

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,  
PRINCIPAL BENCH, NEW DELHI  
ORIGINAL APPLICATION NO. 1003/2024**

IN THE MATTER OF:

Bittu

Applicant

Versus

State of Uttar Pradesh and Ors.

Respondents

NDOH: 16.12.2025

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Filed by:

*S.K. MISHRA*

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Dated: 13/12/25

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**REPLY ON BEHALF OF RESPONDENT NO.8 M/S NEW  
PANTHER SECURITY GUARD SERVICES THROUGH ITS PROP.  
SHRI BANI SINGH,**

MOST RESPECTFULLY SHOWETH:

At the outset, the present application has been filed by the applicant seeking the following reliefs:

- i) Allow the present application and cancel the environmental clearance granted in favour of respondent no.8 for violation of EC condition, other Environmental laws and directions of various courts;

**PRELIMINARY OBJECTIONS:**

1. That it is matter of fact that the answering respondent has been granted a mining permit/lease for sand and mining at Yamuna River i.e. Gata No.303 mi, 313, 290mi, 301 mi, 303mi, 304mi, 314mi, 297mi, 298mi, 302mi, 311mi, 312mi, 313mi situated at Khand No.02 Village Panchayara Tehsil Loni, Ghaziabad, UP.
2. That it is matter of fact that the respondent no.3,4,5 and other respondents have already filed their replies in

(2)

respect of the application filed by the applicant before this Hon'ble Tribunal and whereby all the respondents have stated that the answering respondent is complying all the directions/regulations which have been framed by the respondent no.6,7 and other Government agencies without any hindrance.

3. That it is matter of fact that the applicant himself is involved in illegal mining and when the respondent no.8 raises objections about his illegal mining, the applicant just to counterblast filed the present application with deliberate motive and intention to extort money and as well as blackmail him and further humiliate and harass so that the answering respondent could not continue with the business as per rules and regulations.
4. That it is further matter of fact the respondent no.5 who found illegal mining of the applicant as he was illegally mining by installing unauthorized machines and the respondent no.5 registered an FIR against him in this regard. Copy of FIR is annexed herewith as **ANNEXURE-R-8/A.**
5. That it is further matter of fact that the answering respondent have paid Rs.1.20 crore as lease amount to the respondent no.5 and is doing the mining work by taking all the precautions which have been framed in this regard by the department.
6. That the respondent no.3 and 5 who are duty bound to inspect the mining work, they are regularly inspecting and

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ensuring proper compliance of the rules on the site. It is matter of fact that at one time the department found some illegality and they have imposed a penalty of Rs.50,000/- which had been deposited by the respondent no.8. Copy of the same is also annexed herewith as **ANNEXURE-R-8/B.**

7. That it is matter of fact that in respect of compliance regarding uploading of information on the official website a letter has been communicated by the Additional District Magistrate, Ghaziabad, UP to District Information Officer by requesting them to uploading the information about mining lease approved and operational in District Ghaziabad, UP the same has been uploaded and the information has been made available in the reply filed by respondent no.3.
8. That it is further matter of fact that a reply has been filed by the respondent no.5 who are duty bound to inspect the site as well as ensure the proper compliance of all the rules and regulations framed in this regard including environmental clearance as well as non-violation of environmental laws. It is submitted that the answering respondent have compliance the rules in all respect and report of the same have been sent to the respondent no.5 and the said information/documents have been annexed by the respondent no.5 along with reply filed them.
9. That it is matter of fact that the mining work is being done at the approved time and by using the required and

(4)

approved machinery as per transport system the token generated by the department in the evening keeping in view the traffic system and the same is being load after getting the token by using the small machine(loader) and the respondent no. 8 always cover the truck by using the tirpal and further installed the water sprinkle machine by the respondent no.8. The loaded trucks are being released from the site after 8.00 p.m. but mining work is being done during the approved time.

10. That it is further matter of fact that there is no violation of any law by the respondent no.8 as alleged or otherwise and more so, the respondents are always strict in proper compliance of the environmental law at that point of time hence there is no ground for maintaining the present application filed by the applicant and the same is liable to be dismissed with costs.
11. That the respondent no.8 in whose favour the lease has been granted, the respondent no.8 is doing mining work as per rules and regulations and complying all the requisite compliances in the supervision of respondent no. 3 and 5 who have filed its reply and confirmed that there is no violation as alleged by the applicant in the instant application and hence the same is liable to be dismissed.

**REPLY TO PARAWISE:**

- 1-4. That the contents of paras 1 to 4 of the application are admitted to the extent of rules and regulations mentioned in

(5)

paras under reply. It is submitted that the present application has been filed by the applicant with deliberate motive and intention just to extort money and further to humiliate and harass by filing the present application. The applicant himself is violating as by doing illegal mining work nearby the site of the answering respondent. In this regard the respondent no.5 has found the illegality and lodged an FIR against him due to this lodging of FIR, the applicant for taking revenge has filed the present false and frivolous application as mentioned above there is no violation from the side of the respondent no.8 and the respondent no.8 is being supervised by the respondent no.3 and 5 and in the reply itself it has been submitted that the respondent no.8 have not violated any law framed in this regard by the concerned department, once the respondent no.8 violated the law the concerned authority imposed a penalty of Rs.50,000/- and the same has been deposited by the respondent no.8 and since then he became more vigilance towards the proper compliance of the rules. A huge amount of Rs.1.20 crore have been paid to the department for this purpose, if the present application is allowed it would cause irreparable loss and damage to the respondent no.8.

5. That the contents of paras 5 of the application are admitted to the extent of factual statement except this all the allegations mentioned in this para under reply are incorrect and hence specifically denied. It is submitted that the compliance expected from the respondent no.8 the same has

(6)

been complied by the respondent no.8 i.e. New Panther Security Guard Services as compliance with E.C and C.T.O condition and environmental norms particularly SSMG-2016 and EMGSM guidelines-2020 and further using GPS fitted vehicles transportation of mining materials. It is matter of fact that for the purpose of transportation the vehicle is being hired from the private person with the prime condition that the vehicles/trucks must be fitted with GPS system as it has been made mandatory by the department in this regard and respondent no.8 further submitted that weekly monitoring report and CCTV Footage in pen drive to UPPCB and the department itself have made report about pre-monsoon and post monsoon as per requirement of Uttar Pradesh Mineral Concession rules -2020-21 and further guidelines for systematic and scientific mining of mineral, similarly Ministry of Environment forest and climatic change made prior to environmental clearance mandatory under the notification dated 14.09.2006 read with the amended dated 15.01.2016 and has also issued suitable sand mining management guidelines 2016 and environment and monitoring guidelines for sand mining rule 2020 i.e. the respondent no.8 never cross the limit i.e. by not doing any working by which the flow of the Yamuna River may effected. The respondent no.8 has always followed the guidelines framed in this regard by the concerned department. It is further submitted that the respondent no.5 always visit and ensure the proper compliance of the rules and regulations,

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the present application is only eye wash to misuse the liberty granted by the law for filing the petition, the present application is only tools to take revenge knowing fully that there is no non-compliance of the any rules by the respondent no.8 and hence the present application is liable to be dismissed with heavy costs as there is no occasion or cause of action for filing the present application for disturbing the legal activities of the respondent no.8 which he is doing by paying lease amount of Rs 1.20 crore and further installing costly machines for the purpose of mining. The allegations mentioned in the para 5.7 in respect of carrying out mining and loading activities in the night. It is submitted that mining and loading is two different works, the mining work is being done in the day hours as per the guidelines but the loading work which can be done in the late evening in keeping view the traffic system, and further getting token for transporting the sands. It is submitted that the loader load only in the truck in the late evening after getting the token and further to ensure safety and security of the public at large on the road, the mining activity is never been done in the night, hence the allegations in respect of mining in the late night is absolutely incorrect and false. It is further matter of fact that the respondent no.5 who always occasionally inspected the site if he found any discrepancy, he forcefully directed to the respondent no.8 to comply the same.

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It is further submitted that the vehicles which are being used for the purpose of transporting the mineral materials are being hired from the private person. That a notice was issued on 04.08.2025 by the respondent no.5 to proponent of highlighting that no document being provided with the transport of mining material, GPS fitted truck and the same was jointly inspected vide dated 31.05.2025 and it was found that from month May to June a list was furnished which has been mentioned in the para 18 of the reply filed by the respondent no.R-5 i.e. the transport system is not violating any rule as alleged by the applicant in the present application hence the allegation qua the violation of transport system is false and frivolous and the same is with deliberate motive. As far as allegation in respect of mining of the sand towards the parameter of measurement same is also not been violated by the respondent no.8 as on different occasion the photographs are being taken by the concerned department at the time of joint inspection, even no objections have been raised by the respondent no.5 in respect of allegations made by the applicant in the present application and more so, the respondent no.5 has supported the version of the respondent no.5 in its reply and the same has been also supported by the respondent no.3 itself in its reply who is law enforcing agency and have direct excess over the site and same is being inspected and necessary directions are being passed for proper compliance of environmental laws as alleged in the present application. The Government policy cannot be

suspended or made stand still only because of the false and frivolous allegations are being made like the applicant herein. It is further submitted that in fact, the respondent no.8 is a responsible person and always complied with all the rules, regulations and norms as and when directed by the Government agencies but the applicant has filed the present application with view to harass and humiliate as well as to extort money from the answering respondent, even though the applicant is himself involved in the illegal activities of mining and sands from the Yamuna River and now he has filed the present application to drag not only to the respondent no.8 but also government agencies in such false and frivolous litigations.

6. **Reply to grounds:**

- a-p) That the contents of paras A to P of the grounds are wrong, false, frivolous and hence specifically denied being incorrect. It is however submitted that it is most humbly submits that the present application is nothing but as a tool to harass, torture and humiliate the respondents as well as to extort money by misusing the process of law. It is further submitted that there is no cogent or justifiable ground to entertain and decide the present application and hence the present application is liable to be dismissed as there is no violation of environmental laws and all the clearances and compliances are being done by the respondent no.8 under the supervision of respondent no. 3 and 5 who are monitoring the mining work of the respondent no.8 on every stages.

(10)

It is further submitted that the respondent no.3 and 5 are law enforcing agencies and are supervising and instructing the respondent no.8 to comply the rules and regulations framed by other respondents like respondent no.6 and 7 with the respondent no. 3 and 5.

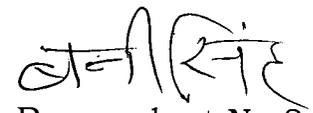
It is further submitted that the respondent no.8 has paid a huge amount/lease amount and further installed required machineries in this regard and is doing mining work.

That the contents of para under reply relates to the limitation which is matter of record.

The last para is prayer clause of the applicant before this Hon'ble Tribunal which is wrong, false and misconceived and hence the same is liable to be dismissed with heavy and exemplary costs.

In view of the above facts and circumstances and submissions made by the respondent No.8, the present application of the applicant is liable to be dismissed with heavy costs in the interest of justice.

Pass such other order/s which this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the case.

  
Respondent No.8

Through 

(S.K MISHRA & RAGHAV DIXIT)  
Advocates  
Chamber No.186-A  
Patiala House Courts,  
New Delhi-110001  
Mob: 9818340679  
Email: skmishradvocate@gmail.com

Dated: 13/12/25

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,  
PRINCIPAL BENCH, NEW DELHI  
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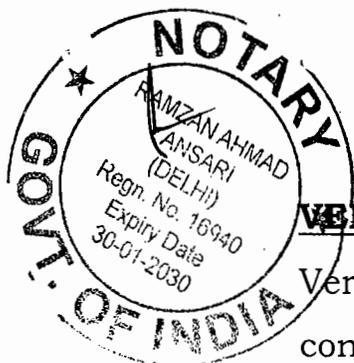
NDOH: 16.12.2025

**AFFIDAVIT**

I, Bani Singh, S/o Shri Raghunath Singh, Proprietor of M/s New Panther Security Guard Services, at Salasar Complex, 306, Shankar Vihar, Colony, Kuraishi, Aligarh-202001, presently at New Delhi, do hereby solemnly affirm and declare as under:

1. That I am the proprietor of M/s New Panther Security Guard Services in above noted case and fully conversant with the facts and circumstances of the case and competent to depose this affidavit.
2. That the accompanying reply to the Original Application under section 14, 15 and 18 of the National Green Tribunal Act, 2010 has been drafted by my counsel under my instructions, the contents of the same have been read and explained to me in vernacular language the same are true and correct and the same may be treated as part and parcel of this affidavit and the same is not being reproduced herein for the sake of brevity.

  
DEPONENT



**VERIFICATION:**

13 DEC 2025

Verified at New Delhi on this \_\_\_ day of December 2025 that the contents of the above said affidavit are true and correct to the best of my knowledge and nothing material has been concealed therefrom.

CERTIFIED THAT THE DEPONENT has solemnly affirmed before me that the contents of the above which have been read & explained to him are true and correct to his/her knowledge

  
DEPONENT

  
Identify the Deponent who  
has Signed/Put TI Before me

NOTARY DELHI INDIA

13 DEC 2025



COU... Add label



**Amit Mishra** 3:21 PM

to shubham ^



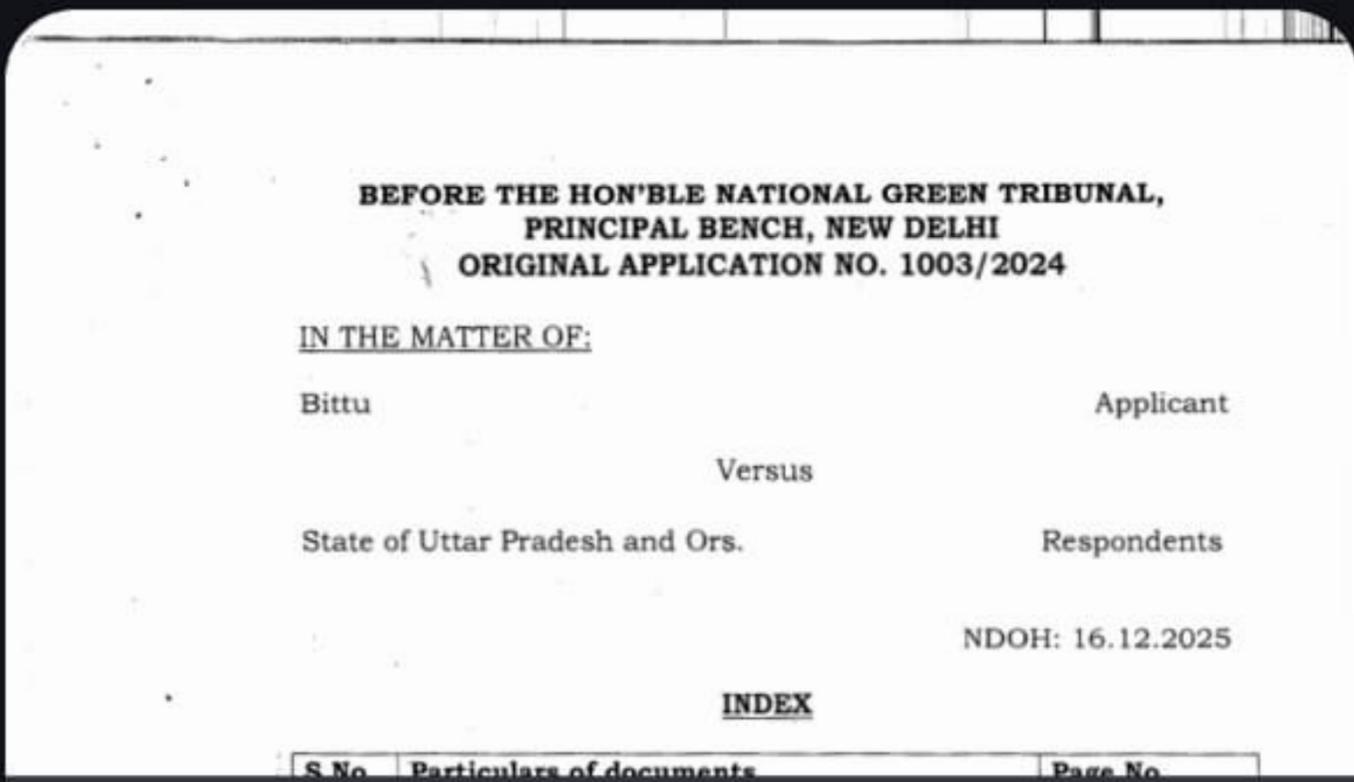
From Amit Mishra · amitmishra2906@gmail.com

To shubham@eldfindia.com

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← Reply

→ Forward





C.C. No. ....  
FIR No. ....  
U/S .....  
P.S. ....

IN THE COURT OF Hon'ble National Green Tribunal Principle Bench  
New Delhi

Suit / Appeal No. O.A No. 1003/24 JURISDICTION OF 202

In re :- Bittu

Plaintiff(s) Or Petitioner(s)  
Appellant(s) Complainant(s)

**VERSUS**

Stat 2 of Uttar Pradesh and Or Defendant(s) / Respondent(s) / Accused

KNOW ALL to whom these present shall come that I/ We Bansi Singh s/o Shri Raghunath Singh  
office at Saloo or complex, 306 Shamloo vihar, colony Korolshi Aligarh  
UP-202001

The above named Respondent No. 8 do hereby appoint

**AMIT MISHRA ASSOCIATES**  
Enrol. No.- D/12098/21 Advocate  
Chamber No.-186-A, Patiala House Court  
New Delhi-110001 Mob.- 9818160645  
Email: amitmishra2906@gmail.com

S.K. MISHRA  
D/115 (R) 1999

(herein after called the advocate/s to be my/our Advocate in the above-noted case authorize him:-

To act, appear and plead in the above-noted case in this court or in any other court in which th  
or heard and also in the appellate court including High court subject to payment of fees separately for

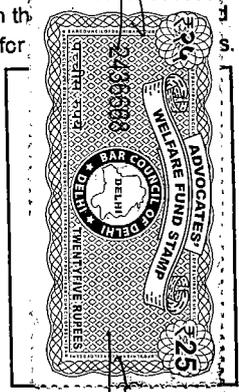
To sign file, verify and present pleadings, appeals cross-objections or petitions for  
executions review, revision, withdrawal, compromise or other petitions or affidavits or other  
documents as may be deemed necessary or proper for the prosecution of the said case in all its  
stages subject to payment of fees for each stage.

To file and take back documents, to admit and/or deny the documents or opposite party.

To withdraw or compromise the said case or submit to arbitration any differences or  
disputes that may arise touching or in any manner relating to the said case.

To take execution proceedings on paying separate fee.

To deposit, draw and receive money, cheques, case and grant receipts hereof and to  
do all other acts and things which may be necessary to be done for the progress and in the  
course of the prosecution on the said case.



To appoint and instruct any other Legal Practitioner authorizing him to exercise the power and authority hereby  
conferred upon the Advocate whenever he may think fit to do so and to sign the power of attorney on our behalf.

And I/ We the undersigned do hereby agree to ratify and confirm all acts done by the Advocate or  
his substitute in the matter as my/our own facts, as if done by me/us to all intents and purpose.

And I/We undertake that I/ We or my/our duly authorised agent would appear in court and all hearings  
and will inform the Advocate for appearance when the case is called.

And I/We undersigned do hereby agree not to hold the advocate of his substitute responsible for the result of  
the said case. The adjournment costs whenever ordered by the court shall be of the Advocate which he shall receive  
and retain for himself.

And I/We undersigned do hereby agree that in the event of the whole or part of the fee agreed by me/us to be  
paid to the advocate remaining unpaid he shall be entitled to withdraw from the prosecution of the said case until the  
same is paid up. The fee settle is only for the above case and above Court. I/We hereby agree that once the fee is  
paid, I/We will not be entitled for the refund of the same in any case whatsoever and if the case prolongs for  
more than 3 years the original fee shall be paid again by me/us

IN WITNESS WHERE OF I/We do hereunto set my/our hand to these presents the contents of which have

been understood by me/us on this 13/12/25 day of ..... 202

Accepted subject to the terms of the fees

Advocate

AMIT MISHRA

Client

Client

I Identify the Signature/Thumb Impression of the Below Mentioned Person,  
Who Has been Signed in my presence. The Client.