

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

PRINCIPAL BENCH NEW DELHI

OA No. 326 /2024

In the matter of

Jogindra Kumar

Applicant

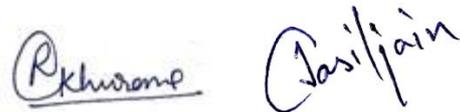
Versus

State of U.P. & Ors

Respondents

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Date: 12.01.2026**New Delhi****FILED BY:-****RAHUL KHURANA & HASIL JAIN****Advocates****Off: A-174A, Defence Colony, New Delhi- 110024****M. 9811894060, 7838707338****rkhuranalegal@gmail.com, advjain25@gmail.com**

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SUBMISSIONS BY APPLICANT

MOST RESPECTFULLY SHOWETH:

1. That the Hon'ble Tribunal is considering the grievance of the Applicant related to the illegal manner in which the fly ash generated by the Respondent no. 4, is disposed of by dumping it on the roadside at Khatauli- Miranpur Road and Jansath-Flawda road, District Muzaffar Nagar, Uttar Pradesh.
2. That in the inspection report dated 17.05.2024 filed by the UPPCB mentions at page 37 of the report that-

"The Officials of UPPCB also inspected the area where fly ash was dumped and found that few persons were burnt after they came in contact of fly ash. During survey, it was observed that the fly ash was properly leveled and the layer of soil was disposed to cover the fly ash. Further, the representative of the unit informed that the fly ash which is generated is given to the farmers as per the agreement executed and no fly ash is dumped on the land in question. No agreement has been done by anyone for the area in question.

The above area is in between the highway and the agriculture land (Buffer zone), hence this land is a property of the government. During inspection it is informed by the local villagers of the area, that some unknown persons used to

dump fly ash on this area few years back, but at present no one is disposing fly ash on area in question. Further, it was observed that fly ash upto depth of 1.5 meters from the ground level has been dumped previously which is now covered with soil and grass as shown in the photographs below. "

3. Further as per Joint Committee report dated 16.12.2024 at running page no. 103-

- "As per the estimate about 11787.60 MT of ash was estimated to be disposed at the sites out of 12630MT transported during crushing season 2023-24 which indicates difference of approx. 6%.
- As evident from above estimates, during crushing season 2023-24, gap of about 842.45 MT of ash was reflected between the logbook of ash transported by the unit (12630.05 MT) (refer Table 4) and ash disposed on sites as per agreements (11787.60 MT) (refer Table 5) Inference can be drawn that, the record of 842.45 MT of ash disposal was not available with the unit.s

4. Further the Committee at running page no. 105 has observed that

5.3.5 Fly ash disposal without agreement

During survey, the committee spotted the site (Lat-29.26730981, Long77.74140486) located in Shekhpura, where legacy fly ash was found dumped. Unit was not having any agreement for dumping of ash on this site. The total area of this land was estimated as 16340 m² (i.e. 4.03 acre). It was observed that ash up to depth of 0.9 meter was filled at this site. The area was found levelled and covered with grass, cattle grazing was also observed. As per estimate approximately 448.23 MT fly ash was disposed off on this ground.

5. That the above findings of the Committee along with submissions dated 15.04.2025 and photographs submitted by Applicant at running page no. 185 onwards shows that there is indeed illegal disposal of the flyash along side the Jansath road.

6. That so far as the findings that the-

"Applicant has not availed any medical assistance from any registered Health Centre in this matter" is concerned,

It is submitted that the Applicant and the other victim Munesh Devi has taken treatment for burn injuries from Vishwakarma Clinic wherein a popular doctor namely Dr Mahendra Dutt, village Gangdaspur, Muzaffar Nagar is specialist in treatment of patients with various kind of burn injuries.

The treatment receipt of Applicant along with photographs of the Vishwakarma Clinic of Dr Mahendra Dutt are enclosed at **ANNEXURE A/1**

PRAYER

It is humbly prayed before the Hon'ble Tribunal to kindly take the above submissions on record.

Date: 12.01.2026

Applicant

Through

Counsel



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AFFIDAVIT

I, Jogindra Kumar S/o Sukhbir Singh , Ladpur, Muzaffar Nagar Khatauli Uttar Pradesh 251201 do hereby solemnly affirm and declare as under

1. That I am the Applicant in the captioned matter and such I am well conversant with the facts of the case and thus competent to depose this affidavit.
2. That the accompanying submissions have been prepared and placed on record by the counsel of Applicant on the instructions of the Applicant.
3. That the contents of the present Affidavit are true and correct and no part is false.

जोगिन्द कुमार
DEPONENT

VERIFICATION

Verified at _____ on _____ that the contents of above affidavit are true and correct to the best of my knowledge. Nothing has been concealed in it.

जोगिन्द कुमार
DEPONENT

Jogindra Kumar
I, the deponent,
have been identified by the
Notary Public after examining the
contents of the affidavit and the
deponent's signature and the
contents of the affidavit have been read out and
explained by me to the deponent.
Charged No. _____
NOTARY DISTT MUZAFFARNAGAR

PRERNA TYAGI
NOTARY
MUZAFFARNAGAR
12 JAN 2026

Identified by
Farhan
18592/27

9

Dr. Mahendra Dutt

B.Sc. (Ag.) B.L.M.S., R.M.P. (Lab.)

Nara (Muzaffarnagar)

Mr. Jogindar

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27-11-23

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Total = 1960/2

Dr. Mahendra Dutt
B.Sc. (Ag.) B.L.M.S., R.M.P. (Lab.)
Nara (Muzaffarnagar)

Reg. NO. D.A.U.O.MZN0835

विश्वकर्मा क्लीनिक

डा० महेन्द्र दत्त
(आयुर्वेद रत्न)

डा० सन्दीप कुमार
(बी.ए. एम. एस.)

समय
प्रातः 07 बजे से
शाम 04 बजे तक

बुधवार
को अवकाश रहेगा

पता - ग्राम - गगदासपुर, विजयपुर, मीर जिला

GPS Map Camera

Haiderpur, Uttar Pradesh, India

9xmm+938, Haiderpur, Uttar Pradesh 251315, India
Lat 29.383907° Long 77.981847°
Thursday, 08/01/2026 11:59 AM GMT +05:30

Google



GPS Map Camera



Haiderpur, Uttar Pradesh, India 
9xmm+938, Haiderpur, Uttar Pradesh 251315, India
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Thursday, 08/01/2026 12:01 PM GMT +05:30



GPS Map Camera



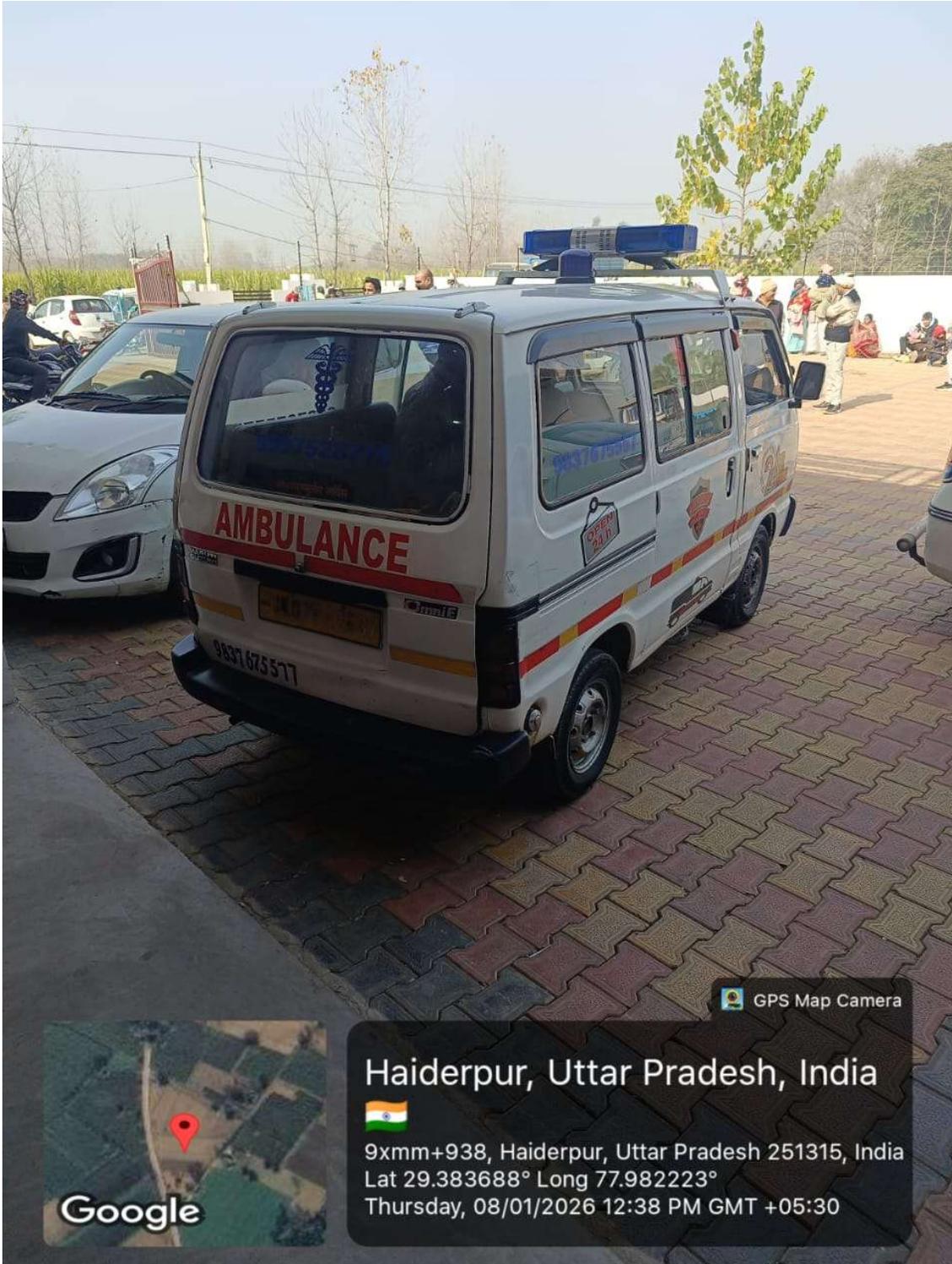
Haiderpur, Uttar Pradesh, India



9xmm+938, Haiderpur, Uttar Pradesh 251315, India

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Thursday, 08/01/2026 12:01 PM GMT +05:30



GPS Map Camera



Haiderpur, Uttar Pradesh, India



9xmm+938, Haiderpur, Uttar Pradesh 251315, India

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Thursday, 08/01/2026 12:38 PM GMT +05:30



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Haiderpur, Uttar Pradesh, India



9xmm+938, Haiderpur, Uttar Pradesh 251315, India

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Thursday, 08/01/2026 12:38 PM GMT +05:30

Reg. NO. D.A.U.O.MZN0835

विश्वकर्मा क्लीनिक

डा० महेन्द्र दत्त
(आयुर्वेद रत्न)

डा० सन्दीप कुमार
(बी.ए. एम. एस.)

समय
प्रातः ०७ बजे से
शाम ०४ बजे तक

बुधवार
को अवकाश रहेगा

पता - ग्राम - गंगदासपुर, विजयपुर, ग० ब०

GPS Map Camera

Haiderpur, Uttar Pradesh, India

9xmm+938, Haiderpur, Uttar Pradesh 251315, India
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Haiderpur, Uttar Pradesh, India 
9xmm+938, Haiderpur, Uttar Pradesh 251315, India
Lat 29.383835° Long 77.981825°
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GPS Map Camera



GPS Map Camera



Haiderpur, Uttar Pradesh, India



9xmm+938, Haiderpur, Uttar Pradesh 251315, India

Lat 29.38387° Long 77.981808°

Thursday, 08/01/2026 12:41 PM GMT +05:30







जलरी सूचना
‡ पट्टी क्लीनिक पर
ही होनी चाहिए।
‡ घर पर पट्टी नहीं
कटनी चाहिए।
‡ पट्टी 36 घण्टे बाद
निष्क्रिय हो जाती है।
‡ निशान की कोई
गाहण्टी नहीं है।
कृपया ध्यान से

GPS Map Camera



Haiderpur, Uttar Pradesh, India 
9xmm+938, Haiderpur, Uttar Pradesh 251315, India
Lat 29.383857° Long 77.982061°
Thursday, 08/01/2026 12:42 PM GMT +05:30