

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

Original Application No. 132 of 2025/EZ

Atanu Borthakur...Applicant

- Versus -

Union of India and Ors. ..Respondents

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Filed by:

Malabika RoyDeyAdvocate
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Assam
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(M): 9051634204

Sl. No.....	378.....
Date.....	15.10.2025.....

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

Original Application No.132 of 2025/EZ

IN THE MATTER OF:

Atanu Borthakur
.....Applicant

- Versus -

Union of India and Others
.....Respondents

-AND-

IN THE MATTER OF:

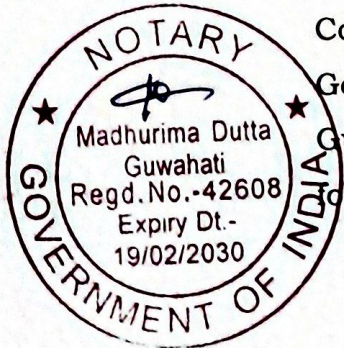
Affidavit in Opposition on behalf of
the Respondent No.3.

AFFIDAVIT IN OPPOSITION

I, Sandeep Kumar son of Late Kameshwar Prasad, aged about 59 years, presently holding the post of Principal Conservator of Forest and Head of Forest (PCCF and HOFF), Government of Assam, in the district of Kamrup (Metro), Guwahati , Assam, do hereby solemnly affirm and state as follows: -

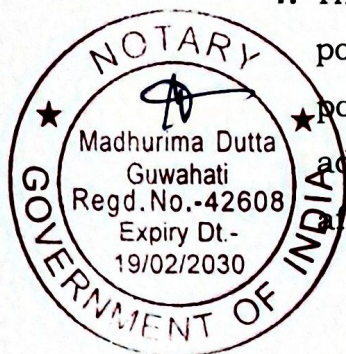
Sandeep Kumar

Principal Conservator of Forest &
Head of Forest Force, Assam



1. That I am presently holding the post of Principal Conservator of Forest and Head of Forest (PCCF and HOFF), Government of Assam, Aranya Bhawan , Panjabari , Guwahati -37 in the district of Kamrup (Metro) and arrayed as party respondent no. 3.
2. That I have received the copy of the above-mentioned Original Application and the Interlocutory Application, as well as the relevant orders, of the National Green Tribunal, Eastern Zone Bench, connected to the said case, have gone through the same and understood the contents made therein.
3. That the answering deponent raises preliminary objection regarding maintainability of the present application on the ground of non-joinder of necessary party. That the cause of action falls in the district of Baksa under Bodoland Territorial Council (BTC), which is a 6th Schedule area under the Constitution of India represented by the head of the Council i.e the Principal Secretary, Bodoland Territorial Council (BTC). That the department of Forest is a transferred subject to Bodoland Territorial Council (BTC). As such, Principal Secretary, Bodoland Territorial Council (BTC) is a necessary party for due adjudication of the case and effective implementation of any order / orders passed by the Hon'ble Tribunal.
4. That the answering deponent will traverse only to those portions, which are relevant for the present purpose. The portions not replied to shall not be treated as to be my admission. Further, reserving the right to file additional affidavit if required .

Sandeep Kumar
Principal Conservator of Forest &
Head of Forest Force, Assam



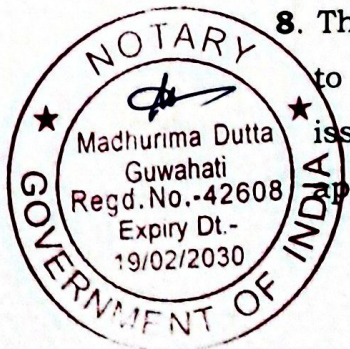
5. That the answering deponent in this connection begs to state that, all the minor mining areas in the State of Assam are approved as per Assam Minor Mineral Concession Rules, 2013, Environmental Clearance as per EIA Notification of 2006 and Forest Clearances as per Forest Conservation Act 1980 wherever necessary. That no mining areas are allowed to operate without fulfilling these criteria.
6. That the answering deponent begs to state that, after the order of the Hon'ble NGT passed in the instant case, all the mining activities in the State of Assam was stopped subject to approval of District Survey Report (DSR) . Thereafter, the District Survey Report, in the Baksa District, has been finally approved on 28/07/2025 by SEIAA, and said information was communicated by SEIAA, vide letter No. SEIAA.3921/2024/658 dated 19/08/2025 for Tamulpur District and Letter No. SEIAA.3921/2024/660 dated 19/08/2025, for Baksa District.

The copy of the letter dated 19/08/2025 is annexed herewith and marked as **Annexure - A.**

7. That the answering deponent begs to state that, the hardcopy of the finally approved District Survey Report (DSR) was approved on 05/09/2025, and the said DSR was uploaded on the website of the BTC on 08/09/25.

8. That the answering deponent begs to state that, it is pertinent to mention herein that, the notices inviting tender have been issued by the concerned authorities only after the finally approved DSR, and not before that.

Sandeep Kumar
Principal Chief Conservator of Forest &
Head of Forest Force, Assam



The copies of the said notices are annexed herewith and marked as **Annexure -B**

9. That save and except which are matters of record, I deny and dispute each and every statements made out in the in instant application and demand strict proof.
10. That the instant application is filled with misleading information, on district of Baska, which is totally incorrect, and hence the instant application is liable to be dismissed with costs.
11. That the statements made in 2,3,4,9 and 10 paragraph are true to the best of my knowledge and in paragraph 1,5,6,7 and 8 are matters of record and the rest are humble submissions before this Hon'ble Tribunal and that I have not suppressed any material facts.

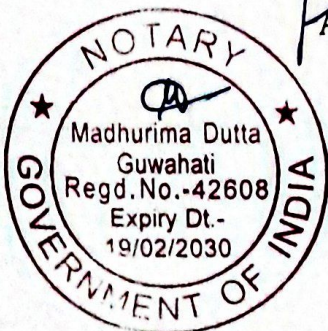
And I sign this affidavit on this the 15th day of October 2025 at Guwahati.

Sandeep Kumar

DEPONENT
Principal Chief Conservator of Forest &
Head of Forest Force, Assam

Identified by:

Sankarika
Advocate



Solemnly affirmed before me this day, I certify that I read over and explained the contents to the declarant and that the declarant seemed perfectly to understand them.

M Dutta
NOTARY
MADHURIMA DUTTA
Guwahati
Regd.No.-42608

15.10.2025



OFFICE OF THE STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY, ASSAM
MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE, GOVERNMENT OF INDIA
DAMUNIMAIIDAM, GUWAHATI-21

No. SEIAA.3921/2024-660

Dated: 17/08/2025

From,

Shri. Ramen Ch. Malakar ACS,
 Member Secretary, SEIAA, Assam
 Bamunimaidam Ghy-21

To,

The Divisional Forest Officer /Member Secretary,
 DSR, Committee, Baksa - Assam.

Sub: Approval of District Survey Report of Baksa District - reg.

Sir,

With reference to the subject cited above, it is to inform you that the final District Survey Report (DSR) was duly considered by the SEIAA on 28/07/2025 for deliberation and discussion. The SEIAA unanimously decided to approve the **District Survey Report** of Baksa District with the observations made by the SEAC/ SEIAA for due Compliance.

The approval copy of the DSR, duly authenticated, is enclosed to place in public domain by uploading in the Website of the District and a future reference.

Encl: As stated above,

Yours faithfully

Member Secretary
SEIAA, Assam
Bamunimaidam -21

Dated: 17/08/2025

Memo No. SEIAA.3921/2024-660

Copy to:

- 1) The Special Chief Secretary (Forest) to the Govt of Assam, Environment and Forest Department, Janata Bhawan, Dispur, Ghy - 6 for favour of kind information.
- 2) The PCCF and HoFF, Assam, Panjabari, Guwahati - 37 for favour of kind information.
- 3) The Chairman, State Environment Impact Assessment Authority (SEIAA), Assam for favour of kind information.
- 4) The Chairman, State Expert Appraisal Committee (SEAC), Assam for favour of kind information.
- 5) The Director, Directorate of Geology and Mining, Govt of Assam for favour of kind information.
- 6) The District Commissioner, Baksa district for favour of kind information.
- 7) The Member Secretary, State Expert Appraisal Committee (SEAC), Assam for favour of kind information.
- 8) The Member Secretary, State Pollution Control Board, Assam for favour of kind information.
- 9) The Member, SEIAA, Assam for favour of kind information.
- 10) The DFO, Baksa Division for kind information and further necessary action for compliance of the observations.
- 11) Office copy

Member Secretary,
SEIAA, Assam
Bamunimaidam -21



OFFICE OF THE STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY, ASSAM
MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE, GOVERNMENT OF INDIA
BAMUNIMAIDAM, GUWAHATI-21

No. SEIAA.3921/2024/658

Dated. 19/08/2025

From,

Shri. Ramen Ch. Malakar ACS,
Member Secretary, SEIAA, Assam
Bamunimaidam Ghy-21

To,

The Divisional Forest Officer /Member Secretary,
DSR, Committee, Tamulpur - Assam.

Sub: Approval of District Survey Report of Tamulpur District - reg.

Sir,

With reference to the subject cited above, it is to inform you that the final District Survey Report (DSR) was duly considered by the SEIAA on 28/07/2025 for deliberation and discussion. The SEIAA unanimously decided to approve the **District Survey Report** of Tamulpur District with the observations made by the SEAC/ SEIAA for due Compliance.

The approval copy of the DSR, duly authenticated, is enclosed to place in public domain by uploading in the Website of the District and a future reference.

Encl: As stated above,

Yours faithfully

Member Secretary
SEIAA, Assam
Bamunimaidam -21

Dated. 19/08/2025

Memo No. SEIAA.3921/2024/658

Copy to:

- 1) The Special Chief Secretary (Forest) to the Govt of Assam, Environment and Forest Department, Janata Bhawan, Dispur, Ghy - 6 for favour of kind information .
- 2) The PCCF and HoFF, Assam, Panjabari, Guwahati - 37 for favour of kind information.
- 3) The Chairman, State Environment Impact Assessment Authority (SEIAA), Assam for favour of kind information.
- 4) The Chairman, State Expert Appraisal Committee (SEAC), Assam for favour of kind information.
- 5) The Director, Directorate of Geology and Mining, Govt of Assam for favour of kind information.
- 6) The District Commissioner, Tamulpur district for favour of kind information.
- 7) The Member Secretary, State Expert Appraisal Committee (SEAC), Assam for favour of kind information.
- 8) The Member Secretary, State Pollution Control Board, Assam for favour of kind information.
- 9) The Member, SEIAA, Assam for favour of kind information.
- 10) The DFO, Baksa Division for kind information and further necessary action for compliance of the observations.
- 11) Office copy

Member Secretary,
SEIAA, Assam
Bamunimaidam -21



GOVERNMENT OF ASSAM
BODOLAND TERRITORIAL COUNCIL
OFFICE OF THE DIVISIONAL FOREST OFFICER BAKSA FOREST DIVISION
MUSHALPUR

CORRIGENDUM

It is for general information that of all concerned mahal tenders notice issued vide this office letter No.A/BKD/Tender/Mahal/1173 dtd.14/08/2025 and A/BKD/MHL/AMMC/725-27 dtd.21/08/2025 for sale on 28.08.2025 of the following mahals are hereby re-scheduled on 08.09.2025 due to some technical reasons.

Sl. No.	Name of Mahals in Which the Mining Contract will be granted	Name of the Minor Minerals	Mining Contract period.
1	Pub Baramchari Sand & Stone Mahal	Sand & Stone Mahal	2025-2032
2	Dirring Sand Gravel & Stone Mahal No-1	Sand Gravel & Stone	2025-2032
3	Khagrabari Mwithabari Sand Gravel & Stone Mahal	Sand & Sand Gravel	2025-2032
4	Sunbari Sand Gravel & Stone Mahal No-A	Sand Gravel, Sand & Stone	2025-2032
5	Sunbari Bispani Sand Gravel & Stone Mahal	Sand Gravel, Sand & Stone	2025-2032
6	Keleng Chock A Mahal	Earth/Clay	2025-2032
7	Khagrabari Sand & Stone Mahal	Sand Gravel & Stone	2025-2032

Divisional Forest Officer
Baksa Division, Mushalpur

Date.25/08/2025

Letter No.A/BKD/Mahal/748-50

Copy to:

1. The Regional Officer & CHD, Information and Public Relation, Bodoland Territorial Council, Kokrajhar for favour of his kind information and wide circulation in 3(three) widely circulated local daily of the state namely, Assamese, Bodo & English language at an early date.
2. The Addl. Principal Chief Conservator of Forest & Council Head of department, Forest, BTC, Kokrajhar for information.
3. Notice Board.

PRADIP KR BHUYAN
Digitally signed by
PRADIP KR BHUYAN
Date: 2025.08.25
12:43:55 +05'30'

Divisional Forest Officer
Baksa Division, Mushalpur

Date.25/08/2025

Letter No.B/BKD/Mahal/1304-06

Copy to :

1. The Secretary, Forest, BTC, Kokrajhar for favour of his kind information.
2. The District Commissioner, Baksa for favour of his kind information.
3. The Superintendent of Police, Baksa District for his information.

Divisional Forest Officer
Baksa Division, Mushalpur

- 8 -

SHORT NOTICE INVITING TENDER

Sealed tenders affixing a non- refundable Court fee Stamp of Rs.8.25 (Rupees eight and paise twenty five) only with validity period of 180 days, will be received up-to 2 PM on 28/08/2025 in the office of the undersigned for granting of different Mining Contract as per the provision of the Assam Minor Mineral Concession Rule, 2013 in certain specified areas of Mahals within this Division as per the schedule below. The Notice containing the details of the Mining Contract along with the terms and condition of the grant may be procured from the office of the Divisional Forest Office , Baksa Forest Division , Mushalpur during working hours. The Tender Papers are available on payment of Rs.1000/- (Per Copy) by Demand Draft of SBI in favour of the Principal Secretary ,BTC, Kokrajhar payable at Kokrajhar SBI and serially numbered Tender Paper with Specific code will be available by entering in Register.

SCHEDULE

Sl. No	Name of Mahals in Which the Mining Contract will be granted	Name of the Minor Minerals	Mining Contract period.
1	Pub Baramchari Sand & Stone Mahal	Sand & Stone Mahal	2025-2032
2	Dirting Sand Gravel & Stone Mahal No-1	Sand Gravel & Stone	2025-2032
3	Khagrabari Mwithabari Sand Gravel & Stone Mahal	Sand & Sand Gravel	2025-2032
4	Sunbari Sand Gravel & Stone Mahal No-A	Sand Gravel, Sand & Stone	2025-2032
5	Sunbari Bispani Sand Gravel & Stone Mahal	Sand Gravel, Sand & Stone	2025-2032
6	Keleng Chock A Mahal	Earth/Clay	2025-2032
7	Khagrabari Sand & Stone Mahal	Sand Gravel & Stone	2025-2032

Sd/-

Divisional Forest Officer
Baksa Forest Division,
Mushalpur.

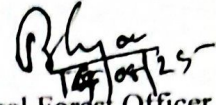
Memo No. A/BKD/Tender/Mahal/ 1173 Dated:14/08/2025

Copy to:

1. The Regional Officer & CHD, Information and Public Relation, Bodoland Territorial Council, Kokrajhar for favour of his kind information and wide circulation in 3 (three) widely circulated local daily of the state namely, Assamese, Bodo & English language at an early date.

- 8 -

2. The Addl. Principal Chief Conservator of Forest & Council Head of department,
Forest, BTC, Kokrajhar for information.
3. Notice Board.



Divisional Forest Officer
Baksa Forest Division,
Mushalpur.

NOTICE INVITING TENDER

Sealed tenders affixing a non-refundable Court fee Stamp of Rs.8.25 (Rupees eight and paise twenty five) only with validity period of 180 days, will be received up-to 2 PM on 19/09/2025 in the office of the undersigned for granting of different Mining Contract as per the provision of the Assam Minor Mineral Concession Rule, 2013 in certain specified areas of Mahals within this Division as per the schedule below. The Notice containing the details of the Mining Contract along with the terms and condition of the grant may be procured from the office of the Divisional Forest Office, Baksa Forest Division, Mushalpur during working hours. The Tender Papers are available on payment of Rs.1000/- (Per Copy) by Demand Draft of SBI in favour of the Principal Secretary, BTC, Kokrajhar payable at Kokrajhar SBI and serially numbered Tender Paper with Specific code will be available by entering in Register.

SCHEDULE

Sl.No	Name of Mahals in Which the Mining Contract will be granted	Name of the Minor Minerals	Mining Contract period.
1	Gobardhana Sand & Stone Mahal	Sand & Stone	2025-2032

Sd/-

Divisional Forest Officer
Baksa Forest Division,
Mushalpur.

Memo No. A/BKD/Tender/Mahal/763-765

Dated:25/08/2025

Copy to:

1. The Regional Officer & CHD, Information and Public Relation, Bodoland Territorial Council, Kokrajhar for favour of his kind information and wide circulation in 3 (three) widely circulated local daily of the state namely, Assamese, Bodo & English language at an early date.
2. Addl. Principal Chief Conservator of Forest & Council Head of department, Forest, BTC, Kokrajhar for information.
3. Notice Board.

Digitally signed
PRADIP KR
BHUYAN
Date: 2025.08.25
13:22:26 +05'30'

Divisional Forest Officer
Baksa Forest Division,
Mushalpur.

NOTICE INVITING TENDER

- X -

Sealed tenders affixing a non-refundable Court fee Stamp of Rs.8.25 (Rupees eight and paise twenty five) only with validity period of 180 days, will be received up-to 2 PM on 16/09/2025 in the office of the undersigned for granting of different Mining Contract as per the provision of the Assam Minor Mineral Concession Rule, 2013 in certain specified areas of Mahals within this Division as per the schedule below. The Notice containing the details of the Mining Contract along with the terms and condition of the grant may be procured from the office of the Divisional Forest Office, Baksa Forest Division, Mushalpur during working hours. The Tender Papers are available on payment of Rs.1000/- (Per Copy) by Demand Draft of SBI in favour of the Principal Secretary, BTC, Kokrajhar payable at Kokrajhar SBI and serially numbered Tender Paper with Specific code will be available by entering in Register.

SCHEDULE

Sl.No	Name of Mahals in Which the Mining Contract will be granted	Name of the Minor Minerals	Mining Contract period.
1	Barnadi Sand Gravel & Stone Mahal No-11	Sand Gravel & Stone	2025-2032

Sd/-

Divisional Forest Officer
Baksa Forest Division,
Mushalpur.

Memo No. A/BKD/Tender/Mahal/756-758

Dated:25/08/2025

Copy to:

1. The Regional Officer & CHD, Information and Public Relation, Bodoland Territorial Council, Kokrajhar for favour of his kind information and wide circulation in 3 (three) widely circulated local daily of the state namely, Assamese, Bodo & English language at an early date.
2. The Addl. Principal Chief Conservator of Forest & Council Head of department, Forest, BTC, Kokrajhar for information.
3. Notice Board.

PRADIP

KR

BHUYAN

Digitally signed
by PRADIP KR
BHUYAN
Date: 2025.08.25
13:23:22 +05'30'

Divisional Forest Officer
Baksa Forest Division,
Mushalpur.

2231
NOTICE INVITING TENDER

- 12 -

Sealed tenders affixing a non-refundable Court fee Stamp of Rs.8.25 (Rupees eight and paise twenty five) only with validity period of 180 days, will be received up-to 2 PM on 15/09/2025 in the office of the undersigned for granting of different Mining Contract as per the provision of the Assam Minor Mineral Concession Rule, 2013 in certain specified areas of Mahals within this Division as per the schedule below. The Notice containing the details of the Mining Contract along with the terms and condition of the grant may be procured from the office of the Divisional Forest Office, Baksa Forest Division, Mushalpur during working hours. The Tender Papers are available on payment of Rs.1000/- (Per Copy) by Demand Draft of SBI in favour of the Principal Secretary, BTC, Kokrajhar payable at Kokrajhar SBI and serially numbered Tender Paper with Specific code will be available by entering in Register.

SCHEDULE

Sl.No	Name of Mahals in Which the Mining Contract will be granted	Name of the Minor Minerals	Mining Contract period.
1	Barnadi Sand Mahal No-12	Sand	2025-2032

Sd/-

Divisional Forest Officer
Baksa Forest Division,
Mushalpur.

Dated:25/08/2025

Memo No. A/BKD/Tender/Mahal/ 753-755

Copy to:

1. The Regional Officer & CHD, Information and Public Relation, Bodoland Territorial Council, Kokrajhar for favour of his kind information and wide circulation in 3 (three) widely circulated local daily of the state namely, Assamese, Bodo & English language at an early date.
2. The Addl. Principal Chief Conservator of Forest & Council Head of department, Forest, BTC, Kokrajhar for information.
3. Notice Board.

Digitally signed
PRADIP KR
BHUYAN
Date: 2025.08.25
13:19:34 +05'30'

Divisional Forest Officer
Baksa Forest Division,
Mushalpur.

NOTICE INVITING TENDER

Sealed tenders affixing a non-refundable Court fee Stamp of Rs.8.25 (Rupees eight and paise twenty five) only with validity period of 180 days, will be received up-to 2 PM on 18/09/2025 in the office of the undersigned for granting of different Mining Contract as per the provision of the Assam Minor Mineral Concession Rule, 2013 in certain specified areas of Mahals within this Division as per the schedule below. The Notice containing the details of the Mining Contract along with the terms and condition of the grant may be procured from the office of the Divisional Forest Office, Baksa Forest Division, Mushalpur during working hours. The Tender Papers are available on payment of Rs.1000/- (Per Copy) by Demand Draft of SBI in favour of the Principal Secretary, BTC, Kokrajhar payable at Kokrajhar SBI and serially numbered Tender Paper with Specific code will be available by entering in Register.

SCHEDULE

Sl.No	Name of Mahals in Which the Mining Contract will be granted	Name of the Minor Minerals	Mining Contract period.
1	Barnadi Sand Mahal No-13	Sand	2025 -2032

Sd/-

Divisional Forest Officer
Baksa Forest Division,
Mushalpur.

Dated:25/08/2025

Memo No. A/BKD/Tender/Mahal/759-762

Copy to:

1. The Regional Officer & CHD, Information and Public Relation, Bodoland Territorial Council, Kokrajhar for favour of his kind information and wide circulation in 3 (three) widely circulated local daily of the state namely, Assamese, Bodo & English language at an early date.
2. Addl. Principal Chief Conservator of Forest & Council Head of department, Forest, BTC, Kokrajhar for information.
3. Notice Board.

PRADIP KR
BHUYAN
Digitally signed
by PRADIP KR
BHUYAN
Date: 2025.08.25
13:20:25 +05'30'

Divisional Forest Officer
Baksa Forest Division,
Mushalpur.