

SL. No. 43/24

Filed by
Sudipa Sen Gupta
Adv.

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

(Under Section 18(1) read with Section 14 of the National Green
Tribunal Act, 2010)

Original Application No. Of 2024/ EZ

BETWEEN

Jafar Iquebal Middya alias Jafar Ali
Middya, son of Anowar Ali Middya, of
Nafardanga, Madanmohanpur, Post
Office & Police Station- Sonamukhi,
District- Bankura, West Bengal, Pin
Code-722207

.....Applicant

-Versus-

The West Bengal Pollution Control
Board & Ors.

.....Respondents



PAPER BOOK

SUDIPA SEN GUPTA
C/O MALAY BHATTACHARYYA
ADVOCATE
HIGH COURT, CALCUTTA
BAR ASSOCIATION ROOM NO. 15
Kolkata - 700 001
CONTACT NO. 9830753947
E-MAIL: malaycourt@gmail.com

23 APR 2024

Jafar Iquebal Middya

1

Filed by
Sudip Kumar Ghosh

(Under Section 18(1) read with Section 14 of the National Green Tribunal Act, 2010)

Original Application No. _____ Of 2024/ EZ

BETWEEN

Jafar Iquebal Middyia alias Jafar Ali Middyia, son of Anowar Ali Middyia, of Nafardanga, Madanmohanpur, Post Office & Police Station- Sonamukhi, District- Bankura, West Bengal, Pin Code-722207

.....Applicant

-Versus-

The West Bengal Pollution Control Board & Ors.

.....Respondents

INDEX

SL.Nos	PARTICULARS	ANNEXURE	PAGE NO.
1.	Synopsis of the Case		III - IV
2.	List of Dates		V
3.	Original Application with Verification		1-15
4.	Photocopy of the Letter of Intent for grant of mining lease of river bed occurrences being Memo No.6790/1(2) dated 21.12.2016	A	16-20
5.	Photograph of the concerned riverbed and illegal mining area	B	21
6.	Photocopies of the representations dated 09.02.2024 along with translated copy, 13.02.2024 and 15.04.2024	C	22-32

*Filed by
Subir Sen Gupta
Adv.*

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

(Under Section 18(1) read with Section 14 of the National Green
Tribunal Act, 2010)

Original Application No. _____ Of 2024/ EZ

BETWEEN

Jafar Iquebal Middyā alias Jafar Ali
Middyā, son of Anowar Ali Middyā, of
Nafardanga, Madanmohanpur, Post
Office & Police Station- Sonamukhi,
District- Bankura, West Bengal, Pin
Code-722207

.....Applicant

-Versus-

The West Bengal Pollution Control
Board & Ors.

.....Respondents



SYNOPSIS OF THE CASE

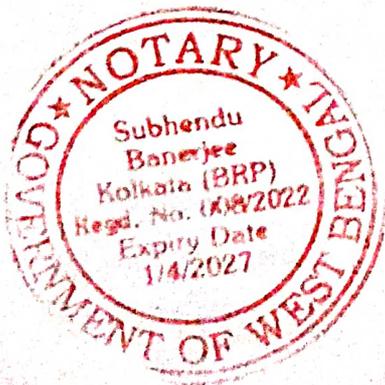
That Letter of Intent for grant of mining lease of river bed
occurrences being Memo No.6790/1(2) dated 21.12.2016 was issued
by the District Magistrate, Bankura in favour of one Anil Kumar, son
of Rajeshwar Singh of Village- Jivrakhan Tola, P.O.Byapur, P.S.
Maner, District- Patna(Bihar), Pin Code-801503 but one namely,
being no way connected with the afore said mining area has been

Jafar Iquebal Middyā

2 IV 2

Filed by
Sudipn San Gupta
Adv.

doing mining business and extracting sand from the river bed of Damador in a very clandestine manner. That illegal excavation of sand and transportation thereof has been done illegally by using mechanical devices like JCB ^{Poclain} ~~excavator~~ and other machineries from the southern part of the River Damodar ^{Soy} beyond its specified jurisdiction, with the help of his agents and the officials of local administration, who are very influential persons engaged in antisocial activities in the said locality. Against such illegal acts of the private respondent with his cohorts/agents active in the area who said to be sand mafias of the locality, thhe applicant jointly with other villagers have made representations on 09.02.2024, ¹³02.2024 and 15.04.2024. Though, the activities of the miscreants/hooligans are clearly violative of the provisions of the Environmental (Protection) Act, 1986, the inaction on the part of the Respondent Authorities in redressing the grievances of the Petitioner is bad in the eye of law and hence, this application.



Jatan Guebal Mishra

Filed by
Sudipa Sen Gupta
Adv.

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

(Under Section 18(1) read with Section 14 of the National Green
Tribunal Act, 2010)

Original Application No. _____ Of 2024/ EZ

BETWEEN

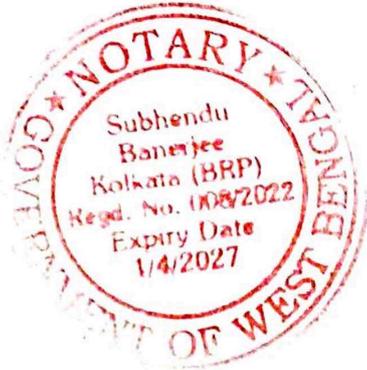
Jafar Iquebal Middy alias Jafar Ali
Middy, son of Anowar Ali Middy, of
Nafardanga, Madanmohanpur, Post
Office & Police Station- Sonamukhi,
District- Bankura, West Bengal, Pin
Code-722207

.....Applicant

-Versus-

The West Bengal Pollution Control
Board & Ors.

.....Respondents



LIST OF DATES

- 21.12.2016 : Intent for grant of mining lease of river bed
occurrences was issued in favour of
Respondent No.8.
- 09.02.2024,
10.02.2024 and
15.04.2024 : Representations made by the applicant and
other villagers.

Jafar Iquebal Middy

Filed by
Sudipa Sen Gupta
Adv.

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

(Under Section 18(1) read with Section 14 of the National Green
Tribunal Act, 2010)

Original Application No. _____ Of 2024/ EZ

BETWEEN

Jafar Iquebal Middya alias Jafar
Ali Middya, son of Anowar Ali
Middya, of Nafardanga,
Madanmohanpur, Post Office &
Police Station- Sonamukhi,
District- Bankura, West Bengal,
Pin Code-72220.

E-mail- sudipasengupta6@gmail.com.

.....Applicant

-Versus-

1. The West Bengal Pollution
Control Board, Service through
the Member Secretary, having
its office at Paribesh Bhawan,
Plot No.10A, Block-LA, Sector-
III, Bidhannagar, Kolkata-
700106.

Email-ms.wbpcb-wb@bangla.gov.in

2. The Department of
Environment of West Bengal,



..:2:..

Filed by
Sudip Kumar Singh
Adv.

service through the Additional Chief Secretary, having its office at 5th Floor, Pranisampad Bhawan, Block LB-II, Sal Lake, Sector III, Bidhannagar, Kolkata - 700106.

E-mail- psecy.env-wb@gov.in

3. The District Magistrate, Bankura, Post Office & District-Bankura, Pin- 722101;

Email: dm-bank@nic.com

4. The District Land and Land Reforms Officer, Post Office & District- Bankura, Pin- 722101;

Email- dllrobku@gmail.com

5. The Superintendent of Police, Bankura, Post Office & District- Bankura, Pin- 722101;

Email: spbankura@gmail.com

6. The Block Land and Land Reforms Officer, Sonamukhi,

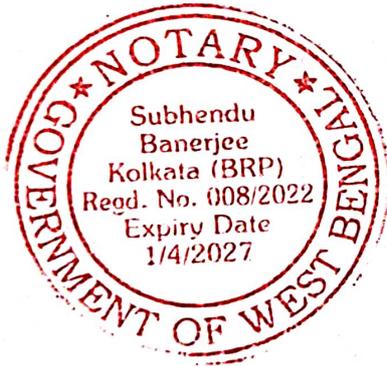


-:3:-

Filed by
Subir Sen Gupta
Adv.

Post Office- Sonamukhi,
District- Bankura, Pin- 722207;
Email: Not known

7. The Officer in Charge,
Sonamukhi Police Station, Post
Office & Police Station-
Sonamukhi, District- Bankura,
Pin- 722207;
Email; Not known



8. Samir Ghosh, son of
Subir Ghosh, of Bitchkhara,
P.S.- Khandokosh, District-
Purba Bardhaman, Pin Code-
713142.

Email- Not known

.....Respondents

- (1) The address of the applicant is given above for the service of notices of this Application.
- (2) The addresses of the Respondents are given above for the service of notices of this Application.
- (3) The Applicant abovenamed begs to present the Original application challenging the inaction on the part of the Respondent Authorities on the facts and circumstances as well as grounds as set-out hereunder.

Filed by
Sudipa Sen Gupta
Adv.

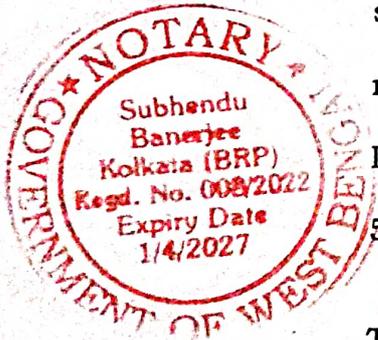
FACTS IN BRIEF

1. That the applicant is peace-loving and law abiding citizen of India and residing at the address as mentioned in the Cause Title above. This applicant is having locus-standi to invoke the jurisdiction of this Hon'ble Tribunal.
2. That vide Letter of Intent for grant of mining lease of river bed occurrences being Memo No.6790/1(2) dated 21.12.2016 issued by the District Magistrate, Bankura in favour of one Anil Kumar, son of Rajeshwar Singh of Village- Jivrakhan Tola, P.O.Byapur, P.S. Maner, District- Patna(Bihar), Pin Code- 801503, the said Anil Kumar had been granted mining lease of sand in respect of sand block being 0120DM020 located in Plot no.367, in Mouza-Palshora, J.L.No. 140, P.S. Sonamukhi, District- Bankura over an area of 11.10 acres for a period of 5(five) years.

The photocopy of the Letter of Intent for grant of mining lease of river bed occurrences being Memo No.6790/1(2) dated 21.12.2016 is annexed herewith and marked as letter 'A'.

3. That the applicant herein and also other inhabitants of the villages as mentioned above are facing environmental hazards

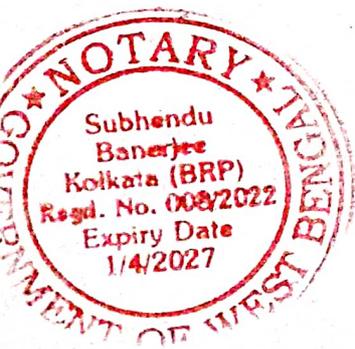
Jafar Squebul Mridha



filed by
Subir Sen Gupta
Adv.

due to illegal and unlawful usage of sand mines by one Samir Ghosh, Son of Subir Ghosh of Bitchkhara, Police Station-Khandokosh, District- Purba Burdhaman. That from the local enquiry by the villagers it came to learn that the person as named above being no way connected with the afore said mining area has been doing mining business and extracting sand from the river bed of Damador in a very clandestine manner.

4. That the said Samir Ghosh as stated above being no way connected with mining activities nor being a lessee of the said sand block, has been extracting sand illegally by using mechanical devices like JCB ^{Poclaim} ~~proclaim~~ and other machineries from the southern part of the River Damodar beyond its specified jurisdiction, with the help of his agents and the officials of local administration, who are very influential persons engaged in antisocial activities in the said locality. Further, upon being chased by the local villagers the said unscrupulous persons unnecessarily slapping criminal cases to the local villagers with different rhymes and reasons and that too in conspiracy with the officials of local administration.



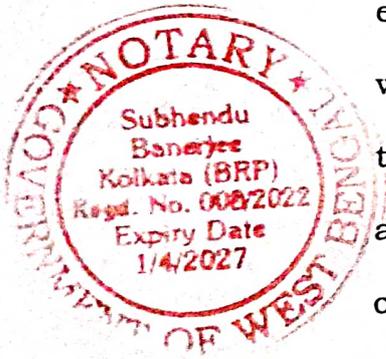
Jagan Chandra Mohanty

Filed by
Sudipra Sanjyukta
Adv.

5. That in terms of the lease agreement the lessee shall not without the previous consent in writing to the State Government cannot assign, mortgage or in any other manner transfer the mining lease or any right, title or interest therein to any other person but the local villagers got information that the said Samir Ghosh being a third party is running the sand block without any permission/sanction by the concerned Government Authority.

6. That the miscreants are continuing the illegal operation of excavating sands day and night beyond the area in respect of which lease had been granted for mining activities, for which they are using various mechanical devices like JCB ^{Poclaim} ~~proclaim~~ and thereafter, such sands have been illegally transported outside for the personal gain of the above miscreants.

7. That due to such illegal activities of the miscreants as stated above the local villagers are facing severe environmental hazards as excessive mining of sand by using various mechanical devices reversely affected the regular course of river, which causes river erosion and further depletion of sand in the riverbed resulting in deepening of riverbeds and the



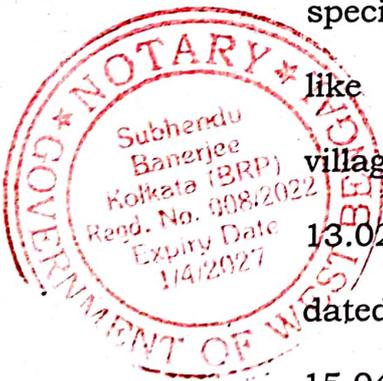
Jatin Sanyal

Filed by
Sudipto San Gupta
Adv.

widening of river mouths which increases the salinity of the water. Therefore, the homes and livelihood of the villagers living nearby are greatly affected and the villagers are passing their days in great apprehension that any time the villages may get flooded during monsoon if that situation continues.

The photograph of the concerned riverbed and illegal mining area is annexed herewith and marked as annexure 'B'.

8. That against such corrupt practices by the miscreants and the influence of organized sand mafias in the locality towards continuation of illegal mining even beyond the area that is specified for sand mining by using various mechanical devices like JCB Poclain, the applicant herein jointly with other villagers have made several representations on 09.02.2024, 13.02.2024 and 15.04.2024 photocopies of the representations dated 09.02.2024 along with translated copy, 13.02.2024 and 15.04.2024 before the Respondent Authorities praying for their intervention into the matter and taking steps to prevent such environmental hazard.



The are annexed herewith and marked as annexure 'C'.

Filed by
Sudip Kumar Gupta
Adv.

9. That after receiving the representation dated 19.02.2024, officials of the local administration came for inspection of the concerned area, where the operation of the illegal mining is going on but till date no positive initiative has been obtained by the Respondent Authorities to stop such hazard. Moreover, the illegal activity of sand excavating and transportation is still continuing by the above named miscreants and their agents/persons in the dark of night by using various mechanical devices like JCB proglen and as a result of which, the condition of the area is getting deteriorated rapidly as a result of which deep pits are formed causing drop in the ground water level leading to water scarcity in the area and further altered flow patterns and sediment loads negatively impact aquatic ecosystems, affecting both flora and fauna.



10. That the aforesaid sand block are being used by unauthorised persons in a very clandestine manner in collusion with some greedy government officials without having any prior permission taken by the government and the miscreants are continuously doing illegal sand mining and transportation thereof in the area beyond the mentioned area in the lease agreement and that too in such a manner, which causes

Jahan Squebul Chowdhury

Filed by
S. Gupta Sen Gupta
S. Gupta

serious threats to ecosystems and communities living nearby and as such the persons are liable for breach to the lease agreement and the government ought to have taken steps giving due weightage to the grievances of the local villagers.

11. That Section 3(e) of the Mines and Mineral Development and Regulation Act, 1957 Act aims to prevent illegal mining and further, the Supreme Court of India mandated that approval is required for all sand mining collection activities, even in areas less than 5 hectares as per Environment Impact Assessment (EIA), 2006. Despite of the applicant and other villagers are bringing several allegations of illegal sand mining and transportation by the local miscreants/hooligans and private respondent with the active support of local administration which is violative of the provisions of the Environmental (Protection) Act, 1986 and the inaction on the part of the Respondent Authorities in giving due weightage to the grievances of the applicant and other villagers, is bad in the eye of law and against the provisions of law.



GROUNDS

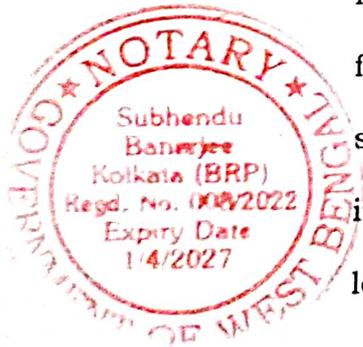
- I. FOR THAT the applicant herein and also other inhabitants of the villages as mentioned above are facing environmental

J. An. S. Gupta Sen Gupta

Filed by
Sd/- Samir Ghosh
A.B.W.

hazards due to illegal and unlawful usage of sand mines by one Samir Ghosh, Son of Subir Ghosh of Bitchkhara, Police Station- Khandokosh, District- Purba Burdhaman. That from the local enquiry by the villagers it came to learn that the person as named above being no way connected with the afore said mining area has been doing mining business and extracting sand from the river bed of Damador in a very clandestine manner.

II. FOR THAT the said Samir Ghosh as stated above being no way connected with mining activities nor being a lessee of the said sand block has been extracting sand illegally by using mechanical devices like JCB ^{Poclain} ~~proclan~~ and other machineries from the southern part of the River Damodar beyond its specified jurisdiction, with the help of his agents who are very influential persons engaged in antisocial activities in the said locality. Further, upon being chased by the local villagers the said unscrupulous persons unnecessarily slapping criminal cases to the local villagers with different rhymes and reasons and that too in conspiracy with the officials of local administration.

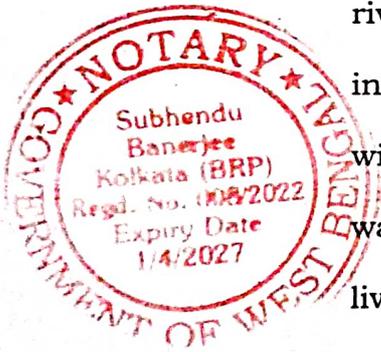


Jedun Banerjee

Filed by
Subendu Banerjee

III. FOR THAT the miscreants are continuing the illegal operation of excavating sands day and night beyond the area in respect of which lease had been granted for mining activities, for which they are using various mechanical devices like JCB ^{Poelain} ~~excavator~~ and thereafter, such sands have been illegally transported ^{Shri} ~~to~~ outside for the personal gain of the above miscreants.

IV. FOR THAT due to such illegal activities of the miscreants as stated above the local villagers are facing severe environmental hazards as excessive mining of sand by using various mechanical devices reversely affected the regular course of river, which causes river erosion and further depletion of sand in the riverbed resulting in deepening of riverbeds and the widening of river mouths which increases the salinity of the water. Therefore, the homes and livelihood of the villagers living nearby are greatly affected and the villagers are passing their days in great apprehension that any time the villages may get flooded during monsoon if that situation continues.



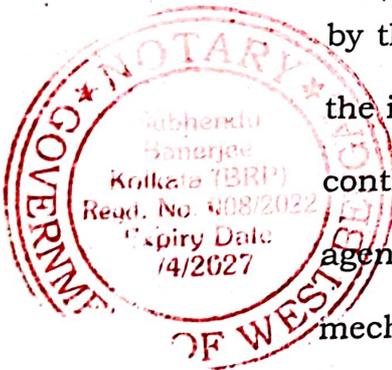
V. FOR THAT against such corrupt practices by the miscreants and the influence of organized sand mafias in the locality towards continuation of illegal mining even beyond the area

Janta Squeal Mundy

Filed by
Sudip Kumar Ghosh

that is specified for sand mining by using various mechanical devices like JCB Poclain, the applicant herein jointly with other villagers have made several representations on 09.02.2024, 13.02.2024 and 15.04.2024 before the Respondent Authorities praying for their intervention into the matter and taking steps to prevent such environmental hazard.

VI. FOR THAT after receiving the representation dated 13.02.2024, officials of the local administration came for inspection of the concerned area, where the operation of the illegal mining is going on but till date no positive initiative has been obtained by the Respondent Authorities to stop such hazard. Moreover, the illegal activity of sand excavating and transportation is still continuing by the above named miscreants and their agents/persons in the dark of night by using various mechanical devices like JCB Poclain and as a result of which, the condition of the area is getting deteriorated rapidly as a result of which deep pits are formed causing drop in the ground water level leading to water scarcity in the area and further altered flow patterns and sediment loads negatively impact aquatic ecosystems, affecting both flora and fauna.



Filed by
S. Dipak Sam Ghosh
Adv.

- VII. FOR THAT due to excess use of excavation beyond the sanctioned limit is a complete unauthorized encroachment on flood plains of river and also violation of soil degradation at the behest of the local hooligans, private respondent with the active support of local administration.
- VIII. FOR THAT Section 3(e) of the Mines and Mineral Development and Regulation Act, 1957 Act aims to prevent illegal mining and further, the Supreme Court of India mandated that approval is required for all sand mining collection activities, even in areas less than 5 hectares as per Environment Impact Assessment (EIA), 2006. Despite of the applicant and other villagers are bringing several allegations of illegal sand mining and transportation by the local miscreants/hooligans and private respondent with the active support of local administration which is violative of the provisions of the Environmental (Protection) Act, 1986 and the inaction on the part of the Respondent Authorities in giving due weightage to the grievances of the applicant and other villagers, is bad in the eye of law and against the provisions of law.

Filed by
Sudipra Sen Gupta
Adv.

LIMITATION

That the instant application is being filed within the period of limitation as prescribed under Section 14 of the National Green Tribunal Act, 2010 as no steps has been taken by the Respondent Authorities till date to prevent illegal sand mining despite the applicant has preferred representations dated 09.02.2024, 13.02.2024 and 15.04.2024.

PRAYER

The applicant, therefore, prays that:-

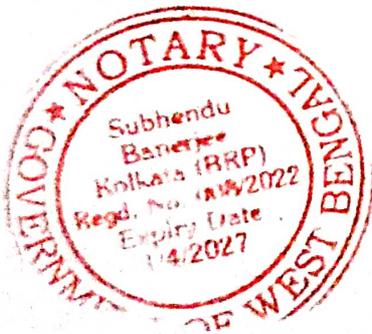
Under the circumstances, the Applicant most humbly prays as follows:-

- (a) Steps be taken to immediately stop environmental hazard caused due to illegal mining of sand and transportation thereof in the concerned area by the local hooligans/miscreants;
- (b) Steps be taken to immediately identify the local hooligans/miscreants involved in illegal sand mining and transportation thereof in the concerned area and appropriate criminal proceedings be started against the miscreants.
- (c) Such other or further order and/or orders, direction and/or directions as this Hon'ble Tribunal may deem fit and proper.

Jordan Guebal m. d. s. g.

VERIFICATION

I, Jafar Iquebal Middyia alias Jafar Ali Middyia, son of Anowar Ali Middyia, the Applicant herein, do hereby solemnly affirm and declare that the statements made in paragraph 1 to 11 in the said application including the cause title are true to my knowledge and best of my belief and I sign this verification on this the 23rd day of April, 2024 at the court premises.



Jafar Iquebal Middyia

Solemnly Affirmed and
Declared before me U/S
139 CPC & U/S 297 Cr. P.C.

Identified by me
Subir Sen Advocate

Subhendu Banerjee
Notary
Govt. of West Bengal

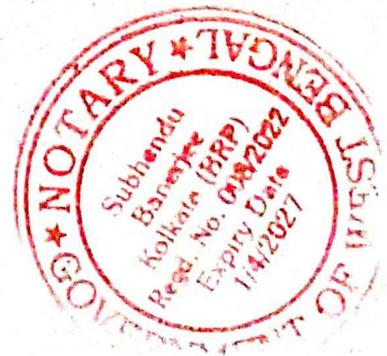
23.04.2024

SUBHENDU BANERJEE
Notary, Govt. of W.B.
Regd. No.-008/2022
Sudhanta, High Court, Calcutta

23 APR 2024

Anil Kumar
Palphora
Sonamukhi

Letter of Intent (LoI) for grant of mining lease of river
bed occurrences





Government of West Bengal
Office of the District Magistrate & Collector
Bankura

Memo No. 6790

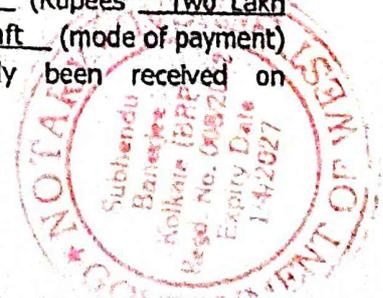
Date: 21/12/2016

To
✓ Anil Kumar
S/o- Rajeshwar Singh,
Vill- Jivrakhan Tola,
P.O.- Byapur, P.S.- Maner,
District- Patna (Bihar).
PIN- 801 503.

Sub:- Letter of Intent with reference to e-auction conducted on and from 07/11/2016 to 09/11/2016 for grant of mining lease for sand in sand block 0120DM020 (Name of the Sand block) located in plot No. 367 in Mouza Palshora, J.L.No. 140, P.S. Sonamukhi, District Bankura over an area of 11.10 acres in the riverbed of Damodar.

Background

1. The District Committee for Competitive Bidding of Minor Minerals, (henceforth the District Committee) Bankura, pursuant to rules 38 and 41 of the west Bengal Minor Minerals Concession Rules, 2016 and the West Bengal Minor Minerals (Auction) Rules, 2016 (hereinafter auction rules) issued notice inviting e-auction dated 24/10/2016 to commence the e-auction process for grant of mining lease for sand in respect of sand block 0120DM020 (Name of the Sand block) located in plot No. 367 in Mouza Palshora, J.L.No. 140, P.S. Sonamukhi. The e-auction process was conducted in accordance with the said Rules and also the tender document for the said sand block which was duly published in Government's e-procurement portal as per extant rules and Sri Anil Kumar has been declared as successful bidder under Rule 9 (8) of the said Auction Rules.
2. As required under Rule 10(1) of the said Auction Rules, Sri Anil Kumar has made payment of the first Instalment / full-amount of the Bid Amount, being one-third / whole amount of the bid amount, amounting to Rs. 2,07,400/- (Rupees Two Lakh Seven Thousand Four Hundred only) through Cheque/ Draft (mode of payment) on 07/12/2016 (date of payment) which has duly been received on 13/12/2016 (date of receipt of payment).

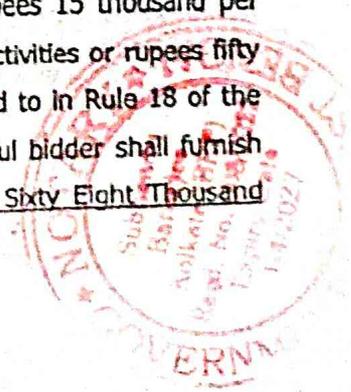


Letter of Intent

Accordingly, pursuant to Rule 10 (3) of the said auction Rules, this letter of intent is hereby issued for grant of mining lease for sand in respect of sand block 0120DM020 (Name of the Sand block) located in plot No. 367 in Mouza Palshora, J.L.No. 140, P.S. Sonamukhi, District Bankura over an area of 11.10 acres in favour of Sri Anil Kumar for a period of 05 (Five) years subject to the following terms and conditions:

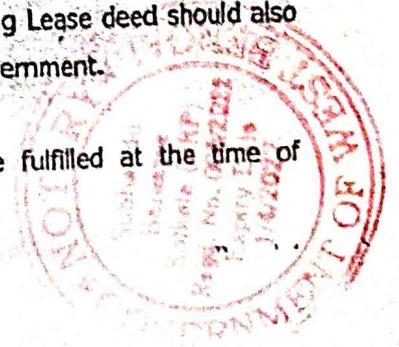
Terms and Conditions

1. This letter of intent and subsequent grant of aforementioned mining lease shall be subject to the provisions of the MMDR Act, 1957, West Bengal Minor Minerals Concession Rules, 2016 and West Bengal Minor Minerals (Auction) Rules, 2016 as amended from time to time and Sri Anil Kumar shall be granted the mining lease only upon satisfactory completion of the requirements stipulated in the said Rules.
2. As per rule 10(2) of the said rule, the rest of the bid amount shall be deposited in two equal instalments within 45 (Forty five) days from the date of issuance of the Award of Contract (A.O.C).
3. Sri Anil Kumar shall furnish a Mining Plan along with Mine Closure Plan as per model format issued by the Commerce and Industries Department under letter No. 420-CI/O/MIN/GEN-MIS/16/2016(PT.) dated 28/07/2016, duly approved by the competent authority within two months from the date of issue of the Letter of Intent (LoI).
4. The successful bidder shall furnish performance security, being 10% of the bid amount in the form of bank guarantee before execution of the deed of lease as per Rule 11 of the West Bengal Minor Mineral (Auction) Rules, 2016.
5. For the purpose of mining operation in any area, financial assurance shall be furnished by every leaseholder. The amount of financial assurance shall be rupees 15 thousand per hectare of the mining lease area put to use for mining and allied activities or rupees fifty (50) thousand, whichever is higher, in any of the forms as referred to in Rule 18 of the West Bengal Minor Minerals Concession Rules, 2016. The successful bidder shall furnish Financial Assurance amounting to Rs. 68,000/- (Rupees Sixty Eight Thousand



only) in any of the forms mentioned under Rule 18(2) of the West Bengal Minor Minerals Concession Rules, 2016 before execution of the deed of lease.

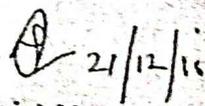
- 6. The successful bidder shall submit Environmental Clearance (E.C.) In respect of the above mentioned sand block duly issued by District Level Environment Impact Assessment Authority (DEIAA) or State Level Environment Impact Assessment Authority (SEIAA) or Ministry of Environment, Forests & Climate Change (MoEF & CC) the case may be as per Environment Impact Assessment Notification 2006, as amended.
- 7. The successful bidder shall also obtain all other consents, approval, no-objections and the like as required under applicable laws for execution of deed of lease.
- 8. The successful bidder shall be bound to follow the guidelines stipulated in the Sustainable Sand Mining Management Guidelines, 2016 issued by the Ministry of Environment, Forest and Climate Change, Government of India for undertaking mining operation in the concerned sand block after registration of the duly executed mining lease.
- 9. The successful bidder have to deposit a sum Rs. 5000.00 (Rs. Five thousand) only on account of preliminary expenses for mining lease under head "0853-Non-ferrous and Metallurgical Industries-00-102-Mineral Concession Fees, Rent and Royalties-001-Mineral Concession Fees -16-Other Fees" and such further sum on this account as may later on be asked for by Government within one month from the date of demand the deposit.
- 10. The draft mining lease deed shall be in the Model Form prescribed in W.B Minor Minerals Concession Rules, 2016 subject to incorporation therein of the clause as at 3(a) & 3(b) of Part -VII in deed of mining lease to be executed.
- 11. The deed of lease, after execution, shall be registered by you, at your own costs and no Mining Operation in the area should be started before registration of lease deeds.
- 12. The draft mining lease deed should be prepared in durable papers neatly. In preparing the draft Mining Lease, care should be taken to leave sufficient space in between two lines in order to permit if necessary corrections therein. The draft Mining Lease deed should also be compared very carefully before submission thereof to the Government.
- 13. This order is also subject to the following conditions to be fulfilled at the time of submission of draft Mining Lease deed.



-20-

- a) The successful bidder has to submit valid and up-to-date I.T.R. and S.T.C. certificates, duly authenticated.
 - b) The successful bidder has to submit Royalty Clearance Certificate, in original (if the successful bidder was a lessee on previous occasion).
14. No machineries like pay loader etc. shall be used for extraction of sand from the river bed. Any contravention of this condition may be allowed subject to prior permission of the District Authority on case to case basis.
15. Save and except the terms and conditions as incorporated in the Grant Order, other terms and conditions as specified in the West Bengal Minor Minerals Concession Rules, 2016 and those which will be made by the state Government.

This Letter of Intent (LoI) shall remain valid for a period of two months from the date of its issuance and if the successful bidder is unable to fulfil all the above conditions within this period he may submit an application addressed to the District Magistrate for extension of time. Such application may be submitted to this end for due processing. The District Magistrate being the Chairperson of the District Committee, reserves the right to extend the validity of Letter of Intent (LoI) for such reasonable period as it deemed fit.

 21/12/16

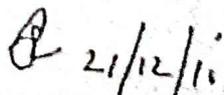
District Magistrate
Bankura

Memo No: 6790/1(2)

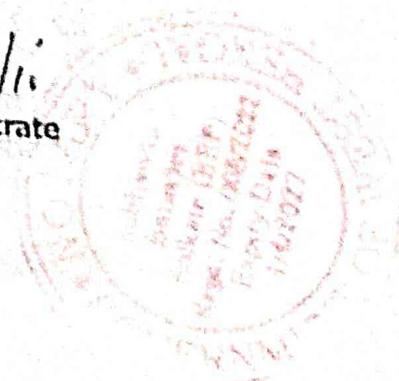
Date: 21/12/2016

Copy to:

- 1) The Joint Secretary, C & I Department for kind Information.
- 2) The Chief Mining Officer, Asansole for Information.

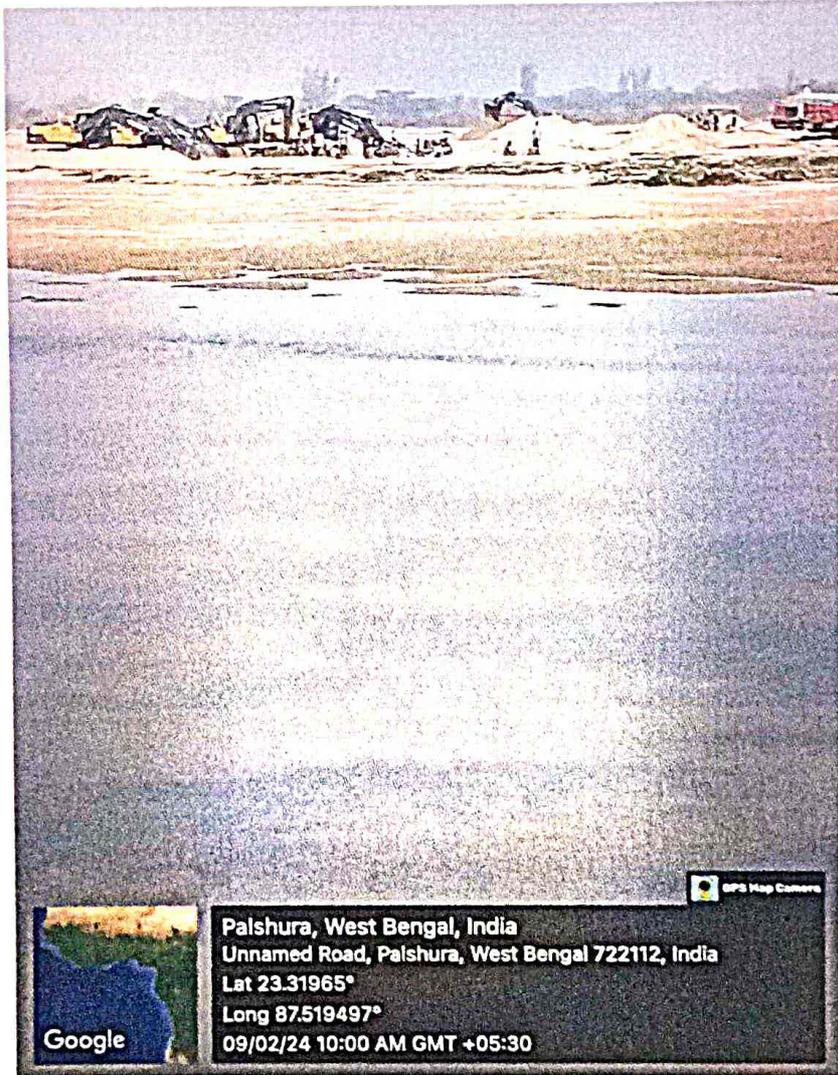
 21/12/16

District Magistrate
Bankura



21 -

Amlexure :- B1





To

The B.L.R.O

Benaru Uchi

Bankura

Date - 09/02/2024

विषय: उत्तरांचल राज निवासी चक्र चक्र आदेश

आदेश

प्रमाणित किताबें आदि आदेशों के द्वारा आदेश देकर
 आदेशों के द्वारा आदेश देकर आदेश देकर आदेश देकर
 आदेश देकर आदेश देकर आदेश देकर आदेश देकर

- 8343931296
- ~~9330427062~~
- ~~9330427062~~
- 9332133662
- 9330427062
- 9822285521

दिनांक

दिनांक

आदेशों के द्वारा आदेश देकर
 आदेश देकर आदेश देकर आदेश देकर
 आदेश देकर आदेश देकर आदेश देकर आदेश देकर

RECEIVED
 District Collector
 Oct 09/02/24
 B.L.R.O.
 Benaru Uchi



23
Bengali Translation of
letter dated 9.02.2024
at Page no. 22

To,
The B.L. & L.R.O.,
Sonamukhi,
Bankura

Date- 09.02.2024

Sub- To stop illegal excavation and transportation of sand

Sir,

We, the people of Sonamukhi Block, beg to state you that within Mouza-Palshora under Sonamukhi Block there are local hooligans/sand mafias who are illegally excavating sand and transport the same. We, therefore, request you to save government property and riverbed. Since our country is river irrigated, we pray before you to take steps for stopping such illegal activities. If you take suitable steps for the same, we shall be grateful.

Thanking you,

Yours faithfully ,

Residents of Sonamukhi Block

1. Munui Villagers.
2. Vilagers of Palshora Mouza.



To,

Date:- 13.02.2024

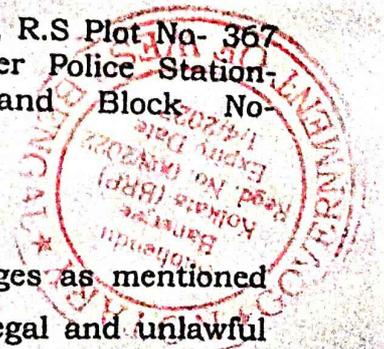
1. The Director General of Mines Safety, Government of India, Sardar Patel Nagar, Post Office- Dhanbad, District- Jharkhand, Pin- 826001;
2. The District Magistrate, Bankura, Post Office & District- Bankura, Pin- 722101;
3. The District Land and Land Reforms Officer, Post Office & District- Bankura, Pin- 722101;
4. The Superintendent of Police, Bankura, Post Office & District- Bankura, Pin- 722101;
5. The Block Land and Land Reforms Officer, Sonamukhi, Post Office- Sonamukhi, District- Bankura, Pin- 722207;
6. The Officer in Charge, Sonamukhi Police Station, Post Office & Police Station- Sonamukhi, District- Bankura, Pin- 722207;

SUB:- Complaint by the villagers of Palshora, Dubrajpur, Nafardanga, under Police Station- Sonamukhi, District- Bankura as to illegal usage of natural resources and violations of Mine and Minerals (Development and Regulation) Act, 1957 as well as violation of West Bengal Minor Minerals(Auction) Rules, 2016 and running of business thereby complete violation of the Covenants of the Lessee under West Bengal Mineral Development and Trading Corporation Limited.

Mining Area:- Mouza- Palshora, J.L No- 140, R.S Plot No- 367 corresponding to L.R Plot- 562 under Police Station- Sonamukhi, District- Bankura, Sand Block No- 0120DM020.

Sir(s),

We, being the local inhabitants of the villages as mentioned above are facing environmental hazards due to illegal and unlawful



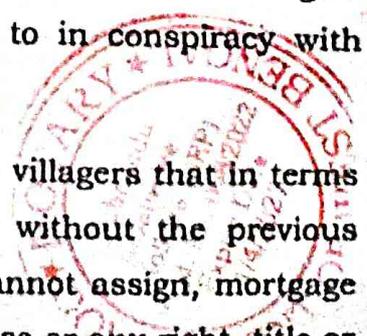
usage of sand mines by one Samir Ghosh, Son of Subir Ghosh of Bitchkhara, Police Station- Khandokosh, District- Purba Burdhaman. That from the local enquiry by the villagers it came to learn that the person as named above being no way connected with the afore said mining area has been doing mining business and extracting sand from the river bed of Damador in a very clandestine manner.

That so far knowledge of the villagers the sand block as stated above has been given on lease by the West Bengal Mineral Development and Trading Corporation Limited to one Anil Kumar of District- Patna, State- Bihar and said Anil Kumar being the lessee is empowered to exercise and enjoy the lease subject to restriction and condition as enumerated in Part-III and Part-VII of Form D used for the purpose of mining lease by the West Bengal Mineral Development and Trading Corporation Limited.

That one Samir Ghosh as stated above being no way connected with mining activities nor being a lessee of the said sand block has been extracting sand beyond the limitations prescribed by the Government.

That the aforesaid sand block are being used by an unauthorised person without having any prior permission taken by the government and being chased by the local villagers the said person unnecessarily slapping criminal cases to the local villagers with different rhymes and reasons and that to in conspiracy with some government officials.

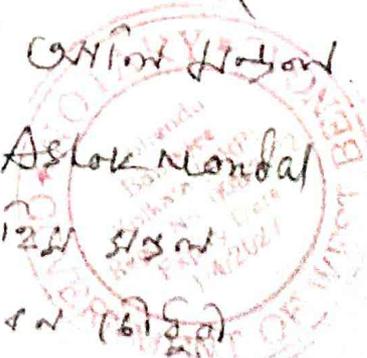
That it has come to the knowledge of the villagers that in terms of the lease agreement the lessee shall not without the previous consent in writing to the State Government cannot assign, mortgage or in any other manner transfer the mining lease or any right, title or



interest therein. but so far the sand block as stated above is running by the third party without the lessee in a very clandestine manner and the persons are liable for breach to the lease agreement and as such the government ought to have initiate appropriate proceedings against the perpetrator and matter should be addressed to the mine safety officers of the Government. The Government in the welfare state ought to give weightage to the grievances of the local villagers.

Hence you are hereby requested to cause and proper enquiry and take reasonable steps against the persons involved of running the said sand block as stated above. Under compelling circumstances the villagers are hereby lodging this complaint before the appropriate authority to get rid of the situation as prevailing in and around the area in question.

Yours Faithfully

- i) Jafar Ali middy
 - ii) Gopal singh
 - iii) Latta SK
 - iv) Gopal Singh
 - v) Ashok Mondal
 - vi) Ashok Singh
 - vii) Ashok Singh
 - viii) Ashok Choudhary
- 

-27-

EMS SPEED POST

ID- 4000530591 Contract No.-40321452

No. EW4096239361N

DATE	13/02/24
TIME	
WEIGHT	30 GMS
CHARGE Rs.	41/-

Customer Code No-4000530591
BO/Barabazar H.P.O
Kolkata - 700 007

SPEED POST RECEIPT

Bill No.

TO	D. G. of Mines Safety
	Dhaubad
	Bankura - 726001
TEL	
PIN	
SENDER	J. Ali
	722207

EMS SPEED POST

ID- 4000530591 Contract No.-40321452

No. EW4096239401N

DATE	13/02/24
TIME	
WEIGHT	30 GMS
CHARGE Rs.	41/-

Customer Code No-4000530591
BO/Barabazar H.P.O
Kolkata - 700 007

SPEED POST RECEIPT

Bill No.

TO	D. L. S. R. O
	Bankura
	722101
TEL	
PIN	
SENDER	J. Ali
	722207

EMS SPEED POST

ID- 4000530591 Contract No.-40321452

No. EW4096239531N

DATE	13/02/24
TIME	
WEIGHT	30 GMS
CHARGE Rs.	41/-

Customer Code No-4000530591
BO/Barabazar H.P.O
Kolkata - 700 007

SPEED POST RECEIPT

Bill No.

TO	Superintendent
	Bankura
	722101
TEL	
PIN	
SENDER	J. Ali
	722207

EMS SPEED POST

ID- 4000530591 Contract No.-40321452

No. EW4096239671N

DATE	13/02/24
TIME	
WEIGHT	30 GMS
CHARGE Rs.	41/-

Customer Code No-4000530591
BO/Barabazar H.P.O
Kolkata - 700 007

SPEED POST RECEIPT

Bill No.

TO	B. L. S. R. O
	Soramukhi
	Bankura - 722207
TEL	
PIN	
SENDER	J. Ali
	722207

EMS SPEED POST

ID- 4000530591 Contract No.-40321452

No. EW4096239751N

DATE	13/02/24
TIME	
WEIGHT	30 GMS
CHARGE Rs.	41/-

Customer Code No-4000530591
BO/Barabazar H.P.O
Kolkata - 700 007

SPEED POST RECEIPT

Bill No.

TO	D. M
	Bankura
	722101
TEL	
PIN	
SENDER	J. Ali
	722207



22
22
29
28
28
21
21
21
21
21
21

285

EMS SPEED POST

ID- 4000530591 Contract No.-40321452

No. EW0044043231N

DATE	13/02/24.	
TIME		HRS: <input type="checkbox"/> PL: <input type="checkbox"/> SPEED POST
WEIGHT	18.	GMS Customer Care No. 4000530591
CHARGE Rs.		Stamp

SPEED POST RECEIPT Bill No.

TO	Officer in charge.										
	Sonamukhi										
	Bankura - 722207.										
TEL	<input type="checkbox"/>	PIN									
SENDER	M. Ali 1										
	Pin - 722207										



315

TO
WBMDTCL
3rd Floor, DJ-10, WBIIDC Building
DJ Block, Sector II, Salt Lake City Kolkata - 700091

Sub:- Megal lifting of sand for to cause damage environment as well as habitation of several villages situated by the side of the bank of river Damodar.

Respected Sir,

We, the undersigned villagers of munui beg to state as follows:-

a) Our village MUNUI by name is situated by the side of the bank of River DAMODAR at Mouza : Palshora J.L. no 140

b) Anil Kumar son of Rajeswar Singh, resident of vill: Jivrakhan Tola, P.O: Byapur, P.S: Maner, Dist Patna(Bihar) .Pin-801503 had owned the letter of intent for the grant of Mining lease for sand Plot No 367 and L/R plot No 562 over the specific area of Land 11.10 acres. But his appointed one Agent Provat Bauri by name along with his anti social elements are engaged to excavate sand in the northern side and another agent Shyamal Bepari by name resident of vill:Suri ,Dist: Birbhum along with his antisocial associates like Dalim Mondal S/O Jalal Mondal and his sons are engaged in excavation of sand illegally by using Mechanical devices like JCB proglen and other machineries from the southern of River Damodar beyond its specified Jurisdiction.

This illegal operation is continuing day and night, being created a panicky situation among the people in the area making false statement of lease mining area. It is pertinent to say that one Zilla Parishad member of Bankura Zilla parishad Debasish Ghosh, S/O Dijopado Ghosh resident of Amritpara, P.O+P.S: Sonamukhi and one Contestant Chanchal Sarkar both are behind the sand racket. They are also encouraging the appointed agents as stated above to conduct this illegal unbridled transportation of sand by engaging huge numbers of trucks, dumpers, tractors and many other vehicles.

It is also noted that if measurable action is not initiated immediately to stop this illegal operation then the lives of the people residing by the side of the bank of River Damodar allied and adjacent to the mentioned sand Block will be totally washed out By the flood water of monsoon aheading and the huge agricultural land will be submerged baring irrecoverable loss and damage.

This desperation is adopted only to enrich the election fund illegally Mr. Debasish Ghosh and Chanchal Sarkar may be introgated in quest of their immense fortune and their illegal sources by the appropriate authority/agency.

Hope your kind intervention will eradicate the impending sufferings and miseries of the habitants as mentioned above and thus be obliged.

With Best regards.

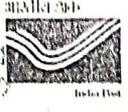
Yours faithfully

- ১৫) মনুই বনিক
- ১৬) মনুই বনিক
- ১৭) Anil Kumar
- ১৮) মনুই বনিক
- ১৯) মনুই বনিক
- ২০) মনুই বনিক
- ২১) মনুই বনিক
- ২২) মনুই বনিক
- ২৩) মনুই বনিক
- ২৪) মনুই বনিক
- ২৫) মনুই বনিক
- ২৬) মনুই বনিক
- ২৭) মনুই বনিক
- ২৮) মনুই বনিক
- ২৯) মনুই বনিক
- ৩০) মনুই বনিক

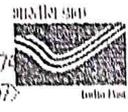
- ১) নিলয় Mondal
- ২) মনুই বনিক
- ৩) মনুই বনিক
- ৪) মনুই বনিক
- ৫) মনুই বনিক
- ৬) মনুই বনিক
- ৭) মনুই বনিক
- ৮) মনুই বনিক
- ৯) মনুই বনিক
- ১০) মনুই বনিক
- ১১) মনুই বনিক
- ১২) মনুই বনিক
- ১৩) মনুই বনিক
- ১৪) মনুই বনিক
- ১৫) মনুই বনিক

- ১) মনুই বনিক
- ২) মনুই বনিক
- ৩) মনুই বনিক
- ৪) মনুই বনিক
- ৫) মনুই বনিক
- ৬) মনুই বনিক
- ৭) মনুই বনিক
- ৮) মনুই বনিক
- ৯) মনুই বনিক
- ১০) মনুই বনিক
- ১১) মনুই বনিক
- ১২) মনুই বনিক
- ১৩) মনুই বনিক
- ১৪) মনুই বনিক
- ১৫) মনুই বনিক

EW441868091IN IVR:698744186809
 SP SONAMUKHI SO BANKURA <722207>
 Counter No:2,15/04/2024,14:23
 To:NATIONAL GREE,KADAMPUR
 PIN:700156, New Town SO
 From:MANIRUL SEKH,PATRASAYER
 Wt:20gms
 Amt:41.30(Cash)Tax:6.30
 <Track on www.indiapost.gov.in>
 <Dial 18002666868> <Wear Masks, Stay Safe>



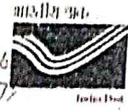
EW441868074IN IVR:6987441868074
 SP SONAMUKHI SO BANKURA <722207>
 Counter No:2,15/04/2024,14:23
 To:MINOTEL,B3,BLOCK
 PIN:700091, Sech Bhawan SO
 From:MANIRUL SEKH,PATRASAYER
 Wt:20gms
 Amt:41.30(Cash)Tax:6.30
 <Track on www.indiapost.gov.in>
 <Dial 18002666868> <Wear Masks, Stay Safe>



EW441868083IN IVR:6987441868083
 SP SONAMUKHI SO BANKURA <722207>
 Counter No:2,15/04/2024,14:23
 To:THE ADDITIONA,BANKURA
 PIN:722101, Bankura HO
 From:MANIRUL SEKH,PATRASAYER
 Wt:20gms
 Amt:41.30(Cash)Tax:6.30
 <Track on www.indiapost.gov.in>



EW441868216IN IVR:6987441868216
 SP SONAMUKHI SO BANKURA <722207>
 Counter No:2,15/04/2024,14:23
 To:THE DISTRICT ,BANKURA
 PIN:722101, Bankura HO
 From:MANIRUL SEKH,PATRASAYER
 Wt:20gms
 Amt:41.30(Cash)Tax:6.30
 <Track on www.indiapost.gov.in>
 <Dial 18002666868> <Wear Masks, Stay Safe>



EW441868202IN IVR:6987441868202
 SP SONAMUKHI SO BANKURA <722207>
 Counter No:2,15/04/2024,14:23
 To:THE ENVIRONMENT,DEPARTMENT OF EN
 PIN:700106, Bidhan Nagar IR Market SO
 From:MANIRUL SEKH,PATRASAYER
 Wt:20gms
 Amt:41.30(Cash)Tax:6.30
 <Track on www.indiapost.gov.in>
 <Dial 18002666868> <Wear Masks, Stay Safe>



EW441868193IN IVR:6987441868193
 SP SONAMUKHI SO BANKURA <722207>
 Counter No:2,15/04/2024,14:23
 To:THE GOVERNOR,RAJ BHAGAN
 PIN:700062, West Bengal Governors Camp SO
 From:MANIRUL SEKH,PATRASAYER
 Wt:20gms
 Amt:41.30(Cash)Tax:6.30
 <Track on www.indiapost.gov.in>
 <Dial 18002666868> <Wear Masks, Stay Safe>





ভারত সরকার

Government of India



জাফর ইকবাল মিড্যা

Jafar Iquebal Middy

পিতা : অনোয়ার আলি মিড্যা

Father : Anowar Ali Middy

জন্মতারিখ / DOB: 02/02/1984

পুরুষ / Male

4434 6834 4688



আধার - সাধারণ মানুষের অধিকার



ভারতীয় পরিচয় পরিচয় প্রাধিকরণ

Unique Identification Authority of India

ঠিকানা: মফসজাঙ্গা, মদনমোহনপুর
সোনামুখী, বাকুরা, পশ্চিম বঙ্গ

Address: NAFARDANGA
Madanmohanpur,
Sonamukhi, Bankura, West
Bengal, 722207

4434 6834 4688



1947
1800 300 1947



help@uidai.gov.in



Jafar Iquebal Middy

Jafar Iqbal Middy

VAKALATNAMA

In The ~~High Court At Calcutta~~ National Green Tribunal,
District: Bankura Eastern Zone Bench, Kolkata

Constitutional Writ Civil Criminal Revisional
Appellate Jurisdiction

O.A. No. No. of 2024

Jafar Iqbal Middy { Appellant
Petitioners

The West Bengal Pollution Control Board { Respondent
Opposite Party
-Versus-
Department of Environment
& Os.

Vakalatnama on behalf of, Applicant
Know all men by these presents that by Vakalatnama, I/We appoint the advocates noted below or anyone of them my/our lawful Advocate or Advocates for filling the memorandum or appeal or petition of entering appearance in the above matter for appearing conducting and arguing the same for depositing or withdrawing any money in connection therewith for moving the Court in any matter connected therewith, for preparing the paper book in the case and for putting in papers, petitions etc. On my/our behalf for filing, taking back any documents for withdrawing suits or appeals or petitions with permission to institute fresh suit etc. For signing and filling petitions of compromise in connections with the said matter and for taking copies of paper from the Record and I/We further say that any act. Done by my/our said Advocate on Advocates or by any one of them after accepting this Vakalatnama, shall be considered as my/our own true and lawful act. And I/We further hereby agree and undertake to pay the said Advocates his or their fees as settled and all others sums that may be necessary to carry out the requisition of the Court and otherwise to enable the said Advocates to conduct the case properly. Failing which the said Advocates after notice to me/us will be at liberty to withdraw from further conducting the case. IN WITNESS WHERE OF I/WE sign and execute this Vakalatnama on this the 20th day of April 2024
Name of Advocate

SUDIPA SEN GUPTA,
ADVOCATE
HIGH COURT, CALCUTTA
Bar Association Room No. 15
M) 9674633681
Email: seedipaseengupta6@gmail.com

Received the vakalatnama directly
from the Executant and being satisfied accepted the same.

Sudhan Sen Gupta
Adv.

**BEFORE THE NATIONAL GREEN
TRIBUNAL
EASTERN ZONE BENCH, KOLKATA**
(Under Section 18(1) read with Section 14
of the National Green Tribunal Act, 2010)
Original Application No. Of 2024/ EZ

BETWEEN

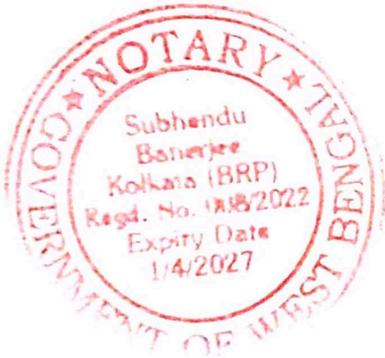
Jafar Iquebal Middyha alias Jafar Ali
Middyha, son of Anowar Ali Middyha, of
Nafardanga, Madanmohanpur, Post
Office & Police Station- Sonamukhi,
District- Bankura, West Bengal, Pin
Code-722207

.....Applicant

-Versus-

The West Bengal Pollution Control
Board & Ors.

.....Respondents



APPLICATION

c/o, **SUDIPA SEN GUPTA .
MALAY BHATTACHARYYA
ADVOCATE
HIGH COURT, CALCUTTA
BAR ASSOCIATION ROOM NO. 15
Kolkata - 700 001
CONTACT NO. 9830753947
E-MAIL: malaycourt@gmail.com**

SD-1

23 APR 2024