

X

BEFORE THE NATIONAL GREEN TRIBUNAL,
EASTERN ZONE BENCH, KOLKATA

Original Application No. 46/2025/EZ

IN THE MATTER OF:

Mukul Haloi & Anr

----- Applicant

Versus

State of Assam & Ors

----- Respondents

I N D E X

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FILED BY:

Surendrakumar
Advocate

Mr. Surendra Kumar, Advocate
For the THE POLLUTION CONTROL
BOARD, ASSAM/Respondent

Email: surendra_kr15@rediffmail.com/ advsurendrakumar16@gmail.com

Filed On : 09.01.2026

X

Sl. No.	23
Date	9/11/2026

BEFORE THE NATIONAL GREEN TRIBUNAL,
EASTERN ZONE BENCH, KOLKATA

Original Application No. 46/2025/EZ

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----- Applicants

Versus

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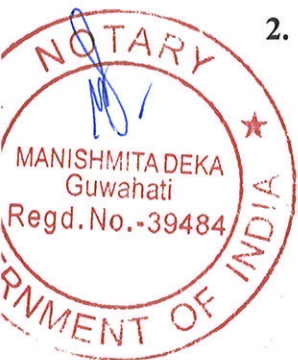
----- Respondents

Affidavit on behalf of the Respondent No. 2 i.e. Assam Pollution Control Board
pursuant to the order dated 03.12.2025 passed by this Hon'ble Tribunal

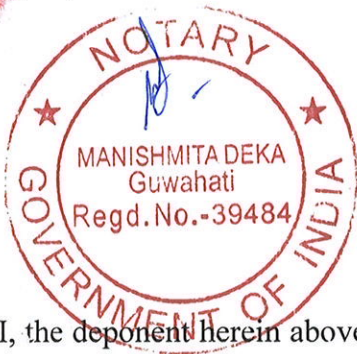
I, Mukunda Madhab Bora, son of Late Durga Dutta Baghri, aged about 59 years, working as Chief Environmental Engineer in Pollution Control Board, Assam, having its office at Bamunimaidam, Guwahati – 781 021, Assam, do hereby solemnly affirm and state as follows:

That, I in the capacity of Chief Environment Engineer of Assam Pollution Control Board, (hereinafter referred to as the Board), and conversant with the facts and circumstances do hereby solemnly affirm state as follows:

1. That, this affidavit is being affirmed in pursuant to the order dated 03.12.2025 passed by this Hon'ble National Green Tribunal, Eastern Zone. The said Order pertains to the submission regarding the action already taken or proposed to be taken by the Board towards the subject units.
2. That the answering respondent had upon receiving the notice of the said case from the registry of the Hon'ble NGT, PB, carried out an inspection of the alleged area. Accordingly, the official of Regional Office, Kamrup visited the site on 19th August, 2025 and submitted its Report on 21.08.2025. A Copy of the Notarized Affidavit dated 24th Sept 2025 for submission Inspection report dated 21.08.2025 is annexed as **Annexure -I**.
3. The answering respondent states to inform that the Board has withdrawn the Consent to Establish of the subject unit vide letter no. TECH/5/2025-CCA-PCBA dtd. 05/02/2025. The copy of the letter dated 05/02/2025 is annexed as **Annexure-II**



- 4. That the answering respondent, further pursuant to the order dated **03.12.2025**, respectfully states that the Board carried out a fresh inspection of the unit on **07.01.2026** through its Regional Office, Kamrup, and submitted the Inspection Report dated **08.01.2026**. During the inspection, it was observed that the unit was not operational at the time of the visit. A copy of the fresh Inspection Report dated **08.01.2026** is annexed herewith and marked as **Annexure-III**.
- 5. That as regards the averments made in the prayer of the application, the Pollution Control Board, Assam is duty bound to abide by any directives passed by the Hon'ble Tribunal in the present facts and circumstances of the case.
- 6. That the answering respondent craves the leave of this Hon'ble Tribunal to file additional affidavit, if required.



Mukunda Madhab Borra

DEPONENT

VERIFICATION

I, the deponent herein above, do hereby verify the contents of this affidavit to be true and correct to the best of my knowledge and belief, and no part of this affidavit is false and nothing material has been concealed therefrom.

Verified at Guwahati on this 9th day of January, 2026

Mukunda Madhab Borra

DEPONENT

Identified by:-

Siddhanta Baruah
295/99.
Advocate

[Signature] 21/1/2026
NOTARY
MANISHMITA DEKA
Govt. of India
Guwahati, Regd. No. -39484

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.

BEFORE THE NATIONAL GREEN TRIBUNAL,
EASTERN ZONE BENCH, KOLKATA

Original Application No. 46/2025/EZ

IN THE MATTER OF:

Mukul Haloi & Anr

----- Applicant

Versus

State of Assam & Ors

----- Respondents

I N D E X

Sl. Nos.	Particulars	Pages
1	Affidavit	1-3
2	Annexure-I (Inspection Report)	4-5
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FILED BY:

Mr. Surendra Kumar
Advocate
For the THE POLLUTION CONTROL
BOARD, ASSAM/Respondent
Email: surendra_kr15@rediffmail.com/
advsurendrakumar16@gmail.com

Filed On : .09.2025

BEFORE THE NATIONAL GREEN TRIBUNAL,
EASTERN ZONE BENCH, KOLKATA

Original Application No. 46/2025/EZ

IN THE MATTER OF:

Mukul Haloi & Anr

----- Applicants

Versus

State of Assam & Ors

----- Respondents

Affidavit on behalf of the Respondent No. 2 i.e. Assam Pollution Control Board

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:

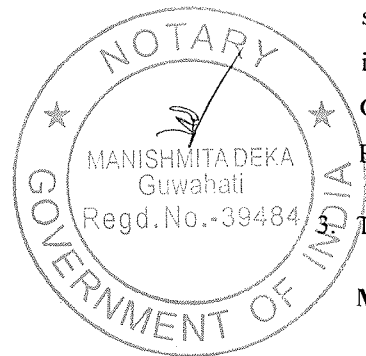
That, I in the capacity of Chief Environment Engineer of Assam Pollution Control Board, (hereinafter referred to as the Board), and conversant with the facts and circumstances do hereby solemnly affirm state as follows:

1. That, this affidavit is being affirmed in pursuant to the order dated 12.08.2024 passed by this Hon'ble National Green Tribunal, Eastern Zone.
2. That the answering respondent had upon receiving the notice of the said case from the registry of the Hon'ble NGT, PB, carry out an inspection of the alleged area. Accordingly, the official of Regional Office, Kamrup visited the site on 19th August, 2025 and submitted its Report on 21.08.2025. A Copy of the Inspection report is annexed as **Annexure -I**.

3. That the answering respondent like to state that

M/S JPIS Brick manufacturing Unit.

- (i) The Pagaladiya Riverbed is 72.3 meters away from the boundary of the Brick Kiln.
- (ii) There is a small temple which is 267.47 meters away from brick kiln.
- (iii) The distance from the Brick Kiln to another nearest temple is 491.52 meters.
- (iv) The Chengnoi Khudra Katara village which is very thinly populated is 673.81 meters away.
- (v) The Jamtola Chengnoi Suba is 286.89 meters away from the Brick Kiln which is also thinly populated.



- (vi) The land is yet to be reclassified by the District authority.
- (vii) Presently the construction of Brick Kiln is almost completed.
- (viii) No activity inside the Brick Kiln campus has been noticed.

M/S Pasa Stone Crusher Unit.

- (i) The unit is located inside the embankment of Pagaladiya River.
- (ii) The Pagaladiya Riverbed is 182.35 meters away from the boundary of the Stone crusher.
- (iii) The distance from the Stone crushing unit to Chengnoi Kuhdra Katara village is 837.06 meter which is very thinly populated.
- (iv) The distance from the stone crusher to Barkhanajan village is 217.12 meters which is thinly populated.
- (v) The distance from the stone crusher to Chengnoi (Katara) village is 1.10 km away.
- (vi) The nearest School distance from the stone crusher is 617.83 meters.
- (vii) The distance from the nearest School to the Stone crusher is 413.84 meters.
- (viii) Only Civil foundation of the Stone crushing unit is constructed.
- (ix) At present no construction activity of the stone crushing unit is going on.
- (x) The land is yet to be reclassified by the District Authority.

4. That the answering respondent further begs to inform that the Board has withdrawn the Consent To Establish of the subject unit vide letter no. TECH/5/2025-CCA-PCBA dtd. 05/02/2025. The copy of the letter is annexed as

Annexure-II.

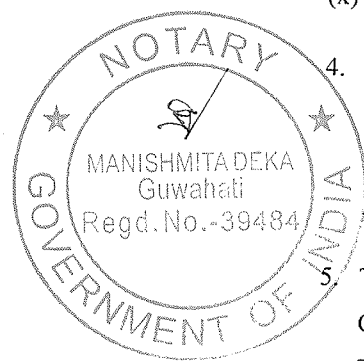
5. That as regards the averments made in the prayer of the application, the Pollution Control Board, Assam is duty bound to abide by any directives passed by the Hon'ble Tribunal in the present facts and circumstances of the case.
6. That the answering respondent craves the leave of this Hon'ble Tribunal to file additional affidavit, if required.

Mukunda Madhub Bara

05/02/25

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.

DEPONENT



Sl. No. 27
Date 24/9/25

VERIFICATION

I, the deponent herein above, do hereby verify the contents of this affidavit to be true and correct to the best of my knowledge and belief, and no part of this affidavit is false and nothing material has been concealed therefrom.

Verified at Guwahati on this 24th day of September, 2025

Mukunda Madhab Borra
DEPONENT

Identified by:-

Siddhartha Baruah
Advocate
445/99

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.

M 24/09/25
NOTARY
MANISHMITA DEKA
Guwahati
Regd.No.-39484



TECH/60/2025-ROK-PCBA

Annexure- I

1/4039/2025



Regional Office : Kamrup
 আঞ্চলিক কার্যালয় : কামৰূপ
Assam Pollution Control Board



অসম প্রদূষণ নিয়ন্ত্রণ পৰিষদ
 (Department of Environment, Forest & Climate Change, Govt. of Assam)
 (অসম চৰকাৰৰ বন, পৰিৱেশ আৰু জলবায়ু পৰিৱৰ্তন বিভাগ)

No.: TECH/60/2025-ROK-PCBA/02

Dated Amingaon, the 22nd August, 2025

To

The Member Secretary
 Assam Pollution Control Board
Bamunimaidam, Guwahati-21

Sub: Report on O.A. No. 45/2025/EZ (Mukul Haloi & Anr Vs State of Assam & Ors.)

Ref.: HO, APCB Letter No. LGL-11013(12)/4/2025/47 dtd. 12/08/2025

Sir,

With reference to the subject cited above, I have the honour to submit herewith the Inspection Report of M/S JPIS Enterprise, Vill- Chengnoi, Mouza-Batahgila, Nalbari, Assam and M/S Pasa Construction (Stone Crusher), Vill-Sondha Khudra Katra, Dist- Nalbari.

This is for favour of your kind information & necessary action.

Encl.: As stated.

Yours faithfully,

(P. K. Dutta)

SEE cum Regional Officer

REPORT ON O.A. No. 46/2025/EZ (MUKUL HALOI & ANR VS STATE OF ASSAM & ORS.)

As per direction of Hon'ble NGT, on O.A. No. 45/2025/EZ (Mukul Haloi & Anr Vs State of Assam & Ors.) the site of M/S JPIS Brick Manufacturing Unit and M/S PASA Stone Crusher on Pagaladia riverbed visited on 19-08-2025 and findings are as follows.

As per the GPS photographs taken the following findings are found.

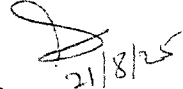
M/S JPIS Brick manufacturing Unit.

1. The Pagaladiya Riverbed is 72.3 meters away from the boundary of the Brick Klin.
2. There is a small temple which is 267.47 meters away from brick kiln.
3. The distance from the Brick Klin to another nearest temple is 491.52 meters.
4. The Chengnoi Khudra Katara village which is very thinly populated is 673.81 meters away.
5. The Jamtola Chengnoi Suba is 286.89 meters away from the Brick Klin which is also thinly populated.
6. The land is yet to be reclassified by the District authority.
7. Presently the construction of Brick Klin is almost completed.
8. No activity inside the Brick Klin campus has been noticed.

M/S Pasa Stone Crusher Unit.

1. The unit is located inside the embankment of Pagaladia River.
2. The Pagaladiya Riverbed is 182.35 meters away from the boundary of the Stone crusher.
3. The distance from the Stone crushing unit to Chengnoi Kuhdra Katara village is 837.06 meter which is very thinly populated.
4. The distance from the stone crusher to Barkhanajan village is 217.12 meters which is thinly populated.
5. The distance from the stone crusher to Chengnoi (Katara) village is 1.10 Km away.
6. The nearest School distance from the stone crusher is 617.83 meters.
7. The distance from the nearest School to the Stone crusher is 413.84 meters.
8. Only Civil foundation of the Stone crushing unit is constructed.
9. At present no construction activity of the stone crushing unit is going on.
10. The land is yet to be reclassified by the District Authority.

It is to be mentioned that Consent to Established granted to M/S JPIS Brick manufacturing unit by Assam Pollution Control Board has been withdrawn on 05-02-2025. Further there are 2 numbers of cases having Writ Petition (C) No. 1409 of 2025 (Parbin Sultana vs. State of Assam & Ors.) and Writ Petition (C) No. 50 of 2025 (Parbin Sultana vs. Stae of Assam & Ors.) of M/S JPIS Brick manufacturing unit is going on at Hon'ble Guwahati High Court.


 (Pankaj Kumar Dutta)
 Sr. Environmental Engineer
 Assam Pollution Control Board

LKS



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



Dated Guwahati, 05.02.2025

To,

Parbin Sultana, Proprietor,
 M/s JPIS Enterprise,
 Vill: Chengdoi, Dist- Nalbari, Assam - 781337

Sub: Withdrawal of Consent to Establish and Rejection of Application No – 3110801 for Consent to Operate

Ref: i) Consent to Establish granted vide application No. 2314216 dtd. 28th Nov, 2023.
 ii) Consent to Operate application vide No- 3110801
 iii) Letter No. NM. 4/2024/206 dtd. 04/02/2025 from O/o the District Magistrate, Nalbari district

Whereas, Consent to Establish (CTE) was granted to you vide No.WB/KMP/T-210/23-24/5 for establishment of brick kiln in the name of M/s JPIS Enterprise, Vill: Chengdoi, Dist- Nalbari, based on the land documents submitted by you in your application vide id 2314216.

Whereas, you had submitted certificate from the Circle Officer, Nalbari Revenue Circle vide No. NBR-22/2021/Pt./548 dtd. 18.09.2023 and letter from District Agricultural Officer, Nalbari vide no. DAO(N)/Esstt./Pt-III/2020-21/1337 dtd. 12.09.2023 as supplementary documents against land documents in your application for obtaining Consent to Establish (CTE).

Whereas, vide letter No.NM.4/2024/206 dtd. 04/02/2025, the Addl. District Magistrate, Nalbari District stated that the above documents submitted by you are wrong documents and your application for reclassification of the land has been rejected by the District Commissioner, Nalbari District.

Whereas, based on the above letter from the Addl. Magistrate, it is observed that you have obtained Consent to Establish (CTE) by misrepresentation and failed to disclose all relevant facts in your application for CTE.

Whereas, the Conservator of Forest, North Kamrup Division, vide letter No.B/NKD/Brick Kiln/4875-76 dtd 01.02.2025 has informed that Chengnoi area is a vulnerable area for wild elephant and your brick kiln falls under you're the said area.

Therefore, in view of the above, the Board hereby withdraws the Consent to Establish (CTE) granted in favor of M/s JPIS Enterprise vide No.WB/KMP/T-210/23-24/5 dtd. 28th Nov, 2023 with immediate effect. Further, your application for Consent to Operate (CTO) vide

application id - 3110801 shall not be considered. You are hereby directed to cease all operations at the premises of M/s JPIS Enterprise immediately.

Signed by
Shantanu Kumar Dutta
Date: 05-02-2025 18:01:53

Member Secretary

Copy to:

1. The District Commissioner, Nalbari District – for kind information and necessary action.
2. The Sr Environmental Engineer, RO-Kamrup – for regular verification and update on the status of compliance of suspension of operation by the Unit
3. P.A. to the Chairman, PCBA for kind appraisal of the Hon'ble Chairman.

(e-signed)
Member Secretary

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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



Dated Guwahati, 05.02.2025

To,

Parbin Sultana, Proprietor,
M/s JPIS Enterprise,
Vill: Chengdoi, Dist- Nalbari, Assam - 781337

Sub: Withdrawal of Consent to Establish and Rejection of Application No – 3110801 for Consent to Operate

Ref: i) Consent to Establish granted vide application No. 2314216 dtd. 28th Nov, 2023.
ii) Consent to Operate application vide No- 3110801
iii) Letter No. NM. 4/2024/206 dtd. 04/02/2025 from O/o the District Magistrate, Nalbari district

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application id - 3110801 shall not be considered. You are hereby directed to cease all operations at the premises of M/s JPIS Enterprise immediately.

Signed by
Shantanu Kumar Dutta
Date: 05-02-2025 18:01:53

Member Secretary

Copy to:

1. The District Commissioner, Nalbari District – for kind information and necessary action.
2. The Sr Environmental Engineer, RO-Kamrup – for regular verification and update on the status of compliance of suspension of operation by the Unit
3. P.A. to the Chairman, PCBA for kind appraisal of the Hon'ble Chairman.

(e-signed)
Member Secretary

To,

The SEE cum Regional Officer
Regional Office Kamrup,
Assam Pollution Control Board.

Sub: Inspection report pertaining to OA No. 46/2025 (Mukut Haloi)-reg.
Ref: HO, APCB Email dtd.05/01/2026.

Sir,

With reference to the subject as cited above, please find enclosed herewith the latest inspection reports of the following units, inspected in connection with OA No. 46/2025 (Mukut Haloi):

1. M/s J.P.I.S Enterprise (Brick Industry) located at Vill.: Chengnoi, Mouza: Batahgila, Dist.: Nalbari, Assam
2. M/s Pasa Construction (Stone Crusher) located at Vill.: Khudrakatra, Mouza: Sandha, Dist.: Nalbari, Assam.

This is for favour of your kind information.

Encl.: Inspection report along with photograph.

Sincerely yours,



(Jagat Deka)

Asstt. Executive Engineer.

Regional Office-Kamrup. APCB.

INSPECTION REPORT

In pursuant of the instructions of Regional Head, Regional Office-Kamrup, Assam Pollution Control Board, I was carried out an inspection at the site M/s J.P.I.S Enterprise (Brick Industry) located at Vill.: Chengnoi, Mouza: Batahgila, Dist: Nalbari, Pin-781337 on 07/01/2026 in connection with the inspection pertaining to the OA No.46/2025 (Mukut Haloi). During my visit, the following observations were made:

1. Name & Address of the unit : M/s J.P.I.S Enterprise (Brick Industry), Vill.: Chengnoi, Mouza: Batahgila, Dist: Nalbari, Pin-781337
2. Name of the contact person : Jiyaur Pasa
3. Type of the unit : Brick manufacturing unit
4. Production capacity : 3,00,000 lakhs Nos./month
5. Category of the unit : Orange category
6. Operational status : Not in operation at the time of inspection
7. Remarks : During the inspection, it was observed that the unit was not operational at the time of visit.

Enclo: Photographs.

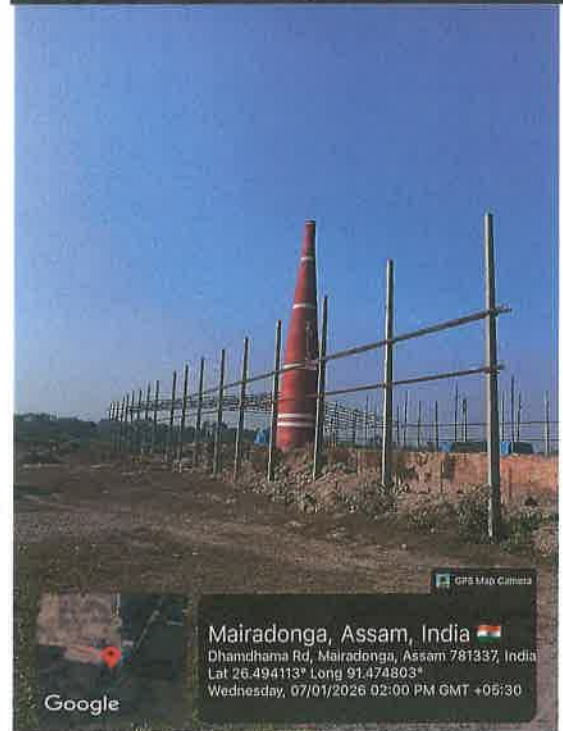
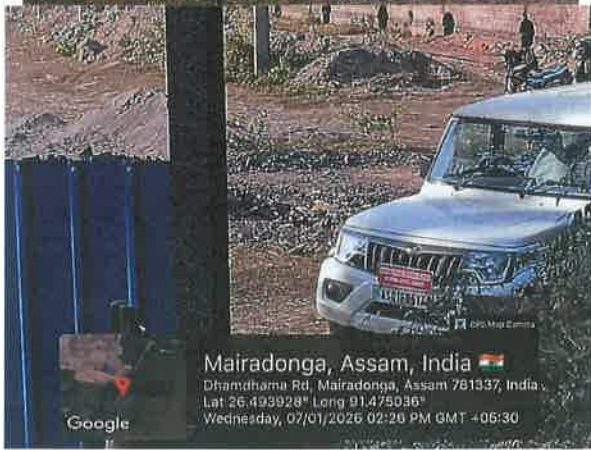
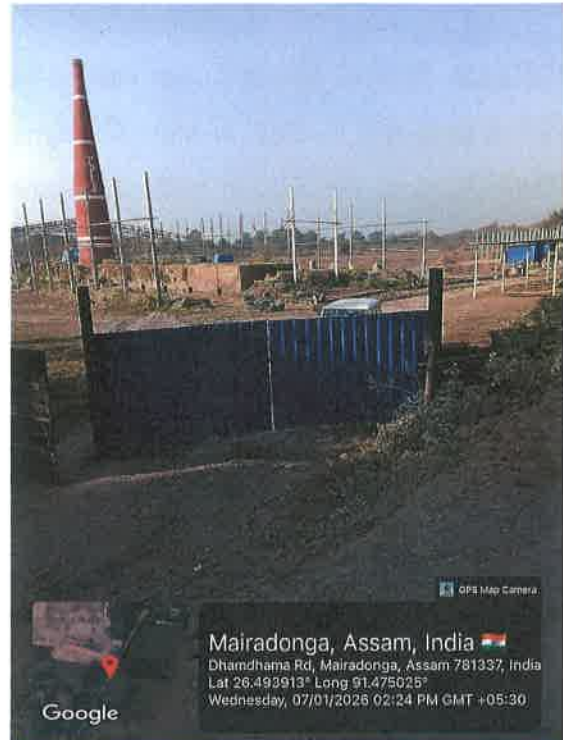
Prepared by,



(Jagat Deka)

Asstt. Executive Engineer
Regional Office-Kamrup, APCB

Photographs of M/s J.P.I.S Enterprise (Brick Industry), Vill.: Chengnoi, Mouza: Batahgila, Dist: Nalbari, Pin-781337



[Handwritten signature]
07/01/26

INSPECTION REPORT

In pursuant of the instructions of Regional Head, Regional Office-Kamrup, Assam Pollution Control Board, I was carried out an inspection at the site of M/s Pasa Construction (Stone Crusher) located at Vill.: Khudrakatra, Mouza: Sandha, Dist: Nalbari on 07/01/2026 in connection with the inspection pertaining to the OA No.46/2025 (Mukut Haloi). During my visit, the following observations were made:

1. Name & Address of the unit : M/s Pasa Construction (Stone Crusher), Vill.: Khudrakatra, Mouza: Sandha, Dist: Nalbari
2. Name of the contact person : Jiyaur Pasa
3. Type of the unit : Stone Crusher Unit
4. Category of the unit : Orange category
5. Raw Material : Stone river boulder
6. Production capacity : Stone aggregate: 1000 MT/Month
7. Operational status : The unit was found not in operation at the time of inspection. However, the plant and machinery along with wind-breaking walls and boundary walls (brick wall and fencing) have already been installed
8. DG Set status : One DG set of 380 KVA capacity has been installed. However, the stack height is not as per the prescribed norms.
9. Display board : Not installed
10. Remarks : During the inspection, it was observed that the unit was not operational at the time of visit.

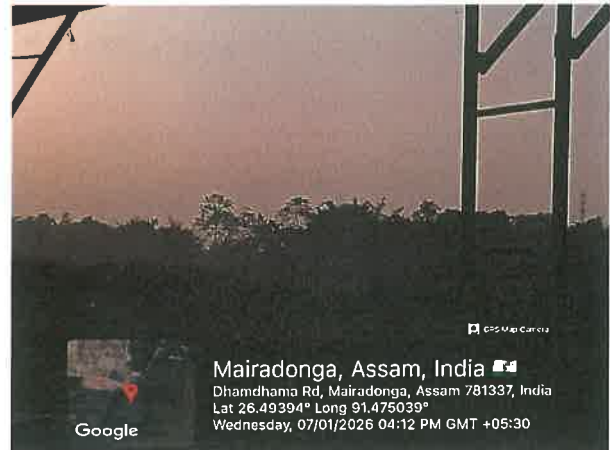
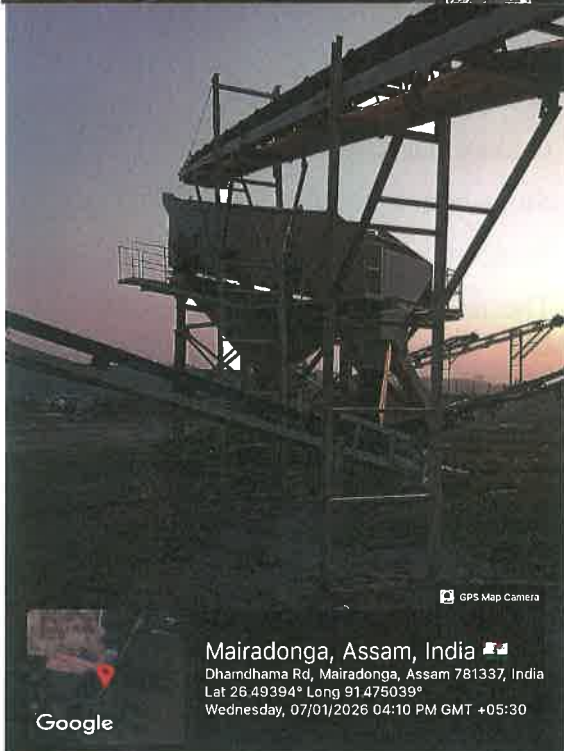
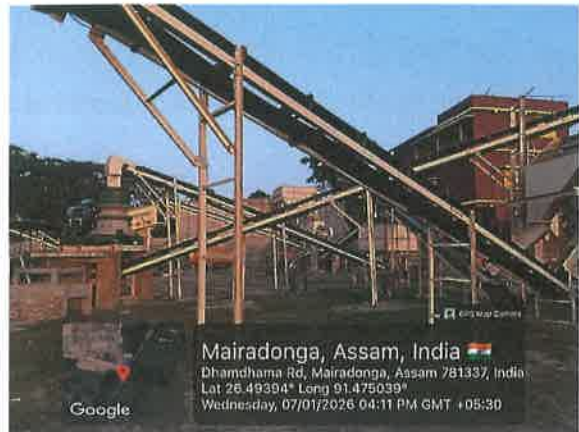
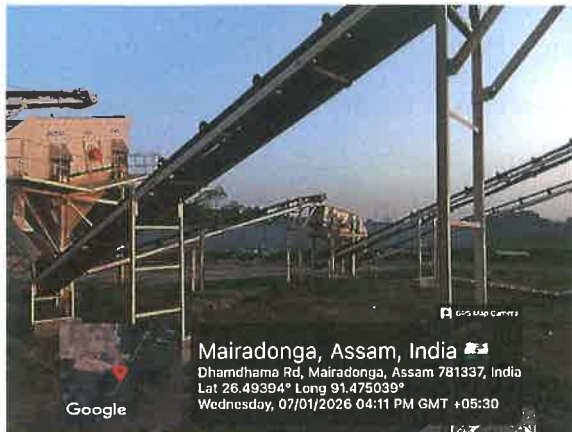
Enclo: Photographs.

Prepared by,



(Jagat Deka)
Asstt. Executive Engineer
Regional Office-Kamrup, APCB

Photographs of M/s Pasa Construction (Stone Crusher), Vill.: Khudrakatra, Mouza: Sandha, Dist: Nalbari



[Handwritten signature]
07/01/2026