

BEFORE THE NATIONAL GREEN TRIBUNAL
Eastern Zone Bench, Kolkata
Original Application No. 48/ 2025/ EZ

IN THE MATTER OF:

A.K. Enterprise

... Applicant

-Vs-

The State of West Bengal & Others

... Respondents



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

INDEX

Sl. No.	Particulars	Annexure	Pg. No.
1	Supplementary Affidavit		
2	Copy of the cover letter dated 2 nd May, 2025 issued by the Applicant	"A"	5
3	Copy of the cover letter dated 11 th August, 2025 issued by the Applicant	"B"	6
4	Photographs of the Trees planted around the periphery of the unit and the sprinkling of water at the unit to control dust.	"C"	7-17

Steven Sourodip Biswas,

Advocate, High Court, Calcutta,

5, Park Lane, Kolkata - 700 016,

E-mail ID: biswas.steven@gmail.com/ Phone no. : 7003415384

F/1959/1708/2019

BEFORE THE NATIONAL GREEN TRIBUNAL
Eastern Zone Bench, Kolkata
Original Application No. 48/ 2025/ EZ

IN THE MATTER OF:

A.K. Enterprise

... Applicant

-Vs-

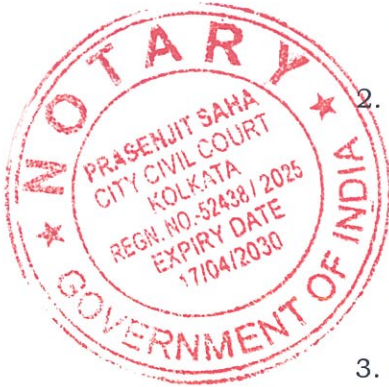
The State of West Bengal &Ors.

... Respondents

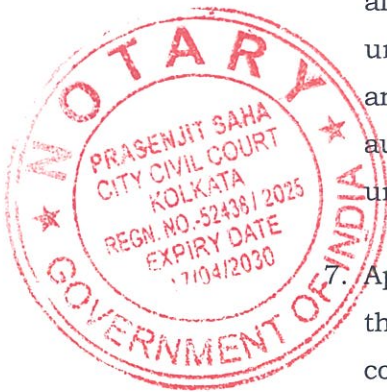
SUPPLEMENTARY AFFIDAVIT OF THE APPLICANT TO THE
ORIGINAL APPLICATION FILED BEFORE THE HON'BLE TRIBUNAL

I, MotaharHossian Khan, aged about 41, son of MusarafHossain Khan, residing at Village Kumarpur, Patel Nagar, District Birbhum, Pin 731 132, do hereby solemnly affirm and state as follows:

1. That I am the Applicant of the Original Application. 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.
2. That the present original application has been filed challenging, inter alia, impugned order dated 7thAugust, 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 Applicant that the impugned order is ex-facie illegal and bad in law, inter alia, on the ground that the unit of the applicant operates 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 Applicant on 12th November, 2020;
 - (ii) And thereafter, the West Bengal Pollution Control Board has granted 'Consent to Operate' on 24th June, 2022 for the period April, 2022 till March, 2026.
4. The Unit of the Applicant, therefore, had a 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. The Applicant, by and under a cover letter dated 2nd May, 2025 has forwarded all the required documents including the valid consent to establish and operate but to the utter dismay and shock of the Applicant, the Respondent No. 5 has not considered the said documents and has passed the order impugned against the Applicant. Copy of the cover letter dated 2nd May, 2025 is annexed hereto and marked as **Annexure "A"**.
 6. After passing of the impugned order, the Applicant again forwarded all the required documents to the Respondent authorities by and under a cover letter dated 11th August, 2025, a copy whereof is annexed hereto and marked as **Annexure "B"**. The Respondent authorities, however, also did not consider the same for reason undisclosed.
 7. 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 "C"**.
 8. The Applicant humbly states and submits that the Applicant 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.

9. 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 8 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
Steven Davidip Biswas
Advocate

Steven Davidip Biswas
Identified by me "

✓ **A. K. ENTERPRISE**
Matahar Hossain Khan
Proprietor

**Solemnly affirmed and declared
Before me on Identification**

DEPONENT

Bahs

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

02 APR 2026



A. K. Enterprise

61

Annexure A-1

Email-motahar.dsp@gmail.com
akenterprise094@gmail.com
motahar.cse@gmail.com

Office No :- 8250908475
Mob:- 9434064023 / 9836955007
Vill- Jagatpur, P.O.- N. Jagatpur
P.S.- M.D. Bazar, Dist.- birbhum
PIN.- 731127



1296
PM
2/05/25

Ref. No.....

Date 02/05/2025

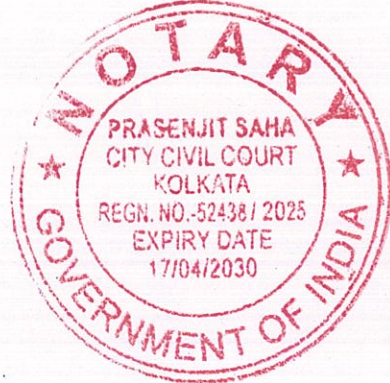
The Office of BL & LRO
Md. Bazar
Birbhum, West Bengal

Subject: Submission of documents in response to Memo No. M&M/1630(172)/DL&LRO(B)/2025

Sir,

With due respect, we acknowledge the receipt of your Notice No. M&M/1630(172)/DL&LRO(B)/2025, dated 04/04/2025, issued by your office. In compliance with the instructions mentioned in the notice, we are submitting the following documents related to our stone crusher unit along with this letter:

1. Gram Panchayet NOC
2. Consent to Establish
3. Consent to Operate
4. Land Conversion-1
5. Land Conversion-2
6. Land Revenue Receipt
7. Gram Panchayet Trade License
8. Panchayet Samiti Trade License
9. MSME Certificate
10. GST Certificate



We hope that the aforementioned documents are complete and accurate as per your instructions. Should you require any further information or documents, kindly inform us. We remain committed to adhering to the law and cooperating with your office.

Motahar Hossain Khan
Proprietor
A.K. Enterprise
Jagatpur, Nischintapur-37
Md. Bazar, Birbhum

Thanking you

A. K. ENTERPRISE
Motahar Hossain Khan
Proprietor

Received Contain not
Verified
02/05/25
for, B.L.&L.R.O
Md. Bazar, Birbhum

Annexure B-

A. K. Enterprise

62

Email-motahar.dsp@gmail.com
akenterprise094@gmail.com
motahar.cse@gmail.com

Office No :- 8250908475
Mob:- 9434064023 / 9836955007
Vill- Jagatpur, P.O.- N. Jagatpur
P.S.- M.D. Bazar, Dist.- birbhum
PIN.- 731127



Ref. No.....

Date 11/08/2025

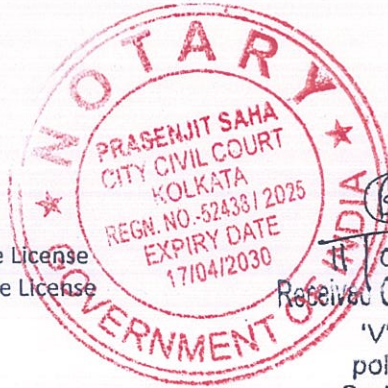
To
The
District Magistrate,
Birbhum, West Bengal

Subject: Re-Submission of documents in response to Memo No. M&M/4142 (155)/DL&LRO(B)/2025.

Respected Sir,

With due respect, we acknowledge the receipt of your Notice M&M/4142 (155)/DL&LRO(B)/2025, Dated 07/08/2025 issued by your office. Previously we submitted all this documents on to 02/05/2025, received no. 1296 (attached this document) against Memo. No. M&M/1630(172)/DL&LRO(B)/2025, dated 04/04/2025. Again we are re-submitting the following documents related to my stone crusher unit along with this letter:-

1. Gram Panchayet NOC
2. Consent to Establish
3. Consent to Operate
4. Land Conversion-1
5. Land Conversion-2
6. Land Revenue Receipt
7. Gram Panchayet Trade License
8. Panchayet Samiti Trade License
9. MSME Certificate
10. GST Certificate



Received Content not Verified
'V' Section
police office
Suri, Birbhum

We hope that the aforementioned documents are complete and accurate as per your instructions. Should you require any further information or documents, kindly inform us. We remain committed to adhering to the law and cooperating with your office.

Motahar Hossain Khan
Proprietor
A.K. Enterprise
Jagatpur, Nischintapur-37
Md. Bazar, Birbhum

Received Contains
Without Verification
B.D.O.J.E.O. Md Bazar Birbhum
11/08/25

Thanking you
A. K. ENTERPRISE
Bidyut Mandal.
Proprietor

Copy to:-

1. The Superintendent of Police, Birbhum.
2. The Additional District Magistrate and District Land & Land Reforms Officer, Birbhum.
3. The Block Development Officer, Md. Bazar Block.
4. The Block Land & Land Reforms Officer, Md. Bazar, Birbhum.

Received Content not Verified
11/08/25
For B.L. & L.R.O, Md. Bazar

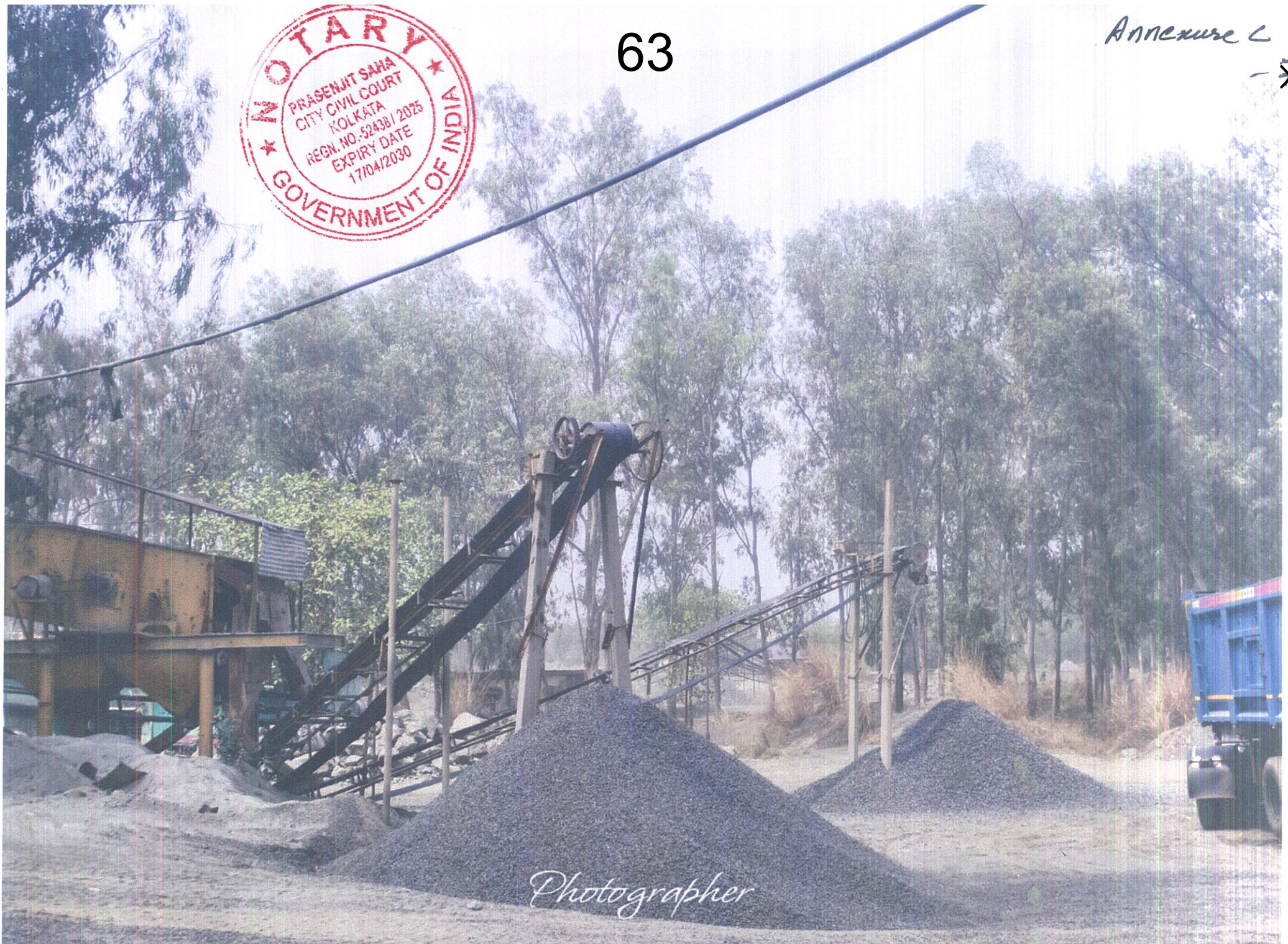
Received but Contents not Verified
Received 'V' Section
B.L. & L.R.O. (B)



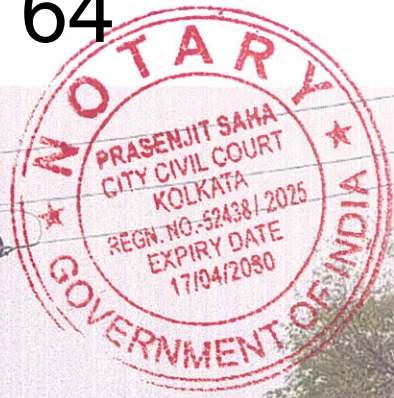
63

Annexure C

-X-



Photographer





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





68







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

71

X

NOTARY
PRASENJIT SAHA
CITY CIVIL COURT
KOLKATA
REGN. NO: 524381/2023
EXPIRY DATE
17/04/2028
GOVERNMENT OF INDIA





NOTARY
 PRASANT SAHA
 CITY CIVIL COURT
 KOLKATA
 REG. NO: 3222/2025
 EXPIRY DATE
 17/04/2030
 GOVERNMENT OF INDIA

73

17



FOREST DEPARTMENT OF INDIA
SAMA COURT
DATE 2020