

NATIONAL GREEN TRIBUNAL, EASTERN ZONE BENCH, KOLKATA

ORIGINAL APPLICATION No. 177/ 2023/EZ

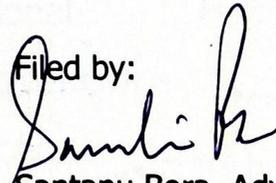
In Re: 'News item appearing in Northeast Now dated 27.10.2023 title "Assam: Adil Hussain joins chorus urging Govt., NHA I to spare century old trees for highway project"

-Versus-

National Highways and Infrastructure Development Corporation Limited and Another

I N D E X

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Filed by:

Santanu Bora, Advocate

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Ph. No. 9864176825

**BEFORE THE NATIONAL GREEN TRIBUNAL, EASTERN
ZONE BENCH, KOLKATA**

ORIGINAL APPLICATION NO. 177/2023/EZ

IN THE MATTER OF:

In Re: 'News item appearing in
Northeast Now dated 27.10.2023
title "Assam: Adil Hussain joins
chorus urging Govt., NHA I to spare
century old trees for highway
project"

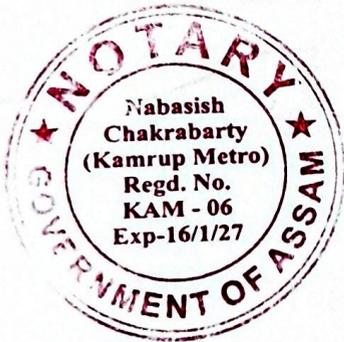
.....APPLICANT

-Versus-

National Highways and
Infrastructure Development
Corporation Limited and Another

.....RESPONDENTS

**ADDITIONAL AFFIDAVIT IN REPLY TO THE
AFFIDAVIT FILED BY RESPONDENT No. 1 ON
BEHALF OF THE STATE OF ASSAM, RESPONDENT
No. 2.**



NCS
NABASISH CHAKRABARTY
NOTARY Govt. of Assam
Regd. No. KAM - 06
Panbazer, Guwahati - 781001

10 MAY 2024

Bidit Das

Joint Secretary to the Govt. of Assam,
Environment and Forests Department,
Janata Bhawan, Dispur, Guwahati - 6.

I, Sri, Bidit Das, ACS, son of late Dondiram Das, aged about 55 years, presently holding the post of Joint Secretary to the Government of Assam, Environment and Forest Department, Dispur, Guwahati -6, Assam in the district of Kamrup (Metro) do hereby solemnly affirm and state as follows:

1. That I am the Joint Secretary to the Government of Assam, Environment and Forest Department. As such, I am fully conversant with the facts and circumstances of the case, I am also duly authorized to swear this affidavit on behalf of the State of Assam and file this instant affidavit as directed by the Hon'ble National Green Tribunal by its order dated 05.04.24.

2. That as regard to averments made in paragraph 7 of the affidavit of respondent No. 1, the Right of Way (ROW) of the proposed road is reduced to 30 m instead of 40-45 m in the forest area.

3. That as regard to averments made in paragraph 8 of the affidavit of respondent No. 1, the deponent begs to state that 27.054 ha of forest land has been proposed for



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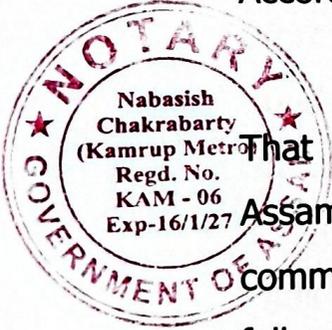
10 MAY 2024

diversion under Goalpara Division, wherein 15475 no. of trees were affected.

4. That as regard to averments made in paragraph 9 of the affidavit of respondent No. 1, the deponent begs to state that, respondent No. i.e National Highways and Infrastructure Development Corporation Limited (NHIDCL) had applied for Forest Clearance in Parivesh Portal under the Forest Conservation Act, 1980 (Proposal No.FP/AS/ROAD/44439/2020), for which in principle (Stage-I) approval has been accorded by Govt of India, MoEF & CC. Accordingly, NHIDCL has deposited the required amount.

Bridit Das

Joint Secretary to the Govt. of Assam,
Environment and Forests Department,
Janata Bhawan, Dispur, Guwahati - 6.



That upon depositing Compensatory Levies etc., Govt. of Assam has accorded permission for tree cutting and commencement work vide letter dated 22.05.2023. The following are the deposited amounts:

Sl. No.	Head	Amount
1	In CAMPA account against CA & NPV on 16.02.23	Rs. 7,79,06,907/-
2	In CAMPA account against Avenue Plantation on 20.05.23.	Rs. 2,30,50,500/-

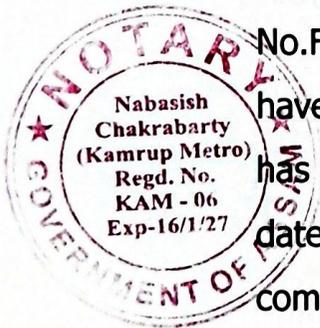
Nabasish Chakrabarty
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3	In DFO, Goalpara account against departmental operation and cost for felling of trees on 15.03.23.	Rs. 2,34,42,470/-
4	In CWLW account against Cost for Human Elephant/ wildlife Conflict Mitigation & Wildlife Conservation on 15.05.23	Rs. 2,17,97,759/-

That answering deponent reiterates that, NHIDCL had applied for Forest Clearance for diversion of 16.712 ha forest land in Kamrup West Division in Parivesh Portal under the Forest Conservation Act, 1980 (Proposal No.FP/AS/ROAD/405192/2022). Total 11,667 no. of trees have been affected. That in principle (Stage-I) approval has been accorded by Govt of India, MoEF & CC dated 14.02.2024. Accordingly, NHIDCL has deposited compensatory levies and Govt of Assam has accorded permission for tree cutting and commencement work vide letter dated 28.03.2024.

5. That as regard to averments made in paragraph 9 of the affidavit of respondent No. 1, the answering deponent



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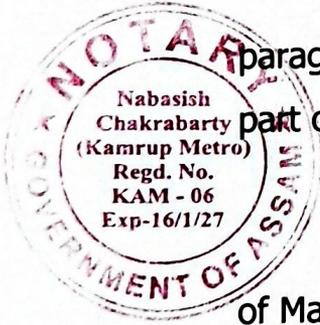
Bidit Das

Joint Secretary to the Govt. of Assam,
 Environment and Forests Department,
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begs to state that, NHIDCL obtained necessary permissions under Forest Conservation Act, 1980 before starting the work.

6. That the statements made in paragraph X X of this affidavit are true to my knowledge and belief, those made in paragraph 1,2,3,4 and 5 being matters of records which I believe to be true and rest are my humble submission before this Hon'ble Court.

That the declarations made in the above paragraphs are true and it conceals nothing and that no part of it is false, so help me God.



And I sign this affidavit on this the 10th day of May 2024 at Guwahati.

Bidit Das

DEPONENT

Joint Secretary to the Govt. of Assam,
Environment and Forests Department,
Janata Bhawan, Dispur, Guwahati - 6.

Identified by me:

[Signature]
Advocate

SOLEMNLY AFFIRMED and
declared before me by the
Deponent on being identified
by learned Advocate

[Signature]

NABASISH CHAKRABARTY
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