

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
O.A. NO. 265 OF 2022**

IN THE MATTER OF:

PRASOON PANT & ANOTHER.

...APPLICANTS

Versus

**MINISTRY OF ENVIRONMENT, FOREST
& CLIMATE CHANGE & ORS**

...RESPONDENTS

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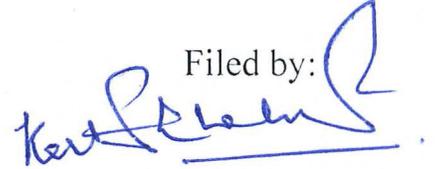
**RESPONDENT NO. 8/
PROJECT PROPONENT**

THROUGH

PLACE: NEW DELHI

DATE: 30.01.2023

Filed by:



(DIVYAKANT LAHOTI/
KARTIK LAHOTI)

LAHOTI ADVOCATES

ADVOACTES FOR THE RESPONDENT NO. 8

B-23, SECTOR-14, NOIDA (U.P.)

divyakant@lahotiadvocates.com

MOB. NO. 9868541200

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**AFFIDAVIT IN COMPLIANCE OF HON'BLE NATIONAL
GREEN TRIBUNAL'S ORDER DATED 08.09.2022
IN O.A. NO. 265/2022**

I, Narayan Gupta S/o Shri Munna Lal Gupta, aged about 35 years, working for gain at B-002, JM Florence, Sector Tech Zone – 04, Greater Noida West – 201 308 presently at New Delhi, do hereby state and affirm as under:

1. That I am the Authorised Representative of Respondent No.8 in the present case. I state that I am aware of the facts and circumstances of the present case and as such I am competent to swear this Affidavit.
2. That The Original Application before this Hon'ble Tribunal has been filed by the Applicants by concealing material facts and misrepresenting the correct facts of the case. The Application is merely a tactic of the Applicants to arm-twist the Project Proponent into agreeing to their illegal demands and extortions. The Project Proponent, M/s. Durga Enterprises Pvt. Ltd. is developing an Industrial Park at Ghaziabad for promoting Green and White Category Industries.
3. That The Project Proponent has filed its Reply to Original Application bringing out the correct facts of the case and craves leave of this Hon'ble Tribunal to refer to and rely upon the contents of the same which have not repeated herein for the sake of brevity.

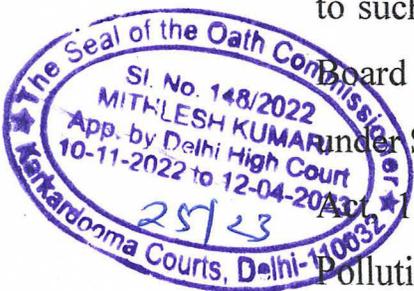
Vide the reply dated 19.07.2022, the Project Proponent has informed this Hon'ble Tribunal about all the permissions which have been duly taken from various authorities, such as, Map



DM

Sanction Letter by Ghaziabad Development Authority, No Objection Certificate from Public Works Department, No Objection Certificate from Uttar Pradesh Fire Services, No Objection Certificate from Paschimanchal Vidyut Vitran Nigam Ltd., No Objection by Ghaziabad Municipal Corporation for development of Industrial Park on the proposed Khasras, Connection Letter by Water Department of Ghaziabad Municipal Corporation granting Water and Sewer Connection, No Objection Certificate from Northern Railway Department of Indian Railways, Tehsildar Report by the Tehsildars of Jhandapur, Jagola and Pasonda who conducted a survey and certified that the Project Land was undisputed and in ownership of the Project Proponent.

5. In addition to the above, the Project Proponent has also received Environmental Clearance from U.P. SEIAA (Respondent No. 2) and Consent to Establish from the Uttar Pradesh Pollution Control Board (Respondent No. 3). That this Hon'ble Tribunal vide its Order dated 08.09.2022 had directed the Project Proponent to file an Affidavit regarding compliance of conditions imposed by Respondent No. 2 and 3.
6. That in compliance of the aforesaid directions, the Project Proponent is hereby filing the present Affidavit specifically undertaking that it has complied with all the necessary conditions imposed by Respondent No. 2 while grant of Environmental Clearance and that it has complied with all the necessary conditions imposed by Respondent No. 3 while grant of Consent to Establish which were applicable on the Project Proponent.
7. The Project Proponent undertakes that all the compliances as applicable to the Project Proponent have been duly complied with for the purpose of present Project. That it was subsequent to such compliances that the Uttar Pradesh Pollution Control Board has also issued Consent to Operate dated 10.08.2022 under Section 25 of Water (Prevention & Control of Pollution) Act, 1974 and Section 21 of Air (Prevention & Control of Pollution) Act, 1981. These permissions/No Objections/Clearances/Report clearly show that the Project



Proponent has legally developed this Industrial Park for Green and White category Industries which are non-polluting. Various Micro, Small and Medium Scale Enterprises (MSME) have invested in the Industrial Park for setting up White/Green Industries.

- 8. That the scope of Project Proponent's work was limited to preparing and plotting the land, and the Project Proponent is not establishing any Industry whatsoever inside the Industrial Park. Therefore, the contention of Applicants that the Project Proponent had started construction of Industries is completely misplaced and erroneous. The scope of Project Proponent's work was limited to plotting and development of basic infrastructure, such as, roads, sewage treatment plants, boundary wall, water/electricity connections, developing green belt, developing rain water harvesting ponds, etc. All such work has already been duly completed by the Project Proponent. After completion of such development, the Project Proponent has been awarded with Completion Certificate dated 28.06.2022 by the Ghaziabad Development Authority.
- 9. That I have read the contents of this Affidavit which has been drafted under my instructions and state that the contents thereof are true and correct to my knowledge and belief. The facts stated therein are true and correct on the basis of the record of the case which I believe to be true.
- 10. That the Annexures filed herewith, if any, are true copies of their respective originals.

For Durga Enterprises Pvt. Ltd.

Kanishk
D/5880/2019
Identify the deponent who has signed in my presence

[Signature]
Authorized Signatory
DEPONENT

30 JAN 2023

VERIFICATION:

Verified at ND on this 30th day of January 2023 that the contents of Paragraphs 1 to 10 of the above Affidavit are true and correct to the best of my knowledge and belief and nothing material has been concealed therefrom.



CERTIFIED THAT THE DEPONENT
Shri/Smt/Km... Narayan Gupta
S/o, W/o, D/o Sh. Munna Gupta
Identified by Shri/Smt... Lokesh Gupta
has solemnly Attested before me at Delhi

that the contents of the deponent which have been read over and deposited to him/her are true & correct to his/me knowledge

30 JAN 2023

Munna Gupta

30 JAN 2023



Kartik Lahoti <kartik@lahotiadvocates.com>

Affidavit of Respondent No. 8/Project Proponent | Praseon Pant & Anr. vs. MOEF&CC & Ors. | OA No 265/2022

Kartik Lahoti <kartik@lahotiadvocates.com>

Mon, Jan 30, 2023 at 1:13 PM

To: editor@delhincrnews@gmail.com, pradeepkumar1651989@gmail.com, rocz.lko-mef@nic.in, doeuplko@yahoo.com, msseiaaup@gmail.com, ms@uppcb.in, mscb.cpcb@nic.in, dmgha@nic.in, helplinegda@gmail.com, gzb.nagar.nigam@gmail.com

Cc: Divyakant Lahoti <divyakant@lahotiadvocates.com>, Kartik Lahoti <kartik@lahotiadvocates.com>, ankur.ag150@gmail.com

Dear Sir(s),

Please find attached herewith the Affidavit on behalf of Respondent No. 8 in the above subject matter as directed by the Hon'ble National Green Tribunal vide its Order dated 08.09.2022. This is for your record and kind reference.

Regards,

Divyakant Lahoti/ Kartik Lahoti

Advocates for Respondent No. 8/ Project Proponent

--



Kartik Lahoti, Advocate

B.A. (Hons.), LL.B.

Lahoti Advocates

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