

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
MISCELLANEOUS APPLICATION NO. 38/2023
IN
ORIGINAL APPLICATION NO. 1 96/2022**

IN THE MATTER OF:
HARIOM GUPTA

...APPLICANT

- VERSUS

EXECUTIVE OFFICER NAGAR PALIKA LONI

...RESPONDENT

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THROUGH
BHANWAR PAL SINGH JADON
COUNSEL FOR THE D.M., GHAZIABAD
EMAIL- bhanwar09jadon@gmail.com

DATE: 21.10.2024
PLACE: New Delhi

896

ऑथ-कमिश्नर

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BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
MISCELLANEOUS APPLICATION NO. 38/2023

IN
ORIGINAL APPLICATION NO. 196/2022

IN THE MATTER OF:
HARIOM GUPTA

...APPLICANT

VERSUS

EXECUTIVE OFFICER NAGAR PALIKA LONI

...RESPONDENT

**AFFIDAVIT ON BEHALF OF DISTRICT MAGISTRATE, GHAZIABAD,
UTTAR PRADESH IN COMPLIANCE OF THE ORDER DATED
12.09.2024 TO SERVE NOTICE UPON NEWLY IMPLEADED
RESPONDENT NO. 11.**

DEEPAK KUMAR

I, Mr. Indra Vikram Singh, aged about 55 years, currently working as District
Chairman, Commissioner, Ghaziabad, Uttar Pradesh, do solemnly affirm and declare as
Tehsil Sadar, Ghaziabad (U.P.)
Magistrate,
under:

1. That I am fully conversant with the facts and circumstances of the case
and am competent and authorized to swear the present Affidavit.

ऑथ-कमिश्नर
प्र
तहसील परिसर, गाजियाबाद

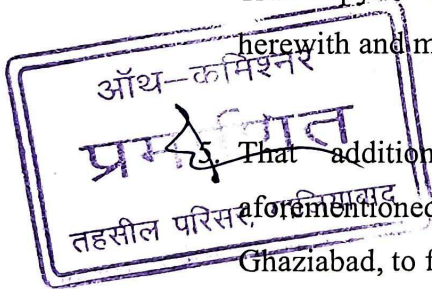
2. The present Miscellaneous Application in the Original Application No.
196/2022 pertains to the dumping of hazardous sewerage of
surrounding Nagar Palika area to the Green Belt, NH-709B opp. Ansal
Estate and Sector- C-1, Trans Delhi signature city, Loni, Ghaziabad.

3. That the Hon'ble Tribunal in the hearing on dated 12.09.2024 passed an order directing the District Magistrate to serve notice to the newly impleaded respondent 11. That the relevant paragraph of the Order dated 12.09.2024 is given as under:

"5. Newly impleaded respondent 11 shall be issued notice and the same shall be served notice through District Magistrate, Ghaziabad. Respondent 11 may file its response within two weeks after receipt of notice."

4. It is submitted before this Hon'ble Tribunal that the order referenced above has been duly complied with by the deponent. That the deponent directed the Sub-Divisional Magistrate, Ghaziabad to serve the notice to the respondent 11 on his behalf in compliance of the order of this Hon'ble Tribunal. That in pursuance of the directions given by the deponent, the Sub-Divisional Magistrate, Ghaziabad vide letter no. 1270/ST SDM/2024-25 dated 17.09.2024 further directed the Tehsildar to complete the service of notice to the newly impleaded respondent 11. It is pertinent to mention here that the respondent 11 i.e., Mr. Sandeep Kashyap, Company Employee, VaTech Wavag Ltd., Indirapuram, Ghaziabad has received the service of notice by the deponent and given his signature and seal on the same to recognize the service made.

True copy of the service of notice done by the deponent is annexed herewith and marked as ANNEXURE R1.

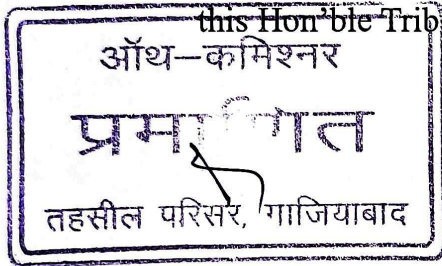


That additionally, the deponent firmly affixed (glued) the aforementioned notice on the main gate of the company in Indirapuram, Ghaziabad, to further ensure the compliance of the Order passed by the Hon'ble Tribunal. It is germane to mention here that this notice was,

again, received by the same employee mentioned above, namely Mr. Sandeep Kashyap, with his sign and seal dated 19.10.2024, and then it was glued on the main gate of the company. It is important to note that the deponent took this necessary step to complete the service of notice and ensure the compliance of Order dated 12.09.2024 passed by the Hon'ble Tribunal.

True copy of the notice and the photo of the notice attached to the main gate is annexed herewith and marked as ANNEXURE R2.

6. The present additional affidavit has been filed for the kind perusal of this Hon'ble Tribunal.




DEPONENT

VERIFICATION

Verified at Ghaziabad on this 21 day of October, 2024, that the contents of the above affidavit from paragraphs 1 to 6 are believed to be true and correct to the best of my knowledge and belief. No part of it is false and nothing material has been concealed therefrom.

नाम N.G.T. (Deputy)
पिता / भ्राता Anand Kumar Singh
पता D.M.W.Z.P.
दिनांक 21/10/24


DEPONENT

प्रमाणित
ऑथ-कमिश्नर
परिसर गाजियाबाद

ANNEXURE R1

प्रेषक,

जिलाधिकारी,
गाजियाबाद

सेवा में,

रजिस्ट्रार,
मा.0 राष्ट्रीय हरित अधिकरण,
मुख्य ब्रांच, नई दिल्ली।

संख्या ०२ / एस0टी0-डी0एम0 / 2024

दिनांक ०५/१०/२०२४

विषय :-

मा0 राष्ट्रीय हरित अधिकरण में योजित विविध प्रार्थना पत्र सं0- 38 / 2023, ओ0ए0सं0-196 / 2022 हरिओम गुप्ता एव अन्य बनाम नगर पालिका परिषद लोनी व अन्य के सम्बन्ध में।

महोदय,

कृपया उपरोक्त विषयक पत्र संख्या-एन0जी0टी0 / जूडिशियल / एमए-38 / ओ0ए0-196 / 2022 दिनांक 26-09-2024 का सन्दर्भ ग्रहण करने का कष्ट करें जिसमें निर्देशित किया गया कि रेस्पोंडेन्ट नं0-11 को मा0 राष्ट्रीय हरित अधिकरण, नई दिल्ली द्वारा जारी नोटिस को तामीला कराकर तामीला रिपोर्ट भिजवाने का कष्ट करें।

उपरोक्त के सम्बन्ध में अवगत कराना है कि मा0 राष्ट्रीय हरित अधिकरण, नई दिल्ली से वाटेक वाबेव लि0 स्थित इन्दिरापुरम का प्राप्त नोटिस दिनांक 26-09-2024 उपजिलाधिकारी सदर को तामीला कराये जाने हेतु निर्देशित किया गया। उपजिलाधिकारी सदर ने पत्र संख्या-1270 / एस0 टी0-एस0डी0एम0 / 2024 दिनांक 27-09-2024 के द्वारा अवगत कराया है कि प्राप्त नोटिस तहसीलदार सदर से तामील कराकर तामीला रिपोर्ट दिनांक 27-09-2024 मूल रूप में संलग्न कर प्रेषित की है।

उपजिलाधिकारी सदर का पत्र दिनांक 27-09-2024 एवं तहसीलदार सदर की तामीला रिपोर्ट दिनांक 27-09-2024 मूल रूप में संलग्न कर आवश्यक कार्यवाही हेतु प्रेषित की जा रही है।

संलग्न :-

यथोपरि।

भवदीय,

(इन्द्र विक्रम सिंह),
जिलाधिकारी,
गाजियाबाद

कार्यालय उप जिलाधिकारी
पत्रांक 1270 / एस0टी0-एस0डी0एम0 / 2024-25

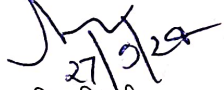
गाजियाबाद।
दिनांक-27/9/24

जिलाधिकारी,
गाजियाबाद।

महोदय,

कृपया अपने कार्यालय प0सं0 207 / एस0टी0-डी0एम0 / 2024 दिनांक 27 सितम्बर 2024, जिसके साथ मा0 एन.जी.टी. नई दिल्ली के नोटिस संख्या 38 / 2023 दिनांक 26-09-2024 की प्रति संलग्न करते हुए, वाटेक वाबेव लि0 स्थित इन्दिरापुरम् को तामील कराकर, तामीली आख्या उपलब्ध कराये जाने हेतु निर्देशित किया गया है।

उक्त के सम्बन्ध में तहसीलदार सदर गाजियाबाद को तामीला कराये जाने हेतु निर्देशित किया गया। तहसीलदार गाजियाबाद द्वारा करायी गयी तामीला आख्या महोदय की सेवा में अग्रेत्तर कार्यवाही हेतु सादर प्रस्तुत है।
संलग्नक- यथोक्त।


27/9/24
उप जिलाधिकारी,
गाजियाबाद।

BEFORE THE NATIONAL GREEN TRIBUNAL, NEW DELHI

Miscellaneous Application No.38/2023
IN

ANNEXURE R2

Original Application No.196/2022

Harion Gupta Vs Executive Officer Nagar Palika Loni

1. VaTech Wabag Ltd.
Through its Chairman,
Panchsheel Well Bazar Crossing Republic Front Of Golf Course,
Near Daily Ba, Sain Vihar, Crossings Republik
56 MID STP, Indrapuram, Ghaziabad-201016
E-mail: wabag@wabag.in

(Respondent No.11)

NOTICE

Whereas the above titled Application was listed before the Hon'ble Tribunal on 12.09.2024 (copy of order & application are enclosed), when the Tribunal inter-alia passed the following order (reproduced relevant extracts only):-

- "3. In these circumstances, we find it appropriate to implead following as respondent 11:
(1) VaTech Wabag Ltd, through its Chairman, 56 MID STP, Indrapuram, Ghaziabad.
4. Office shall issue notice to respondent 11.
5. Newly impleaded respondent 11 shall be issued notice and the same shall be served notice through District Magistrate, Ghaziabad. Respondent-11 may file its response within two weeks after receipt of notice.
8. In these circumstances, we direct Managing Director, UP Jal Nigam as also Managing Director of respondent 11 to remain present on the next date before Tribunal.
9. List on 23.10.2024."

Now, take further notice that the above matter will be listed for further consideration before the Hon'ble Tribunal on 23.10.2024, at Faridkot House, Copernicus Marg, New Delhi-110001 through physical hearing (with hybrid option), when you may appear before the Hon'ble Tribunal either in person or by a pleader duly instructed, and file reply/response, as per directions of the Hon'ble Tribunal vide Order dated 12.09.2024.

Take further notice that in default of your appearance on the date above mentioned, the said Application will be heard and determined in your absence.

Given under my hand and the seal of this Hon'ble Tribunal, on this 26th September 2024.

Note: (For Orders, Cause Lists & other information, please visit our website greentribunal.gov.in).

[Signature]
26/9/2024
Consultant (Judicial), NGT



[Signature]
Sandeep Karyed

Received: 19.10.2024 Time: 2:30 PM
Mob: 9149156124



BY SPEED POST A.D./EMAIL
BEFORE THE NATIONAL GREEN TRIBUNAL, NEW DELHI

Miscellaneous Application No. 38/2023

IN

Original Application No. 196/2022

Hariom Gupta Vs Executive Officer Nagar Palika Loni

1. Va Tech Wabag Ltd.
Through its Chairman,
Panchsheel Well Bazar Crossing Republic, Front Of Golf Course,
Near Dully Ha, Safin Vihar, Crossings Republik
56 MLD STP, Indraprastha, Ghaziabad-201016
E-mail: wabag@vtechg.in

(Respondent No. 11)

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NOTE: For Orders, Cause Lists & other information, please visit our website www.ngttribunal.gov.in.

[Signature]
Consultant (Judicial), NGT





