

A.W.F. Sl. No.- 50974

AFFIDAVIT

SERIAL NO. 3330

DATE 30.07.25

BEFORE THE HON'BLE NATIONAL GREEN
 TRIBUNAL, EASTERN ZONE BENCH, KOLKATA
 ORIGINAL APPLICATION NO. 97/2025/EZ
 NAYAKA SOREN APPLICANT
 VERSUS
 STATE OF JHARKHAND & ORS. RESPONDENTS



AFFIDAVIT ON BEHALF OF RESPONDENTS NO. 5 AND 6.

I, Azhar Islam, Aged -about 39 years, Son of Ali Akbar, residing at Jankinagar, Post- Prithvinagar, Panchayat-Raghumathpur-alias-Chanchki, P.S. Pakur (Mufassil), District-Pakur do hereby solemnly affirm and state as follows:

1. I am the Proprietor of M/s Azhar Islam (Stone Crusher), Respondent No. 5 and 6 in the present Original Application No. 97/2025/EZ.
2. I am duly authorized to file this affidavit on my own behalf as a Proprietor of **M/s Azhar Islam**, Proprietor: Shri Azhar Islam, Address: Mauza -Belpahari No 65/71, Plot No. 95/P, J.B. No.- 57, P S -Hiranpur, District -Pakur (RESPONDENT NO.5) and M/s

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Azhar Islam (Stone Mines), Proprietor: Shri Azhar Islam
 Address: Mouza- Jiyajori & Belpahari, Plot no.- 239,240, 242 to
 246, 248, 249 & 95/P, P S - Hiranpur, District -Pakur

3. That I am conversant with the facts and circumstances of the case and the contents of this affidavit.

4. Hon'ble National Green Tribunal (NGT) initiated *Suo-motu* proceedings on 21.11.2024, based on a letter petition alleging environmental damage and health hazards due to stone mining and crushing activities in Pakur, Jharkhand.

5. In its order dated 21.11.2024, the Hon'ble NGT constituted a Joint Committee, comprising the Central Pollution Control Board (CPCB), Regional Integrated Office Ministry of Environment Forest and Climate Change (MoEF&CC), Jharkhand State Pollution Control Board (JSPCB), and District Magistrate, Pakur, to visit the site, collect information, interact with stakeholders, and submit a factual report within six weeks. CPCB was designated as the Nodal Authority for coordination and compliance.

6. The Joint Committee filed its report, dated 15.01.2025, in compliance with the NGT's order dated 21.11.2024. This report contained observations for various units, including those represented by the deponents, and provided overall and specific recommendations for stone crushers and stone mines.



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7. Subsequently, the Hon'ble NGT, in its order dated 05.03.2025, noted the Joint Committee's report and directed Respondents No. 1 to 12 to file their reply/response within one month. The matter is listed for further consideration on 28.04.2025 and the Hon'ble NGT was pleased to transfer the case to Eastern Zone Bench of the Hon'ble NGT for further consideration of this case with a direction to list this case on 10.07.2025.

8. That on 10.07.2025 this case heard before the Hon'ble NGT, Eastern Zone Bench at Kolkata and this Hon'ble Court considered the request of the respondent counsel to grant further two weeks to file the response but that could not be filed in time due to some health issue of Viral Fever of Wife and Daughter of the counsel of the respondents no 5 and 6 of this Original Application and the same is being filed at belated stage and it is prayed that the delay in filing the response may kindly be condoned and response may be allowed to be taken on record.

9. The Deponent state that he has undertaken comprehensive measures to ensure compliance with all the terms and conditions outlined in the Joint Committee report dated 15.01.2025, and subsequent directions issued by the Hon'ble NGT, including the order dated 05.03.2025.

10. That the operating stone crushing unit has implemented comprehensive dust containment and suppression measures,



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including enclosures, conveyer covers, and water sprinklers, and are operating them properly in accordance with the Environmental Guidelines for Stone Crushing Units issued by CPCB in July 2023.

11. The stone crushing unit is striving to comply with emission norms prescribed under the Environment (Protection) Rules, 1986.

12. That a three-tier plantation has been done along the periphery of the units to mitigate environmental impacts.

13. That regular health check of the workers are being conducted to monitor to address occupational health risks with the Civil Surgeon.

14. That since my crusher unit and mines are Mirco and small Enterprises drawing water less than 10cum/day each and the same falls under the exempted category as per the **S.O. 3289(E)** dated **24.09.2020** by **Department of water resources River development and Ganga rejuvenation guidelines to regulate and control water restriction in India 2020** and hence the NOC from the Central Ground Water Authority (CGWA) for withdrawing groundwater for industrial purposes and dust suppression activities is not required.

15. That the mining unit is carrying out drilling and blasting by following prescribed methods and safeguards as per Directorate General of Mines Safety (DGMS) guidelines and after obtaining necessary permissions.



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16. That the water is sprinkled on mines haul road with tractor and tanker as requirement.

17. That the units are ensuring environmental restoration through extensive plantations and the implementation of effective dust management systems.

Specific Compliance by M/s Azhar Islam (Stone Crusher) - Respondent No. 5:

18. The primary and secondary crushers have been enclosed with tin sheets to control dust emissions.

19. The main hopper has been enclosed on three sides, with the top covered with tin sheets.

20. Conveyor belts are properly covered, and chutes have been installed at material discharge points.

21. Pucca internal roads have been constructed, and regular cleaning is being carried out.

22. Mist-type water sprinkler systems at the crushing section have been installed.

23. The display board at the entrance has been updated with the proprietor's name, contact details, production capacity, CTO validity, and environmental parameters.

24. Transportation of stone dust is carried out in tarpaulin-covered vehicles whereas the transportation of stone chips and stone boulders are concerned they do not produce any type of dust.



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25. Three-tier plantation along the unit's periphery has been completed.

26. Housekeeping has been significantly improved.

27. All operational records, including compliance and environmental data, are maintained and readily accessible on-site.

M/s Azhar Islam (Stone Mines) - Respondent No. 6:

28. That proper safety precautions and methods are being implemented to minimize environmental impacts of blasting, including the use of prescribed drilling and blasting patterns to reduce vibrations and noise.

29. That the water is sprinkled on mines haul road with tractor and tanker.

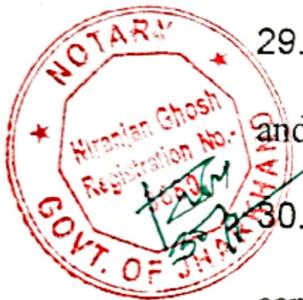
30. That display board has been updated to include production capacity, contact details, CTO validity, and environmental parameters.

31. Transportation of stone dust is carried out in tarpaulin-covered vehicles whereas the transportation of stone chips and stone boulders are concerned they do not produce any type of dust.

32. Three-tier plantation along the unit's periphery has been completed.

33. Housekeeping has been improved.

34. All operational records, including compliance and environmental data, are maintained and readily accessible on-site.



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Condonation of Delay in Filing Response

35. The Deponents humbly submit that the Hon'ble NGT, in its order dated 10.07.2025, directed the filing of a reply/response within two weeks.

36. The delay in filing the present response affidavit, beyond the stipulated two weeks period, is genuinely attributable to unforeseen health issues experienced by the counsel representing the deponents and his wife and daughter. This rendered the counsel unable to prepare and file the response within the given timeline.

37. The delay is neither wilful nor intentional but caused by circumstances beyond the control of the deponents and their counsel. No prejudice will be caused to any party if the delay in filing this response affidavit is condoned.

Prayer;

38. In light of the above, it is most respectfully prayed that this Hon'ble Tribunal may be pleased to:

(A) Take on record this response affidavit, acknowledging the comprehensive compliance measures undertaken by Respondents No. 5 and 6 with the recommendations of the Joint Committee report and the orders of the Hon'ble NGT; and



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(B) Condone the delay in filing this response affidavit, in the interest of justice. And for this act of kindness, the deponents shall ever pray.

DEPONENTS

(Proprietor of M/s Azhar Islam / Authorized Signatory for Respondents No. 5 & 6)



VERIFICATION

Azhar Islam, the above-named deponent, do hereby verify that the contents of paragraphs 1 to 38 of this affidavit are true and correct to my knowledge, and nothing material has been concealed therefrom.

Verified on this 30 day of Month July, 2025, at Pakur.

Identified by me
Sri. Jannu...
30.7.2025

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DEPONENTS

(Proprietor of M/s Azhar Islam / Authorized

Signatory for Respondents No. 5 & 6)

Mr/Mrs/Miss.....
Who Identified by Sri.....
Advocate Solemnised & affirmed
and declared to be true

M/S. AZHAR ISLAM

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Proprietor

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30/7/25
Niranjana Ghosh
NOTARY
Dist-Pakur/Jharkna