

N.D.H.:03.11.2025

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO.754 OF 2023**

IN THE MATTER OF:

VIPUL KUMAR

..... APPLICANT

VERSUS

UTTARAKHAND POLLUTION
CONTROL BOARD & OTHERS

... RESPONDENTS

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Place: New Delhi**Date:** 14.10.2025

FILED BY:


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BEFORE THE NATIONAL GREEN TRIBUNAL,
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PROTECTION AND POLLUTION
CONTROL BOARD & ORS.

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REPLY ON BEHALF OF THE APPLICANT ABOVE NAMED.

1. That by order dated 04-02-2025 this Hon'ble Tribunal heard the argument of the parties and passed the order that:

2. *Counsel for the applicant has also relied upon the RTI reply Annexure 3 disclosing the distance of respondent no. 5 Balaji Brick Kilns from the Jai Mata Bricks Field as 653.943 mtrs. and also the RTI information Annexure-5 (page 47) disclosing the distance of the Balaji Brick Field to nearby Harchandpur village as 722.346 mtrs. These distance in Annexure-3 and Annexure-5 stated to have been mentioned based on Google photographs.*

3. *As against this, the respondent has relied upon the Google Maps filed along with the Reply of the UKPCB as Annexure-2 (page 110) in support of the plea that the citing criteria is satisfied. Hence, there appears to be a factual dispute about the distance of Respondent No.5 from habitation as well as from the existing Brick kiln i.e. Jaimata Brickfields. Thus, efore proceeding with the matter, this factual dispute needs to be resolved.*

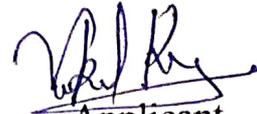
4. *Hence, we constitute a joint committee comprising of the representative of the Member Secretary, CPCB, Member Secretary, UKPCB and the District Magistrate, Haridwar in which District Magistrate will be the nodal agency. The Joint Committee will ascertain the aerial distance of Respondent No.5 form the nearby habitation as well as*

from the nearest existing brick kilns. The joint committee will ascertain the requisite distance keeping in view criteria prescribed in clause 6 and 7 of the notification dated 22.02.2022 and submit the report before the Tribunal within six weeks.

2. That pursuant to the order of this Tribunal, Joint Committee submitted its report through District Magistrate (Haridwar) on 14.04.2025.
3. That as per the report of the joint committee distance between the Balaji Brick Field, which is Respondent no. 5, from the nearest habitation is stated to be 950 m. The measurement has been carried out by the Revenue Department and the copy of which is in Annexure -5 of the report.
4. That a perusal of the report of Revenue Department shows that the Annexure-5 is based on no actual ariel measurement of the distance of Respondent No. 5 from the nearby habitation as directed by this Tribunal.
5. That the report of Revenue Department signed by Naib Tehsildar, Manglaur and Revenue Inspector, Rorkee and is based on no actual measurement and same blatantly mentions the distance between Balaji Bricks Field, Respondent no. 5, and the first residential house from village Harchandpur as 950m.
6. That the report does not mentions as to how and on what basis the said report is prepared. It is further submitted that the joint committee which was supposed to ascertain the arial distance between the Respondent no. 5 to vill. Harchandpur, blatantly failed in complying with the order of this Tribunal and merely relied upon the report of Revenue Department

7. That while preparing the said report the members of the joint committee never visited the place so as to examine the matter and the steps to be taken. The Applicant neither had any information nor was informed by any of the members of the joint committee that they will be visiting the area for measurement. Hence, the entire exercise was done in dark without knowledge to the Applicant.
8. That Applicant is further submitting that the report is not only illegal but also incorrect wherein google imaginary shows 950m distance from Respondent No. 5 to vill. Harchandpur. In fact the distance of 950m from Respondent to.5 goes almost in the middle of the village Harchandpur surpassing the first house of the village. In order to fortify his argument/ objection the Applicant is placing the google imagery of the location. A true copy of google imagery from Balaji Bricks Field to 950 mts into village Harchandpur dated NIL is ANNEXURE B-1
9. That the applicant further states that the distance between Respondent no. 5 and the nearest habitat is much less then 800m. As already disclosed in RTI provided by the Respondent Utrakhand Pollution Control board (UKPCB). The google imaginary taken from the website clearly show the distance from Respondent no. 5 to the first house in village Harchandpur is 746 m as against 800 m required by the notification dated 22.02.2022. A true copy of the google imaginary of Respondent no. 5 to the first house of vill. Harchandpur dated NIL as ANNEXURE B-2.
10. That in light of the facts mentioned in the present reply the report of the joint committee is filed neither in compliance of the order

of this Tribunal dated 04.02.2025 nor it is correct or acceptable.
Hence the report deserves to be rejected.



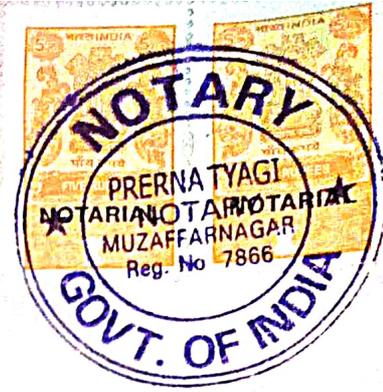
Applicant

Through



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Counsel for Applicant

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AFFIDAVIT

I, VIPUL KUMAR, aged about 42 years, S/o Sri Shri Anand Lal Singh, R/o Vill-Gadamba, Distt - MUZAFFARNAGAR, do hereby state on solemn affirmation as under:

1. That the deponent is the sole applicant in the present Original Application as such I am well conversant with the facts and circumstances of the present case and hence, competent to swear this affidavit.
2. That I have gone through the accompanying Reply to the report of joint committee from para 1 to 10 and say that the contents thereof are true and correct to the best of my knowledge and belief and I believe the same to be true.
3. That the annexures attached hwerewith are true copy of their originals.

Solemnly affirmed on this day of 4/10 /2025 at _____

Vipul Kumar
DEPONENT

VERIFICATION

Verified at _____ on this _____ day of _____, 2025 that the contents of my above affidavit are true and correct to my knowledge and no part of it is false and nothing material has been concealed therefrom.

Vipul Kumar
DEPONENT

PRERNA TYAGI
NOTARY
MUZAFFARNAGAR
4 OCT 2025

Vipul Kumar
I, the deponent, have read and examined the contents of the affidavit and have read out and explained the contents to the deponent. Fee charged Rs. _____
NOTARY DISTT MUZAFFARNAGAR

Identified by [Signature]

Roorkee

950 MT FROM BALAJI BRICK FILED INTO VILLAGE HARCHANDPUR



Imagery ©2025 Airbus, CNES / Airbus, Maxar Technologies, Map data ©2025 200 m

Measure distance
Total distance: 951.23 m (3,120.84 ft)



Imagery ©2025 Airbus, CNES / Airbus, Maxar Technologies, Map data ©2025 200 m

Measure distance
Total distance: 746.33 m (2,448.60 ft)

Roorkee
BALAJI BRICK FILED TO HARCHANDPUR



Imagery ©2025 Airbus, Maxar Technologies, Map data ©2025 50 m

Measure distance
Total distance: 746.33 m (2,448.60 ft)



Imagery ©2025 Airbus, Maxar Technologies, Map data ©2025 20 m

Measure distance
Total distance: 746.33 m (2,448.60 ft)