

I/518056/2024

Letter No.-NGT-188 /81-7-2024-23(Writ)/2018

From,

Devendra Singh Chauhan,
Under Secretary,
Environment, Forest and Climate Change Department,
State of Uttar Pradesh.

To,

The Registrar General,
Hon'ble, National Green Tribunal,
Principal Bench,
Faridkot House, Copernicus Marg,
New Delhi- 110001

Environment, Forest & Climate Change Section-7 Lucknow : Dated : 13 March, 2024

Sub: Response on behalf of Respondent No. 2 (Principal Secretary, Environment, Forest and Climate Change Department, State of Uttar Pradesh) in compliance to the order dated 08.02.2024 passed by Hon'ble NGT Principal Bench, New Delhi in Original Application No.418/2021 With Original Application No. 447/2021 Tilak Raj Adhana & Ors. Versus State of Uttar Pradesh.

Sir,

Kindly refer the subject mentioned above. In compliance of the order dated 08.02.2024 in Original Application No.418/2021 With Original Application No. 447/2021, in the matter of Tilak Raj Adhana & Ors. Versus State of Uttar Pradesh., the response on behalf of Respondent No. 2 (Principal Secretary, Environment, Forest and Climate Change Department, State of Uttar Pradesh) is enclosed herewith for your kind perusal and further necessary action.

Enclosures: As above

Sincerely Yours,

Digitally Signed by

देवेन्द्र सिंह चौहान

Date: 13-03-2024 11:00:03

(Devendra Singh Chauhan)

Under Secretary.

Copy to: Shri Gigi C George, Standing Counsel, State of UP, Hon'ble NGT for information and further necessary action.

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI

Original Application No. 418 of 2021

With

Original Application No. 447/2021

IN THE MATTER OF:

Tilak Raj Adhana & Ors

.....Applicants

Versus

State of U.P. & Ors

.....Respondents

**RESPONSE ON BEHALF OF RESPONDENT NO. 2 (PRINCIPAL SECRETARY,
ENVIRONMENT, FOREST AND CLIMATE CHANGE DEPARTMENT, STATE OF
UTTAR PRADESH) IN COMPLIANCE OF ORDER DATED 08.02.2024 PASSED
BY THE HON'BLE TRIBUNAL.**

Sir,

The Respondent No. 2 most respectfully showeth as under;

1- That vide its order dated 08.02.2024 this Hon'ble Tribunal has passed the following directions;

.....

4. *In view of the facts and circumstances of the case we consider it appropriate to have the response from the (1) State of Uttar Pradesh through District Magistrate, Meerut, Ghaziabad, (2) Principal Secretary, Environment, Forest and Climate Change Department, Uttar Pradesh (3) Director, Ground Water Department, (4) UPPCB through its Member Secretary, (5) M/s Modi Sugar Mill Modi Nagar, Ghaziabad, Uttar Pradesh and (6) M/s Modi Steel Plant, Modi Nagar, Ghaziabad, Uttar Pradesh who are impleaded as respondents no. 1 to 6.*

5. *The Registry is directed to prepare and attach memo of parties with the application. Respondents no. 3 to 6 are already appearing in the case through their counsel. Notices be issued to respondents no. 1 and 2 requiring them to file their reply/response within three weeks by email at judicial-ngt@gov.in preferably in the form of*



searchable PDF/OCR Supported PDF and not in the form of Image PDF.

....”

2. That in compliance of the order dated 08.02.2024 passed by Hon'ble Tribunal, the Respondent no. 2 is filing this reply/response. It is relevant to mention here that the State has issued a direction to District magistrate, Meerut, Ghaziabad and Director, Ground Water Department, U.P. vide it's letter dated 07.03.2024 to take the necessary action and also to file a reply/response mentioning the steps taken in this behalf within a time specified in the above mentioned order of this Tribunal. That it is further submitted that the matter relates to Ground Water Department and the necessary action is to be taken by the concerned department. A true copy of letter dated 07.03.2024 is annexed herewith as **Annexure No. 1**.

Therefore, the response of the Respondent No. 2 is being filed for the kind perusal and consideration of this Hon'ble Tribunal.

Lucknow :

Dated : 13 March, 2024



(Devendra Singh Chauhan)

Under Secretary

Environment, Forest & Climate Change
Department,
State of Uttar Pradesh

I/514762/2024

संख्या-एन0जी0टी0-174 / 81-7-2024-23(रिट) / 2018

प्रेषक,

आशीष तिवारी,
सचिव,
उ0प्र0 शासन।

सेवा में,

1- जिलाधिकारी,
मेरठ/गाजियाबाद।

2- निदेशक,
भूगर्भ जल विभाग, उ0प्र0,
लखनऊ।

पर्यावरण, वन एवं जलवायु परिवर्तन अनु-7

लखनऊ : दिनांक : 07 मार्च, 2024

विषय-मा0 राष्ट्रीय हरित अधिकरण, नई दिल्ली में विचाराधीन Original Application No.418/2021 (I.A. No. 66/2024 and I.A. No. 52/2023) With Original Application No. 447/2021 Tilak Raj Adhana & Ors. Versus State of Uttar Pradesh में पारित आदेश दिनांक 08.02.2024 के अनुपालन के सम्बन्ध में।

महोदय,

उपर्युक्त विषयक मा0 राष्ट्रीय हरित अधिकरण, नई दिल्ली में विचाराधीन Original Application No.418/2021 (I.A. No. 66/2024 and I.A. No. 52/2023) With Original Application No. 447/2021 Tilak Raj Adhana & Ors. Versus State of Uttar Pradesh में पारित आदेश दिनांक 08.02.2024 का कृपया अवलोकन करने का कष्ट करें, जिसके सुसंगत अंश निम्नवत् है :-

"...4. In view of the facts and circumstances of the case we consider it appropriate to have the response from the (1) State of Uttar Pradesh through District Magistrate, Meerut, Ghaziabad, (2) Principal Secretary, Environment, Forest and Climate Change Department, Uttar Pradesh (3) Director, Ground Water Department, (4) UPPCB through its Member Secretary, (5) M/s Modi Sugar Mill Modi Nagar, Ghaziabad, Uttar Pradesh and (6) M/s Modi Steel Plant, Modi Nagar, Ghaziabad, Uttar Pradesh who are impleaded as respondents no. 1 to 6.

5. The Registry is directed to prepare and attach memo of parties with the application. Respondents no. 3 to 6 are already appearing in the case through their counsel. Notices be issued to respondents no. 1 and 2 requiring them to file their reply/response within three weeks by email at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF.

6. Learned Counsel for respondents no. 5 and 6 also seeks time to file additional responses/replies in response to the report filed by the Ground Water Department, Uttar Pradesh and also regarding compliance with consent/NOC conditions.

7. Additional reply by respondents no. 5 and 6 be filed within three weeks by email at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF.

8. List for further consideration on 15.03.2024. ..."

2- प्रश्नगत प्रकरण मोदी चीनी मिल, मोदी नगर, उत्तर प्रदेश द्वारा भारी धुएं के उत्सर्जन के कारण क्षेत्र में वायु प्रदूषण के संबंध में है। मोदी चीनी मिल, मोदी स्टील प्लांट में एक

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खाद/उर्वरक संयंत्र भी चला रही है, जिससे दुर्गंध निकल रही है, जो कई किलोमीटर तक तेज हवाओं के साथ फैलती है, जिससे क्षेत्र में अप्रिय वातावरण बनता है।

मा10 अधिकरण द्वारा पारित उक्त आदेश दिनांक 08.02.2024 के अनुसार प्रकरण के तथ्यों एवं परिस्थितियों के दृष्टिगत प्रतिवादी संख्या-(1) उत्तर प्रदेश राज्य से जिला मजिस्ट्रेट, मेरठ, गाजियाबाद के माध्यम से, (2) प्रमुख सचिव, पर्यावरण, वन और जलवायु परिवर्तन विभाग को तीन सप्ताह में *reply/response* दाखिल करने के निर्देश दिये गये हैं। प्रकरण में सुनवाई की अग्रिम तिथि 15.03.2024 नियत है।

3- अतः मा10 अधिकरण द्वारा पारित उक्त आदेश दिनांक 08.02.2024 की छायाप्रति संलग्न कर प्रेषित करते हुए मुझे यह कहने का निदेश हुआ है कि प्रश्नगत प्रकरण में मा10 अधिकरण द्वारा पारित आदेश दिनांक 08.02.2024 के अनुपालन में समयान्तर्गत *reply/response* दाखिल करने/आवश्यक कार्यवाही करते हुए कृत कार्यवाही से पर्यावरण, वन एवं जलवायु परिवर्तन विभाग, उ0प्र0 शासन (Email-soenvups@rediffmail.com) तथा सदस्य सचिव, उ0प्र0 प्रदूषण नियंत्रण बोर्ड, लखनऊ (Email-ms@uppcb.in) को अवगत कराने का कष्ट करें।

संलग्नक-यथोक्त।

Digitally Signed by आशीष
तिवारी

Date: 07-03-2024 16:15:38

Reason: Approved

भवदीय,

(आशीष तिवारी)

सचिव।