

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
NEW DELHI

ORIGINAL APPLICATION NO. 134 OF 2024

IN THE MATTER OF:

News item titled "Nangalarai Khanan Thekedar Bandhuo ke Khilaf Gramino Ne Khola Morcha appearing in Sach Kahun dated 29.12.2023.

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FILED BY:

NEW DELHI

DATED: 08.07.2025



(PRADEEP MISRA & DALEEP DHYANI)

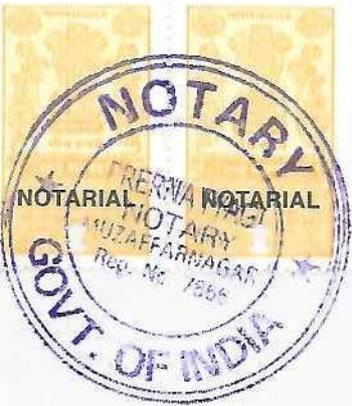
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BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
NEW DELHI

ORIGINAL APPLICATION NO. 134 OF 2024

IN THE MATTER OF:

News item titled "Nangalarai Khanan Thekedar Bandhuo ke
Khilaf Gramino Ne Khola Morcha appearing in Sach Kahun
dated 29.12.2023.



AFFIDAVIT ON BEHALF OF RESPONDENT No. 1, U.P.
POLLUTION CONTROL BOARD

I, Geetesh Chandra, S/o. Shri Radhey Shyam Chandra, aged
about 47 years, Regional Officer U.P. Pollution Control Board,
Muzaffarnagar, U.P. hereby solemnly affirm and declare as
under:

1. That I in the abovenoted capacity am well conversant
with the facts and record of the present case, hence am
competent to swear this affidavit.
2. That the abovenoted matter came up for hearing on
18.03.2025 when the following order was passed:

"1. Learned Counsel for respondent no.5 submits
that the response to the report of Haryana State
PCB was filed yesterday after the working hours of
the Tribunal, therefore, it has not come on record.
Office is directed to place it on record.

PRERNA TYAGI
NOTARY
MUZAFFARNAGAR

17 JUL 2025

[Signature]

2. Learned Counsel appearing for UPPCB seeks four weeks to file the response to the letter dated 12.11.2024 enclosed on page 619 of the report of respondents nos. 6 and 7. Prayer allowed.

3. List on 11.07.2025."

3. That in compliance of the said direction present affidavit on behalf of Respondent No. 1, U.P. Pollution Control Board is being filed.

4. That the Joint Committee consisting of CPCB and District Administration, Shamli submitted a report on 22.04.2024 before this Hon'ble Tribunal when it was stated at page 512 as follows:

Sl. No.	Specific complaint points	Facts observed.
1.	Illegal sand mining was carried out in Yamuna Khadar area of village Naglarai.	The PP has carried out mining at three places beyond permitted area in Haryana.



Further, in the recommendation at Page 513 the Committee has suggested as follows:

PRERNA TYAGI
NOTARY
MUZAFFARNAGAR

7 JUL 2025

[Handwritten signature]

"3.2. The Mining Department, Haryana may take action against the PP for illegal mining in their jurisdiction"

5. That on 05.03.2024 Counsel for UPPCB has referred for the said report filed by District Magistrate, Shamli which discloses that Respondent No. 5 has carried out mining at 3 places beyond permitted area in Haryana. Hence, Respondent Nos. 6 and 7 were impleaded.
6. That Respondent Nos. 6 and 7 filed status report wherein at Page 604 it was stated as follows:

"Sub-Divisional Magistrate, Kairana informed that during the last inspection carried out in April, 2024 by the team of UP officers there were 03 points found where excavation of sand in river Yamuna was done illegally by the unit. The joint team of UP and Haryana located the site of illegal mining and it was found by the joint team on 11.11.2024 that the site of illegal mining falls towards the west side of pillar number 686 and mining was done was in and around killa no 104//19 village Tasmabad, District Panipat as verified by Revenue Officers from Haryana present with the joint team of UP and Haryana. Presently, no mining activity is being done by the above said unit in the state of Haryana and the area where illegal mining was done around killa no 104//19 by the unit previously has been replenished due to natural flow of river of Yamuna.

PRERNA TYAGI
NOTARY
MUZAFFARNAGAR

7 JUL 2025

[Handwritten signature]

The copy of joint inspection report prepared at site is attached as Annexure-R/3."

7. That Haryana State Pollution Control Board on 12.11.2024 sent a letter to the Regional Officer, U.P. Pollution Control Board, Muzaffarnagar, asking him to take action against the said unit for illegal mining. Subsequently, another letter dated 24.06.2025 has been received from Regional Officer, Haryana State Pollution Control Board, Panipat, stating therein that illegal mining has been conducted in Killa No. 104/19 instead of Killa No. 140/19 near Pillar No. 686 in Haryana. True copy of the letter dated 24.06.2025 is being enclosed herewith and marked as Annexure-1.

8. That the Regional Officer, U.P. Pollution Control Board, Muzaffarnagar vide letter dated 30.06.2025 has informed the Regional Officer, Haryana Pollution Control Board, Panipat that as the illegal mining has been done in the State of Haryana, hence action be taken by him as per law. True copy of letter dated 30.06.2025 is being enclosed herewith and marked as Annexure-2.

9. That it further submitted that the earlier also illegal mining has taken place in the State of Haryana and Mining Department, Haryana has imposed the penalty of Rs. 19,69,300/- and also FIR was lodged. Thus, as the illegal mining has taken place in the State of Haryana, Haryana Authorities has to take action.

PRERNA TYAGI
NOTARY
MUZAFFARNAGAR
7 JUL 2025

[Handwritten signature]

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

[Signature]
DEPONENT

VERIFICATION:

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

VERIFIED ON THIS THE 7th DAY OF JULY, 2025 AT MUZAFFARNAGAR, U.P.

[Signature]
DEPONENT



Gyofesh chandery
I, the deponent, do hereby declare that the contents of the above affidavit are true and correct to my knowledge derived from official record. No part of the same is false and nothing material has been concealed therefrom.

Identified by *[Signature]*

PRERNA TYAGI
NOTARY
MUZAFFARNAGAR

7 JUL 2025

1-
30.6.25**HARYANA STATE POLLUTION CONTROL BOARD****SCO No.55, SECTOR-25, HUDA, PANIPAT**

Ph. - (0180) 2672037, Telefax - 2664951, E-mail: hspcb@hspcb.gov.in

No. HSPCB/PR/2025/ *7/1*Dated *24-6-2025***NGT Matter (OA No.134/2024)**

To

The Regional Officer,
Uttar Pradesh Pollution Control Board,
6-B, New Mandi, Muzaffarnagar Nagar, Uttar Pradesh-251001.

Sub: Regarding illegal mining done by M/s Devansh Infra in the jurisdiction of Haryana.

Ref: Your office letter No.26/OA No.134/Nangal Rai Thekedar Bandhuvo/2025 dated 07/04/2025.

In this connection, it is submitted that clarification asked vide letter under reference has been sought from Mining Officer, Mines and Geology Department, Panipat. It has been clarified by the Mining Officer that the joint inspection was done on 11.11.2024 by the officer from Uttar Pradesh and Haryana where officers/officials from Revenue Department was also present during the time of inspection. During inspection it was found that the above-mentioned unit have conducted illegal mining at 03 locations located near Pillar No.686 and Killa No.104//19 which was also been confirmed by the officials from Revenue Department, Haryana during the inspection. Therefore, illegal mining has been conducted at Killa No.104//19 near Pillar No.686 instead of Killa No.140//19.

It is submitted for your kind information and further necessary action, please.

AEE/SE-R
L

[Signature]
Regional Officer,
HSPCB, Panipat



उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड, मुजफ्फरनगर

U.P. POLLUTION CONTROL BOARD, MUZAFFARNAGAR

6-बी, नई मण्डी, मुजफ्फरनगर-251001 (उ०प्र०)

संदर्भ सं०
Ref. No.

343/अ.सं-134/गाला राइवन्स/शमली/2025

दिनांक

Dated 30.6.2025

सेवा में,

क्षेत्रीय अधिकारी
हरियाणा प्रदूषण नियंत्रण बोर्ड
एससीओ नं०-55, सैक्टर-25
हुडा, पानीपत (हरियाणा)

विषय—Regarding illegal mining done by M/s Devansh Infra at Vill. Nagla Rai Ahatmal, Tehsil Kairana, District Shamli in the jurisdiction of Haryana.

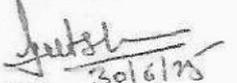
महोदय,

कृपया उपरोक्त विषयक अपने पत्रांक HSPCB/PR/2025/771 दिनांक 24.06.2025 का संदर्भ ग्रहण करने का कष्ट करें। प्रश्नगत प्रकरण में मा० राष्ट्रीय हरित अधिकरण नई दिल्ली में योजित ओ०ए० संख्या 134/2024 News Item titled "Nanglarai Khanan Dhekedar Bandhuyo ke kheelaf gramino ne khola morcha" appearing in Such Kahun dated 29.12.2023 के अन्तर्गत दिनांक 18.03.2025 को आदेश पारित किये गये हैं, जिसमें मा० अधिकरण द्वारा सुनवाई की अग्रिम तिथि 11.07.2025 नियत की गयी है।

आप द्वारा प्रेषित उक्त पत्र के माध्यम से अवगत कराया गया है कि मा० अधिकरण द्वारा जारी आदेश के अनुपालन में दिनांक 11.11.2024 को उ०प्र० राज्य व हरियाणा राज्य के अधिकारियों द्वारा शिकायती स्थल का संयुक्त निरीक्षण किया गया। निरीक्षण आख्या में यमुना नदी में हरियाणा राज्य की सीमान्तर्गत किला नं० 104/19 पिलर नं० 686 के निकट अवैध खनन प्रश्नगत कम्पनी द्वारा किये जाने की पुष्टि की गयी है। आप द्वारा प्रेषित पत्र दिनांक 24.06.2025 के माध्यम से उक्त स्थल पर किये गये अवैध खनन के सम्बन्ध में इस कार्यालय से कार्यवाही किये जाने की अपेक्षा की गयी है। जैसा कि आप अवगत हैं कि दिनांक 11.11.2024 की संयुक्त निरीक्षण आख्या में अवैध खनन जिस स्थल पर किये जाने की पुष्टि की गयी है, वह हरियाणा राज्य की सीमा के अन्तर्गत आच्छादित है। तदनुसार हरियाणा राज्य की सीमा में किये गये अवैध खनन के सम्बन्ध में नियमानुसार कार्यवाही हरियाणा राज्य से अपेक्षित है।

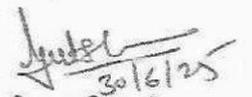
तत्क्रम में पत्र इस आशय से प्रेषित है कि हरियाणा राज्य में यमुना नदी के किला नं० 104/19 पिलर नं० 686 पर किये गये अवैध खनन के सम्बन्ध में नियमानुसार कार्यवाही करने का कष्ट करें एवं कृत कार्यवाही से इस कार्यालय को भी अवगत कराने का कष्ट करें, जिससे कि आख्या ससमय मा० अधिकरण के समक्ष प्रस्तुत की जा सके।

भवदीय,


30/6/25
(गीतेश चन्द्रा)
क्षेत्रीय अधिकारी

प्रतिलिपि—

- 1- सदस्य सचिव महोदय, उ०प्र० प्रदूषण नियंत्रण बोर्ड, लखनऊ को सादर सूचनार्थ प्रेषित।
- 2- जिलाधिकारी महोदय, शामली को सादर सूचनार्थ प्रेषित।
- 3- मुख्य पर्यावरण अधिकारी (वृत्त-3), उ०प्र० प्रदूषण नियंत्रण बोर्ड, लखनऊ को सूचनार्थ प्रेषित।
- 4- मुख्य विधि अधिकारी, उ०प्र० प्रदूषण नियंत्रण बोर्ड, लखनऊ को सूचनार्थ प्रेषित।
- 5- खनन अधिकारी, शामली को सूचनार्थ प्रेषित।
- 6- श्री प्रदीप मिश्रा, बोर्ड अधिवक्ता, मा० राष्ट्रीय हरित अधिकरण, नोएडा को सूचनार्थ प्रेषित।


30/6/25
क्षेत्रीय अधिकारी