

BEFORE THE NATIONAL GREEN TRIBUNAL, PRINCIPAL  
BENCH, NEW DELHI

ORIGINAL APPLICATION NO. 403 OF 2022

IN THE MATTER OF:  
DALJEET SINGH

..... APPLICANT

VERSUS

STATE OF UTTAR PRADESH & ORS. ....RESPONDENTS

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**REPLY ON BEHALF OF U.P. POLLUTION CONTROL BOARD.**

I, Dinesh Chandra Pandey, S/o. Shri H.P. Pandey, aged about 58 years, Regional Officer, U.P. Pollution Control Board, Saharanpur, U.P. at present at New Delhi, do hereby solemnly affirm and declare as under:-

1. That I in the capacity abovenoted am conversant with the facts and record of the present case, hence competent to swear this affidavit.
2. That I have gone through the Original Application filed on behalf of Applicant and have understood the same fully.
3. That at the outset of this reply I deny each and every averment of fact save and except those which are admitted by me specifically hereinafter.

**PARAWISE REPLY:**



A. That the contents of Para A of the application are matter of record, hence need no comments. However, the allegation that DSR 2021 is arbitrary, whimsical and without application of mind and incomplete contravention of the detailed mandatory procedure, do not pertain to the replying Respondent.

B. That the contents of Para 2 B are denied for want of knowledge.

C. That in reply to the contents of Para C it is submitted that as per information received from the Mining Department the entire mining area is within the State of Uttar Pradesh.

D. That the contents of Para D are absolutely wrong, hence denied. It is submitted that as per procedure, advertisement for public hearing was issued in 'Hindustan Times' dated 18.09.2020, 'Dainik Jagran' dated 17.09.2020, 'Amar Ujala' dated 17.09.2020 and thereafter public hearing was held on 19.10.2020 in which the Applicant has not participated. Thus it is not open to the Applicant to say that due opportunity was not given.

#### FACTUAL BACKGROUND

1-3. That contents of Paras 1-3 are matter of record and nothing contrary to record is admitted.

4. That the contents of Para 4 do not pertain to the replying Respondent.

5. That the contents of Para 5 are matter of record.



6. That the contents of Para 6 do not pertain to replying Respondent, however, a perusal of Annexure-8 shows that amended DSR was placed on website inviting suggestions/objections. However, it appears that Appellant has not filed any objections/suggestions to the said DSR.

7--9. That the contents of Paras 7 to 9 are matter of record and nothing contrary to record is admitted.

10. That the contents of Para 10 do not pertain to the replying Respondent.

11. That the contents of Para 11 are matter of record, hence need no comments.

12-15. That the contents of Paras 12 to 15 need no comments being matter of record.

16-17. That the contents of Paras 16 and 17 do not pertain to the replying Respondent.

18-22. That the contents of Paras 18 to 22 do not pertain to replying Respondent.

23. That the contents of Para 23 are matter of record.

24-58. That the Grounds of challenge mentioned under Paras 24 to 58 are argumentative in nature and the same will be replied at the time of hearing.



59. That the contents of Para 59 need no comments.

60 That the prayer Clause is denied. The Applicant is not entitled for any relief.

*Dip.*  
DEPONENT

VERIFICATION:

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

VERIFIED ON THIS THE 24<sup>TH</sup> DAY OF SEPTEMBER, 2022 AT NEW DELHI.

*Dip.*  
DEPONENT



ATTESTED

*[Signature]*  
DIPANKAR DAS  
NOTARY PUBLIC  
R.K. GANGA BLOCK  
SUPREME COURT

24/09/22

*[Signature]*  
IDENTIFIED

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OA No 403 of 2022 Daljeet Singh Vs State of U P

From: Pradeep Misra (pradeepmisra@yahoo.com)

To: sharma.ajit@gmail.com

Date: Monday, September 26, 2022 at 05:10 PM GMT+5:30

Sir,

Please find attached the reply affidavit of behalf of U P ,Pollution Control Board in the matter of OA No 403 of 2022 Daljeet Singh Vs State of U P

With Regards,

**(PRADEEP MISRA)**



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204.8kB