

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 1373/2024**

IN THE MATTER OF:

News Item titled "How sand miners laid road across Yamuna between Delhi and Ghaziabad" appearing in the Times of India dated 30.11.2024

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**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 1373/2024

News Item titled "How sand miners laid road across Yamuna between Delhi and Ghaziabad" appearing in the Times of India dated 30.11.2024

DATE OF HEARING: 22.08.2025

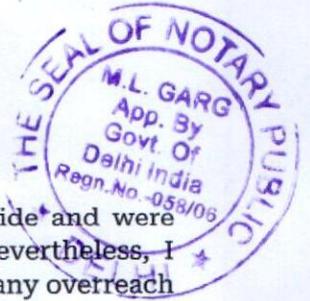


SUBMISSION BY R-10 SDM (ALIPUR) IN COMPLIANCE OF THIS HON'BLE TRIBUNAL ORDER DATED 23.07.2025

MOST RESPECTFULLY SHOWETH:-

1. That I, the Sub-Divisional Magistrate (SDM), Alipur, Delhi, am submitting this response on behalf of my office with the utmost respect and compliance to the directions issued by the Hon'ble Tribunal vide order dated 30.04.2025 in Original Application No. 1373 of 2024 concerning the matter titled "How sand miners laid road across Yamuna between Delhi and Ghaziabad" as reported in the Times of India dated 30.11.2024.
2. In reference to the observation in para 30 of the Hon'ble Tribunal's Order dated 23.07.2025 regarding the filing and disposal of complaints by the Police before the SDM, Alipur, the following submission is most respectfully made for the kind consideration of the Hon'ble Tribunal:
 - a. That the action taken by this office on complaints/kalandras filed by the Police under Sections 5 and 15 of the Environment (Protection) Act, 1986, was based on the established practice followed across the districts of Delhi over the years. This included imposition of penalties in cases of environmental pollution, particularly arising out of uncovered transportation of sand/earth causing dust pollution.
 - b. That such actions were taken in good faith and in discharge of quasi-judicial duties, relying on precedents and without any intention to act beyond the scope of jurisdiction or contrary to law.
 - c. That it is respectfully submitted that no express claim or assumption of criminal jurisdiction was ever made by this office, and all proceedings were limited to environmental aspects such as pollution caused by transportation violations. The release of seized vehicles or any criminal prosecution was never ordered by this office and was left entirely to the concerned enforcement authorities.
 - d. That this office humbly acknowledges the observations made by the Hon'ble Tribunal and, going forward, undertakes that all such matters/kalandras shall henceforth be referred to the concerned Learned Metropolitan Magistrate (MM) for appropriate action under the law.





- e. That the actions taken thus far were neither willful nor malafide* and were taken only in accordance with past procedural precedent. Nevertheless, I tender an unconditional apology before the Hon'ble Tribunal, if any overreach or deviation is perceived in this regard.
- f. I further assure the Hon'ble Tribunal that utmost care and legal due diligence shall be exercised in all future matters, and necessary internal instructions have already been issued for compliance with legal norms and the Tribunal's directions.
3. This office has always acted in good faith and with due diligence, adhering to the legal framework and administrative norms prevalent in the region. The actions taken were intended to address the environmental concerns raised and were not reflective of any intent to overlook broader issues such as illegal sand trafficking, which were not indicated in the police kalandras at the time of action.
4. That the non-compliance of the orders of the Hon'ble Court is never the intention of the department. That the department has great respect for the orders passed by the Hon'ble Court and the compliance of the same is always the endeavor of the department. We remain committed to upholding the rule of law and protecting the environment, and we assure the Tribunal of our full cooperation in implementing its directives.

That in light of the submissions made herein above, a report/reply is being submitted for kind consideration before this Hon'ble Tribunal. Undersigned assures that the orders/directions passed by this Hon'ble Commission shall be complied timely with in toto and spirit.

It is prayed accordingly.

DELHI
DATED: 21.07.2025

Shrikant
SUB DIVISIONAL MAGISTRATE (ALIPUR)

THROUGH

COUNSEL

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ATTESTED

M
Notary Public, Delhi (India)

20 AUG 2025