

BEFORE THE PRINCIPAL BENCH, NATIONAL GREEN TRIBUNAL,  
NEW DELHI  
ORIGINAL APPLICATION NO. 396 OF 2022

IN THE MATTER OF:

Gopal Chandra Vanwassi .....Appellant

Versus

SDM, Ramnagar .....Respondent

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Filed by

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**REPLY/RESPONSE ON BEHALF OF THE RESPONDENT NO. 4**

**/ Uttarakhand Pollution Control Board**

I, Dr. Rajendra Singh S/o Shri Balbir Singh, aged 50 year, presently posted as Assistant Scientific Officer, Uttarakhand Pollution Control Board, Head Office, Gauradevi Paryavaran Bhawan, 46-B, IT Park, Sahastradhara Road, Dehradun,

Uttarakhand, do hereby solemnly affirm and declare as under:

1. That I am in the above noted capacity and as per records available in the department, I am fully conversant with the facts and circumstances of the case, hence competent to



swear this counter affidavit on behalf of the answering Respondent.

2. That I have gone through and understood the contents of the Original Application and report filed by the Committee. I deny each and every averment except those which are admitted herein expressly.

**REPLY:**

1. That the field Inspection was carried out by the Joint Committee on 21-22 June, 2022 which was comprising of officials of Revenue Department, Geology & Mining Unit, Directorate of Industries; Uttarakhand Pollution Control Board. The report of Joint Committee dated 03.10.2022 is already filed before this Hon'ble Tribunal for consideration.



That, based on report of Joint Committee, 07 Stone Crusher/Screening Plants who were found non-complying, have been given show cause notice for closure along with imposition of environmental compensation under section

A handwritten signature in blue ink, appearing to be 'Rajender Singh Negi'.

31(A) of the Air (Prevention and Control of Pollution) Act, 1981, as amended time to time vide letter dated 27.08.2022.

**Copies of show cause notices are already filed with Action Taken Report as ANNEXURE 2.** Rest of Stone Crusher/Screening Plants are either under establishment or not established yet.

3. That, in compliance of show cause notice for closure issued on 27.08.2022, inspection of Stone Crushers/Screening Plants were carried out by the Regional Office, Haldwani (Nainital) in the month of October & November, 2022 and reported that all seven stone crusher/screening plants have rectified the shortcomings observed earlier and now complying with the prescribed norms. However, days of non-compliance has been treated as "period of violation" for which imposition of environmental compensation as per procedure adopted by the Board along with revocation of show cause notice for closure, is under process.



*[Handwritten signature]*

4. That, in compliance of order passed by the Hon'ble NGT on dated 18.10.2022, point wise reply is as given below:

SN	Question	Reply	Remarks
i	How many stone crushers are running in the State of Uttarakhand;	308	--
ii	How many stone crushers have been granted permission by the State Government and how many of them are running without such permission;	350	Out of 350 Units, 32 Units are not in operation/closed. (Including 03 units dismantled).
iii	How many stone crushers has obtained consent from State PCB;	285	<ul style="list-style-type: none"> <li>▪ 17 Units - Applied for Consent to Operate. Application is under process.</li> <li>▪ Consent to Establish (CTE) issued to 06 Units.</li> <li>▪ 04 Units applied for CTE.</li> </ul>
iv	Against how many stone crushers closure order has been issued;	09	--
v	Against how many stone crushers environmental	10	--



*[Handwritten Signature]*

	compensation has been imposed;		
vi	From how many stone crushers environmental compensation has been realized;	08	--
vii	What action has been taken in cases where environmental compensation is yet to be realized.	EC imposed against 02 units on 03.02.2023.	In case of non-submission of EC, action will be taken as per law.

5. That in view of above averments made in the forgoing paragraphs, this Hon'ble Tribunal may pass any order as this Hon'ble Tribunal may deem fit in the facts and circumstances of the case.

  
Deponent



**VERIFICATION:**

I, the deponent above named do hereby verify and say that the contents of my above affidavit are true and correct to my knowledge, no part of it is false and nothing material has been concealed there from. The legal submissions are

further true as per legal advice received and believed to be true and correct.

Verified at D. D. on this 7 day of February, 2023

*[Signature]*  
Deponent

Filed by

[MUKESH VERMA]  
Advocate for Uttarakhand Pollution Control Board/Responent  
Chamber No. 50,  
G.L. Sanghi Block,  
Supreme Court of India  
New Delhi-110 001  
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Email:- mvermadv@gamil.com



660/23  
This affidavit is sworn before me  
by Rajender Singh Negi  
who is identified by Shri. ....  
at Dehra.....

*[Signature]*  
(Rajender Singh Negi)  
Advocate & Notary, Deh. ....