

GAHC010063882024



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : WP(C)/1820/2024

BOLAI ROY
S/O- LATE RANENDRA KUMAR ROY,
R/O- VILLAGE SHIBERBOND,
P.O- THALIGRAM,
DIST- CACHAR, ASSAM,
PROPRIETOR OF-
M/S BHOLANATH STONE CRUSHER,
SHIBERBOND, UDHARBOND, DIST- CACHAR, ASSAM

VERSUS

THE STATE OF ASSAM AND 7 ORS
REP. BY THE PRINCIPAL SECRETARY TO THE GOVT. OF ASSAM, FOREST
AND ENVIRONMENT DEPARTMENT, DISPUR, GUWAHATI-6.

2:THE PRINCIPAL CHIEF CONSERVATOR OF
FOREST ASSAM
ANANYA BHAWAN
PANJABARI
GUWAHATI- 37
ASSAM.

3:THE CHIEF CONSERVATOR OF FORESTS
SOUTHERN ASSAM CIRCLE
ASSAM
SILCHAR
CACHAR- 788001.

4:THE CIRCLE LEVEL PERMIT COMMITTEE
REP. BY ITS CHAIRMAN
THE CHIEF CONSERVATOR OF FORESTS
SOUTHERN ASSAM CIRCLE
SILCHAR
DIST-CACHAR- 788001.

5:THE DIVISIONAL FOREST OFFICER
CACHAR DIVISION
SILCHAR
DIST- CACHAR
ASSAM
PIN-788001

6:THE RANGE FOREST OFFICER
UDHAR BOND RANGE
VILLAGE AND P.O- UDHARBOND
DIST- CACHAR
ASSAM
PIN-788030

7:THE POLLUTION CONTROL BOARD
ASSAM
REPRESENTED BY ITS MEMBER SECRETARY
BAMUNIMAIDAM
GUWAHATI-781021
ASSAM

8:THE EXECUTIVE OFFICER
POLLUTION CONTROL BOARD
ASSAM
SILCHAR
DIST- CACHAR
ASSA

Advocate for the Petitioner : MR. R MAJUMDAR

Advocate for the Respondent : SC, FOREST

**BEFORE
HONOURABLE MR. JUSTICE MICHAEL ZOTHANKHUMA**

ORDER

Date : 01.05.2024

Heard Mr. R. Mazumdar, learned counsel for the petitioner and Mr. D. Gogoi, learned counsel for the respondent Nos. 1 to 6. Mr. S. Baruah, learned counsel appears for the respondent Nos. 7 & 8.

- 2.** The petitioner's grievance is that despite the order dated 05.02.2024 passed in WP(C) 6307/2023, the petitioner's application for renewal of his licence to operate his Stone Crusher Unit has not been decided by the Pollution Control Board and the Circle Level Permit Committee.
- 3.** Mr. S. Baruah, learned counsel for the Pollution Control Board submits that though the petitioner's application has been received, a decision has not been taken for giving renewal to the "Consent to Operate" the Stone Crusher Unit for the year 2024-2025 till date.
- 4.** Mr. D. Gogoi, learned counsel for the respondent Nos. 1 to 6 submits that the Circle Level Permit Committee will consider the petitioner's renewal of his licence for running the Stone Crusher Unit only after approval is given by the Pollution Control Board.
- 5.** In view of the stand taken by the counsel for the respondents and as the petitioner's application has been received by the Pollution Control Board, the Pollution Control Board shall take a decision with regard to the renewal of the "Consent to Operate" the Stone Crusher Unit, within a period of three week from the date of receipt of a certified copy of this order. They shall thereafter communicate their decision to the petitioner and the Circle Level Permit Committee. The Circle Level Permit Committee shall thereafter take a decision on the petitioner's representation within a further period of three weeks, from the date of receipt of the decision from the Pollution Control Board.
- 6.** The writ petition is accordingly disposed of.

JUDGE

Comparing Assistant