

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

I.A No. 64 /2025/EZ

arising out of

Original Application No. 128/2024/EZ

**NEWS ITEM TITLED: ISS SAAL BHEE NEELAMEE KE AASAR NAHI GHATON PAR
MAAFIYAO KA KABZA DHANBAD MEI DHADALLE SE JAARI HAI BAALU
TASKAREE APPEARING IN LIVEHINDUSTAN.COM DATED 12.04.2024**

...Applicant(s)

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AISHWARYA RAJYASHREE

Advocate

Bar Association Room No. 5,

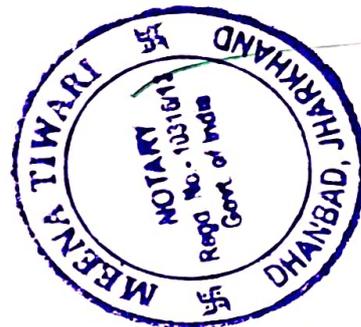
High Court, Calcutta

Chamber: 8/1, K.S. Roy Road,

Kolkata: 700001.

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

I.A No. /2025/EZ
arising out of
Original Application No. 128/2024/EZ

In the matter of:

An application under section 19(4)(f) of
the National Green Tribunal Act, 2010;

-AND-

In the matter of:

Deputy Commissioner, Dhanbad,
Jharkhand, Deputy Commissioner Office,
Station Road, Pandey Muhalla, Dhanbad –
826001, Jharkhand.

...Applicant/Respondent No. 3 to O.A

-Versus-

SUO MOTU matter registered by the
Hon'ble National Green Tribunal, Principal
Bench, New Delhi, on the basis of NEWS
ITEM TITLED: ISS SAAL BHEE NEELAMEE KE
AASAR NAHI GHATON PAR MAAFIYAO KA
KABZA DHANBAD MEI DHADALLE SE JAARI
HAI BAALU TASKAREE APPEARING IN



X

LIVEHINDUSTAN.COM DATED 12.04.2024
wherein vide order dated 2.05.2024
wherein along with the Applicant
abovenamed the following other two
respondents were impleaded by the
Hon'ble Tribunal:-

1. Jharkhand State Pollution Control
Board, H.E.C., Dhurwa, Ranchi –
834004, Jharkhand;
2. Central Pollution Control Board,
through its Member Secretary, Paribesh
Bhawan, East Arjun Nagar, New Delhi –
110032;

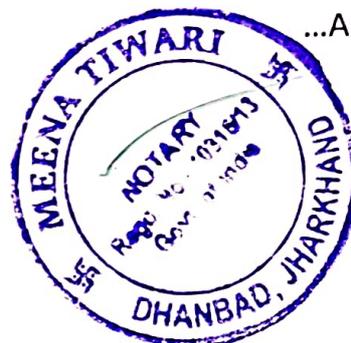
... Respondents

-AND-

In the matter of:

NEWS ITEM TITLED: ISS SAAL BHEE
NEELAMEE KE AASAR NAHI GHATON PAR
MAAFIYAO KA KABZA DHANBAD MEI
DHADALLE SE JAARI HAI BAALU TASKAREE
APPEARING IN LIVEHINDUSTAN.COM
DATED 12.04.2024;

...Applicant(s)

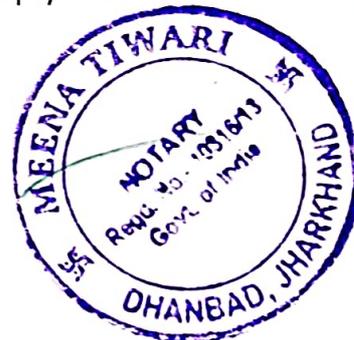


✕

The humble application on behalf of the Aditya Ranjan, Deputy Commissioner, Dhanbad, Jharkhand i.e. Respondent No. 3 to the Original Application;

Most respectfully sheweth:

1. That by way of the instant Interlocutory Application, the Deputy Commissioner, Dhanbad, Jharkhand (i.e. Respondent no. 3 to the above Original Application) humbly prays for recalling/modification of the order dated 01.05.2025 passed by this Hon'ble Tribunal, whereby a cost of Rs. 2,500/- (Rupees Two Thousand and Five Hundred) have been imposed upon the Deputy Commissioner, Dhanbad, being respondent no. 3 to the Original Application.
2. That it is humbly submitted before this Hon'ble Tribunal that I have not filed any other Interlocutory Application for same self-relief as being sought here, and preferring the instant Interlocutory Application praying for recalling/modification of the order dated 01.05.2025.
3. That the cause of action for filing the instant Application falls within the territorial jurisdiction of this Hon'ble Tribunal.
4. That at the very outset, the applicant has highest regard to this Hon'ble Tribunal and they are duty bound to comply with the directions/orders passed by this Hon'ble Tribunal.



✕

5. That the applicant tenders his unconditional apology for inconveniences caused to this Hon'ble Tribunal and are praying for taking lenient view for the answering Respondent.
6. That the Hon'ble Tribunal vide its Order dated 04.12.2024 had directed the Respondent No. 3, Deputy Commissioner, Dhanbad, to file fresh affidavit bringing on record the current status of seizures of illegally mined and transported sand and FIRs lodged against the environmental violators.

A server copy of the Order dated 04.12.2024 is annexed herewith and marked as Annexure – A.

7. That further on 01.05.2025, this Hon'ble Tribunal has been pleased to observe and thereafter direct as follows:

“...

4. Mr. Surendra Kumar, learned Counsel placed two letters dated 22.01.2025 and 29.04.2025 stating that these letters were written to the Deputy Commissioner, Dhanbad to provide the list of violators and persons named in the FIRs but nothing has been heard from the Deputy Commissioner. In the circumstances, considering this regard of the Deputy Commissioner, Dhanbad to the orders of the Court and not filing of his affidavit and not providing information sought to the Jharkhand State Pollution Control Board, the Hon'ble Tribunal vide order dated 01.05.2025 directed the Deputy Commissioner, Dhanbad to be present before this Tribunal in Virtual Mode on the next date of listing to explain himself.

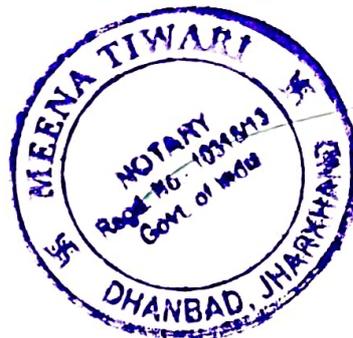


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5. Ms. Aishwarya Rajyashree, learned Counsel appearing (in Virtual Mode) for the Respondent No.3, Deputy Commissioner, Dhanbad, at this stage, prays for more time for filing counter-affidavit on behalf of the Deputy Commissioner, Dhanbad. Time of three weeks is granted on payment of Rs. 2500/- personal cost which shall be deposited by the Deputy Commissioner, Dhanbad in the Office of the Registrar, National Green Tribunal, Eastern Zone Bench, Kolkata within 15 days.
..."

A server copy of the Order dated 01.05.2025 is annexed herewith and marked as Annexure – B.

8. That in compliance to the order dated 04.12.2024 passed by the Hon'ble Tribunal, directing the Respondent no. 3 to the Original Application, to file fresh affidavit bringing on record the current status of seizures of illegally mined and transported sand and FIRs lodged against the environmental violators, the Respondent no. 3 to the Original Application instructed the District Mining Officer, Dhanbad for obtaining such information's. Thereafter, the District Mining Officer, Dhanbad vide his letter no. 600 dated 19.04.2025 had sought all such information from the Senior Superintendent of Police, Dhanbad, Jharkhand.
9. That the Senior Superintendent of Police, Dhanbad, Jharkhand, vide his letter no. 935 dated 03.05.2025 provided the list of the names of violators and the details of the FIRs lodged against each of them, to the District Mining Officer, Dhanbad.



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10. That the District Mining Officer, Dhanbad, vide his letter no. 666 dated 05.05.2025 has forwarded all such information as received from the Senior Superintendent of Police, Dhanbad, Jharkhand, to the Member Secretary, Jharkhand State Pollution Control Board, Ranchi, Jharkhand.
11. That the District Mining Officer, Dhanbad, vide his letter no. 752 dated 20.05.2025 has requested the Member Secretary, Jharkhand State Pollution Control Board, Ranchi, Jharkhand to take necessary actions against all the violators whose details have already been provided vide his earlier letter dated 05.05.2025.
12. That the applicant being the responsible Government servant cannot dare to violate the order of this Hon'ble Tribunal or any court of law.
13. That the applicant being the responsible Government servant has forwarded all such information as received from the Senior Superintendent of Police, Dhanbad, Jharkhand, to the Member Secretary, Jharkhand State Pollution Control Board, Ranchi, Jharkhand, and further cannot dare to even think of any deliberate/ill intentions before this Hon'ble Tribunal.
14. That the answering Respondents once again tender unconditional apology and with folded hands pray for acceptance of this Interlocutory Application as there were no intentional latches or negligence on the part of your applicant.
15. That if the instant application is not allowed the applicant will suffer irreparable loss and injury.



16. That the instant Interlocutory Application is being filed bonafide and in the interest of justice.

It is therefore, prayed that your Lordships may graciously be pleased to recall/modify the order dated 01.05.2025 passed by this Hon'ble Tribunal whereby a cost of Rs. 2,500/- (Rupees Two Thousand Five Hundred) have been imposed on the Deputy Commissioner, Dhanbad i.e. Respondent no. 3 to the Original Application and also directed him to be present before the Hon'ble Tribunal in Virtual Mode, and as such waive off the abovementioned cost and dispense his presence before the Hon'ble Tribunal through Virtual Mode;

AND/OR

Pass such order or further order/orders as Your Lordships may deem fit and proper in the interest of justice.

And for this the Answering Respondents shall ever pray.




18/1/25
Deputy Commissioner,
Dhanbad

X

VERIFICATION

I, Aditya Ranjan, son of Shri Arjun Prasad aged about 37 years, occupation - Service, By Religion - Hindu, working for the gain of the office of Deputy Commissioner, Dhanbad, Government of Jharkhand, Jharkhand having its office at Deputy Commissioner Office, Station Road, Pandey Muhalla, Dhanbad – 826001, Jharkhand and that I am dealing with the connected records of the case in possession of the office of Respondent No. 3 to the Original Application, and I am filing this Interlocutory Application.

Date:

Place:



Signature





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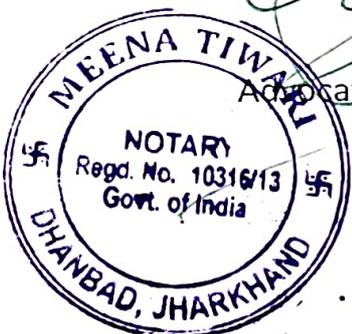
NOTARY
DHANBAD

AFFIDAVIT

I, Aditya Ranjan, son of Lhti Arjun Prasad, aged about 37 years, occupation - Service, By Religion - Hindu, working for the gain of the office of Deputy Commissioner, Dhanbad, Government of Jharkhand, Jharkhand, having its office at Deputy Commissioner Office, Station Road, Pandey Muhalla, Dhanbad – 826001, Jharkhand, do hereby solemnly affirm and state as follows:-

1. That I am the Deputy Commissioner, Dhanbad, Government of Jharkhand, Jharkhand, and that I am dealing with the connected records of the case in possession of the office of Respondent no. 3 of the Original Application, and I am well acquainted with the facts and circumstances of the case and as such competent to affirm this instant affidavit.
2. That the statements contained in Paragraph Nos. 1 to 5 is true to my knowledge, and those contained in paragraph Nos. 6 to 11 are derived from the official relevant records of the case which I verily believe to be true and rest of the paragraphs are my respectful submissions before this Hon'ble Tribunal.

Identified by me



Authorised

**NOTARY
DHANBAD**

Authorised.
WS 297 (1) (C) of the Cr.P.C.
(Act No. 11 of 1974) & WS (B) (1)
(Act No. 53 of 1952)

DEPONENT

[Handwritten signature]

T K. SARKAR (Adv.)
E No.- 2202/2000

18 JUL 2025

22

S.No. Date

Item No.03

Court No.1

**BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
(THROUGH PHYSICAL HEARING WITH HYBRID MODE)**

Original Application No.128/2024/EZ
(Earlier O.A. No.593/2024/PB)

News Item titled “इस साल भी
नीलामी के आसार नहीं, घाटों पर माफियाओं
का कब्जा; धनबाद में धड़ल्ले से जारी है बालू तस्करी”
appearing in livehindustan.com
dated 12.04.2024

Applicant(s)

Date of hearing: 04.12.2024

**CORAM: HON'BLE MR. JUSTICE B. AMIT STHALEKAR, JUDICIAL MEMBER
HON'BLE DR. ARUN KUMAR VERMA, EXPERT MEMBER**

For Applicant(s) : *Suo Motu*,

For Respondent(s): Mr. Surendra Kumar, Adv. for R-1,
Mr. Sibojyoti Chakrabarti, Adv. for R-2,
Ms. Aishwarya Rajyashree, Adv. for R-3 (in Virtual Mode),
Mr. Ashok Prasad, Adv. for SEIAA, Jharkhand (in Virtual Mode)

ORDER

1. Affidavit dated 03.12.2024 has been filed by the Respondent No.1, Jharkhand State Pollution Control Board; the same is taken on record.
2. Mr. Surendra Kumar, learned Counsel who is present in Court on behalf of the Respondent No.1, Jharkhand State Pollution Control Board states that the Pollution Control Board has sent a letter to the Deputy Commissioner-cum-Chairman and District Mining Officer-cum-Member Secretary, District Task Force (Mining), Dhanbad seeking current information with regard to seizures of illegally mined and transported sand so that Environmental Clearance (EC) may be determined.
3. However, we find that in Paragraph No.5 of the affidavit of the Deputy Commissioner, Dhanbad dated 11.09.2024, the number of

FIRs and the number of vehicles seized have already been disclosed and the quantity of sand has also been disclosed in paragraph no.6. Therefore, there should be no impediment so far as the Jharkhand State Pollution Control Board is concerned regarding determination of Environmental Clearance (EC) against the violators whose references are already given in the affidavit of the Deputy Commissioner, Dhanbad.

4. We also direct the Respondent No.3, Deputy Commissioner, Dhanbad to file fresh affidavit bringing the current status of the seizures of illegally mined and transported sand and FIRs lodged against the environmental violators. Let the affidavits be filed within four weeks.
5. Mr. Sibojyoti Chakrabarti, learned Counsel who is present in Court files Vakalatnama on behalf of the Respondent No.2, Central Pollution Control Board; the same is taken on record.
6. **List on 10.02.2025.**

.....
B. Amit Sthalekar, JM

.....
Dr. Arun Kumar Verma, EM

December 04, 2024,
 Original Application No.128/2024/EZ
 (Earlier O.A. No.593/2024/PB)
 OM

Item No.07

Court No.1

**BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
(THROUGH PHYSICAL HEARING WITH HYBRID MODE)**

Original Application No.128/2024/EZ
(Earlier O.A. No.593/2024/PB)

News Item titled "इस साल भी
नीलामी के आसार नहीं, घाटों पर
माफियाओं का कब्जा; धनबाद में
धड़ल्ले से जारी है बालू तस्करी"
appearing in livehindustan.com
dated 12.04.2024

Applicant(s)

Date of hearing: 01.05.2025

**CORAM: HON'BLE MR. JUSTICE B. AMIT STHALEKAR, JUDICIAL MEMBER
HON'BLE DR. ARUN KUMAR VERMA, EXPERT MEMBER**

For Applicant(s) : *Suo Motu*,

For Respondent(s): Mr. Surendra Kumar, Advocate for R-1,
Mr. Sibojyoti Chakraborty, Advocate for R-2 (in Virtual Mode),
Ms. Aishwarya Rajyashree, Advocate for R-3 (in Virtual Mode),
Mr. Ashok Prasad, Advocate for SEIAA, Jharkhand
(in Virtual Mode)

ORDER

1. The Respondent No.3, Deputy Commissioner, Dhanbad was required to file fresh affidavit bringing on record the current status of seizures of illegally mined and transported sand and FIRs lodged against the environmental violators. On 24.04.2025, the Tribunal noted that even after expiry of four months no action had been taken by the Deputy Commissioner, Dhanbad which shows inaction and dereliction of duty on the part of the Deputy Commissioner, Dhanbad.
2. Today again, no affidavit has been filed by the Deputy Commissioner, Dhanbad.

3. Mr. Surendra Kumar, learned Counsel appearing for the Respondent No.1, Jharkhand State Pollution Control Board, states that even the copies of the FIRs giving list of names of the tractor owners whose tractors have been seized or persons involved in illegal mining which have been mentioned in paragraph no.5 of the affidavit of Deputy Commissioner, Dhanbad dated 11.09.2024 have not been provided to the Pollution Control Department and therefore the Pollution Control Department is unable to compute environmental compensation.
4. Mr. Surendra Kumar, learned Counsel placed before us two letters dated 22.01.2025 and 29.04.2025 stating that these letters were written to the Deputy Commissioner, Dhanbad to provide the list of violators and persons named in the FIRs but nothing has been heard from the Deputy Commissioner. In the circumstances, considering this regard of the Deputy Commissioner, Dhanbad to the orders of the Court and not filing of his affidavit and not providing information sought to the Jharkhand State Pollution Control Board, we direct the Deputy Commissioner, Dhanbad to be present before this Tribunal in Virtual Mode on the next date of listing to explain himself.
5. Ms. Aishwarya Rajyashree, learned Counsel appearing (in Virtual Mode) for the Respondent No.3, Deputy Commissioner, Dhanbad, at this stage, prays for more time for filing counter-affidavit on behalf of the Deputy Commissioner, Dhanbad. Time of three weeks is granted on payment of Rs. 2500/- personal cost which shall be deposited by the Deputy Commissioner, Dhanbad in the Office of the Registrar, National Green Tribunal, Eastern Zone Bench, Kolkata within 15 days.

6. **List on 21.07.2025.**

.....
B. Amit Sthalekar, JM

May 01, 2025,
Original Application No.128/2024/EZ
(Earlier O.A. No.593/2024/PB)
OM

.....
Dr. Arun Kumar Verma, EM