

N.D.H.:14.10.2025

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 1025 OF 2024**

IN THE MATTER OF:

SURENDER SINGH PARIHAR APPLICANT
VERSUS
STATE OF U.P. & OTHERS ... RESPONDENTS

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Place: New Delhi**Date:** 10.10.2025

Filed by:-


(GAURAV AGARWAL)

Advocate for Respondent No.7

M/s Bharosa Sarkar Contractor & Supplier

GRV LEGAL

Advocates and Legal Consultants

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**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
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SURENDER SINGH PARIHARAPPLICANT

VERSUS

STATE OF U.P. & ORS.RESPONDENTS

**ADDITIONAL AFFIDVIT IN REPLY IN COMPLIANCE
OF ORDER OF THE TRIBUNAL DATED 17.07.2025**

1. That the instant Original Application is registered on a letter petition dated 12.01.2024 sent by the Applicant to this Hon'ble Tribunal. by the said letter petition the Applicant has alleged that mining lease has been sanctioned at Gata No.908, Block No.2, Village Kharvanch, Tehsil Garautha, District Jhansi in favour of M/s Bharosa Sarkar Contractor and supplier for a period of 5 years. Said mining lease holder is carrying out mining activities in utter violation of conditions of environmental clearance granted by State Level Environment Impact Assessment Authority, UP (hereinafter referred to as 'SEIAA,UP') in as much as it is using heavy Poclain machines for extracting Morang from the stream of river; mining activities are being carried out beyond the lease area; the transport of mineral is by overloaded vehicles; no CCTV has been installed and mineral is transported uncovered causing emission of dust and resulting air pollution.

2. That by order dated 05.11.2024 this Hon'ble Tribunal took cognizance of the matter. In order to ascertain the factual status and correctness of the allegations made by Applicant, a three member joint committee was constituted by this Tribunal which comprised of DM, Jhansi, UPPCB and CPCB, to submit a report.
3. That the joint committee filed its report on 22.01.2025. On 23.01.2025 the matter was listed before the Hon'ble but as the report was not placed on record hence the matter was adjourned directing registry to place the same on record. However, this Tribunal in the meanwhile directed issuance of notices to Project Proponent (answering Respondents) as well as to other State Respondent.
4. That on 17.03.2025 the answering Respondent appeared through counsel. This Hon'ble Tribunal allowed time to the answering Respondent to file its response. Hence, the present reply is being filed to the joint committee report.
5. That the answering Respondent has, thereafter, filed the reply on 08.05.2025. Whereafter, when the matter was listed on 27.07.2025 the Hon'ble Tribunal directed the answering Respondent herein to file an additional affidavit stating the utilization of CER/EMP amount, plantation carried out by the answering Respondent.
6. That the answering Respondent has made the following plantation in the nearby areas and villages of the lease :

2022		
Sl. No.	Plants Variety	Number
1	Neem	2150
2	Pipal	700
3	Aam	800
2023		
1	Babool	600
2	Neem	700
3	Aam	1000
4	Shisham	300
2024		
1	Pipal	1300
2	Shisham	400
3	Aam	700
4	Babool	900
5	Neem	700

The answering Respondent has already attached the copy of the bills of the purchase of plants/saplings with the reply filed on 08.05.2025.

7. That the said plantation is carried out in nearby villages Kharwanch, Kakarwai, Gigni, Magroth, Bangra, Gadhar, Dhamnor and Gatiyar. Though large number of saplings is got planted each year but survival rate is low in the said area. However, answering Respondents ensures that the

saplings are taken care of till they grow enough to support themselves and they employ locals for the said purpose.

8. That the answering Respondent has utilised the CSR/CER fund by constructing toilets in the nearby area, boundary walls of well , installing hand pump, providing medical facility by free distribution of medicine and health check up/ treatment camps in the villages nearby.
9. That answering Respondent has not carried out any illegal mining in the area. The mining activity is carried out in strict compliance of the legal requirements. However, still the answering Respondent submits that they are ready and willing to abide by any further direction that this Hon'ble Tribunal may given in respect of the mining activity carried out by the answering Respondent.
10. That in light of the aforesaid additional facts being brought before the Tribunal in compliance of the order dated 17.07.2025, the present OA deserves to be disposed of.

M/S BHAROSA SARKAR
CONTRACTOR AND SUPPLIERS
(Respondent No. 7)

Through


(GAURAV AGARWAL)
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GRV LEGAL
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**BEFORE THE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH AT NEW DELHI**

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IN THE MATTER OF:

SURENDRA SINGH PARIHARAPPLICANT

VERSUS

STATE OF UTTAR PRADESH & OTHERS ..RESPONDENTS

AFFIDAVIT

I, DINESH KUMAR aged about 60 years, Son of Shri Sheetal Prasad R/o Village Bharosa, Post Bharosa, Tehsil Moth, District Jhansi, Uttar Pradesh-284303, do hereby state on solemn affirmation as under:-

1. That the deponent is the Director of the Respondent in the present Original Application as such I am well conversant with the facts and circumstances of the present case and hence, competent to swear this affidavit.
2. That I have gone through the accompanying Additional document from para 1 to 10 and say that the contents thereof are true and correct to the best of my knowledge and belief and I believe the same to be true.
3. That the Annexures R — R- to the reply are true copy of the documents.

Solemnly affirmed on this 30 day of September, 2025 at Jhansi, U.P.

दिनेश कुमार

DEPONENT

VERIFICATION:

Verified at Jhansi, U.P. on this 30 day of September, 2025 that the contents of my above affidavit are true and correct to my knowledge and no part of it is false and nothing material has been concealed therefore.

Serial No. 2193 Date 20/09/25

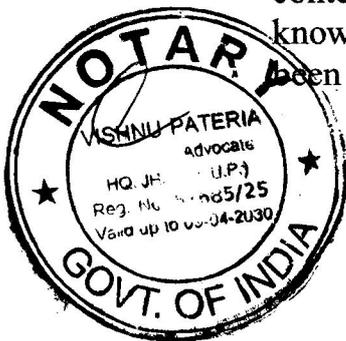
Certified that the foregoing statement sworn before me this day at.....

by shri. Dinesh Kumar to whom the contents of this affidavit have been read over and explained and who is identified by shri. Self

Received the legal fee Rs.

DEPONENT

दिनेश कुमार



Vishnu Pateria
VISHNU PATERIA
Advocate

30/9/25