

BEFORE THE NATIONAL GREEN TRIBUNAL SITTING AT NEW DELHI

IA No 23 of 2023

Original Application No 807 of 2022

IN THE MATTER OF:

Bhavak Parasher

..... Applicant

Versus

Smt. Indu Walia & others

.....Respondent

Rejoinder to the reply filed by Regional officer HP state Pollution Control Board Una. Respondent No 5 to the application (Under Section 18(1) read with Sections 14, 15, 16 & 17 of National Green Tribunal Act, 2010)

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Through self

Bhavak Parasher
Appellant

ROOPNAGER

DATED

MAY IT PLEASE YOUR LOARDSHIP :

REPLY TO PRILIMINARY :

Preliminary submissions:-

1. 1. HPSPCB cannot escape from responsibility of its department by saying that OA do not fall within the mandate of the State Pollution Control Board. Ultimately degradation of environment is directly linked to your department. This is purely a case of environment loss. Applicant has attached recent HP HC Judgement which relates to his departments role in sustainability of environment
2. Left to courts observation.

REPLY TO THE FACTS.

1. **Para 1-12** Submissions admitted to the extent you have explained, but I leave it to the court to find your role in this AO

REPLY TO THE FROUNDS.

Para 1-5 Applicant appreciate your role in immediate inspection and finding that JCB and POKELAND machines were on work at site. On receipt of my letter dated 25-07-19. Further thank the concerned inspecting officers to forward the same complaint to other departments. Unfortunately no one understood gravity of damage done to environment R-1 has changed the entire topography of land.

Para 6-9 The forest department has not even replied to allegations according the department of forest only damage worth1 lack has been

done that too has been recovered. The great job done on their part, they are least concerned to ecology and permanent pasture values.

Prayer

1. Applicant pray to the court that specific role to the concerned be explained by the way of taking strict action.

As found from the reply of R-5 Member TCP/SADA. It is prayed that

For the cause of environment/natural habitat/Ecology/ permanent pasture and fact on ground your lordship may please:-

- a. Constitute an expert committee of environmentalists, and call for time bound spot inspection of area in question, regarding levelling of hilltops and blocking natural rain water flow
- b. Consequences of on rest of surrounding/permanent pasture after colonising middle point in jungle by the way of cutting and cooping of hills that too by
- c. Calling for topography of the area since 2010 through DC Una, to access the real damage caused to environment.

Bhanak Parani

Signature of Applicant

.....

E-stamp certificate No. IN-PB83184684703563V

BEFORE THE NATIONAL GREEN TRIBUNAL SITTING AT NEW
DELHI

MEMORANDUM OF APPLICATION/APPEAL

(Under Section 18(1) read with Section 14, 15, 16 & 17 of National Green
Tribunal Act, 2010)

In the matter of:
Bhavak Parasher

O.A 807/2023
.....Petitioner

Vs.

Indu Walia and others

.....Respondents

AFFIDAVIT

I, **Bhavak Parashar** son of Mr. **Gajanand Parashar**, resident of Village **Narain Niwas VPO Ambota Tehsil Amb, District Una, Himachal Pradesh** Presently at House No. **506, Gaini Zail Singh Nagar, Rupnagar**, do hereby solemnly affirm as under:-

1. That I am the petitioner in the above noted matter and as such am well conversant with the facts of the case. Hence I am competent to swear this affidavit.
2. That I have read and understand the contents of the accompanying Rejoinder to the reply of Respondent No. 5, State Pollution Control Board Una having understood the contents therefore I say that the facts stated therein are true to my knowledge has been concealed there from.
3. That the Annexure are true copies of the respective originals.

Attested as Identified

Neelu Bakshi
Neelu Bakshi
Notary Govt. of India
Rupnagar (Pb.) 24/3/2023

Bhavak Parashar
Deponent

Verification:-

Verified at Ropar on 23 March 2023 that the content of my above affidavit is true and correct to the best of my knowledge and belief.



Bhavak Parashar
Deponent