

**BEFORE THE NATIONAL GREEN TRIBUNAL EASTERN
ZONE BENCH, KOLKATA**

Original Application No. 10/ 2024/EZ

KARUNATH PANZING

.....Applicant(s)

Versus

ARUNACHAL PRADESH STATE POLLUTION

CONTROL BOARD & Ors

.....Respondent(s)

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Filed by

Ashok Prasad

Ashok Prasad

Advocate for the

Respondent Nos. 2

BEFORE THE NATIONAL GREEN TRIBUNAL EASTERN
ZONE BENCH, KOLKATA

Original Application No. 10/ 2024/EZ

IN THE MATTER OF:

KARUNATH PANZINGApplicant(s)

Versus

ARUNACHAL PRADESH STATE POLLUTION
CONTROL BOARD & OrsRespondent(s)

AFFIDAVIT ON BEHALF OF RESPONDENT NOS. 2, THE
PCCF & HoFF, STATE OF ARUNACHAL PRADESH,

I, Shri Bijoy Pradhan, Deputy Conservator of Forests (Conservation), Department of Environment, Forests and Climate Change, Government of Arunachal Pradesh Itanagar, do hereby solemnly affirm and state as under:-

1. That the deponent is the Deputy Conservator of Forests (Conservation), Department of Environment, Forests and Climate Change, Government of Arunachal Pradesh Itanagar, is here by authorized to file this affidavit in behalf of the Respondent No.2 herein.

[Signature]
15
Extra Assistant Commissioner
O/o Deputy Commissioner,
Capital, Itanagar

[Signature]
DCF CONSERVATION
O/O PCCF (EF&CC)
GOVT. OF A.P.

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2. That I have read the contents of the present OA, understood the same and while denying all averments that are not specifically admitted by me to be true, my reply thereto is as under:
3. No comments are offered to the averments made in Paras 1,2 and 3 of the OA and the answering Deponent craves leave to refer to and rely upon the submissions made hereinunder.
4. In reply to the contents of Para 4(I) it is submitted that the NoC of Stone Crusher unit was issued by the Divisional Forest Officer (DFO), Pasighat as per the Application of M/S Balaji Minerals on the strength of physical verification report of the Range Officer, Mebo, a copy of which is annexed hereto as **ANNEXURE 1.**
5. In reply to the contents of Para 4(II) it is submitted that the NoC of M/S Balaji Minerals was subsequently cancelled by the DFO, Pasighat vide letter dated 06.11.2023 since the Stone Crusher unit did not renew the NoC as per letter dated 16.09.2023 . Copy of the letters dated 6.11.2023 and 16.09.2023 are annexed


DCF CONSERVATION
O/O PCCF IFRCC
GOVT OF ASSAM

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hereto and marked as ANNEXURES 2 and ANNEXURE 3 respectively.

6. No comments are offered to the contents of Para 4(III) since the same pertains to the Resp. No. 1.
7. In reply to the contents of Para 4(IV) it is submitted that no proposal has been received from the User Agency for Forest Clearance.
8. No comments are offered to the contents of Para 4(V) since the same pertains to the Resp. No. 1.
9. No comments are offered to the contents of Para 4(VI) since the same pertains to the Resp. No. 1.
10. No comments are offered to the contents of Para 4(VII) and 4(VIII).
11. In reply to the contents of Para 4(IX) it is submitted that the representation of the Applicant was received on 1.11.2023. However the NoC given to M/S Balaji Minerals was already cancelled on 16.09.2023.
12. No comments are given to the contents of Para 4(X) as the same pertains to the Resp. No. 3.


DCF CONSERVATION
O.C PCCF (EF&CC)
GOVT. OF A.P.

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13. In reply to the GROUNDS mentioned at Para 5 of the OA the answering Deponent relies upon the submissions made hereinabove.

14. No comments are offered to the contents of Para 6,7 and 8 of the OA.

15. In the facts and circumstances of what has been stated hereinabove it is most respectfully submitted that this Hon'ble Tribunal may be pleased to dismiss the OA

Prady Pradhan
DEPONENT
GOVT. OF A.P.

VERIFICATION

Verified at Itanagar on ¹⁵.....day of JULY 2024 that the contents of the above affidavit are true and correct as per official records available with the respondents and to the best of my knowledge and belief and nothing false has been stated herein or anything material concealed therefrom.

Prady Pradhan
DEPONENT
GOVT. OF A.P.

Sworn before me the Executive Magistrate Itanagar on dated 15th of July 2024 C/o DC ICR

15/07/24
**Extra Assistant Commissioner
O/o Deputy Commissioner,
Itanagar**

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GOVERNMENT OF ARUNACHAL PRADESH
DEPARTMENT OF ENVIRONMENT FORESTS AND CLIMATE CHANGE
PASIGHAT FOREST DIVISION
PASIGHAT

TO WHOM IT CONCERN

This is to certify that the undersigned has NO OBJECTION on operating of Stone Crusher Unit by Sri Darin, MS Balaji Minerals at Moruk area Mebo, East-Siang district, A.P subject to the following terms and conditions.

1. The area does not fall under any recorded Reserve Forest/PRF/ARF/ Plantation of the Division.
2. No violation of the Forest Conservation Act, 1980 shall be committed by the applicant during establishment of the unit.
3. Consent order/authorization shall be obtained from Arunachal Pradesh State Pollution Control Board prior to commencement of any establishment work of the proposed unit.
4. Trading license and other necessary permission for establishment and operation of the factory shall be obtained from the concerned District Industry Centre.
5. No Objection Certificate from the local ASM/GB/ZPM and concern administration should be obtained.
6. The existing rules, regulation and guidelines regarding operation of this unit issued by concerned department shall be strictly followed,
7. The raw-materials required for the factory shall be procured from the legal sources only.
8. Functioning of the unit may be restricted on Sunday and National Holiday, working hours should be restricted between 0700 hrs to 1700 hrs.
9. The unit shall maintain the record of procurement of raw materials and the same shall be liable for inspection any authorized Govt. officer at any time.
10. This No Objection Certificate shall remain valid for a period of One Year from the date of its issue.
11. G.P.S. Coordinates

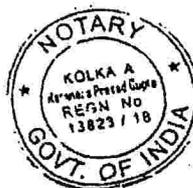
1. N 28°08'57.75"	2. N 28°09'00.32"	3. N 28°08'57.55"	4. N 28°08'54.61"
E 95°23'16.48"	E 95°23'18.12"	E 95°23'30.08"	E 95°23'27.95"

PFD/8-18/2013/INDA/Vol-II

Dated, Pasighat the 19/02/2023

C.T.C.
[Signature]
Divisional Forest Officer
Pasighat Forest Division
Pasighat

[Signature]
Divisional Forest Officer
Pasighat Forest Division
Pasighat



C.T.C.
[Signature]
Divisional Forest Officer
Pasighat Forest Division
Pasighat

GOVERNMENT OF ARUNACHAL PRADESH
DEPARTMENT OF ENVIRONMENT & FORESTS, CLIMATE CHANGE
PASIGHAT

CORRIGENDUM

Cancellation of NOCs issued to Stone Crusher Unit in periphery of Mebo RF.

No. PFD/8-18/IND/Vol-III/2819-24 Dtd. 16/09/23

In inviting a reference to this office memo. No. given regarding the subject above, the date of issue of renewed NOC to M/s Balaji Minerals in Sl. No. 02 may be read as 14-02-2023 and date of expiry as 14-02-2024. Further, the NOC issued to M/s Balaji Stone Crusher Unit is hereby withdrawn with retrospective effect i.e. w.e.f. 06-09-2023 for the reason mentioned in this office memo. No. given under reference.

Therefore, to sum up the renewed NOCs issued to M/s Balaji Stone Crusher Unit and RKC Infra Unit on dated 08-02-2023 and 14-02-2023 respectively stand withdrawn and cancelled w.e.f. 16-09-23 and NOC issued to Sri Moken Ninu Crusher Unit stands lapsed and invalid w.e.f. 09-03-2023.

Sd/-

Divisional Forest Officer
Pasighat Forest Division
Pasighat

No. PFD/8-18/IND/2013/Vol-III/4142

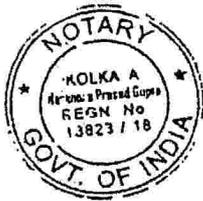
Dtd. 6/11/2023.

Copy to :-

- The Deputy Commissioner, East Siang District for favour of his information.
- The Addl. District Commissioner, Mebo Sub-Division for information and necessary action.
- All concerned Stone Crusher Units
- Range Forest Officer, Mebo Range for information and necessary action.
- Sri Nogar Megu, Nijlok village, P.O. Mebo, for information.

[Handwritten signature]
Divisional Forest Officer
Pasighat Forest Division
Pasighat

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Divisional Forest Officer
Pasighat Forest Division
Pasighat



C57C1

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Divisional Forest Officer
Pasighat Forest Division
Pasighat

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GOVERNMENT OF ARUNACHAL PRADESH
DEPARTMENT OF ENVIRONMENT, FORESTS & CLIMATE CHANGE
PASIGHAT.

Dated Pasighat, the 16/9/2023.

No. PFD/IND/Vol-III/ 2819-24

The Chief Conservator of Forests
Central Circle,
Pasighat.

Subj:- Regarding cancellation of NOCs issued to Stone Crusher Units in periphery of Mebo RF.

Ref:- No.CAC/179/IND/2015/4054-4055 Dtd.7th Sept. 2023.

Sr.

In reference to the subject above, this is to inform you that NOCs for installation and functioning of the 3(three) Stone Crusher Units(given under table below) were issued to the respective crusher units for a period of 1(one) year only, of which only M/s RKC Infra's NOC was renewed and NOCs of the two other crusher units were not further renewed from this end till date, therefore, stone crusher units of M/s Balaji Minerals and Sri Moken Ninu now stand invalid and automatically cancelled.

Sl. No.	Name of Stone Crusher Units	Location	Date of Issue of NOC	Date of Expiry	Remarks
01	M/s RKC Infra	Dumpop/Keevit area under village Ayeng	08/02/2023 Vide.No.PFD/ 8-18/ 2013/ IND/1159	08/02/2024	(a) NOC renewed and valid. (b) Located within the minimum 5km distance from RF prescribed under AP Stone Crusher Guideline 2012.
02	M/s Balaji Minerals	Moruk area, Mebo village	01/07/2021 Vide.No.PFD/ 8-18/ 2013/ IND/Vol-I/2682	01/07/2022	(a) NOC not renewed. (b) Located within the minimum 5km distance from RF prescribed under AP Stone Crusher Guideline 2012.
03	Sri Moken Ninu	Rumying area near Siku river	09/03/2022 Vide.No.PFD/8-18/ 2013/ IND/Vol-I/195	09/03/2023	Same as above

This is for favour of your kind information and further necessary action please.

Yours faithfully,

[Signature]
Divisional Forest Officer
Pasighat Forest Division
Pasighat.

Copy to:-

1. The Deputy Commissioner, E.Siang for favour of his information.
2. The ADC, Mebo Sub-Division, for his information with a copy of the CCF, CAC, Pasighat letter dtd.07/09/2023. He is requested to review the Geo-Appraisal Committee report submitted in favour of the above mentioned 3(three) Stone Crusher Units and to initiate further necessary action please.
3. All the concerned Stone Crusher Units. They are directed to shift their respective crusher units to other suitable locations within a reasonable time frame as their crusher units fall under the minimum 5(five) kms distance from Reserve Forest prescribed under AP Stone Crusher Guideline 2012. Further, NOC to the M/s PFC dtd.08/02/23 stands cancelled forthwith.
4. The RFO, Mebo Range for information and necessary action.
- 5.