

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL ZONE, NEW DELHI BENCH
Original Application no. 1264 of 2024/PB

Nyaka Soren

..... Applicant

V e r s u s

The State of Jharkhand and others

..... Respondents

Index

Sl No.	Particulars	Page No.
1.	Counter-affidavit on behalf of the respondent no. 11, M/s. Mili Stone Works (Stone Mines)	1-4
2.	Vakalatnama	5

Filed by

Amrita Pandey

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Nyaka Soren

BEFORE THE NATIONAL GREEN TRIBUNAL
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Original Application no. 1264 of 2024/PB

SERIAL NO. 2138
DATE 26/4/25

..... Applicant

Versus

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..... Respondents

**Counter Affidavit filed on behalf of Respondent no. 11 Mili Stone Works
(Stone Mines)**

I, Namajul Shekh, son of Abdul Salam Shekh aged about 34 years, by faith - Muslim, by occupation - Business, having its address at Mouza - Dhopahari, Khata No. 25, Khesra - 23 (P), PS - Haranpur, District - Pakur, Jharkhand do hereby solemnly affirm and state as follows:-

1. That I am the proprietor of Ms Mili Stone Works (Stone Mines) being respondent no. 11 herein (hereinafter referred to as the "answering respondent"). I am acquainted with the facts and circumstances of the case, and I am competent to affirm this affidavit on behalf of the respondent no. 11.
2. That I affirm this Affidavit in terms of an order dated 5th March, 2025 passed by the Hon'ble National Green Tribunal, Principal Zone Bench, directing the answering respondent herein to file our counter-affidavit/response/reply.
3. That nothing contained in this Affidavit shall be construed as admission of any statement unless specifically admitted by me. I reserve the right to deal with legal position of the matter at the time of hearing.
4. That at the outset, the answering respondent states and submits that the copy of the letter petition on basis of which the instant case has been

26/4/25



instituted has not been provided and also the Joint Committee Report submitted by the Central Pollution Control Board. The Ld. Advocate for the answering respondent vide its email dated 16th April, 2025 has requested the Learned Advocate appearing for CPCB, the Learned Registrar, the Learned DM, Pakur to supply the copy of the letter petition and the joint committee report filed by the CPCB as recorded in the order dated 5th March, 2025.

5. That thereupon on or about 18th April, 2025, the Ld. Advocate for the answering respondent has obtained the copy of the said report.
6. That the answering respondent states and submits that the report also states that the answering respondent has all the requisite valid permissions. The answering respondent has taken steps to comply with all the recommendations as stipulated in point no. 18 at page 28 of the said report pertaining to the answering respondent and undertakes to comply with all the further recommendations, if any.
7. That the unit is complying with all norms and takes all proper safety precautions and methods to minimize the environmental impacts of blasting.
8. That the unit has provide the fixed type water' sprinkler system in the mines haul road. The respondent craves leave to refer to the work order to such effect and the status of the work undertaken at the time of hearing, if necessary.
9. That the unit has updated its display board and provided information regarding the production capacity and environmental parameters. The Respondent crave leave to present the same at the time of hearing, if necessary.
10. That the unit always adheres to the rule of the transportation of stone chips, stone boulders, and stone dust carried out in tarpaulin covered vehicles.

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26/4/25

11. That the unit has developed the three-tier plantation along the periphery of the unit.
 The Respondent crave leave to present the same at the time of hearing, if necessary.

12. As stated hereinabove, the answering respondents' mining operation/businesses are totally legal and also free of defects/limitations. All necessary papers/documents in respect of the answering respondents' mining activities are intact, and all necessary permissions and sanctions as detailed above have duly been complied/obtained by the answering respondents.

13. Further, the answering respondent is ready and willing to comply with such other remedial measures as may be directed by the respondent authorities.

14. The statements made in paragraph nos. 1 to 3 of the foregoing petition are true to my knowledge and those contained in paragraph nos. 4 to 12 are matters of record and information derived from record, which are believed to be true and correct and the rest thereof including the prayer portion are my respectful submissions before this Hon'ble Tribunal.

Identified by me/

Prepared in my office

Vinay Kumar Bhagat
 Advocate
 26/4/25 - Pakur

Namjit Singh
 Deponent

Before me

Mr./Mrs./Miss *Namjit Singh*
 Who identified *Sri V.K. Bhagat*
 Advocate solemnized & declared
 to be true

26/4/25
SANTOSH KUMAR MITRA
 NOTARY

Dist. Pakur (Jharkhand)

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KNOW ALL MEN by these presents that We, the Respondent no. 10 and 11 herein, do hereby in my/our name and on my/our behalf constitute and appoint Ms. Amrita Pandey, Ms. Sneha Singh, Advocates, High Court, Calcutta, Hastings Chamber, 7C, Kiran Shankar Roy Road, 2nd Floor, Room No. 6, Kolkata 700 001 as our true and lawful Pleader/Advocate & Attorneys to appear and act for me/us in the matter noted above to file suit, written statement, conduct suit, appeal from original suit, order etc., And for that purpose to do all acts and things, whatsoever in that connection including compromise of the above matter depositing in or withdrawing money from, filing or taking out of appear, document and payment order from Court referring matters in dispute between the parties here to arbitration, withdrawing the above matters with liberty to file fresh suit, sending properties released from attachment, filing execution or miscellaneous cases and other petitions, bidding at execution sale, obtaining payment from us out of Court withdrawing custody and other fees and doing on my/our behalf other acts, in the above matter as are necessary and proper. I/We hereby agree to ratify and confirm all acts so done by the said advocate or attorneys as my/our own acts and as if done by me/us to all intents and purposes.

Date: 18.4.2025

Received & Accepted by me

Amrita Pandey

Advocate

MS. AMRITA PANDEY

(ADVOCATE)

WB/1741/2009

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Nanjib-Subh

*Sneha Singh
Advocate
18/04/2025*