

BEFORE THE NATIONAL GREEN TRIBUNAL KOLKATA BENCH

MEMORANDUM OF APPLICATION

I.A. NO. 52 OF 2026

In the matter of :

National Green Tribunal Act, 2010;

And

In the matter of:

An application for condonation of delay of 29 days under the provisions of section 16 of the National Green Tribunal Act, 2010

And

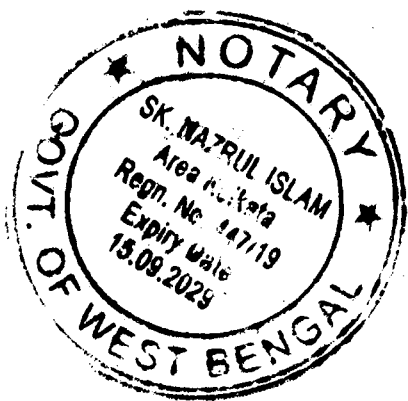
In the matter of :

Prabhash Anand, son of Shri Ravindra Rai, resident of D/52, Harmu Housing Colony, P.O. Doranda, P.S. Argora, town and District Ranchi, Pin - 834 002

... Applicant

Versus

1. The State of Jharkhand, through the Secretary/Principal Secretary, Department of Forest, Environment and Climate Change, having office at Nepal House, P.O.



24 FEB 2026

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and P.S. Doranda, Town and District  
Ranchi, Pin - 834 001

Email - dfo-ranchi@gov.in

2. The Divisional Forest Officer,  
Giridih East, P.O. & P.S. Giridih,  
District Giridih East, P.O. & P.S.  
Giridih, District Giridih, Pin - 815  
301

Email - dfo-giridiheast@gov.in

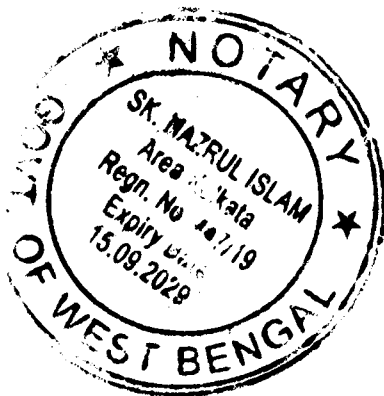
3. The District Mining officer,  
Giridih, P.O. & P.S. Giridih, Kuldiha,  
Giridih, Jharkhand - 815301

Email - dc-gir@nic.in and jhrgir@nic.in

4. Circle Officer, Gandey, P.O. &  
P.S. Gandey, District Giridih, Pin -  
815 301

Email - co.giridih@jharkhandmail.gov.in

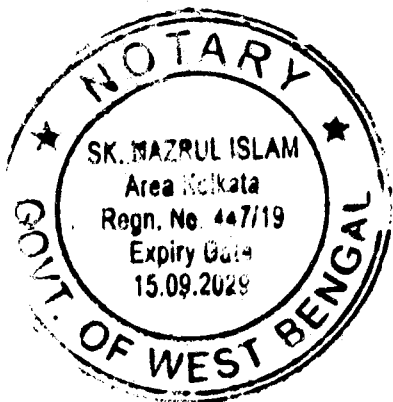
5. Jharkhand State Pollution  
Control Board through its  
Member/Secretary, having office at  
Dhurwa, P.O. & P.S. Dhurwa, Town



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and District Ranchi, Pin - 834 004.

Email - ranchijspcb@gmail.com



6. State-level Environment Impact Assessment Authority, Jharkhand, 8729+QVP, Dhurwa Nursery Complex, Near Dhurwa Bus Stand, Ranchi, Jharkhand 834004.

Email - info@jseiaa.com

... Respondents

To

THE HON'BLE CHAIRMAN AND HIS COMPANION MEMBER OF THE NATIONAL GREEN TRIBUNAL

The humble application submitted by the applicant above named most respectfully

SHEWETH:

1. This is an application for condonation of a delay of 29 days caused in filing of the above application.

2. The subject matter of challenge is the communication of an order of rejection of the petitioner's application for renewal of mining lease. The said orders of rejection were communicated by the respondent authorities by letters dated November 20 and November

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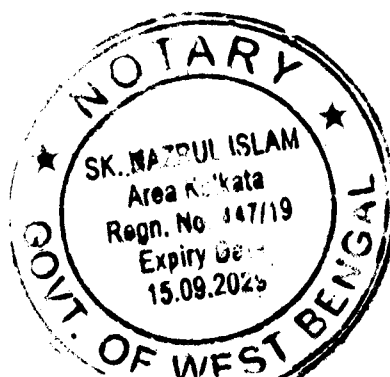
21, 2025. The copies of such letters of rejection are annexed hereto and collectively **marked 'A-1'**.

3. After the said order was passed, the petitioner communicated with his Learned Advocate conducting his matters in the Learned High Court at Jharkhand. The petitioner was advised in the course of such conference that an application is required to be filed challenging such order before the Hon'ble National Green Tribunal at Kolkata Bench.

4. The petitioner had fallen severely ill for some time after such advice was given to him. As such, he could not take immediate steps for challenging the said orders.

5. In such circumstances, the petitioner recovered from his illness and communicated with his Learned Advocate practicing in this Hon'ble Tribunal on or about December 24, 2025. However, the winter vacation was about to ensue and the Learned Advocate of the petitioner was leaving town for a vacation.

6. The Learned Advocate of the petitioner returned on or about January 5, 2025 and thereafter the petitioner had a detailed conference with him. The records and documents were shown to him and instructions were advanced for preparing an application challenging the said orders.



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7. In terms of such instructions, the Learned Advocate of the petitioner prepared the draft of the application under the said Act of 2010 and forwarded the same for the approval of the petitioner on or about January 15, 2025. The said draft was approved with expediency and instructions were advanced for preparation of a final draft and filing before this Hon'ble Tribunal on or about January 18, 2025.

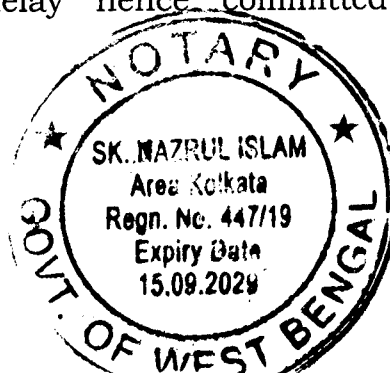
8. Under such instructions, the above application is prepared in final form and filed on or about 20.01.2026. However, in such process, a delay of about 29 days have occurred.

9. The petitioner is a layman and as such is unaware of the technicalities of limitation. In such circumstances, the delay of about 29 days have been committed in filing of the above application.

10. However, the application is filed within the extended period of 60 days as contemplated in the provisions of section 16 of the said Act of 2010. The delay committed is minor in nature and due to unavoidable circumstances.

11. The petitioner is advised that he has a good case on merits. The substantive reliefs of the petitioner may not be defeated by the technicalities of limitation.

12. The petitioner is not guilty of any laches on his part in moving the above application. The delay hence committed is neither inordinate, nor unexplained.



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13. No permanent rights have accrued in favour of any other persons as a result of the delay above mentioned. The reliefs sought for by the petitioner are still capable of being granted.

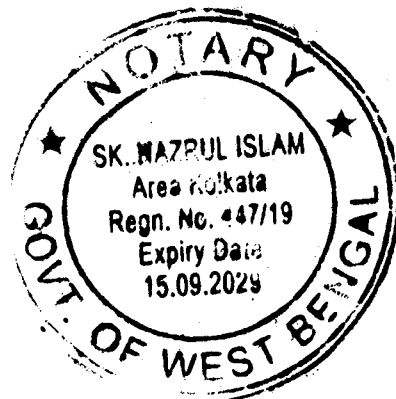
14. Unless the reliefs sought for herein are passed, your petitioner will suffer irreparable loss, injury and prejudice.

15. This application is made bona fide and for the ends of justice.

In the above facts and circumstances, the petitioner humbly prays that Your Lordships may most graciously be pleased to pass the following orders:

- i. An order be passed for condonation of the delay of 29 days committed in filing of the above application;
- ii. Such further and/or other order or orders as may be deemed fit and proper.

And for this act of kindness, your petitioner, as in duty bound, shall ever pray.



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## AFFIDAVIT

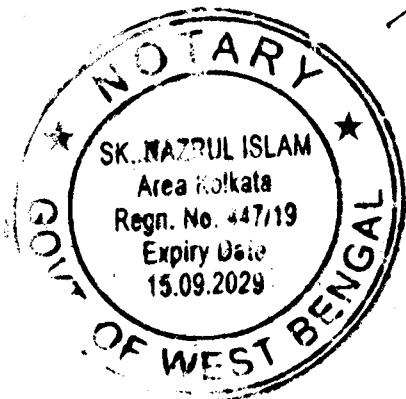
I, Prabhash Anand, son of Shri Ravindra Rai, aged about 35 years, by faith-Hindu, by occupation- Business, resident of D/52, Harmu Housing Colony, P.O. Doranda, P.S. Argora, town and District Ranchi, Pin - 834002, do hereby solemnly affirm and say as follows:-

1. That I am the applicant in the instant application. I am well acquainted with the facts and circumstances of the case as such I am competent to affirm this affidavit.

2. That the statements made in paragraphs 1 to 8 are true to my knowledge and rest are my humble submissions before this Learned Tribunal.

Prepared in my office &  
Identified by me.

*Jamir*  
Advocate



Solemnly Affirmed and  
Declared before me on the  
Identification of the Advocate.

*SK. Nazrul Islam*  
Notary

*SK. Nazrul Islam*  
Notary, Govt. of W.B.  
Govt. No. 447/19  
City Civil Court, Calcutta

*Prabhash Anand*  
DEPONENT

24 FEB 2026



**State Level Environment Impact Assessment Authority, Jharkhand**

Nursery Complex, Near Dhurwa Bus Stand, P.O. + P.S - Dhurwa, Ranchi, Jharkhand-834 004

E-mail: [msseiaa.jhk@gmail.com](mailto:msseiaa.jhk@gmail.com) / website: [www.jseiaa.in](http://www.jseiaa.in)

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Letter No: 15

Ranchi, dated: 21.11.2025

From:

Member Secretary, SEAC  
Cum  
PIO, SEIAA,  
Jharkhand, Ranchi.

To:

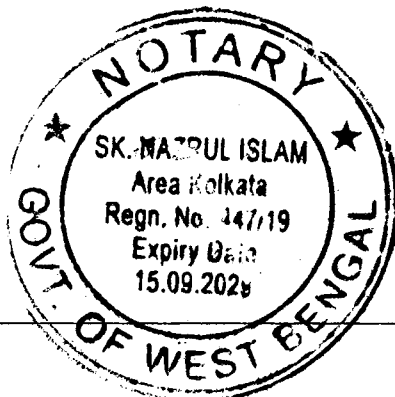
Shri Prabhash Anand,  
D-52, Anand Kutir,  
Harmu Housing Colony,  
Ranchi – 834002, Jharkhand.

Sub: Application under Right to Information Act, 2005 – Regarding.

Sir,

With regard to Right to information Act, 2005, the required information is being given below:

Sl. No.	Question	Answer
1.	Prabhash Anand has filed an representation on 27.03.2025 regarding reinstatement of my EC granted for Karmatand Stone Deposit located at Khata No.- 3, Plot No.- 333(P), 334, 336(P) at Village – Karmatand, P.S. – Gandey, District – Giridih. <b>What is the Status of my representation? If it has been approved, Kindly provide me the copy of the order OR if rejected, Kindly provide the copy of the rejection order.</b>	Prabhas Anand filed case before Hon'ble Jharkhand High Court against cancellation of EC, which was dismissed. Thereafter order of Hon'ble Jharkhand High Court was challenged in Hon'ble Supreme Court vide SLP No. 8241/2024 which was withdrawn to avail the alternative remedy to approach Hon'ble National Green Tribunal and permission was granted but SLP was dismissed as withdrawn. Thereafter Prabhas Anand approached Hon'ble NGT, Eastern Zone, Kolkata and the OA No. – 35 of 2025 was



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		dismissed as withdrawn. As such in view of aforesaid order SEIAA can not take any action upon representation.
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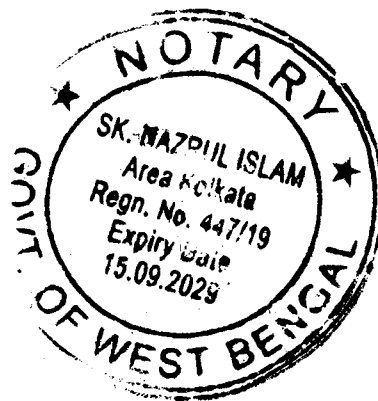
This is for your information.

Yours Sincerely,

~~21/11/2019~~  
Member Secretary, SEAC  
Cum-  
PIO, SEIAA,  
Jharkhand, Ranchi

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T





**State Level Environment Impact Assessment Authority, Jharkhand**

Nursery Complex, Near Dhurwa Bus Stand, P.O. + P.S - Dhurwa, Ranchi, Jharkhand-834 004

E-mail: [msseiaa.jhk@gmail.com](mailto:msseiaa.jhk@gmail.com)/website: [www.jseiaa.in](http://www.jseiaa.in)

344

Letter No: 13

Ranchi, dated: 20.11.2025

From:

Member Secretary, SEAC  
Cum  
PIO, SEIAA,  
Jharkhand, Ranchi.

To:

Shri Ranesh Anand,  
D-52, Anand Kutir,  
Harmu Housing Colony,  
Ranchi - 834002, Jharkhand.

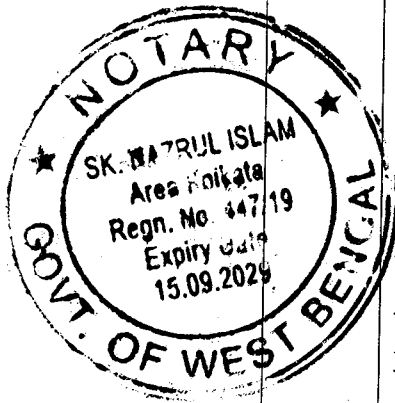
Sub:

Application under Right to Information Act, 2005 - Regarding.

Sir,

With regard to Right to information Act, 2005, the required information is being given below:

Sl. No.	Question	Answer
1.	As per the NGT order in Appeal No. 24/2023/EZ (Md. Iliyas Vs State of Jharkhand & Ors) it has been observed that there is no Rule / notification of the State Govt. of Jharkhand for siting criteria of Forest / Forest Land of 250 meters, <u>then</u> Under which Law / Rule / Circular / Notification the SEIAA has set the requirement of 250 meters of distance from <u>the battery point of stone mines in state of Jharkhand?</u>  Kindly provide me with the copy of the	Minimum distance criteria of 250 meter is followed as per Notification No.B-12, Dt. 07.12.2015 issued by Member Secretary, JSPCB, Ranchi, which has been duly forwarded to all Officers by PCCF (HoFF) vide letter no. 3929 dt. 16.12.2015. Hon'ble NGT has not set aside the aforesaid minimum distance criteria in the case



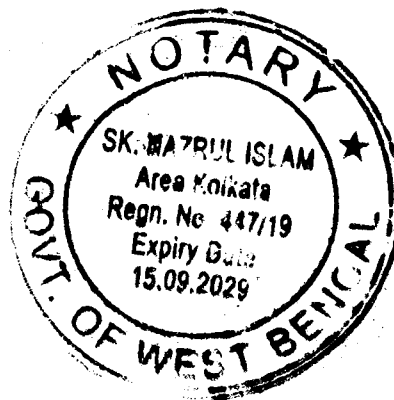
	concerned Rule / Circular / Notification / Law of State Govt. of Jharkhand regarding 250 meters distance from battery point of Stone Mines for the Protected / Notified Forests.	of Md. Iliyas Vs State of Jharkhand & Ors (copy attached).
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This is for your information.

Encl: As Above

Yours Sincerely,

*20/11/2019*  
Member Secretary, SEAC  
-Cum-  
PIO, SEIAA,  
Jharkhand, Ranchi



BEFORE THE NATIONAL GREEN  
 TRIBUNAL KOLKATA BENCH  
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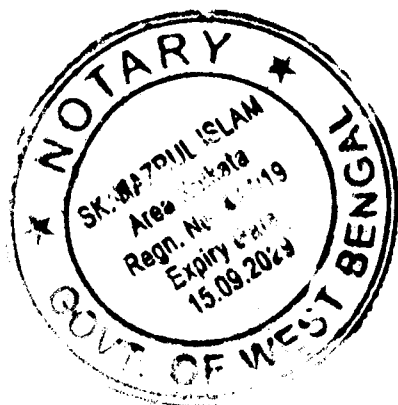
In the matter of :  
 Prabhash Anand

... Applicant

Versus

The State of Jharkhand & Ors.

... Respondents



SECTION 5 APPLICATION

SAUVIK DERE

Advocate

Bar Association Room no. 18

High Court at Calcutta

Kolkata-700001

&

4, Govt. Place North

Olisa House, 4<sup>th</sup> Floor

Room No.4E

Kolkata-700001

Mob.: 9674124447

Email : sauvikdere@gmail.com

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