

SL. NO. 17

**Before The Hon'ble National Green Tribunal
Eastern Zone Bench, Kolkata**

OA No. 163 of 2024

Subrata Mallick

..... Applicant(s)

-VERSUS-

Eastern Coalfield Ltd.& Ors.

..... Respondent(s)

I.N.D.E.X

Sr. No.	Particulars of the Documents	Annexure	Page No.
1	Affidavit		1-7

Place:- Kolkata

Date: 14/02/2025



Ashok Prasad

Ashok Prasad, Advocate
Counsel for Respondent No.7
Mobile: 9883069404
Email id: ashokadvhc@gmail.com

14 FEB 2025

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Eastern Coalfield Ltd. & Ors.

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**REPLY ON BEHALF OF THE RESPONDENT NO. 7
DEPUTY DIRECTOR GENERAL OF MINES SAFETY,
GOVT. OF INDIA.**

MOST RESPECTFULLY SHEWETH:

I, VINOD RAJAK son of Late Ramjit Rajak aged about
52 years, appointed as the Director of
Mines Safety, Region II, Eastern Zone,
DGMS under Ministry of Labour and Employment,
Govt. of India, do hereby solemnly and declare as
follows: -

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1. That I am well conversant with the facts and circumstances of the case, and as such, I am duly authorized and competent to swear this affidavit on behalf of R-7, in the above matter.
2. That I have read and understood the original application and have been advised to traverse by way of this Counter Affidavit as reply thereto.
3. That have and except those which are matter of record and those which are specifically admitted hereto the contents of the OA that have not been specifically admitted hereunder or are a matter of record be deemed denied.
4. That the deponent craves liberty to raise additional submission or file supplementary affidavits in case need arises during the course of arguments.

PARA WISE REPLY

5. That the contents of Para 5.1 to 5.9 of the Original Application are matter of record, hence does not warrant any reply.

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6. That the contents of Para 5.10 of the Original Application, it is humbly submitted that when any subsidence or pot hole occurred in the mine boundary, management has to fence off the area and carry out back filling of the pot holes, subside area for its stability as required under provisions of the Coal Mines Regulations, 2017 and Contents of Annexure A of Original Application, Page 36 to 61 are not related to this Directorate, hence, no comment is offered.

7. That the contents of Para 5.11 to 5.17 of the Original Application, are not related to the Answering Respondent, hence, no comment is offered.

8. That the contents of Para 5.18 of the Original Application, is not related to the Answering Respondent as illegal mining does not come under

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the purview of the Mines Act, 1952 hence no comment is offered.

9. That the contents of Para 5.19 of the Original Application, is not related to the Answering Respondent, hence, no comment is offered.

10. That the contents of Para I of the Ground it is submitted that it is denied and is not related to the Answering Respondent, hence, no comment is offered.

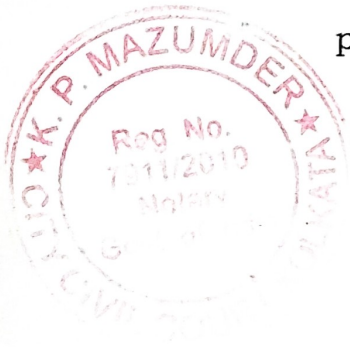
11. That the contents of Para II of the Ground it is humbly submitted that Filling of the voids created by mining operation are to be carry out by the mine management as per provisions as required under the Coal Mines Regulations, 2017.

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12. That the contents of Para III to VI of the Ground it is submitted that it is denied and are not related to the Answering Respondent, hence, no comment is offered.

PRAYER

in view of what has been stated hereinbefore, It is respectfully submitted that the application may kindly be disposed with orders/ directions as deemed fit and proper in the facts and circumstances of this case. The answering respondent may kindly be exempted from personal appearance forthwith.



Vinod

DEPONENT

(VINOD RAJAK)
Director of Mines Safety
R-II, EZ, DGMS

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VERIFICATION

Verified at Kolkata on this 14th of February, 2025,
that the contents of the above affidavit are true
and correct to the best of my knowledge. No. part
of it is false and nothing material has been
concealed therefrom.

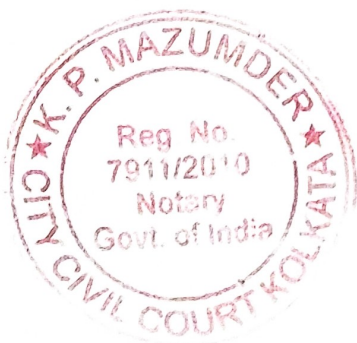
Panta**DEPONENT**

(VINOD RAJAK)
Director of Mines Safety
R-II, EZ, DGMS

Identified by me

Ambar Prasad

Advocate



Solemnly Affirmed & Declared
Before me on Identification

K. P. Mazumder
K. P. MAZUMDER NOTARY
City Civil Court, Kolkata
Reg. No. 7911/2010 Govt. of India

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