

## BEFORE THE NATIONAL GREEN TRIBUNAL

## PRINCIPAL BENCH, NEW DELHI

## ORIGINAL APPLICATION NO. 132/2025

ARVIND SINGH

.....APPLICANT

VERSUS

UNION OF INDIA &amp; ORS.

.....RESPONDENT

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THROUGH COUNSEL



BHANWAR PAL SINGH JADON

STANDING COUNSEL FOR STATE OF U.P.

EMAIL- [bhanwar09jadon@gmail.com](mailto:bhanwar09jadon@gmail.com)

Ph: 9639286572

DATE: 05.08.2025

PLACE: NOIDA

BEFORE THE NATIONAL GREEN TRIBUNAL

PRINCIPAL BENCH, NEW DELHI

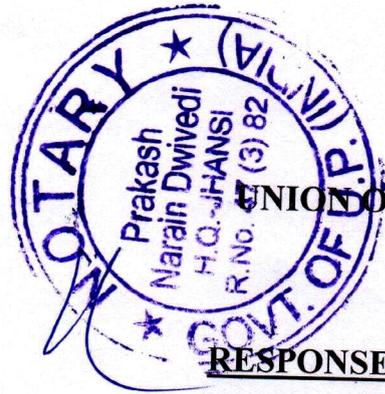
ORIGINAL APPLICATION NO.132/2025



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.....APPLICANT

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.....RESPONDENT

**RESPONSE ON BEHALF OF UPPCB IN COMPLIANCE WITH ORDER  
DATED 03.04.2025 PASSED BY THE HON'BLE NATIONAL GREEN  
TRIBUNAL, NEW DELHI**

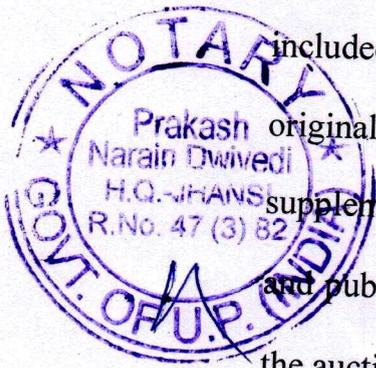
I, Imraan Ali, aged about 45 years, son of Mr. Usman Ali R/o Mohalla-Qaboolpura, Tehsil-Sadar, District-Badaun, presently posted as Regional Officer, U.P. Pollution Control Board, Jhansi Uttar Pradesh, do hereby solemnly affirm and state as under:

1. That I am the Deponent herein and am well acquainted with the facts and circumstances of the case and am duly authorized and competent to swear the present Affidavit.

2. That the contents of the report have been drafted by my counsel under my instructions and the same are true and correct to my know ledge and belief and nothing material has been concealed there from.

**I. BACKGROUND OF THE MATTER:**

3. The applicant has challenged the e-tender cum e-auction notice dated 01.02.2025 issued by the District Magistrate, Mining Department, Jhansi, on the grounds that the due procedure for preparing and publishing the supplementary District Survey Report (DSR) was not followed. While the original DSR for District Jhansi was approved by the State Environment Impact Assessment Authority (SEIAA, UP) on 21.09.2024, a supplementary DSR was uploaded on 01.02.2025 without obtaining requisite approval, conducting a public hearing, or publishing it in the newspaper as mandated. The applicant submits that five mining sites included in the auction notice dated 01.02.2025 were not part of the originally approved DSR and were added through the unapproved supplementary DSR. Since the procedural requirements for preparation and publication of the supplementary DSR were not met, the issuance of the auction notice is vitiated and contrary to law.



**II. DIRECTIONS OF THE HON'BLE TRIBUNAL ON THE LAST DATE OF HEARING**

4. That the Hon'ble Tribunal vide order dt. 03.04.2025 directed as under: "4. Issue notice to the respondents for filing their response/reply by way of affidavit before the Tribunal at least one week before the next date of hearing through e-filing. If any respondent directly files the reply without routing it through his advocate, then the said respondent will remain virtually present to assist the Tribunal. The Applicant is directed to serve the respondents and file affidavit of service at least one week before the next date of hearing.
5. Till the next date of hearing action taken in pursuance to the impugned auction notice dated 01.02.2025, annexure A-6 will be subject to the final outcome of the OA.
6. List on 06.08.2025"

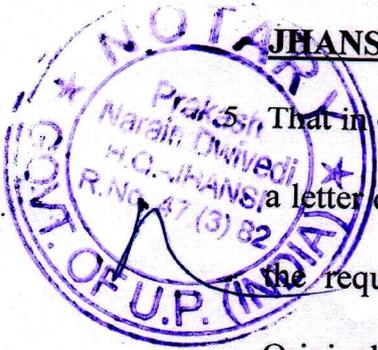
**III. COMMUNICATION WITH DISTRICT MINING OFFICER,**

**JHANSI**

That in compliance of the aforementioned order, the Deponent has written a letter dt. 22.05.2025 to the District Mining Officer, Jhansi for obtaining the required information for preparing/ publication of supplementary/ Original DSR. That the reply to the said letter is awaited.

A Copy of the letter dt. 22.05.2025 has been annexed here with as

**ANNEXURE A-1.**



Prak  
Narain I.  
H.O. Jhansi  
R.No. 47

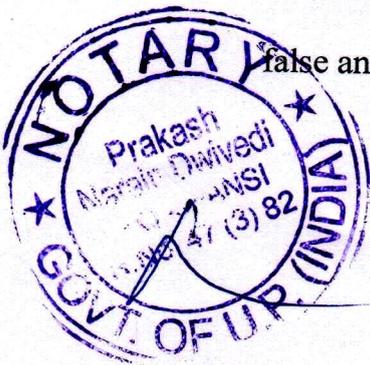
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- 6. That the deponent is duty bound to fulfil the obligation which are assigned under the law and directions passed by this Hon'ble Tribunal. The Deponent is fully committed to ensure strict adherence to the orders of this Hon'ble Tribunal and undertakes to faithfully comply with any further directions or instructions that may be issued by this Hon'ble Tribunal, without demur or delay.
- 7. Hence, the present response is being submitted for the kind perusal of this Hon'ble Tribunal. It is prayed that the same be taken on record.

*[Signature]*  
 DEPONENT

**VERIFICATION**

Verified at Jhansi on this 4<sup>th</sup> day of August, 2025, that the contents of the above affidavit from paragraphs 1 to 7 are believed to be true and correct to the best of my knowledge and belief. No part of it is false and nothing material has been concealed there from.



*[Signature]*  
 DEPONENT

1640 Date 4.8.25  
 Verified that the foregoing statement made by me before me this day at Jhansi in the presence of Shri. [Signature] and Shri. [Signature] who have read over and explained and who is identified by shri. [Signature]  
 Received the legal fee Rs. 35-00 Cash

**PRAKASH NARAIN DWIVEDI**  
 ADVOCATE  
 NOTARY JHANSI DISTRICT

4.8.25



क्षेत्रीय कार्यालय उ. प्र. प्रदूषण नियंत्रण बोर्ड  
Regional Office, U.P. Pollution Control Board

संदर्भ सं० .....  
Ref. No. .... 114/OA-132/25

दिनांक 22.05.2025

Date.....20

सेवा में,

जिला खान अधिकारी,  
झांसी।

**विषय : माननीय राष्ट्रीय हरित अधिकरण नई दिल्ली में विचाराधीन ओ०ए० संख्या-132/2025 (आई०ए० नं०-241/2025 एवं 240/2025) अरविन्द्र सिंह बनाम यूनियन ऑफ इण्डिया एवं अन्य में पारित आदेश दिनांक-03.04.2025 के अनुपालन के सम्बन्ध में।**

महोदय,

कृपया उपरोक्त विषयक संदर्भ ग्रहण करने का कष्ट करें। अवगत कराना है कि माननीय राष्ट्रीय हरित अधिकरण नई दिल्ली में विचाराधीन ओ०ए० संख्या-132/2025 (आई०ए० नं०-241/2025 एवं 240/2025) अरविन्द्र सिंह बनाम यूनियन ऑफ इण्डिया एवं अन्य में पारित आदेश दि०-03.04.2025 के सुसंगत अंश निम्नवत् है:-

“..... Submission of Learned Senior Counsel appearing for the applicant is that District Survey Report (DSR) for District Jhansi was approved by State Environment Impact Assessment Authority, Uttar Pradesh (SEIAA, UP) in its meeting dated 21.09.2024 and thereafter a supplementary DSR, annexure A-5 has been uploaded on 01.02.2025. He submits that while preparing the supplementary DSR, process which is prescribed for preparing the DSR has not been followed and supplementary DSR has neither been approved nor has been published in the newspaper and no public hearing was given before uploading the supplementary DSR on the website. He submits that in the auction notice dated 01.02.2025, there are five sites which are to be auctioned and all these five sites are not 2 mentioned or not included in the original DSR published on 21.09.2024 but they have been included/incorporated in the supplementary DSR dated 01.02.2025. He submits that due process which was required for preparation and publication of the DSR has not been followed while uploading the supplementary DSR on 01.02.2025, therefore, auction notice is faulty.....”

आवेदनकर्ता द्वारा प्रश्नगत प्रकरण में अवगत कराया गया कि डिस्ट्रिक्ट सर्वे रिपोर्ट को तैयार किये जाने एवं प्रकाशन किये जाने में नियमों का पालन नहीं किया गया है, तदनुसार नीलामी नोटिस त्रुटिपूर्ण है।

अतः माननीय राष्ट्रीय हरित अधिकरण नई दिल्ली में विचाराधीन ओ०ए० संख्या-132/2025 (आई०ए० नं०-241/2025 एवं 240/2025) अरविन्द्र सिंह बनाम यूनियन ऑफ इण्डिया एवं अन्य में पारित आदेश दिनांक-03.04.2025 के अनुपालन में आपसे अनुरोध है कि प्रकरण से सम्बन्धित वांछित सूचनाएँ इस कार्यालय को प्रेषित करने का कष्ट करें ताकि मा० राष्ट्रीय हरित अधिकरण के समक्ष उ०प्र० प्रदूषण नियंत्रण बोर्ड (Respondent No.4) की ओर से ससमय रेस्पॉन्स दाखिल किया जाना सम्भव हो सके।

भवदीय,

  
(इमरान अली)  
क्षेत्रीय अधिकारी

प्रतिलिपि : मुख्य पर्यावरण अधिकारी (वृत्त-2), उ०प्र० प्रदूषण नियंत्रण बोर्ड, लखनऊ।

  
क्षेत्रीय अधिकारी