

IN THE NATIONAL GREEN TRIBUNAL, NEW DELHI

**INDEX**

*IN*

**RESPONSE AFFIDAVIT ON BEHALF OF**  
**UTTARAKHAND POLLUTION CONTROL BOARD**

M.A No. 99/2023

in

Original Application No. 638/2022

Anand Singh & Ors.

Applicant

Versus

State of Uttarakhand & Ors.

Respondent

| Sl. No. | Particulars   | Pg. No. |
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| 2.      | Response Affidavit  |         |
| 3.      | <b>Annexure No. 1:</b> Copy of Surprise Inspection Report dated 22.12.23. |         |

Dated: January, 2024

*Advocate*  
(Counsel for the UKPCB)

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Affidavit of Dr. Raj Kumar Chaturvedi aged about 51 years, S/o Shri Ram Swaroop Chaturvedi, presently posted as Regional Officer Officer, Uttarakhand Pollution Control Board, Regional Office, Dehradun.

RK  
Deponent

I, the above-named deponent does hereby solemnly affirm and state on oath as under: -

- 1) That the deponent is presently posted as the Regional Officer, Uttarakhand Pollution Control Board, Regional Office, Dehradun

RK

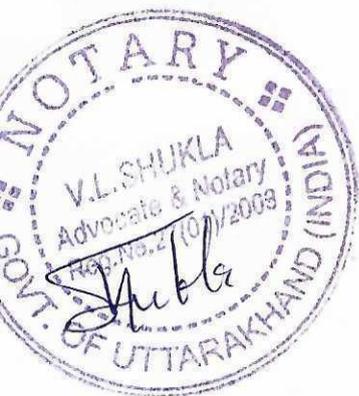
and is duly authorized by competent authority to sign and swear the instant affidavit.

- 2) That this Hon'ble Tribunal vide order dated 12.09.2022, directed the respondent Board to furnish information by way of reply/response to the allegations made in the application within two months.
- 3) That in compliance of the order dated 12.09.2022, UKPCB filed its reply/response affidavit vide email dated 21.11.2022.
- 4) That however, the Hon'ble Tribunal was not satisfied with the reply filed by the respondent Board. Therefore, this Hon'ble Tribunal vide order dated 23.11.2022 was pleased to further direct the UKPCB to take remedial action by following the due course of law and file an Action Taken Report.
- 5) That in compliance with the aforesaid direction, the Action Taken Report was filed by UKPCB vide email dated 08.07.2023. The Hon'ble Tribunal was pleased to direct here as under: -

*"...8. Further action taken report has been filed by State PCB with the facts that a Saw Machines was not found operational and it has been sealed in the presence of the representative of the Mill. It is further argued that the structure has been demolished. Since, the action has been taken by the State PCB by demolishing and closure of the unit and by dismantling the structure, thus, no further action is required to be taken by the Tribunal.*

*9. The Original Application stands disposed of accordingly..."*

RK



The said O.A was therefore disposed of vide order dated 11.07.2023.

- 6) That, however, the applicant filed an application bearing M.A. No. 99/2023 seeking modification of order dated 11.07.2023 passed in O.A. No. 638/2022. Vide order dated 09.11.2023, the Hon'ble Tribunal was pleased to issue the following direction: -

*"...4. Respondents are directed to submit their reply within six weeks through e-filing portal, preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF..."*

- 7) That in furtherance of the aforesaid order, the Regional Office, UKPCB, Dehradun made a surprise inspection of M/s M.S. Trading Co., Gyansu, on 22.12.2023. In the said inspection it was found that the concerned firm was not operating its Saw Machine and the machine was found sealed. It was also found that the Saw Machine area has been covered with soundproof sheets on all sides. During the inspection Shri Deepak Matuda, Proprietor of M/s M.S. Trading Co. was present and informed that the machine is completely closed and is not being operated. **Copy of Surprise Inspection Report dated 22.12.2023 is being marked and filed as Annexure. No. 1 to this Response Affidavit.**

- 8) The deponent is a responsible Government servant having the highest regards for the Hon'ble Tribunal and orders passed by them. The deponent has always made his sincerest efforts to carry

*Pik*

out the orders passed by this Hon'ble Tribunal in its letter and spirit and shall continue to do so in the future.

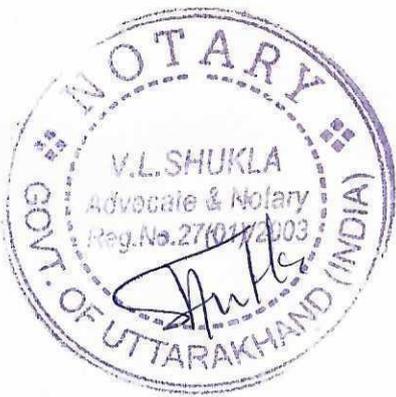
P.K.  
Deponent

I, ...V.K. Raina....., Advocate, do hereby declare that the person making this affidavit and alleging himself to be Raj Kumar Chaturvedi is the same person who is known to me from the papers produced by him before me in this case.

[Signature]  
Advocate  
Enroll. No. ....  
UK. 44/08

Solemnly affirmed before me on this day of 6<sup>th</sup> January, 2024 at Dehradun at about 11:30 AM/PM by the deponent who has been identified by the aforesaid person. I have satisfied myself by examining the deponent who understood the contents of this affidavit.

The person has signed in my presence on the affidavit.



P.K.

S.N. 17/2024  
Notary  
This affidavit is sworn before me by  
Shri. Dr. Raj Kumar Chaturvedi  
who is identified by Shri. V.K. Raina  
at Dehradun on 06/01/2024 At:  
[Signature]  
Smt. Vijay Laxmi Shukla  
Advocate & Notary, D. Durg

क्षेत्रीय कार्यालय  
उत्तराखण्ड प्रदूषण नियंत्रण बोर्ड  
ई-115, नेहरू कॉलोनी, देहरादून-248001



REGIONAL OFFICE  
Uttarakhand Pollution Control Board  
E-115, Nehru Colony, Dehradun-248001

पत्रांक सं०-यूकेपीसीबी/आरओडी/एन०जी०टी०-64/2023-24/4231-1641

दिनांक: 26/12/23

सेवा में,

सदस्य सचिव महोदय  
उत्तराखण्ड प्रदूषण नियंत्रण बोर्ड,  
गौरा देवी पर्यावरण भवन  
46बी., आई०टी० पार्क, सहस्त्रधारा रोड़  
देहरादून।

Uttarakhand Pollution Control Board  
Diary No. 6951  
Date 27/12/2023

विषय- मा० एन०जी०टी० में योजित M.A. No. 99/2023 in O.A. No. 638/2022 Anand Singh & Ors. Vs. State of Uttarakhand & Ors. में पारित आदेश के सम्बन्ध में।

महोदय,

कृपया उपरोक्त विषयक बोर्ड मुख्यालय के पत्रांक संख्या-यूकेपीसीबी/एच.ओ./सा०-183-619/2023/1140 दिनांक 21.12.2023 के अनुक्रम में इस कार्यालय द्वारा दिनांक 22.12.2023 को विषयगत Saw Mill के संचालन की अद्यतन स्थिति के संदर्भ में निरीक्षण किया गया। निरीक्षण में पाया गया कि आरा मशीन बन्द है एवं संचालन नहीं किया जा रहा है। प्रश्नगत आरा मशीन के जल/वायु सहमति आवेदन को वापिस किया गया है।

सूचनार्थ एवं अग्रिम आवश्यक कार्यवाही हेतु सादर प्रेषित है।

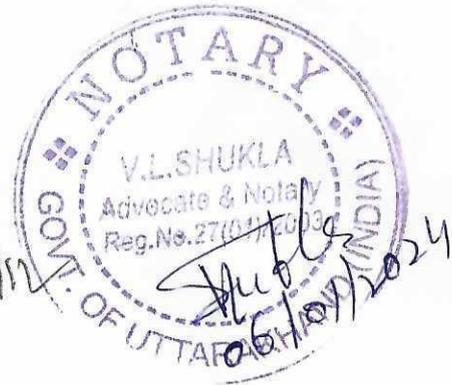
भवदीय

*Fin*  
(डा० आर०के० चतुर्वेदी)  
क्षेत्रीय अधिकारी (प्र०)

*Count as*  
*M*  
*29/12*

*DEO*  
*29/12*

*Fin*



औचक निरीक्षण आख्या

मै० एम० एस० ट्रेडिंग कं०  
ज्ञानसू, उत्तरकाशी।

क्षेत्रीय अधिकारी, उत्तराखण्ड प्रदूषण नियंत्रण बोर्ड, देहरादून के आदेशानुसार मेरे द्वारा आज दिनांक 22.12.2023 को एम० एस० ट्रेडिंग कं० ज्ञानसू का औचक निरीक्षण किया गया। औचक निरीक्षण में पाया गया कि सम्बन्धित फर्म द्वारा अपनी आरा मशीन का संचालन नहीं किया जा रहा है एवं मशीन को शीलबन्द किया गया है। आरा मशीन क्षेत्र को चारों तरफ से ध्वनि रहित शीट से कवर किया गया है। मौके पर श्री दीपक मट्टूड़ा प्रो० एम० एस० ट्रेडिंग कं० को मशीन के संचालन के बारे में पूछा गया एवं उनके द्वारा बताया गया कि मशीन पूर्ण रूप से बन्द है एवं संचालन नहीं किया जा रहा है।

अतः मौके पर किये गये औचक निरीक्षण की जांच रिपोर्ट महोदय की सेवा में सादर प्रेषित है।

Rb

Ru  
26.12.23

भवदीय  
Ru 22/12/23  
(राधा)

वैज्ञानिक सहायक  
प्रदूषण नियंत्रण बोर्ड  
देहरादून।

Ru

