

IN THE HON'BLE NATIONAL GREEN TRIBUNAL

PRINCIPAL BENCH, NEW DELHI

ORIGINAL APPLICATION NO. 1271/2024

IN THE MATTER OF:

SHRI KHROO L. PARIAT

...APPLICANT

VERSUS

STATE OF MEGHALAYA & ORS.

...RESPONDENTS

REJOINDER TO AFFIDAVIT ON BEHALF OF
RESPONDENT NO. 9

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THROUGH



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NEW DELHI

FILED ON: 12.12.2025

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH AT DELHI**

O.A. NO. 1271 OF 2024

IN THE MATTER OF:

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MOST RESPETFULLY SHOWETH:

1. That the above-titled Original Application arises out of a letter dated 25.06.2024 sent by the Applicant and several others praying for issuance of directions to concerned authorities for the protection of Myntdu river as well as those who are dependent on it for their livelihood. This Hon'ble Tribunal was pleased to exercise its suo moto jurisdiction, considering the substantial questions related to environment raised in the letter, and the letter was registered as Original Application under Section 14 and 15 of National Green Tribunal Act, 2010.
2. The Jowai Bypass (Jowai-Dawki Road) project involves the construction of 3 bridges intended to link two national highways- NH40E and NH-44 (as they were formerly known) over a total length of 5.915 kilometres. The ongoing construction of the Jowai Bypass along the hillocks has caused severe degradation, as earth and debris are dumped into the river, obstructing its flow. The stretch of

the river has become shallow due to heavy siltation, destroying its flora and fauna. The construction has also destroyed numerous paddy fields around the river.

3. That the Project Proponent-Respondent No. 9 herein- has filed an Affidavit dated 20.08.2025 in the captioned matter, making certain incorrect and misconceived submissions. Therefore, the Applicant seeks to respond to the same by filing the instant rejoinder.
4. That at the outset the contentions raised in the aforementioned Affidavit are denied unless specifically admitted herein or unless they are a matter of record. Nothing should be construed to be admitted for lack of specific traverse.

PARA-WISE REPLY

5. That the contents of paras 2a-2d are wrong and are denied. From the material placed on record by the Applicant (@Annexure A-5, I.A No. 691/2025) it is evident that construction across the river is still ongoing and the project proponent has failed to ensure proper collection of the waste generated which is in violation of their duty under the Construction & Demolition Waste Management Rules, 2016 ("C&D Rules, 2016"), as well as the orders of the Jaintia Hills Autonomous District Council and the District Magistrate.
6. That the contents of para 2e are wrong and are denied. Jowai does not have an authorized storage site as required under the C&D Rules, 2016, therefore it is unclear as to what designated dumping zone the Project Proponent is referring to or who has issued the so-called permissions/NOCs.

7. That the contents of para 2f are wrong and are denied. Temporary sandbag walls are not adequate to prevent debris from flowing downhill during heavy rains, as observed by the Joint Committee appointed by this Hon'ble Tribunal in its report dated 10.02.2025.
8. That the contents of para 2g are wrong and are denied. The Project Proponent has admittedly caused damage to surrounding agricultural land, due to its indiscriminate dumping of construction and demolition waste generated by it, in flagrant violation of the C&D Rules, 2016. Whether such damage is "*intentional*" or not is immaterial.
9. That the contents of para 2h are wrong and are denied. The Joint Committee, comprising officials from CPCB, MPCB and MoEF, only analysed water samples from a location approximately 100 meters downstream of the confluence point of the Mykrem river and Myntdu River, as well as from the outlet line of the PHE Dept., Jowai. For accurate assessment of water quality, samples from multiple points of the river need to be analysed. Therefore, it cannot be reliably stated that water of Myntdu river is well within specified parameters.
10. That the contents of para 2i are wrong and are denied. The Project Proponent has stated that the earth cutting/excavation work has been carried out as per the approved Plan and Profile, without placing the said Plan on record. Further, as already submitted, temporary sandbag walls are inadequate to prevent runoff in monsoon. Jowai experiences extended periods of heavy rainfall, making the Project Proponent's compliance with their obligations under the C&D Rules,

2016 all the more crucial. The Project Proponent cannot completely neglect to ensure responsible collection and storage of waste and at the same time say that washing away of debris is not intentional on their part.

11. That the contents of para 2j are wrong and are denied. From the report of the Joint Inspection Committee as well as the material placed on record by the Applicant herein, it is clear that the Myntdu river, including its banks and tributaries, continue to be polluted with silt and construction debris.

12. That the contents of paras 2k to 2n are wrong and are denied. It is not clear from the record what directives were issued to the Project Proponent by the State Pollution Control Board, nor can they be said to have taken any concrete steps towards safe collection and disposal of waste from the river and its banks.

FILED BY:



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SL No 01
 Dated 10/12/25

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 ORIGINAL APPLICATION NO. 1271 OF 2024

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...APPLICANT

VERSUS

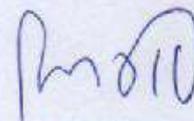
STATE OF MEGHALAYA & ORS.

...RESPONDENTS

AFFIDAVIT

I, Khroo Pariat, aged about 48 years, s/o S Shallam, r/o, Panaliar, Jowai, West Jaintia Hills, Jowai, Meghalaya, 793150, do hereby solemnly affirm and declare as under:

1. That I am the Applicant as stated as above, and am hence well conversant with the facts and circumstances of the case and as such authorized and competent to swear this affidavit in the abovementioned Original Application.
2. That I say that the contents of the accompanying Rejoinder and I.A.s therein have been drafted by my counsel under my instructions. I say that the contents thereof are true and correct to the best of my knowledge.
3. All annexures are true copies of their respective originals.

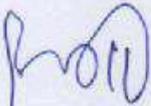

 DEPONENT


 Smt. R. Kya
 Notary
 Jaintia Hills District
 Meghalaya



VERIFICATION

Verified at Towai on this 10th day of December, 2025, that the contents of the above affidavit are true and correct to my knowledge and belief, no part of it is false and nothing material has been concealed therefrom.


DEPONENT


Smt R Kya
Notary
Jaiñtia Hills District
Meghalaya



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Tara Kurien <tara@isaacandjacob.com>

Service of Rejoinder to Affidavit on behalf of Respondent No. 9 in OA No. 1271/2024 [Shri Khroo L Pariat vs. The State of Meghalaya & Ors.]

1 message

Tara Kurien <tara@isaacandjacob.com>

Fri, Dec 12, 2025 at 1:48 PM

To: cso-meg@nic.in, dc-wjh-meg@nic.in, mscb.cpcb@nic.in, ro.nez.shil@gmail.com, memsecy.spcb-meg@gov.in, megspcb@rediffmail.com, ceo123jmb@gmail.com, secypwdmegh@yahoo.com, Vikash Kumar <vikashkalp@gmail.com>, jaiswalgroup05@gmail.com, Avijit Mani Tripathi <avijitmani@gmail.com>, thakursumit79@gmail.com, secy-road@nic.in, secy-mowr@nic.in, enatoli sema <enatoli@gmail.com>, Sujit Dey <sujitdey.dey31@gmail.com>, jhadcjowai@gmail.com, anujkrsharma02@gmail.com, Henry Ahanthem <ahanthemhenry@gmail.com>

Cc: Srishti Agnihotri <srishtiagnihotriofficial@gmail.com>, Anchal Kanthed <anchalkanthed2205@gmail.com>

Respected Sir/Ma'am,

I am writing on behalf of Ms. Srishti Agnihotri, Advocate for the Applicant in the above-titled matter. Please find attached the Rejoinder to Affidavit on behalf of Respondent No. 9, filed by the Applicant. Kindly treat this as due service of the same.

Best Regards,
Tara Elizabeth Kurien
Advocate

**Service-Rejoinder to R9.pdf**

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