

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

OA NO. 422 OF 2023

IN THE MATTER OF:

ABHISHEK SHUKLA

...APPLICANT

VERSUS

STATE OF U.P & OTHERS

...RESPONDENTS

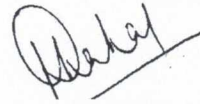
INDEX

N.D.O.H: 08.12.2023

S.NO.	PARTICULARS	PG. NO.
1.	Affidavit on behalf of Respondent No.25 in response to the captioned Application and the Report of the Joint Committee dated 8 <sup>th</sup> September, 2023.	1-3
2.	Vakalatnama	4-5

RESPONDENT NO.25

THROUGH



**S. C. LADI AND COMPANY**  
Deeksha L. Kakar and Dhruv Kakar  
ADVOCATES  
B-1/52, SAFDARJUNG ENCLAVE  
NEW DELHI - 110029.  
Ph. 9313119255 | deeksha.kakar@scjadi.com  
Enrol.No.D/1154/2008



New Delhi

Dated: 06/12/2023

केसर्स पीरबाबु प्रोनाइट

पार्टनर

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

OA NO. 422 OF 2023

**IN THE MATTER OF:**

**ABHISHEK SHUKLA**

**...APPLICANT**

**VERSUS**

**STATE OF U.P & OTHERS**

**...RESPONDENTS**

**AFFIDAVIT ON BEHALF OF RESPONDENT NO.25, PEER BABA GRANITE, IN RESPONSE TO THE CAPTIONED APPLICATION AND THE REPORT OF THE JOINT COMMITTEE DATED 8<sup>TH</sup> SEPTEMBER, 2023.**

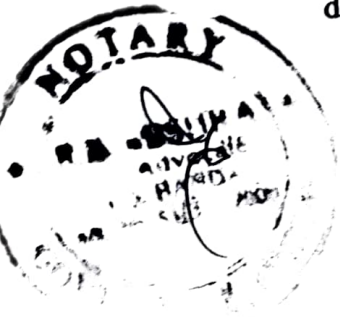
I, Suresh Chandra Gupta S/o Mr. Jageshwar Gupta, R/o Choti Bazar, Jain Dharamshala Road, Banda, Uttar Pradesh aged about 57 years, solemnly affirm and declare as under:

1. The Deponent is the Partner of Respondent No.25 in the above-mentioned case and duly authorized and as such is well conversant with the facts of the case and as such competent to swear and depose this Affidavit.
2. The present Affidavit is being filed in terms of the Order dated 3<sup>rd</sup> October, 2023 passed by this Hon'ble Tribunal in captioned O.A. No. 422 of 2023, wherein the recently impleaded Respondents were granted 2 months to file their response thereto. The notice in the Application was received by the Deponent on 19.10.2023 and the present Affidavit is being submitted accordingly.

मेसर्स पीरबाबा घेनाइट

पार्टनर

3. The Deponent is operating a stone crusher unit in the name of Peer Baba Garanite from Gata No.1798, Village Jarar Tehsil Naraini and District Banda, Uttar Pradesh, for the quantity of/ capacity of stone grit 2-5 MT per hour. This operation of the stone crusher unit is carried out by open cast-mechanised method, whereby the extracted stone from the Mining operations is converted into angular grit for consumption in the construction and infrastructure building industry. Project is responsible for providing employment to local people and further improve the socio-economic status of the surrounding area.
4. For the aforesaid operation the Deponent had obtained the Consent to Establish (CTE) from Uttar Pradesh Pollution Control Board (UPPCB) on 28.06.2022. The Deponent had also obtained the Consolidated Consent to Operate (CTO) dated 05.09.2022 from the UPPCB which is valid till 31.08.2026.
5. It is respectfully submitted that the aforementioned facts with respect to the permissions obtained by the Deponent also stand duly confirmed by the Report of the Joint Committee constituted by this Hon'ble Tribunal in the captioned Application vide Order dated 1<sup>st</sup> August, 2023.
6. It is submitted that the Deponent is carrying on operations as aforesaid at Gata No.1798, Village Jarar Tehsil Naraini and District Banda, Uttar Pradesh, in terms of the permissions and clearances as specifically aforementioned and has also regularly submitted the six-monthly compliance reports in terms of the CTO, with the most recent Report having been submitted in June, 2023.
7. It is further submitted that a perusal of the Report of the Joint Committee dated 08.09.2023 filed in the captioned Application also confirms that



केसर्स पीरबबा प्रेनाइट  
पार्टनर

*(Signature)*

there is no violation on the part of the Deponent which may warrant any interference of any concerned Authority or this Hon'ble Tribunal. The requisite dust suppression system i.e. water spraying facility on jaw crusher, cone and main conveyer, covering of vibrating screen and conveyor or have been duly installed in the stone crusher unit. Further proper boundary wall has been constructed around the unit. There is also no habitation within 500 meter of the unit of the Deponent.


- 8. It is respectfully submitted that aforesaid submissions also stand duly confirmed by the said report of the Joint Committee. The Report of the committee has further observed that the air polluting parameters around the unit are within the prescribed limit. Moreover, no person/patient was found to be suffering from any illness, as alleged under the Complaint/captioned Application.
- 9. The Deponent accordingly undertakes to endeavor to comply with any further conditions or recommendations that may be prescribed by the Joint Committee or this Hon'ble Tribunal.

  
DEPONENT

**VERIFICATION**


Verified on this the 6<sup>th</sup> day of December, 2023 at New Delhi that the contents of the above Affidavit have been explained to be me in vernacular language and are true and correct to my knowledge, no part thereof is false and nothing material has been there from.



9004/1  
SWORN  
BEFORE ME  
  
R. B. MISHRA  
NOTARY PUBLIC  
6/12/23

मेसर्स पीरबाबा प्रेनाइट

  
DEPONENT

  
Suresh Chandra Gupta  
पार्टनर  
Partners of Peerbaba  
Pranait  
who has signed the affidavit  
6/12/23

## BEFORE THE NATIONAL GREEN TRIBUNAL, NEW DELHI

Original Application No 422 Of 2023

ABHISHEK SHUKLA

Applicant

VERSUS

STATE OF U.P. AND OTHERS

Respondents

Suresh chandra Gupta Partner of  
Deeksha Granite the aboveKNOW ALL to whom these presents shall come that I/We Deeksha Granite the above named Respondent No. 2 do hereby appoint**M/S. S. C. LADI & CO.**

Advocates

B-6/58, LGF, Safdarjung Enclave, New Delhi 110 029

☎ (O) 26109933, 26109944,

e-mail : [lawoffices@scladi.com](mailto:lawoffices@scladi.com); [deeksha.kakar@scladi.com](mailto:deeksha.kakar@scladi.com)Advocates and Ms. Deeksha L. Kakar and Dhruv Kakar Advocates [hereinafter called the Advocates] to be my/our Advocates in the above-noted case and authorize them

1. To sign, file, verify and present pleadings, cross-objections or any petitions, for execution, review, rectification, revision, restoration, withdrawal, compromise or other petitions, replies, objections or affidavits or other documents as may be deemed necessary or proper for the prosecution of the said case in all its stages.
2. To act, appear, plead in the above noted case before this Hon'ble Court subject to payment of their fees;
3. To file and take back documents;
4. To withdraw, or compromise the said case or submit to arbitration any differences or disputes that may arise touching or in any manner relating to the said case;  
To take out execution proceedings;
5. To deposit, draw and receive moneys, cheques and grant receipts thereof and to do all other acts and things which may be necessary to be done for the progress and in the course of the prosecution of the said case;
6. To appoint and instruct any other Legal Practitioner authorising him to exercise the power and authority hereby conferred upon the Advocates whenever they may think it to do so and to sign the power of attorney on my/our behalf.

And I/We the undersigned, do hereby agree to ratify and confirm acts done by the Advocates or their substitute in the matter as my/our own acts as if done by me/us to all intents and purposes.

And I/We the undersigned undertake that I/We or my/our duly authorized agent would appear in court on all hearings and will inform the Advocates for appearance, when the case is called.

And I/We the undersigned, do hereby agree not to hold the Advocates or his substitute responsible for the result of the said case in consequence of his absence from the court when the said case is called up for hearings, or for any negligence of the said Advocates or substitute.



And I/we the undersigned, do hereby agree that in the event of the whole or any part of the fee agreed by me/us to be paid to the Advocates remaining unpaid he shall be entitled to withdraw from the prosecution of the said case until the same is paid up. If any costs are allowed for an adjournment, the Advocates would be entitled to the same. The fee settled is only for the above case and court.

IN WITNESS WHEREOF I/we do hereunto set my /our hand to these presents the contents of which have been understood by me/us this 6<sup>th</sup> day December of 2023

ACCEPTED subject to the terms of fees.

*[Signature]*

Advocate  
ENRL - D/1154/2008

Advocate

मेसर्स पीरबाबा प्रनाइट

*[Signature]*  
Client

पार्टनर

Sunjay Chandragula Parthasarathi  
of Teen Baba Gurdwara  
who has signed the document  
in A district court  
*[Signature]*



9021/1  
SWORN  
BEFORE ME  
*[Signature]*  
E. B. MISHRA  
NOTARY PUBLIC  
6.12.23