

NATIONAL GREEN TRIBUNAL EASTERN ZONE BENCH, KOLKATA**ORIGINAL APPLICATION No. 196/2024/EZ**

Arup Jyoti Das and Others

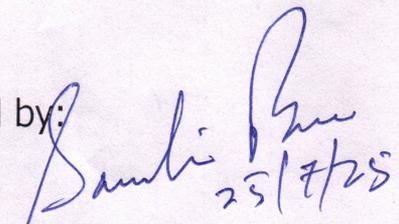
-Versus-

The State of Assam and Others

I N D E X

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Filed by:


(Santanu Bora), Advocate

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*Filed by -
Respondent no. 3
Through - Santai Bora
S.C., N.G.T., Assam.*

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

ORIGINAL APPLICATION No. 196 OF 2024 / EZ

IN THE MATTER OF:

Arup Jyoti Das and Others

... Applicant

-Versus-

The State of Assam and Others

... Respondents

- AND -

IN THE MATTER OF:

An Affidavit in Opposition on behalf of
the Respondent No. 3, The Director of
Geology and Mining.



AFFIDAVIT – IN - OPPOSTION

I, **SHRI KHAGEN SAIKIA** son of late Bogai Saikia,
aged about 57 years, presently holding the post of Joint
Director of Directorate of Geology and Mining , Kahilipara ,

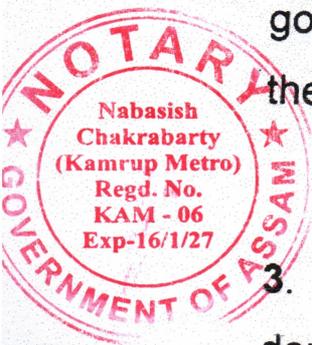
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NABASISH CHAKRABARTY
NOTARY Govt. of Assam
Regd. No. KAM - 06
Panbazer, Guwahati - 781001

25 JUL 2025

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Guwahati -19, in the district of Kamrup (Metro), Assam, do hereby solemnly affirm and state as follows:

1. That the answering deponent is presently holding the post of Joint Director of Directorate of Geology Mining, Kahilipara , Guwahati -19 in the district of Kamrup (Metro), on being duly authorised to swear this affidavit and being fully conversant with the facts and circumstances of the case swear this instant affidavit.
2. That the answering deponent begs to state that, I have received the notice and copy of the above mentioned Original Application, as well as the order dated 16.05.2024, of the National Green Tribunal, Eastern Zone Bench, have gone through the same and understood the contents made therein.
3. That the answering deponent begs to state that, the deponent will traverse only through those portions of the Original Application, which are relevant for the present purpose, as well as, for which the clarifications are sought for. The portions of Original Application, not replied to shall not be treated as to be my admission.



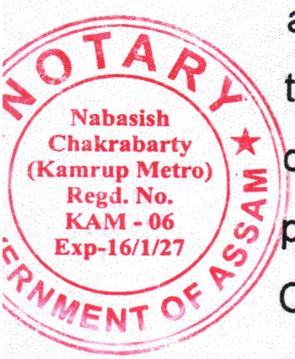
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4. That the answering deponent begs to state that, on the outset, the deponent would like to state that, it is a well known fact, as well as Rules, that, mining of minor minerals within 200 meters in proximity to any bridge is prohibited by the provisions of Assam Minor Mineral Concession Rules, 2013 and guidelines set up by Ministry of Environment, Forest and Climate Change (hereinafter referred to as MOEFCC) and Enforcement and Monitoring Guidelines for Sand Mining (hereinafter to as EMGSM), 2020.

5. That the answering deponent begs to state that, with regard to the statements made in paragraphs 3 to 7 of the instant Original Application, the deponent states that, save and except those which are matter of record, the deponent deny each and every statement of those paragraphs. The answering deponent further states that, the statements of these paragraphs are vague and does not have any clear contentions. The deponent further states, that, the mining plans are issued under Rule 52 of the Assam Minor Mineral Concession Rules, 2013 after complying all the norms, and strict actions are taken those who deviate from the plan.

The deponent further states that, as per the prevalent rules no mining is and / or can be permitted and / or has been permitted within 200 metres of the river bridge. That if such activities are carried out in violation of the Rules and Regulations and are liable to be punished.



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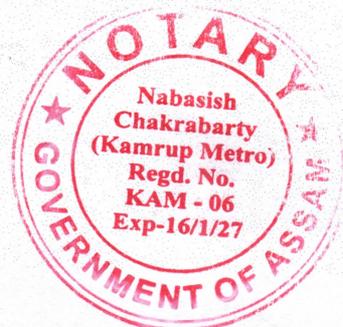
It is humbly submitted that, the district administration has already taken steps to stop such illegal activity.

6. That the answering deponent begs to state that, it is pertinent to mention herein that, pursuant to the order of the Hon'ble National Green Tribunal, Eastern Zone Bench, all the mining activities in the entire State of Assam is stopped. Besides, the District Survey Reports are under preparation and in most of the districts it has been approved and the District Survey Reports of Bajali District is also about to be approved.

7. That the answering deponent humbly submits that, after proper evaluation the mining plan was recommended as per Assam Minor Mineral Concession Rules, 2013 and much before the stay order of the Hon'ble NGT, EZ Bench.

It is also submitted that, the mining activities without approved District Survey Reports are now stalled in the State of Assam. The report filed by the District Commissioner, Bajali, in this connection, has also confirmed the fact that no mining activities are carried out.

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NABASISH CHAKRABARTY
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8. That the statements made in paragraph 3 are true to my knowledge and belief and in paragraph 1,2,4,5 and 6 are based on records and rest are my respectful submissions before this Hon'ble Tribunal and that I have not suppressed any material facts.

And I sign this affidavit on this the 25th day of July 2025 at Guwahati.

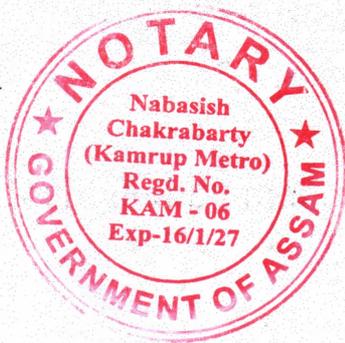
Khagen Sainia

DEPONENT

Joint Director
Directorate of Geology & Mining, Assam
Kahilipara, Guwahati-19

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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