

756

BEFORE THE NATIONAL GREEN TRIBUNAL

PRINCIPAL BENCH, NEW DELHI

ORIGINAL APPLICATION NO. 1343 OF 2024

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

**IN THE MATTER OF**

Harish Yadav

...Applicant

VERSUS

State of Uttar Pradesh & Others

...Respondents

**INDEX**

Sl. No.	Particulars	Page Nos.
1.	Rejoinder on behalf of the Applicant to the reply filed by respondent no.14 along with supporting affidavit	1-7

हरिश

APPLICANT

Through

Place:

Date: 24.06.2025

AMARNATH & BRAJESH KUMAR JHA  
Counsels for Applicant  
Bungalow No. 8-B, LGF,  
Jangpura – B, Main Mathura Road  
NEW DELHI – 110014

BEFORE THE NATIONAL GREEN TRIBUNAL

PRINCIPAL BENCH, NEW DELHI

ORIGINAL APPLICATION NO. 1343 OF 2024

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

**IN THE MATTER OF**

Harish Yadav

...Applicant

VERSUS

State of Uttar Pradesh & Others

...Respondents

**REJOINDER ON BEHALF OF THE APPLICANT TO THE  
REPLY FILED BY THE RESPONDENT NO. 14**

**MOST RESPECTFULLY SHOWETH**

**BRIEF FACTS**

- A. Around 30 years ago the settlement of village abadi of Shahpur Bemheta was in 2 parts with growth of population both are merged into one. Now today it is settlement of more than 60,000 populations.

- B. The gravity network of ground pipelines for fresh ground water, waste water and storm water have not been laid down by the local or the district administration. There were many irrigation gravity network of drains connected with tube wells constructed by irrigation department. These gravity network of drains were being used for out flow of storm water, waste water and fresh water from tube wells for irrigation purposes from the village abadi.

**PRELIMINARY SUBMISSION:**

- 1 The reply filed by the answering respondent admitted that vide notification no. SO 637(E) dated 28.02.2014, has authorised the respondent no.10 i.e. SEIAAs which have been constitutes by the Central Government under sub-section 3 of section 3 of the Environment Act, 1986 and delegate the powers with regard to issuance EC.

- 2 That the respondent no.10 (SEIAA) despite appearance and issuance of notice by the Hon'ble Tribunal has not filed its reply till date.
- 3 That the respondent no.2/PP while submitted the EIA study report in response to approved ToR has misrepresentation and mislead the concerned authority and conceal / concocted the facts with regard following:
- i) A gravity drain from village abadi towards township area in khasra no. 2257 exists;
  - ii) A gravity drain from village abadi towards township area in khasra no. 2063 exists;
  - iii) A gravity drain from village abadi towards township area upto a natural pond which is situated on the land of khasra no. 1758 of the township.

Because the above said facts were not considered while PP has submitted the EIA study report with concerned

authority for issuance of EC, if the said fact would have been taken care initial stage the village abadi should suffer now.

Because the PP has not provided any alternate arrangement to mitigate the such polluted environment in village.

Because the respondent no.10 (SEIAAs) failed to discharge its statutory duties while issuing of alleged EC to the respondent no. 2/PP.

It is submitted that after getting the EC from the respondent no.10 the PP has constructed the boundary wall on the northern side of the entire village because of which there was a huge water logging between the wall and village abaadi permanently, which resulting into severe unhygienic conditions, standing sewerage water all time and villagers are on high risk of health hazards. This issues is not only affecting the villagers but also posing environmental concerns for the wider areas.

In view of the facts and circumstances of the case, and the submissions made hereinabove, it is respectfully prayed that this Hon'ble Tribunal may pleased to:

- a) To direct the answering respondent and respondent no. 10 to submit all the documents submitted by respondent no. 2 for EC.
- b) To constitute and appoint the independent joint committee to ascertain the entire environmental damages cause by respondent no. 2.
- c) Pass any further order or direction that this Hon'ble Tribunal may deem fit, just and proper as per facts and circumstances in the interest of environment

हरीश

APPLICANT

Through

Place:  
Date:

AMARNATH & BRAJESH KUMAR JHA  
Counsels for Applicant  
Bungalow No. 8-B, LGF,  
Jangpura – B, Main Mathura Road  
NEW DELHI – 110014

BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI

ORIGINAL APPLICATION NO. 1343 OF 2024

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

**IN THE MATTER OF**

Harish Yadav

...Applicant

VERSUS

State of Uttar Pradesh & Others

...Respondents

**NDOH : 01.07.2025**

**AFFIDAVIT**

I, Harish Yadav, S/o Shri Jagat Yadav, R/o 767, Shahpur,  
Bamheta, Dasna, Ghaziabad – 201002, Uttar Pradesh, do  
hereby solemnly affirm and declare as under:

1. That I am the Applicant in the above noted case and  
am well conversant with the facts and circumstances  
of the case, as such am authorised and competent to  
swear this affidavit.



12 4 JUN 2025

2. That I have read the contents of the accompanying rejoinder be read as part of this affidavit as the same are not being repeated herein for the sake of brevity.
3. That no part of it is false and nothing material has been concealed therein.

एरीश

DEPONENT

**VERIFICATION :**

Verified at DELHI on \_\_\_\_\_ of June, 2025 that the content of the affidavit is true and correct to the best of my knowledge and belief and no part of it is false and nothing material has been concealed for the sake of brevity.

एरीश

DEPONENT



ATTESTED  
Anju Sharma  
NOTARY PUBLIC  
DELHI (INDIA)

24 JUN 2025