



उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड
UTTAR PRADESH POLLUTION CONTROL BOARD

संदर्भ संख्या- H15473 C-4/NGT/179/2024

दिनांक- 08-08-24

To,

The Registrar General,
Hon'ble National Green Tribunal,
Copernicus Marg, New Delhi.

Sub: Response on behalf of Respondent No.-6 Uttar Pradesh Pollution Control Board in Compliance to order dated 02.01.2024 passed by the Hon'ble National Green Tribunal, New Delhi in O.A. No. 621/2023 Dr. Sanjay Kulshreshtra Vs State of Uttar Pradesh & Ors.

Sir,

In compliance of order dated 02.01.2024 passed by the Hon'ble Tribunal in O.A. no. 621/2023 in the matter of Dr. Sanjay Kulshreshtra Vs State of Uttar Pradesh & Ors. response on behalf of Uttar Pradesh Pollution Control Board is enclosed.

It is requested that the said response may be presented before the Hon'ble Tribunal for kind consideration.

Encl: As above

Your's Sincerely,

Atulesh Yadav
(Atulesh Yadav)

Chief Environmental Officer,
Circle-4

Copy to: The following for information and necessary action:

- 1- Shri Arvind Kumar Advocate, Hon'ble NGT
- 2- Chief Law Officer (Incharge), UPPCB, Lucknow
- 3- Regional Officer, U.P. Pollution Control Board, Agra

Chief Environmental Officer,
Circle-4

Response on behalf of Respondent No.-6 Uttar Pradesh Pollution Control Board in Compliance to order dated 02.01.2024 passed by the Hon'ble National Green Tribunal, New Delhi in O.A. No. 621/2023 Dr. Sanjay Kulshreshtra Vs State of Uttar Pradesh & Ors.

The Hon'ble NGT passed an order dated 02.05.2024 in O.A. No. 621/2023 Dr. Sanjay Kulshreshtra Vs State of Uttar Pradesh & Ors as below:-

".....1. In compliance of the order dated 02.01.2024 report has been filed by the Joint Committee vide email dated 21.02.2024.
2. Respondents impleaded vide order dated 02.01.2024 have not filed their responses to the application and also to the report of the Joint Committee....."

It is stated that earlier Hon'ble NGT passed an order dated 02.01.2024 in O.A. No. 621/2023 Dr. Sanjay Kulshreshtra Vs State of Uttar Pradesh & Ors. The operative portion of the order is as under:--

".....4. In view of the facts and circumstances of the case we consider it necessary to have the response from (1) State of Uttar Pradesh, through Chief Secretary, Government of Uttar Pradesh (2) U.P. Jal Nigam, through its Chairman, (3) Principal Secretary, Ground Water Department, Government of Uttar Pradesh (4) Commissioner, Municipal Corporation, Agra, (5) District Magistrate, Agra, and (6) UPPCB, through its Member Secretary who stand impleaded as respondents No. 1 to 6. The Registry is directed to prepare and attach memo of parties to the application. Notices be issued to respondents no. 1 to 6 requiring them to file their reply/response to the averments made in the application on or before 20.02.2024 at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR supported PDF and not in the form of Image PDF.

5. In view of the averments made in the application, we also consider it appropriate that a Joint Committee be constituted to verify the factual position and suggest appropriate remedial action. Accordingly, we constitute a Joint Committee comprising of representatives of Central Groundwater Authority, U.P. State Ground Water Authority, the District Magistrate, Agra, Commissioner, Municipal Corporation, Agra, and Uttar Pradesh Pollution Control Board (UPPCB) and direct the same to meet within two weeks, undertake visits to the site, look into the grievances of the applicant, associate the applicant and representative of the concerned project proponent, verify the factual position and suggest appropriate remedial action. The State PCB will be the nodal agency for coordination and compliance. Factual and Action taken Report may be submitted within one month by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF."

The response on behalf of U.P. Pollution Control Board in compliance with the above mentioned direction issued on 02.01.2024 by Hon'ble NGT is as below:

1. That, in compliance to Hon'ble NGT order dated 02.01.2024, the report of Joint Committee comprising of representatives of Central Groundwater Authority, U.P. State Ground Water Authority, the District Magistrate, Agra, Commissioner, Municipal Corporation, Agra, and Uttar Pradesh Pollution Control Board has been submitted before the Hon'ble NGT on 21.02.2024.
2. That, Regional Officer, Uttar Pradesh Pollution Control Board Agra has been also nominated as a representative of Uttar Pradesh Pollution Control Board in the Joint Committee. Uttar Pradesh Pollution Control Board is agree with the recommendations made by the Joint Committee in the report submitted before the Hon'ble NGT.

The above Response is being placed for kind consideration of this Hon'ble Tribunal.

Atulish yadav
Chief Environmental Officer,
Circle-4