

NDOH: 07.01.2026**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI****ORIGINAL APPLICATION NO. 1319/2024****IN THE MATTER OF:**

HEMANT SINGH GONIA AND ORS

.....APPLICANT

VERSUS

STATE OF UTTARAKHAND & ORS

..... RESPONDENTS

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FILED ON: 05/01/2026

FILED BY:

(DHRUV TAMTA)
 Advocate for the Respondents
 Chamber No. 331, M.C. Setalvad Block Supreme Court of India,
 Bhagwan Das Road, New Delhi
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BEFORE THE NATIONAL GREEN TRIBUNAL PRINCIPAL
BENCH, NEW DELHI

APPEAL NO. 1319 OF 2024

IN THE MATTER OF:

HEMANT SINGH GONIA & ORS

... APPLICANT

VERSUS

STATE OF UTTARAKHAND

... RESPONDENTS

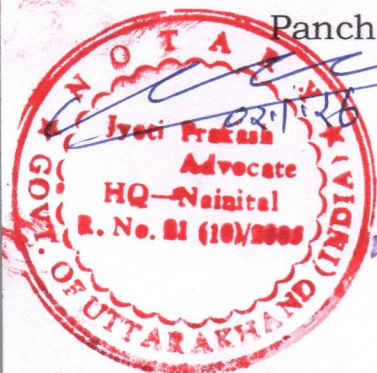


COUNTER AFFIDAVIT ON BEHALF OF RESPONDENT NO. 7

I, Mahesh Kumar, son of Shri Ram Pal Singh, aged about 51 years, currently posted as Appar Mukhya Adhikari at Zila Panchayat, Nainital, do hereby solemnly affirm and state on oath as under:

Register S.N.5

1. That the deponent is the Appar Mukhya Adhikari of the answering respondent and as such is well acquainted with the facts and circumstances of the case on the basis of official records maintained in the office.
2. That the present counter affidavit is being filed in response to the allegations made in the Application and to place on record the current status of waste disposal actions taken by the Zila Panchayat, Nainital.

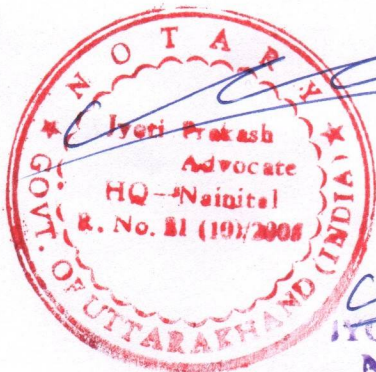


Part 1
02/10/2024
IYOTI PRAKASH, Advocate
NOTARY H.Q. Nainital
Reg. No. 21 (10)-2005

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collection vehicles which collect garbage from identified routes and markets.

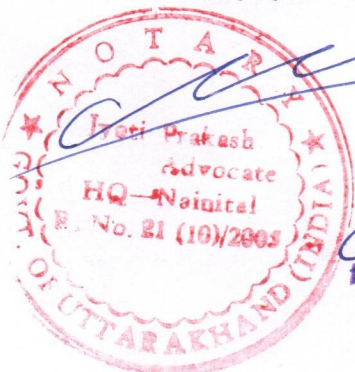
4. That since the Zila Panchayat does not possess its own dedicated dumping zone, it has entered into an arrangement where wet waste collected from establishments and markets is transported to the Nagar Nigam Haldwani dumping zone located at Gaulapar, while dry waste is sent to compactors installed at various Development Blocks for processing.
5. That in pursuance of this arrangement, the Zila Panchayat has already made a payment of Rs 3,56,668/- to the Nagar Nigam Haldwani-Kathgodam for waste disposed off at their trenching ground up to 30.09.2024. The operation and maintenance of the trenching ground is not with Zila Panchayat Nainital.
6. That the answering respondent is strictly monitoring the illegal disposal of waste and the use of banned Single-Use Plastic (SUP), having conducted regular inspections resulting in the issuance of 29 challans against defaulting individuals and institutions.



Part 2
02.01.2026
NOTARY H.Q. NAINITAL
Reg. No. 21 (10)-2005

gms

7. That a total fine of ₹25,600/- has been recovered through the aforementioned enforcement actions to ensure compliance with environmental norms.
8. That the Zila Panchayat is utilizing advanced machinery, including "Litter Picker" (garbage suction) machines provided by the Directorate of Panchayati Raj, Dehradun, to collect dry waste from rural areas for further processing into bales.
9. That in the Ramnagar Development Block, the Zila Panchayat is operating a waste compactor through the "West Warrior Society" (NGO), where plastic is segregated and converted into bales which are sold exclusively to firms authorized and recognized by the Pollution Control Board.
10. That continuous public awareness campaigns are being carried out through the use of hooters and audio messages on waste collection vehicles to educate the rural population on scientific waste disposal.
11. That the Zila Panchayat is mindful of the welfare of its "Paryavaran Mitras" (sanitation workers) and provides them with essential safety equipment including gloves, boots, masks, jackets, and raincoats.



Part 3
2.01.26
HYOTI PRAKASH, Advocate
NOTARY H.Q. Nainital
Reg. No. 21 (10).2005

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12. That a decentralized system is in place where waste is first brought to Material Recovery Facility (MRF) centers established outside villages by Gram Panchayats, where it is segregated into wet and dry categories before being transported by Zila Panchayat vehicles to compactors.
13. That in light of the aforementioned facts, the Zila Panchayat, Nainital, is fulfilling its statutory duties regarding waste management and is taking all necessary steps to maintain environmental hygiene in the district.

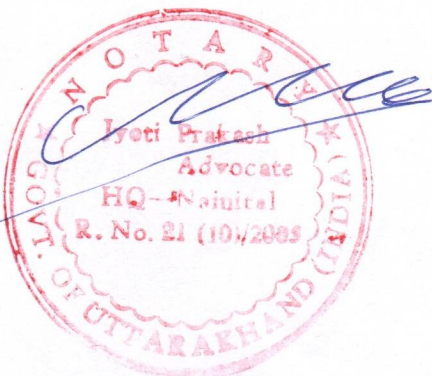
dm
अपर मुख्य अधिकारी
DEPONENT
जिला पंचायत नैनीताल

VERIFICATION

I, the deponent above named, do hereby verify that the contents of paragraphs 1 to 13 of this affidavit are true to my personal knowledge and based on official records, no part of it is false and nothing material has been concealed therefrom.

Verified at Nainital on this 02 day of January, 2026.

dm
DEPONENT अधिकारी
जिला पंचायत नैनीताल



Part 4

Certified that Sri Maheesh Kumar
the Deponent Identified by Self
I warned & Verified the Contents of
his Affidavit at Nainital on 02.01.2026


[Signature]
NOTARY PUBLIC - Advocate
Notary H.O. NAINITAL
Reg. No. 21 (10/2005)

जिला पंचायत, नैनीताल द्वारा कूड़ा निस्तारण की कार्यवाही।

विषय:- O/A No -1319/2024 श्री हेमन्त सिंह गोनिया एवं अन्य बनाम राज्य एवं अन्य के सम्बन्ध में।
महोदय,

निम्न बिन्दुवार विवरण निम्नानुसार है।

- जिला पंचायत, नैनीताल द्वारा ग्रामीण क्षेत्रान्तर्गत 09 कूड़ा वाहनो द्वारा कूड़े निस्तारण का कार्य किया जा रहा है। जिला पंचायत, नैनीताल का अपनी कोई डम्पिंग जोन हेतु भूमि उपलब्ध न होने के कारण जिला पंचायत के कूड़ा निस्तारण हेतु अधिकृत ठेकेदार के माध्यम से चिन्हित मार्गों एवं मार्गों के अन्तर्गत आने वाले बाजारो/प्रतिष्ठानों से गीला कूड़ा एकत्रित कर नगर निगम हल्द्वानी के डम्पिंग जोन गौलापार हल्द्वानी में डाला जा रहा है एवं सूखा कूड़ा विकास खण्ड में स्थापित कॉम्पैक्टर मे डाला जा रहा है जिससे की बेल तैयार करायी जा रही है तैयार बेल को विक्रय किया जा रहा है।
- जिला पंचायत, नैनीताल द्वारा 30/09/2024 तक हल्द्वानी स्थित ट्रेन्चिंग ग्राउण्ड में डाले गये कूड़े का प्रतिदिन औसतन वजन निर्धारित कर 3,56,668/-रु० का भुगतान नगर निगम हल्द्वानी काठगोदाम को कर दिया गया है।
- जिला पंचायत, नैनीताल द्वारा ग्रामीण क्षेत्रान्तर्गत आने वाले मार्ग/बाजार/प्रतिष्ठानो से समय-समय पर जाँच कर कूड़े को अव्यवस्थित फैलाने वाले व्यक्तियों/संस्थाओं/प्रतिबन्धित सिंगल यूज प्लास्टिक पर किये गये चालानों की संख्या- 29
- जिला पंचायत, नैनीताल द्वारा ग्रामीण क्षेत्रान्तर्गत आने वाले मार्ग/बाजार/प्रतिष्ठानो से कूड़े को अव्यवस्थित फैलाने पर व्यक्तियों/संस्थाओं/प्रतिबन्धित सिंगल यूज प्लास्टिक पर किये गये चालानों द्वारा वसूली गयी धनराशि- रु० 25,600/- रूपये।
- निदेशालय पंचायतीय राज देहरादून द्वारा जिला पंचायत, नैनीताल को निर्गत लीटर पीकर मशीन (गारबेज सेक्सन मशीन) द्वारा ग्रामीण क्षेत्रान्तर्गत सूखे कूड़े का निस्तारण कार्य कर कॉम्पैक्टर में ले जा कर बेल तैयार जा रही है।
- जिला पंचायत, नैनीताल द्वारा जनपद नैनीताल के समस्त विकास खण्डो में कॉम्पैक्टर का संचालन किया जा रहा है जिसमे विकास खण्ड रामनगर में वेस्ट वोरियर सोसाईटी (एन0जी0ओ0) के माध्यम कूड़ा कॉम्पैक्टर का संचालन कर कूड़े का पृथकीरण कर प्लास्टिक से बेल बनाये जाने का कार्य किया जा रहा है उक्त बेलों को पोलूशन बोर्ड से मान्यता प्राप्त फर्मो को ही विक्रय किया जा रहा है।
- जिला पंचायत, नैनीताल द्वारा कूड़ा निस्तारण किये जाने के दौरान संचालित कूड़ा वाहनो में कूड़ा निस्तारण हेतु जन जागरूकता सम्बन्धित संदेश प्रचारित (हूटर को प्रयोग) किये जाते हैं।
- जिला पंचायत, नैनीताल द्वारा कूड़ा निस्तारण हेतु कार्य किये जाने के समय पर्यावरण मित्रों को आवश्यक सामग्री जैसे- ग्लब्ज, बूट, दस्ताने, मास्क, बरसाती, जैकेट आदि उपलब्ध जाते हैं।
- जिला पंचायत नैनीताल द्वारा विशिष्ट एवं अतिविशिष्ट के आगमन पर शासन/प्रशासन द्वारा समय-समय दिये गये निर्देशो के अनुपाल में स्वच्छता सम्बन्धि विशेष अभियान चलाकर स्वच्छता कार्य करवाया जाता है।
- क्षेत्र पंचायत को शासन द्वारा जो कूड़ा गाडी प्राप्त हुई है उसके माध्यम से उक्त कूड़े को ग्राम पंचायत द्वारा गाँव के बाहर बनाये गये एम0आर0एफ0 सेन्टर तक पहुचाया जाता है और एम0आर0एफ0 सेन्टर पर गीले व सूखे कूड़े को अलग-अलग किया जाता है उसके पश्चात जिला पंचायत, नैनीताल द्वारा अपने कूड़ा वाहनो के माध्यम से सूखे कूड़े को कॉम्पैक्टर तक पहुचाकर उसकी बेल बनायी जाती है तैयार बेल को विक्रय किया जा रहा है।


 अपर-मुह्य निरीक्षक
 जिला पंचायत, नैनीताल,

6

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 1319/2024**

IN THE MATTER OF:

HEMANT SINGH GONIA AND ORS

.....APPLICANT

VERSUS

STATE OF UTTARAKHAND & ORS

..... RESPONDENTS

VAKALATNAMA

I/We Petitioner(s)/Appellant(s)/ Respondents(s) in the above Suit/Appeal/Petition Reference do hereby appoint and retain **Mr. DHRUV TAMTA**, Advocate Supreme Court to act and appear for me/us in the above Suit/Appeal/Petition/Reference and on my/our behalf to conduct and prosecute (or defend) the same and all proceedings that may taken in respect of any application connected with the same or any decree or order passed therein including proceeding in taxation and applications for Review, to file and obtain return of documents and to deposit and receive money on my/our behalf in the said Suit/Appeal/Petition/Reference and in applications for Review and to represent me/is and to take all necessary stops on my/our behalf in the above matter. We agree to pay his fees and out of pocket expenses, agree to ratify all acts done by the aforesaid Advocate in pursuance of this Authority. Dated this the 5th day

5th of 2026.

ACCEPTED AND IDENTIFY

Ms. DHRUV TAMTA

Advocate: Supreme Court of India



अपर मुख्य अधिकारी

जिन्हा पंचायत तैरीताल

Petitioner(s)/Respondent(s)/Appellants

MEMO OF APPEARANCE

To
The Registrar,
Supreme Court of India,
New Delhi-01

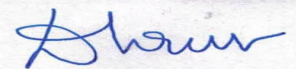
Sir,

Kindly enter my appearance on behalf of the Petitioner(s)/ Appellant(s)/ Respondent(s)/ Opposite Parties/Intervener in the matter mentioned.

Dated this 5th day of July, 2026

Thanking you,

yours faithfully


(DHRUV TAMTA)

Advocate for the Petitioner/Respondent/APPLICANT

CODE No.3031

New Delhi
Date: 5/11/26

Chamber: 331, New Lawyers Chamber, Supreme Court, Bhagwan Das Road, New Delhi-110001




ORIGINAL APPLICATION NO. 1319/2024 HEMANT SINGH GONIA AND ORS VERSUS STATE OF UTTARAKHAND & ORS OR

From dhruv tamta <tamtaadvocates@outlook.com>

Date Mon 2026-01-05 12:15

To moef.ddn@gmail.com <moef.ddn@gmail.com>; dm-nai-ua@nic.in <dm-nai-ua@nic.in>; dm-nai-ua@nic.in <dm-nai-ua@nic.in>; sumkpcb@yahoo.com <sumkpcb@yahoo.com>; mscb.cpcb@nic.in <mscb.cpcb@nic.in>; uhudauk@gmail.com <uhudauk@gmail.com>; uhuda-uk@ukgovernment.in <uhuda-uk@ukgovernment.in>

 1 attachment (4 MB)

Counter Affidavit R7.pdf;

Sir/ Madam

Please find attached copy of the Counter Affidavit on behalf of R/7 in above noted matter.

regards

Dhruv Tamta
Advocate
+91-9899989917

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