

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

ORIGINAL APPLICATION NO. 435 OF 2023

IN THE MATTER OF:

JASBIR SINGH

...APPLICANT

VERSUS

STATE OF U.P. & OTHERS

...RESPONDENTS

INDEX

S.NO.	PARTICULARS	PAGE NO.
1.	ADDITIONAL SUPPLEMENTARY REPLY ON BEHALF OF RESPONDENT NO. 7 (S.J.P GLOBAL LIMITED) WITH AFFIDAVIT.	1-11
2.	Vakalatnama with NOC.	12
3.	Proof of Service	13

FILED BY:

Ranu Purohit

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**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
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**ADDITIONAL SUPPLEMENTARY REPLY ON BEHALF OF
RESPONDENT NO. 7 (S.J.P GLOBAL LIMITED)**

1. That the present Additional Supplementary Reply is being filed in furtherance of the Order of Hon'ble Tribunal dated 18.09.2024 wherein this Hon'ble Tribunal in para 2 of the said order indicated that the provisions of Environment Impact Assessment Notification dated 14.09.2006 has not been complied with having regard to the fact that subsequent thereto, the supplementary reply has been filed on 14.01.2025 in which the information in terms of the order dated 18.09.2024 has been supplied. Additionally, it is further clarified in this Reply that the Consent to Operate had been refused by UPPCB initially on 23.02.2024 and thereafter on 11.09.2024 without assigning any reason. It is trite to note that every administrative order is required to contain reasons since

reasons are the heart of every conclusion, and in absence of the same, the order becomes lifeless as propounded by Apex Court in long line of decisions. Upon being approached to grant Consent to Operate, the authorities showed their inability to grant the said Consent to Operate merely on the ground that matter is sub-judice with Hon'ble NGT; apart from the fact that the Answering Respondent No. 7 has acted in conformity with the provisions of law particularly when the entire construction work was done in terms of the provisions of the sanctioned map accorded under Section 15 of the U.P. Urban Planning and Development Act and all the conditions mentioned in the sanction order issued by the Development Authority have been complied with in letter and spirit as elaborately mentioned in the previous reply filed by the Answering Respondent No. 7.

2. That by means of the order dated 03.05.2024 passed by Hon'ble NGT, it was observed that the authorities are under obligation to discharge their statutory functions in conformity with the provisions of law and the CTO so applied for has been refused by means of order dated 23.02.2024 and 11.09.2024 without any rhyme and reason; especially when the terms and conditions stipulated in the sanction order under the U.P. Urban Planning and Development Act were complied with in letter and spirit.
3. That it is noteworthy that para 2 of the provisions of Environment Impact Assessment Notification dated 14.09.2006 has been suitably amended on 15.11.2018 and as such Answering Respondent No. 7 is also taking resort to the

notification dated 14.09.2006 and 15.11.2018 so far as the built-up area is at issue coupled with the fact that the terms and conditions as mandated by the authority granting sanction for construction of the building by invoking the provisions of Section 15 of the U.P. Urban Planning and Development Act, 1973 had been complied with in letter and spirit.

4. That the Answering Respondent No. 7 has already filed the sanctioned map and revised sanctioned map in which the Khasra Nos. 844-848, 850, 851, 867 and 871 mauja-sunrakh bangar, Tehsil and District Mathura have been elaborated which consist of 94548.88 square meter and as such it is respectfully submitted that Answering Respondent No. 7 has acted in conformity with the provisions of law in construction of the building in question in terms of the sanction orders issued by the competent authority under the provisions of the U.P. Urban Planning and Development Act, 1973.

5. That in order to elaborate the factual position in detail, it is respectfully submitted that the Answering Respondent No. 7 is the owner of residential project at Khasra No. 844-848, 850, 851, 867 and 871 mauja - Sunrakh Bangar, Tehsil and District Mathura. The construction work for the said project was started after obtaining consent to establish (NOC) from UPPCB vide letter dated 15.02.2012 and after complying with the terms and conditions of the consent to establish (NOC) and after getting approval of drawing map from Mathura - Vrindavan Development Authority, Mathura.

6. That it is also relevant to submit there that the Answering Respondent has constructed only 298 units which account for 19197.7 Square Meter of Area, which is the total constructed /Built up area of this project. Brief details of the constructed /Built up area are as hereunder:-

Type of Unit	No of Units	Land Area Per Unit (SQM)	Built up Area Per Unit (SQM)	Total Built up Area (SQM)
Type A	22	99.48	120.13	2642.86
Type B	25	84.28	114.51	2862.75
Type C	235	83.58	54.26	12751.10
Type D	16	104.19	58.81	940.96
TOTAL	298			19197.70

7. That it is pertinent to mention that the Answering Respondent No. 7 also submits that it undertook development on green areas of the project by way of soft and hard landscaping and plantation of the trees with in the vicinity of the project.
8. That in relation to the direction contained in para 2 of the order dated 20.08.2024 passed by this Hon'ble Tribunal, it is clarified that the environmental clearance is not required in terms of the Environment Impact Assessment Notification dated 14.09.2006 qua the project of the Answering Respondent No. 7 in view of the fact that the total built-up area does not exceed 20,000 sq. mtr. It is further clarified that the fact the

sewage line of the project is already connected with SPS Rukmani Vihar Colony under the permission of Mathura-Vrindavan Development Authority as already elaborately explained in the earlier affidavit on record.

9. That the Answering Respondent No. 7 also procured the noting of the file of Development Authority under Right to Information Act whereby it is reflected that sewerage connection of the entire project was permitted to be done in the main sewerage line of the Development Authority, and as such, the Answering Respondent has acted in accordance with law and in terms of the approved map in respect of which no norms fixed therein were violated, and in making the connection in the main sewerage line a technical committee report to the Vice Chairman who had granted approval and to meet out the additional cost of sewer line from the EDC amounting to Rs. 72.09 Lakhs has been charged from the Answering Respondent No. 7 and the same has been deposited accordingly. The aforesaid facts have already been elaborated in the previous reply submitted on behalf of Respondent No. 7.

10. Additionally, a report was submitted by Junior Engineer after making spot inspection of the site in question and the extract of the report of Junior Engineer is being quoted below:

सचिव महोदय,

माननीय राष्ट्रीय हरित अधिकरण, नई दिल्ली द्वारा ओ०ए० संख्या-435 सन 2023 श्री जसबीर सिंह बनाम उत्तर प्रदेश राज्य आदि में पारित आदेश दिनांक 30-10-2023 के अनुपालन में जबाब दाखिल करने हेतु स्थल का निरीक्षण किया, आख्या निम्नवत् है-

1- एस०टी०पी० - यह कार्य राधा फ्लोरेन्स कॉलौनी के एस्टीमेट का हिस्सा नहीं है। राम्रा. फ्लोरेन्स कॉलीनी का निरीक्षण किया तो कॉलौनी क्षेत्र में सीवर लाइन का विकास कार्य पूर्ण है।

प्राधिकरण द्वारा कॉलौनी का मानचित्र स्वीकृत करते समय बाहय विकास शुल्क के रूप में ली गई धनराशि से राधा फ्लोरेन्स कॉलौनी से लेकर प्राधिकरण की एस०टी०पी० स्थित रुकमणी बिहार मथुरा तक मथुरा वृन्दावन विकास प्राधिकरण द्वारा सीवर लाइन डाली हुई है जित्तमें प्राधिकरण की सहमति से विकासकर्ता द्वारा राधा फ्लोरेन्स कॉलौनी के सीवर लाइन को जोड़ा हुआ आ है। जिससे सीवरेज का निस्तारण हो रहा है। चूंकि सीवर लाइन के साध्यन से नथुरा-वृन्दावन विकास प्राधिकरण की रुकमणी बिहार एस०टी०पी० में संयोजन है। अतः अलग से एस०टी०पी० की कोई आवश्यकता नहीं है।

2 वर्षा जल संचयन प्रणाली- यह कार्य राधा फ्लोरेन्स कॉलौनी के एस्टीमेट का हिस्सा है। कॉलौनी के अवलोकन से विदित हुआ कि कॉलौनी श्री में इस कार्य का होना पाया गया है।

3-कूड़ा/कचरा निस्तारण - यह कार्य राधा फ्लोरेन्स कॉलौती के एस्टीमेट का हिस्सा नहीं है। लेकिन कॉलौनी का निरीक्षण किया तो कॉलीनी क्षेत्र में 04 बड़े डस्टविन अलग-अलग स्थानं पेरे मौजूद हैं जिनमें डोर-टू-डॉर क्लैक्शन होता पाया गया। इन बड़े डस्टबिनों को नगर नियम द्वारा नियमानुसार निस्तारित किया जा रहा है।

4-हरित पट्टी - यह कार्य राधा फ्लोरेन्स कॉलौनी के एस्टीमेट का इस प्रकार हिस्सा है कि पार्क विकसित करने का उल्लेख एस्टीमेट में मौजूद है। राधा फ्लोरेन्स कॉलौनी का निरीक्षण किया तो कॉलौनी क्षेत्र में पार्क विकसित हैं तथा बाउन्ड्रीवाल के साथ-साथ वृक्षारोपण का कार्य पाया गया।

आख्या उपरोक्तानुसार सादर प्रस्तुत है।

ह० अपठनीय
(अनिल सिंघल)
कनिष्ठ अभियंता,
म०वृ० वि०प्रा०, मथुरा।
दिनांक 19-1-2024

11. That from perusal of the aforesaid report, it reveals that disposal of sewerage of the colony is being made through the sewer line of the development authority subject to payment of Rs. 72.09 lacs and as such no environmental damage/ degradation is reflected on the part of Respondent no. 7.

12. That it is also relevant to point out here that the Regional Officer, U.P. Pollution Control Board has written letter on 27.11.2023 to the Secretary of Development Authority and in response thereto the Secretary has submitted a letter on 29.01.2024 indicating the facts of sewerage connection, but the order dated 24.01.2024 came to be passed only on the report of the Regional Officer dated 24.01.2024 even without waiting the reply of Secretary and the letter dated 29.01.2024 pursuant to the letter dated 27.11.2023, the order of imposition of environmental compensation upon the proponent amounting to Rs. 1,11,06,250/- despite the fact that the answering respondent has represented the Board authorities by means of representation dated 07.02.2024

and thus the aforesaid order of imposition of environmental compensation deserves to be rescinded and recalled under the circumstances enumerated above.

13. That it is also noteworthy that the order dated 24.01.2024 passed by and on behalf of the U.P. Pollution Control Board whereby environmental compensation as mentioned above has been imposed in view of the fact that there is no provision under the Water Act, 1974 and Air Act, 1981 and Environment (Protection) Act, 1986 as well as under the Rules framed thereunder, thereby empowering the State Board to impose environmental compensation as propounded by Division Bench of Allahabad High Court in Writ-C No. 8804 of 2023 in its judgment and order dated 03.10.2024, and as such, the order of imposition of environmental compensation is not mandated by law and is also without jurisdiction in terms of the judgment rendered by Allahabad High Court as mentioned above.

14. That in view of the aforesaid factual and legal position, the complaint moved by Jasveer Singh deserves to be rejected.

Date: 17-03-2025
Place: Mathura

RESPONDENT


SJS Global Ltd

THROUGH:

Authorised Signatory



SAMAKSH GOYAL/ RANU PUROHIT
ADVOCATES FOR THE RESPONDENT NO. 7
A-405, 1st Floor, Defence Colony, New Delhi
Mob: 9560028080/ 9560457997

VERIFICATION

Verified at Mathura on this day of 17 March 2025 that the contents of the above affidavit are correct and true to the best of my knowledge and belief and nothing material has been concealed therefrom.

Date: 17-03-2025
Place: Mathura

RESPONDENT


SJS Global Ltd

THROUGH:

Authorised Signatory

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 453 OF 2023

IN THE MATTER OF:

M/s SJP Global Ltd.
(Former SJP Real Estate Ltd.)

... Applicant

VERSUS

State of U.P. & others

...

Respondents

AFFIDAVIT

I, Deepak Singhal S/o Shri. Devendra Kumar, aged about 38 Years, Office at: SPJ Global Limited 111, Shri Jamuna Dham, Goverdhan Road, Mathura 281004, do hereby solemnly affirm and state as under:-

3259
17/3/23
That I am the Authorized Representative of the Respondent in the above-mentioned Original Application and as such I am well conversant with the facts and circumstances of the case and competent to swear the present Affidavit.

- (2) That I have gone through copy of the Additional Supplementary Reply and state that the contents thereof are true and correct to my knowledge and belief.
- (3) That the annexures attached to the present Additional Supplementary Reply (if any) are true and correct copies of their respective originals.

SJP Global Ltd.
DEPONENT
Authorized Signatory

VERIFICATION

Verified at Mathura on this 17 day of March 2025 that the contents of the above affidavit are correct and true to the best of my knowledge and belief nothing material has been concealed therefrom.



[Signature]
SJP Global Ltd.
DEPONENT
Authorised Signatory

The contents of the affidavit were read over & explained to *[Signature]* who is identified by *[Signature]* & on oath attested today on 17/3/25 at my office & noted down in the register at No. 3227 and charged fees. *[Signature]*
Babita Agrawal Advocate
Notary Public, Mathura

[Signature]
I Know Shri/Smt. *[Signature]*
He/She Has Signed before
Sig Identity

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 453/ 2023

VAKALATNAMA

IN RE :-

JASBIR SINGH ...APPLICANT
VERSUS
STATE OF UP AND ORS ...RESPONDENTS

KNOW ALL to whom these presents shall come that I, DEEPAK SINGHAL, the authorized representative of SPJ Global Limited/ Respondent No. 7 do hereby appoint

MR. SAMAKSH GOYAL, MS. ADITI DANI, MS. RANU PUROHIT AND MR. ROHIT RATHI
ADVOCATES

hereinafter called the Advocate(s) to be my/our Advocate(s) in the above-noted case authorize them:

To act, appear and plead in the above-noted case in this Court or in any other Court in Court in Which the same may be tried or heard and also in the appellate Court including High Court Subject to payment of fees separately for each court by me/us.

To sign, file verify and present pleadings appeals cross-objection or petitions for execution review, revision withdrawal, compromise or other petitions or affidavits or other documents as may be deemed necessary or proper for the prosecution of the said case in all its stages. To file and take back documents to admit and / or deny the documents of opposite party.

To withdraw or compromise the said case or submit to arbitration and difference or disputes that may arise touching or in any manner relating to the said case. To take execution proceedings.

To deposit, draw and receive money, cheques, cash and grant receipts hereof and to do all other acts and things which may be necessary to be done for the progress and in the course of the prosecution of the said case.

To appoint and instruct any other Legal Practitioner, authorizing him to exercise the power and authority hereby conferred upon the advocate whenever he may think fit to do so and to sign the Power of Attorney on our behalf.

And I / We the / undersigned do hereby agree to ratify and confirm all acts done by the Advocate or his substitute in the matter as my / our own acts, as if done by me / us for all intents and purposes.

And I / We undersigned do hereby agree that in the event of the whole or part of the fee agreed by me / us to be paid to the Advocate remaining unpaid he shall be entitled to withdraw from the prosecution of the said case until the same is paid up.

IN WITNESS WHEREOF I / We do hereunto set my / our hand to these present the contents or which have been understood by me/ us on this 24th day of February, 2025.

Accepted subject to the terms of fees & Identified

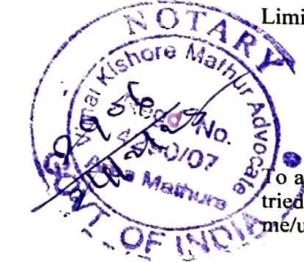
Advocate(s)

Mr. Samaksh Goyal (D/729/2011): [Signature]
Ms. Aditi Dani (MAH/1659/2013): Aditi Dani
Ms. Ranu Purohit (D/1483/2014): Ranu Purohit
Mr. Rohit Rathi (MAH/1989/2013): Rohit Rathi
Advocates for the _____

Client

SPJ Global Ltd.

[Signature]
Authorized Signatory



VIMAL KISHORE MATHUR
Advocate Notary Public, Mathura

VSA LEGAL ADVISORS
32, South Extension, Part II,
New Delhi - 110035, 080
Mobile No. +91-9811-983541
Tel.: 011-43541000
Fax: 011-43503350

No objection
[Signature]
15/3/25

A 405, 1st Floor, Defence Colony, New Delhi 110024
Email: office.ssgoyal@gmail.com, adv.ranupurohit@gmail.com
(M): +91 9560028080, 9560457997

and Charge...
at my office...
noted if...
and Charge...
[Signature]

Vimal Kishore Mathur
Notary Public
District Head Quarter, Mathura.

मे श्री... को व्यक्तिगत रूप से जानता हूँ इन्होंने
हरताक्षर/निःशर्त/अपेरे सामने किये है।

[Signature]

417



13

Ranu Purohit <office.ranupurohit@gmail.com>

Additional Supplementary Reply In the matter of Jasbir Singh vs State of U.P. & Ors. before Principal Bench, New Delhi // O.A. No. 435 of 2023 //

1 message

Ranu Purohit <office.ranupurohit@gmail.com>

Wed, Mar 19, 2025 at 11:46 AM

To: filing.bpl-ngt@gov.in

Dear,
Sir/ Madam

Please find attached a copy of th Reply in the above captioned matter.

--

Kind regards,
Ranu Purohit
Advocate-on-Record

Office: S-74, LGF
Greater Kailash-1
New Delhi- 110048
(M) +91-9560457997

Please spare a thought for the environment. Print this mail only if necessary.

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FINAL REPLY JASBIR SINGH.pdf
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