

Next date of hearing is 19-12-2025

BEFORE THE NATIONAL GREEN TRIBUNAL

PRINCIPAL BENCH AT NEW DELHI

O.A. NO. 448 OF 2025

In the matter of –

Utkarsh Panwar

...Applicant

Versus

Uttar Pradesh Pollution Control Board & Ors.

...Respondents

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New Delhi
Date: 12.12.2025

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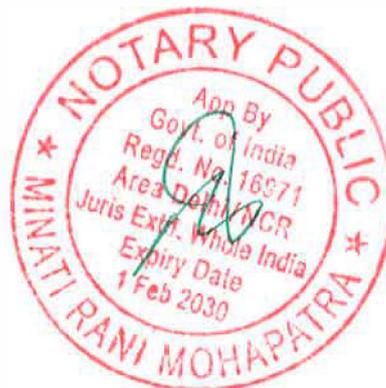
**REJOINDER OF THE APPLICANT TO THE RESPONSE FILED
BY RESPONDENT NO. 1 UPPCB**

Most respectfully showeth –

I, Utkarsh Panwar, aged 31 years, s/o Shri Ashwini Kumar, r/o Village Sakuti, District Meerut, UP, and presently at New Delhi, do hereby affirm and state on oath as under –

1. I am the Applicant in the captioned O.A. and I am aware of the facts of the case and am competent to swear this affidavit in rejoinder to the response filed by the Respondent No.1 UPPCB.
2. I say that I have read and understood the contents of the reply filed by the UPPCB and I say that the contents of the same are denied, save and except what is specifically admitted herein.

PARA WISE REJOINDER -



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1. That the contents of para 1 need no reply.
2. That the contents of para 2 need no reply.
3. That the contents of para 3 are a matter of record.
4. That the contents of para 4 are a matter of record.
5. That the contents of para 5 are a matter of record.
6. That the contents of para 6 are a matter of record. However, as submitted in the OA, it is also a matter of record that this Hon'ble Tribunal has passed orders regulating the operations of brick kilns in Districts Mathura and Aligarh in UP and District Hisar in Haryana, in terms of the orders of the Hon'ble Supreme Court in Civil Appeal D. No. 18213 of 2021.
7. That the contents of para 7 are a matter of record in so far as the reading of the air quality data from monitoring stations in IIT Roorkee and Clock Tower Saharanpur are concerned. However, as specifically submitted in Para 10 of the OA, the said monitoring stations are not situated close to the clusters of brick kilns operating in District Saharanpur. There are no brick kilns in the vicinity of IIT Roorkee and Clock Tower. Thus the actual air pollution is likely to be much higher than what is being revealed by this data. Respondent No.1 UPPCB had not dealt with this submission of the Applicant in its response.
8. That the contents of para 8 are misleading and denied. The data shown for District Saharanpur is not accurate and cannot be the basis for not



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extending orders regulating the operation of brick kilns from March to June for District Saharanpur. Without prejudice, even the data produced by the UPPCB shows that in winter months the AQI is touching 'Poor' levels. Hence there is no reason not to regulate the operation of brick kilns in District Saharanpur in the winter season, which are a source of air pollution.

9. In this context, in addition to what is stated above, the Applicant begs to place the following submissions for consideration of the Hon'ble Tribunal –

- i) UPPCB did not raise any objection nor file any appeal in respect of orders passed by this Hon'ble Tribunal dated 09.05.2022 in OA No. 93 of 2021 (in case of District Mathura) and order dated 08.07.2022 in OA No. 253 of 2021 (in case of District Aligarh), wherein this Hon'ble Tribunal expressly extended the directions of the Hon'ble Supreme Court to brick kilns operating in these districts, including the direction to allow them to operate only between March and June of each year, on the grounds that these districts are adjacent to NCR. Hence, when similar directions are sought by the Applicant in respect of identically placed District Saharanpur, then no objection ought to be raised by the UPPCB.
- ii) District Saharanpur is directly adjacent to the NCR Districts of Muzzafarnagar, Shamli and Karnal and shares common



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boundaries with these three NCR districts. Any air pollution caused in District Saharanpur will naturally spill over to these NCR districts which already reel under dangerously high pollution levels in winter months. Hence directions sought to regulate the operation of brick kilns in District Saharanpur between March and June of each year are directly in the interest of right to life and health of the residents of the NCR, including the Applicant.

- iii) At Annexure A-4 (Page 109) of the OA, the Applicant has filed Google Earth photos of the clusters of brick kilns operating in District Saharanpur. Many of these brick kilns are barely 5 to 7 kilometers aerial distance from District Muzzafarnagar in the NCR. Several other brick kilns are also located close to borders of Districts Shamli and Karnal. In fact it may be stated that the geography of District Saharanpur is such that the brick kilns can only be situated on the plains in the area, close to NCR, as the other part of District Saharanpur is hilly and/or forest area, and adjoins Dehradun and Haridwar. Hence there is a direct impact of air pollution caused by the operation of brick kilns in District Saharanpur on the NCR.

10. Hence it is prayed that the OA be allowed.



Utkarsh

Utkarsh

DEPONENT

VERIFICATION –

I, the deponent above named, do hereby verify that the contents of the accompanying affidavit are true and correct to my knowledge and nothing material is concealed.

Verified at New Delhi on this 12 DEC 2025 day of December 2025

Praveen Thakur

IDENTIFIED

Utkarsh

DEPONENT



12 DEC 2025



**MINATI RANI MOHAPATRA
ADVOCATE (NOTARY)
Mob. No.: 8130128457**



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Proof of Service

Krishna Veer <krishnaveer100@gmail.com>

Advance service of the Rejoinder of the Applicant to the Response filed by UPPCB Respondent No.1 : OA 448 of 25 Utkarsh Panwar Vs. UPPCB

1 message

Krishna Veer <krishnaveer100@gmail.com>

Fri, Dec 12, 2025 at 5:46 PM

To: pradeepmisra@yahoo.com, priyanka swami <advpriyankaswami@gmail.com>, office@nddchambers.co.in

Dear Sir/Madam

Kindly find the attached herewith the scanned copy of Rejoinder of the Applicant to the Response filed by UPPCB Respondent No.1 : OA 448 of 25 Utkarsh Panwar Vs. UPPCB.

Regards
Krishna Veer, Clerk
of Mr. Rohan Thawani, Adv.
for Applicant

 **Rejoinder to response filed by R1 UPPCB.pdf**
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