

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

ORIGINAL APPLICATION NO. 579/2024

WITH

ORIGINAL APPLICATION NO. 580/2024

IN THE MATTER OF:

YASVEER SINGH & ORS.

.....APPLICANTS

VERSUS

STATE OF UTTAR PRADESH & ORS.

...RESPONDENTS

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NEW DELHI

DATED: 13 .02.2026



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BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
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AFFIDAVIT ON BEHALF OF UTTAR PRADESH POLLUTION
CONTROL BOARD IN COMPLIANCE OF ORDER DATED
04.12.2025

I, Rajendra Prasad, S/o. late Shri Vishnu Ram, aged about 58 years, Regional Officer, Uttar Pradesh Pollution Control Board, Meerut, U.P. do hereby solemnly affirm and declare as under:

1. That I in the abovenoted capacity, am well conversant with the facts and records of the present case, hence am competent to swear this affidavit.
2. That the abovenoted matters came up for hearing on 20.12.2024 when Applicant confined his complaint/grievance in respect of mining activities carried out by Respondent No. 8 in the area outside the mining lease also using heavy machinery in violation of condition of environment clearance. The relevant extract of the said order are as follows:

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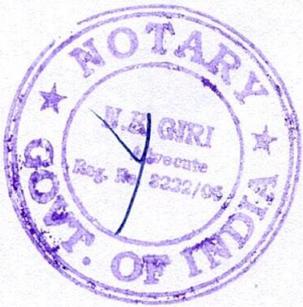
"2. During the course of argument, Learned Counsel for the applicant stated that prayer nos. B and C in IA nos. 647/2024 and 648/2024 are not being pressed by him.

3. He contended that he is confining his complaint/grievance in respect of mining activities carried out by respondent no.8 in the area outside the sanctioned mining lease area and also by using heavy machines that is in violation of the conditions of Environmental Clearance granted to the project proponent. Averments in this regard have been made in para no. 6.1 of the Original Applications and para 5 (i) of IA nos. 647/2024 and 648/2024."

3. That by the same order this Hon'ble Tribunal has constituted a Committee consisting of District Magistrate, Baghpat and U.P. Pollution Control Board. The said Committee has submitted a compliance report on 20.01.2025 wherein it has been stated that in view of order dated 10.12.2024 passed by this Hon'ble Tribunal in O.A. No. 1190 of 2024; Ajayveer Singh Vs. State of U.P. & Ors. the mining is not being carried out. **(Pages 146 to 148)**

It is further submitted that the said O.A. was decided vide order dated 06.08.2025 when this Hon'ble Tribunal has directed as follows:

"123. In view of above discussion, it is clear that mining leases allowed to respondent 6 in respect of

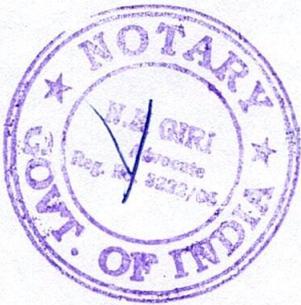


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Committee comprising District Magistrate, Baghpat; UPPCB; and Central Pollution Control Board wherein District Magistrate, Baghpat shall be the Nodal Authority.”

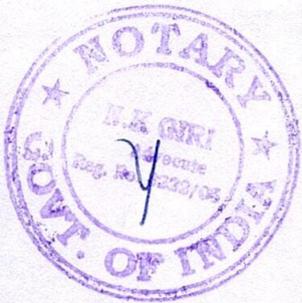
(Pages 401 and 402)

4. That against the said order Respondent No. 8 preferred Civil Appeal No. 12932 of 2025 before Hon'ble Supreme Court which came up for hearing on 07.11.2025 when Hon'ble Supreme Court has stayed the order passed by this Hon'ble Tribunal till the next date of hearing. The said appeal is pending. **(Page 403)**
5. That the Mining Department vide email dated 11.02.2025 and 14.02.2025 has informed that 1142.25 Cubic Meter mining has been done on 03.06.2024 in Village Chhaprauli Khadar and 552 Cubic Meter on 06.05.2024 in Village Kotana Khadar. This mining has been done outside the leased area. Hence, the U.P. Pollution Control Board on 18.03.2025 has issued showcause notice to Respondent No. 8 to showcause as to why environmental compensation be not imposed.
6. That the calculations have been done as per Approach-2 for calculating the environmental compensation for ecological damage. The said calculations are included in the said showcause notice and for Village Chhaprauli Khadar a compensation of Rs. 17,55,891/- and for Village Kotana Khadar a compensation of Rs. 6,81,710/- was proposed to be imposed. **(Pages 162 to 166)**



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7. That on receipt of reply by Respondent No. 8 the was considered and vide order dated 25.04.2025 total compensation of Rs. 24,37,601/- (Rs. 1755891 + Rs. 681710) have been imposed and Respondent No. 8 has been directed to deposit the same within 15 days. **(Pages 167 and 168).**
8. That Respondent No. 8 instead of depositing the compensation filed Writ (C) No. 9939 of 2025; M/s. Royal Construction Company Vs. State of U.P. wherein it has challenged the showcause notice dated 18.03.2025 as well as another showcause notice dated 02.05.2025 **(Page 198)** which was subject matter of another Writ Petition. In the Writ Petition neither it was disclosed that various cases are pending against Respondent No. 8 before this Hon'ble Tribunal nor it was informed that showcause dated 18.03.2025 has already culminated into order dated 25.04.2025 imposing the environmental compensation. **(Pages 201 to 223).**
9. That in view of decision of Hon'ble Supreme Court in Civil Appeal No. 575-760 of 2013; Delhi Pollution Control Committee Vs. Lodhi Properties Company Ltd., the State Pollution Control Board cannot impose and collect the Environmental Compensation till rules are framed. Thus, it is respectfully submitted that this Hon'ble Tribunal may impose the Environmental Compensation of Rs. 24,37,601/- against Respondent No. 8 for illegal mining done by it outside the lease area.



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The above facts are being placed for kind consideration of this Hon'ble Tribunal.

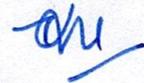


DEPONENT

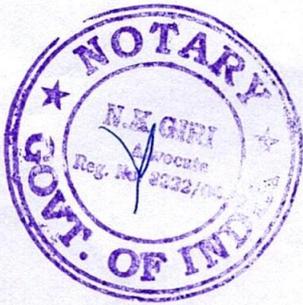
VERIFICATION

I, the abovenamed deponent do hereby verify that the contents of above affidavit are true to my knowledge. No part of the same is false and nothing material has been concealed therefrom.

VERIFIED ON THIS THE 11th DAY OF FEBRUARY, 2026 AT MEERUT, U.P.



DEPONENT



ATTESTED NOTARY
N. K. GIRI
Advocate, Meerut
Reg. No. 3222/05
2/20/26

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