

BEFORE THE NATIONAL GREEN TRIBUNAL

EASTERN ZONE BENCH, KOLKATA

ORIGINAL APPLICATION NO.110/2025/EZ

Reetlal Kumar Yadav & ors.

....Applicants

Versus

State of Jharkhand & ors.

....Respondents

Sub.: Composite Rejoinder

INDEX

S.No.	ANNEXURE	PARTICULARS	PAGE
1.		Composite rejoinder on behalf of the applicants to the (i) counter affidavit dated 3.11.2025 filed on behalf of the Respondents No.5 & 7; (ii) counter affidavit dated 8.1.2026 of the Respondent No.10.	1-18
2.	Annex.A-10	Copy of the photographs showing existence of pond on Plot No.1818.	19
2.	Annex.A-11	Copy of the recent photographs showing mining being done.	20
3.	Annex.A-12	Copy of the representation dated 25.11.2025.	21-23



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**COMPOSITE REJOINDER ON BEHALF OF THE APPLICANTS  
TO THE (i) COUNTER AFFIDAVIT DATED 3.11.2025 FILED  
ON BEHALF OF THE RESPONDENTS NO.5 & 7; (ii) COUNTER  
AFFIDAVIT DATED 8.1.2026 OF THE RESPONDENT NO.10:**

I, Reetlal Kumar Yadav, aged about 28 years, son of Arjun Yadav, resident of Govindpura, P.O.-Bati, P.S.-Jamua, District-Giridih, do hereby solemnly affirm and declare as follows:

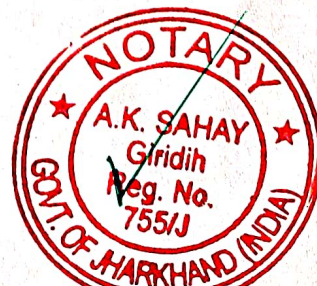
1. That I am the Applicant No.1 herein and as such I am fully acquainted with the facts and circumstances of the case.

22 28 FEB 2026

Advocate Welfare Fund

X

2. That I am duly authorised to swear this affidavit on behalf of the other applicants.
3. That I have gone through the contents of the counter affidavit reply and have understood the purport thereof.
4. That I humbly rejoin and reiterate the statements made in the main application and state that the counter affidavit under reply is fit to be discarded as it contains misconceived, misleading, and incorrect statements. The Respondents No.5 & 7 have voluntarily chosen to file the counter affidavit in the form and format after a considerable lapse of about five months opting not to file parawise reply and as such no further liberty/opportunity may be given to them to file parawise response. If the statements made in the main application stand uncontroverted in the counter affidavit under reply, those statements made in the main application may be treated as admitted and fit to be considered as correct.

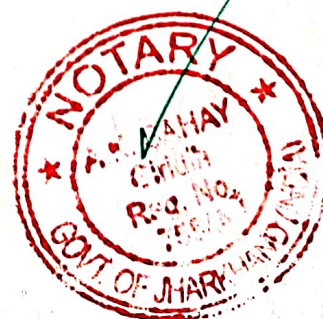


5. That at an outset it is stated that it is surprising that the Respondents No.1, 2, 3, 4, 6, 8 and 9 have adopted the counter affidavit filed on behalf of the respondents no.5 & 7, as it appears from the order dated 12.1.2026. In view of the letter no.423 dated 25.4.2026, the Respondents No.4 & 6 being the authorities of Jharkhand State Pollution Control Board owe a bounden duty to inform this Hon'ble Tribunal about the action/decision in relation to EC/CTO.

**PARAWISE REPLY TO THE COUNTER AFFIDAVIT DATED  
3.11.2025 FILED ON BEHALF OF THE RESPONDENTS**

**NO.5 & 7:**

6. That the statements made in para 4 and 5 of the counter affidavit under reply are matters of record.
7. That the statements made in para 6 of the counter affidavit under reply is partly a matter of record and partly misconceived. The reports contained in letter no.518 dated 16.4.2025 and in letter no.554 dated 24.4.2025 neither reflect the correct picture nor do they answer in complete



about a house of Arjun Yadav existing on Plot No.1818 but stated that there is no pond existing. The report about non-existence of pond is absolutely erroneous and false. The applicants are bringing on record photograph(s) of the pond existing on the Plot No.1818. The reference of the letter no.346 dated 13.4.2021 of the Circle Officer, Jamua (Giridih) wherein it has been mentioned to be reported that within 500 meters there are no human settlement and water unit, which report stands falsified from the reports contained in letter no.518 dated 16.4.2025 and in letter no.554 dated 24.4.2025.

As to the fact claimed by the applicants, as indicated at S.No.5 in the said reports, it has been reported admitting that there is no pond on Plot No.1818, which stands falsified from the photographs being enclosed.

As to the fact claimed by the applicants, as indicated at S.No.8 in the said reports, it has been reported admitting that the house and hand pump are situated at a distance of



300 feet (equivalent to 91.44 meter) from the mining area and not at a distance of 250 feet (equivalent to 76.2 meter), which position hardly makes any difference as it is well within 500 meters (equivalent to 1640.42 feet).

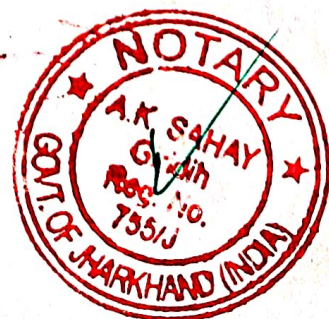
As to the fact claimed by the applicants, as indicated at S.No.9 in the said reports, it has been reported admitting that there is a house, a hand-pump and a well on plot no.15 at a distance of 500 feet (equivalent to 152.4 meter) and not at a distance of 400 feet (equivalent to 121.92 meter), which position again hardly makes any different as it well within the prescribed distance and not beyond that.

As to the fact claimed by the applicants, as indicated at S.No.10 in the said reports, it has been reported admitting that there is a house and a hand-pump on Plot No.71 at a distance of 500 feet (equivalent to 152.4 meter) and not at a distance of 450 feet (equivalent to 131.16 meter), which position again hardly makes any different as it well within the prescribed distance and not beyond that.



As to the fact claimed by the applicants, as indicated at S.No.11 in the said reports, it has been reported admitting that there is a house and a well constructed on Plot No.12 at a distance of 500 feet (equivalent to 152.4 meter) and not at a distance of 400 feet (equivalent to 121.92 meter), which position again hardly makes any different as it well within the prescribed distance and not beyond that. Furthermore, saying that there was no notice board displaying that it got constructed by government amount shows perfunctory and non-application of mind. The Circle Officer may have verified it from the records of the local administration as to whether the said well was got constructed out of government amount or not.

As to the fact claimed by the applicants, as indicated at S.No.12 in the said reports, it has been reported admitting that there is a school, namely Dayanand Public School on plot no.2 at a distance of 400 feet from the mining area. However, reference of a report contained in letter no.345



dated 13.4.2021 of the Circle Officer, Jamua has been made to indicate that there does not exist any school within 500 meters from the mining area without denying it. In any case, the said report contained in letter no.345 dated 13.4.2021 is erroneous and false in itself. In any case, the said report dated 13.4.2021 has not been brought on record and as such the references made therein and/or thereof are denied and disputed and the same may be discarded as being baseless and are fit not to be give credence nor be allowed to be relied upon.

In the said reports contained in letter no.518 dated 16.4.2025 and in letter no.554 dated 24.4.2025, it has also been admitted that there has been encroachment of land undertaking mining therein by the Respondent No.10.

Despite there being admitted violation reported, the respondent no.10 is still being allowed to carry out mining activity illegally and arbitrarily at the risk and peril of the inhabitants of the village and surrounding, including the



applicants. It is not clear as to the occasion for undertaking local inspection *twice* on a single day of 15.4.2025 submitting two different reports containing same nature of report but in presence of different authorities-in 1<sup>st</sup> report dated 16.4.2025 there is a mention about presence of Anchal Amin, Jamua, Revenue Sub Inspector, Halka No.10, Mines Inspector, Giridih and Circle Inspector, Jamua and in 2<sup>nd</sup> report dated 24.4.2025 there is a mention about presence of Anchal Amin, Jamua, Amin, District Land Acquisition Office, Revenue Sub Inspector, Halka No.9 & 10, and Circle Inspector, Jamua.

At this stage, it is pertinent to mention that the applicants have also approached the Deputy Commissioner, Giridih during the pendency of this Original Application vide representation dated 18.11.2025. In the said representation, the issue of continuous violation by the respondent no.10 was highlighted. It was also reiterated highlighting that:-



- (i) the mining area is situated at a distance of 100 meter from the village Govindpura where villagers' houses, their agricultural field, pond and boring of government water project are situated;
- (ii) owing to continuous blasting being done for mining, the vibrations are occurring in houses and the fertility of the agricultural land are being destroyed besides causing serious damage to environment;
- (iii) there is a house of Arjun Yaadav and his pond at Plot No.1818;
- (iv) there is a well and a temple of Village God Baba Barsingh at Plot No.1825;
- (v) there is a boring of Government Water Project at a distance of 200 feet at Plot No.1815;
- (vi) there is a school named Swami Dayanand Public School at a distance of 400 feet;
- (vii) the reports dated 18.9.2014 and 24.4.2025 are contrary to actual facts and are erroneous;



(viii) the mining activity is continuously going since November, 2023 over the land;

(ix) the mining is being done in absolute violation of the Jharkhand Minor Mineral Rules and other applicable laws.

Lastly, request was made to stop the mining activity ensuring public and environmental interest.

Enclosed herewith are copies of the photographs showing existence of pond on Plot No.1818 as **Annexure-A-10**; the recent photographs showing mining being done as **Annexure-A-11** and the representation dated 25.11.2025 as **Annexure-12** forming part of this affidavit.

8. That the statements made in para 7, 8, 9, 10 and 11 of the counter affidavit are matters of record. The show cause



notice dated 25.4.2025 contained in letter no.422 has been issued only for carrying out mining activity beyond the mining area. For carrying out mining activity in violation of the rules, regulations and directions as pointed out in the said reports contained in letter no.518 dated 16.4.2025 and in letter no.554 dated 24.4.2025, the respondent District Mining Officer, Giridih has issued a letter no.423 dated 25.4.2025 them to the Member Secretary, SEIAA, Jharkhand, Ranchi and the Regional Director, Jharkhand State Pollution Control Board, Jharkhand, Ranchi for taking necessary action/decision in relation to EC/CTO. But till date no conclusive action/decision has been conveyed by the concerned authority/respondent. Rather despite there being admitted violations, the mining activity is being allowed to be carried out in full force. The Inspection Report dated 25.9.2025 prepared subsequent to site visit dated 23.8.2025 appears verbatim same as that of the reports contained in letter no.518 dated 16.4.2025 and in letter no.554 dated



24.4.2025 and the reply submitted in response thereto in the preceding paragraphs are reiterated herein. There seems to be lack of independent exercise carried out while preparing the Inspection Report. Though this Hon'ble Tribunal while passing the order dated 9.7.2025 had reposed confidence in the Fact Finding Committee entrusting it to submit its report but the report indicates a mere formality and an eye-wash. It is denied, however, that the mining activity is closed or was closed on any day or on 23.8.2025. The mining activity is being carried by the Respondent No.10 without any impediment. The documents referred to in the Inspection Report dated 25.9.2025 have not been submitted alongwith the counter affidavit under reply.

**PARAWISE REPLY TO THE COUNTER AFFIDAVIT DATED**

**8.1.2026 OF THE RESPONDENT NO.10:**

9. That the statement made in para 1 of the counter affidavit under reply are denied and disputed as neither any detail of



authorization and/or power of attorney nor any copy of the same has been furnished/produced. The respondent no.10 is put to strict proof of the statement so made failing which the counter affidavit may be discarded as being filed without any authority.

10. That the statement made in para 2 of the counter affidavit under reply are denied and disputed. The applicants reiterate the statements made in the main application. The contents of the original application are correct supported with cogent materials. The reports dated 16.4.2025 and 25.4.2025 confirm the veracity of the statements made in the original application.

11. That the statement made in para 3 and 4 of the counter affidavit under reply are partly matters of record and partly misleading, misconceived and erroneous. The transfer of mining lease is illegal and invalid based on erroneous reports by the respondent authorities. No document, as referred to, namely the order dated 22.10.2022 contained in



letter no.999/M dated 29.10.2022, in the para under reply has been brought on record. The respondent is put to strict proof of the same. The grant of mining and the mining activity are in absolute violations of the applicable rules, regulations and laws.

12. That the statements made in para 5 of the counter affidavit under reply are denied and disputed and contrary to the reports contained in letter no.518 dated 16.4.2025, in letter no.554 dated 24.4.2025 and 25.9.2025. The required consent and clearances have been obtained in violation of the applicable laws, rules and regulations. No documents other than those brought on record on affidavit can be looked into while adjudicating the matter.

13. That the statements made in para 6, 7, 8, 9, 10 and 11 of the counter affidavit under reply are denied and disputed as being false, erroneous, baseless, misleading and misconceived. The applicants reiterate the statements made



in this regard in the main original application and those made in the preceding paragraphs.

14. That the statement made in para 12 of the counter affidavit under reply is a matter of record. The applicants presence while undertaking inspection is admitted subsequent thereto a report was submitted vide letter no.554 dated 24.4.2025 about which report the applicants have stated in the preceding paragraph. Mere presence of the applicant Reetlal Kumar Yadav does not indicate anything adverse to the claims raised by the applicants.
15. That the statement made in para 13 of the counter affidavit under reply is denied and disputed. The application is fit to be allowed and the reliefs prayed for fit to be allowed.
16. That as regards the statement made in para 14 of the counter affidavit under reply, it is stated that no further opportunity may be given to the respondent to file any affidavit.



17. That from the statement made in para 15 of the counter affidavit under reply, it is apparent that the entire statements made in the counter affidavit is based on the deponents' knowledge and belief and not being based on records/document in which event the affidavit is fit to be discarded.
18. That at the risk of repetition it is stated that owing to continuous blasting being done for carrying out mining and mining activity, the vibrations are occurring in houses and the fertility of the agricultural land are being destroyed besides causing serious damage to environment. Allowing the mining activity to be carried out is absolutely illegal, bad in law and unconstitutional besides being in violations of the settled position of law.
19. That unless specifically admitted, the contentions of the respondents may be deemed to have been denied.
20. That this rejoinder is bonafide and in the interest of justice.



21. That the contents of this affidavit have been read over and explained to me in Hindi which I have understood and have found them to be correct.

22. That the statements made in para .....5 part, 18 part..... are true to the best of my knowledge, and those in para .....5 part, 6 to 17, 18 part..... are true to my information which derive from the record of the case and rests are by way of humble submission.

23. That the annexures are true/Xerox/certified copies of their respective originals.

Sworn, signed and verified at Giridih on 28.2.2026

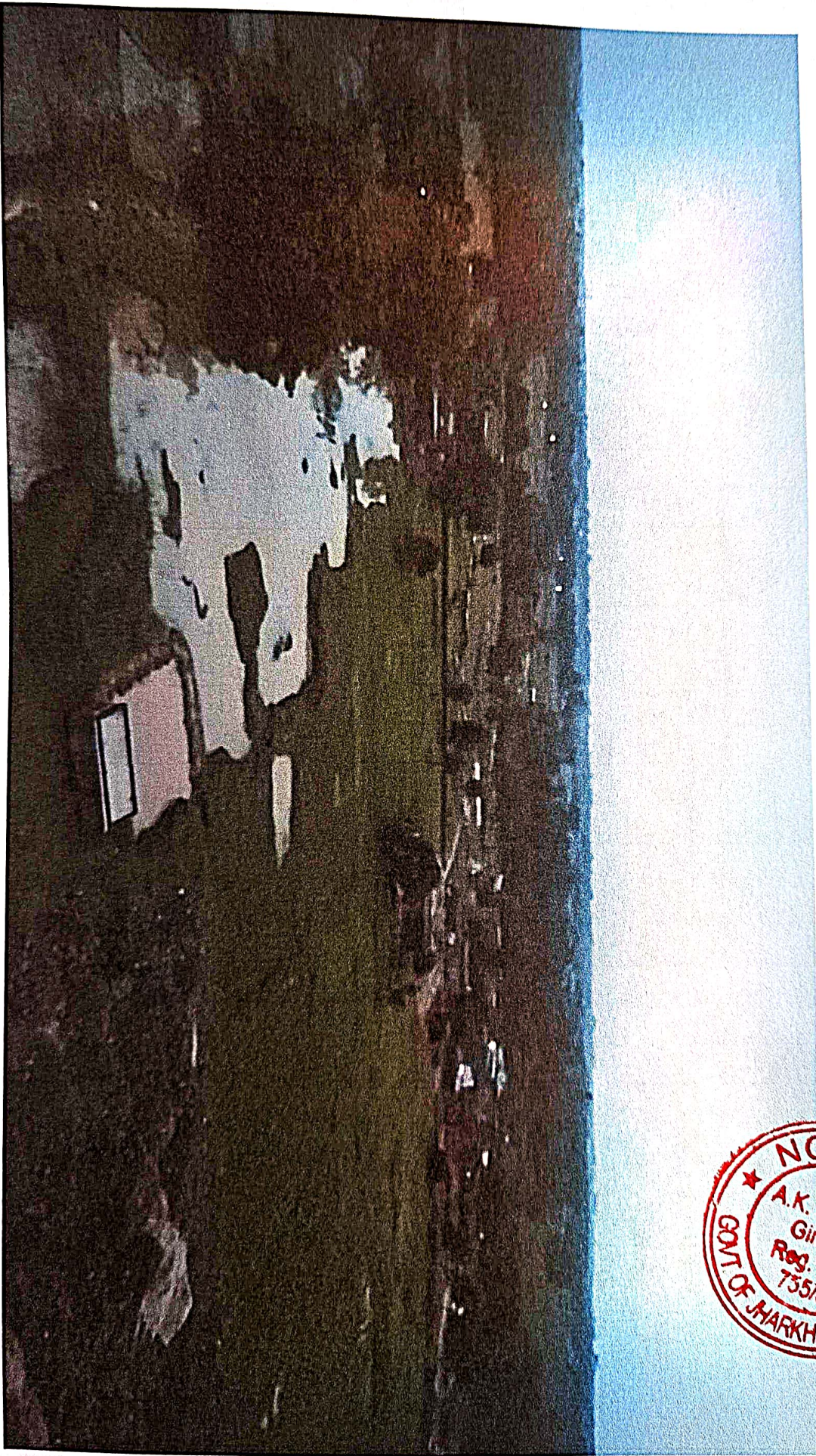
*Reetlal Kumar Yadav,*

*Reetlal Kumar Yadav*  
Sri/Smt. \_\_\_\_\_  
who has identified to me \_\_\_\_\_  
Solemnly affirmed and declared before me  
*[Signature]*  
AJIT KR. SAHAY  
NOTARY GIRIDIH  
Reg. No.-7551



28 FEB 2026

Identified the deponent who has/her  
put his signature  
LTI/RTI in my presence  
*Amar Kumar*  
*28/02/2026*  
Advocate, Giridih



NOTARY  
A.K. SAHAY  
Girdih  
Reg. No. 7351J  
GOVT. OF JHARKHAND (INDIA)



WFO/15  
Feb 29, 2026, 12:15

NOTARY  
A. K. SHARMA  
G. No. 15  
7551  
DONTOR, BARKHAND (INDIA)

सेवा में,

श्रीमान उपायुक्त महोदय, गिरिडीह

सचिवालय भवन, पपरवाटांड, थाना - गिरिडीह मुफसिल, जिला - गिरिडीह,

पिन - 815316

Email - dc-gir@nic.in

विषय: एन जी टी कोलकाता में एक शिकायत मूल वाद संख्या 110/2025 दर्ज कराने के बावजूद अवैध खनन करने एवं पर्यावरण संरक्षण नियमों का उल्लंघन करने हेतु — ग्राम गोविंदपुरा, थाना जमुआ, मौजा मेढो चपरखो, जिला गिरिडीह स्थित पत्थल खनन रोकने संबंधी निवेदन।

महोदय,

निवेदनपूर्वक कहना है कि ग्राम गोविंदपुरा, थाना जमुआ, थाना सं. 481, खाता सं. 71, प्लॉट सं. 1820 एवं 1951 तथा खाता सं. 51, प्लॉट सं. 1818, कुल रकबा 1.88 एकड़, मौजा मेढो चपरखो, जिला गिरिडीह स्थित भूमि को पत्थल खनन हेतु मेसर्स लंगटा बाबा स्टोन माइंस (पार्टनर: संजय राम भदानी व प्रदीप कुमार) को लीज पर दिया गया था।

उक्त लीज को उपर्युक्त पार्टनरों द्वारा दिनांक 23.11.2023 को बिना ग्राम सभा की अनुमति, पर्यावरणीय शर्तों का उल्लंघन करते हुए सिद्धार्थ झांझरी पिता श्री सुरेश कुमार झांझरी को अवैध रूप से हस्तांतरित कर दिया गया है। इस अवैध खनन एवं पुनः लीज हस्तांतरण के विरुद्ध आवेदक रीतलाल यादव की ओर से एनजीटी, कोलकाता में मूल आवेदन संख्या 110/2025 दर्ज है, जिस पर न्यायालय द्वारा शो-काँज दाखिल करने एवं जाँच रिपोर्ट समर्पित करने का निर्देश जारी किया गया है। तथापि, लीजधारी अब भी अवैध रूप से खनन कार्य कर रहे हैं, जिससे न्यायालय के आदेश का उल्लंघन हो रहा है।



यह कि उक्त खनन क्षेत्र ग्राम गोविंदपुरा से लगभग 100 मीटर की दूरी में है, जहाँ ग्रामीणों के घर, खेत, तालाब एवं सरकारी जल योजना के बोरिंग स्थित हैं। खनन के दौरान लगातार ब्लास्टिंग होने से घरों में कम्पन उत्पन्न होते हैं और खेती योग्य भूमि की उर्वरता समाप्त हो रही है, जिससे पर्यावरण को गंभीर हानि पहुँच रही है।

ग्रामीणों के अनुसार —

प्लॉट सं. 1818 में अर्जुन यादव पिता स्व. गोबिंद महतो का आवास एवं रैयती तालाब है।

प्लॉट सं. 1825 में एक कुआँ एवं ग्राम-देवता बाबा बानसिंघ का मंदिर है।

प्लॉट सं. 1815 में सरकारी पेयजल योजना का बोरिंग महज 200 फीट की दूरी पर है।

नजदीकी विद्यालय "स्वामी दयानन्द पब्लिक स्कूल, गोविंदपुरा" मात्र 400 फीट दूर है।

अंचल अधिकारी, जमुआ की दिनांक 18.09.2014 की रिपोर्ट में प्रदर्शित किया गया कि खनन क्षेत्र से 500 मीटर के अंदर कोई बसावट नहीं है एवं 100 मीटर की दूरी तक कोई जलीय निकाय नहीं है, जबकि यह रिपोर्ट वस्तुस्थिति के प्रतिकूल है और गलत प्रतिवेदन के आधार पर लीज स्वीकृत की गयी।

अंचल अधिकारी, जमुआ के पत्रांक 554 दिनांक 24.04.2025 की रिपोर्ट में प्रदर्शित किया गया कि खनन क्षेत्र से 500 मीटर के अंदर बसावट है एवं मंदिर भी है एवं 100 मीटर की दूरी में जलीय निकाय एवं कृषि योग्य भूमि है, जबकि पूर्व की रिपोर्ट वस्तुस्थिति के प्रतिकूल है और गलत प्रतिवेदन के आधार पर लीज स्वीकृत की गयी।

ग्रामीणों ने पूर्व में भी ग्राम सभा कर इस खनन के विरोध में कई बार शिकायतें की थीं, जिसके बाद कुछ समय के लिए कार्य बंद हुआ था, परंतु नवंबर 2023 से पुनः खनन आरंभ कर दिया गया है। विरोध करने पर ग्रामीणों को खननकर्ता व उसके सहयोगियों द्वारा धमकियाँ दी गईं और झूठे मुकदमे में फँसाने की कोशिश की गई, जिसके संबंध में जमुआ थाना में कांड सं. 413/23 एवं 406/23 दर्ज हैं।



यह कि उक्त लीज झारखंड लघु खनिज नियमावली के विपरीत तरीके से प्राप्त की गई है। पर्यावरणीय खतरों और ग्रामीण सुरक्षा की दृष्टि से उक्त खनन कार्य पूरी तरह अवैध एवं अनुचित है।

अतः महोदय से निवेदन है कि उक्त खनन कार्य को तत्काल प्रभाव से रोकने का आदेश निर्गत करें एवं एनजीटी, कोलकाता न्यायालय में निर्देशित अनुसार शो-कॉज रिपोर्ट व जाँच प्रतिवेदन शीघ्र समर्पित कर पर्यावरणीय एवं लोकहित की रक्षा करें।

इसके लिए गोविंदपुरा एवं मेढो चपरखो गाँव के सभी ग्रामीण सदैव आपके आभारी रहेंगे।

प्रतिलिपि:

द नेशनल ग्रीन ट्रिब्यूनल (पूर्वी क्षेत्र पीठ), कोलकाता।

आपका विश्वासी,

*Rajendra Prasad*

*Date - 18/11/25*

रीतलाल यादव

ग्राम गोविंदपुरा, थाना जमुआ, जिला गिरिडीह

