

**BEFORE THE NATIONAL GREEN TRIBUNAL****EASTERN ZONE BENCH, KOLKATA****IN THE MATTER OF:****Original Application No. 172/2024/EZ****(Earlier O.A No. 1005/2024/PB)****News item titled "Chaibasa: Illegal mining of stones is going on in Saranda forest" appearing in Lagatar dated 31.05.2024.****INDEX**

Sl. No.	Particulars	Page No.
1.	Counter Affidavit filed by Divisional Forest Officer, Saranda Forest Division, Chaibasa, Government of Jharkhand.	1 - 5
2.	Verification	6

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AVROOP SINHA

Serial No.

47794

Before ..... KISHOR KUMAR SINHA ..... at Chaibasa  
NOTARY, Regd. No.-1700/1 West Singhbhum (Jharkhand)  
Govt. of Jharkhand  
CHAIBASA-833201

**AFFIDAVIT / शपथ पत्र / ALL NOTARIAL PURPOSE**  
BEFORE THE NATIONAL GREEN TRIBUNAL

EASTERN ZONE BENCH, KOLKATA

IN THE MATTER OF:

Original Application No.172/2024/EZ

(Earlier O.A No. 1005/2024/PB)

News item titled "Chaibasa: Illegal mining of stones is going on in Saranda forest" appearing in Lagatar dated 31.05.2024.

**AFFIDAVIT FILED BY DIVISIONAL FOREST OFFICER, SARANDA FOREST DIVISION, CHAIBASA, GOVERNMENT OF JHARKHAND, (i.e. RESPONDENT NO.5 HEREIN).**

I, Aviroop Sinha, son of Late Ashim Kumar Sinha, aged about 37 years, by Religion - Hinduism, by Occupation - Service under the Saranda Forest Division, Chaibasa in the office of Divisional Forest Officer, Saranda Forest Division, Chaibasa, Government of Jharkhand, having its office at DFO Chaibasa, Van Bhawan, P.O - Chaibasa, P.S - Chaibasa Sadar, District - West Singhbhum, Jharkhand, do hereby solemnly affirm and state as follows:

1. That, I am the Divisional Forest Officer, Saranda Forest Division, Chaibasa, Government of Jharkhand and that I am aware of the facts and records in the instant case and have gone through the allegations and contentions in the Original Application as such I am competent to make and affirm the instant Affidavit.
2. That, I am a law-abiding Citizen of India and very much respect the Constitution and Judicial System of India.

*Aviroop Sinha*

IDENTIFIED BY ME  
P 22/04/25  
ADVOCATE



3. That in pursuance and in compliance to the order dated 26.11.2024 of this Hon'ble Tribunal in the instant Original Application, the instant Affidavit is being filed by the Respondent No. 5 herein i.e. Divisional Forest Officer, Saranda Forest Division, Chaibasa, Government of Jharkhand.
4. That the answering respondent respectfully submits that immediate and appropriate actions have been taken to address the concerns raised in the said news item 31.05.2024.
5. The brief facts of the said case are as follows:
  - i. On 29.05.2024, around 11:00 AM while doing regular patrolling in Usruiya Sub Beat a Tractor was parked on the road and some people were picking boulders from forest floor and putting them in forest. The place of occurrence of incident lies in Kudalibad Reserve Forest, Compartment Kd-02, GPS: N 22°13'42.745" E85°15'17.047". When the forest staff tried to approach them they ran into dense jungle. Then the forest staff reached the site where Guard Wall was being constructed (GPS N22°13'22.323" E85°15'4.380") and after enquiry it was found that the contractor was using boulders from the forest in making the Guard Wall. Subsequently, a Forest Offence Report (No. 0287 Dated 29.05.2024) was registered against the contractor involved in the illegal mining activities. The tractor used for transporting the illegally mined stones, along with the boulders, was seized under the provisions of the Indian Forest Act (Bihar Amendment Act of 1989).



*[Handwritten Signature]*

IDENTIFIED BY  
R 22/01/25  
ADVOCATE

- ii. During the investigation, it was discovered that the accused contractor was illegally picking stones and boulders from the forest floor of Kudalibad Reserve Forest. These materials were being loaded onto the seized tractor and transported for use in constructing a guard wall. Moreover, it was also found out that no forest area was dugged either with machines or manual labour to mine the stones and boulders. The contractor was picking up these stones and boulders from the forest floor.
- iii. The contractor, with the intent to unlawfully maximize profits, engaged in illegal stone mining within a reserved forest area instead of purchasing from authorized vendors. This action not only violated the Indian Forest Act, (Bihar Amendment Act of 1989), which strictly prohibits such activities in reserved forests, but also resulted in a loss of revenue for the government due to the evasion of applicable royalties on the extracted materials. As per Section 2(4)(b)(iv) of Indian Forest Act, (Bihar Amendment Act of 1989), "surface soil, rock and minerals" are categorised as "forest produce".

Further, as per section 26(1)(g) a person who quarries stone, burns lime or charcoal, or collects, subject to any manufacturing process, or removes any forest produce from a Reserve Forest is doing a prohibited activity and is liable for punishment. Such an activity is cognizable and non bailable offence.



*Adm*

IDENTIFIED BY MK  
 R 22/01/25  
 ADVOCATE

- iv. Based on the findings of the investigation, a Prosecution Report has been submitted by the concerned Forest-In-Charge to the Divisional Forest Officer on 24.09.2024 for further legal action.
- v. To prevent the recurrence of such illegal activities, the Koyna Forest Range staff have intensified patrolling in the affected areas. Regular monitoring and surveillance are being conducted to ensure the protection of the forest resources.
- vi. Awareness programs are being organized to educate the local communities about the legal implications and environmental impact of illegal mining including serious damage to the water security of the people. The cooperation of the villagers is being sought to report any suspicious activities promptly.
- vii. Coordination with local law enforcement agencies has been strengthened to ensure swift action against any future violations. Joint operations are being planned to tackle any illegal activity in the forest.
6. That, this Counter Affidavit is filed bonafide and in the interest of justice. It is therefore prayed that Your Lordships, may kindly be pleased to accept the instant Counter Affidavit as the Respondent has taken all necessary actions to address the issues raised.
7. That the answering respondent seeks leave to file any further affidavits, if required, as per direction of the Hon'ble Tribunal.



*W. Sinha*

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P. 22/01/25  
ADVOCATE

8. I state that the statements contained in paragraphs Nos. 1 to 4 are true to my knowledge, the statements contained in paragraph No. 5 is true to my information derived from the official records of the case, which I verily believe to be true and the rest is/are my respectful submissions before this Hon'ble Tribunal.



5/1/22

*[Handwritten signature]*

IDENTIFIED BY ME

*[Signature]* 22/01/25  
ADVOCATE

VERIFICATION

I, Aviroop Sinha, son of Late Ashim Kumar Sinha, aged about 37years, by Religion - Hinduism, by Occupation - Service under the Saranda Forest Division, Chaibasa in the office of Divisional Forest Officer, Saranda Forest Division, Chaibasa, Government of Jharkhand, having its office at DFO Chaibasa, Van Bhawan, P.O - Chaibasa, P.S - Chaibasa Sadar, District - West Singhbhum, Jharkhand.

Date:

Place:

*✓* Wardha

Deponent

AVIROOP SINHA



Identified by me:

*P* 22/05/25  
Advocate

*Aviroop Sinha*  
has been identified by me, *P. Sulecki*, Advocate  
who solemnly declares before me

*P. Sulecki*  
KISHOR KUMAR SINHA  
NOTARY CHAIBASA