

DISTRICT MAGISTRATE, PRAYAGRAJ

To,

The Registrar,
National Green Tribunal
Principal Bench,
New Delhi
E-Mail- judicial-ngt@gov.in

E-Mail/Registered Post

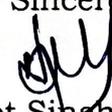
Subject: -Reply in compliance of direction issued by Hon'ble National Green Tribunal in Original Application No. 544/2023 Paras Nath &Anr. Versus Uttar Pradesh Pollution Control Board &Ors in order dated 20-02.2024.

Respected Sir,

With reference to the above-mentioned subject, reply on behalf of District magistrate, Prayagraj in compliance of Hon'ble National Green Tribunal, New Delhi Order dated 20.02.2024 in Original Application No. 544/2023 Paras Nath &Anr. Versus Uttar Pradesh Pollution Control Board &Orsis hereby annexed for kind perusal and further necessary action and directions.

Encl.- As Above.

Your Sincerely


(Navneet Singh Chahal)
District Magistrate
Prayagraj

BEFORE THE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI

ORIGINAL APPLICATION NO. 544 OF 2023

IN THE MATTER OF:

PARAS NATH

.....PETITIONER

VERSUS

U.P. Pollution Control Board & Ors.

.....RESPONDENTS

REPLY ON BEHALF OF DISTRICT MAGISTRATE, PRAYAGRAJ

I, Navneet Singh Chahal, S/o Sri Satya Pal Singh Chahal aged about 40 years, District Prayagraj, U.P. do hereby solemnly affirm and declare as under: -

1. That this affidavit is filed in compliance with the order dated 20.02.2024.
2. At the outset, it is submitted that the deponent has the highest respect and regard to the order of Hon'ble National Green Tribunal and the deponent is also dutybound to fulfil the obligations which are assigned under the law and directions passed by this Hon'ble Tribunal.



3. It is submitted that the Committee formed by the Hon'ble Tribunal, through its order dated 15.09.2023, submitted a joint report to the Tribunal for its kind perusal.
4. It is submitted that, in the present matter, following the observations of the Hon'ble Tribunal, the DM office sought a report from the then SDM, who had inspected the sites as part of the committee on the dates 17.10.2023 and 18.10.2023, and asked for clarification regarding his physical presence during those visits. **(Annexure A1)**
5. That the then SDM submitted his response dated 15.04.2024, wherein he categorically stated that he was present during the inspection of the IFFCO, Phoolpur site, as well as at other sites where samples were taken. **(Annexure A2)**
6. That the deponent, along with other committee members, revisited the site on 06.04.2024 and documented their findings. Subsequently, an online meeting was convened by the deponent, acting as the nodal agency, on 15.04.2024. During this meeting, the committee reviewed the findings of the visit and report is being submitted separately to the Hon'ble court for its kind perusal.
7. It is submitted that certain team members accompanied the committee on the day of the visit solely to provide assistance, leveraging their expertise in the relevant domain or place of visit. There was no intention to change the composition of the committee.
8. That for aforesid Act the deponent tenders unconditional apology and assures this Hon'ble Tribunal that in future such a mistake will not be repeated.





DEPONENT
(नघनीत सिंह चहल)
जिलाधिकारी, प्रयागराज

VERIFICATION:

I, the above noted deponent, do hereby verify that the contents of above affidavit are true to my knowledge and belief. No part of the same is false and nothing material has been concealed therefrom.

Verified on the 16th Day Of April, 2024 at Prayagraj.



DEPONENT
(नघनीत सिंह चहल)
जिलाधिकारी, प्रयागराज

कार्यालय जिलाधिकारी, प्रयागराज

पत्र सं० 132 / एस०टी०-2024

दिनांक 12 अप्रैल, 2024

Subject- Original Application NO 544/2023 (IA No47/2024) Paras Nath Versus Uttar Pradesh Pollution Control Board & Ors Date of hearing-20-02-2024.

श्री अजीत कुमार जायसवाल,
तत्कालीन उप जिलाधिकारी, फूलपुर,
सम्प्रति नगर मजिस्ट्रेट, जालौन।

कृपया उपर्युक्त विषयक अवगत कराना है कि Original Application NO 544/2023 (IA No47/2024) Paras Nath Versus Uttar Pradesh Pollution Control Board & Ors Date of hearing-20-02-2024 के प्रस्तर-6 में निम्न कथन उल्लिखित किया है-

"We are surprised to note as to how the composition of the Committee constituted by the Tribunal has been changed and new Committee was formed with different members to carry out the inspection and submit the report it has been submitted by Counsel for the Applicant that though the District Magistrate, District Prayagraj was required to be in the Committee but a report has been signed by SDM, Phulpur Prayagraj and that SDM, Phulpur Prayagraj was not even present at the time of inspection but one RK Yadav Lekhpal was present.

उक्त के संबंध में आप स्पष्ट करें कि "कमेटी के द्वारा निरीक्षण के समय मौके पर आप स्वयं उपस्थित थे कि नहीं?" इस संबंध में आप अपनी स्पष्ट आख्या पत्र प्राप्ति के 03 दिवस के अन्दर अधोहस्ताक्षरी के कार्यालय में उपलब्ध कराना सुनिश्चित करें।

12/04/24

(पूजा मिश्रा)

अपर जिलाधिकारी(प्रशासन),
प्रयागराज।

पत्र सं० व दिनांक उपरोक्त।

प्रतिलिपि-जिलाधिकारी, प्रयागराज महोदय को सादर अवलोकनार्थ।

(पूजा मिश्रा)

अपर जिलाधिकारी(प्रशासन),
प्रयागराज।

कार्यालय नगर मजिस्ट्रेट उरई

पत्रांक- 1729 / एस0टी-सी0एम0

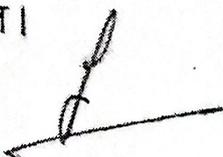
दिनांक: 15 अप्रैल, 2024

जिलाधिकारी,
प्रयागराज।

महोदय,

कृपया कार्यालय पत्रांक सं0 132/एस0टी-2024 दिनांक 12.04.2024 का संदर्भ ग्रहण करने की कृपा करें, जिसके सम्बन्ध में मा0 नेशनल ग्रीन ट्रिब्यूनल द्वारा ऐप्लीकेशन सं0 544/2023 पारस नाथ व अर्दस बनाम उ0प्र0 प्रदूषण नियंत्रण बोर्ड के आदेश दिनांक 20.02.2024 के क्रम में अधोहस्ताक्षरी द्वारा आख्या चाही गयी है। इस संदर्भ में अवगत कराना है कि नेशनल ग्रीन ट्रिब्यूनल द्वारा उपरोक्त वाद में पारित आदेश दिनांक 15.09.2023 के क्रम में क्षेत्रीय अधिकारी प्रयागराज, उ0प्र0 प्रदूषण नियंत्रण बोर्ड ने दिनांक 13.10.2023 के द्वारा अधोहस्ताक्षरी को उपरोक्त वाद में केन्द्रीय नियंत्रण बोर्ड के अधिकारियों के द्वारा इफको, फूलपुर प्रयागराज व आसपास के स्थल का संयुक्त निरीक्षण करने हेतु अधिकारियों की टीम के साथ प्रतिभाग करने के लिये निर्गत किया गया था। उक्त पत्र आपके पृष्ठांकन के क्रम में केन्द्रीय प्रदूषण नियंत्रण बोर्ड व अन्य अधिकारियों की टीम के साथ दिनांक 17.10.2023, 18.10.2023 को निरीक्षण के समय इफको फूलपुर के प्लांट के निरीक्षण में आवेदकों की सुनवाई व आसपास के ग्रामों में स्थलीय जांच व नमूना संग्रहक के समय मौके पर मैं स्वयं उपस्थित रहा।

जांच आख्या सेवा में सादर आवश्यक कार्यवाही हेतु प्रेषित।


 (अजीत कुमार जायसवाल)
 नगर मजिस्ट्रेट उरई, जालौन
 तत्कालीन उपजिलाधिकारी फूलपुर
 प्रयागराज।