

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 928 OF 2024**

IN THE MATTER OF:

SAURABH TIWARI

.....APPLICANT

VERSUS

UNION OF INDIA

.....RESPONDENT(S)

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THROUGH

DATE: 31.10.2024

PLACE: NEW DELHI



**STHAVI ASTHANA
ADVOCATE FOR UPPCB
C1/131 MOTI BAGH, SHANTI PATH,
NEW DELHI-110021
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(E): STHAVIASTHANA@GMAIL.COM**

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 928/2024

IN THE MATTER OF:

Saurabh Tiwari

.....Applicant

Versus

Union of India

.....Respondent(s)

**RESPONSE ON BEHALF OF THE RESPONDENT NO.-5, UTTAR
PRADESH POLLUTION CONTROL BOARD, IN COMPLIANCE
WITH THE ORDER DATED 31.07.2024 PASSED BY THE
HON'BLE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH,
NEW DELHI**

I, Shashi Vindkar, aged about 41 Year S/o Shri Lala Ram, do hereby solemnly affirm and state on oath as under:

1. That I am presently posted as Regional Officer, Uttar Pradesh Pollution Control Board (hereinafter "UPPCB), Varanasi. I say that I am fully conversant with the facts of the case and am competent and authorized to swear the present Affidavit.

2. That, The Hon'ble National Green Tribunal, Principal Bench, New Delhi (hereinafter referred as The Hon'ble Tribunal) vide its order dated 31.07.2024 has constitute the two member Joint Committee comprising RO, MoEF&CC Lucknow and Divisional Forest Officer, Varanasi by passing the following direction:

"...4. Issue notice to the respondents. Applicant is directed to serve the respondents and file affidavit of service at least one week before the next date of hearing.

Su.
(R.O)

5. In order to ascertain the truthfulness of the allegation and also the extent of trees which have been cut, if any permission was obtained before cutting of trees and if any compensatory plantation has been done, we deem it proper to form a Committee comprising of RO, MoEF and CC Lucknow and Divisional Forest Officer, Varanasi who will act as the coordinating agency.
6. That the Two Member Committee will visit the site and ascertain the correct position keeping in view the observations made above and will submit report before the Tribunal at least one week before the next date of hearing... ”
3. That in compliance with the order dated 31.07.2024 passed by The Hon'ble Tribunal, a letter has been sent by the UPPCB to the Divisional Forest Officer, Varanasi vide reference No.781/NGT OA No.928/2024/24-25, dated 23.10.2024 for time bound compliance of the order. A copy of letter dated 23.10.2024 is being annexed herewith as **Annexure-R5/1.**
4. That the above response of Respondent No.-5, Uttar Pradesh Pollution Control Board, is submitted before The Hon'ble Tribunal for kind perusal and consideration please.


DEPONENT

VERIFICATION

Verified at Varanasi, U.P. on this 30 day of October, 2024 that the contents of the above affidavit are true and correct to the best of my knowledge and belief and nothing material has been concealed therefrom.


DEPONENT



Notarional
 1. दस्तावेज Document No. _____
 2. जमा / Registration No. _____
 3. दिनांक / Date 30.10.24
 4. स्थान / Place Varanasi
 5. द्वारा / By ee vns up



उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड, वाराणसी

UTTAR PRADESH POLLUTION CONTROL BOARD, VARANASI

संदर्भ सं/Ref.No. 781/NGTOM No. 928/2024/24-25

दिनांक / Date. 23/10/24

सेवा में,

प्रभागीय वनाधिकारी,
वाराणसी वन प्रभाग,
अशोक बिहार कालोनी फेज-1,
पहड़िया, वाराणसी।

अतिआवश्यक/महत्वपूर्ण
मा0 एन0जी0टी0 प्रकरण

विषय:—मा0 एन0जी0टी0 में योजित ओ0ए0 संख्या 928/2024 सौरम तिवारी बनाम भारत सरकार व अन्य में पारित आदेश दिनांक 31.07.2024 के सम्बंध में।

महोदय,

कृपया उपरोक्त विषयक ई-मेल के माध्यम से इस कार्यालय में दिनांक 17.10.2024 को प्राप्त संयुक्त सचिव, पर्यावरण, वन एवं जलवायु परिवर्तन अनुभाग-2, लखनऊ के पत्र संख्या 2019/81-2-2024, दिनांक 16.10.2024 का संदर्भ ग्रहण करने का कष्ट करें। उक्त पत्र के माध्यम से मा0 एन0जी0टी0 में योजित ओ0ए0 संख्या 928/2024 सौरम तिवारी बनाम भारत सरकार व अन्य में पारित आदेश दिनांक 31.07.2024 के अनुपालन में कार्यवाही कराते हुए कृत कार्यवाही से अवगत कराने हेतु निर्देशित किया गया है।

उक्त ओ0ए0 में मा0 राष्ट्रीय हरित अधिकरण नई दिल्ली द्वारा पारित आदेश दिनांक 31.07.2024 (छायाप्रति संलग्न) के सुरांगत अंश निम्नवत हैं:-

4. Issue notice to the respondents. Applicant is directed to serve the respondents and file affidavit of service at least one week before the next date of hearing.
5. In order to ascertain the truthfulness of the allegation and also the extent of trees which have been cut, if any permission was obtained before cutting of trees and if any compensatory plantation has been done, we deem it proper to form a Committee comprising of RO, MoEF and CC Luchnow and Divisional Forest Officer, Varanasi who will act as the coordinating agency.
6. The Two Member Committee will visit the site and ascertain the correct position keeping in view the observations made above and will submit report before the Tribunal at least one week before the next date of hearing.
7. List on 11.11.2024."

अतः संयुक्त सचिव, पर्यावरण, वन एवं जलवायु परिवर्तन अनुभाग-2, लखनऊ के पत्र संख्या 2019/81-2-2024, दिनांक 16.10.2024 की छायाप्रति संलग्नकर आपको इस अनुरोध के साथ प्रेषित कि मा0 अधिकरण द्वारा पारित आदेश दिनांक 31.07.2024 के अनुपालन में आवश्यक कार्यवाही करते हुए शासन को अवगत कराये जाने हेतु सम्बंधित को निर्देशित करने का कष्ट करें।

संलग्नक:—उपरोक्तानुसार।

पृ0सं0 एवं दिनांक:—उपरोक्त।

प्रतिलिपि: निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु सादर प्रेषित।

1. जिलाधिकारी महोदय, वाराणसी को सादर सूचनार्थ।
2. वन संरक्षक महोदय, वाराणसी वृत्त, वन भवन, एच0आई0जी0-33, अशोक बिहार कालोनी फेज-1, पहड़िया, वाराणसी को संलग्नक सहित।
3. सदस्य सचिव महोदय, उ0प्र0 प्रदूषण नियंत्रण बोर्ड लखनऊ को सादर सूचनार्थ प्रेषित।
4. मुख्य पर्यावरण अधिकारी (6), उ0प्र0 प्रदूषण नियंत्रण बोर्ड लखनऊ।
5. मुख्य विधि अधिकारी (प्रभारी), उ0प्र0 प्रदूषण नियंत्रण बोर्ड लखनऊ।

भुवदीय,
(शशि विन्दिफर)
क्षेत्रीय अधिकारी
O/C

क्षेत्रीय अधिकारी
O/C
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