

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI  
ORIGINAL APPLICATION NO. 55 OF 2026**

**IN THE MATTER OF:**

Vinod Kapoor

...Applicant

Versus

State of Himachal Pradesh & Others

...Respondent(s)

**Index**

<b>Sr. No.</b>	<b>Particulars</b>	<b>Page no.</b>
<b>1.</b>	<b>Reply on behalf of respondent no. 3 Central Pollution Control Board (CPCB) in compliance to Hon'ble NGT order dated 29.01.2026 in O.A No. 55 of 2026.</b>	<b>1 – 7</b>
<b>2.</b>	<b>Annexure- A4 A copy of RTI application dated 25.10.2025</b>	<b>8 – 15</b>

**Filed by Adv. Vikrant Pachnanda  
On behalf of Central Pollution Control Board**

**Place: Delhi  
Dated:07.04.2026**

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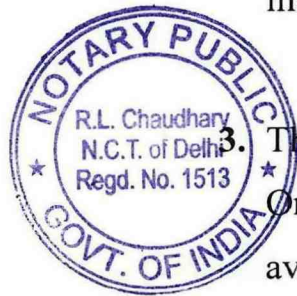
Versus

State of Himachal Pradesh & Others

Respondent(s)

**REPLY ON BEHALF OF RESPONDENT NO. 03 CENTRAL  
POLLUTION CONTROL BOARD (CPCB)**

1. That, the present Original Application (hereinafter referred as, "OA") relates to the allegation that the Respondent No. 8 is engaged in illegal mining in the forest area in Ningali Beat, Renuka Ji Range in Sirmour Division.
2. That, the Hon'ble National Green Tribunal, Principal Bench (hereinafter referred to as "NGT") vide order dated 29.01.2026 has sought the reply from Respondents. Thereby, the Reply of the Answering Respondent No. 03, Central Pollution Control Board (hereinafter referred as, "CPCB") is made in this instant OA in the succeeding paragraphs.



3. That, at the outset, in respect of the averments made by Applicant in the Original Application under Reply, it is respectfully submitted that all averments made therein are denied unless specifically admitted by the Answering Respondent.

4. That, the CPCB is constituted under Section 3 of The Water (Prevention & Control of Pollution), Act 1974 (hereinafter referred to as "Water Act"). It

performs its functions under the Water Act, 1974 and The Air (Prevention & Control of Pollution), Act 1981 (hereinafter referred to as "Air Act") and under The Environment (Protection) Act, 1986. It is further submitted that the State Pollution Control Boards/Pollution Control Committees (hereinafter referred to as "SPCBs/PCCs") have been constituted in States/UTs under the Water Act, 1974 and the Air Act, 1981 to perform their functions and implement the provisions of these Acts in respect of territories falling in their respective territorial jurisdiction.

## REPLY

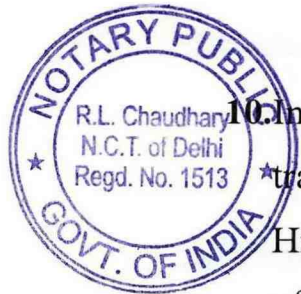
5. That, averments contained in the Para No. 1 of the OA are related to the Applicant and the Respondent No. 8 & 9 and hence need no comments from the Answering Respondent.
6. That, averments contained in the Para No. 2 of the OA are related to the allegation that the Respondent No. 8 & 9 are carrying out illegal mining activities in Forest area. It is humbly submitted that in exercise of powers conferred by Section 15 read with Section 23 C of the Mines and Minerals (Development and Regulation) Act, 1957, The State of Himachal Pradesh has framed The Himachal Pradesh Minor Minerals (Concession) and Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules, 2015, for regulation of illegal mining, transportation and storage.
7. That, averments contained in the Para No. 3 of the OA is regarding the description of lease allotted to the Respondent No. 8 & 9 and hence need no comments from the Answering Respondent.



8. That, averments contained in the Para No. 4 of the OA is regarding the allegation that illegal mining has been carried out in forest area. It is humbly submitted that as per Section 22 of Part –IV of the Addendum of the Himachal Pradesh Minor Minerals (Concession) and Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules, 2015 states that: -

*“The Contractor(s) shall not enter and work in any forest land without obtaining prior permission in writing from the Competent Authority.”*

9. That, averments contained in the Para No. 5 of the OA is regarding the use of routes passing through forest and transportation of illegally mined minerals. It is humbly submitted that the averments made in as above paragraphs are re-iterated and not repeated for the sake of brevity.



10. In addition to the above, it is also pertinent to mention that the transportation of the minor mineral is governed through Rule 79 of Himachal Pradesh Minor Minerals (Concession) and Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules, 2015.

11. That, averments contained in the Para No. 6 of the OA is regarding the letter dated 17.6.2025 by PWD to the Mining Officer, Sirmour District. Hence, this calls for no comments from this Answering Respondent.

12. That, averments contained in the Para No. 7 of the OA is regarding RTI reply dated 16.5.2025 by PWD (Shillai B&R Division) to the Applicant in the present matter and hence need no comments from the Answering Respondent.

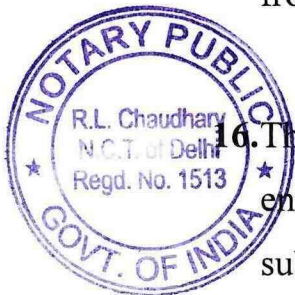
13. That, averments contained in the Para No. 8 and 9 of the OA is regarding the prescribed 'Standard Conditions' in the Section VII (Transportation) and other condition w.r.t. erection of boundary pillars, through the EC dated 24.12.2021 issued by the Respondent No. 2, which are matter of records and hence need no comments from the Answering Respondent.

14. That, averments contained in the Para No. 10 of the OA is regarding the RTI application dated 25.10.2025 by the Applicant in the present matter (as annexed at **Annexure A4**) seeking information from the Deputy Director, Forest Division, Sirmour, H.P. and hence need no comments from the Answering Respondent.

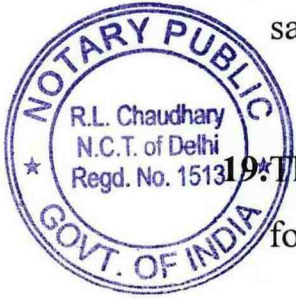
15. That, averments contained in the Para No. 11 of the OA is regarding the representations to the Forest Department and hence need no comments from the Answering Respondent.

16. That, averments contained in the Para No. 14 to 17 of the OA are regarding environmental non-compliances by the Respondent No. 8 & 9. It is humbly submitted that the SPCBs/PCCs in every State/Union Territory have been constituted under the Water Act, 1974 and the Air Act, 1981 and are responsible for implementation of the provisions of both the Acts in their respective State/Union Territory.

17. That, averments contained in the Para No. 18 of the OA is regarding the Applicant's submission seeking intervention of Hon'ble NGT in the present matter and hence need no comments from the Answering Respondent.



18. That, averments contained in the Para No. 19 to 25 of the 'Grounds' in the OA is regarding the Applicant citing the judgments rendered by the Hon'ble Supreme Court of India in T.N. Godavarman versus Union of India and Vellore Citizen Welfare Forum versus Union of India, among the other grounds for the present matter. In this regard, the submissions made in preceding paragraphs are re-iterated and are not repeated herein for the sake of brevity.



19. That, averments contained in the 'Limitation' and 'Prayer' in the OA calls for no comments from this Answering Respondent.

20. That, in light of the above submission, it is respectfully submitted that this answering respondent i.e. CPCB shall abide by all the order(s) or direction(s) passed by this Hon'ble Tribunal in this OA.

*P. Gargava*

**(Prasoon Gargava)**

Scientist 'F'

Central Pollution Control Board

07.04.2026

प्रसून गार्गावा / Prasoon Gargava  
 सचिव, केंद्र प्रमुख, प्रदूषण नियंत्रण बोर्ड  
 Central Pollution Control Board  
 (राजधानी, नए दिल्ली, भारत सरकार)  
 प्रदूषण नियंत्रण बोर्ड, भारत सरकार  
 प्रदूषण नियंत्रण बोर्ड, भारत सरकार  
 प्रदूषण नियंत्रण बोर्ड, भारत सरकार  
 प्रदूषण नियंत्रण बोर्ड, भारत सरकार  
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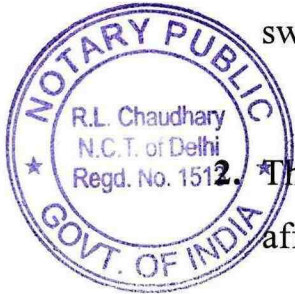
State of Himachal Pradesh & Others

Respondent(s)

**AFFIDAVIT**

I, Prason Gargava, in the capacity of Scientist 'F', having office at the Delhi, Central Pollution Control Board, Parivesh Bhawan, East Arjun Nagar, Delhi, do hereby solemnly affirm and sincerely state on oath as follows: -

1. That I, the deponent herein is well conversant with the facts and circumstances of the present case on the basis of the information derived from the official records, and hence, I am competent to verify, sign and swear this affidavit on behalf of the Respondent CPCB.



2. That the accompanying reply may be read part and parcel of the present affidavit as I am competent to swear this affidavit.

3. That the accompanying reply has been drafted and filed under my instructions, the contents thereof are true and correct on the basis of the record maintained during ordinary course of business of CPCB and available records and documents and the contents of the same are read over and explained to me and are not repeated herein for the sake of brevity.

*P. Gargava*

**DEPONENT**

**प्रसून गार्गव / Prason Gargava**  
वैज्ञानिक 'एफ' एवं प्रभाग प्रमुख (आई.पी.सी.-II) / Scientist 'F' & Divisional Head (PC-II)  
**केंद्रीय प्रदूषण नियंत्रण बोर्ड**  
**Central Pollution Control Board**  
(पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार)  
(M/o Environment, Forest & Climate Change, Govt. of India)  
परिवेश भवन, पूर्वी अर्जुन नगर, दिल्ली-110032  
Parivesh Bhawan, East Arjun Nagar, Delhi-110032

**VERIFICATION**

I, Prasoon Gargava working as Scientist 'F' in Central Pollution Control Board, Parivesh Bhawan, East Arjun Nagar, Delhi-110032, the respondent No. 3 herein does hereby verify that the contents above are true and correct to the best of my knowledge, information and belief.

07 APR 2026

Verified at New Delhi on this the ..... day of....., 2026.

**ATTESTED**

*R.L. Chaudhary*  
**NOTARY PUBLIC**  
**GOVT. OF INDIA**

07 APR 2026

*P. Gargava*

**DEPONENT**

**प्रसून गार्गव / Prasoon Gargava**  
 वैज्ञानिक 'एफ' एवं प्रभाग प्रमुख (आई.सी.सी.-II) / Scientist 'F' & Divisional Head (IPC-II)  
**केन्द्रीय प्रदूषण नियंत्रण बोर्ड**  
**Central Pollution Control Board**  
 (पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार)  
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 परिवेश भवन, पूर्वी अर्जुन नगर, दिल्ली-110032  
 Parivesh Bhawan, East Arjun Nagar, Delhi-110032

**Applicant Details**

<b>Applicant Name</b>	vinod kapoor	<b>Mobile</b>	7018275296	<b>Email</b>	vinod11kapur87@gmail.com
<b>Address</b>	vill pamta , VPO Shawga , teh-kamrau , District Sirmour ( H.P )` 173025 India			<b>Below Poverty Line</b>	NO
<b>Gender</b>	Male	<b>Education Status</b>	Literate	<b>Address Type</b>	Rural

**RTI Information**

<b>Department Name</b>	Forest	<b>Level</b>	Nahan Circle	<b>Department Wing</b>	Suptd. Gr.II, Forest Division Renuka ji
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**Contact Details**

Mobile No: 9805458146

**RTI Information**

To, The Public Information Officer (PIO) Office of the Deputy Director, Forest Division, Sirmour, Himachal Pradesh Subject: Request for Official Beat Boundary Map of Ningali (Nigali) Beat under RTI Act, 2005 Respected Sir/Madam, I am writing under the provisions of the Right to Information Act, 2005 to request the following information pertaining to Ningali (Nigali) Beat, Sirmour Forest Division:--- Forest Division: Renuka Ji Range: Specify Range, e.g., Kafota Range Beat: Ningali (Nigali) Beat Information Requested: 1. The official beat boundary map of Ningali (Nigali) Beat. 2. Details/maps showing the boundaries of the beat in relation to adjacent mining areas, specifically: M/s A. Dean & Company Savita Chauhan Friends Minerals 3. Any related survey records, GIS data, or official sketches used to demarcate the beat boundaries. 4. Historical record / history sheet of the beat boundaries, including year of survey, references, and any changes due to mining leases or encroachment. --- Format Requested: Hard copy / PDF / GIS Shapefile / Toposheet reference (whichever is officially available). Additional Details (if required): I am willing to pay any applicable fees as per the RTI Act for the provision of this information. I request you to kindly provide the information within 30 days, as mandated under the RTI Act, 2005. Thanking You, Yours faithfully, vinod kapoor Village -Pamta, Teh- Kamrau, District Sirmour ( H.P ) Mob-7018275296 / Vinod11kapur87@gmail.com Date :-25/10/2025

**Payment History**

<b>SNo.</b>	<b>Transaction No</b>	<b>Transaction Date</b>	<b>Amount</b>
1	A25J312319	25.10.2025	10
2	A25K336408	26.11.2025	10

**RTI Logs/History****RTI Logs/History**

SNo.	Department	Level	Wing	User	Role	Status	Comments	Date
1					Applicant	SUBMITTED	<p>To, The Public Information Officer (PIO) Office of the Deputy Director, Forest Division, Sirmour, Himachal Pradesh Subject: Request for Official Beat Boundary Map of Ningali (Nigali) Beat under RTI Act, 2005 Respected Sir/Madam, I am writing under the provisions of the Right to Information Act, 2005 to request the following information pertaining to Ningali (Nigali) Beat, Sirmour Forest Division:--- Forest Division: Renuka Ji Range: Specify Range, e.g., Kafota Range Beat: Ningali (Nigali) Beat Information Requested: 1. The official beat boundary map of Ningali (Nigali) Beat. 2. Details/maps showing the boundaries of the beat in relation to adjacent mining areas, specifically: M/s A. Dean &amp; Company Savita Chauhan Friends Minerals 3. Any related survey records, GIS data, or official sketches used to demarcate the beat boundaries. 4. Historical record / history sheet of the beat boundaries, including year of survey, references, and any changes due to mining leases or encroachment. --- Format Requested: Hard copy / PDF / GIS Shapefile / Toposheet reference (whichever is officially available). Additional Details (if required): I am willing to pay any applicable fees as per the RTI Act for the provision of this information. I request you to kindly provide the information within 30 days, as mandated under the RTI Act, 2005. Thanking You, Yours faithfully, vinod kapoor Village -Pamta, Teh- Kamrau, District Sirmour ( H.P ) Mob-7018275296 / Vinod11kapur87@gmail.com Date :-25/10/2025</p>	25.10.2025
2	Forest	Nahan Circle	Suptd. Gr.II, Forest Division Renuka ji	Suptd. Gr.II, Forest Division Renuka ji	PIO	ADDITIONAL-FEE	<p>Demand of Rs. 1148 has been raised for reason Additional Fees <b>Comments:</b> The information required by you consist of 449 pages (A4 size) and the printed publication cost Rs. 898/- the additional fee for supplying the information to you in case you desire the information is to be sent to you by ordinary post Rs. 110/- or Reg. post Rs. 250/- total by ordinary post Rs. 1008/- or Reg. post Rs. 1148/-. You are therefore required to deposit the above mentioned amount in the RTI Head of DFO Renuka ji i.e DDO Code:- SMR05-824 Head: 0070-60-118-01 or IPO in the favour of DFO Renuka ji.</p>	26.11.2025

SNo.	Department	Level	Wing	User	Role	Status	Comments	Date
3					Applicant	SUBMITTED	<p>To, The Public Information Officer (PIO) Office of the Deputy Director, Forest Division, Sirmour, Himachal Pradesh Subject: Request for Official Beat Boundary Map of Ningali (Nigali) Beat under RTI Act, 2005 Respected Sir/Madam, I am writing under the provisions of the Right to Information Act, 2005 to request the following information pertaining to Ningali (Nigali) Beat, Sirmour Forest Division:--- Forest Division: Renuka Ji Range: Specify Range, e.g., Kafota Range Beat: Ningali (Nigali) Beat Information Requested: 1. The official beat boundary map of Ningali (Nigali) Beat. 2. Details/maps showing the boundaries of the beat in relation to adjacent mining areas, specifically: M/s A. Dean &amp; Company Savita Chauhan Friends Minerals 3. Any related survey records, GIS data, or official sketches used to demarcate the beat boundaries. 4. Historical record / history sheet of the beat boundaries, including year of survey, references, and any changes due to mining leases or encroachment. --- Format Requested: Hard copy / PDF / GIS Shapefile / Toposheet reference (whichever is officially available). Additional Details (if required): I am willing to pay any applicable fees as per the RTI Act for the provision of this information. I request you to kindly provide the information within 30 days, as mandated under the RTI Act, 2005. Thanking You, Yours faithfully, vinod kapoor Village -Pamta, Teh- Kamrau, District Sirmour ( H.P ) Mob-7018275296 / Vinod11kapur87@gmail.com Date :-25/10/2025</p>	26.11.2025
4	Forest	Nahan Circle	Suptd. Gr.II, Forest Division Renuka ji	Suptd. Gr.II, Forest Division Renuka ji	PIO	RESOLVED	The requisite information has already been provided to the applicant vide this office letter No. 5308 dated 11-12-2025, and the applicant has personally received all the document	12.12.2025
5					Applicant	COMPLAINT		19.12.2025
6	State Information Commission(SIC)	State Information Commission(SIC)	State Information Commission(SIC)	Second AppletteAuthority	Commission	REJECTED	Complaint filed by you is rejected and you are advised to seek information from the FAA of the Concerned department. Thereafter, you can file second appeal/complaint in this Commission if not satisfied with the decision of FAA or information provided.	19.12.2025

SNo.	Department	Level	Wing	User	Role	Status	Comments	Date
7	State Information Commission(SIC)	State Information Commission(SIC)	State Information Commission(SIC)	Second AppletteAuthority	Commission	REJECTED	Complaint filed by you is rejected and you are advised to seek information from the FAA of the Concerned department. Thereafter, you can file second appeal/complaint in this Commission if not satisfied with the decision of FAA or information provided.	19.12.2025