

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

Original Application No. 125 of 2025/ EZ

In the Matter of

Dulal Bora .....Applicant

-Vs-

The State of Assam.....Respondent

INDEX

Sl. No.	Particular	Annexure	Pages
1	Affidavit in reply		1-3
2	Fact finding report	A	4-5

Filed by:

Malabika Roy Dey, Advocate  
Standing Counsel, State of Assam  
E-mail: [mrdey@rediffmail.com](mailto:mrdey@rediffmail.com)  
Mobile: 9051634204

X



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

Original Application No. 125 of 2025/ EZ

In the Matter of

Dulal Bora .....Applicant

-Vs-

The State of Assam.....Respondent

Affidavit in Reply on behalf of the Respondent No3, The District  
Commissioner, Majuli, Assam

I, SRI SOROJ SONOWAL, ACS, aged about 45 years, Son of Golok Ch Sonowal, resident of Vill. Bijay Nagar, P.O. Rupai Siding, P.S. Doomdooma, Dist. Tinsukia, Assam, Pin -786153, presently serving as Additional District Commissioner, Majuli, do solemnly affirm and declare as follows:

1. That I am the Additional District Commissioner, Majuli, in the State of Assam and as such I am fully conversant with the facts and circumstances of the case, and I have also been authorized by the District Commissioner, Majuli, to affirm this affidavit.

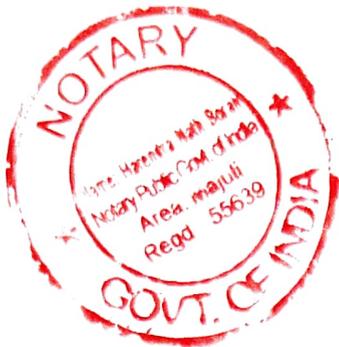
*Identified by*

*W*  
13/11/2025

**Nomita Narah  
Advocate  
Majuli Bar Association**

*HNB*  
13/11/25

**Harendra Nath Borah  
Notary, Govt. of India,  
Majuli, Reg. No: 55639**



X

2. That I have received the notice and copy of the above-mentioned Original application, as well as the relevant orders, 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. 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, a Fact Finding Committee has been constituted by the Hon'ble NGT (EZ), Kolkata vide order dated- 07.08.2025, wherein the District Commissioner, Majuli is also a Member, and as per the direction of the Hon'ble National Green Tribunal (hereinafter called as NGT), an inspection has already been conducted.

5. That, I have been duly authorized by the District Commissioner, Majuli for submission of the fact finding report on affidavit in the instant case.

6. That, being member cum representative of the District magistrate, Majuli, visited the concerned units, viz. M/s Majuli Brick Field and M/s K. H. Brick Industry located at Saru Alengi Area on 06-09-2025, along with Senior Environmental Engineer of Regional Office, Dibrugarh of Assam Pollution Control Board, who represented as another Member on behalf of Assam Pollution Control Board.

7. That the distance between the newly constructed kiln of M/s Majuli Brick Industry and M/s K.H. Brick Industry is approximately, 401.75 meter; and the distance between the existing M/s Majuli Brick Industry and M/s K.H. Brick Industry is 804.64 meters.

During field visit no operational activity or brick production were found to be carried out. Be it also mentioned that both the brick industry possesses valid CTO( Consent To Operate) and M/s Majuli Brick Industry has obtained

Identified by

W  
13/11/2025

**Nomita Narah**  
Advocate  
Majuli Bar Association

13/11/25  
**Harendra Nath Borah**  
Notary, Govt. of India,  
Majuli, Reg. No. 55639



X

CTE (Consent To Establish) for conversion to Zig-zag technology for its existing unit. Be it also mentioned that construction of new brick kiln of M/s Majuli Brick Industry, is constructed at a separate plot.

The said Fact finding report is annexed herewith and marked as Annexure – A.

8. 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.

*Sougi Lovowal*

DEPONENT

*Identified by*

*W*  
13/11/2025  
**Nomita Narah**  
Advocate  
Majuli Bar Association

*HB*  
13/11/25

**Harendra Nath Borah**  
Notary, Govt. of India,  
Majuli, Reg. No: 55639

## FACT-FINDING REPORT

In compliance with the Hon'ble National Green Tribunal (Eastern Zone Bench) Order dated 07.08.2025 in O.A. No. 125/2025/EZ (Dulal Bora vs. State of Assam)

### 1. Background

The Hon'ble National Green Tribunal (Eastern Zone Bench), vide order dated 07.08.2025 in O.A. No. 125/2025/EZ (Dulal Bora vs. State of Assam), directed the constitution of a Fact-Finding Committee comprising representatives from the Assam Pollution Control Board (APCB) and the District Magistrate, Majuli District, Assam.

Accordingly, the following committee was constituted:

- i. Sri Soroj Sonowal, ACS, Addl. District Commissioner, Majuli District — Representative of the District Magistrate, Majuli.
- ii. Sri Hiren Pegu, Senior Environmental Engineer, Regional office, Dibrugarh, Assam Pollution Control Board.

### 2. Field Visit

The Committee conducted a joint field inspection on 06.09.2025 at the sites of M/s Majuli Brick Industry (MBI) and M/s K.H. Brick Industry (KHI), both located in the Saru Alengi area under Kamalabari Mouza, Majuli Revenue Circle, Assam. The following observations and findings were recorded.

### 3. Findings

#### 3.1 Distance Between Units

- The distance between the newly constructed kiln of M/s Majuli Brick Industry (MBI) and the kiln of M/s K.H. Brick Industry (KHI) is approximately 401.75 meters.
- The distance between the existing kiln of M/s Majuli Brick Industry and M/s K.H. Brick Industry is approximately 804.64 meters.

Both M/s Majuli Brick Industry and M/s K.H. brick industry possess valid CTO. M/s Majuli Brick Industry obtained CTE for conversion to zig-zag technology in the same location issued by the Assam Pollution Control Board (APCB).

#### 3.2 Action Taken and Legal Status

The Assam Pollution Control Board issued a Show Cause Notice for initiating construction of a new unit without obtaining prior amended consent, as the CTE issued in March 2025 authorized only conversion of the existing unit to Zig-Zag technology at the existing location.

Against the Show Cause Notice, the owner of M/s Majuli Brick Industry filed a civil suit

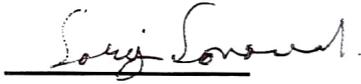
No Misc.(j) 09/2024, Majuli Brick Industry VS Regional Head, O/o the Pollution Control Board, Sivasagar, Assam before the Hon'ble Civil Court, Majuli, which by an order dated 08/11/2024 had stayed the notice issued by pollution control board restraining any action. Accordingly, the matter is presently sub judice.

During field inspection, it was verified that no operational activity or brick production was being carried out at the newly constructed site .

#### 4. Observations and Analysis

1. M/s Majuli Brick Industry possesses a valid CTO and CTE for conversion to zig-zag technology for its existing unit.
2. M/s K.H. Brick Industry also possesses a valid CTO issued by the Assam Pollution Control Board.
3. The construction of a new brick kiln of Majuli Brick Industry (MBI) has been carried out in another plot of land.
4. The distance criteria between adjacent brick kilns have been measured and recorded as noted above.

#### 5. Inspection Conducted By

Name	Designation	Department / Office	Signature
Sri Soroj Sonowal, ACS	Addl. District Commissioner	O/o the District Commissioner, Majuli	
Sri Hiren Pegu	Senior Environmental Engineer	Assam Pollution Control Board, Regional Office – Dibrugarh	