

**IN THE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH,  
NEW DELHI**

ORIGINAL APPLICATION NO. 434 OF 2022

**IN THE MATTER OF:**

GURUDWARA MANAK TABRA PRABANDHAN COMMITTEE  
THROUGH ITS PRESIDENT. .... Applicant

Versus

STATE OF HARYANA & ORS. .... Respondent(s)

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NDOH; 01/08/2023

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Filed by:

  
[DEEPKARAN DALAL & HARMANJIT SINGH JUGAIT]

Advocates for the Applicant  
Office: Flat No. 702, Tower No. 31,  
Commonwealth Games Village,  
New Delhi-110092

PLACE: NEW DELHI

DATE: 26.07.2023

IN THE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH,  
NEW DELHI

O.A. NO. 434 OF 2022

24 JUL 2023

IN THE MATTER OF:

GURUDWARA MANAK TABRA PRABANDHAN COMMITTEE  
THROUGH ITS PRESIDENT. .... Applicant

Versus

STATE OF HARYANA & ORS ..... Respondent(s)

**OBJECTIONS OF THE REPORT OF THE JOINT COMMITTEE DATED  
25.11.2022.**

I, Tara Singh s/o Late Sh. Jhanda Singh, r/o Village Rooriki, PO-  
Manak Tabra, Tehsil & District Panchkula, President of  
Gurudwara Manak Tabra Sahib Patshahi Dasvin, do hereby  
solemnly affirm and state as under:

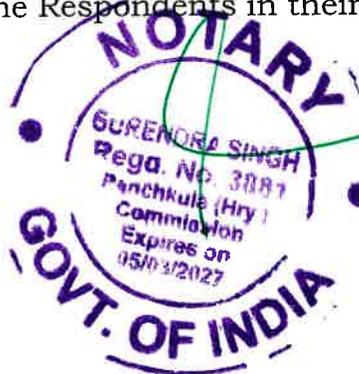
**Preliminary Submissions:**

1. That the undersigned being the authorized signatory of the  
Petitioner and therefore authorized to file the present  
objections of the report dated 25.11.2022.



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2. That I have filed the Original Application for and on behalf of the Petitioner.
3. That at the outset it is submitted that Gurudwara Manak Tabra is a place of immense religious and historical importance and is also visited by tourists, scholars and devotees etc. The religious and historical importance of the Gurudwara is evident from the fact that Guru Gobind Singh, the tenth Guru of Sikhs, stayed in village Manak Tabra in the late 16<sup>th</sup> Century and the Gurudwara has been in existence since the last more than 100 years. The averments made in the Original Application are reiterated in support of the averments made herein.
4. Therefore, the said Gurudwara is a tourist place for the purposes of Screening Criteria dated 10.03.2016. Besides this, the Screening Criteria do not provide any criteria for religious places therefore, Gurudwara being a religious place ought to be regarded as a tourist place and/or educational institution for the purposes of the Screening Criteria. However, the Respondents in their Report have wrongly and



24 JUL 2023

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SURENDRA SINGH

NOTARY

illegally given a narrow and limited interpretation of the word “tourist complex” as used in the Screening Criteria.

5. That the term “tourist complex” and “educational institution” used in the criteria has to be widely construed. Further, these terms have to be given wider interpretation so as to further aims and objective of the act and the Screening Criteria framed thereunder. A narrow interpretation of these words would lead to frustrating the purpose for which rules have been framed or criteria has been laid down. Since the Screening Criteria does not include religious places, therefore the rules of interpretation provide that the nearest applicable entry viz. tourist complex and/or educational institution should be considered while determining the distance to be maintained by the screening units.
6. That without prejudice to the foregoing, the word “Tourist Complex” used in the Sitting Criteria has been wrongly interpreted by the Respondents. It is submitted that the Tourist Complex, as used in the Sitting Criteria would mean places of tourist interests viz. historic etc. and not the

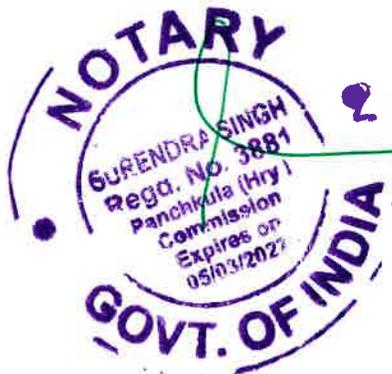


24 JUL 2023

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Tourist Complexes established by the Department of Tourism, Government of Haryana or Haryana Tourism Tourist Complexes as mentioned in the Sitting Criteria cannot by any stretch of imagination be limited to Guest houses and hotels established by the Department of Tourism, Government of Haryana or Haryana Tourism.

- 7. That it is common knowledge that Screening Plants come under Orange Category and give rise to pollution of various types which aspect has been kept in mind while framing the Sitting Criteria and other Regulations. Further the impact of Screening Plants on the environment is also evident from the requirement of obtaining Consent to Establish and Consent to Operate. Applying the above, the facts of the present case, it is submitted that the Screening Plants cannot be permitted to operate in the vicinity of the Gurdwara. The establishment of Screening Plants in the vicinity of Gurdwara is a clear violation of the acts and rules framed for the protection and preservation of the environment.



4 JUL 2023

A handwritten signature in blue ink, appearing to be a stylized name.

Handwritten text in Hindi, likely identifying the notary or the location. The text is partially obscured and difficult to read, but appears to include "Panchkula" and "Haryana".

8. That fact that the Respondents have failed to ensure compliance of the acts and rules and to ensure that there is no violation thereof. Also, it is evident from the running of various Screening Plants in the vicinity of the Gurdwara that the Screening Plants are openly violating the rules. Further Respondents have ignored that various Screening Plants that have been regarded as shut are actually functioning illegally and thereby causing immense damage to the environment, as is evident from the photographs. A True copy of photographs is annexed and marked herewith as **Annexure P-1**.(Pages 11-14).
9. That the Report filed by the Respondents conveniently ignores the violations of Sitting Criteria by the Screening Plants. A perusal of the Report makes it clear that the issue of distance has not been taken into account by the Respondents while examining the present status of operations of the Screening Plants. Therefore, the Report submitted by the Respondents is illegal and liable to be



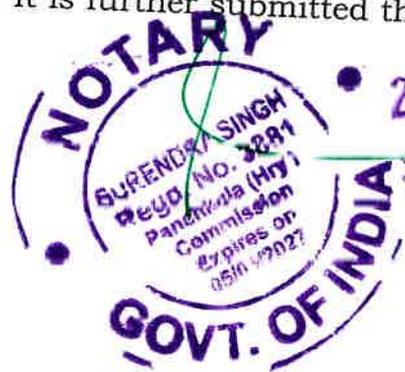
24 JUL 2023

ਸੁਫੇਂਦਰਾ ਸਿੰਘ  
ਪੰਚਕੂਲਾ ਪ੍ਰਬੰਧਕ ਕਮਿਸ਼ਨਰੀ  
ਪੰਜਾਬ ਟੈਕਸਟ ਬੁਕ ਡਿਵੀਜ਼ਨ

ignored and the screening plants operating in the area are required to be closed.

**REPLY PARA WISE;**

- a. The para 1 is matter of record hence needs no reply.
- b. The averments made in para 2 are admitted being a matter of record. However, the Respondents have not mentioned about the status of other screening plants operating illegally in the vicinity of the Gurudwara.
- c. That averments made in para 3, except the conclusion etc. are a matter of record hence needs no reply. The Report under the head of Conclusion wrongly mentions that the Gurudwara Manak Tabra is not a tourist complex as per the Tourism Department, Haryana. It is submitted that since there is no special category for religious places in the Sitting Criteria therefore, the Gurudwara would fall in tourist place or in category of educational place, as religious places like tourist complexes and educational places are visited by scores of people. It is further submitted that the averments



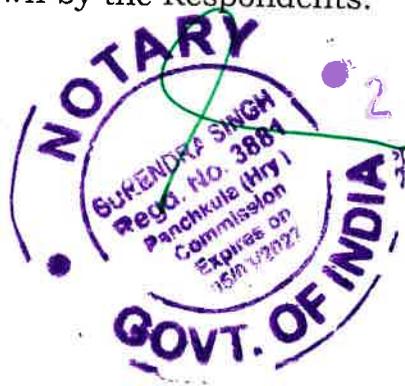
24 JUL 2023

made by the Applicant were found to be true by the inspection team of violation of laws in running of Screening Plants, however at the same time, several discrepancies have been ignored by the Respondents.

Observations of the committee at site were admitted being of matter of record, it is however submitted that the Respondents have ignored the fact that the several screening plants have been operating illegally.

**Detailed Status of Screening Plants in Question:**

Perusal of the record shows that there were numerous regulations violated by the Screening Plants as per the law, which have been noted by the Respondents. However, the Respondents have failed to take into account the illegally running screening plants in violation of the screening criteria. Further the Respondents have ignored the fact that the permission(s), approval(s) if any, granted to the screening plants are illegal as having been issued in violation of the sitting criteria. Therefore, the screening plants are required to be closed down by the Respondents.



24 JUL 2023

सुरेंद्र सिंह  
पंचकुला

DEPONENT

Handwritten signature and name in Hindi: *श्री. राजेश कुमार शर्मा*

**VERIFICATION;**

Verified at Panchkula on 24<sup>th</sup> day of JULY, 2023 that the content of the present objections is true and correct to my knowledge and information derived from the official record. Nothing material has been concealed therefrom.

DEPONENT

Handwritten signature and name in Hindi: *श्री. राजेश कुमार शर्मा*



Verified for Andhra Pradesh  
Stamp no - 506037922472

Signed/thumb Marked & Sworn before me  
today 24/07/2023 at Panchkula

SL NO. 18767  
Attested As Identified/Verified

*bell*  
NOTARY Panchkula(HRY.)  
REGN No.-3881

24 JUL 2023

BEFORE THE NATIONAL GREEN TRIBUNAL

PRINCIPAL BENCH AT NEW DELHI

O.A. NO. 434 OF 2022

IN THE MATTER OF:

GURUDWARA MANAK TABRA SAHIB PATSHAHI DASVIN  
THROUGH ITS PRESIDENT,  
...APPLICANT

VERSUS

STATE OF HARYANA & ORS

...RESPONDENTS

AFFIDAVIT

I, Tara Singh s/o Late Sh. Jhanda Singh, aged about 80 years, r/o Village Roorki, PO-Manak Tabra, Tehsil & District Panchkula, President of Gurudwara Manak Tabra Sahib Patshahi Dasvin, do hereby solemnly affirm and state as under:

1. That I am the President of the Gurudwara and have been authorized vide Resolution dated 31.10.2021 in the above-mentioned case and I am conversant with the facts and circumstances of the case and hence competent to swear this affidavit.

24 JUL 2023

ਗੁਰਦੁਆਰਾ ਮੁਕੱਦਮਾ ਕਮੇਟੀ  
ਮਨਾਕ ਟਾਬਰਾ ਸਾਹਿਬ ਪਾਤਸ਼ਾਹੀ ਦਾਸਵਿਨ



- 2. That the present Objections has been drafted under my instructions and the facts stated therein are true and correct to my knowledge.
- 3. That the facts as stated in the above affidavit are true to my knowledge.

*[Handwritten Signature]*

**DEPONENT**

श्री अशोक प्रियंका कौमारी  
श्री अशोक सिला पंचकुला

**VERIFICATION:**

Verified at Panchkula on this 24th day of JULY, 2023 that the facts stated in the above Affidavit are true to my knowledge. No part of the same is false and nothing material has been concealed therefrom.



24 JUL 2023

*[Handwritten Signature]*

**DEPONENT**

श्री अशोक प्रियंका कौमारी  
श्री अशोक सिला पंचकुला

Verified for Aadhaar card being no

- 5060 37922472 -

SL. No. 13768.

Attested As Identified/Verified

*[Handwritten Signature]*

24 JUL 2023

NOTARY Panchkula(HRY.)  
REGN No.-3881

Signed/thumb Marked & Sworn before me

Today 24/07/2023 at Panchkula

*[Handwritten Mark]*



महालक्ष्मी  
स्कीनिंग प्लांट







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Advance Service Objections in OA No. 434 of 2022 (Gurudwara Manak Tabra  
Prabandhan Committee vs State of Haryana & Ors)

Chambers of Deepkaran Dalal New Delhi <del@dksdalal.com>

Wed 7/26/2023 5:10 PM

To:rkhuranalegal@gmail.com <rkhuranalegal@gmail.com>;Deepkaran Dalal <dks@dksdalal.com>

📎 1 attachments (2 MB)

Attested Objections.pdf;

Dear Sir,

We have filed the attached Objections in OA No. 434 of 2022 in above captioned matter.  
Kindly acknowledge the receipt.

Kind Regards



Ajit Singh | Assistant |

Chambers of Deepkaran Dalal  
Advocate & Solicitors

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