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

**Original Application No. 176/2022**

**IN THE MATTER OF:**

Aman Chaudhary

...Appellant(s)

Versus

Union of India and Ors.

...Respondent(s)

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THROUGH



**[SOMESH CHANDRA JHA]**

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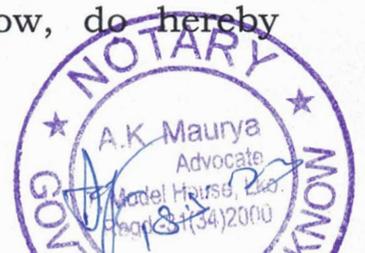
Union of India and Ors.

...Respondent(s)

**ADDITIONAL AFFIDAVIT ON BEHALF OF THE MINISTRY OF**  
**ENVIRONMENT, FOREST AND CLIMATE CHANGE**  
**(RESPONDENT No. 1)**

**MOST RESPECTFULLY SHOWETH:**

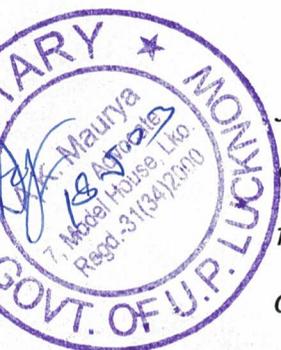
I, Dr. Preeti Tripathi, currently working as Scientist 'C' in the Ministry of Environment, Forest and Climate Change (MoEF&CC), Integrated Regional Office, Lucknow, do hereby solemnly affirm and state as under:-



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1. That I, in my official capacity of Scientist 'C' in the Ministry of Environment, Forest and Climate Change, Lucknow i.e. Respondent No. 1 in the above mentioned matter, am conversant with the facts and circumstances of the case on the basis of official records, and as such authorized and competent to swear this affidavit.
2. It is submitted that an additional affidavit is being filed in compliance to the direction issued by this Hon'ble Tribunal vide order dated 26.04.2023. The Answering Respondent at this stage craves leave and liberty to file a detailed Counter Affidavit to the aforesaid application, as and when required.
3. That, the Hon'ble Tribunal (PB) vide order dated 26.04.2023 directed as under;

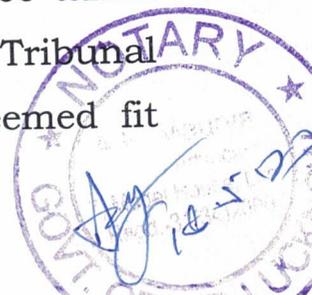
*"...In view of the averments made by Ms. Roshan Jacob, Director, Mining and Geology, U.P. and Mr. Ajay Sharma, Member Secretary, UPPCB in their affidavits, we consider it appropriate to have response of respondent no. 1-MoEF & CC and respondent no. 3-CPCB and accordingly respondent no. 1-MoEF & CC and respondent no. 3-CPCB are directed to file their detailed response about requirement of consent/NoC from UPPCB for the excavation of sand from the river bed (excluding manual excavation) since such activities are having ecological impacts on or before 18.05.2023 by email at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of*



*[Handwritten signature]*

*searchable PDF/OCR supported PDF and not in the form of Image PDF....”*

4. It is humbly submitted that, the Environmental Clearance (EC) granted to the project/activity is strictly under the provisions of the Environmental Impact Assessment (EIA) Notification, 2006 and its amendments issued from time to time. It does not tantamount/ construe to approvals/ consent/ permissions etc. required to be obtained or standards/conditions to be followed under any other Acts/ Rules/ Subordinate legislation, etc., as may be applicable to the project. Further, the requirement of consent/ No objection Certificate (NOC) are issued by the respective State Pollution Control Board (SPCBs) as per provisions of the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981.
  
5. That, the State Pollution Control Board is the Nodal Authority in the State for dealing with the cases related to pollution or environment management coming under the purview of the Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981.
  
6. It is submitted that the present reply may kindly be taken on record and into consideration and the Hon'ble Tribunal may pass appropriate Order(s)/Direction(s) as deemed fit



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and proper under the facts and circumstances of the present case. Further, the other ancillary issues raised in the application under reply do not pertain to the answering respondent.

**DEPONENT**

**VERIFICATION**

Verified at on this day 18th of May, 2023 that the contents of this affidavit based on official record(s) maintained and information available in the office are true and correct, no part of it is false and nothing has been concealed there from.

SWORN & VERIFIED  
BY ME

*A. K. Maurya*  
Advocate Notary  
7, Model House, Lucknow

**DEPONENT**

Identify the deponent/executant  
who has signed/put T.I. before me



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**Original Application No. 176/2022 in the matter of Aman Chaudhay Vs. Uoi & Ors. before NGT (PB), New Delhi.**

1 message

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**mayank gautam** <mgautam388@gmail.com>

Thu, May 18, 2023 at 2:05 PM

To: amanchaudhary@outlook.com, pallavipratap@hotmail.com, Saurabh.balwani@balwanilawchambers.com, daleepdhayani@yahoo.co.in, csup@nic.in, "dgmupexp@gmail.com" &lt;dgmupexp@gmail.com&gt;

Dear All,

Please find attached herewith the copy of the Additional Affidavit on behalf of Respondent No.1 in the captioned case by way of advance service upon you on behalf of Counsel for Respondent No.1, Advocate Somesh Chandra Jha.

Kindly acknowledge the receipt of this email.

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Regards  
Advocate Mayank Gautam  
New Delhi

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 **Additional affidavit 176\_2022\_000341 (1).pdf**  
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