

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

IN THE MATTER OF:

Original Application No. 101/2024/EZ

**(News item titled “ Giridih Sakri Nadi se har roz hota hai baalu ka avaidh
uthao chaapemari k dauraan do tractor jabt” appearing in news wing dated
29.02.2024)**

...Applicant

-Versus-

Jharkhand Pollution Control Board & Ors.

...Respondents

INDEX

Sl. No.	Particulars	Page No.
1.	Counter Affidavit filed by District Mining Officer, Giridih, Government of Jharkhand.	1 - 3
2.	Verification	4
3.	ANNEXURE A	5 - 6
4.	ANNEXURE B	7 - 10

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BEFORE THE NATIONAL GREEN TRIBUNAL, KOLKATA

O.A. No. 101 of 2024 (EZ)
(Earlier O.A. No.502/2024/PB)

In Re: News item titled " गिरिडीह सकरी नदी से हर रोज होता है बालू का अवैध उठाव छापेमारी के दौरान दो ट्रैक्टर जब्त" appearing in Prabhat Khaber dated 24-12-2023

..... Applicant(s)

Versus

Jharkhand State Pollution Control Board & ors

..... Respondent (s)

AFFIDAVIT ON BEHALF OF RESPONDENT NO-3 IN COMPLIANCE OF THE ORDER DATED 21.10.2024

I, SATYAJEET.....aged about 36 years son of SHRI CHANDRAJEET SINGH.....presently posted as DISTRICT MINING OFFICER, GIRIDIH and as such , I am well acquainted with all the facts and circumstances of this case.

1. That, I have gone through the order dated 21-10-2024 passed by the Hon'ble National Green Tribunal and have understood the contents therein.
2. That the instant Original Application registered as O.A. No 502/2024 was taken up sou moto by the Prinipal Bench of Hon'ble NGT on the basis of news item titled "गिरिडीह सकरी नदी से हर रोज होता है बालू का अवैध उठाव छापेमारी के दौरान दो ट्रैक्टर जब्त" published in the News wing dated 29.02.2024 related to illegal sand mining in Giridih district of Jharkhand. It has been alleged that everyday hundreds of tractors load illegally extracted sand in an area near the Gawan

[Signature]
District Mining officer
Giridih



11 NOV 2024

SL. No. Date

Police Station and sale it in the other parts , as a result of which the ecology of the River is adversely affected . As per the news item, the local administration has take action against illegal sand extraction at village and has committed raid in the vicinity of the Sakri river in Ganwa Block in which the tractors engaged in illegal loading of sand were seized while trying to escape.

3. That , it is humbly stated and submitted that in view of substantial issue relating to compliance of environmental norms raised in the said news item, the principal Bench of Hon'ble Tribunal , New Delhi vide Order dated 07.05.2024 , was pleased to dispose of the matter directing the Member Secretary, JSPCB to take appropriate action in terms of the observations made and file action taken report before the Registrar of the Estern Zone Bench of the Tribunal.
4. That , it is humbly stated and submitted that in pursuance of the said order of Hon'ble NGT, Principal Bench, New Delhi passed in O.A.No. 502 of 2024 , the Jharkhand State Pollution Controll Board, vide letter/ref. no B-1205 dated 16-05-2024 , directed the Deputy Commissioner –cum- Chairman, District Task Force (Mining), Giridih and the District Mining Officer–Cum- Member Secretary, District Task Force (Mining), Giridih to submit Action Taken Report (ATR) against the alleged illegal sand mining as revealed in the news item dated 29-02-2024 published in the News wing.

Photocopy of letter /ref. no B-1205 dated 16-05-2024 of JSPCB is annexed and marked as **Annexure- A**

5. That , it is humbly stated and submitted that the District Mining Officer, Giridih in response to the said letter , submitted the action taken report vide letter no 900 dated 09-10-2024. The report inter alia provides a brief account of the action taken form time to time against illegal mining and transportation of sand


District Mining officer
Giridih



from Sakri River within Gawan Circle of Giridih District and the details of F.I.R lodged/Fine realized in terms of Jharkhand Minor Mineral Concession Rules. 2004 during the course of Inspection carried out.

Photocopy of letter no 900 dated 09-10-2024 of District Mining Officer, Giridih is annexed and marked as **Annexure- B**

6. That , it is humbly stated and submitted that the report mentions that in the meeting of District Taks Force regarding the instances of illegal mining and transportation, the Deputy Commissioner directed the Circle Officer and Officer in-charge of police Station of the area to conduct frequent surprise inspections time to time and keep vigilance over the area within their jurisdiction . As a result of continuous actions total 334 no. of vehicles were seized 57 nos. of FIR were lodged and fine amounting to Rs. 37.71 Lakhs were realized during the period April 2023 to September 2024 in Giridih District.
7. That , it is humbly stated and submitted that the Hon'ble Tribunal may be pleased to accept the action taken Report Submitted by District Mining Officer, Giridih , and /or pass order as the Hon'ble Tribunal may deem fit and proper for adjudication of the matter.
8. That the answering respondent craves leave of this Hon'ble Tribunal to file further affidavit if required or directed by the Tribunal.
9. That this Affidavits is filed bonafide and in the interest of justice.
10. That the statement made in forgoing paragraphs are true to my knowledge and annexures are true copies of its originals.


District Mining officer
DEPONENT


District Mining officer
Giridih





VERIFICATION:

Verified at Giridih on this the day of 11th November, 2024 that the averments & facts stated herein above are true and correct to my knowledge and belief and nothing material has been concealed therefrom.

[Signature]
11.11.24
DEPONENT
District Mining officer,
Giridih

I identify the deponent who put his signature in my presence.
Purushottam Kr. Mishra,
Advocate
E.No - 1205/86
11-11-24

Sri/Smt. *Safajeeb*
who is identified *[Signature]*
Advocate Giridih
Solemnly affirms & declares before me

[Signature]
B. B. SAHAY
Notary Govt. of India
Giridih (Jharkhand)
Reg. No. 5076/09

11 NOV 2024



JHARKHAND STATE POLLUTION CONTROL BOARD

TOWNSHIP ADMINISTRATION BUILDING, HEC COMPLEX, DHURWA, RANCHI 834004

Telephone: 0651-2400850 (Fax)/ 2400851/2400852/2401847/2400979/2400139

By Email

Hon'ble NGT Matter
Time Bound (Urgent)

Ref. No. B-1205

Ranchi, Dated... 16/05/2024

From,

Kumar Manibhushan,
Environmental Engineer.

To,

The Deputy Commissioner – Cum –
Chairman, District Task Force (Mining),
Giridih.
The District Mining Officer – Cum –
Member Secretary, District Task Force (Mining),
Giridih.

Sub: - Action Taken Report against the illegal sand mining in light of the order dated 07/05/2024 of the Hon'ble NGT, Principal Bench in O. A. No. 502/2024 in News item titled "गिरिडीह सकरी नदी से हर रोज होता है बालू का अवैध उठाव, छापे मारी के दौरान दो ट्रैक्टर जब्त" appearing in News Wing dated 29.02.2024 – Regarding.

Sir,

With reference to the above noted subject, I am directed to inform that the Hon'ble NGT, Principal Bench in its order dated 07/05/2024 in O. A. No. 502/2024 in News item titled "गिरिडीह सकरी नदी से हर रोज होता है बालू का अवैध उठाव, छापे मारी के दौरान दो ट्रैक्टर जब्त" appearing in News Wing dated 29.02.2024 (copy enclosed) has suo moto taken up the matter for hearing. The relevant portion of which is as follows: -

"1. This original application is registered suo motu on the basis of the news item titled " गिरिडीह सकरी नदी से हर रोज होता है बालू का अवैध उठाव, छापे मारी के दौरान दो ट्रैक्टर जब्त" appearing in 'News Wing dated' 29.02.2024.

2. The news item relates to alleged illegal sand mining in Giridih District of Jharkhand. As per the news item, the local administration has taken action against illegal sand extraction at Village Prakhand and has committed raid in the vicinity of the Gawan sakari river. At the time of raid, the tractors engaged in illegal loading of sand had tried to escape but they were caught. The news item reveals that everyday hundreds of tractors load illegally extracted sand in an area near the Gawan Police Station and sale it in the other parts, as a result of which the ecology of the river is adversely affected.

3. The news item raises substantial issue relating to compliance of the environmental norms.

5. If the illegal sand mining is being done in Gawan Sakari river then the Jharkhand State Pollution Control Board (JSPCB) is required to trace out the persons responsible for the same and take appropriate action for imposition of environmental compensation.

6. Hence, we dispose of the OA directing the Member Secretary, JSPCB to take appropriate action in terms of the observations made above and file action taken report before the Registrar of the Eastern Zonal Bench of the Tribunal. If found necessary, the matter will be listed for consideration before the Bench. Let the original record of the OA be transferred to the Eastern Zonal Bench of the Tribunal."

In view of the above, it is, hereby directed to submit the detailed Action Taken Report on the News item titled "गिरिडीह सकरी नदी से हर रोज होता है बालू का अवैध उठाव, छापे मारी के दौरान



दो ट्रेक्टर जवत' appearing in News Wing dated 29.02.2024 to the Board's Headquarters on or before 26/05/2024 so that the report may be filed within time.

Encl: As above

Yours Sincerely

Kumar Manibhushan
16/05/2024

(Kumar Manibhushan)
Environmental Engineer





जिला खनन कार्यालय, गिरिडीह।

Email :- dmo-giridih@jharkhandmail.gov.in

पत्रांक 900 / एम0, दिनांक 09-10-2024

प्रेषक,

जिला खनन पदाधिकारी,
गिरिडीह।

सेवा में,

श्री कुमार मनीभूषण
पर्यावरण अभियंता,
झारखण्ड राज्य प्रदूषण नियंत्रण पर्वद
धुर्वा राँची।

विषय :-

Action Taken Report Against the illegal sand mining in light of the order dated 27/08/2024 of the Hon'ble NGT, Principal Bench in O.A.No. 502/2024(Original Application No. 101/2024/EZ) in News item titled "गिरिडीह सकरी नदी से हर रोज होता है बालू का अवैध उठाव, छापेमारी के दौरान दो ट्रैक्टर जब्त" appearing in News Wing dated 29-02-2024 ,Regarding.

प्रसंग :-

आपके पत्रांक B -1205/ राँची दिनांक 16.05.2024, सुनवाई तिथि 27.08.2024 O.A.No. 502/2024/PB एवं इस कार्यालय के पत्रांक 479/एम0, दिनांक 24.05.2024

महाशय,

उपर्युक्त विषयक प्रसागिक पत्र के संदर्भ में माननीय National Green Tribunal, Principal Bench, New Delhi के पारित आदेश दिनांक 07.05.2024 एवं National Green Tribunal, Eastern Zone Bench, Kolkata के पारित आदेश दिनांक 27.08.2024 में वर्णित मामला "गिरिडीह सकरी नदी से हर रोज होता है बालू का अवैध उठाव, छापेमारी के दौरान दो ट्रैक्टर जब्त" के आलोक में कहना है कि जिलान्तर्गत गावां अंचल में अवस्थित सकरी नदी से अवैध बालू उत्खनन एवं परिवहन की रोकथाम हेतु किये गये निरीक्षण के क्रम में दिनांक 29.02.2024 को जब्त किये गये दो ट्रैक्टर संख्या JH01CQ1512 एवं BR528847 के विरुद्ध कार्रवाई करते हुये झारखण्ड लघु खनिज समनुदान नियमावली 2004 के नियम 54 के तहत नियमानुसार कुल 20,000.00रु0 जुर्माना राशि वसुली की गई है। (ई-चालान की प्रति संलग्न)

उल्लेखनीय है कि बालू के अवैध उत्खनन एवं परिवहन के संबंध में टास्क फोर्स की बैठक में अंचलाधिकारी एवं थाना प्रभारी को अपने-अपने क्षेत्र अन्तर्गत समय-समय पर उक्त क्षेत्र का औचक निरीक्षण एवं निगरानी रखने हेतु उपायुक्त महोदय द्वारा निदेशित किया गया है। औचक निरीक्षण के क्रम में पुनः गावां अंचल में अवस्थित सकरी नदी से अवैध बालू उत्खनन एवं परिवहन करने के क्रम में दिनांक

Prady

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16.04.2024 से 30.09.2024 तक कुल 11 वाहनों को जब्त कर, झारखण्ड लघु खनिज समनुदान नियमावली 2004 के नियम 54 के तहत कुल 1,40,000.00 रू० जुर्माना राशि की वसुली गई है, तथा 01 वाहन पर बालू के अवैध परिवहन के मामले में गांवां थानान्तर्गत 100/2024 दिनांक 24.09.2024 द्वारा प्राथमिकी दर्ज कराई गई है। (विवरण संलग्न)

साथ ही यह भी उल्लेखनीय है कि बालू के अवैध उत्खनन/परिवहन एवं भण्डारण की रोकथाम हेतु उपायुक्त महोदय की अध्यक्षता में जिला खनन टारक फोर्स की बैठक कर सतत कार्रवाई की जा रही है। वित्तीय वर्ष 2023-24 एवं 2024-25 में माह सितम्बर 2024 तक जिलान्तर्गत कुल 334 वाहनों को जब्त किया गया। झारखण्ड लघु खनिज समनुदान नियमावली 2004 के नियमानुसार 205 वाहनों से कुल 37.71 लाख रू० जुर्माना वसुली एवं 129 वाहनों पर संबंधित थानान्तर्गत में कुल 57 प्राथमिकी दर्ज कराई गई है।

सादर सूचनार्थ एवं अग्रतर कार्रवाई हेतु प्रेषित।

अनुलग्नक :- यथोक्त।

विश्वासभाजन

जिला खनन पदाधिकारी
गिरिडीह।

ज्ञापांक 900...../एम० दिनांक 09-10-2024

प्रतिलिपि :- उपायुक्त-सह-जिला दण्डाधिकारी, गिरिडीह को सादर सूचनार्थ प्रेषित।

जिला खनन पदाधिकारी
गिरिडीह।



District Mining Office, Giridih Illegal Sand Report of Gawan Block

Block - Gawan

Sl No	Date	Letter No.	Thana/CO	Name	Address	Vehicle Type	Vehicle Details	Minerals	Qty in Cft	Amount	GRN No.	Date
1	29.02.24	128	CO GAWAN	AMIT KUMAR SAW	So Gopi saw, At Gungji Tisri, Giridih	Tractor	JH10CQ1512	SAND	100	10000	2401049881	07-Mar-24
2	29.02.24	128	CO GAWAN	PINTU KUMAR YADAV	So Rajendra Prasad, At Nakatpura, Nalada Bihar	Tractor	BR528847	SAND	100	10000	2401179114	15-Mar-24
3	16.04.24	222	CO GAWAN	SURESH RAYIDAS	So Kishun Ravidas, At Tisri, Giridih	Tractor	JH11AQ6175	SAND	100	10000	2401986341	07-May-24
4	06.05.24	275	CO GAWAN	ARVIND KUMAR YADAV	SO MATHURA YADAV AT KAKNI TISRI GIRIDIH	Tractor	JH11AA6366	SAND	100	10000	2402026607	09-May-24
5	24.05.24	313	CO GAWAN	AMRIT YADAV	S/O-YUGAL YADAV, AT-MAJHNEY GAWAN	Tractor	JH21119441	SAND	100	10000	2402421377	06-Jun-24
6	24.05.24	313	CO GAWAN	PRAMOD KUMAR	S/O-DASHARH PD YADAV, AT-CHERWA, PS-GAWAN	Tractor	JH11AB5392	SAND	100	10000	2402421463	06-Jun-24
7	14.06.24	345	CO GAWAN	DINESH PRASAD SAH	S/O-JAGESHWAR PD SAW, AT-TISRI, PS-TISRI	Tractor	JH11X9708	SAND	100	60000	2402683391	22-Jun-24
8	15.06.24	347	CO GAWAN	ARVIND KUMAR YADAV	S/O-MATHURA YADAV, AT-KAKNI, TISRI	Tractor/Trailer	JH11AA1696	SAND	100	10000	2402781939	27-Jun-24
9	15.06.24	347	CO GAWAN	BALIRAM MANZI	S/O-SANNU RAM MANZI, GHATYAR, LBERM O.BOKARO	Tractor/Trailer	JH10AS8356	SAND	100	10000	2402782244	27-Jun-24
10	15.06.24	347	CO GAWAN	BISHESHWAR MODI	S/O-SOKIL MODI, AT-CHERWAN, GAWAN	Tractor/Trailer	JH11AN7853	SAND	100	10000	2402782335	27-Jun-24
11	15.06.24	347	CO GAWAN	SANJIT PRASAD YADAV	S/O-DASSO YADAV, SERWA, PS-GAWAN	Tractor/Trailer	JH11U1765	SAND	100	10000	2402816909	29-Jun-24
							Total		1100	160000		

F.I.R DETAIL -

1	02.09.24	1492	PS GAWAN	Owner, Driver and others	ENG. NO. S325N87504	Tractor	CHE 933713135488	SAND	100	FIR BY MI	CASE NO. 1017ARI-24
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जिला खनन कार्यालय, गिरिडीह

अवैध खनन, परिवहन एवं भण्डारण के मामले में कृत कार्रवाई से संबंधित विवरणी।

दिनांक 01.04.2023 से 31.03.2024 तक (2023-24)

क्र०.	खनिज	कुल संलिप्त वाहनो की संख्या	प्राथमिकी		जुर्माना	
			संलिप्त वाहन	दर्ज प्राथमिकी	संलिप्त वाहन	राशि
1	बालू	199	107	46	92	1840400.00
	कुल	199	107	46	92	1840400.00

दिनांक 01.04.2024 से 30.09.2024 तक (2024-25)

क्र०.	खनिज	कुल संलिप्त वाहनो की संख्या	प्राथमिकी		जुर्माना	
			संलिप्त वाहन	दर्ज प्राथमिकी	संलिप्त वाहन	राशि
1	बालू	135	22	11	113	1931500.00
	कुल	135	22	11	113	1931500.00

(2023-24, 2024.25)

क्र०.	अवधि	कुल संलिप्त वाहनो की संख्या	प्राथमिकी		जुर्माना	
			संलिप्त वाहन	दर्ज प्राथमिकी	संलिप्त वाहन	राशि
1	01.04.2023 से 30.09.2024	334	129	57	205	3771900.00

Pawar

