

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

PRINCIPAL BENCH, NEW DELHI

Miscellaneous Application No.46/2024

In

Original Application No.18/2023

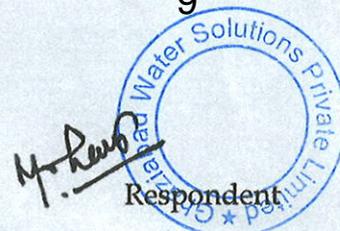
Mritunjay Narayan Jha Applicant
 Versus
 State of UP Respondent

INDEX

Sl. No	Particulars	Page nos
1.	Preliminary Reply along with affidavit filed on behalf of the Respondent No. 6 - M/s. Ghaziabad Water Solutions Private Limited.	1 - 5
2.	Annexure R-1- Letter of Authority	6
3.	Annexure R-2- The copy of the 6 th Respondent's letter dated 14.11.2024 to Ghaziabad Nagar Nigam	7 - 8

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Neeraj Kumar

(Counsel for the Respondent)

Neeraj Kumar

Enrol. No.- D/2106/2005

1103 Nirmal Tower Barakhambha Road

Connaught Place Delhi 110001

Email- Neeraj.enfin@gmail.com

Mob: 9313127275

Place: Delhi

Date: 07.03.2025

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

Miscellaneous Application No. 46/2024

In

Original Application No. 18/2023

Mritunjay Narayan Jha	Applicant
	Versus	
State of UP and others	Respondent

Preliminary Reply filed on behalf of the Respondent No. 6

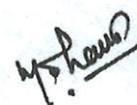
Most Respectfully Showeth:

The Answering Respondent is M/s. Ghaziabad Water Solutions Private Limited, represented by its duly authorized signatory Mr. Agni Shikha Mohanty S/o. Mr. Bijoy Sen Mohanty, aged about 39 years, working as Project Manager of the answering Respondent's company having its registered office at 3rd Floor, No. 17, 200 Feet Thoraipakkam - Pallavaram Main Road, Sunnambu Kolathur, Chennai, Tamil Nadu 600 117. The copy of the letter of authority is attached as **Annexure R-1**.

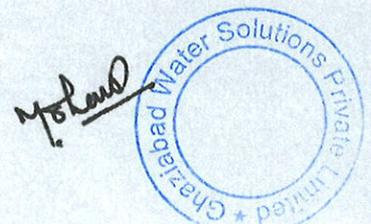
1. It is submitted that, this answering Respondent, is an Indian company specialized in water and wastewater treatment solutions, and is generally considered a leading player in its field.
2. It is humbly submitted that the answering Respondent No. 6 is the Concessionaire with Ghaziabad Nagar Nigam (the Employer) for the design, construction, financing, and operation of a 40 MLD Tertiary Treatment Reverse Osmosis (TTRO) plant. This TTRO plant treats secondary treated water from the Indirapuram 56 MLD Sewage Treatment Plant (STP) to produce industrial-grade water for industries in the Sahibabad Industrial

Area, Ghaziabad. Furthermore, this answering Respondent is a mere operator of the 56 MLD Main Pumping Station situated at Indirapuram, Ghaziabad as instructed by Ghaziabad Nagar Nigam (the Employer) and is integrated into the project to facilitate the seamless conveyance of treated sewage for further processing, ensuring sustainable industrial water supply.

3. It is humbly submitted that the two Diesel Generators of 750 KVA each are owned by the Ghaziabad Nagar Nigam ("the Employer") and the answering Respondent scope is limited to the operations of the said Diesel Generators in the event of power failure in the 56 MLD Main Pumping Station (MPS). The Respondent as operator has no proprietary or ownership rights over the said equipment (DG).
4. The Respondent humbly submits that, recognizing the operational challenges with the existing Diesel Generator, the answering Respondent has proactively submitted a Cost Proposal vide its letter dated 14.11.2024 to upgrade Diesel Generators (DG) to its Employer viz., Ghaziabad Nagar Nigam. This step was taken to ensure continued compliance with the requirements of the project and to prevent potential operational inefficiencies. The copy of the above-referred proposal letter dated 14.11.2024 is attached herewith as **Annexure R-2**.
5. It is respectfully submitted that, the decision to replace the existing Diesel Generator lies solely with the Employer. The Answering Respondent lacks the authority to unilaterally replace or upgrade the Diesel Generator without express approval and direction from the Employer. The Answering Respondent remains committed to fulfilling its obligations under the instructions of its Employer and continues to undertake all necessary steps within its scope to ensure smooth operation of the facilities. In the proposal submitted by the Respondent, it has been requested to the Employer that the new Diesel Generators shall fully comply with the guidelines issued by the Central Pollution Control Board (CPCB) for in-use generator sets (noise and emissions).



6. It is further submitted that upon receiving the necessary approval from the Employer for the replacement of the old Diesel Generator with new 750 KVA DG, the Answering Respondent will require a minimum period of six months to procure, install, and make the new Diesel Generators operational. This timeline is essential to ensure compliance with operational standards and to facilitate seamless integration with the existing facilities. The proposed new Diesel Generators shall include required acoustic enclosures and will be installed with an adequate stack height in accordance with the guidelines issued by the Commission for Air Quality Management (CAQM) regarding the regulation of DG sets. These measures will ensure compliance with environmental standards and minimise noise and emission levels.
7. The Respondent humbly submit that contentions on the mild foul smell near the 56MLD MPS premises are due to the waste removed from the waste water. There is a severe constraint with the Ghaziabad Nagar Nigam for the allocation of dedicated disposal land, however, we have been assured by the Employer that dedicated land will be allotted for waste disposal. The disposal of the waste is happening in regular intervals. The answering Respondent have proposed an odour control system to Ghaziabad Nagar Nigam and awaits their consent for implementation.
8. It is respectfully submitted that the other contentions and allegations raised in the proceedings are not attributable to or pertaining to the Answering Respondent. As such, the Answering Respondent is not in a position to provide any response or clarification on the same. The Answering Respondent requests that the Hon'ble Authority to consider this limitation while evaluating the present reply.
9. This Respondent reserves the right to file a detailed reply with documents at a later stage, if required or as directed by the Hon'ble Tribunal.



It is, therefore, most humbly prayed that in the interest of justice and based on the above-stated preliminary reply and facts and circumstances of the case, this Hon'ble Tribunal may graciously be pleased to:

- I. Pass any other order/orders as this Hon'ble Tribunal may deem fit and proper in the interest of justice



Neeraj Kumar

(Counsel for the Respondent)

Neeraj Kumar

Enrol. No.- D/2106/2005

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Email- Neeraj.enfin@gmail.com

Mob: 9313127275

Place: Chennai

Date: 07.03.2025

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

Miscellaneous Application No.46/2024

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Original Application No.18/2023

Mritunjay Narayan Jha Applicant

Versus

State of UP Respondent

AFFIDAVIT

I, Agni Shikha Mohanty S/o., Mr. Bijoy Sen Mohanty, aged about 39 years, working as Project Manager of the answering 6th Respondent's company viz., M/s. Ghaziabad Water Solutions Private Limited, having its registered office at 3rd Floor, No. 17, 200 Feet Thoraipakkam - Pallavaram Main Road, Sunnambu Kolathur, Chennai, Tamil Nadu 600117, do hereby declare and state as under:

1. I am the authorized signatory of the 6th Respondent's Company and am well conversant with the facts of the present case, based on the official records maintained in the office in its due course, thus I am competent to swear the present affidavit before the Hon'ble Tribunal.
2. The accompanying Preliminary Reply filed on behalf of the answering Respondent no. 6 has been drafted by my Counsel under my instructions, and the contents of the same are true and correct to the best of my knowledge.
3. That the contents of the accompanying Preliminary Reply may kindly be read as part of this affidavit as the same has not been repeated herein for the sake of brevity

Mohanty
DEPONENT, RESPONDENT

VERIFICATION

Verified on solemn affirmation at Chennai on this day of 07th March, 2025 that the contents of the above affidavit are true and correct to the best of my knowledge and belief and nothing material has been concealed there from.



Mohanty
DEPONENT, RESPONDENT

S. Subramania Raja
07/03/2025

S. SUBRAMANIA RAJA
ADVOCATE & NOTARY PUBLIC
GOVT. OF INDIA
No. 17, Nanpu Street, Karunanidhi Nagar,
NANGANALLUR, CHENNAI-600 061.
Mobile No: 9840409990

LETTER OF AUTHORITY

This is to authorize **MR. AGNI SHIKHA MOHANTY**, Project Manager, bearing Employee No. 5436, as the Authorized Representative/Signatory of M/s. Ghaziabad Water Solutions Private Limited (the Company), having its registered office at 3rd Floor, No. 17, 200 Feet Thoraipakkam - Pallavaram Main Road, Sunnambu Kolathur, Chennai 600117, to do the following act, deed and things on behalf of the Company in the case of Mr. Mritunjay Narayan Jha Vs. State of UP, M.A. No. 46/2024 in O. A. No. 18/2023 pending on the file of Hon'ble National Green Tribunal, New Delhi.

- (i) To sign and execute all mandated and requisite documents, Memo of Compromise, affidavits, papers, petitions, applications, and such other pleadings and documents including but not limited to replies, instructing advocates, lawyers and counsels.
- (ii) To attend, represent, the Company and give/adduce evidence etc., on behalf of the Company.
- (iii) To represent, mediate, put forward any settlement proposal before the Court and record settlement and sign any document for recording settlement.
- (iv) To take all such necessary steps to close the case, including appearing in person before the said Court and/or any of the authorities as may be required and to make any settlement, mention and/or submissions as may be required on behalf of the Company.

Subject to early revocation, this Letter of Authority shall remain valid till the above-mentioned case is disposed of or till Mr. Agni Shikha Mohanty ceases to be an employee of the Company, whichever is earlier.

FOR GHAZIABAD WATER SOLUTIONS PRIVATE LIMITED

x 

ARULMOZHI. V
DIRECTOR



Place: Chennai

Date: 03.03.2025

Ref No: GWSPL/GNN/273/2024-25

Dated 14th November 2024

The General Manager (Jalkal),
Ghaziabad Nagar Nigam
Navyug Market, Opp. Old Bus Stand
Ghaziabad – 201001, Uttar Pradesh, India
Email: gzb.nagar.nigam@gmail.com / jalkal.nng@gmail.com

Kind Attention	: The General Manager (Jal), GNN
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Project : PPP-HAM to set up TTP to treat Secondary Treated Water from Indirapuram STP to supply Industrial Grade Water to Sahibabad Industrial Estate, Ghaziabad for GNN

Subject : **Proposal & Cost Estimation of Upgradation of DG Set and installation of Odour Control System.**

Reference :
1. Your NIT No. 04/GNN/TTP/01/2021-22
2. Your Work Order No. 28 January 3, 2022
3. Concession Agreement executed on May 23, 2022
4. GNN Letter Ref No 752/ST-GN/2024-25 dated 23rd Oct'2024
5. GNN Letter Ref No 784/ST-GN/2024-25 dated 9th Nov'2024
6. GWSPL letter Ref GWSPL/GNN/272/2024-25 dated 11th November'24
7. GNN Letter Ref 138/ST-GM/2024-25 dated 12th2024

Dear Sir,

We are in receipt of your letter No 138 with regard to the submission of Cost proposal to upgrade DG sets in the Main Pumping station & 56MLD STP. We are herewith submitting our Cost Proposal for your review & approval.

Sr. No.	Item No.	Qty	UOM	Rate	Total
1	SITC/ Retrofitting with emission control devices of Diesel Generator (750Kva) upgrade to meet CPCB IV Guidelines. Retrofitting CKRSLD2.0-750kVA-M2 Item Id: 50000574 Make: Cummins.	4	Set	20,67,500.00	82,70,000.00
2	Replacement of acoustic Enclosure of 750 KVA Diesel Generator	4	Set	8,92,800.00	35,71,200.00
3	Service & Maintenance of Diesel Generator 750Kva Cummins Make.	4	Set	1,98,000.00	7,92,000.00
Total					1,26,33,200.00

Regd. Office:

Ghaziabad Water Solutions Private Limited

CIN: U41000TN2020PTC135253

"WABAG HOUSE",

3rd Floor, No. 17, 200 Feet Thoraipakkam – Pallavaram Main Road,
Sunnambu Kolathur, Chennai 600 117, India

Board : +91-44-6123 2323

Fax : +91-44-6123 2324

Email : gwspl@wabag.in

-2-

Terms & Conditions:

The above is inclusive of Delivery & Installation.

Taxes: GST extra

Delivery & Installation: 45 days post issuance of Variation Order.

Warranty: 1 Year from the date of commissioning.

With regard to Odour Control Unit Implementation, we need to conduct the analysis followed by report generation, subsequently offer collection which may take 3 weeks' time further to submit our cost proposal.

If you need any further clarification kindly, write to us.

Thanking you in advance and assuring you our best professional services at all times.

Yours faithfully,

For **Ghaziabad Water Solutions Private Limited**

B. Sen Gupta



Bikramjit Sengupta
Authorized Signatory

CC: **The Hon'ble Municipal Commissioner, Ghaziabad Nagar Nigam**
The Team Leader, PMC Green Design & Engineering Services (P) Ltd

Regd. Office:**Ghaziabad Water Solutions Private Limited****CIN: U41000TN2020PTC135253**

"WABAG HOUSE",

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