

BEFORE THE NATIONAL GREEN TRIBUNAL, KOLKATA

O. A. No. 113 of 2024 (EZ)

Amar Kumar GuptaApplicant(s)

Versus

Jharkhand State Pollution Control Board & Ors. Respondent(s)

INDEX

S. N.	Particulars	Page No.
1.	Counter Affidavit on Behalf of Jharkhand State Pollution Control Board.	01-08
2.	Annexure-S1: True Copy of Ref.No.B-2484 dated 09.12.2024	09
3.	Annexure-S2: True Copy of Memo. No.390 dated 20.02.2025 -Site verification I/R of Regional Officer, Hazaribagh	10-14

Filed by: -

Surendra Kumar
Advocate

Jharkhand State Pollution
Control Board

-X-



BEFORE THE NATIONAL GREEN TRIBUNAL, KOLKATA

O. A. No. 113 of 2024 (EZ)

Amar Kumar Gupta . . . Applicant

Versus

Jharkhand State Pollution Control Board & Ors. Respondent (s)

Supplementary Affidavit on behalf of JSPCB in compliance to the order dated 07/01/2025 of Hon'ble EZ Bench, Kolkata of the Tribunal

I, Manoj Kumar Gupta, son of Late Narayan Lal Gupta. presently posted as the Officer on Special Duty, (Legal Section) Jharkhand State Pollution Control Board, Ranchi and am duly authorized to swear this affidavit

and do here by solemnly state and affirm as follows: -

Authorized under Notaries Act 1953 & Notaries Rules 1956 by Govt. of Jharkhand Ranchi (India)

29 Date 22 FEB 2025



1. That, at present, I am working and posted as Officer on Special Duty, (Legal Section), Jharkhand State pollution Control Board, Ranchi and as such, I am well acquainted with all the facts and circumstances of this case.
2. That, I have gone through the order dated 07/01/2025 passed by the Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata and have understood the contents therein.
3. That, I have been authorized to swear this affidavit by the Competent Authority. Further, it is stated that I have gone through the relevant files and records in the present case.
4. That, the instant O.A. was taken up by this Hon'ble Tribunal on the basis of a letter petition dated 15.04.2024 sent by the Applicant to the National Green Tribunal, Eastern Zone Bench, Kolkata. In the said letter application the Applicant has alleged that stone mining activities are going on within the area adjacent to Parasnath Wildlife Sanctuary and in the process of mining, huge cracks have formed in the homes and public structures in the area



endangering the lives of the residents of the area. It has further been alleged that the noise and dust are driving away wildlife and destroying the habitats as well as altering the landscape of the area and affecting the behavior of fauna also causing ecological imbalance of the Parasnath Wildlife Sanctuary.

5. That, it is humbly stated and submitted that earlier an affidavit was submitted before this Hon'ble Tribunal on 21/10/2024 whereby the Inspection Report of the four Member Joint Committee constituted vide Order dated 09/078/2024 of this Hon'ble Tribunal, was brought on board and annexed as Annexure-B to the said Affidavit. Further, it was also submitted that in view of the observations and recommendations of the said Joint Committee, a Show Cause Notice was issued to Shri Manoj Mehta (Partner), M/s Shri Shankar Stone Mines, village- Shankardih, Dumri, District Giridih to explain his part over the observed non-compliances.

6. That it is humbly stated and submitted that Project Proponent M/s Shri Shankar Stone Mines, submitted



their reply to the show cause notice vide letter dated 05/11/2024 to the Board wherein the project proponent refuted the allegations leveled against the unit in question. The project proponent has submitted that mining area is situated outside the boundary of the Eco Sensitive Zone (ESZ) of the Wildlife Sanctuary. Further, with regard to the non-compliances observed during inspection by the Joint Committee, the project proponent has submitted that they are regularly sprinkling water and have planted trees along all the four sides of mining area by Gabion Plantation method. The PP has undertaken to abide by any direction(s) that the Board will issue in future.

7. That, it is humbly stated and submitted that in order to examine the factual position regarding the claims made by the project proponent in the show cause reply for compliance of adverse observations made by the Joint Committee the Jharkhand State Pollution Control Board vide Ref. no. B-2484 dated 09.12.2024 requested the Regional Officer, Regional Office-cum- Laboratory, Hazaribagh to visit the site



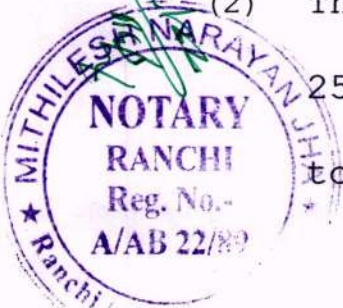
in question and submit the Inspection Report/ comments over the compliances claimed in the reply to show cause notice.

Photocopy of letter/Ref.No.B-2484 dated 09.12.2024 is annexed and marked **Annexure-S1**

8. That it is humbly stated and submitted that the Regional Officer, Hazaribagh of JSPCB vide his Letter no. 390 dated 20/02/2025 submitted the site verification-cum-Inspection to the Board. The Report inter alia provides a brief account of the facts verified during the inspection of site which has been summarized as follows:-

(1) The Stone Mines is located about **1500** Meters from Parasnath Wildlife Sanctuary and about **400** Mtrs from the boundary of the Eco-sensitive Zone (ESZ) of the sanctuary. The said facts are already mentioned in the Report of Joint Committee submitted before this Hon'ble Tribunal.

(2) The nearest building was found more than 250 Mtrs. From the mine. Some houses were found to have cracks which might be due to vibration



of Heavy vehicles passing through the National Highway. The Unit is having blasting permission from Directorate General of Mines Safety(DGMS).

(3) The following steps have been taken by the mines owner to prevent Air pollution and maintaining Ecological balance:-

(i)One Water Tanker having capacity of 2 **KL** has been engaged for sprinkling on haul road and inside the leased area.(Photograph encl.)

(ii)Tree Plantation inside the lease boundary and safety zone is being done.(Photograph encl)

(iii)Gabion plantation within the mine lease boundary has been done. (Photograph enclosed)

It has been advised that the safety zone requires dense tree plantation.

Further, the Unit presented a document of having engaged P&M Solutions, a QCI NABET Accredited entity to prepare Wildlife Management Plan for the area.

Photocopy of site verification I/R submitted vide Memo no 390 dated 20/02/202 is annexed and marked **Annexure-S2**



9. That, it is humbly stated and submitted that the said Inspection Report vis-a-vis the show cause reply submitted by the PP is under consideration of the competent authority of the Board.

10. That, this Affidavit is filed bonafide and in the interest of justice.

11. That the statement made in forgoing paragraphs are true to my knowledge in annexure are true copy of its original.

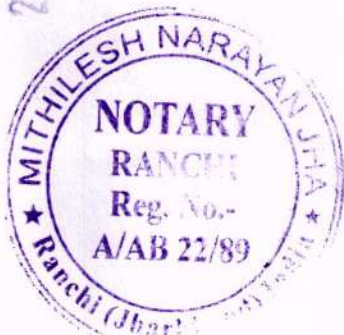
Manoj Kumar Gupta
DEPONENT

VERIFICATION:

Verified at Ranchi on this the day of 22 February, 2025 that the averments & facts stated herein above are true and correct to my knowledge and belief and nothing material has been concealed therefrom.

Manoj Kumar Gupta
DEPONENT

Ref No. 29 Date 22 FEB 2025



M
M
NOTARY RANCHI
22 FEB 2025

Notary under Notaries Act 1952
or Notaries Rules 1956 by Govt. of
Jharkhand, Ranchi (India)

22 FEB 2025



JHARKHAND STATE POLLUTION CONTROL BOARD

TOWNSHIP ADMINISTRATION BUILDING, HEC, Complex, Dhurwa, Ranchi 834004

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

Ref. No. B - 2484

Ranchi, Dated. 09/12/2024

From,

Manoj Kumar Gupta,
Officer on Special Duty,

To,

Regional Officer,
Regional Office-cum-Laboratory,
Jharkhand State Pollution Control Board, Hazaribagh.

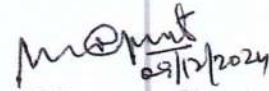
Sub :- Show Cause reply submitted by Sri Manoj Mehta, M/s Shri Shankar Stone Chip Mines over show cause notice of the Board vide reference B-2227, dated-21/10/2024-your comments regarding.

Sir,

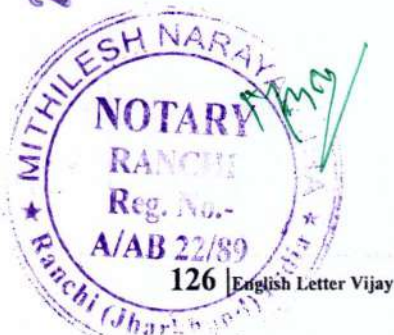
With reference to the subject mentioned abovesaid, I am directed to forward you a copy of show cause reply submitted on 05/11/2024 over the show-cause notice issued to the said project proponent in connection with the report of the committee constituted by NGT in O.A. No. 113/2024/EZ in the matter of Amar Kumar Gupta Vs. State of Jharkhand & Ors. for certain non-compliance mentioned therein.

You are hereby requested to visit the site in question and submit your comments/IR over the show-cause reply with regard to the claimed compliances. This may be treated urgent.

Your Sincerely,


(Manoj Kumar Gupta)
Officer on Special Duty

22 FEB 2025





झारखण्ड राज्य प्रदूषण नियंत्रण पर्वद,

136

क्षेत्रीय कार्यालय-सह-प्रयोगशाला, पी0टी0सी0 चौक, मटवारी रोड, हजारीबाग।

Ref.....

ANNEXURE-S2

Date.....

Inspection cum verification report in light of reply submitted by M/s Shree Shankar Stone Mines, At- Shankardih, PO-Dumri, Dist-Giridih in the matter of Hon'ble NGT O.A. No. 113/2024/EZ in the matter of Amar Kumar Gupta Vs State Jharkhand & Ors.

Inspection of the unit has been carried at in light of direction of H.O. & R.O. JSPC Board, Hazaribagh on 20.01.2025 Mr. Manoj Mehta, Partner. Unit representative was present during the inspection.

During inspection mines is found not in operation. Unit representative informed that the mines is being operated as they have valid CTO from the Board. The unit has valid CTO upto 30.09.2027. Which was issued vide letter no. JSPCB/RO/HZB/CTO-17073841/2023/161 dt. 09.10.2023.

The verification report is as follows :-

- (1) The Stone Mines is located about 1500 mtrs from Parasnath wildlife Sanctuary and about 400 mtrs from the boundary of the Sanctuary's Eco- Sensitive zone. It is already informed by the committee constituted by Hon'ble NGT, Eastern Zone bench vide order dt 09.07.2024.
- (2) Nearest Building was found more then 250 mtrs from the mine. Some houses have some cracks and some have no cracks. It might be due to vibration of Heavy vehicles passing through the National Highway. The unit has blasting permission from DGMS.
- (3) Following steps have been taken by the mines owner to prevent air pollution and maintaining ecological balance :-
 - (i) One water tanker has been engaged for water sprinkling on haul road and inside the lease area. The capacity of water tanker is 2 KL. It is being run by the villagers. Photograph enclosed at annex.-I
 - (ii) Tree plantation inside the lease boundary and safty zone is being done. Photograph of trees with Gabion is enclosed at annex.-II
 - (iii) Gabion plantation within the mines lease boundary has been done. Photograph is attached on annex.-III

The unit has not submitted wild life conservation plan But it has ordered for preparation of the same. Photocopy enclosed on annex.-IV. Also, safty zone require dense tree plantation.

This is for necessary action.

Encl :- Photograph.

Memo No. 390.....

Copy to: **Member Secretary**, Jharkhand State Pollution Control Board, Ranchi for information & necessary action.

Chakraborty
20/02/2025

(C.K.Yadav)

A.S.O.

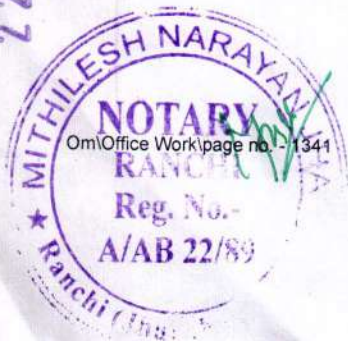
Hazaribag, Date 20/2/25

J.P. Singh
20.02.2025

(J.P. Singh)

Regional Officer

22 FEB 2025





22 FEB 2025

GPS Map Camera

संकर्दि:, झारखंड, भारत
 W4cc+c9, संकर्दि:, झारखंड 825167,
 भारत
 Lat 23.920306° Long 86.126888°
 20/02/2025 11:56 AM GMT +05:30





FEB 2025

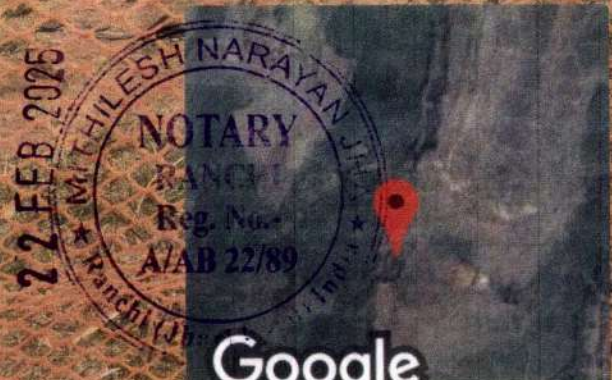
GPS Map Camera

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 W4cc+c9, Sankardih, Jharkhand 825167, India
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GPS Map Camera



संकर्दिः, झारखंड, भारत

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20/02/2025 11:30 AM GMT +05:30

Google

Contact: 9973326097
GSTIN-09AATFP5994MIZY
PAN- AATFP5994M

P & M Solution

Accredited by QCI NABET

Annex - IV

Date - 18-12-2024

To,

M/S Shankar Stone Mine

Partner - Manoj Mehta and others

Sub: Preparation of Wildlife Conservation Plan for M/S Shankar Stone Mines Partner - Manoj Mehta and others located at Mauza - Shankardih, Khata No - 168, 07, 70, 03, and 88 Plot No - 814, 815, 818, 838, 841, 843 area - 3.19 acre. Dist. - Giridih, Jharkhand.

Dear Sir/Mam,

We Have received the work order for preparation of Wildlife Conservation Plan for M/S Shankar Stone Mines Partner - Manoj Kumar Mehta and others, we are working on it, once completed we'll submit the report.

For further clarifications, please contact us. Trust the same is in line with your requirements. Thanking you and assuring for our best services at all times.

Thanking you,

Yours faithfully,



Pawan Verma
P & M Solution

1st Floor C-88 SECTOR-65 NOIDA -201301, Tel:+91-120-4321723

Email:-info@pmsolution.in,pmsolutionbxb@gmail.com, www.pmsolution.in



22 FEB 2025