

BEFORE THE NATIONAL GREEN TRIBUNAL
Eastern Zone Bench, Kolkata
Original Application No. 56/ 2026/EZ

IN THE MATTER OF:

Kali Prasad Mondal & Another

... Applicants

-Vs-

The State of West Bengal & Others

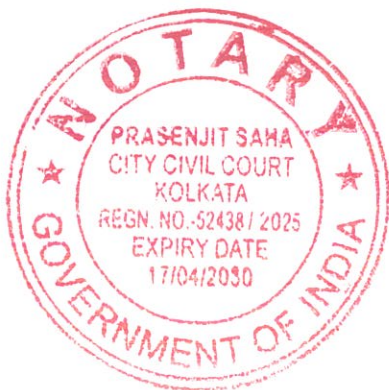
... Respondents

SUPPLEMENTARY AFFIDAVIT OF THE APPLICANTS TO THE
ORIGINAL APPLICATION FILED BEFORE THE HON'BLE TRIBUNAL

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Steven Sourodip Biswas,
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F/1959/1708/2019



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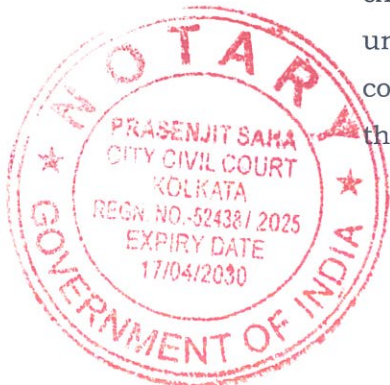
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SUPPLEMENTARY AFFIDAVIT OF THE APPLICANTS TO THE ORIGINAL APPLICATION FILED BEFORE THE HON'BLE TRIBUNAL

I, Kali Prasad Mondal, aged about 38, son of Lakhikanta Mondal, residing at Village Majurhati, Post Office Dabuk, Police Station Mayureswar, District Birbhum, Pin 731 132, do hereby solemnly affirm and state as follows:

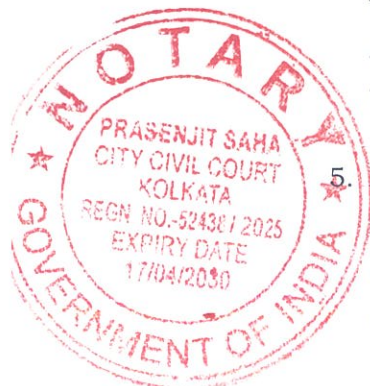
1. That I am the Applicant No. 1 of the Original Application and the partner of the Applicant No. 2. I am well acquainted and fully conversant with the facts and circumstances of the case. I am competent to make, affirm and swear the instant affidavit for myself and on behalf of Applicant No. 2.
2. That the present original application has been filed challenging, inter alia, impugned order dated 7th August, 2025 passed by the Respondent No. 5 – District Magistrate Birbhum and also the illegal, wrongful and arbitrary actions on the part of the respondent authorities.
3. It is the specific case of the Applicants that the impugned order is ex-facie illegal and bad in law, inter alia, on the ground that the unit of the applicants operate without valid subsisting consent/permission/clearance from the appropriate authority from the date of inception till date when as a matter of fact:



- (i) That the West Bengal Pollution Control Board has granted a 'Consent to Establish' to the unit of the Applicants way back in 2018;
- (ii) And thereafter, the West Bengal Pollution Control Board has granted 'Consent to Operate' on 28th September, 2020 for the period November, 2018 till October, 2022;
- (iii) On or about 20th May, 2023, the Applicants applied for consent to operate for the period November, 2022 till October, 2027 before the West Bengal Pollution Control Board and deposited the required fees, thereof, with the board. In spite of the receipt of the said application and the fees from the Applicants, no communication was, however, made by the board. In such circumstances, the Applicant, in terms of Section 25 (7) of the Water (Prevention and Control of Pollution) Act, 1974 and 21 of the Air (Prevention and Control of Pollution) Act, 1971 continued the operation of the unit following the environmental norms having a deemed consent to operate the unit for the period applied for.
- (iv) The Applicant again, on 18th June, 2025, applied before the board for consent to operate but in spite thereof, nothing has been done in respect of the application of the Applicants.

4. Therefore, the Unit of the Applicants had valid permissions/consents from the board to establish and operate the unit and thus, the findings contained in impugned order are absolutely wrong and incorrect and the impugned order is liable to be set aside.

5. Apart from the aforesaid, the Applicant has planted trees around the periphery of the unit and sprinkles water at regular intervals to control dust. Relevant photographs in this regard are annexed hereto and marked as **Annexure "A"**.



- 6. The Applicants humbly state and submit that the Applicants as a law abiding citizen of India has obtained the required permissions/consents to establish and operate the unit and to the best of their abilities have followed the environmental guidelines for stone crushing units.
- 7. The Applicant respectfully submits before this Hon'ble Tribunal that the aforesaid facts are essential facts which are required to be taken into consideration at the time of hearing of the instant application.

The statements made in paragraph Nos. 1 to 6 of this Affidavit are true to my knowledge and belief and the rests are my humble submissions before this Hon'ble Tribunal.

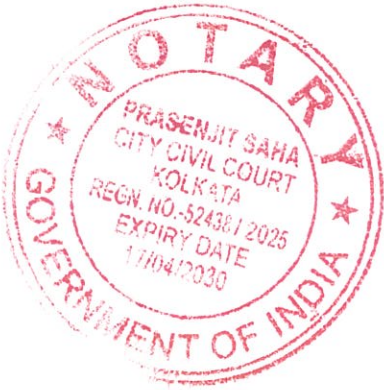
Prepared in my office

Prasenjit Saha
Advocate

Prasenjit Saha

Identified by me

M/S Kalimata Stone Product
Kali prasad mondal
Partner
DEPONENT



Solemnly affirmed and declared
Before me on Identification

Prasenjit Saha

PRASENJIT SAHA
Notary, Kolkata, Govt. of India
Regn. No.-52438/2025



02 APR 2026

NOTARY
PRASENJIT SAHA
CITY CIVIL COURT
KOLKATA
REGN. NO.-52438/2025
EXPIRY DATE
17/04/2030
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