

S.L. No. 73



16

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA  
ORIGINAL APPLICATION NO. 39/2026/EZ



In The Matter of:-

Sk. Mosaraf Hossain Mayapur

..... Applicant

- Versus-

State of West Bengal & Ors.

...Respondent(s)

**REPORT IN THE FORM OF AFFIDAVIT ON BEHALF OF RESPONDENT  
NUMBER 01, THE DISTRICT MINING OFFICER, BANKURA,  
GOVERNMENT OF WEST BENGAL.**

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Filed by:

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Mr. SIBOJYOTI CHAKRABARTI,  
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NUMBER 01, THE DISTRICT MINING OFFICER, BANKURA,  
GOVERNMENT OF WEST BENGAL.**

I, Sri Sanatan Mahato, S/o Santosh Kumar Mahato, aged about 35 years, by faith-Hindu, by occupation- Government Service, now posted as Mining Officer & In-Charge of Purulia Zone, Government of West Bengal, having office at GP Branch Campus, North Lake Road, Purulia, P.S- Purulia Town, Pin: 723101, West Bengal, do hereby solemnly affirm and declare as follows:

1. That I am presently posted as the Mining Officer & In-Charge of Purulia Zone, Government of West Bengal, having office at GP Branch Campus, North Lake Road, Purulia, P.S- Purulia Town, Pin: 723101, West Bengal, and I have made myself acquainted with the facts and circumstances of this case and competent to affirm this Report in the form of Affidavit on behalf of the District Mining officer, Bankura, Government of

West Bengal, being the respondent number 01, herein, in the instant original application.

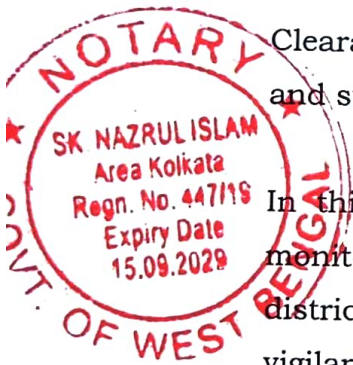
2. That this Report in the form of Affidavit is filed in compliance and obedience to the Solemn Order dated 25.03.2026, passed by the Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata.
3. That this original application being O.A. No. 39/2026/PB, was registered by the Principal Bench of the Hon'ble National Green Tribunal at New Delhi, based on a complaint dated 29.07.2025 filed by Mr. Sk. Mosaraf Hossain of Mayapur, Hooghly, on the Public Grievances Portal.
4. That subsequently vide an order dated 04.02.2026 of the Principal Bench of Hon'ble National Green Tribunal, the said O.A. was ordered to be listed before the Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata and accordingly it was registered as O.A. No. 39/2026/EZ, it was listed on 25.02.2026.
5. Thereafter the matter came up for hearing on 25.03.2026, when the Hon'ble National Green Tribunal, Eastern Bench, passed an order stating that **"...we find that it would be appropriate for us to call for a report from the District Mining Officer, Bankura and District Magistrate & Collector, Bankura and as to whether the allegations made in the original application are correct and if yes, what action has been taken in this matter at their end..."**
6. That the Mining Officer & In-Charge of Purulia Zone, Government of West Bengal had submitted his report dated 16.04.2026 for kind perusal and consideration of the Hon'ble Tribunal:



-X-

In compliance with the aforementioned order dated 25.03.2026 of Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata, the undersigned most respectfully submits as follows:

On 29.07.2025, the petitioner, Mr. Mosaraf Hossain, S/o Sekh Samshul Alam, Mayapur, Hooghly, lodged a complaint with the Hon'ble Chairperson, National Green Tribunal, Eastern Zone Bench, Kolkata. A copy of the said letter was also communicated to the District Magistrate, Bankura, Chairman, SEAC, Member Secretary SEIAA, The Director, Directorate of Mines & Minerals, WB, & The Deputy Secretary, Industry, Commerce & Enterprise, WB. In the said complaint, he alleged that illegal sand extraction activities were being carried out by **M/s Asmi Enterprise** within the riverbed area at Mouza - Debgram, P.S- Mejia, District - Bankura, West Bengal. Despite statutory and administrative directives as issued by District Magistrate, Bankura vide Memo No. 624/MM/LR/25 dated 11.07.2025 where it was stated that "**All riverbed mining activities shall remain suspended in the monsoon season in the district of Bankura on and from 13.07.2025 until further order**", prohibiting mining during the monsoon season, the lessee had been continuing sand extraction activities in violation of Environmental Clearance (EC) conditions, as well as guidelines issued under national and state frameworks.



In this regard, it is respectfully submitted that the enforcement and monitoring of riverbed sand mining activities are being carried out by the district administration through regular supervision and field level vigilance. It is further submitted that no complaint or report regarding illegal sand extraction from the place as referred above during the said period of suspension of sand mining operation was received in this office. As such, no field level inspection/enquiry was conducted by the undersigned during the period of extraction of sand as referred in the allegation. It is also submitted that **riverbed sand is a replenishable natural resource**, and its deposition is occurred by seasonal (during

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monsoon) hydrological processes, which is a natural phenomenon. As such, any void, created by the extraction of sand on the river-bed during the monsoon, will be replenished soon. In the absence of concurrent specific field verification or contemporaneous evidence, the extraction of sand made during the monsoon, as alleged by the complainant, **cannot be conclusively established at any subsequent period of time.**

Photocopy of the Report dated 16.04.2026 submitted by the Mining Officer & In-Charge of Purulia Zone, Government of West Bengal is annexed herewith and marked with the letter 'A'.

7. That it is respectfully prayed before the Hon'ble Tribunal may be pleased to pass such further Order/Orders as is deemed fit for the ends of justice.

8. That the statements made in paragraph 1 is true to my knowledge and paragraphs 2 to 6, are based on information derived from the record and which I believe to be true and rest thereof are my humble submission before this Hon'ble Tribunal.

Identified by me

*Subjoy Chakrabarti*  
Advocate 06.05.2026  
State of West Bengal

*Sanjay Mehta*  
Deponent 05/05/2026

**SANATAN MAHATO**  
**MINING OFFICER**  
**IN-CHARGE OF PURULIA ZONE**  
**DIRECTORATE OF MINES & MINERALS**  
**GOVT. OF WEST BENGAL**



Solely Affirmed and  
Declared before me on the  
Identification of the Advocate  
*[Signature]*  
Notary

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

06 MAY 2026



**Verification**

I, the deponent within named do hereby solemnly affirm and verify that the contents of the statements made in the above paragraphs of the affidavit are true and correct to the best of my knowledge and belief. No part of the same is false and nothing material has been concealed therefrom.

*SK*  
Verified at Kolkata, on this the 6<sup>th</sup> day of May, 2026.

Identified by me

*Sibgyoti Chakrobarti*

Advocate  
State of West Bengal 06.05.2026

*Sanatan Mahato*  
Deponent 05/05/2026

**SANATAN MAHATO**  
**MINING OFFICER**  
**IN-CHARGE OF PURULIA ZONE**  
**DIRECTORATE OF MINES & MINERALS**  
**GOVT. OF WEST BENGAL**



- X -

Before Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata  
i.c.w Original Application No. 39/2026/EZ  
(S K Mosaraf Hossain, Mayapur Versus State of West Bengal & Ors.)

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One original application, O.A. No. 39/2026/PB, was registered by the Principal Bench of the Hon'ble National Green Tribunal at New Delhi, based on a complaint dated 29/07/2025 filed by Mr. Sk. Mosaraf Hossain of Mayapur, Hooghly, on the Public Grievances Portal.

Vide an order dated 04/02/2026 of the Principal Bench of Hon'ble National Green Tribunal, the said O.A. was ordered to be listed before the Eastern Zone Bench of the Tribunal, and accordingly, after it was registered as O.A. No. 39/2026/EZ, it was listed on 25/02/2026.

Despite the matter being listed for hearing on 25/02/2026, no one appeared on behalf of the applicant on that day. Under these circumstances, the matter was relisted for a hearing on 25/03/2026 after an adjournment was granted.

No one appeared on behalf of the applicant on 25/03/2026. Subsequently, Hon'ble National Green Tribunal, Eastern Bench, passed an order stating that "*...we find that it would be appropriate for us to call for a report from the District Mining Officer, Bankura and District Magistrate & Collector, Bankura and as to whether the allegations made in the original application are correct and if yes, what action has been taken in this matter at their end...*"

In compliance with the aforementioned order dated 25/03/2026 of Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata, the undersigned most respectfully submits as follows:

On 29/07/2025, the petitioner, Mr. Mosaraf Hossain, S/o Sekh Samshul Alam, Mayapur, Hooghly, lodged a complaint with the Hon'ble Chairperson, National Green Tribunal, Eastern Zone Bench, Kolkata. A copy of the said letter was also communicated to the District Magistrate, Bankura, Chairman, SEAC, Member Secretary SEIAA, The Director, Directorate of Mines & Minerals, WB, & The Deputy Secretary, Industry, Commerce & Enterprise, WB. In the said complaint, he alleged that illegal sand extraction activities were being carried out by M/s Asmi Enterprise within the riverbed area at Mouza - Debgram, P.S.- Mejia, District - Bankura, West Bengal. Despite statutory and administrative directives as issued by District Magistrate, Bankura vide Memo No. 624/MM/LR/25 dated 11/07/2025 where it was stated that "*All riverbed mining activities shall remain suspended in the monsoon season in the district of Bankura on and from 13.07.2025 until further order*", prohibiting mining during the monsoon season, the lessee had been continuing sand extraction activities in violation of Environmental Clearance (EC) conditions, as well as guidelines issued under national and state frameworks.

In this regard, it is respectfully submitted that the enforcement and monitoring of riverbed sand mining activities are being carried out by the district administration through regular

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supervision and field-level vigilance. It is further submitted that **no complaint or report regarding illegal sand extraction from the place as referred above during the said period of suspension of sand mining operation was received in this office.** As such, no field-level inspection/enquiry was conducted by the undersigned during the period of extraction of sand as referred in the allegation. It is also submitted that **riverbed sand is a replenishable natural resource**, and its deposition is occurred by seasonal (during monsoon) hydrological processes, which is a natural phenomenon. As such, any void, created by the extraction of sand on the river-bed during the monsoon, will be replenished soon. In the absence of concurrent specific field verification or contemporaneous evidence, the extraction of sand made during the monsoon, as alleged by the complainant, **cannot be conclusively established at any subsequent period of time.**

This is placed for kind perusal.

*Sanjay Mukherjee*

16/04/2026

Mining Officer,  
In charge of Purulia Zone,  
Govt. of West Bengal

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WEST BENGAL.**



Filed by:

Mr. SIBOJYOTI CHAKRABARTI,  
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