

SL NO. DT YEAR

BEFORE THE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, FINANCE CENTRE,  
3<sup>RD</sup> FLOOR, NEW TOWN, KOLKATA.

Original Application No. 133 of 2023/EZ

In the matter of:

Serajul Islam & Anr.

...Applicants

Versus

The State of West Bengal and Ors.

...Respondents

AFFIDAVIT OF COMPLIANCE FILED ON BEHALF OF THE  
RESPONDENT NO.5/THE DISTRICT MAGISTRATE, BIRBHUM.

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Filed by,

Sudip Kumar Dutta  
 Advocate  
 Mobile No.9874782072

SL. NO. 378 DT. 17/05/2024 YEAR

BEFORE THE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, FINANCE CENTRE,  
3<sup>RD</sup> FLOOR, NEW TOWN, KOLKATA.

Original Application No. 133 of 2023/EZ

In the matter of:

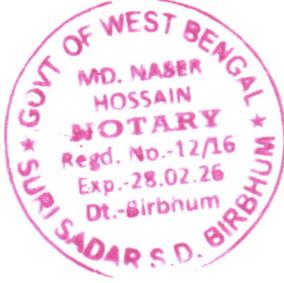
Serajul Islam & Anr.

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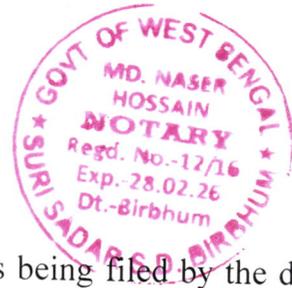


AFFIDAVIT OF COMPLIANCE FILED ON BEHALF OF THE  
RESPONDENT NO.5/THE DISTRICT MAGISTRATE, BIRBHUM.

I, Shri. Shashank Sethi, I.A.S., son of Anil Kumar, aged about 40 years,  
by faith Hindu working for gain as the District Magistrate and Collector,  
District- Birbhum, having my office at P.O. & P.S. Suri, District  
Birbhum, West Bengal PIN 731101, do hereby solemnly affirm and say  
as under :-

1. That I am working as the District Magistrate and Collector,  
Birbhum District having my office at Suri, Post Office & Police Station-  
Suri, District- Birbhum, West Bengal. I am the Respondent No.5 and I  
have made myself acquainted with the facts and circumstances of the  
case and as such I am competent to swear sign and affirm this affidavit.
2. That I have read a copy of the Original Application (hereafter the  
Application) and understood the contents and purports thereof.

MD. NABER HOSSAIN  
NOTARY  
SURI SADAR COURT BIRBHUM  
REGD.- 12 / 16  
EXP. DT. 28 02 2026  
17/05/2024



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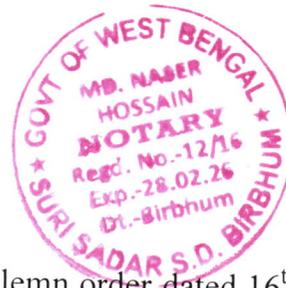
3. That this Affidavit of Compliance is being filed by the deponent Respondent No.5 in terms of the solemn Order dated 16<sup>th</sup> February, 2024 passed by this Hon'ble Tribunal.

4. At the outset, I say that I have highest regard to every order passed by this Hon'ble Tribunal and it has been always my best endeavour to comply with direction/order of this Hon'ble Tribunal. I have taken every and all measures to prevent illegal mining in the alleged site in compliance with the solemn order dated 16<sup>th</sup> February, 2024 passed by this Hon'ble Tribunal. However, if this Hon'ble Tribunal, upon perusal of this Affidavit, comes to the conclusion that there has been any delay in compliance with the order of this Hon'ble Tribunal, I say that the same is purely unintentional, for which I tender my sincere apology before this Hon'ble Tribunal and I pray that this Hon'ble Tribunal may graciously be pleased to accept the same and condone the delay, if any.

5. That, the Three Men Committee constituted by this Hon'ble Tribunal in terms of the Order dated 4<sup>th</sup> October, 2023, has inspected the alleged site and this Hon'ble Tribunal, by solemn order dated 16<sup>th</sup> February, 2024, after considering the Committee Report on Affidavit filed by the Officer on Special Duty of West Bengal Pollution Control Board and in view of the averments made thereat, was pleased to direct the Respondent No.2, Additional Chief Secretary, Department of Environment, Govt. of West Bengal and Respondent No.5, District Magistrate, Birbhum to take immediate steps to prevent illegal mining and file affidavit.

MD. NASER HOSSAIN  
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6. That, in compliance to the said solemn order dated 16<sup>th</sup> February, 2024, I being the Respondent No.5, District Magistrate, Birbhum, have taken every and all steps to prevent illegal mining in the alleged quarry. In view of the same, a Committee consisting of six members being the (i) Sub-Divisional Officer, Rampurhat, (ii) Sub-Divisional Police Officer, Rampurhat, (iii) Sub-Divisional Land & Land Reforms Officer, Rampurhat, (iv) Block Development Officer, Nalhati-I, (v) Block Land & Land Reforms Officer, Nalhati and (vi) Inspector-in-Charge, Nalhati Police Station, was formed by the deponent by an Order being No. M&M/1736/DL&LRO(B)/24 dated 19<sup>th</sup> April, 2024 to take such necessary measures to ensure complete prevention of illegal mining in the alleged site within a week. The said Committee was further directed to conduct visits to the alleged site so that mining thereat is not resumed.

Copy of the said Order No. M&M/1736/DL&LRO(B)/24 dated 19<sup>th</sup> April, 2024 issued by the deponent is annexure hereto as Annexure-A.

7. That, the said Committee has filed a Report dated 15<sup>th</sup> May, 2024 before the deponent. The Committee has paid frequent and surprise visits to the site. It was found that the quarry in issue spreads over Plot Nos. 707, 712, 713, 714, 715 and 688 in Mouza- Madna, JL No.11 under PS- Nalhati covering an area of 6.76 acres and excavation of stone over Plot Nos. 707, 712, 713 and 714 took place long time ago, but there is evidence of recent extraction over Plot No. 688 and partly on Plot No. 715.

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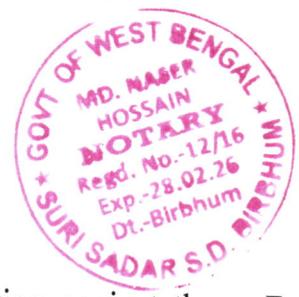
8. That, certain measures have been taken in order to prevent excavation of stone from the alleged site. Frequent and surprise visits have been conducted; interaction with local people were made and they were sensitized that excavation of stone without valid lease is illegal and the offender is liable to be lawfully prosecuted; campaign was made in the alleged site as well as in the neighbouring inhabitations sensitizing that any excavation of stone in the alleged site is illegal and it attracts penal prosecution; a large signboard to that effect was installed in the alleged site; iron barricades were installed in the approach road to alleged quarry with a view to prevent future possibility of excavation of stone in the alleged quarry.

9. That, illegal excavation of stone in the quarry in issue has been prevented and no such excavation of stone thereat has happened in the *interregnum*. However, despite frequent and surprise visits to the said site by the Committee as well as making enquiry with local people, the person(s), who were engaged in such illegal excavation of stone in the quarry in issue, could not yet be ascertained.

10. That, a written complaint dated 7<sup>th</sup> May, 2024 has been lodged by the Block Land & Land Reforms Officer, Nalhati-I with the Nalhati Police Station for making appropriate enquiry to ascertain the actual offender(s) and to take lawful action against them. The said complaint has been registered as FIR No.239 dated 8<sup>th</sup> May, 2024 with Nalhati Police Station. The Sub-Divisional Officer, Rampurhat has also made a correspondence dated 15<sup>th</sup> May, 2024 with the Sub-Divisional Police Officer, Rampurhat asking him to cause appropriate enquiry to ascertain

MD. NASER HOSSAIN  
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SURI SADAR COURT BIRBHUM  
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the actual offender(s) and to take lawful action against them. Further request was also made to him to keep strict vigil on the alleged site to ensure prevention of future possibility, if any, of illegal excavation of stone thereat. Further frequent and surprise visits to the alleged quarry are being conducted by the Block Level Members of the Committee so that such illegal mining is not resumed.

Copy of the Report dated 15<sup>th</sup> May, 2024 filed by the aforesaid Committee before the deponent together with some photographs showing the measures taken for prevention of such illegal mining in the quarry in issue and copies of the written complaint dated 8<sup>th</sup> May, 2024 made by the Block Land & Land Reforms Officer, Nalhati-I and the FIR No.239 dated 8<sup>th</sup> May, 2024, are collectively annexed hereto as Annexure-B.

11. That, a correspondence dated 15<sup>th</sup> May, 2024 has been made by the deponent with the Superintendent of Police, Birbhum for causing appropriate enquiry to ascertain the actual offender(s) who have made such illegal excavation of stone from the quarry in issue and to take appropriate lawful action against them. The Superintendent of Police, Birbhum has also been requested to keep strict vigil in the site so that no illegal stone mining is resumed thereat.

Copy of the said correspondence dated 15<sup>th</sup> May, 2024 made by the deponent with the Superintendent of Police, Birbhum is annexed hereto as Annexure-C

MD. NASER HOSSAIN  
NOTARY  
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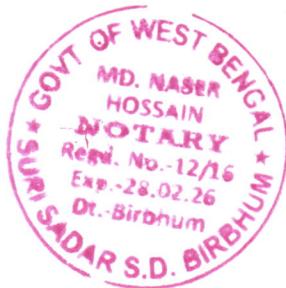
12. I most humbly submit that I have thus taken every and all steps to prevent illegal mining in the quarry in issue in compliance with the solemn order dated 16<sup>th</sup> February, 2024 passed by this Hon'ble Tribunal.

13. The statements made in paragraphs 1 to 3 of the foregoing affidavit are true to my knowledge, those made in paragraphs 5 to 11 are information derived from the records and the rest are my humble submissions before this Hon'ble Tribunal.

*Shashank Sethi*

Deponent.  
District Magistrate  
Birbhum

Solemnly affirmed on  
day of 17-05 - 2024  
by deponent  
*Shashank Sethi*  
*Md. N. Hossain* identified by  
Advocate



*M. Hossain*  
MD. NASER HOSSAIN  
NOTARY  
SURI SADAR COURT BIRBHUM  
REGD. - 12 / 16  
EXP. DT. 28/02.2026  
17/05/2024

*Md. Nasser Hossain*  
MD. NASER HOSSAIN  
17/5/2024 Advocate  
District Judges Court Suri



Government of West Bengal  
Office of the District Magistrate  
Birbhum

Prashasan Bhavan, PO- Suri, District- Birbhum, W.B., 731101

Email :: [dm-bir@nic.in](mailto:dm-bir@nic.in)

Memo No. M&M/

1736

/DL&LRO(B)/2024

Date: 19/04/2024

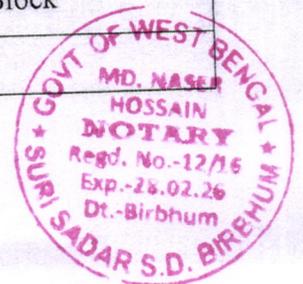
**ORDER**

Whereas, the Original Application No. 133/2023/EZ has been filed before the Hon'ble NGT by one Sirajul Islam & another, alleging illegal stone mining on Plot Nos. 707, 708, 712, 713, 714, 715, 716, 670, 677 under Khatian Nos. 88, 1070, 1074, 1076, 1205, 1316, 322, 346, 807, 813, 814, 815, 1206, 1214, 12346 in Mouza- Madna, JL No. 11 under PS- Nalhati, District- Birbhum. It has further been alleged, inter alia, that heavy explosives are being used thereat to fragment the rocks as well as transportation of boulders there-from to crusher units. The Hon'ble NGT, Eastern Zone Bench, by solemn order dated 04.10.2023, constituted a committee consisting of (i) Sr. Scientist of WBPCB, (ii) Sr. Scientist of SEIAA and the District Magistrate, Birbhum or his nominated representative not below the rank of ADM and directed to the Committee to visit the site and submit its Report with regard to the allegations made in the Original Application within three weeks.

And whereas, pursuant to the said solemn direction of the Hon'ble NGT, the Committee comprised of (i) Sr. Scientist of WBPCB, (ii) Sr. Scientist of SEIAA and (iii) the DL&LRO, Birbhum undertook a site visit and submitted their Report on Affidavit before the Hon'ble NGT. On 16.02.2024, the Hon'ble NGT, while considering the Committee's Report, was pleased to observe, inter alia, that there is evidence of illegal extraction beyond the plots mentioned in the Original Application and the District Administration may fix up responsibility, ascertain the quantum of rock extracted illegally and estimate the amount of revenue loss. The Hon'ble NGT was further pleased to observe, inter alia, that it is stated in the Committee's Report that while unlawful quarrying activities in the area have left the surroundings derelict to a significant extent, the dereliction caused by the quarrying activities can be mitigated to a significant extent but cannot be reversed through human intervention, as such necessary reclamation may be undertaken at the earliest. The Hon'ble NGT has therefore directed the Respondent No.2/the Additional Chief Secretary, Department of Environment and the Respondent No.5/the District Magistrate, Birbhum to take immediate steps to prevent illegal mining and to file affidavit thereof.

In compliance with the aforesaid solemn direction passed by the Hon'ble NGT, a Team is hereby constituted with the following officers.

SL	Officer
1	Sub-Divisional Officer, Rampurhat Sub-Division
2	Sub-Divisional Police Officer, Rampurhat Sub-Division
3	Sub-Divisional Land & Land Reforms Officer, Rampurhat Sub-Division
4	Block Development Officer, Nalhati-I Dev. Block
5	Block Land & Land Reforms Officer, Nalhati-I Block
6	Inspector-in-Charge, Nalhati Police Station





The Sub-Divisional Officer, Rampurhat Sub-Division shall be the Team Leader of the above constituted Team. The Team shall take such immediate measures/steps, as may be necessary, so as to ensure complete prevention of illegal mining in the site, as alleged in the said Original Application and in the light of the solemn order dated 16.02.2024 passed by the Hon'ble NGT (copies of the Original Application No. 133/2023/EZ and the solemn order dated 16.02.2024 passed by the Hon'ble NGT are attached herewith). The Committee shall undertake the aforesaid task within a week and shall file a Report before the undersigned thereof, certifying that illegal stone mining in the site has been completely prevented. The Committee shall conduct visits, as may be necessary, to the site so that mining activities are not resumed thereat.

  
**District Magistrate**  
**Birbhum.**  
 District Magistrate  
 Birbhum

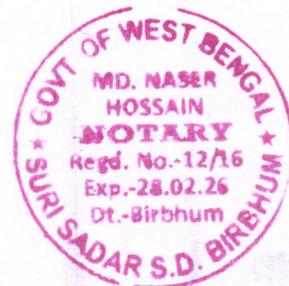
Date: 19/04/2024

Memo No. M&M/ 1736/1(7)/DL&LRO(B)/2024

Copy, along-with enclosure, forwarded for information and necessary action to:

1. The Superintendent of Police, Birbhum.
2. The Sub-Divisional Officer, Rampurhat Sub-Division, Birbhum.
3. The Sub-Divisional Police Officer, Rampurhat Sub-Division, Birbhum.
4. The Sub-Divisional Land & Land Reforms Officer, Rampurhat Sub-Division, Birbhum.
5. The Block Development Officer, Nalhati-I Dev. Block, Birbhum.
6. The Block Land & Land Reforms Officer, Nalhati-I Block, Birbhum.
7. The Inspector-in-Charge, Nalhati Police Station, Birbhum.

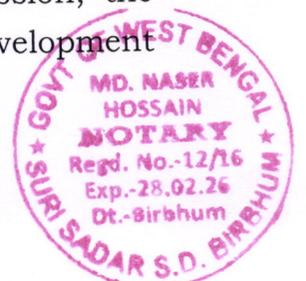
  
**District Magistrate**  
**Birbhum.**  
 District Magistrate  
 Birbhum





REPORT FILED BY THE COMMITTEE CONSTITUTED BY THE DISTRICT MAGISTRATE, BIRBHUM FOR COMPLIANCE OF THE SOLEMN DIRECTION DATED 16<sup>TH</sup> FEBRUARY, 2024 PASSED BY THE HON'BLE NGT IN OA NO. 133/2023/EZ IN THE MATTER OF SERAJUL ISLAM & ANR. VS. STATE OF WEST BENGAL & ORS.

1. The District Magistrate, Birbhum, by Order No. M&M/1736/DL&LRO(B)/2024 dated 19<sup>th</sup> April, 2024, constituted a Committee for the purpose of taking immediate necessary measures/steps to prevent illegal mining in the alleged site in the light of the solemn direction dated 16<sup>th</sup> February, 2024 passed by the Hon'ble National Green Tribunal, Eastern Bench in OA No.133/2024/EZ. The Committee so constituted comprises of the following officers.
  - (i) Sub-Divisional Officer, Rampurhat
  - (ii) Sub-Divisional Police Officer, Rampurhat
  - (iii) Sub-Divisional Land & Land Reforms Officer, Rampurhat
  - (iv) Block Development Officer, Nalhati-I
  - (v) Block Land & Land Reforms Officer, Nalhati-I
  - (vi) Inspector-in-Charge, Nalhati PS.
2. The Committee was entrusted with the task of taking necessary measures/steps for prevention of illegal mining in the alleged sight within a week and to file a Report before the District Magistrate, Birbhum certifying therein that illegal stone mining in the site has been prevented. The Committee was further directed to conduct necessary visits to the site so that mining activities are not resumed thereat.
3. Pursuant to constitution of the Committee, a meeting of the Committee in participation of the members was held in the office chamber of the SDO, Rampurhat on 26<sup>th</sup> April, 2024. The Committee perused the copies of the Original Application, the Inspection Report of the Three Men Committee constituted by the Hon'ble NGT and the solemn order dated 16<sup>th</sup> February, 2024 of the Hon'ble NGT. After an elaborate discussion, the Committee came to the decision that the Block Development





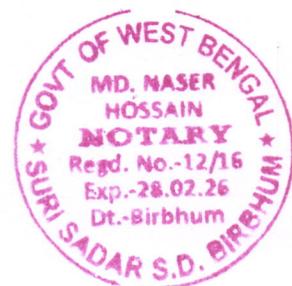
Officer, the Block Land & Land Reforms Officer of Nalhati-I Block and the Inspector-in-Charge of Nalhati PS shall conduct immediate joint visit/inspection to the alleged site and shall jointly take such immediate measures, as may be necessary, to completely prevent illegal stone mining in the alleged site. Assistance/support, as may be necessary to the said officers, shall be provided by the remaining members of this Committee.

4. A Report dated 9<sup>th</sup> May, 2024 signed by the Block Development Officer, the Block Land & Land Reforms Officer of Nalhati-I Block and the Inspector-in-Charge of Nalhati PS has been submitted, which is duly considered.

5. The said Report dated 9<sup>th</sup> May, 2024 states as follows:

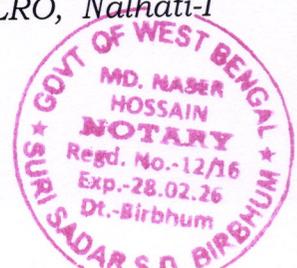
3. *In response thereto, a joint inspection by the representative of the BDO, Nalhati-I, the BL&LRO, Nalhati-I and the IC, Nalhati PS was carried on 2<sup>nd</sup> May, 2024 to the alleged site. At this stage, it is pertinently mentioned herein that a Three Men Committee constituted by the Hon'ble NGT vide Order dated 4<sup>th</sup> October, 2023, conducted inspection to the alleged site and filed a Report before the Hon'ble NGT stating, inter alia, that an active quarry was spotted spreading over alleged Plot Nos. 707, 712, 713, 714 and 715 in Mouza- Madna, JL No.11 under PS- Nalhati, covering an area of 2.736 Hectares or 6.76 Acres of land amongst certain others; it was further stated in the said Report, inter alia, that no quarrying activities were observed at alleged Plot Nos. 708, 716, 670 and 677.*

4. *During the joint inspection dated 2<sup>nd</sup> May, 2024 conducted by the undersigned officers, it was found that the cited quarry spreads over Plot Nos. 707, 712, 713, 714, 715 & 688 in Mouza- Madna, JL No.11 under PS- Nalhati. However, at the time of such inspection, no extraction of stone could be found happening in the said quarry; though it could be noticed that extraction of stone happened long time ago over Plot Nos. 707, 712, 713 & 714 and evidence of recent extraction (nearly about few months ago) over Plot No. 688 & partly on Plot No. 715 could be sensed.*





5. *However, during such inspection dated 2<sup>nd</sup> May, 2024, some local residents of the nearby vicinity gathered and they were sensitized that extraction of stone in the said quarry having no mining lease granted by the Government is illegal. Since no active stone extraction could be visualized in the said quarry during the said inspection, it could not be possible to ascertain the actual offender(s) in situ engaged in such illegal stone extraction. Attempts were also lent to know about the actual offender(s) from the local residents, but in vain as they expressed their lack of knowledge in this regard. We departed the alleged site thereafter, having resolved to undertake frequent and surprise visits to the alleged site.*
6. *Further visit to the alleged site was made on 3<sup>rd</sup> May, 2024 by the representative of the BDO, Nalhati-I, the BL&LRO, Nalhati-I and the representative of the IC, Nalhati PS, wherein no active stone extraction could be found thereat. Interaction was also made with local inhabitants of the nearby vicinity so as to gather information whether any extraction took place meanwhile, but they stated in negative. No recent extraction on the alleged quarry was noticed.*
7. *As it was resolved by the undersigned officers, a campaign with loud speakers was conducted on 5<sup>th</sup> May, 2024 on the alleged quarry site as well as in the local inhabitation sensitizing that any extraction of the alleged quarry is illegal and attracts the penal provisions in accordance with law. Pertinently, during such visit and campaign on 5<sup>th</sup> May, 2024, no extraction of stone over the alleged site meanwhile could be noticed.*
8. *A further surprise visit to the alleged quarry was conducted on 7<sup>th</sup> May, 2024, but none could be found extracting stone thereat as well as no evidence of recent extraction in the quarry could be noticed meanwhile. However, a large signboard at the alleged quarry was installed inscribing, inter alia, that any extraction of stone from the quarry is illegal and persons found engaged in such illegal extraction will be prosecuted as per law. Interaction with local inhabitants was also made during the said visit. Further, a complaint dated 7<sup>th</sup> May, 2024 was lodged by the BL&LRO, Nalhati-I*



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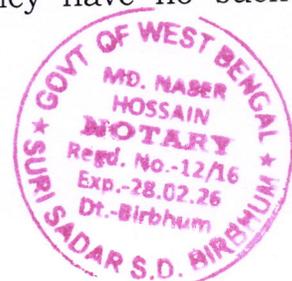
*with the local Nalhati Police Station stating, inter alia, that illegal stone mining was being conducted in the alleged quarry and ascertainment of actual offender(s) could not be possibly made despite repeated surprise visits and therefore necessary enquiry and action thereof against such illegal mining be undertaken in accordance with law.*

9. *The undersigned officers, in order to prevent possibility of illegal stone extraction in the alleged quarry, decided to install iron barricades in the approach road to the alleged quarry and accordingly, such barricades with iron pillars have been installed in the said approach road on 8<sup>th</sup> May, 2024. A visit to the alleged quarry was also undertaken on the said date of 8<sup>th</sup> May, 2024 and no extraction of stone thereat could be noticed to be happening. Interaction with local inhabitants was also made on that date.*

10. XXX

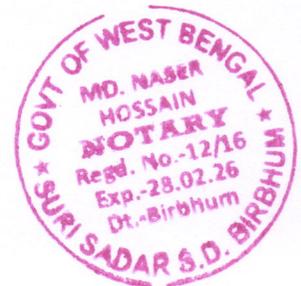
11. *It is submitted that in compliance of the direction passed to the undersigned officers, we have undertaken frequent and repeated spot inspections to the alleged quarry, as aforesaid and it has been found that the said alleged quarry is not in operation now till date. That apart, measures, as aforesaid, have been taken by the undersigned officers jointly to prevent further illegal stone extraction in the alleged quarry...*

6. The aforesaid Report dated 9<sup>th</sup> May, 2024 reveals that the stone quarry in issue spreads over Plot Nos. 707, 712, 713, 714, 715 and 688 in Mouza- Madna, JL No.11 under PS-Nalhati and the said stone quarry is not in operation now. However, it appears that excavation of stone from Plot Nos. 707, 712, 713 and 714 took place long time ago, but there is evidence of recent extraction nearly about few months ago over Plot No. 688 and partly on Plot No. 715. It further appears that despite frequent and surprise visits to the said site by the above-named three officers, it could not be ascertained who were engaged in illegal excavation of stone. Such factum could not be also ascertained with interaction with local people as they stated that they have no such knowledge.



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7. However, certain measures have been taken in order to prevent excavation of stone from the alleged site. Frequent and surprise visits have been conducted; local people were sensitized that excavation of stone from the alleged site without valid permission/lease/license is illegal and the offender is liable to be prosecuted as per law; campaign with loudspeakers was made in the alleged site as well as in the neighbouring inhabitations sensitizing that any excavation of stone in the alleged site is illegal and attracts penal prosecution; a large signboard to that effect was installed in the alleged site; iron barricades were installed in the approach road to alleged quarry with a view to do away with possibility of excavation of stone in the alleged quarry.
8. Apart from that, a written complaint has been lodged by the BL&LRO, Nalhati-I with the Nalhati PS stating, inter alia, that illegal stone mining was being conducted in the alleged quarry and ascertainment of actual offender(s) could not be possibly made despite repeated surprise visits and therefore necessary enquiry and action thereof against such illegal mining be undertaken in accordance with law. The aforesaid complaint has been registered as FIR No.239 dated 8<sup>th</sup> May, 2024 with Nalhati PS.
9. The Committee members have also made a surprise visit on 10<sup>th</sup> May, 2024 to the alleged site and found that there has been no excavation of stone from the alleged quarry has happened in the interregnum. Apart from that, the Sub-Divisional Officer, Rampurhat has made a correspondence with the Sub-Divisional Police Officer, Rampurhat as well as with the Inspector-in-Charge of Nalhati PS asking them to make appropriate enquiry with reference to the said complaint lodged by the BL&LRO, so as to ascertain the actual offenders and to take lawful action against them. Further request was also made to them to keep strict vigil on the alleged site to ensure prevention of future possibility, if any, of illegal excavation of stone thereat.



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10. Thus, the Committee has taken every and all possible measures/steps for complete prevention of mining in the alleged quarry and no such excavation/mining in the alleged stone quarry is happening now. However, the Committee members at the Block level are conducting frequent and surprise visits to the alleged quarry so that mining is not resumed.
11. Some photographs showing the measures taken thereof as well as copies of the written complaint made by the BL&LRO, Nalhati-I and the FIR No. 239, are enclosed for kind reference.
12. The compliance report is submitted to the District Magistrate, Birbhum for kind perusal and further course of action, as deems fit.

*[Signature]*  
 Sub-Divisional Officer  
 Rampurhat Sub-Division  
 Birbhum  
 Rampurhat, Birbhum

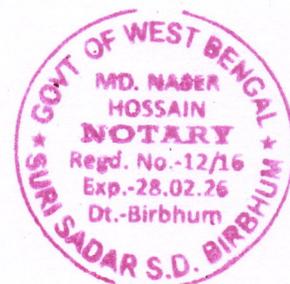
*[Signature]*  
 Sub-Divisional Police Officer  
 Rampurhat Sub-Division  
 Birbhum  
 Rampurhat, Birbhum

*[Signature]* 15/05/2024  
 Sub-Divisional Land & Land  
 Reforms Officer  
 Rampurhat Sub-Division  
 Birbhum

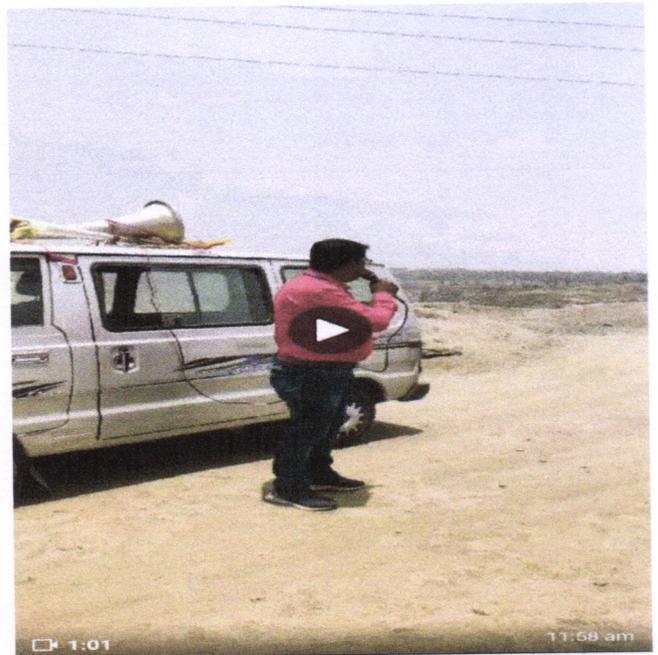
*[Signature]* 15/5/24  
 Block Development Officer  
 Nalhati-I Dev. Block  
 Birbhum  
 Block Development Officer  
 Nalhati-I Dev. Block  
 Nalhati, Birbhum

*[Signature]* 15/5/24  
 Block Land & Land Reforms Officer  
 Nalhati-I Dev. Block  
 Birbhum  
 B.L.&L.R.O.  
 Nalhati-I, Birbhum

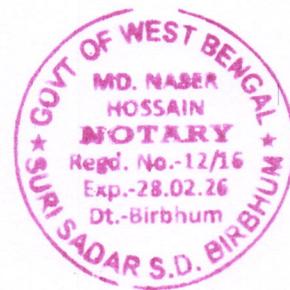
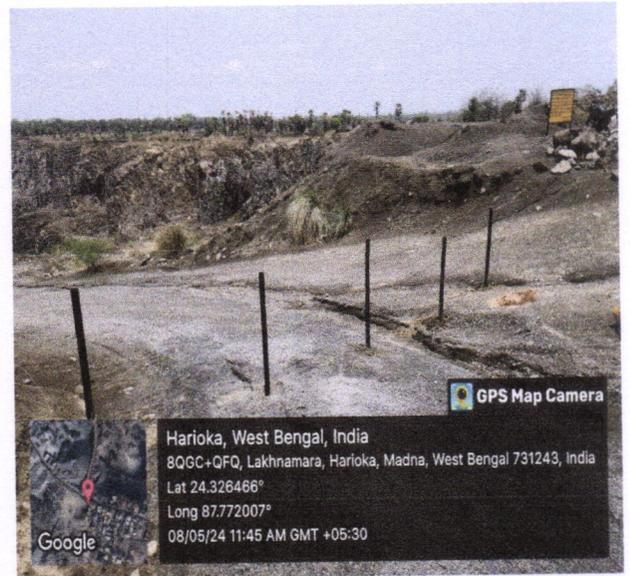
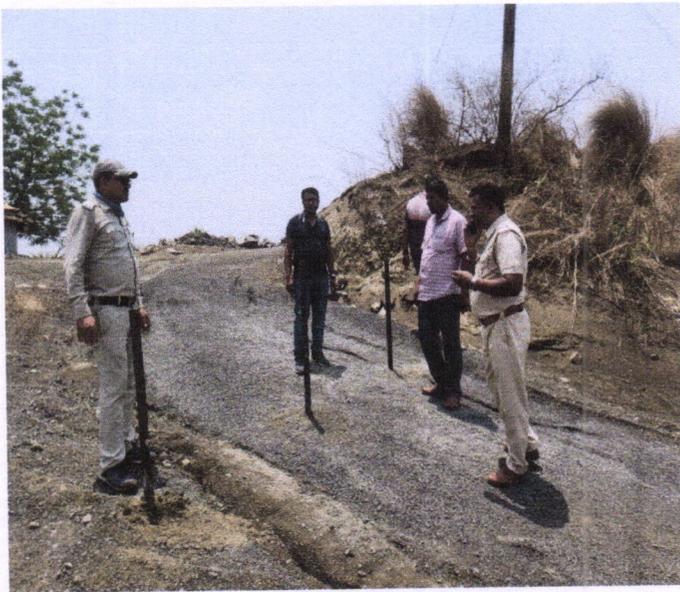
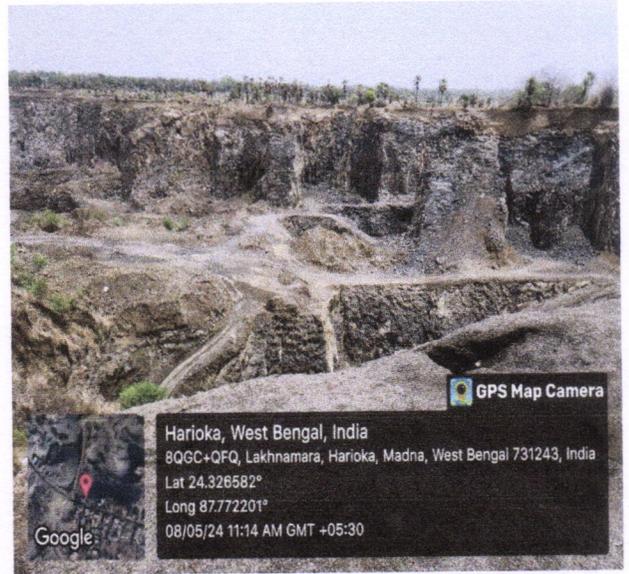
*[Signature]* 15/5/2024  
 Inspector-in-Charge  
 Nalhati PS  
 Birbhum  
 Officer-in-Charge  
 Nalhati P.S  
 Birbhum



18



GUYT OF WEST BENGAL  
 MD. NASER HOSSAIN  
 NOTARY  
 Regd. No.-12/16  
 Exp.-28.02.26  
 Dt.-Birbhum  
 SURI SADAR S.D. BIRBHUM



17



Government Of West Bengal  
Office of the Block Land & Land Reforms Officer  
Nalhati-I, Birbhum.

Memo no/ 452 / BL&LRO, Nalhati-I, Birbhum/2024 Dated 07.05.24

To  
The Officer-in-Charge  
Nalhati Police Station  
Nalhati, Birbhum.

Sub:- Complain for illegal mining over plot nos.707,708,712,714,715,716 of Mouza- Madna JI no. 11.

Sir,

With above noted subject, this is to inform you that an illegal mining was going on over plot nos. 707,708,712,713,714,715 and others of Mouza- Madna JI. No. 11. It is unknown that who were doing illegal mining over the said plots.

Therefore, you are request to do needful action against illegal mining over the said plots as soon possible.

*[Signature]*  
Sekhar Biswas  
Block Land & Land Reforms officer  
Nalhati-I, Birbhum.  
B.L. & L.R.O.  
Nalhati-I, Birbhum  
Dated

Memo no/ / BL&LRO, Nalhati-I, Birbhum/2024  
Copy to

1. The ADM&DL&LRO, Suri, Birbhum for kind information
2. The SDO, Rampurhat, Birbhum for kind information.
3. The SDL&LRO, Rampurhat, Birbhum for kind information
4. The BDO, Nalhati-I, Birbhum for kind information.

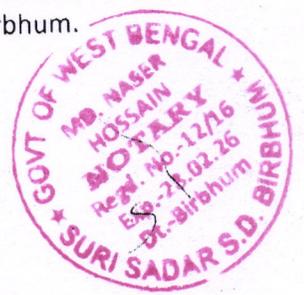
Block Land & Land Reforms officer  
Nalhati-I, Birbhum.



Received by me  
*[Signature]*  
ASL  
07/05/24  
3.18 PM  
*[Signature]*

Received on  
08/05/24 at 11:15 hrs.  
and started Nalhati P.S.  
Case NO. 239 dt. 8.5.24.  
u/c. 379 IPC & u/c 21 Mines.  
and Minerals Act.

*[Signature]*  
Officer-in-Charge  
08/05/24  
Nalhati P.S.  
Birbhum



18

West Bengal Form No. 17



# FIRST INFORMATION REPORT

( Under Section 154 Cr. P.C. )

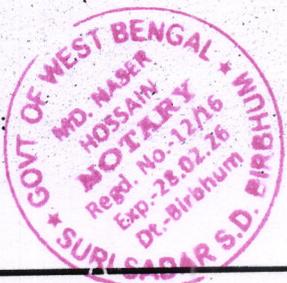
IN THE COURT OF L.A.C.J.M. Rampurhat Court

8691

1. Dist. Birbhum P.S. Nalhati Year 2021 FIR No. 229/21 Date 08/05/21
2. (i) Act TPL Sections 379 (ii) Act x Sections x  
 (iii) Act x Sections x (iv) Other Acts & Sections 21 Minor & Movable Act
3. (a) Occurrence of offence : day x Date from Not mentioned Date to x  
 Time period x Time from Not mentioned Time to x  
 (b) Information Received at P.S Date on 08/05/21 Time at 11:15 hrs  
 (c) General Diary Reference : Entry No (s) 454 470-08/05/21 Time at 11:15 hrs
4. Type of information : written Written / Oral Memo No / 152/BLPLRO, Nalhati-1, Birbhum/2021  
470-08/05/21
5. Place of Occurrence : (a) Direction and Distance from P.S. Nalhati, West, Approx. 12 Km. Beat No. Barion GP  
11  
 (b) Address Plot nos - 707, 708, 712, 714, 715, 716 of Madina Masjid, J.L.M.O-11  
under Nalhati PS, Dist-Birbhum  
 (c) In case outside limit of this Police Station, then the  
 Name of the P.S. x District x
6. Complainant / Informant :  
 (a) name Sekhar Biswas  
 (b) Father's/Husband's Name x  
 (c) Date/Year of Birth x (d) Nationality Indian  
 (e) Passport No x Date of Issue x Place of Issue x  
 (f) Occupation Service  
 (g) Address Block Land & Land Reforms Officer, Nalhati-1, Dist-Birbhum
7. Details of known / suspected / unknown accused with full particulars  
 (Attach separate sheet, if necessary) :  
Unknown miscreants
8. Reasons for delay in reporting by the Complainant / Informant  
x
9. Particulars of properties stolen / involved (Attached separate sheet, if necessary) :  
Not mentioned in the complaint
10. Total value of properties stolen / involved NA
11. Inquest Report / U.D. Case No, if any NA
12. FIR Contents (Attach separate sheets, if required) : The original written complaint of the  
complainant which is treated as FIR is reproduced below.

13. Action taken : Since the above report reveals commission of offence(s) as mentioned at item No.2, registered the case and took up the investigation / directed SI Dipankar Barick to take up investigation / refused investigation / transferred to P.S. x on point of jurisdiction. FIR read over to the Complainant / Informant, admitted to be correctly recorded and a copy given to the Complainant / Informant free of cost.

14. Signature of Thumb impression of the complainant / informant  
 15. Date & time of despatch to the court :



08/05/21  
 Officer-in-Charge  
 Signature of the Officer in Charge, Rolla Station  
 Name : Sant Mandal Birbhum  
 Rank : Inspector of Police No  
Nalhati PS, Dist-Birbhum



Government of West Bengal  
Office of the District Magistrate  
Birbhum

Prashasan Bhavan, PO- Suri, District- Birbhum, W.B., 731101

Email: [dm-bir@nic.in](mailto:dm-bir@nic.in)

Memo No. M&M/ 1931 /DL&LRO(B)/2024

Date: 15 / 05 / 2024

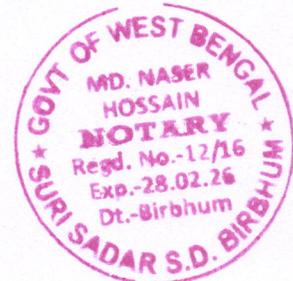
To  
The Superintendent of Police  
Birbhum.

Sub: Illegal Stone mining at the quarry situated in Mouza-Madna, JL No.11 under PS- Nalhati.

- Ref: (i) Order dated 16.02.2024 passed by the Hon'ble National Green Tribunal, Eastern Bench passed in OA No.133 of 2023/EZ in the matter of Serajul Islam & Anr. Vs. State of West Bengal & Ors.  
(ii) Report of the committee constituted by the Hon'ble NGT vide order dated 04.10.2023 against OA no. 133/2023/EZ (copy enclosed).  
(iii) Report filed by the Six Men Committee constituted by the undersigned for prevention of illegal mining in the said site (copy enclosed).

It may be mentioned that the Original Application No. 133/2023/EZ has been filed before the Hon'ble NGT by one Sirajul Islam & another, alleging illegal stone mining on Plot Nos. 707, 708, 712, 713, 714, 715, 716, 670, 677 under Khatian Nos. 88, 1070, 1074, 1076, 1205, 1316, 322, 346, 807,813, 814, 815, 1206, 1214, 12346 in Mouza Madna, JL No. 11 under PS- Nalhati, District- Birbhum. It has further been alleged, inter alia, that heavy explosives are being used thereat to fragment the rocks as well as transportation of boulders there-from to crusher units. The Hon'ble NGT, Eastern Zone Bench, by solemn order dated 04.10.2023, constituted a committee consisting of (i) Sr. Scientist of WBPCB, (ii) Sr. Scientist of SEIAA and the District Magistrate, Birbhum or his nominated representative not below the rank of ADM and directed to the Committee to visit the site and submit its Report with regard to the allegations made in the Original Application within three weeks.

Pursuant to the said solemn direction of the Hon'ble NGT, the Committee comprised of (i) Sr. Scientist of WBPCB, (ii) Sr. Scientist of SEIAA and (iii) the DL&LRO, Birbhum undertook a site visit and submitted their Report on Affidavit before the Hon'ble NGT. On 16.02.2024, the Hon'ble NGT, after considering the Committee's Report, was pleased to direct the Respondent No.2/the Additional Chief Secretary, Department of Environment and the Respondent No.5/the District Magistrate, Birbhum to take immediate steps to prevent illegal mining and to file affidavit thereof. Copy of the said order dated 16.02.2024 passed by the Hon'ble NGT is enclosed.



In compliance with the aforesaid solemn direction passed by the Hon'ble NGT, a Six Men Committee was constituted by the undersigned to take immediate necessary measures/steps to ensure complete prevention of illegal mining in the site. The said Six Men Committee has submitted its Report dated 15th May, 2024 before the undersigned and the same is enclosed for your perusal and reference. It appears from the said Report that the quarry in issue spreads over Plot Nos. 707, 712, 713, 714, 715 & 688 in Mouza- Madna, JL No.11 under PS-Nalhati. It may be mentioned that as per available office records, there is no valid mining lease granted by the State Government to any person for excavation of stone from the said quarry in issue. However, it further appears from the said Report that the Committee has made frequent and surprise visits to the said site and has taken certain steps to prevent the illegal mining from the said quarry in issue. However, despite frequent and surprise visits to the site as well as making enquiry with local people, it could not be ascertained who were engaged in such illegal stone mining in the quarry in issue. The Block Land & Land Reforms Officer, Nalhati-I has lodged a complaint dated 7th May, 2024 with the Nalhati Police Station for making appropriate enquiry to ascertain the actual offenders and to take lawful action thereof. The said complaint has been registered as FIR No.239 dated 8th May, 2024 in the Nalhati PS.

You are therefore requested to cause appropriate enquiry to ascertain the actual offender(s) who have made such illegal excavation of stone from the quarry in issue and to take appropriate lawful action against the offender(s). You are further requested to arrange for keeping strict vigil in the said area so that illegal mining is not resumed.

Enclosure: As stated,

  
District Magistrate  
Birbhum.

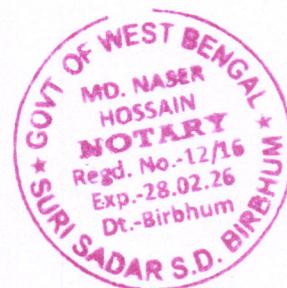
Memo No. M&M/ 1931/1(6)/DL&LRO(B)/2024

Date: 15 / 05 / 2024

Copy forwarded for information and necessary action to:

1. The Sub-Divisional Officer, Rampurhat Sub-Division, Birbhum.
2. The Sub-Divisional Police Officer, Rampurhat Sub-Division, Birbhum.
3. The Sub-Divisional Land & Land Reforms Officer, Rampurhat Sub-Division, Birbhum.
4. The Block Development Officer, Nalhati-I Dev. Block, Birbhum.
5. The Block Land & Land Reforms Officer, Nalhati-1 Block, Birbhum.
6. The Inspector-in-Charge, Nalhati Police Station, Birbhum.

  
District Magistrate  
Birbhum



BEFORE THE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, FINANCE CENTRE,  
3<sup>RD</sup> FLOOR, NEW TOWN, KOLKATA.

Original Application No. 133 of 2023/EZ

In the matter of:

Serajul Islam & Anr.

...Applicants

Versus

The State of West Bengal and Ors.

...Respondents

AFFIDAVIT OF COMPLIANCE FILED  
ON BEHALF OF THE RESPONDENT  
NO.5/THE DISTRICT MAGISTRATE,  
BIRBHUM.

Sudip Kumar Dutta  
Advocate  
Mobile No.9874782072