

NATIONAL GREEN TRIBUNAL EASTERN ZONE BENCH,
KOLKATA

ORIGINAL APPLICATION NO 169/2023/EZ

Jinti Deka and Another

-Versus-

The State of Assam and Others



Through
Indrani Gupta
Advocate

ADDITION TO SUPPLEMENTARY AFFIDAVIT DATED 02.08.2024
ON BEHALF OF THE PETITIONERS ABOVENAMED

1. That in pursuance to the order dated 05.08.2024 passed by this Hon'ble Court, I, the undersigned, on behalf of the applicants, am filing the duly typed copy of Annexure -II to the aforementioned affidavit dated 02.08.2024.
2. That Your Lordships' may consider the herein enclosed document as the same as Annexure -II and may be treated as part and parcel of the aforesaid supplementary affidavit dated 02.08.2024.

Dated:06.08.2024

Filed by ,

Indrani Gupta

ADVOCATE

HIGH COURT, CALCUTTA

indranigupta.adv@gmail.com

Item No.13

Court No.1



**BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
(THROUGH PHYSICAL HEARING WITH HYBRID MODE)**

Original Application No.169/2023/EZ

Jinti Deka & Ors.

Applicant(s)

Versus

The Principal Secretary,
Dept. of Environment, Forests and
Climate Change, State of Assam & Ors.

Respondent(s)

Date of hearing: 05.08.2024

**CORAM: HON'BLE MR. JUSTICE B. AMIT STHALEKAR, JUDICIAL MEMBER
HON'BLE DR. ARUN KUMAR VERMA, EXPERT MEMBER**

For Applicant(s) : Ms. Indrani Gupta, Advocate

For Respondent(s): Ms. Malabika Roy Dey, Advocate for R-1,2&6,
Mr. Surendra Kumar, Advocate for R-3&5,
Mr. Pankaj Kumar Deka, Advocate for R-7 (in Virtual Mode),
Mr. Santanu Bora, Advocate for R-8 (in Virtual Mode)

ORDER

1. Ms. Indrani Gupta, learned Counsel is present on behalf of the Applicant.
2. Supplementary affidavit dated 02.08.2024 has been filed by the Applicant; the same is taken on record.
3. Learned Counsel for the Applicant has drawn our attention to Annexure-II at page no.26 of this supplementary affidavit and wanted to argue the matter referring to the document. This document is not at all legible. She should file legible copy of any document that she wants to refer in the course of her arguments.
4. Let the same be filed within 24 hours.
5. Copy of this affidavit has been served upon the learned Counsel for the Respondents. Let them file the reply within three weeks.



6. List on 17.09.2024.

.....
B. Amit Sthalekar, JM

August 05, 2024,
Original Application No.169/2023/EZ
MN

.....
Dr. Arun Kumar Verma, EM

SOLEMNLY AFFIRMED AND DECLARED
BEFORE ME ON IDENTIFICATION
S. Ghosh
NOTARY

06 AUG 2024

Assam Schedule-L(Part I) Form No. 14
(F.D. Form No. 24, Revised 1940)
Environment & Forest Department,
Govt. of Assam
Nagaon Division

Government of Assam
Office of the Divisional Forest Officer Nagaon Division:
Mahal Permit for Minor Minerals to MMCA Holder
This permit is issued subject to the
terms & conditions noted herein

Through
Sudhakar Gupta
Advocate

Permit No:8469969846 (Kisti No:1/8)

Issued Date: 01-05-2023

Permit Valid Upto: 27-07-2023

MMCA Name	Nakhula Beat Sand Permit Area No. 3 (Rev. Portion) of 2022-24	Boundary details	Noth-Dimaruguri South - Bhaghjap East- Bhakatgaon R.C.C. Bridge West - Dungabari
Name of MMCA Holder Contact No:	Jugal Bharali 7099864228	Address:	Vill-Bojari, P.O. Barpak, P.S. - Jagiroad, Dist- Morigaon (Assam) Borjari, Jagiroad-782411.
Kisti Start Date:	27.04.2023	Kisti end date:	27-07-2023

Name of MMCA	Item/Qty (Cu.m)	Royalty (Rs.)(including penalty)	DMFT (10%) (including Penalty)	MDRR (10%) (Including Penalty)	GST (5%)	Tax (2.55%)	Amount (Rs.)
Nakhula Beat Sand Permit Area No. 3 (Rev..Portion of 2022-24)	Rev...Portion- 2,500.00	513750	51375	51375	25688	13101	655,289.00
Total Amount (Rs)							655,289.00
SIX LAKH FIFTY FIVE THOUSANDS TWO HUNDRED AND EIGHTY NINE RUPEES ONLY							

Payment Component	Amount(Rs)	Due Date	Date of payment	No. of Days Delayed	Penalty (%)	Total Penalty (Rs.)	Total Amount (Rs.)	Transaction No.	Treasury (GST Challan No./Wallet Ref.
Royalty	171250.00	27-04-2023	01-02-2023	0	0	0.00	171250	AT01+ODR2672563577572728	
Royalty	342500.00	27-04-2023	27-04-2023	0	0	0.00	342500	AT01+ODR0656OD302450066	
Security Amount	205500.00	27-04-2023	01-02-2023	0	0	0.00	205500	AT01+ODR0656OD30857211	-
Security Amount	308250.00	27-04-2023	01-02-2023	0	0	0.00	308250.00	AT01+ODR0656OD30	
MDHR (10% of Royalty)	17125.00	27-04-2023	01-02-2023	0	0	0.00	17125.00	AT01+OD	
DMFT(10% of Royalty)	17125.00	27-04-2023	01-02-2023	0	0	0.00	17125.00	AY01+MDFT5000d17730d77852	
GST(5% of Royalty)	8564.00	27-04-2023	01-02-2023	0	0	0.00	8564.00	GSTIN	
TDS (2.55% of Royalty)	4367.00	27-04-2023	01-02-2023	0	0	0.00	4367.00	Offline	
MDRR (10% of Royalty)	34250.00	27-04-2023	27-04-2023	0	0	0.00	34250.00	AY01+MDFT5000d17730d41807	
DMFT (10% of Royalty)	34250.00	27-04-2023	27-04-2023	0	0	0.00	34250.00	AY01+MDFT5000d17730d4180d	
GST (5% of Royalty)	17124.00	27-04-2023	27-04-2023	0	0	0.00	17124.00	GSTIN	23041
TDS (2.55% of Royalty)	8734.00	27-04-2023	27-04-2023	0	0	0.00	8734.00	Offline	

CONDITIONS UNDER WHICH THIS PERMIT IS ISSUED

- This permit is electronically generated & digitally signed. Therefore this document doesn't require physical/ Manual as per IT Act 2000 amended from time to time.
- This permit should be in the possession of MMCA Holder/Contractor/Pattadar & is meant to be produced whenever called upon to do so by forest officials for verification.
- Any royalty paid for issuance of this permit should lapse unless an application for the extension of this permit has been made to the divisional forest officer within one month from the date of expiry and the Divisional Forest Officer shall exercise his discretion regarding granting of an extension which may not exceed a future period of three months after realization of an extension fee not exceeding 25 percent of the royalty of that kisti period on the Minor Minerals to be mined under the permit.
- The extension of the permit may be granted on Quarterly/Yearly basis and subsequent kistis will be applicable only after completing 3/ 12 months for the specified Quarter/Year for which kisti has been already paid. Extension may be granted for 2 times.
- This permit is liable to be cancelled not withstanding any other penalties incurred by the permit holder under the Assam Forest Regulation or Rules made there under.

I understand and accept the above terms & conditions
Jugal Bharali

Issuing Authority
Rabin Kumar Baishya, Range Officer
Nagaon Forest Division

NT18W126086E4443/ 16829134

Digitally Signed by

Signer : Rabin Kumar Baishya
Date: Monday, May 1, 2023 9:27 AM

