

Applicant/Complainant

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL, PRINCIPAL
BENCH, NEW DELHI
OA/366/2025**

IN THE MATTER OF :

Ray Singh

....Applicant

Vs

M/s Utara Brick & Ors.

...Respondent

INDEX

S.NO.	PARTICULARS	PAGES
1.	REJOINDER ON BEHALF OF APPLICANT TO THE AFFIDAVIT FILED BY UPPCB ALONGWITH AFFIDAVIT.	1-4
2.	SERVICE PROOF	5

New Delhi

Dated 30/04/2026

Through



Rakesh Kakar
Advocate

C-1/D, Ground Floor,
Green Park Extn.,
New Delhi-110016
9810383620

kakaradvocate@yahoo.com

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL, PRINCIPAL
BENCH, NEW DELHI
OA/366/2025**

IN THE MATTER OF :

Ray Singh

....Applicant

Vs

M/s Utara Brick & Ors.

...Respondent

**REJOINDER ON BEHALF OF APPLICANT TO THE AFFIDAVIT
FILED BY UPPCB ALONGWITH AFFIDAVIT.**

MOST RESPECTFULLY SHOWEATH :-

1. That the contents of the para no. 1 of the affidavit dated 06.04.2026 refiled on 17.04.2026 in compliance of the order dated 29.01.2026 filed on behalf of UPPCB are matter of records.
2. That in reply to the para no. 2 of the affidavit the applicant has to say that the UPPCB has admitted that respondent no. 1 was running illegally and without taken the consent and permission to established and the operation of the said brick klin. However, UPPCB admittedly issued closure order dated 10.02.2023 against the respondent no. 1 but inspite of closure order the brick klin was continuously under operation since 10.02.2023 till the filing of the present application i.e. July 2025 and despite issuing of notice of the present application the brick klin was under operation.

The brick klin was running with the sheer disobedience of closure orders issued on 10.02.2023 but surprisingly the UPPCB neither visited the site for inspection nor taken any action on the complaints given by the applicant and the other residents of the area. It is submitted that the conduct of the UPPCB is also under the shrouds of doubts of having gloves in hands.

It is further submitted that the calculation is not correctly calculated as the calculation should be from 10.02.2023 till 04.04.2026 when the fire brigade was called to extinguish the fire in the brick klin and therefore the UPPCB has wrongly calculated the default of 77 days.

3. That the contents of the para no. 3 of the affidavit are matter of record.
4. That the contents of the para no. 4 of the affidavit further shows that the respondent no. 1 is habitual offender and has no respect for the notices and orders issued against the closure of illegal operation of brick klin. The respondent no. 1 also digs the agriculture land of the applicant which falls under the illegal mining. The applicant has not been compensated for the illegally mining on his land by the respondent no. 1 and therefore the respondent no. 1 should be set responsible to pay the compensation to the applicant in accordance with law.
5. That the contents of the para no. 5 of the affidavit the applicant has to say that the respondent no. 1 running the brick klin without obtaining any consent or permission either from the UPPCB or from any other agencies. The UPPCB has not taken any action against the respondent no. 1 was not having any permission from the water/air pollution act.
6. That the contents of the para no. 6 of the affidavit are wrong and denied. It is submitted that the closure notice was issued on 10.02.2023 against the respondent no.1 but no evidence has been filed with the affidavit by the UPPCB that the brick klin was closed whereas as per the submissions the brick klin was continuously was operating illegally till 04.04.2026 when the

water was poured by the fire brigade. It is surprised to note that the UPPCB has not taken any action against the respondent no.1 for illegally running the brick klin and mining in the applicant's land despite the closure notice was issued on 10.02.2023 and therefore the UPPCB has to file the appropriate calculation from the date of issuance of closure notice till the extinguish the fire by pouring the water by fire brigade on 04.04.2026 and also not lodged any inquiry / F.I.R. for illegally running the brick klin.

It is therefore prayed to this Hon'ble court to direct the respondent no. 1 to file the undertaking not to illegally operate the brick klin in future to the UPPCB and the brick klin establishment has to be sealed.

It is also prayed to this Hon'ble Court to direct the respondent no. 1 to compensate the applicant for illegally mining from his agricultural land since the brick klin has been established.

It is also prayed to this Hon'ble Court to pay the compensation since 10.02.2023 from date of issuance of notice for the closure of brick klin.

Any other relief which this Hon'ble Court may deem fit and proper may also be passed in favor of appellant in the interest of justice.

New Delhi

Dated:-

30/04/2026

Through


Applicant

Rakesh Kakar
Advocate

C-1/D, Ground Floor
Green Park Extension
New Delhi-110016
9810383620

kakaradvocate@yahoo.com



Rakesh Kakar <kakarrakesh11@gmail.com>

Service of Rejoinder on behalf of the applicant to the affidavit filed by the R-3 (UPPCB) 366/2025 Ray Singh vs M/s Utara Brick

Rakesh Kakar <kakarrakesh11@gmail.com>
To: pradeepmisra@yahoo.com

Thu, Apr 30, 2026 at 2:02 PM

Dear Sir,

Please find enclosed herewith the copy of rejoinder on behalf of the applicant to to the affidavit filed by the R-3 (UPPCB) in the matter O.A. 366/2025 case titled Ray Singh vs M/s Utara Brick Field pending before the Hon'ble Principal Bench of NGT, New Delhi.

Regards

Rakesh Kakar

Advocate

*Kakar & Kakar***ADVOCATES****Office at: C-1/D Ground Floor,****Green Park Extn., New Delhi-110016****9810383620****Email: kakarrakesh11@gmail.com**

REJOINDER OA 366 2025.pdf
1575K