

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

**MR ASHOK KUMAR AND ANR .....APPLICANT  
S/O LATE SH. DHARAM SINGH**

**VERSUS**

**STATE OF UTTAR PRADESH .....RESPONDENT**

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	<b>ANNEXURES</b>	
<b>2.</b>	<b>COPY OF SHOW CAUSE NOTICE DT. 24.12.2024 ATTACHED AS ANNEXURE A/1</b>	

**THROUGH**

A handwritten signature in black ink, appearing to read 'Bhanwar Pal Singh Jadon', enclosed within a circular scribble. The signature is positioned above the printed name and is contained within a dashed rectangular box.

BHANWAR PAL SINGH JADON

STANDING COUNSEL FOR THE STATE OF U.P. (NGT)

EMAIL- [bhanwar09jadon@gmail.com](mailto:bhanwar09jadon@gmail.com)

**DATE: 07.01.2025**

**PLACE: NOIDA**

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI**

IN

**ORIGINAL APPLICATION NO.-1003/2024**



**IN THE MATTER OF:**

**MR ASHOK KUMAR AND ANR SO  
LATE SH DHARAM SINGH**

**...APPLICANT(s)**

**VERSUS**

**State of UP**

**...RESPONDENT(s)**

**RESPONSES/REPLIES ON BEHALF OF UTTAR PRADESH  
POLLUTION CONTROL BOARD IN COMPLIANCE TO THE  
ORDER DATED 05-12-2024 PASSED BY THE HON'BLE  
NATIONAL GREEN TRIBUNAL, PRINCIPAL B ENCH, NEW  
DELHI.**

I, Vikas Mishra, aged about 45 years, S/o Shri G.S. Mishra, Ghaziabad, presently at Ghaziabad, do hereby solemnly affirm and state as under:-

1. That I, Vikas Mishra, Regional Officer of Uttar Pradesh Pollution Control Board (hereinafter "UPPCB"), am fully conversant with the facts of the case and am competent and authorized to swear the present Affidavit.
2. That, the present application has been registered under Sections 14 and 15 of National Green Tribunal Act, 2010 (hereinafter referred to as NGT Act, 2010).

**07 JAN 2025**



3. That, the complainants have alleged that M/s. New Panthar Security Guard Service has got a mining permit/lease for sand mining at Yamuna riverbed i.e Gata No.303 mi, 313 mi, 290 mi, 301 mi, 303 mi, 304 mi, 314 mi, 297 mi, 298 mi, 302 mi, 311 mi, 312 mi, 313 mi & 314 mi situated at Khand No. 02, Village-Pachayra, Tehsil-Loni, Ghaziabad, U.P.
4. That, Hon'ble Tribunal considered matter on 04.11.2024 and constituted a Joint Committee comprising District Magistrate Ghaziabad; Divisional Forest Officer, Ghaziabad; Uttar Pradesh Pollution Control Board (hereinafter referred to as 'UPPCB'); and, Central Pollution Control Board (hereinafter referred to as 'CPCB') to visit the site and ascertain the allegation.
5. That, pursuant to above order of Hon'ble Tribunal, report of joint committee was filed on 04.12.2024. The Joint Committee has recommended to impose Environmental Compensation against Project Proponent as follows-  
*".....5. Environmental compensation for illegal mining of 840 cubic meter quantity of ordinary sand may be levied as per Approach 2 scale approved by Hon'ble NGT vide order dated 26.02.2021 in the matter of OA No. 360/2015."*
6. That, the above matter was taken on 05.12.2024 for hearing and Hon'ble Tribunal has directed following:-  
*9. Learned counsel appearing for respective respondents pray for and allowed 3 weeks' time to file their responses /replies..."*
7. That, U.P. Pollution Control Board vide order dated 24.12.2024 has issued a Show Cause Notice to M/s New Panthar Security Guard Service, Proprietor- Shri Bani Singh S/o Shri Raghunath Singh, R/o. Salasar Complex, 306, Shankar Vihar Colony, Kuraisi, District-

07 JAN 2025



Aligarh, U.P. for imposition of environmental compensation of Rs. 6,51,645/- (Six Lakh Fifty One Thousand Six Hundred Forty Five only). The copy of said letter is attached herewith as **Annexure-I**.


8. That, it is humbly submitted that the reply of show cause notice by project proponent is awaited and thereafter the expiry of the show cause notice period, final order regarding imposition of Environmental Compensation will be issued accordingly.
9. I, state that everything stated above has been stated by me in my official capacity on and derived from the official records and I state that nothing material has been concealed therefrom.

  
**DEPONENT**

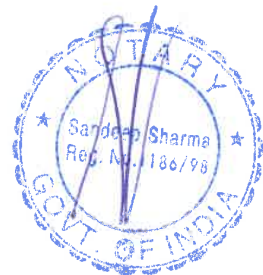
**VERIFICATION**

Verified at Ghaziabad on this .07... day of January-2025 that the contents of the above affidavit from paragraphs 1 to 9 are believed to be true and correct to the best of my knowledge and belief. No part of it is false and nothing material has been concealed therefrom.

  
**DEPONENT**

  
**ATTESTED**  
(Sandeep Sharma)  
Reg. No. 1136/98  
NOTARY PUBLIC  
Ghaziabad (U.P.)

07 JAN 2025





उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड  
UTTAR PRADESH POLLUTION CONTROL BOARD



पत्रांक 421718 / सी-1 / एनजीटी-289 / 2024

पंजीकृत  
दिनांक 24-12-24

सेवा में,

M/s New Panthar Security Guard Service,  
Proprietor - Shri Bani Singh S/o Shri Raghunath Singh,  
R/o Salasar Complex, 306, Shankar Vihar Colony, Kuraishi,  
District-Aligarh, U.P.

विषय: M/s New Panthar Security Guard Service, Proprietor - Shri Bani Singh S/o Shri Raghunath Singh, R/o Salasar Complex, 306, Shankar Vihar Colony, Kuraishi, District-Aligarh, U.P. द्वारा Yamuna River, Gata No.303mi, 313mi, 290mi, 301mi, 303, 304mi, 314mi, 297mi, 298mi, 302mi, 311mi, 312mi, 313mi & 314mi, Khand no.-2, Village:Pachayara, Tehsil Loni & District-Ghaziabad, State-Uttar Pradesh के विरुद्ध पर्यावरणीय क्षतिपूर्ति अधिरोपित किये जाने के संबंध में।

महोदय,

मा0 राष्ट्रीय हरित अधिकरण, नई दिल्ली में योजित ओ0ए0 नं0-1003/2024 अशोक कुमार व अन्य बनाम स्टेट ऑफ यू0पी0 में पारित आदेश दिनांक 04.11.2024 के अनुपालन में गठित संयुक्त समिति द्वारा दिनांक 30.11.2024 को प्रश्नगत परियोजना का निरीक्षण किया गया। संयुक्त निरीक्षण आख्या केन्द्रीय प्रदूषण नियंत्रण बोर्ड द्वारा मा0 एन0जी0टी0, नई दिल्ली में दिनांक 04.12.2024 को दाखिल की गयी है। उक्त आख्या में संयुक्त समिति द्वारा परियोजना M/s New Panthar Security Guard Service, Proprietor - Shri Bani Singh S/o Shri Raghunath Singh, R/o Salasar Complex, 306, Shankar Vihar Colony, Kuraishi, District-Aligarh, U.P. द्वारा Yamuna River, Gata No.303mi, 313mi, 290mi, 301mi, 303, 304mi, 314mi, 297mi, 298mi, 302mi, 311mi, 312mi, 313mi & 314mi, Khand no.-2, Village:Pachayara, Tehsil Loni & District-Ghaziabad, State-Uttar Pradesh के विरुद्ध पर्यावरणीय क्षतिपूर्ति अधिरोपित किये जाने के संबंध में निम्नवत् टिप्पणी की गई है:-

"....5.Environmental compensation for illegal mining of 840 cubic meter quantity of ordinary sand may belevied as per Approach 2 scale approved by Hon'ble NGT vide order dated 26-02-2021 in the matter of OA No. 360/2015."

उपरोक्त तथ्यों के दृष्टिगत क्षेत्रीय अधिकारी, गाजियाबाद द्वारा पत्रांक-2087/सी/एन-273/2024, दिनांक-शून्य में प्रश्नगत परियोजना के विरुद्ध केन्द्रीय प्रदूषण नियंत्रण बोर्ड द्वारा वर्णित सूत्र के अनुसार रू0 6,51,645/- (रुपया छः लाख इक्यावन हजार छः सौ पैतालिस मात्र) की पर्यावरणीय क्षतिपूर्ति अधिरोपित किये जाने की संस्तुति की गई है।

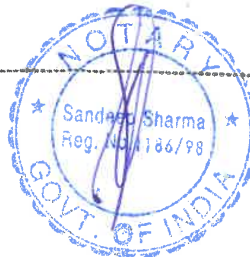
....2/

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ATTESTED

(Sandeep Sharma)  
Reg. No. 1736/98  
NOTARY PUBLIC  
Ghaziabad (U.P.)



07 JAN 2025

अतः क्षेत्रीय अधिकारी, गाजियाबाद द्वारा प्रेषित आख्या/संस्तुति तथा मा0 एन0जी0टी0 आयोग द्वारा पारित आदेश के आधार पर सक्षम अधिकारी से प्राप्त अनुमति के उपरान्त परियोजना के विरुद्ध पर्यावरणीय क्षतिपूर्ति अधिरोपित किये जाने से पूर्व निम्न कारण बताओ नोटिस जारी किया जाता है:-

“यह कि क्यों न मा0 एन0जी0टी0 द्वारा परियोजना के विरुद्ध पर्यावरणीय क्षतिपूर्ति अधिरोपित करने हेतु निर्गत आदेश के आधार पर M/s New Panthar Security Guard Service, Proprietor - Shri Bani Singh S/o Shri Raghunath Singh, R/o Salasar Complex, 306, Shankar Vihar Colony, Kurashi, District-Aligarh, U.P. द्वारा Yamuna River, Gata No.303mi, 313mi, 290mi, 301mi, 303, 304mi, 314mi, 297mi, 298mi, 302mi, 311mi, 312mi, 313mi & 314mi, Khand no.-2, Village:Pachayara, Tehsil Loni & District-Ghaziabad, State-Uttar Pradesh के विरुद्ध रू0 6,51,645/- (रूपया छः लाख इक्यावन हजार छः सौ पैतालिस मात्र) की पर्यावरणीय क्षतिपूर्ति अधिरोपित कर दी जाये?”

उपरोक्त पर अपना पक्ष/स्पष्टीकरण 15 दिन के अन्दर राज्य बोर्ड को प्रेषित किया जाना सुनिश्चित करें अन्यथा की स्थिति में आपके इकाई के विरुद्ध उपरोक्तानुसार पर्यावरणीय क्षतिपूर्ति अधिरोपित करते हुए नियमानुसार अग्रिम कार्यवाही प्रारम्भ कर दी जायेगी, जिसका सम्पूर्ण उत्तरदायित्व आपका स्वयं का होगा।

संलग्नक : क्षेत्रीय अधिकारी से प्राप्त आख्या की छायाप्रति।

सक्षम अधिकारी की अनुमति से निर्गत।

भवदीय,

मुख्य पर्यावरण अधिकारी/उत्त-1

प्रतिलिपि: क्षेत्रीय अधिकारी, उ0प्र0 प्रदूषण नियंत्रण बोर्ड, गाजियाबाद को इस निर्देश के साथ प्रेषित कि उद्योग को कारण बताओ नोटिस की प्रति अपने स्तर से प्राप्त कराकर पावती एवं निर्धारित समयावधि में अनुवर्ती आख्या स्पष्ट संस्तुति के साथ प्रेषित करना सुनिश्चित करें।

मुख्य पर्यावरण अधिकारी/उत्त-1

ATTESTED

(Sandeep Sharma)  
Reg. No. 1136/98  
NOTARY PUBLIC  
Ghaziabad (U.P.)

07 JAN 2025

