

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

Execution Application No. 69/2025
IN
Original Application No. 33/2024

IN THE MATTER OF:

Ajay Lal Malik

.....Applicant

Versus

State of Haryana & Others.

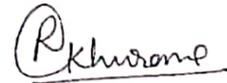
.....Respondents

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Place: Faridabad
Dated: 29.10.2025

Through



Rahul Khurana, Advocate
A-174 A, 2nd Floor, Defence Colony
New Delhi, 09811894060
rkhuranalegal@gmail.com

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

Execution Application No. 69/2025

IN

Original Application No. 33/2024

IN THE MATTER OF:

Ajay Lal Malik

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Versus

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.....Respondents

**REPLY BY WAY OF AFFIDAVIT OF VIKRAM, IAS,
DEPUTY COMMISSIONER, FARIDABAD (i.e.
RESPONDENT No. 4)**

MOST RESPECTFULLY SHOWETH:

I, Vikram, IAS, Deputy Commissioner, Faridabad, do hereby solemnly affirm and declare as under:-

1. That the deponent in the aforesaid official capacity, being well conversant with the facts of this case, is competent to swear this affidavit.
2. That at the outset it is submitted that the deponent holds this Hon'ble Tribunal in the highest esteem and cannot even think to violate/disobey or flout any order or direction of this Hon'ble Court or any other court of law. However, for any lapse or misunderstanding of order/direction of this Hon'ble Court which may not have been understood in its true spirit and perspective, the deponent tenders an unconditional and unqualified apology for the same.
3. That the present reply is being filed by the deponent in response to Show Cause Notice issued vide order dated 08.10.2025 passed by this Hon'ble Tribunal in present Execution

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Executive Magistrate
Faridabad



Application. The relevant part of the Order dated 08.10.2025 is reproduced herein below:-

"9. As per memo of parties attached to the above said O.A., State of Haryana through Chief Secretary, HSPCB through Member Secretary, Commissioner, Municipal Corporation, Faridabad and District Magistrate, Faridabad were impleaded as respondents no. 1 to 4. Execution Application can be filed only against the persons natural or juristic impleaded as respondents and therefore, memo of parties to the Execution Application is ordered to be corrected accordingly.

10. In view of the fact that Chief Secretary, Government of Haryana has been specifically entrusted with the duty of overseeing proper implementation of the Solid Waste Management Rules, 2016 and respondents no. 2 to 4 have been assigned specific duties under the above said Rules, show-cause notices be issued to respondents no. 1 to 4 as to why they be not ordered to be prosecuted 3 for non-compliance of the order passed by this Tribunal under Section 26 of the NGT Act, 2010 and they be not arrested and detained in civil prison for ensuring due execution of the order passed by this Tribunal and appropriate compensation be not awarded to the applicant and other affected residents of the locality.



11. Compliance reports and reply to the show cause notices be filed within 15 days.

12. In view of the facts and circumstances of the case, we consider physical appearance of the District Magistrate, Faridabad, Commissioner,

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Executive Magistrate
Faridabad

Municipal Corporation, Faridabad, and Regional Officer, HSPCB, Faridabad before this Tribunal to be necessary for assisting this Tribunal and ensuring due compliance of the order dated 10.09.2024 and accordingly they are directed to remain present before this Tribunal with relevant record on the next date of hearing.

13. List on 30.10.2025 for further proceedings/orders.

4. That the instant execution application has been filed by the applicant due to the non-compliance of the order dated 10.09.2024 passed by this Hon'ble Tribunal in Original Application No. 33/2024 and the operative part of the said order is reproduced as follows:

"10. In view thereof, we dispose of this Original Application by directing Municipal Corporation, Faridabad to ensure compliance of the provision 9 of Solid Waste Management Rules, 2016 in all aspects and also to complete boundary wall as per the timelines given i.e. 31.12.2024 and ensure that no garbage dumping is taken place outside the transfer station and on the road.

11. A compliance report shall be submitted by 15.01.2024 with the Registrar General of this Tribunal by Respondent No. 3.

12. Respondent No. 2 shall also verify compliance on the part of Respondent No. 3 and submit a compliance report by 15.01.2024.

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Executive Magistrate
Faridabad

13. If any further order is required, Registrar General shall place the matter before the Bench concerned.



14. With the above directions/observations, this Original Application stands disposed of"

5. That a bare perusal of the order dated 10.09.2024 reveals that the direction for compliance was given by this Hon'ble Tribunal to the Respondent no. 3 i.e. Commissioner, Municipal Corporation, Faridabad and the Respondent no. 2 i.e. the Haryana State Pollution Control Board, through its Member Secretary.
6. That the deponent upon receipt of the abovesaid order dated 10.09.2024 had proactively, forwarded the same to the concerned officials vide office letter no. LFA/1/12-14/G-II/2024 dated 25.09.2024 and letter no. LFA/2438/G-II/2024 dated 02.01.2025 to take immediate necessary action in the matter and to file the action taken report before this Hon'ble Tribunal. Copy of the letters dated 25.09.2024 and 02.01.2025 are annexed as **Annexures R-4/1** and **R-4/2** respectively.
7. That after receiving of the order dated 08.10.2025, the deponent vide letter dated 16.10.2025 and 27.10.2025 requested respondent No. 2 and 3 to comply with directions dated 10.09.2024 and 08.10.2025. Copy of the letters dated 16.10.2025 and 27.10.2025 are annexed as **Annexures R-4/3** and **R-4/4** respectively.
8. That the Action Taken Report dated 28.10.2025 has been received from the MCF with photographs showing corrective measures taken by the MCF. Copy of the letter dated 28.10.2025 alongwith photographs is annexed as **Annexure R-4/5**. It is humbly submitted that beyond the actions mentioned above by deponent, answering respondent undertakes to comply with the directions passed by this Hon'ble Tribunal.

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Executive Magistrate
Faridabad

In view of the submissions made herein above, it is humbly prayed that answering respondent may be discharged from the Show Cause Notice issued vide order dated 08.10.2025. It is

further prayed that exemption be granted from physical appearance and permit to assist this Hon'ble Tribunal through Video Conference during course of hearing on 30.10.2025.


DEPONENT

VERIFICATION:

Verified at Faridabad on this 29th day of October 2025 that the contents of paras no. 1 to 8 of my affidavit are true and correct to the best of my knowledge based on information derived from office record which I believe to be true. Contents of para no.9 are prayer made before this Hon'ble Tribunal. No part of it is false and nothing material has been concealed therein.


DEPONENT

ATTESTED AS IDENTIFIED


Executive Magistrate
Faridabad



Office of The Deputy Commissioner, Faridabad

Mini Secretariat, Sector-12, Faridabad

Office Phone:- 0129-2221938, 2226604, Email Id - dcfbd@hry.nic.in

Annexure-R-4/1

To

1. Commissioner, Municipal Corporation, Faridabad.
2. Sub Divisional Magistrate, Faridabad.
3. Regional Officer, HSPCB, Faridabad.

No. LFA/1/kr-11/IG-II/2024 Dated:- 25/9/24

Subject: Compliance of order dated 10.09.2024 passed by the Hon'ble National Green Tribunal in O.A. No. 33/2024 titled as 'Ajay Lal Malik Versus State of Haryana & Ors.'

On the subject noted above a copy of order dated 10.09.2024 passed by the Hon'ble National Green Tribunal in O.A. No. 33/2024 titled as 'Ajay Lal Malik Versus State of Haryana & Ors.' is sent herewith for necessary action and strict compliance. It is also requested that a copy of compliance report submitted before the Hon'ble NGT may also be sent to this office.

for Deputy Commissioner,
Faridabad.

cc: ADA, DC Office, Faridabad

ATTESTED AS IDENTIFIED

Executive Magistrate
Faridabad



Office of The Deputy Commissioner, Faridabad

Mini Secretariat, Sector-12, Faridabad

Office Phone:- 0129-2227936, 2226604, Email Id - dcfbd@hry.nic.in

Annexure-A-4/2

To

Commissioner,
Municipal Corporation,
Faridabad.

Memo. No. LFA/ 2438 /G-II/2024 Dated: 02-01-25

Subject:- Order dated 10-09-2024 of the Hon'ble NGT passed in OA No. 33/2024- titled as "Ajay Lal Malik Vs State of Haryana & Ors".

Please find enclosed herewith a copy of order dated 10-09-2024 of the Hon'ble NGT passed in OA No. 33/2024- titled as "Ajay Lal Malik Vs State of Haryana & Ors".

You are requested to take necessary action and comply the directions given by the Hon'ble NGT in the above said order.

for Deputy Commissioner
Faridabad

ATTESTED AS IDENTIFIED

Executive Magistrate
Faridabad



Office of The Deputy Commissioner, Faridabad

Mini Secretariat, Sector-12, Faridabad

Office Phone:- 0129-2227936, 2226604, Email Id - dcfhd@hry.nic.in

Annexure-R-4/3

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MOST URGENT/NGT COURT CASE

To

1. Commissioner, Municipal Corporation, Faridabad.
2. Sub Divisional Officer (C), Faridabad. (representative of District Magistrate, Faridabad)
3. Regional Officer, HSPCB, Faridabad.

No. LFA/ 4049-4051/G-II/2025 Dated:- 16-10-2025

Subject: Regarding EA No 69/2025 in OA No. 33/2024- order dated 08.10.2025 passed by Hon'ble NGT.

Please find enclosed herewith email dated 14.10.2025 received from Deputy Registrar, Hon'ble NGT, New Delhi alongwith order dated 08.10.2025 regarding E.A No. 69/2025 in OA No. 33/2024.

You are, therefore, requested to comply with the directions of Hon'ble NGT vide order dated 10.09.2024 & 08.10.2025 and compliance reports as well as reply of Show Cause Notices may be filed within a week positively before the Hon'ble NGT under intimation to this office.

Encl: As above.


for Deputy Commissioner,
Faridabad.

Endst No. LFA/ 4052-4053/G-II/2025 Dated: 16-10-2025

A copy of above is forwarded to the followings:-

1. Sh. Rahul Khurana, Counsel for State Respondents in NGT, New Delhi.
2. ADA, DC Office, Faridabad

ATTESTED AS IDENTIFIED


for Deputy Commissioner,
Faridabad.


Executive Magistrate,
Faridabad



Office of The Deputy Commissioner, Faridabad

Mini Secretariat, Sector-12, Faridabad

Office Phone:- 0129-2227936, 2226604, Email Id - dcfbd@hry.nic.in

Annexure-R-4/4

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MOST URGENT/NGT COURT CASE

To

1. Commissioner, Municipal Corporation, Faridabad.
2. Sub Divisional Officer (C), Faridabad. (representative of District Magistrate, Faridabad)
3. Regional Officer, HSPCB, Faridabad.

No. LFA/4069 IG-II/2025 Dated:- 27/10/2025

Subject: Regarding EA No 69/2025 in OA No. 33/2024- order dated 08.10.2025 passed by Hon'ble NGT.

Kindly refer to this office letter no. LFA/4049-4051/G-II/2025 dated 16.10.2025 (copy enclosed) on the subject cited above.

You are once again requested to comply with the directions of Hon'ble NGT vide order dated 10.09.2024 & 08.10.2025 and compliance reports as well as reply of Show Cause Notices may be filed immediately before the Hon'ble NGT under intimation to this office.

Encl: As above.

for Deputy Commissioner,
Faridabad.

Endst No. LFA/4070-73 IG-II/2025 Dated: 27/10/2025

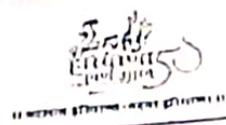
A copy of above is forwarded to the followings:-

1. Sh. Rahul Khurana, Counsel for State Respondents in NGT, New Delhi.
2. ADA, DC Office, Faridabad

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Executive Magistrate
Faridabad

for Deputy Commissioner,
Faridabad.



Memo No. MCF/PS/2025/1191
Date: 28.10.2025

To,

1. The Deputy Commissioner
Faridabad
2. The Regional Officer, HSPCB
Faridabad

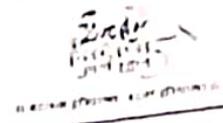
Sub: E.A. No. 69/2025 in O.A. No. 33/2024 Ajay Lal Malik Vs. State of
Haryana & Others

Respected Sir,

1. It is appraised that in compliance of order dated 10.09.2024 passed by Hon'ble NGT, the office of Municipal Corporation Faridabad prepared an estimate for installation of the barricading by using GI Sheets and ISMB columns at different points in Badhkal Zones, Division II after getting the necessary approvals from competent authority. Tenders were called 05 times. Against first three times tenders, no agency participated in tender process. Against 4th tender, none of agency participating in tender process could qualify the technical criteria of NIT. As a result of 5th tender, work order was allotted to the agency M/s Vikro Engicons Services on 12.07.2025 for the completion of work upto 06.09.2025. But the agency / contractor did not execute the work. The agency failed to execute the work and consequently the EMD as well as performance security deposited by agency is being forfeited by this office.
2. That at present work is being executed Transfer Station wise including Transfer Station in question. Work of fencing, laying tiles at Berm alongside Transfer Station and Green Belt are under execution. Broken Boundary Wall has been barricaded with GI Sheets.
3. No waste is allowed to be dumped outside the boundary of Transfer Station. Drone view Photographs of site in question are annexed herewith as Annexure-R/1.

Waste is being lifted regularly from the transfer station by the agency M/s SVN Associates. The agency has been engaged for loading, carriage and transportation of solid waste from Sec 21-A transfer station. JE and SI have

Executive Magistrate
Faridabad



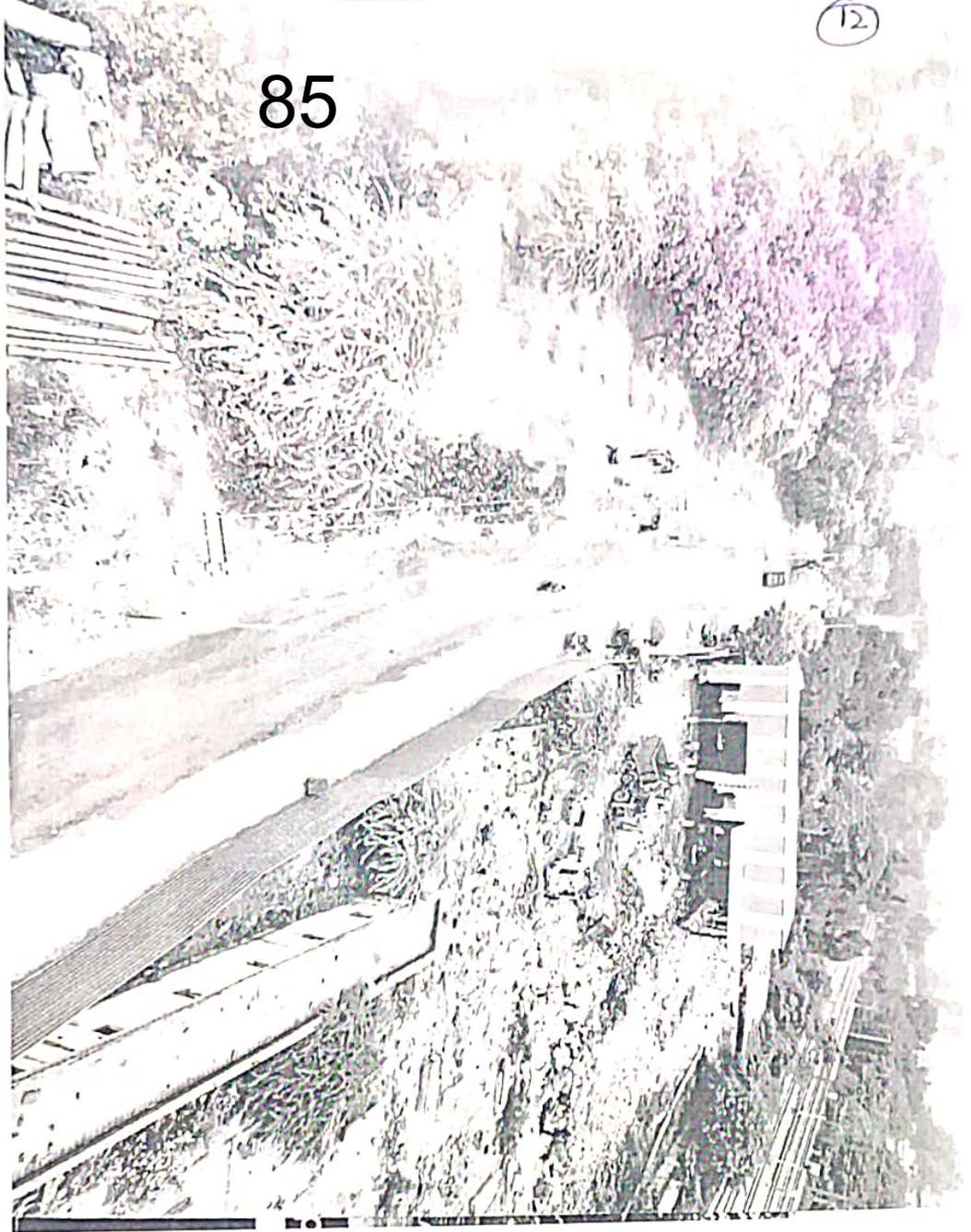
been deployed by this office for the regular monitoring of the said transfer station.

5. To discourage to littering of waste in the city, public at large has been informed that about imposition of penalty of Rs.5000 to 50,000/- for littering of waste. Copy of one such warning letter and news item dated 13.09.2025 published in Nav Bharat Times are attached as Annexure-A/2.
6. The compliance made by the MCF, can be verified also by the HSPCB.


Commissioner,
Municipal Corporation
Faridabad

ATTESTED AS IDENTIFIED


Executive Magistrate
Faridabad



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Executive Magistrate
Faridabad

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C8F4+P5Q Sector 21A, Faridabad, Haryana 121001, India

Longitude

77.30543656°

Altitude 204 meters

Monday, 27.10.2025

Latitude

29.42388063°

Mon 10:03:37 AM

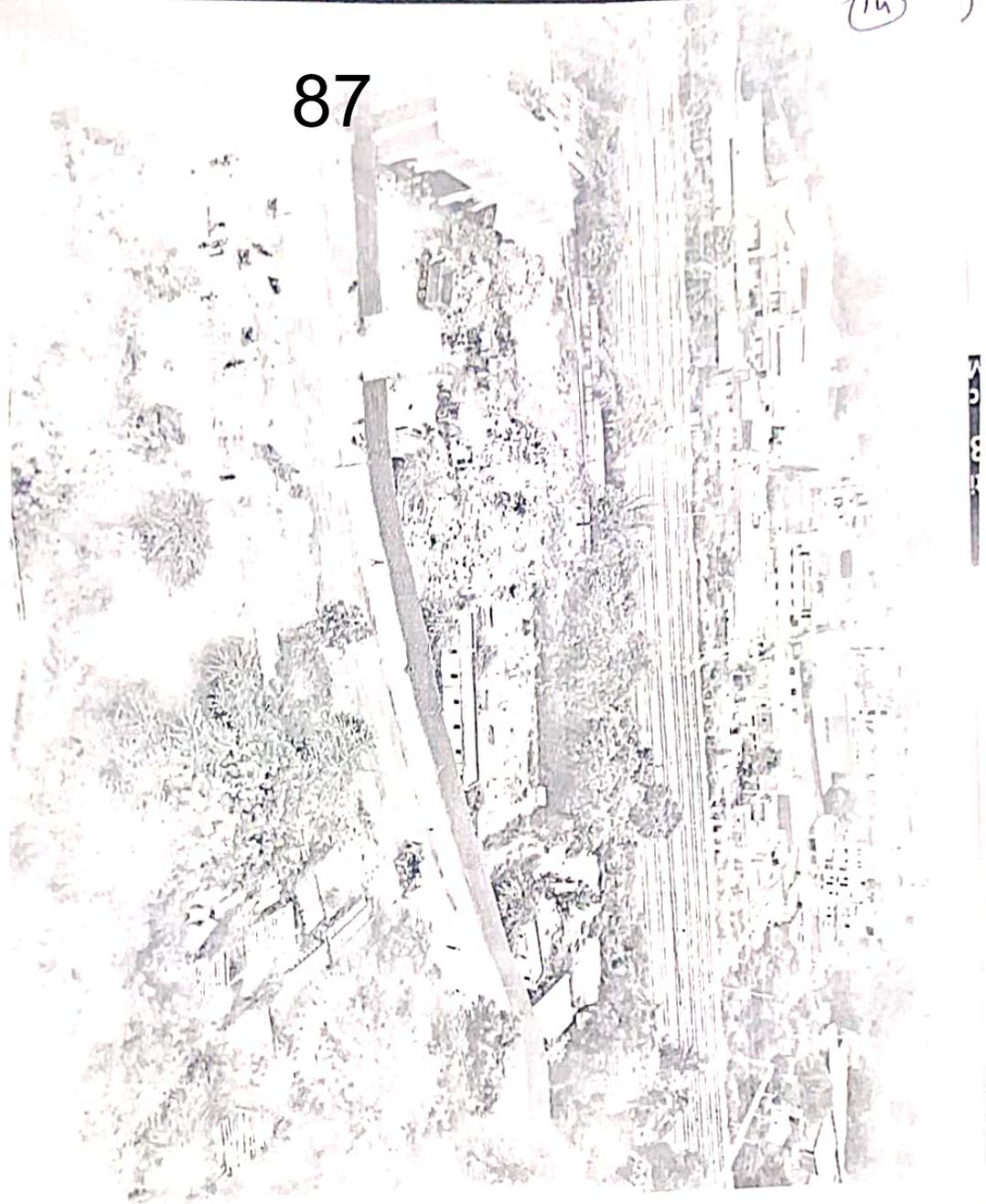
27.10.2025

GPS Map
Camera Lite

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