Do you have adequate facility for collection of samples of emissions in the form of port holes, platform, ladder etc. as per Central Board Publication 'Emission Regulations Part-III' December 1985) | | | | | | | | | | | |
| 29 | Quality of treated flue gas emissions and process emissions.(Specify concentration of criteria pollutants and industry / process-specific pollutants stack-wise. Enclose a copy of the latest report of analysis from the approved laboratory by State Board / Central Board / Central Government in the Ministry of Environment and Forests. For proposed units furnish the expected characteristics of the emission | | | | | | | | | | | |
| Part - D : Hazardous waste aspects | | | | | | | | | | | | |
| 30 | Whether the unit is generating hazardous waste as defined in the Hazardous Waste (Management and handling) Rules, 2016, as amended. | | | | | | | No | | | | |
| (a) | If so, the category No.: | | | | | | | | | | | |
| 31. | Authorization required for * | | | | | | | | | | | |
| 32. | Quantity of hazardous waste generated (in kg / day) or (in mt / month) | | | | | | | | | | | |
| 33. | Characteristics of the hazardous waste(s).Specify concentration of relevant pollutants. Enclose a copy of the latest report of analysis from the laboratory approved by State Board/Central Board/ Central Government in the Ministry of Environment and Forests). For proposed units furnish expected characteristics. | | | | | | | | | | | |
| 34. | Mode of storage (intermediate or final) (describe area, location and methodology). | | | | | | | | | | | |
| 35. | Present treatment of hazardous waste, if any (give type and capacity of treatment units) | | | | | | | | | | | |
| 36. | Quantity of hazardous waste disposed | | | | | | | | | | | |
| | pH | | | | | | Biochemical Oxygen Demand | | | | | |
| Part - E : Additional information | | | | | | | | | | | | |

| | | |
|-------|--|--|
| 37(a) | Do you have any proposals to upgrade the present system for treatment and disposal of effluent/ emission and / or hazardous waste | |
| 37(b) | If yes, give the details with time-schedule for the implementation and approximate expenditure to be incurred on it. | |
| 38 | Capital and recurring (O & M) expenditure on various aspects of environment protection such as effluent, emission ,hazardous waste, solid waste, tree plantation, monitoring, date acquisition etc. (give figures separately for items implemented / to be implemented). | |
| 39. | To which of the pollution control equipment, separate meters for recording consumption of electric energy are installed ? | |
| | Pollution Control Equipment | Emission/Effluent Type |
| | | Seperate Meters are installed ? |
| 40. | Which of the pollution control items are connected to D.G. set (captive power source) to ensure their running in the event of normal power failure ? | |
| 41. | Nature, quantity and method of disposal of non-hazardous solid waste generated separately from the process of manufacture and waste treatment. (Give details of area / capacity available in applicants land) | |
| 42. | Hazardous Chemicals - Give details of chemicals and quantities handled and stored. | |
| (i) | Is the unit a Major Accident Hazard unit as per MSIHC Rules ? | Yes |
| (ii) | Is the unit an isolated storage as defined under the MSIHC Rules ? | Yes |
| (iii) | Indicate status of compliance of Rules 5, 7, 10, 11, 12, 13 and 18 of the MSIHC Rules. | Yes |
| (iv) | Has approval of site been obtained from the concerned authority ? | Yes |
| (v) | Has the unit prepared an Off-site Emergency Plan ? | Yes |
| (vi) | Has information on imports of chemicals been provided to the concerned authority ? | Yes |
| (vii) | Does the unit possess a policy under the PLI Act? | Yes |
| 43 | Brief details of tree plantation / green belt development within applicants premises (in hectares). | |
| 44 | Information of schemes for waste minimization, resource recovery and recycling - implemented and to be implemented, separately. | |
| 45(a) | The applicant shall indicate whether industry comes under Public Hearing, if so, the relevant documents such as EIA, EMP, Risk Analysis etc. shall be submitted, if so, the relevant documents enclosed shall be indicated accordingly | |

| | | | | | | | | | | |
|--|--|-----------------------|-------------------|------------------------------------|-----------------|--|---------------------------------|---------------------------|--------------------------|---------------------------|
| (b) | Any other additional information that the applicant desires to give. | | | | | | | | | |
| 46. Do You Have DG Set? | | | | | | | | | | |
| | SI. No. | Name | Product ID | Maker's Name | Capacity | Investment | Final Quantity per Annum | Stack Height | Control Equipment | Acoustic Enclosure |
| 47. I / We further declare that the information furnished above is correct to the best of my / our knowledge. | | | | | | | | | | |
| 48. I / We hereby submit that in case of any change from what is stated in this application in respect of raw materials, products, process of manufacture and treatment and / or disposal of effluent, emissions, hazardous wastes etc. in quality and quantity; a fresh application for Consent / Authorization shall be made and until the grant of fresh Consent / Authorization no change shall be made. | | | | | | | | | | |
| 49. I / We undertake to furnish any other information within one month of its being called by the Board / Committee. | | | | | | | | | | |
| 50. I / We agree to submit to the Board an application for renewal of consent / authorization in two months in advance before the date of expiry of the consent / authorization validity period: | | | | | | | | | | |
| Payment Details : | | | | | | | | | | |
| Payment Mode : | | | | | | OFFLINE | | | | |
| Payment Transaction Details : | | | | | | Transaction Status: Successfully Completed | | | | |
| Bank Name | | Branch Name | | Draft No./Money Receipt No. | | Date | | Amount (In Rupees) | | |
| NEFT | | PCBA | | 416570951159 | | 13/06/2024 | | 50500.0 | | |
| Payment Details : | | | | | | Payment Mode : | | | | |
| ONLINE | | | | | | Payment Transaction Details : | | | | |
| Application Id | | Transaction Id | | Date | | Amount | | Status | | |
| Place :KAMRUP Date :13/06/2024 | | | | | | Yours faithfully, Name :Mijanur Rahman Designation :Proprietor | | | | |

Acknowledgement

Your APPLICATION FOR CONSENT TO ESTABLISH (UNDER WATER ACT, 1974 AND AIR ACT 1981)has been submitted successfully to POLLUTION CONTROL BOARD ASSAM , Assam.

Your Application Number is 2844183

You may track your application by entering <https://asocmms.nic.in/OCMMS/> URL and after login Track Your Application inside complete tab in the dashboard.

Disclaimer : This is a computed generated acknowledgement, which is subject to granting of the final approval from the concerned authority. This acknowledgement should not be treated as the approval or its substitute for the purpose of any other application and/or approval. The concerned authority

holds no responsibility if any other approvals are granted based on this acknowledgement.

RTI
URGENTGOVERNMENT OF ASSAM
ENVIRONMENT, FOREST & CLIMATE CHANGE DEPARTMENT
DISPUR: GUWAHATI-6

E- 643498/7

Dtd.Dispur 24th April, 2025

✓ To : The Member Secretary,
Pollution Control Board of Assam
Bamunimaidan, Guwahati-21

Sub : Transfer of RTI petition of Sri Dulal Bora, U/ S. 6(3) of RTI Act,2005

Ref : No. CS/RTI/1/2025/114 Dtd. 11-04-2025

Sir,

With reference to the subject cited above, the RTI petition in respect of Sri Dulal Bora have been transferred (along with IPO 66F 750967) herewith U/ S. 6(3) of Right to Information Act, 2005 to provide information directly to the petitioner with intimation to this Department.

Yours faithfully,

Encl: as above.

Digitally signed by
Sachindra DasSPIO/ Joint Secretary to the Govt. of Assam
Environment, Forest & Climate Change Department
Date: 24-04-2025
Time: 10:58:08

Memo No. E- 643498/7-A

Dtd.Dispur 24th April, 2025

Copy to:

1. Sri Dulal Bora, S/o, Late Deben Bora, House No.118, Rajib Gandhi Path, Kainadhara Tiniali, Khanapara, Guwahati-22, Dist- Kamrup(M) Contact No. 9435707133 for information.

By order etc.

(E. Signed)

SPIO/ Joint Secretary to the Govt. of Assam
Environment, Forest & Climate Change Department

ACEE (M.A.B.)
PL-process-
Sachindra Das
6/5

Pollution Control Board, Assam

Receipt No..... H.O.B
Date..... 24/04/25
Signature..... [Signature]

GOVERNMENT OF ASSAM
OFFICE OF THE CHIEF SECRETARY
DISPUR, GUWAHATI-6.

M
22/A
Secy (MB)

No. CS/RTI/1/2025/114

Dated 11th April, 2025.

From : Staff Officer to Chief Secretary, Office of the Chief Secretary,
Dispur, Guwahati-6.

To : The Spl. Chief Secretary to the Govt. of Assam,
Environment and Forest Department
Dispur, Guwahati-6.

Sub : Information under RTI Act-2005.

Sir,

With reference to the subject cited above, Under section 6 (3) of the RTI Act, 2005, I am directed to transfer herewith an original RTI application along with an IPO of Rs. 10/- bearing no. 66F 750967 filed by Shri Dulal Bora and received by our office on 11/04/2025 for your kind information and necessary action.

Encl: As stated

SO
22/4/25

3842358

Office Of The Special
Chief Secretary
To The Govt. Of Assam
Environment & Forest Deptt.
ECR / Dy.No. 960
Dated 11/4/25
Dispur, Ghy-6

Yours faithfully,

Staff Officer to Chief Secretary,
Office of the Chief Secretary, Dispur,
Guwahati-6.

Memo No. CS/RTI/1/2025/114-A

Dated 11th April, 2025.

Copy to:-

The applicant, Shri Dulal Bora, S/O Late. Deben Bora, House No.-118, Rajib Gandhi Path, Kainadhara Tiniali, Khanapara, Guwahati-781022, Dist- Kamrup (M) Contact No. 9435707133 Email-associatesdbpa@gmail.com in reference to your RTI petition no. D.B.-7292/25/(D) dated 10/04/2025 for kind information and necessary action.

By order etc.

PM
22/4/25

Staff Officer to Chief Secretary,
Office of the Chief Secretary, Dispur,
Guwahati-6.

ANNEXURE A-8

R:T.I.No.-D.B.-7292/25/(D)

(R.T.I)

To,
The Public Information Officer.
The Chief Secretary
Govt.Of Assam.
Janata Bhawan
Dispur, Guwahati-06
Assam.

Office of the Chief Secretary
Government of Assam
Dispur, Guwahati-6

3363238

Sir,

Subject: To get Information under Right to Information Act 2005.

I "Dulal Bora" wish to seek information as under.

মই যোৱা ইংৰাজী 03/03/2025 তাৰিখে Speed Post ৰ জৰিয়তে আপোনাৰ কাৰ্যালয়লৈ এখন অভিযোগ পত্ৰ [Allegation Letter D.B No-057/2/25(D)] প্ৰেৰণ কৰিছিলো।

(১) উক্ত পত্ৰ খনৰ ওপৰত নিৰ্ভৰ কৰি তদন্ত কৰিবলৈ দিয়া নিৰ্দেশনাৰ ফটোকপি দিয়ক।

(২) উক্ত অভিযোগ পত্ৰৰ ওপৰত তদন্ত কৰি তদন্তকাৰী বিষয়াই উৰ্ধ্বতম কতৃপক্ষৰ ওচৰত দাখিল কৰা তদন্তৰ প্ৰতিবেদনৰ ফটোকপি দিয়ক।

(৩) উক্ত অভিযোগৰ ওপৰত ভিত্তি কৰি তদন্তকাৰী বিষয়াই অভিযুক্ত সকললৈ প্ৰেৰণ কৰা জাননীৰ ফটোকপি দিয়ক, যি জাননীৰ জৰিয়তে তদন্তকাৰী বিষয়াই তদন্তকাৰী বিষয়াৰ ওচৰত হাজিৰ হ'বলৈ নিৰ্দেশ দিছিল।

Here by inform that following formalities have been completed by me:

1. That I have deposited Rs 10.00/- as a RTI fee/Cash/Cheque/Draft/ **Postal Order** /Others favoring in the mentioned documents dated 10/04/2025
2. I want the photocopy of the documents and I had deposited the cost of the Photocopy of Rs. ___/- for ___(Number of Pages)
- 3 .I had deposited sum of Rs. ___/- for the charge of CD. (include if you need)
- 4.That I belong to Category of Below Poverty Line (BPL):Yes/No (If yes, attach valid photocopy of certificate)

Thanking You,

Yours Faithfully

Dulal Bora
10/04/2025

Dulal Bora.
S/O Late. Deben Bora.
House No-118.
Rajib Gandhi Path.
Kainadhara Tiniali.
Khanapara, Guwahati-781022.
Dist-Kamrup(M).(Assam)
Ph. No-9435707133.
Email-associatesdbpa@gmail.com



SPL CS- ENV (FORESTS)

SD (RTI)

Forwarded as directed
for next step action

[Signature]

Staff Officer to
Chief Secretary
Government of Assam
Ph. (0361) 2237107

(Translate Copy)**R.T.I No.-D.B.-7292/25/(D)****(R.T.I)**

To,
The Public Information Officer.
The Chief Secretary
Govt. Of Assam.
Janata Bhawan
Dispur, Guwahati-06
Assam.

Sir,

Subject: To get Information under Right to Information Act 2005.

I "Dulal Bora" wish to seek information as under.

I have sent an [Allegation Letter D.B No-057/2/25 (D)] to your office on 03/03/2025 through speed Post.

- (1) Provide a photocopy of the Enquiry Order issued on the basis of the aforementioned letter.
- (2) Provide a photocopy of the Enquiry Report prepared by the Enquiry Officer and submitted to the highest authority, based on the aforementioned complaint letter.
- (3) Provide a photocopy of the notices sent to the accused officers by the Enquiry Officer, summoning them in connection with the aforementioned complaint letter.

Here by inform that following formalities have been completed by me:

1. That I have deposited Rs.10.00/- as a RTI fee/Cash/Cheque/ Draft/ Postal Order/ Others favouring in the mentioned documents date 10/04/2025
2. I want the photocopy of the documents and I had deposited the cost of the Photocopy of Rs. ___/- for _____ (Number of Pages)
3. I had deposited sum of Rs. ___/- for the charge of CD. (include if you need)
4. That I belong to Category of Below Poverty Line (BPL): Yes/ No (If yes, attach valid photocopy of certificate)

Thanking You,
Yours Faithfully

(sign by the applicant)

Dulal Bora.
S/O Late. Deben Bora.
House No-118.
Rajib Gandhi Path.
Kainadhara Tiniali.
Khanapara, Guwahati-781022.
Dist- Kamrup (M), (Assam)
Ph. No- 9435707133
Email- associatesdbpa@gmail.com

03/03/2025
Date: 03/03/2025

To,
The Chief Secretary
Govt. of Assam
Janata Bhawan
Dispur, Guwahati-06
Assam

Allegation Letter.D.B.057-2-25(D)

Sub: Violation of Environmental Rules by Pollution Control Board, Assam

Sir,

You will appreciate that considering the severe air pollution potential of brick industries and possible impacts on health of people residing nearby the kiln, Govt of India vide Notification number GSR 143(E) dtd. 22.02.2022 notified the Environment (Protection) Amendment Rules, 2022, in which specified sitting criteria for brick industries (Annexure-I) were mandated. The provisions of the Notification have to be implemented by a State Pollution Control Board (SPCB) whenever permission is granted to establish a brick industry. It may be noted that Govt of India, through the said notification, mandates that the location of a brick kiln be fixed at least 800 m from any residential house or it should be at least 1 km away from an existing brick kiln chimney.

It is observed that Pollution Control Board, Assam is blatantly violating the provision of the said Rules framed by Govt of India for personal gains of officials involved in granting the Consent to Establish (CTE) for brick kilns thereby causing threat to the environment and human health. The regulator of the Environmental Rules is violating the Rules itself in Assam. It is understood that A few officials of Pollution Control Board, Assam are blatantly violating the provisions of the said Rules, for personal gains, showing thumbs down to the Environmental Rules of the country.

An example of granting CTE to a brick unit, M/s JAI Brick industry by Ms Mousumi Bardalai, Additional Chief Environmental Engineer is mentioned here (Annexure-II). CTE was granted to establish the said Unit in the middle of a village and within 200 m from village houses and within 300 m away from another existing brick kiln. The concerned officials resorted to hiding of facts or distance criteria intentionally while granting CTE to establish polluting brick kilns very near to residences and near to other kilns in violation of the said rules. Note history of the processing of application in online consent management portal (OCMMS) is attached, in which it may be observed that the application had been processed only for personal gain.

Chairman Arup Kr Mishra is allowing the officials to continue with this malpractices though there has been public complaints against such permission granted by a few corrupt officials of PCBA. Copy of one public complaint is attached (Annexure-III)

This is one of the many such cases where the named official permitted many brick kilns to establish in villages, for personal gains, in total violation of the mentioned environmental notification and this has resulted in irreparable losses to the environment and human health.

This has already drawn public resentment against the corrupt Board officials, who are totally protected by the Chairman of the Board and thereby encouraging the officials for corrupt practices and damaging of the environment. This has already invited public grievances against the Board official but the highest authority in the Board in encouraging such corrupt

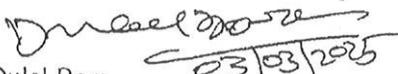
CSO ECR NO - 3254362 (11/03/2025)

4

PCBA may be directed to suspend the CTE granted to the Unit. Corrupt PCBA officials, as identified, to be made liable for financial compensation to the Industry, which has already set up the Unit with permission from the Board.

We request the Hon'ble NGT to intervene into the matter and pass an order with exemplary punishment to the corrupt officials of the Board so as to save the environment and also to set an example so that PCBA Officials do not resort to corrupt practices in giving permission to any brick industry in the State in violation of the Environmental Rules framed for the protection of the Environment. We also kindly request the hon'ble NGT to examine the role played by the Chairman of PCBA, the highest authority in the Board, for his indulgence in granting permission to establish brick kilns in violation of the Rules, even after there was strong public complaint submitted to the Chairman against the establishment of M/s Jai Brick industry.

Thanking You,
Yours Faithfully


Dulal Bora. 03/03/2025
S/O -Late. Deben Bora.
House No-118.
Rajib Gandhi Path.
Kainadhara Tiniali
Khanapara, Guwahati-781022.
Dist-Kamrup(M).(Assam)
Ph. No-9435707133.
Email- associatesdbpa@gmail.com



Pollution Control Board, Assam

(Department of Environment & Forests, Government of Assam)

অসম প্ৰদূষণ নিয়ন্ত্ৰণ পৰিষদ

(অসম চৰকাৰৰ বন আৰু পৰিৱেশ বিভাগ)

NABL Accredited Testing Laboratory : Certificate No. TC-11384

ANNEXURE A-1066



LIFE

Lifestyle for Environment

No. PCBA/G-232/25-26/24

Dated Guwahati, the 11th June, 2025

To,

Sri Dulal Bora,
S/o Late Deben Bora
House No. 118
Rajib Gandhi Path
Kainadhara Tiniali
Khanapara, Guwahati-781022
Dist- Kamrup (M) (Assam)
E-Mail: associatesdbpa@gmail.com

Sub: Information sought under RTI Act, 2005.

Ref: Your RTI No.-D.B.-7292/25/(D) dtd. 10th April, 2025 transfered from Environment, Forest & Climate Change Department, Govt. of Assam.

Sir,

In inviting reference to the above stated RTI application, the information available is furnished below:-

Reply to Query No. 1) Attached as Appendix-I
Reply to Query No. 2) Attached as Appendix-II
Reply to Query No. 3) Not applicable

With Regards,

Saukai

SPIO cum Manager (HR&Admin.)
PCBA, Head Office

Dated Guwahati, the 11th June, 2025

Memo No. PCBA/G-232/25-26/24-A

Copy to:

1. Joint Secretary to the Govt. of Assam, Environment, Forest & Climate Change Department,
E-Mail : environmentforestassam@gmail.com
2. Member Secretary, PCBA for favour of kind information.
3. P.A. to the Chairman for kind appraisal of the Hon'ble Chairman.

Saukai

SPIO cum Manager (HR&Admin.)
PCBA, Head Office

Head Office : Bamunimaidam, Guwahati - 781021, Assam : India.

Phone : 0361-2652774 & 2550258; Website : www.pcbassam.org; E-mail : membersecretary@pcbassam.org
Regional Offices at : Dibrugarh, Golaghat, Sivasagar, Tezpur, Guwahati, Kamrup, Bongaigaon, Nagaon, Silchar,
Tinsukia & South-Bank (Chaygaon).



Pollution Control Board, Assam

(Department of Environment & Forests, Government of Assam)

অসম প্রদূষণ নিয়ন্ত্রণ পৰিষদ

(অসম চৰকাৰৰ বন আৰু পৰিৱেশ বিভাগ)

NABL Accredited Testing Laboratory : Certificate No. TC-11384



167
LIFE
Lifestyle for
Environment

APPENDIX - I

RTI-12/10/2025-CCA-PCBA

Dated Guwahati, the 17th May, 2025

ORDER

A committee is hereby constituted to enquire the matter related to the allegation received from Sri Dulal Bora vide No.D.B.057-2-25(D) with the following Officials of the Board:

1. Dr. Gautam Krishna Mishra, Chief Environmental Scientist.
2. Er. M.M.Bora, Addl. Chief Environmental Engineer and
3. Sri Kulen Talukdar, Sr. Env. Engineer

The Committee shall submit report within 10 days from the date of issue of this order.

Digitally signed by
Gokul Bhuyan
Date: 17-05-2025
17:43:41

Member Secretary

Dated Guwahati, the 17th May, 2025

Memo. RTI-12/10/2025-CCA-PCBA-A

Copy to:

1. Dr.Gautam Krishna Mishra, Chief Environmental Scientist. A copy of the letter as stated in the order is enclosed.
2. Er.M.M.Bora, Addl. Chief Environmental Engineer. A copy of the letter as stated in the order is enclosed.
3. Sri Kulen Talukdar, Sr. Env. Engineer. A copy of the letter as stated in the order is enclosed.
4. P.A to the Chairman, PCBA for kind appraisal of the Hon'ble Chairman.
5. Office order file for record.

e-signed
Member Secretary

HeadOffice: Bamunimaidam, Guwahati-781021, Assam: India.

Phone: 0361-2652774 & 2550258; Website: www.pcbassam.org; E-mail: membersecretary@pcbassam.org

Regional Offices at: Dibrugarh, Golaghat, Sivasagar, Tezpur, Guwahati, Kamrup, Bongaigaon, Nagaon & Silchar.

Report of the Enquiry Committee formed vide Office order No. RTI-12/10/2025-CCA-PCBA dtd. 17/05/2025

The Allegation letter No. D.B 057-2-25(D) dt. 03/03/2025 was perused by the Board. Accordingly an enquiry committee was formed vide office order No. RTI-12/10/2025-CCA-PCBA dtd. 17/05/2025 and following steps were undertaken:

- a) A site inspection was conducted by the Enquiry Committee on 24/05/2025 of the concerned unit i.e M/s JAI Brick Industry located at Vill: Bogoriguri, Batiamari, Circle-Chamaria, Kamrup and inspection report was submitted on 26/05/2025.
- b) The related documents submitted by the applicant along with the information, report and documents submitted by the Regional Office- South Bank in connection with the Consent to Establish (CTE) application of M/s JAI Brick Industry were also examined.

Following observations are made:-

- i) The Notarized Affidavit submitted by applicant Mizanur Rahman stated that the nearest Brick Kiln is at a distance of 0.9 Kms (900 meters) approx and the nearest house/ fruit orchard is 0.3 Km (300 meters).
- ii) As per inspection report of Regional Office- South Bank, distances are as follows: "North: Vacant land village road at 830 meter and residential house, South: Vacant land and a few residential houses at 250 meter and village road at 345 meter, East: Vacant land and village road at 450 meter and West: Vacant land and village road at 230 meter and vacant land"
- iii) Public hearing was conducted and the public had consented to the establishment of the unit.
- iv) The Regional Authority, South Bank, PCBA forwarded the application to Head Office for grant of Consent to Establish (CTE) without any adverse remark.
- v) As per inspection report submitted by the Enquiry committee consisting of Sri Gautam Krishna Misra, CES and Sri Kulen Talukdar, SEE it is stated that:-
 "Distance of public residence in west side of brick unit is 100 meters (approx) and other side it will be more than 300 meters"
 "The distance of the nearest brick M/s BSI from M/s JAI Brick is 570 meters (approx)"
 "Distance of Religious place (mosque) from the M/s JAI Brick unit is 150 meters (approx)"
 "Distance of Batiamari L.P School from the M/s JAI Brick unit is 310 meters (approx)"
 "Whole area surrounding of the said M/s JAI Brick at Vill: Bogoriguri is covered with well growing paddy cultivation"

From the above, it is tantamount that the report submitted by Regional Office- South Bank, PCBA did not reflect the true locational details of the Brick kiln.

However, it is observed that the Consent to Establish (CTE) was granted by the Zonal Authority headed by Engineer Mousumi Bardalai, Addl Chief Env. Engineer, based on :-

- a) The reports of Regional Office- South Bank, PCBA and the documents submitted by the applicant including affidavit regarding the locations of nearest brick unit and village, along with NOC from Gaon Pradhan Bogoriguri village, Secretary and President 53 no. Bogoriguri Gram Panchayat, Public Hearing minutes .

Contd...p/2

-2-

b) Notarized Affidavit submitted by applicant Mizanur Rahman, owner of M/s JAI Brick Industry.

As per The Notaries Act, 1952, a Notarized Affidavit is considered as a legal document and considered to be true. But as per the fact finding inspection report submitted by Enquiry Committee comprising of Sri Gautam Krishna Misra, Chief Environmental Scientist and Sri Kulen Talukdar, Senior Environmental Engineer, the Regional Office- South Bank, PCBA failed to submit factual report of the Brick unit. Also, the applicant of the Brick unit Mizanur Rahman submitted a misleading affidavit. The above mentioned facts led to granting of Consent to Establish by Zonal Authority of Zone-IV, PCBA.

In view of the above facts and circumstances, the Enquiry Committee hereby concludes that :-

- i) Since the said brick unit did not satisfy the MoEF&CC Notification No GSR 143 (E) dtd. 22/02/2022 and furnished false information, the CTE order may be withdrawn as per clause no. 4(b) 'Obtaining the CTE by misrepresentation or failure to disclose fully all relevant facts' which is stated in the CTE order granted vide order No. PCBA/BONG/T-1352/24-25/222 dtd 5th August, 2024 to M/s JAI Brick Industry, which is based on Section 38 (g) of Air Act, 1981. Therefore the unit is punishable for making a false statement which may attract penal action against the unit. In view of this, the unit may be 'Show caused' or Board may withdraw the CTE.
- ii) The Regional Office- South Bank had forwarded misleading information to the Zonal Authority. Therefore Regional Office- South Bank may be warned to forward only verified and true locational details along with proper technical facts of any unit and also not to mislead the Board in future.



Dr. G.K Misra

Chief Env. Scientist



Er. M.M. Bora

Addl. Chief Env. Engineer



Er. Kulen Talukdar

Senior Env. Engineer

ANNEXURE A-11

**Report of the Enquiry Committee formed vide Office order No. RTI-12/10/2025-
CCA-PCBA dtd. 17/05/2025**

The Allegation letter No. D.B 057-2-25(D) dt. 03/03/2025 was perused by the Board. Accordingly an enquiry committee was formed vide office order No. RTI-12/10/2025-CCA-PCBA dtd. 17/05/2025 and following steps were undertaken:

- a) A site inspection was conducted by the Enquiry Committee on 24/05/2025 of the concerned unit i.e M/s JAI Brick Industry located at Vill: Bogoriguri, Batiamari, Circle-Chamaria, Kamrup and inspection report was submitted on 26/05/2025.
- b) The related documents submitted by the applicant along with the information, report and documents submitted by the Regional Office- South Bank in connection with the Consent to Establish (CTE) application of M/s JAI Brick Industry were also examined.

Following observations are made:-

- i) The Notarized Affidavit submitted by applicant Mizanur Rahman stated that the nearest Brick Kiln is at a distance of 0.9 Kms (900 meters) approx and the nearest house/ fruit orchard is 0.3 Km (300 meters).
- ii) As per inspection report of Regional Office- South Bank, distances are as follows: "North: Vacant land village road at 830 meter and residential house, South: Vacant land and a few residential houses at 250 meter and village road at 345 meter, East: Vacant land and village road at 450 meter and West: Vacant land and village road at 230 meter and vacant land"
- iii) Public hearing was conducted and the public had consented to the establishment of the unit.
- iv) The Regional Authority, South Bank, PCBA forwarded the application to Head Office for grant of Consent to Establish (CTE) without any adverse remark.
- v) As per inspection report submitted by the Enquiry committee consisting of Sri Gautam Krishna Misra, CES and Sri Kulen Talukdar, SEE it is stated that:-
 "Distance of public residence in west side of brick unit is 100 meters (approx) and other side it will be more than 300 meters"
 "The distance of the nearest brick M/s BSI from M/s JAI Brick is 570 meters (approx)"
 "Distance of Religious place (mosque) from the M/s JAI Brick unit is 150 meters (approx)"
 "Distance of Batiamari L.P School from the M/s JAI Brick unit is 310 meters (approx)"
 "Whole area surrounding of the said M/s JAI Brick at Vill: Bogoriguri is covered with well growing paddy cultivation"

From the above, it is tantamount that the report submitted by Regional Office- South Bank, PCBA did not reflect the true locational details of the Brick kiln.

However, it is observed that the Consent to Establish (CTE) was granted by the Zonal Authority headed by Engineer Mousumi Bardalai, Addl Chief Env. Engineer, based on :-

- a) The reports of Regional Office- South Bank, PCBA and the documents submitted by the applicant including affidavit regarding the locations of nearest brick unit and village, along with NOC from Gaon Pradhan Bogoriguri village, Secretary and President 53 no. Bogoriguri Gram Panchayat, Public Hearing minutes .

Contd...p/2

-2-

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In view of the above facts and circumstances, the Enquiry Committee hereby concludes that :-

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- ii) The Regional Office- South Bank had forwarded misleading information to the Zonal Authority. Therefore Regional Office- South Bank may be warned to forward only verified and true locational details along with proper technical facts of any unit and also not to mislead the Board in future.



Dr. G.K Misra

Chief Env. Scientist



Er. M.M. Bora

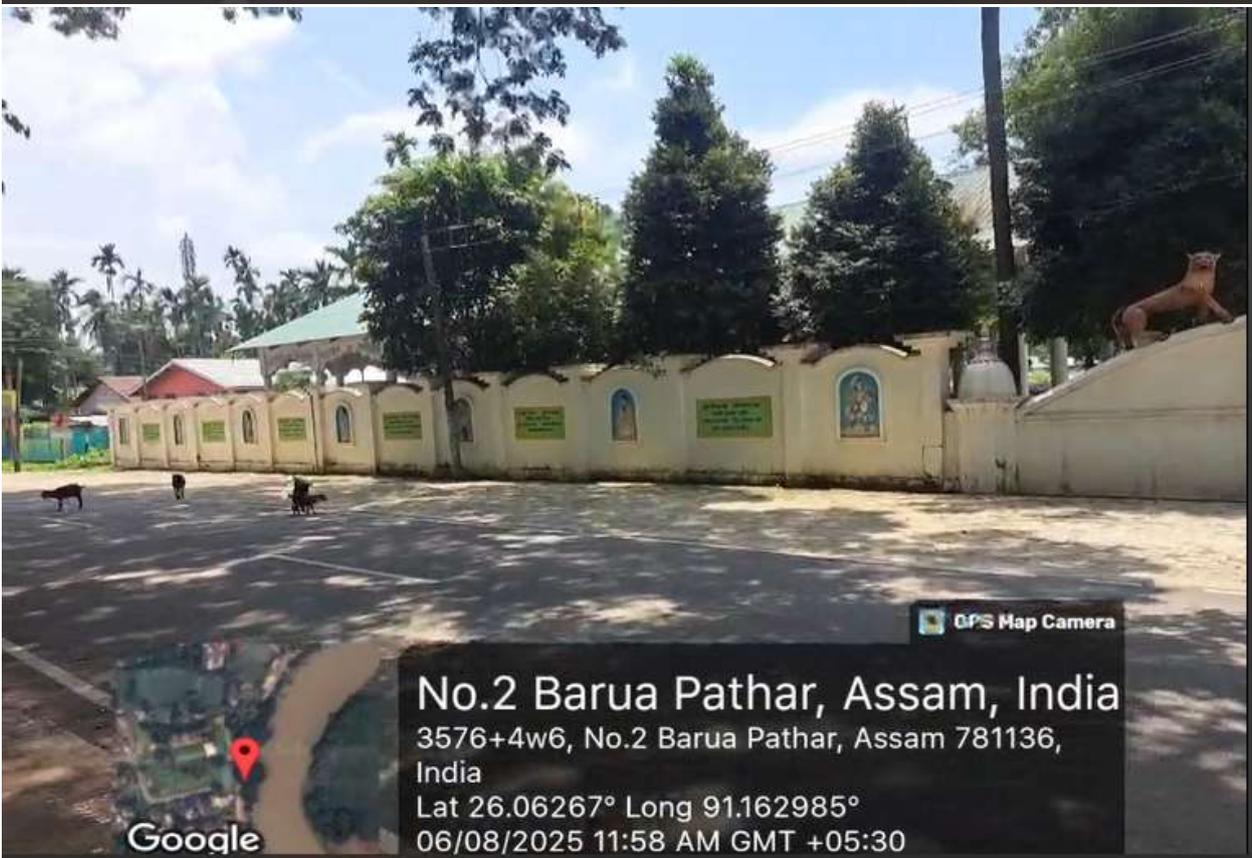
Addl. Chief Env. Engineer



Er. Kulen Talukdar

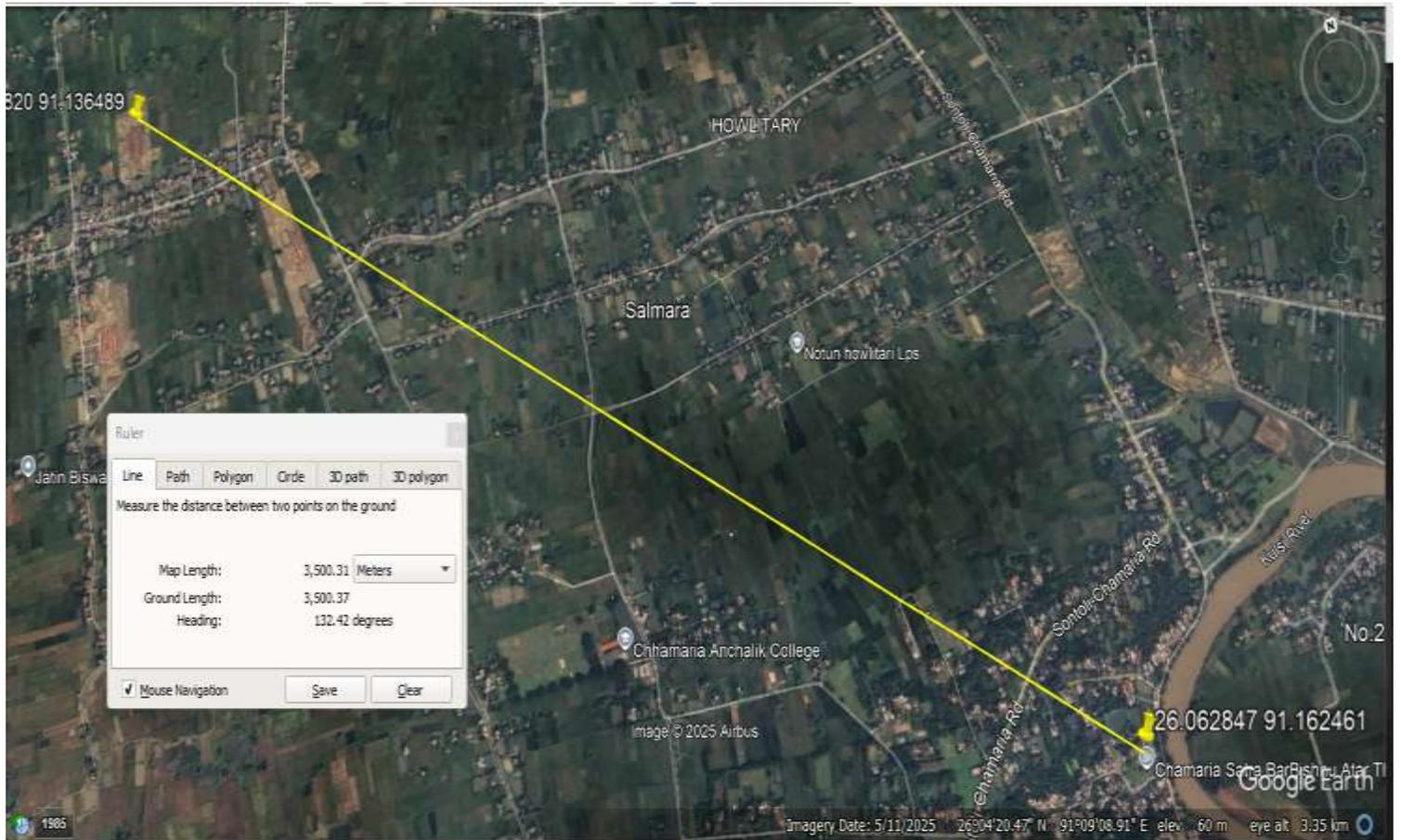
Senior Env. Engineer

ANNEXURE A-12











ANNEXURE A-14

Pollution Control Board, Assam
Bamunimaidam, Guwahati-21

OFFICE ORDER

No. WB/G-1686/20-21/112

Dated, Guwahati, the 01st June, 2024

In the interest of Public Service and in supersession of all previous work allocation orders, the entire State is divided into five (5) Zones and work allocation for Technical Wing, Head Office of the Board is made as under:

I. Creation of Zone :

| Zone | Name of the Regional Offices |
|-------------------------|--|
| Zone – I (North) | Kamrup (R) and Tezpur |
| Zone – II (South) | Sivasagar, Golaghat, Guwahati and Nagaon |
| Zone – III (East) | Dibrugarh and Tinsukia |
| Zone – IV (West) | Bongaigaon and South Bank-RO |
| Zone – V (Barak Valley) | Silchar |

II. Work Allocation :

1. **Sri M.M. Bora, : ACEE**
 - Matters relating to Zone-I (Jurisdiction under Kamrup (R) and Tezpur ROs).
 - To handle issues related to all Technical and Scientific matters.
 - To examine all the Consent applications as forwarded by the concerned ROs.
 - To approve and issue Order within 15 working days for all the White and Green Category of industries (Except plastic processing industries which need EPR), Health Care Establishments, and Restaurants. All other applications, not covered under the said category and/or sector of industries, shall be examined and forwarded to Member Secretary within five (5) working days. **All the CTO renewal applications, for which CCA/CTO have not been regularized till 31.03.2024, shall be forwarded to MS.**
 - To prepare the Consent Orders through concerned Technical Graduate (AE) directly for faster disposal. For other matters the files must be routed through concerned SEE/EE/AEE/AE.
 - Nodal Officer – RTI.
 - Nodal Officer – Public Complaint.
 - In-charge – Training Cell.
 - Parliament and Assembly Matters.
 - Implementation of RTI online portal.
 - All the consent applications shall be properly examined with respect to payment of fees, availability of CTE & CTO, submission of relevant data, etc. before sending to MS with recommendation
 - Any other specific tasks assigned by MS and Chairman.
 - He will be assisted by Sri Kaustav Kashyap, AE.
2. **Sri G. Bhuyan, : ACEE**
 - Matters relating to Zone-II (Jurisdiction under Sivasagar, Golaghat, Guwahati and Nagaon ROs).
 - To handle issues related to all Technical and Scientific matters to examine all the Consent applications as forwarded by the concerned SEEs.
 - Nodal Officer - Legal.
 - To approve and issue Order within 15 working days for all the White and Green Category of industries (Except plastic processing industries which need EPR), Health Care Establishments, and Restaurants. All other applications, not covered under the said category and/or sector of industries, shall be examined and forwarded to Member Secretary within five (5) working days. **All the CTO renewal applications, for which CCA/CTO have not been regularized till 31.03.2024, shall be forwarded to MS.**

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-2-

- To prepare the Consent Orders through concerned Technical Graduate (AE) directly for faster disposal of an application. For other matters the files must be routed through concerned SEE/EE/AEE/AE.
 - **Parliament and Assembly Matters.**
 - **Implementation e-office and disposal of old files.**
 - All the consent applications shall be properly examined with respect to payment of fees, availability of CTE & CTO, submission of relevant data, etc. before sending to MS with recommendation
 - Any other specific tasks assigned by MS and Chairman.
 - He will be assisted by Sri Ansuman Kakati, AE.
3. Mrs. R. Sarania, :
SEE
- All technical matters falling under Regional Offices Dibrugarh and Tinsukia.
 - To approve and issue Order within 15 working days for all the White and Green Category of industries (Except plastic processing industries which need EPR), Health Care Establishments, and Restaurants. All other applications, not covered under the said category and/or sector of industries, shall be examined and forwarded to Member Secretary within five (5) working days. **All the CTO renewal applications, for which CCA/CTO have not been regularized till 31.03.2024, shall be forwarded to MS.**
 - Preparation of report required for replying Public Grievances, RTI, Court Cases, etc. for matters related to concerned jurisdiction.
 - Authorized representative of the Board to conduct public hearing
 - SPIO-RTI. The RTI replies shall be prepared in discussion with ACEE (MMB).
 - **Parliament and Assembly Matters.**
 - All the consent applications shall be properly examined with respect to payment of fees, availability of CTE & CTO, submission of relevant data, etc. before sending to MS with recommendation.
 - Any other specific tasks assigned by MS and Chairman.
 - He will be assisted by Ms. Kongkona Dutta, Engineering Graduate.
 - **She shall report to Sri Gokul Bhuyan, ACEE for all technical matters.**
4. Mrs. M. Bardalai, :
SEE
- All technical matters falling under Regional Offices Bongaigaon and South Bank-Kamrup.
 - To approve and issue Order within 15 working days for all the White and Green Category of industries (Except plastic processing industries which need EPR), Health Care Establishments, and Restaurants. All other applications, not covered under the said category and/or sector of industries, shall be examined and forwarded to Member Secretary within five (5) working days. **All the CTO renewal applications, for which CCA/CTO have not been regularized till 31.03.2024, shall be forwarded to MS.**
 - Preparation of report required for replying Public Grievances, RTI, Court Cases, etc. for matters related to concerned jurisdiction.
 - Authorised representative of the Board to conduct public hearing.
 - RTI replies for the concerned ROs shall be prepared in discussion with ACEE (MMB).
 - **Parliament and Assembly Matters.**
 - All the consent applications shall be properly examined with respect to payment of fees, availability of CTE & CTO, submission of relevant data, etc. before sending to MS with recommendation.
 - Any other specific tasks assigned by MS and Chairman.
 - He will be assisted by Sri Sarat Nath, Engineering Graduate.
 - **She shall report to Sri M.M. Bora, ACEE for all technical matters.**
5. Sri K. Talukdar, :
SEE
- All technical matters falling under Regional Offices Silchar.
 - To approve and issue Order within 15 working days for all the White and Green Category of industries (Except plastic processing industries which need EPR), Health Care Establishments, and Restaurants. All other applications, not covered under the said category and/or sector of industries, shall be examined and forwarded to Member Secretary within five (5) working days. **All the CTO renewal applications, for which CCA/CTO have not been regularized till 31.03.2024, shall be forwarded to MS.**

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- Preparation of report required for replying Public Grievances, RTI, Court Cases, etc. for matters related to concerned jurisdiction.
- Authorized representative of the Board to conduct public hearing.
- RTI replies for the concerned RO shall be prepared in discussion with ACEE (MMB).
- **Parliament and Assembly Matters.**
- All the consent applications shall be properly examined with respect to payment of fees, availability of CTE & CTO, submission of relevant data, etc. before sending to MS with recommendation.
- Any other specific tasks assigned by MS and Chairman.
- He will be assisted by Sri Gautam Saikia, AE.
- **He shall report to Sri M.M. Bora, ACEE for all technical matters.**

The Executive Engineer, Asstt. Executive Engineer & Asstt. Engineer dealing with concerned matters will report to respective Sr. Env. Engineer through proper channel for all the matters except Consent applications, which are approved by MS and Chairman and subsequently forwarded directly for preparation of order.

/

(Arup Kr. Misra)
Chairman

Memo No. WB/G-1686/20-21/112-A

Dated, Guwahati the 01st June, 2024

Copy to:

- ✓ 1. Person Concerned for information & necessary action.
2. Head of Regional Offices of Guwahati, Kamrup (R), South Bank-Kamrup, Tinsukia, Nagaon, Sivasagar, Golaghat, Dibrugarh, Tezpur, Bongaigaon, Silchar-PCBA for information.
3. The Deputy Manager (HRA), HO, PCBA for information & necessary action.
4. The AEITO, IT Section, HO, PCBA for information & necessary action.

m/s 40

(Shantanu Kr. Dutta)
Member Secretary

ANNEXURE A-15



**Pollution Control Board:: Assam
Bamunimaidam, Guwahati-21**

OFFICE ORDER

No. WB/G-295/21-22/448

Dated Guwahati, the 15th July, 2024

Sub: Consent Management of Brick Industries – reg.

In continuation of the Office Order No. WB/G-1686/20-21/112 dtd. 01.06.2024, all the Zonal Heads are hereby directed to approve and issue of CTE and CTO/CCA of the Brick Industries in the State subject to fulfilment of the following criteria:

1. The CTO/CCA shall be granted with validity till 31.03.2025 under the purview of the Gol Notification regarding Zig-Zag technology and amendments, thereof.
2. Submission of Affidavit, in proper format shall be ensured.
3. The Google Map showing 1 Km radius around the Kiln shall be properly examined for presence of any other brick kilns.
4. All the Regional Officers shall ensure that the Inspecting Officials from Regional Office verify the name, year of establishment, status of CTE/CTO, technology adaptation, etc. for all the Units coming under 1 Km radius of the brick kiln for which inspection is made.
5. All the CTE/CTO orders shall be uploaded in the OCMMS for perusal and closure at the end of Member Secretary.
6. The applications shall be processed within 20 days of receipt of the forwarded applications from the respective Regional Offices.

This order comes into force with immediate effect.

This order is issued with the approval of the Hon'ble Chairman.

/

(Shantanu Kr. Dutta)
Member Secretary

Memo No. WB/G-295/21-22/448-A,

Dated Guwahati, the 15th July, 2024

Copy to:

1. ✓ The Zone-I/Zone-II/Zone-III/Zone-IV/Zone-V, HO, PCBA for information and necessary action.
2. The RH, ROs, PCBA for information and necessary action.
3. P.A. to the Chairman, PCBA for kind appraisal of the Hon'ble Chairman.

m/s 43
Member Secretary