

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 537 OF 2022**

IN THE MATTER OF:

Mukesh Kumar Chouhan

...Applicant

Versus

State of U.P. & Ors.

...Respondents

INDEX

SR NO.	PARTICULARS	PAGE NO.
1.	Affidavit of Compliance on behalf of Respondent No. 5, M/s. J.K. Cement Ltd.	1-3
2.	ANNEXURE 1: A Copy of the Order dated 19.03.2025 passed by this Hon'ble Tribunal in O.A. No. 537 of 2022.	4-6
3.	ANNEXURE 2: A Copy of the receipt of the cost deposited with the National Green Tribunal Bar Association, Principal Bench, New Delhi.	7-8



SHLOK CHANDRA AND SANKALP SHARMA

ADVOCATES

A-22 DEFENCE COLONY,

NEW DELHI-110024

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Phone: +91 9999670588

Dated: 11.04.2025

Place: New Delhi

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 537/2022**

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MUKESH KUMAR CHAUHAN

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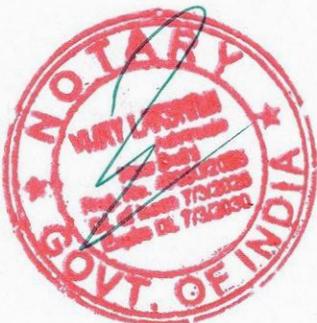
...RESPONDENT

AFFIDAVIT OF COMPLIANCE

I Vivek Sharma, S/o Shrinivas Sharma, aged about 49 years, working as a Unit Head of Aligarh Plant of M/s. J.K. Cement Limited having corporate office at Prism Tower, 5th Floor, Ninaniya Estate, Gwal Pahari-Gurugram-122003, PRESENTLY AT New Delhi, do hereby, solemnly affirm and declare as under:

1. I am the authorized representative of Respondent No. 5, M/s. J.K. Cement Ltd. ('**JK Cement**') and am well conversant with the facts, circumstances and proceedings of the case and as such am competent and duly authorized to swear and affirm this affidavit.
2. This Hon'ble Tribunal vide order dated 19.03.2025 had directed the JK Cement to deposit costs of ₹ 25,000/- with the National Green Tribunal Bar Association, Principal Bench, New Delhi within one month as under:

"5. Non-appearance of respondent no. 5- M/s J.K. Cement Ltd. (JK Cement) and respondent no.8- M/S P&P EXIM Pvt. Ltd. today has the effect of causing unnecessary adjournment and delaying appropriate resolution of the environmental issues involved in the case. Such



deliberate non-appearance can be remediated only by an order imposing exemplary costs for unnecessary adjournment thereby caused.

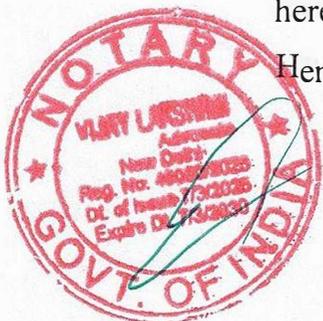
6. In these facts and circumstances respondent no. 5- M/s J.K. Cement Ltd. (JK Cement) and respondent no.8- M/S P&P EXIM Pvt. Ltd. are directed to file their additional response and to deposit costs of Rs. 25,000/- each with the National Green Tribunal Bar Association, Principal Bench, New Delhi within one month. The amount of costs so deposited shall be utilized for providing legal aid to the applicants not represented by any lawyer for effectively presenting their case before this Tribunal and creating facilities for the litigants visiting this Tribunal for hearing of cases filed by them.”

A Copy of the Order dated 19.03.2025 passed by this Hon'ble Tribunal in O.A. No. 537 of 2022 is Annexed herewith as '**Annexure -1**'.

3. In compliance with the directions contained in the order dated 19.03.2025, the Respondent herein has duly deposited an amount of ₹ 25,000/- with the National Green Tribunal Bar Association, Principal Bench, New Delhi vide demand draft dated 17.04.2025, bearing number 071723 drawn on Bank of Baroda.

A copy of the receipt of the cost deposited along with copy of DD with the National Green Tribunal Bar Association, Principal Bench, New Delhi is Annexed herewith as '**Annexure – 2**'.

4. It is submitted that non-appearance of the Counsel for the Respondent herein was not intentional and was caused as the previous Unit Head, Mr. Hemant Dave had recently resigned from his employ with the answering



ANNEXURE -1

Items No. 03 to 05

Court No. 2

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 537/2022

Mukesh Kumar Chouhan

Applicant

Versus

State of U.P.& Ors.

Respondents

WITH

Original Application No. 426/2023

Surender Singh Chouhan

Applicant

Versus

State of U.P.& Ors.

Respondents

WITH

Original Application No. 457/2023

S S Singh

Applicant

Versus

State of U.P.& Ors.

Respondents

Date of hearing: 19.03.2025

**CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

Applicants: None for the Applicants.

Respondents: Ms. Priyanka Swami, Advocate for respondent no. 1-State of U.P.
Mr. Bhupendra Pratap Singh (through VC), Mr. Nakul Nirwab, Mr. Ashish Singh and Mr. Anurag Thakur, Advocates for respondent no. 2-UPPCB.
Mr. Gi. Gi. C. George for respondents no. 4-North Central Railway and 9-Railway Board.
Mr. Shlok Chandra and Mr. Sankalp Sharma, Advocates for respondent no. 5-M/s. J.K Cement.
Mr. Chirag Rathi, Advocate for respondent no. 7-M/s. Vision Next Road Logistics Pvt. Ltd. (through VC).

Mr. Saurabh Balwani, Advocate for respondent no. 10-CPCB (through VC).

ORDER

1. In compliance of order dated 19.12.2024, report dated 13.03.2025 has been filed by Div. Rail Manager, North Central Railway, Prayagraj vide email dated 13.03.2025.
2. Learned counsel for respondents no.4 and 9 seeks time to file additional report on behalf of respondent no.4-North Central Railway and copies of guidelines issued by respondent no. 9-Railway Board.
3. Further progress report and copies of the Guidelines may be filed at least one week before the next date of hearing fixed.
4. None has appeared for respondent no. 5- M/s J.K. Cement Ltd. (JK Cement) and respondent no.8- M/S P&P EXIM Pvt. Ltd. and respondent no. 5- M/s J.K. Cement Ltd. (JK Cement) and respondent no.8- M/S P&P EXIM Pvt. Ltd. have not filed any response to apprise this Tribunal about remedial measures taken by them.
5. Non-appearance of respondent no. 5- M/s J.K. Cement Ltd. (JK Cement) and respondent no.8- M/S P&P EXIM Pvt. Ltd. today has the effect of causing unnecessary adjournment and delaying appropriate resolution of the environmental issues involved in the case. Such deliberate non-appearance can be remediated only by an order imposing exemplary costs for unnecessary adjournment thereby caused.
6. In these facts and circumstances respondent no. 5- M/s J.K. Cement Ltd. (JK Cement) and respondent no.8- M/S P&P EXIM Pvt. Ltd. are directed to file their additional response and to deposit costs of Rs. 25,000/- each with the National Green Tribunal Bar Association, Principal Bench, New Delhi within one month. The amount of costs so deposited

shall be utilized for providing legal aid to the applicants not represented by any lawyer for effectively presenting their case before this Tribunal and creating facilities for the litigants visiting this Tribunal for hearing of cases filed by them.

7. List on 13.05.2025 for further consideration.
8. A copy of this order be sent to the respondent no. 5- M/s J.K. Cement Ltd. (JK Cement) and respondent no.8- M/S P&P EXIM Pvt. Ltd. by email for requisite compliance with this order and deposit of costs with National Green Tribunal Bar Association, Principal Bench as directed.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

March 19th , 2025
Original Application No. 537/2022
& connected matters
AB

ANNEXURE-2



National Green Tribunal Bar Association

Room No. 28, NGT Complex, Faridkot House, Copernicus Marg, New Delhi - 110001
Tel. : +91-9910811802 E-mail : info@ngtba.org Website : www.ngtba.org

Receipt No. : 481

Date : 17/04/2025

Received with thanks from J.K. Cement LTD. (R.no-5)

an amount of Rupees Twenty five thousand only/-

through Cash / Cheque / Bank Draft No. 071723

Dated 17/04/2025 drawn on Bank of Baroda, ALIGARH

on account of Cost Imposed on Original Application no. 537/2022

Hearing date :- 19-03-2025

Treasurer / Secretary

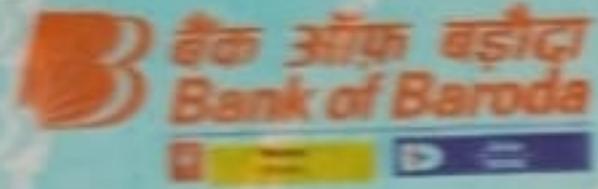
Mukesh Kumar chohan

versus

State of U.P. & ors.

₹ 25000/-


17/04/2025
NGT Bar Association



ताल नगरी, अलीगढ़ - 202 001
TALA NAGARI, ALIGARH - 202 001
RTGS/NEFT FSC BARB0TALANA
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डिमांड DEMAND
ड्राफ्ट DRAFT

1 7 0 4 2 0 2 5
D D M M Y Y Y Y

किसी को देना NGT BAR ASSOCIATION NEW DELHI

On Demand Pay

रुपये Twenty Five Thousand Only

Rupees

₹ 25,000/-00

अदा करें

मूल्य प्राप्त हुआ / FOR VALUE RECEIVED
Not above INR 25000/-

कृते बैंक ऑफ़ बड़ौदा
For Bank of Baroda

Paway Sharma
fe no-188190
संयुक्त प्रबंधक / Joint Manager

शाखा प्रबंधक / Branch Manager

ह.स.न. / S.S. NO. (

ह.स.न. / S.S. NO. (

Please sign above

DD/2022/DL
(DD Alpha Prefix)

अल्फा कूट ALPHA CODE
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