

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

Original Application No. 46 of 2025/EZ

In the Matter of:

Mukul Haloi and Another ... Applicant

-vs-

The State of Assam and Others ... Respondents

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Mukul Haloi and Another ... Applicant

-VS-

The State of Assam and Others ... Respondents


Affidavit in Reply on behalf of the Respondent No 3, The District Commissioner, Nalbari.

I, Smti. Gunjana Saikia, D/O- Narayan Saikia , aged about 29 years, by faith – Hindu, by occupation- service, residing at:- Nalbari do hereby solemnly affirm and state as follows:

1. That I am presently serving as the Election Officer, Nalbari, in the State of Assam. The District Commissioner, Nalbari has been impleaded as Respondent No. 3 in the Original Application No. 46 of 2025/EZ and as such I am fully conversant with the facts and circumstances of the case. I have been authorized by the Respondent No. 3 to swear and file this affidavit on his behalf before the Hon'ble Court.

Identified by me

Safiqul Islam .
Advocate .
13/09/2025
Safiqul Islam
Advocate
Enrol. No.-1767/2012-13


ABDUL MUZAFFAR
NOTARY NO-1
Dist.- Nalbari (Assam)

1

13-09-25

Gunjana Saikia

2. That the Office of the District Commissioner, Nalbari has received the notice and copy of the above-mentioned Original application, as well as the orders dated 03.04.2025 and 07.05.2025 and 12.08.2025, of the National Green Tribunal, Eastern Zone Bench, have gone through the same and understood the contents made therein.

3. That I will traverse only through those portion 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.

4. That at the outset I would like to state that, as per the direction of the Hon'ble National Green Tribunal (hereinafter called as NGT), an inspection has already been conducted by the Circle Officer, Nalbari Revenue Circle, after receiving a verbal instruction from the Additional District Commissioner, and that the said report has already been submitted in the Hon'ble NGT, vide affidavit dated 18/07/2025 by the District Commissioner, Nalbari, and the same has been taken on record.

5. That, as per the direction of the Hon'ble Tribunal, a Joint Committee inspection was held on 30/08/2025 and on inspection it has been found that the Brick Manufacturing unit, as well as the Stone crusher unit, both located at village Chengnoi were not functioning at present.

The copy of the joint Committee report is annexed herewith and marked as Annexure -A to this affidavit.

I certify that

Safiqul Islam
Advocate
13/9/2025

Safiqul Islam
Advocate
Enrol. No.-1767/2012-13



ABDUL AZIZ
NOTARY NO-1
Dist. Nalbari (Assam)

13-9-2025

Safiqul Islam

6. That, it is also pertinent to mention here that the Chengnoi area of Nalbari district, is identified as an elephant Corridor, and as such being apprehensive about the obstruction due to the Brick Klin and Stone Crusher Unit, the Divisional Forest Officer, North Kamrup Division, Rangia, expressed his concern to the District Commissioner, Nalbari. Therafter the DC, Nalbari, has not permitted both the units to operate, and as such none of the units are in operation now.

7. That the statements made out in the foregoing paragraphs are true to the best of my knowledge and belief and also based on records and the same are also my respectful submissions before this Hon'ble Court and that I have not suppressed any material facts.

Identified by me

Safiqul Islam

Advocate

13/9/2025


Safiqul Islam


Advocate

Enrol. No.-1767/2012-13

Gunjana Saikia

Deponent


ABDUL WAHEED
NOTARY NO-1
Dist.- Nalbari (Assam)

Solemnly affirm before me
this day and I certify that I read over
and explained the contents to the
declarant and the declarant seems
perfectly understand the same
signed by 
Date: 13/9/25
Notary No. 1
Nalbari District

13-09-2025

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

In compliance with the order of the Hon'ble National Green Tribunal dated 12-02-2025, the Committee constituted therein conducted a site inspection of M/S JPIS Brick Manufacturing Unit and M/S Pasa Stone Crusher, situated on the Pagaladia riverbed, on 30-08-2025. The inspection was carried out with reference to GPS-based measurements and the following observations were recorded:

1. M/S JPIS Brick Manufacturing Unit

1. The boundary of the brick kiln is located 72.30 meters away from the Pagaladia riverbed.
2. A small temple is situated at a distance of 267.47 meters from the kiln.
3. The nearest other temple is located at a distance of 491.52 meters.
4. Chengnoi Khudra Katara village lies at a distance of 673.81 meters.
5. Jamtola Chengnoi Suba is located 286.89 meters away.
6. The land on which the unit stands is yet to be reclassified by the District Administration.
7. The construction of the kiln is almost complete.
8. At the time of inspection, no operational activity was noticed within the premises.

2. M/S Pasa Stone Crusher Unit

1. The unit is located within the embankment area of the Pagaladia river.
2. The boundary of the unit lies 182.35 meters away from the Pagaladia riverbed.
3. Chengnoi Khudra Katara village is situated at a distance of 837.06 meters.
4. Barkhanajan village lies at a distance of 217.12 meters.
5. Chengnoi (Katara) village is located approximately 1.10 km away.
6. The nearest school is located at a distance of 617.83 meters.
7. Another school is situated at a distance of 413.84 meters.
8. Only the civil foundation of the unit has been constructed.
9. At the time of inspection, no construction activity was in progress.
10. The land on which the unit stands is yet to be reclassified by the District Authority.

3. Additional Remarks

- The Consent to Establish granted to M/S JPIS Brick Manufacturing Unit by the Assam Pollution Control Board was withdrawn on 05-02-2025.
- Two writ petitions concerning the said unit are presently pending before the Hon'ble Gauhati High Court:
 - W.P.(C) No. 1409/2025 (Parbin Sultana vs. State of Assam & Ors.)
 - W.P.(C) No. 50/2025 (Parbin Sultana vs. State of Assam & Ors.)



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



(Bandheep Rabha, ACS)
Executive Magistrate
Nalbari



GPS Map Camera



Niz-batahgila, Assam, India

Niz-batahgila, Assam 781337, India

Lat 26.483428° Long 91.47401°

30/08/2025 11:22 AM GMT +05:30



 **GPS Map Camera**



Google

Mairadonga, Assam, India

Ffvg+v35, Mairadonga, Assam 781337, India

Lat 26.493929° Long 91.474988°

30/08/2025 11:28 AM GMT +05:30



GPS Map Camera



Mairadonga, Assam, India

Ffvg+v35, Mairadonga, Assam 781337, India

Lat 26.494292° Long 91.474937°

30/08/2025 11:29 AM GMT +05:30