

Serial No. 13/25
As per Registrar of Notary

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
ORIGINAL APPLICATION NO. 241/2024/EZ



IN THE MATTER OF:

Sayed Sarafat Ali & Anr

..... Applicants

- VERSUS -

The Union of India & Ors

..... Respondents.

EXCEPTION TO THE AFFIDAVIT FILED ON BEHALF OF THE
RESPONDENT NO. 5 & 6

I, Sayed Sarafat Ali, son of Late Sayed Sujad Ali, residing at Village & P.O- Ramgopalpur, District- Purba Bardhaman, Pin- 713403, aged about 47., by occupation- Farmer, by faith- Muslim, do hereby solemnly affirm and say as follows:

1. That I am the applicant no. 1 in the instant original application and I have made myself acquainted with the facts and circumstances of the case and I am duly competent to affirm this affidavit.
2. That a copy of the Affidavit filed on behalf of respondent no. 5 & 6 (hereinafter referred to as 'the said affidavit') has been served upon my Learned Advocate on 20.02.2024 and I have gone through the same and understood the contents and purports thereof.
3. Save and except what are matters of record and save what are specifically admitted by me herein below, I deny and dispute each and

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Sayed Sarafat Ali

every allegation made in the said affidavit as if the same are set out in seriatim and traverse specifically.

4. With reference to the statements made in paragraph No. 1, 2, 3, 5, 6, 9, 10, and 4 (i) to (xv) of the said affidavit these are matter of records and I deny and dispute any allegation made against your applicants save and except those which are matter of records.

5. With reference to the statements made in paragraph No. 4 (xvi), 7 and 8 of the said affidavit, I deny and dispute the allegations made therein save and except those which are matter of records and I say that the report filed by fact finding committee prepared in connection with the spot inspection held on 30.01.2025 has failed to record the testimony of any of the independent witnesses ^{including the local villagers} present at the site at the time of inspection to substantiate the averments of the said fact finding committee. Further the observations made by the fact finding committee in the said report are entirely false since tracks of heavy vehicles have already been formed at the mining area caused by the sand transporting vehicles. The illegal sand mining was being carried out by the private respondents even before the execution of the lease deed in some particular areas of the mining area while the photographs annexed in the affidavit have been taken at other spots of the mining area wherein no sand mining is being carried out. Thus it is quite evident that the fact finding committee has completely failed in duly inspecting the mining area and point out the illegal mining sites.

Photos of the vehicle tracks at the mining area ^{along with the geo-tagged location} is annexed hereto and marked as Annexure R/1 to this affidavit.



Sayed Sarafat Ali

Here it is pertinent to mention that the plots of land adjacent to the mining area are mostly agricultural land wherein large scale farming is being carried out. Upon commencement of the official sand mining work the farmers would be adversely affected since their agricultural land would become more prone to flood. As such the applicants herein are under the apprehension that once the mining project commences at the site it would prove to be highly detrimental to the nearby environment.

Photos of the agricultural land adjacent to the mining area is annexed hereto and marked as Annexure R/2 to this affidavit.

6. That it is submitted that unless this Hon'ble Tribunal passes a specific order restraining the respondents herein from conducting any illegal mining work at the site, the entire ecosystem around the mining area is to be seriously disrupted.

7. That the statements made in paragraphs 1 to 5 of the foregoing exception are true to my knowledge and the rest are my respectful submissions before this Hon'ble Tribunal.

Sayed Sarafat An
DEPONENT

Prepared in my office.

Identified by me
Kazi Arden An

Advocate. *Advocate*

F/3599/2920/2023

Identified by me

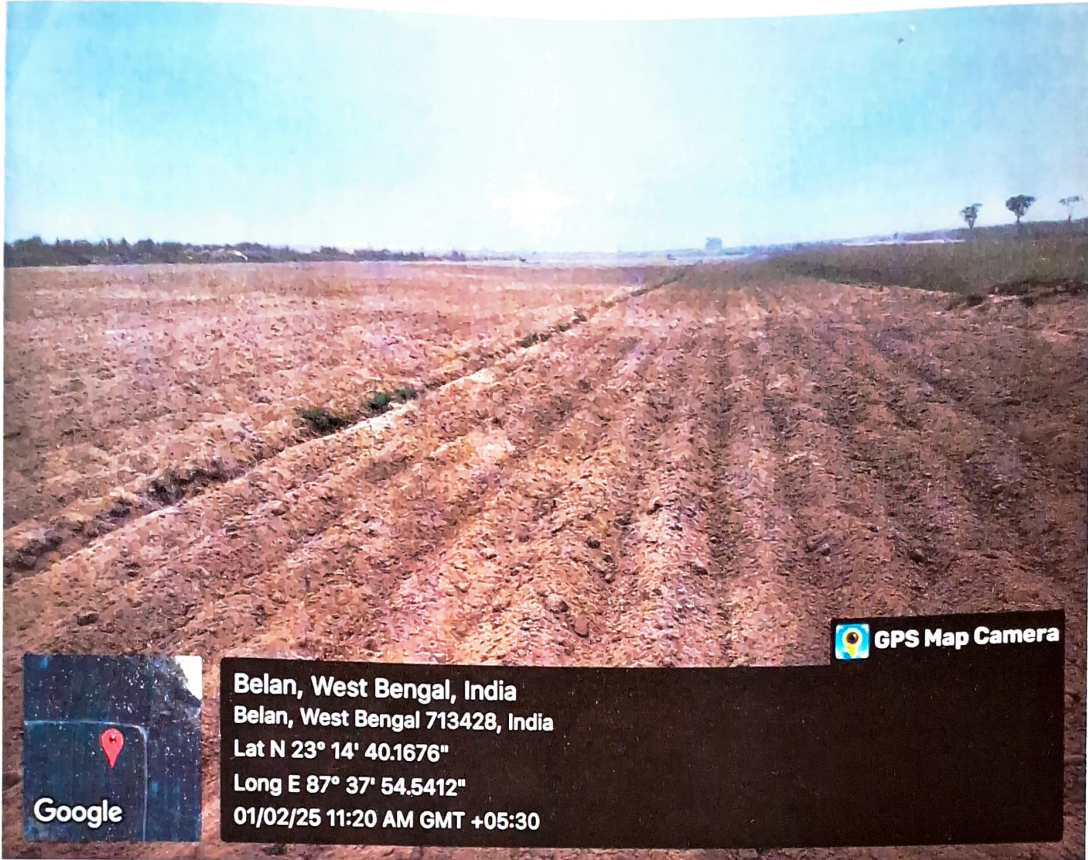
Kazi Arden An
Advocate

Seemingly witnessed and declared before me on identification


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PARAMITA PAL
City Civil Court
Kolkata
Page No. 1993/2023

27 FEB 2025






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Belan, West Bengal 713428, India
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Long E 87° 37' 54.5412"
01/02/25 11:20 AM GMT +05:30

 **GPS Map Camera**



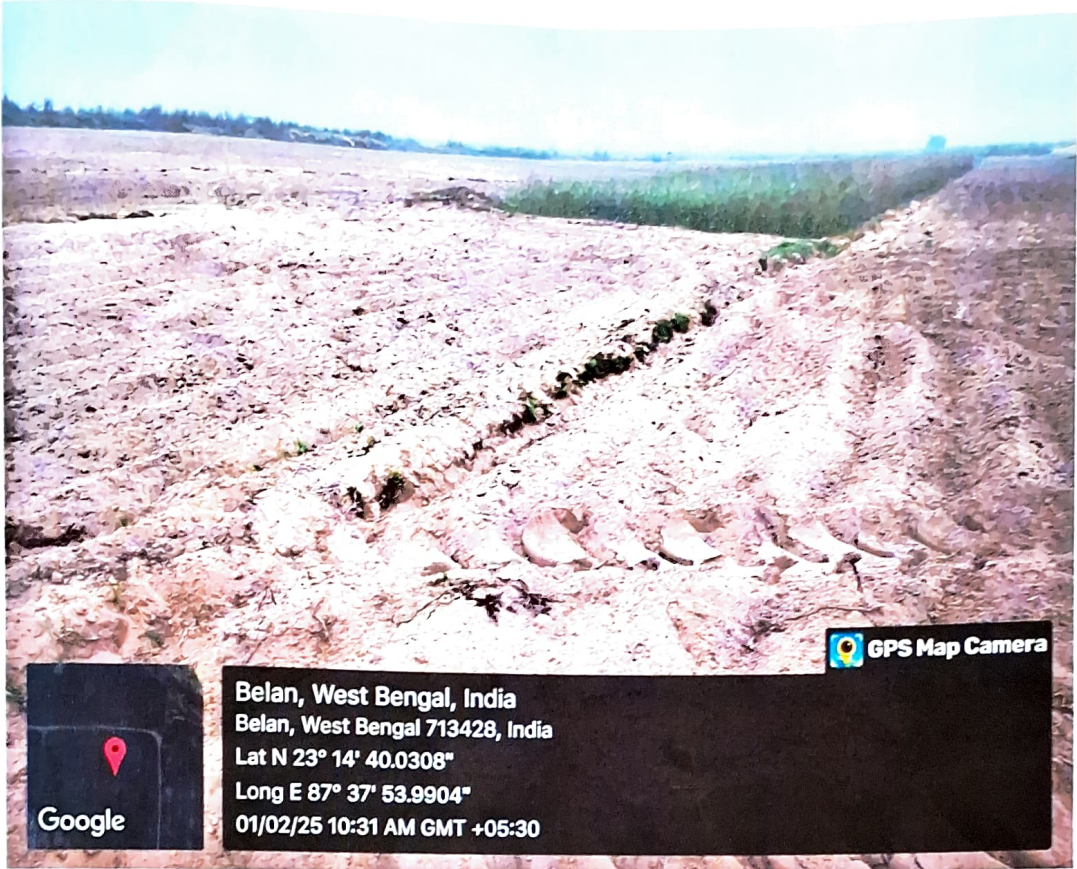
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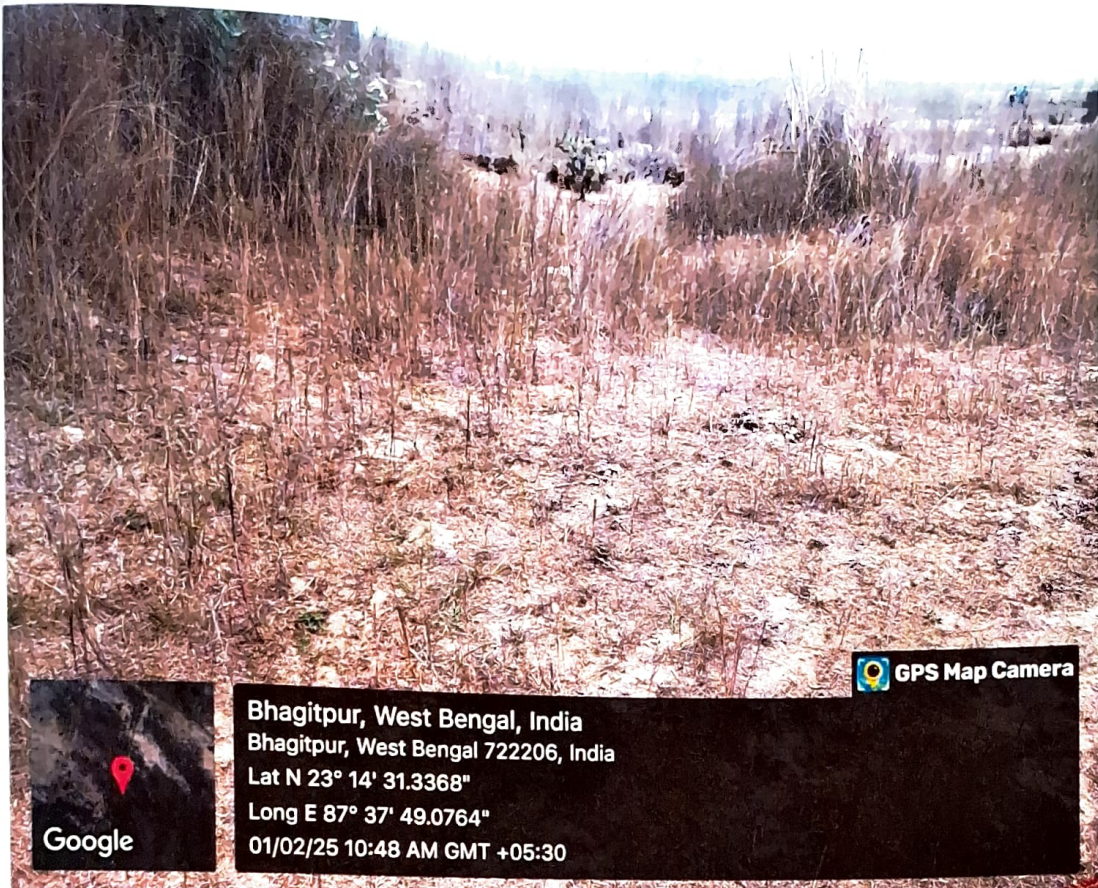
 **GPS Map Camera**





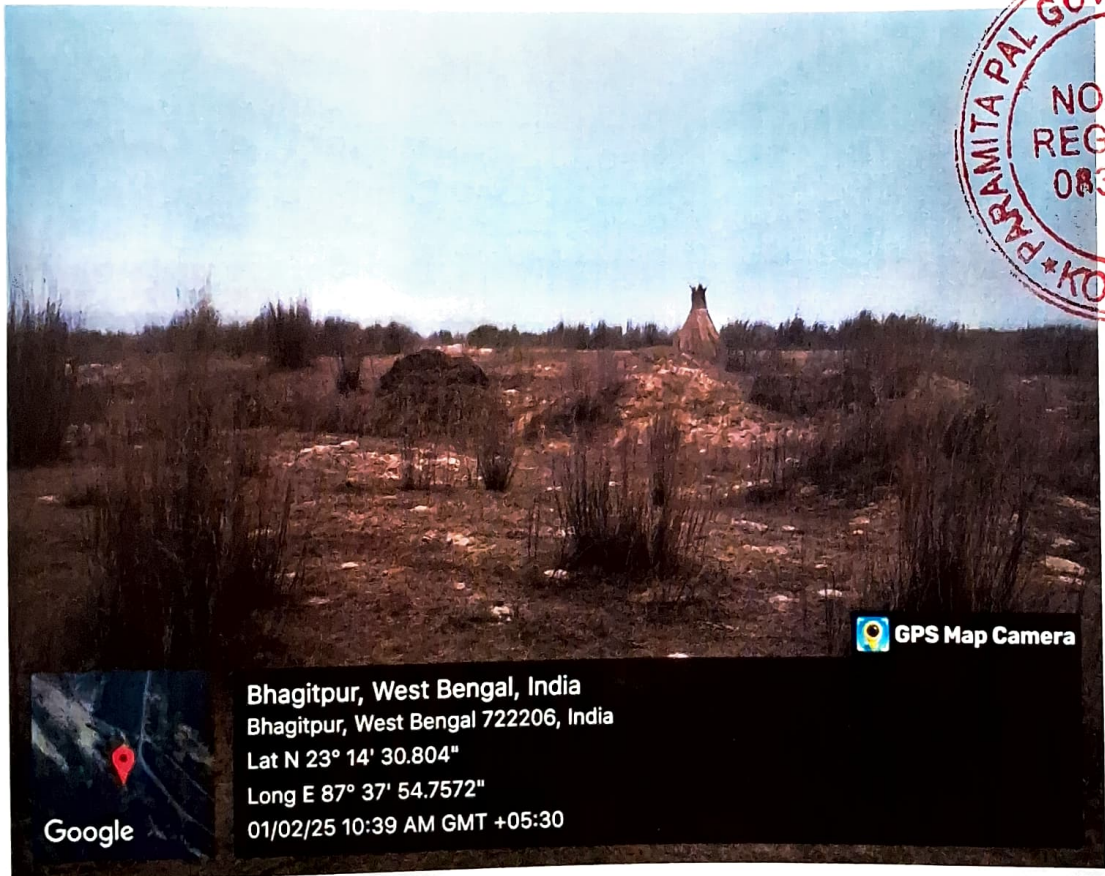
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Bhagitpur, West Bengal 722206, India
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01/02/25 10:48 AM GMT +05:30

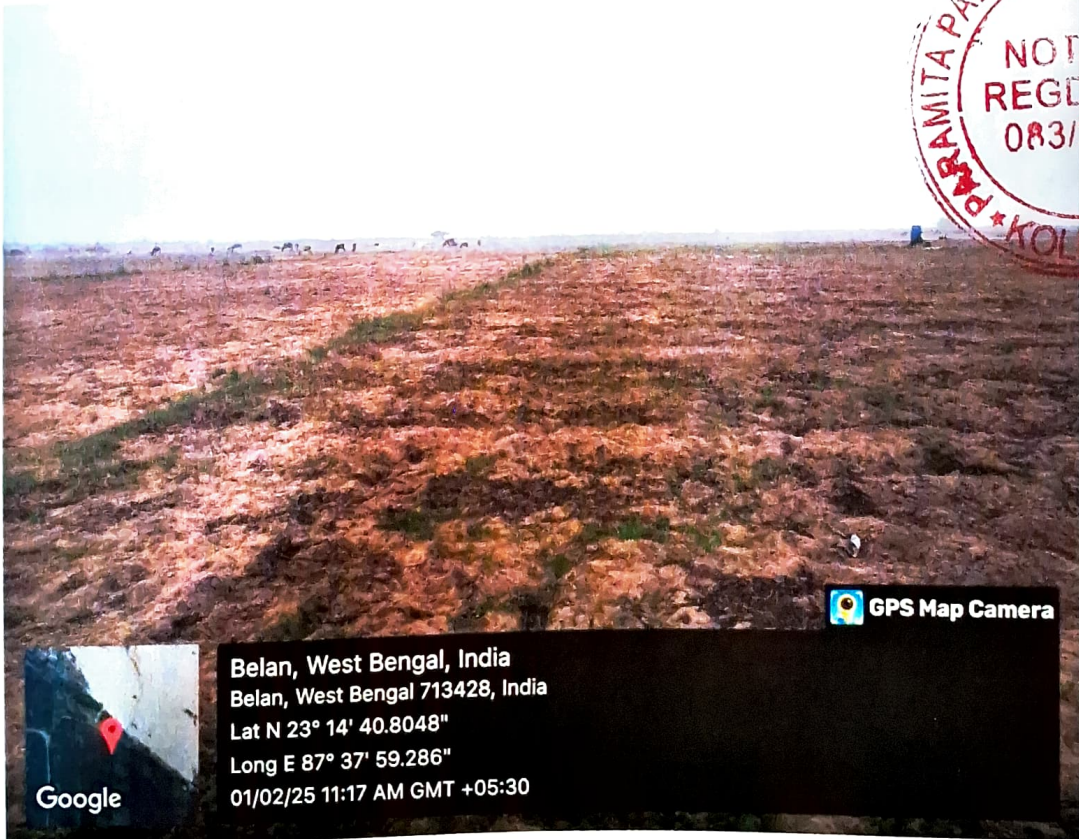
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Bhagitpur, West Bengal, India
Bhagitpur, West Bengal 722206, India
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GPS Map Camera





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Annexure - P-2



NOTARY
REGD NO
083/2022
KOLKATA





NOTARY
REGD NO
083/2022
KALAMITA P...
OF WEST BENG...
KATA





NOTARY
REGD NO
083/2022
PARAMITA PAL
KOLKATA
WEST BENGAL

BEFORE THE HON'BLE NATIONAL
GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
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.....Applicants

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.....Respondents.

Exception to the Affidavit filed on
behalf of the Respondent No.5 & 6.



27 FEB 2025

Advocate on record:
Kazi Ardan At c/o K.M Hossain, Advocate,
Bar Association, Room No. 15,
High Court, Calcutta.
Ph no.- 9830114465
Email Id- kmhossainlaw@gmail.com
Us-b