

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

ORIGINAL APPLICATION NO. 88/2025/EZ

IN THE MATTER OF:

SRI UTTAM BATHARI

...APPLICANT

VERSUS

STATE OF ASSAM & ORS.

...RESPONDENTS

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Filed on: 11.05.2026
New Delhi

Filed by

Enatoli

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HON'BLE NATINAL GREEN TRIBUNAL
EASTERN ZONE BENCH AT KOLKOTTA
ORIGINAL APPLICATION NO. 88/2025/EZ

IN THE MATTER OF:-

Shri Uttam Bathari

.... Applicant

Vs

The State of Assam & Ors

.... Respondents

AFFIDAVIT ON BEHALF OF STATE OF NAGALAND-
RESPONDENTS NO. 4-6

I, DR. ZAKERUOLIE CHUSI, S/o
Lt. Vimeyalou Chusi Age 57 years, working as
Commissioner & Secretary, Land Revenue
Kohima,

Nagaland-110037, do hereby solemnly affirm and declare as under :-

1. That I am the _____,

Government of Nagaland. I state that I have gone through the orders passed by this Hon'ble Tribunal and am familiar with the facts and circumstances of the case based on all available official records. I state that I am competent to swear this instant affidavit in my official capacity.

2. It is stated that pursuant to the order dated 30.5.2025 of this Hon'ble Tribunal, constituting a joint committee to obtain appropriate factual report of the primary allegation of the Applicant herein, an officer from the Department of Land Records

& survey was nominated by the Answering Respondents to be part of the site visit proposed to take place on 31.7.2025 and 1.8.2025.

A copy of the letter dated 30.7.2025 issued to the Ministry is marked and annexed as **Annexure R/1**.

3. That a brief report prepared by the concerned officer reveals that settlers within the Daldali forest area are those who have been settled there since 1970's. It was also observed that no fresh instances of encroachment from any quarter was taking place in the forest as observed during the verification.

A copy of the brief report dated 7.8.2025 submitted by the Deputy Director, Land Records & Survey is marked and annexed as **Annexure R/2**.

4. It is further categorically denied that any land patta has been issued by the officers of the Answering Respondents as the Government does not issue any land allotment patta in non-cadastral areas bordering Assam. It is pertinent that the Assam-Nagaland inter-State dispute is presently subjudice before the Hon'ble Supreme Court of India in an Original Suit being OS

No.2 of 1988 titled "State of Assam v. Union of India & Ors" filed by the State of Assam under Article 131 of the Constitution of India.

5. I say that the facts stated in the above paras are true and correct to the best of my knowledge and information.

VERIFICATION

Verified at Kohima on this the 11 day of May, 2026 that the contents of the above affidavit are true and correct to the best of my knowledge and belief. No part of it is false and nothing material has been concealed there from.


DEPONENT
COMMISSIONER & SECRETARY
to the Genl. of Accounts
Department


DEPONENT
COMMISSIONER & SECRETARY
to the Genl. of Accounts
Department

GOVERNMENT OF NAGALAND
DIRECTORATE OF LAND RECORDS AND SURVEY
NAGALAND : DIMAPUR

No:DLRS/TECH/BA(Pt-II)/_____ / Dated, Dimapur the _____th July/2025.

To,

Shri. Pee Lee Ete,
DIGF (C)
Ministry of Environment, Forest & Climate Change, Regional Office, Shillong,
Government of India.

Sub: **Reg. Representative of Department of Land Records and Survey, Government of Nagaland.**

Sir,

With reference to your letter No. F.No.OA88/2025/EZ, Dated 25th July 2025, I am directed to inform you that Shri. Imotangba Jamir, Deputy Director (DLRSO) has been nominated as Representative of Department of Land Records & Survey, Government of Nagaland, regarding the proposed conduct of site visit on 31st July/2025 and 1st August/2025.

Therefore, it is requested to contact and coordinate with him at 9612713874.

Yours Faithfully,

- Sd-

(L.KHUMING)
Director
Land Records and Survey
Nagaland: Dimapur

No:DLRS/TECH/BA(Pt-II)/ 209 / Dated, Dimapur the 30th July/2025.

Copy to:

- ✓ 1. Shri. Imotangba Jamir, Deputy Director (DLRSO, Dimapur) for information and necessary action.
2. The Commissioner and Secretary to the Govt. of Nagaland, Land Revenue Department.
3. The Commissioner & Ex-Officio Director (Border Affairs), Nagaland, Kohima.
4. Office Copy.

Khunenchu Magh
30/07/25

(KHUNENCHU MAGH)
Additional Director.
Land Records and Survey
Nagaland: Dimapur

A Brief Report on verification conducted on 31st July & 1st August, 2025

In pursuance to Directorate of Land Records and Survey vide letter No.DLRS/TECH/BA(Pt-II)/209/ Dated Dimapur the 30th July 2025, (letter enclosed herewith as Annexure I) the undersigned on behalf of Department of Land Records & Survey, Government of Nagaland along with other members of the **Joint committee** constituted by the honorable Tribunal; undertook site visit of the concerned area on 31st July and 1st August, 2025 to collect relevant information and interact with the stakeholders.

During site visit, it is found that there are settlers within the Daldali forest area. However during interaction with dwellers of different locality in the concerned area, it is found that they have been staying there since the 1970's. Perhaps due to their growing population, expansion of their settlement area may be happening, for agriculture and other livelihood activities. Nevertheless, no fresh instances of encroachment from any quarter is taking place in the forest, as observed during the verification

Given the sensitivity of the border area, the committee decided to avoid verification along the present day border of Assam and Nagaland.

Moreover, the contention of issuing illegal land Patta/documents as alleged by the petitioner (from Government of Nagaland) does not arise, since the area in that part of Nagaland, bordering Assam is Non-Cadastral. Government of Nagaland does not issue land patta in a Non-Cadastral area.



IMOTANGBA JAMIR

Deputy Director, Land Records & Survey

&

Representative, Department of Land Records & Survey
Government of Nagaland

OA/88/2025/EZ, Uttam Bathari Vs The State Of Assam & Ors.

1 message

amit singh <semasingh.office@gmail.com>

Mon, May 11, 2026 at 5:54 PM

To: Vikram Rajkhowa <vikram.rajkhowa@gmail.com>, apurba ghosh <apu7law@gmail.com>, mrdey@reddifmail.com

Dear Sir,/Madam

Kindly Find attached scanned copy of Affidavit being e- filed on behalf of Respondent No. 4-6. which is being served in advance copy as proof of service.

Thanking you.

Best Regards,
Ms. K. Enatoli Sema Adv.

(Clerk)
Rahul 7503630697

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