

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL, NEW DELHI

PRINCIPAL BENCH, NEW DELHI

ORIGINAL APPLICATION NO. 97 OF 2022

IN THE MATTER OF :-

SALMAN MIYA

...

APPLICANT

VS.

STATE OF UP & ORS.

...

RESPONDENTS

I N D E X

Sl.No.	Particulars	Pages
1.	Reply on behalf of the Respondent No.7 - Rohit Wason, owner, plot No.G-54, Phase-I, Industrial Area, M.G. Road, Hapur, U.P.	1060-1070
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Delhi

Dated:4.12.2023

Field by

Rajeev Saxena
(Rajeev Saxena)

Advocate for Respondent no 7
708, Lawyers Chambers Block-III,
Delhi High Court, New Delhi
Mobile No.9810811180
Email: saxsonslawco@gmail.com

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL, NEW DELHI

PRINCIPAL BENCH, NEW DELHI

ORIGINAL APPLICATION NO. 97 OF 2022

IN THE MATTER OF :-

SALMAN MIYA

...

APPLICANT

VS.

STATE OF UP & ORS.

...

RESPONDENTS

**REPLY ON BEHALF OF THE RESPONDENT NO.7 - ROHIT WASON,
OWNER, PLOT NO.G-54, PHASE-I, INDUSTRIAL AREA, M.G. ROAD,
HAPUR**

MOST REPECTFULLY SHOWETH:

Without prejudice to the rights and contentions of the answering Respondent as protected under the law of land, and upon facts of this case, as shall more specifically be stated hereinafter. It is submitted that the complaint filed by the applicant and pending before this Hon'ble Tribunal, is motivated, guided and unsubstantiated for allegations made against answering Respondents and more particularly, the answering Respondent who has not been carrying out any manufacturing activity at his property in any manner whatsoever awaiting the license to operate in respect of his property and for that matter, even the status report filed before this Hon'ble Tribunal, has only reported some manual dismantling of E-waste by some Mr. Arif of Moradabad, stated to have taken the premises on rent.

In the first instance, the answering Respondent Mr. Rohit Wason has never parted with, assigned or given his property on rent to alleged Mr. Arif or any other person for that matter, nor any alleged industrial activity was being undertaken at the property in question being Plot No.G-54, Phase-I, M.G. Road, Industrial Area, Hapur, U.P. which

admittedly had no plant and machinery installed nor any manufacturing or industrial activities was being carried out requiring alleged consent to establish or consent to operate or an authorization under E-waste (M) Rules, 2016 UPPCB.

It is further pertinent to point out here that neither the first report dated 04.02.2022, reported any industrial activity being undertaken at the property of the answering Respondent nor any plant or machinery was found to be installed during the inspection nor even any activity was found to be undertaken at the time of alleged inspection carried out without any intimation notice or information to the answering Respondent. Although, it has been reported that *manual dismantling of E-waste was being done on the said plot*, however, neither any statement of any person allegedly carrying on manual work had been recorded nor even the presence of any such person has been reported at the site and even in the photographs of the site filed alongwith the report does not show any alleged activity being undertaken at the site that could have caused any environmental issue.

It is further pertinent to point out here that even during the inspection dated 29.08.2022, no activity was found to be undertaken at the site and instead the property was found to be closed and information gathered by the Inspecting Committee, further, substantiate the fact that no activity was being undertaken at the site since the property had been lying vacant for last over four months, which therefore, confirms that no activity muchless, involving any environmental issue had been undertaken at the site of the answering Respondent.

It is humbly submitted that the answering Respondent has for the first time been served with the notice dated 16.03.2023 by the office of the SDM (F/R), Hapur serving a copy of notice dated 10.11.2022 directing appearance before this Hon'ble Tribunal for 16.03.2023.

1. That the caption petition is pending before this Hon'ble Tribunal and is now listed for hearing on 20.11.2023
2. That the Petitioner has filed a complaint before this Hon'ble Tribunal arraying one Mr. Arif, as Respondent No.7 in respect of Plot No.G-54, , Industrial Area Phase-I, M.G. Road, Hapur, U.P., whereas, the said Industrial Plot has been allotted to Mr. Rohit Wason S/o Late Shri Subhash Wason R/o D-10, Preet Vihar, Delhi-110092, in terms of Lease Deed dated 07.03.2019, executed between U.P.S.I.D.C. Ltd. and said Mr. Rohit Wason.
3. That the answering Respondent, a MSME Enterprise, carrying on his business activity at Delhi, has intended to put up a Micro Industry for manufacturing of Nuts and Bolts and Electronic Accessories at his property being Plot No.G-54, Industrial Area Phase-I, M.G. Road, Hapur, U.P., had been served with a copy of notice dated 10.11.2022 to appear before this Hon'ble Tribunal on 16.03.2023 by the office of SDM Hapur, being the owner of the Plot No. G-54, Industrial Area Phase-I, M.G. Road, Hapur, U.P, whereupon, the Respondent had put in its appearance through his counsel before the Hon'ble Tribunal categorically submitting that no alleged activity involving any environmental issue is being undertaken at the property of the Respondent in any manner whatsoever. Copy of the Notice dated 10.11.2022 is **Annexure-A**.
4. That around the same time, the answering Respondent also received a notice dated 03.03.2023 by way of a notice dated 03.03.2023 delivered to his residence in Delhi from the Regional Office, UPSIDA, alleging running of illegal acid and chemical factory without a license and burning of E-waste imposing a penalty of ₹ 6,90,000/- without in anyway qualifying the said

penalty, more importantly, in view of the fact that during none of the inspection carried out by the Joint Committee, any industrial activity muchless involvement of any issue or any violation of any statutory enactment muchless, the Prevention and Control of Pollution Act, 1981 or the National Green Tribunal Act, 2010 as amended upto date or The Environment (Protection) Act, 1986, Air (Prevention and Control) Pollution Act, 1981 or the Water Prevention and Control of Pollution Act, 1974.

5. It is submitted that although, the UPCCB had filed before this Hon'ble Tribunal, copy of notice dated 20.06.2022, alleging imposing of environmental compensation of ₹6,90,000/- for the period from 07.12.2021 till 23.04.2022, without in anyway, substantiating the alleged penalization in so far as, admittedly, no industrial activity has ever been undertaken by the answering Respondent at his property since the time of his applying for reconstitution of the property in question in his favour by his mother Smt. Shashi Wason and a letter of comfort having been issued in his favour by the Office of the Deputy Commissioner (Industry) District Industry and Enterprise Promotion Centre, Hapur dated 26.02.2019 issued in response of his application for putting up a unit for manufacturing of screw and electronic parts being a MSME Unit, having Udyog Aadhar No.UP76A0003941 as a Micro Unit. However, with the onset of Covid-19, no activity could have been undertaken by the answering Respondent at the said property till date. Copy of the said notice dated 20.06.2022, has been filed by the Respondent UPPCB which came to the knowledge of the Respondent only by way of the proceedings before this Hon'ble

Tribunal. Copy of the MSME Registration/ Udyog Aadhar Memorandum is **Annexure-B**.

6. It is further pertinent to point out here that although, the Respondent UPCCB, had filed copy of certain notice dated 20.06.2022, however, the said notice has never been served upon the answering Respondent and the only intimation in respect of the alleged environmental issue had been notified vide notice dated 03.03.2023 of the Regional Office, U.P. State Industrial Development Authority at his residence for running of illegal Acid and Chemical Factory without license and burning of E-waste imposed a penalty without ever issuing any show cause notice in respect of the alleged unauthorised running to the applicant.
7. That the notice issued by this Hon'ble Tribunal dated 10.11.2022, apparently has been addressed to some Mr. Arif at Plot No.G-54, Phase-I, M.G. Road, Hapur, U.P. being arrayed as Respondent No.7, in which regard, the said notice had never been served upon the applicant being the owner of the Industrial Plot, any time prior to service of the notice from the office of the SDM and UPSIDA.
8. That having appeared before the Hon'ble Tribunal on 16.03.2023, being arrayed in respect of Industrial Plot No.G-54, Industrial Area Phase-I, Massori Gulavti Road, Dasna, Hapur, U.P., the applicant had filed Vakalatnama through his counsel dated 15.03.2023, seeking to inspect the record of the Hon'ble Tribunal and certified copy of the documents relating to the matter in issue, however, since the applicant Rohit Wason son of Late Shri Subhash Wason R/o D-10, Preet Vihar, Delhi-110092 has not been arrayed as Respondent, as such, the said

inspection was not permitted. Copy of the application dated 06.04.2023 is **Annexure-C**.

9. That craving leave of the Hon'ble Tribunal to file his reply to the notice dated 10.11.2022, the Respondent has sought record in respect of the complaint pending adjudication before the Hon'ble Tribunal, filing an application dated 31.03.2023 being IA No.268/2023 upon which this Hon'ble Tribunal has been pleased to direct notice, however, a response to the same is still pending.
10. That the Respondent, however, had been provided copy of the complaint in the interregnum alongwith other documents including the reports of the Joint Committee dated 23.04.2022 and 29.08.2022, none of which, reports of any manufacturing/ industrial activity being undertaken at the site of the Respondent nor for that matter, the photographs filed and relied upon by the Respondent UPCCB depicts any activity being undertaken at the said site having no plant and machinery installed therein and not even any manual tools or accessories being evidently found at the said site.
11. It is pertinent to point out here that being a law abiding citizen, the Respondent has applied for and been granted "*No Objection Certificate Pollution Angle for Non-Hazardous and Obnoxious Small Scale Industry dated 26.02.2019 for Machining of Bolts, Nuts and Screws being non-polluted industry categorized under Serial No.81 or 220*" besides having sought for manufacturing of metal fasteners and other electronic component with the proposed commencement date of 12.07.2019, however, the said production facility could not operational for certain unavoidable

12. circumstances. Copy of the letter of comfort dated 26.02.2019 is **Annexure-D**. Copy of No-Objection Certificate dated 26.02.2019 is **Annexure-E**. Copy of acknowledgment dated 27.01.2020 is **Annexure-F**.
13. That since the unit could not commence its industrial activity, as such, the premises were lying vacant and only a guard was deployed by the answering Respondent to take care of the said property. That, however, unfortunately, without the knowledge and consent of the answering Respondent that the said guard might have allowed some persons to keep their goods or as a night shelter and for that matter neither the answering Respondent ever permitted any activity muchless of hazardous nature to be carried out from his property, nor the said property has ever been rented out to any other person in any manner whatsoever. However, the answering Respondent undertakes to be more careful in future with regard to the safety, security and maintenance of his property and as well as, to seek all necessary clearances and licenses as would be so required for carrying out any industrial activity including amongst other environmental clearance as and when so required.
14. It is further pertinent to point out here that in furtherance of his intention to commence manufacturing activity at the site, the Respondent has also applied for a three phase electricity connection and granted permission in this regard on 15.07.2020. Needless to say that since the production has not been commenced, the answering Respondent could not have sought any environmental clearance, more particularly, as the proposed manufacturing activity, which hitherto had not started as yet, was even otherwise, non-hazardous. Copy of Electricity Connection is **Annexure-G**.

15. That apparently, neither the complaint nor the joint committee report, reflects upon any hazardous activity being undertaken at the site of the Respondent in any manner whatsoever, muchless warranting filing of complaint by the Complainant and for that matter, the Respondent UPCCB and other Local Competent Authority too have acted in a very injudicious and arbitrary manner for imposing environmental compensation without in anyway, carrying out any survey or real time assessment for alleged compensation.
16. A bare perusal of the alleged notice dated 20.06.2022, which hitherto have never been served upon the answering Respondent evinces a mechanical and pervert reporting in the matter for alleged dismantling of PCB Board or use of any acidic chemical for extraction of Gold or other Metal by use of port furnished.
17. It is submitted that the answering Respondent has never indulged in any industrial activity, muchless, of a hazardous nature causing any pollution or environmental violation nor the claims of the Respondent UPCCB are substantiated with any substantive evidence in respect of the allegations made against the answering Respondent.
18. That since no industrial activity is being undertaken by the answering Respondent at his property as such, there is no question of imposition of any environmental compensation muchless to the extent of Rs.6,90,000/-, acting arbitrarily, perhaps based on the inspection of other operational unit at the said industrial area, ignoring the fact that the answering

Respondent has not commenced any manufacturing or industrial activity at his property.

19. It is further pertinent to point out here that the Respondent, would be seeking all necessary clearances once he would intend to commence production at his site, however, the punitive action being taken by the State Authority, without any cogent or plausible cause or reason to the extent of even directing disconnection of electricity and imposition of environmental compensation is wholly arbitrary, injudicious, unjustified and liable to be recalled under the directions of this Hon'ble Tribunal.
20. It is further pertinent to point out here that having appreciated the concerns of the Respondent and the casual manner, in which the other Respondents UPPCB, this Hon'ble Tribunal had been pleased to stay the alleged recovery of environmental compensation against the Respondent, in terms of its order dated 11.05.2023, directing a copy of the order to be sent to the Member Secretary, UPPCB, CPCB and State PCB besides the Superintendent of Police and District Magistrate, Hapur by Email for requisite compliance, however, acting in a most irresponsible, injudicious, highhanded and arbitrary manner, the Local Competent Authority by way of a notice sent through WhatsApp dated 26.07.2023, notified attachment of the said Industrial Area Phase-I, M.G. Road, Hapur, U.P., property threatening cancellation of the allotment, as well, despite being fully aware of the orders passed by this Hon'ble Tribunal dated 11.05.2023. Copy of letter dated 26.07.2023 is **Annexure-H**.
21. That the Respondent had been compelled to cause served a notice dated 28.08.2023 upon the SDM Hapur, U.P. once again

intimating the order dated 11.05.2023 and seeking the said Respondent to refrain from initiating any coercive action against the answering Respondent which hitherto had already been directed by this Hon'ble Tribunal.

21. It is, therefore, most respectfully prayed that this Hon'ble Tribunal may kindly be pleased to:

- (i) direct the complaint to be dismissed especially qua the answering Respondent in respect of his property No.G-54, Industrial Area Phase-I, M.G. Road, Hapur, U.P.,
- (ii) direct the order imposing environmental compensation of ₹6,90,000/- in terms of the alleged order dated 20.06.2022 passed by the UPPCB to be recalled;
- (iii) direct the order of attachment and alleged cancellation of plot dated 26.07.2023 to be recalled;
- (iv) grant such other relief/s as this Hon'ble Tribunal may deem fit and proper under the facts and circumstances of this case and true and faithful submissions of the answering Respondent and in the interest of justice, equity and fair play.

Delhi
Dated:17.11.2023


Respondent No.7

Through

(Rajeev Saxena)
Advocate
708, Lawyers Chambers Block-III,
Delhi High Court, New Delhi
Mobile No.9810811180
Email: saxsonslawco@gmail.com

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL, NEW DELHI

PRINCIPAL BENCH, NEW DELHI

ORIGINAL APPLICATION NO. 97 OF 2022

IN THE MATTER OF :-

SALMAN MIYA ... APPLICANT

VS.

STATE OF UP & ORS. ... RESPONDENTS

AFFIDAVIT

I, Rohit Wason (aged 39 years) S/o Late Shri Subhash Wason R/o D-10, Preet Vihar, Delhi-110092, do hereby solemnly affirm and declare as under:-

1. That I am the Respondent No.7 in the captioned matter being the owner of Industrial Plot No.G-54, Industrial Area Phase-I, Massori Gulavti Road, Dasna, Hapur which has been arrayed as a defaulting unit in the above mentioned proceedings, and am well conversant with the facts with locus to depose.
2. That the accompanying reply has been drafted by my instructions by my counsel and the statement of facts contained therein are verified to be true and correct to my knowledge and records and the same are part and parcel of this affidavit which are not being repeated herein for the sake of brevity and avoiding repetition.

[Signature]

DEPONENT

VERIFICATION:-

Verified at Delhi on this 17th day of November, 2023 that the contents of the above affidavit are true and correct to my knowledge, no part of it is false and nothing material has been concealed willfully there from.

Self
I identify the deponent who has signed/
thumb impression in my presence.



CERTIFIED THAT THE DEPONENT
 Shri/Smt./Km. Rohit Wason
 S/o. W/o. D/o. Sh. Sh. Subhash Wason
 R/o. Preet Vihar Delhi
 Identified to Self
 has solemnly sworn before me at Delhi
 on 17/11/23 S. No. 53/23
 that the contents of the affidavit which have
 been read & explained to him are true and
 correct to his knowledge

[Signature]

DEPONENT

Oath Commissioner Delhi High Court

Organization
(WTO) in the
backdrop of
scheme being

6. Mr. Prakash Kumar and Mr. Dinesh Deyani, Associates of the
firm of M/s. Prakash Kumar & Co. Chartered Accountants, New Delhi
Branch of UPTCA, registered on 24.11.2022. The UPTCA is the
competent authority for the purpose of the Act.

2. The said firm of Mr. Prakash Kumar & Co. Chartered Accountants, New Delhi Branch, is to be taken into consideration before the Hon'ble Tribunal on 15th February, 2023, at Faridkot Bench, Chartered Accountants Marg, New Delhi-110001 through the said firm of M/s. Prakash Kumar & Co. Chartered Accountants, New Delhi Branch, as per directions of the Hon'ble Tribunal vide Order dated 2.11.2022.
3. Take suitable steps to ensure that the said firm of M/s. Prakash Kumar & Co. Chartered Accountants, New Delhi Branch, complies with the provisions of the Act.
4. Comply with the directions of the Hon'ble Tribunal, on or before 15th February, 2023.

Note: For Order, Chartered Accountants, New Delhi Branch, visit the website www.tribunal.gov.in

[Signature]
Chartered Accountant, NGT



[The page contains dense handwritten text in a script, likely Indic, which is significantly faded and difficult to decipher. The text is organized into several horizontal lines across the page. There are some faint markings and lines that might be part of a diagram or table, but they are not clearly legible.]

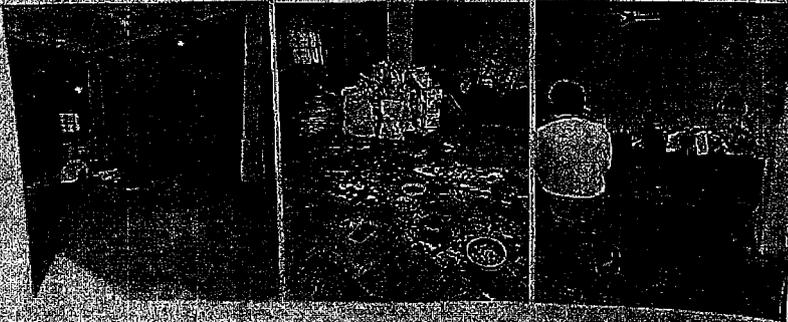
Plot No. G-54 Phase-II, MG Road, Hapur

Observation dated 23-04-2022: During inspection, it was found that manual dismantling of e-waste was being done on the said plot. It was informed by the representative present in the industry that the owner of the said industry is Mr. Arif resident of Morebad, has taken the premises on rent. No plant machinery was found installed during the inspection. The guard present during the inspection could not present proof of the firm's name and permission from the concerned departments. The said industry has not obtained either consent to establish or consent to operate and Authorization under E-Waste (M) Rules, 2016 from the UP Pollution Control Board.

Observation dated 29-08-2022: The said industry was found closed during the inspection. After enquiring from nearby industries, it was informed that the industry had vacated the plot 03 to 04 months ago and no work is being done at present.

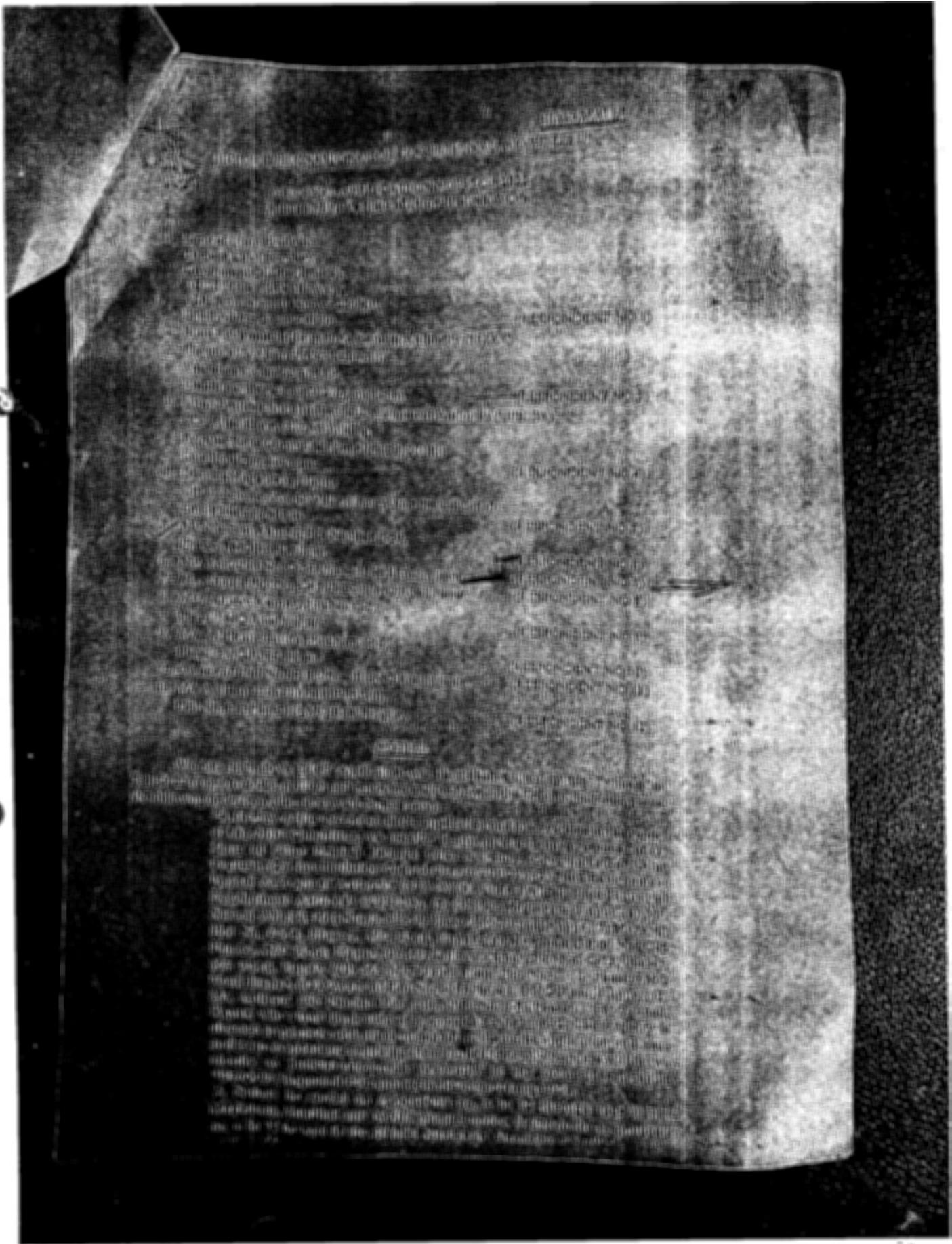
The photographs taken at the time of inspection dated 23-04-2022 and 29-08-2022 are as follows:-

Photographs dated 23-04-2022



Photographs dated 29-08-2022





Handwritten notes and a circled number '5' in the top left corner.

National Green Tribunal
Parliament House, Government Marg,
New Delhi-110001

NA NGT/36018/ION/97-2022/

Date: 10/11/2022

Handwritten notes: "ADM", "10/11/22", "ADM"

District Magistrate, Hapur
HPPA Scheme, Amal Vihar,
Hapur, District Gurgaon 245101
Gurgaon, Haryana

Sub: Service of Notice dated 10.11.2022 to Concerned Persons (T-6 to R-12 as per Notice copy enclosed) in Original Application No. 97/2022 titled "Shri. Lal Mohan Vs State of Uttar Pradesh & Ors."

The aforesaid application was filed before the Hon'ble Tribunal on 03/11/2022, which Hon'ble Tribunal in its order of 16/11/2022 directed the following course to be followed (inter alia):

- 6. Notices be served under sub-sections 4, 5, 6 & 7 through the District Magistrate, Sambhal and concerned persons be directed to the respondents on 06/12/2022 to the District Magistrate, Hapur by e-mail for getting service of the same effected within 10 days from the date of receipt in this regard.
- 7. List the matter for further consideration on 16/02/2023.

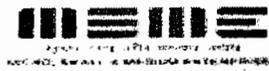
In compliance of the aforesaid order of 03/11/2022 passed by Hon'ble Tribunal, notice dated 10/11/2022, is enclosed for the purpose of service of the same to Concerned Persons affected to the said notice copy enclosed and would be served to you.

Handwritten notes: "20/11/22", "06/नारीर सादर"

OFFICER,
TAPUR 17-11-22
DND ASHOK BHAG

Handwritten signature and stamp: "K. K. K. K.", "SECRETARY", "NATIONAL GREEN TRIBUNAL"



		1079			
		MINISTRY OF MICRO, SMALL & MEDIUM ENTERPRISES			
				Udyog Aadhaar	

A	Type of Enterprise	Micro	Small	Medium
	Manufacturing	A	B	C
	Services	D	E	F
	UAM No.	UP76A0003941		

Udyog Aadhaar Memorandum

- Aadhaar Number
- PAN Number: AARPW3423A
- Name of Entrepreneur: ROHIT WASON
- Social Category of Entrepreneur: GENERAL
- Gender: Male
- Physically Handicapped: No
- Name of Enterprise: M/S R3 ENTERPRISES
- Type of Organization: Proprietary
- Location of Plant Details

SN	Flat/Door/Block No.	Name of Premises/Building Village	Road/Street/ Lane	Area/Locality	City	Pin	State	District
1	PLOT NO. G-54	MASURI GULAWATI ROAD	INDUSTRIAL AREA		HAPUR	245101	UTTAR PRADESH	HAPUR

Official Address of Enterprise: PLOT NO.G-54, MASURI GULAWATI ROAD, INDUSTRIAL AREA,HAPUR

- | | | | | | |
|------------|------------|--------|---------------------------|-----|--------|
| District | HAPUR | State | UTTAR PRADESH | PIN | 245101 |
| Mobile No: | 9910074363 | Email: | r3enterprises18@gmail.com | | |
- Date of commencement: 12/07/2019
- Previous Registration details-if any: ::
- Bank Details:

IFS Code	PSIB0000878
Bank Account:	08781000006689
- Major Activity: MANUFACTURING

SN	NIC 2 Digit	NIC 4 Digit	NIC 5 Digit Code	Activity Type
16.1	25 - Manufacture of fabricated metal products, except machinery and equipment	2599 - Manufacture of other fabricated metal products n.e.c.	25991 - Manufacture of metal fasteners (nails, rivets, tacks, pins, staples, washers and similar non-threaded products and nuts, bolts, screws and other threaded products)	Manufacturing
2	26 - Manufacture of computer, electronic and optical products	2610 - Manufacture of electronic components	26109 - Manufacture of other electronic components n.e.c	Manufacturing

- Persons employed: 8
- Investment (Plant & Machinery / Equipment's): 5(Rs. In Lakhs)
- District Industry Centre: HAPUR

Declaration
I hereby declare that information given above is true to the best of my knowledge. Any information, that may be required to be verified, shall be provided immediately before the concerned authority.

MyMsme Mobile App (Beta Version) is available now for download. <https://play.google.com/store/apps/details?id=msme.mymsme>

1080

I. A. No 268 123 1078

Annexure - C

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL, NEW DELHI

PRINCIPAL BENCH, NEW DELHI

ORIGINAL APPLICATION NO. 97 OF 2022

IN THE MATTER OF :-

SALMAN MIYA

...

APPLICANT

VS.

STATE OF UP & ORS.

...

RESPONDENTS

APPLICATION UNDER SECTION 19 READ WITH SUB-RULE (e), (f) AND (g) OF RULE 7 OF THE NATIONAL GREEN TRIBUNALS ACT ON BEHALF OF RESPONDENT NO.7

MOST REPECTFULLY SHOWETH:

1. That the caption application is pending adjudication before this Hon'ble Tribunal and is now listed for hearing on 11.05.2023
2. That the case was last listed for hearing on 16.03.2023 , when the applicant had appeared before the Hon'ble Tribunal, through counsel, being served with a notice dated 10.11.2022 directed by this Hon'ble Tribunal through the office of the SDM (F/R) Hapur.
3. That the applicant has been served with a copy of the said notice dated 10.11.2022 with directions to appear before the Hon'ble Tribunal on 16.03.2023 being the owner of Industrial Plot No.G-54, Industrial Area Phase-I, Massori Gulavti Road, Dasna, Hapur, U.P.,
4. That besides the said notice dated 10.11.2022 from the office of the SDM, Hapur, the applicant has also been served upon a

notice dated 03.03.2023 from the Regional Office, U.P. State Industrial Development Authority at his residence for running of illegal Acid and Chemical Factory without license and burning of E-waste imposed a penalty without ever issuing any show cause notice in respect of the alleged unauthorised running to the applicant.

5. That the notice issued by this Hon'ble Tribunal dated 10.11.2022, apparently has been addressed to some Mr. Arif at Plot No.G-54, Phase-I, M.G. Road, Hapur, U.P. being arrayed as Respondent No.7, in which regard, the said notice had never been served upon the applicant being the owner of the Industrial Plot, any time prior to service of the notice from the office of the SDM and UPSIDA.
6. That having appeared before the Hon'ble Tribunal on 16.03.2023, being arrayed in respect of Industrial Plot No.G-54, Industrial Area Phase-I, Massori Gulavti Road, Dasna, Hapur, U.P., the applicant had filed-Vakalatnama through his counsel dated 15.03.2023, seeking to inspect the record of the Hon'ble Tribunal and certified copy of the documents relating to the matter in issue, however, since the applicant Rohit Wason son of Late Shri Subhash Wason R/o D-10, Preet Vihar, Delhi-110092 has not been arrayed as Respondent, as such, the said inspection has not been permitted.
7. That the applicant has craved leave of the Hon'ble Tribunal to file his reply to the notice dated 10.11.2022, however, in the absence of any record in respect of the complaint pending adjudication before the Hon'ble Tribunal, the applicant craves leave of the Hon'ble Tribunal to kindly direct the array of parties to be amended to include the name of the applicant, as

Respondent No.7 being the owner of Industrial Plot No.G-54, Industrial Area Phase-I, Massori Gulavti Road, Dasna, Hapur, and may further be granted copies of the documents of the proceedings and a leave to inspect the record of the Hon'ble Tribunal to facilitate due and proper diligent follow-up of the matter before the Hon'ble Tribunal.

8. That the application is bonafide and there is no legal impediment for grant of relief being sought herein before this Hon'ble Tribunal.
9. That the requisite fee is being affixed.

PRAYER

It is, therefore, most respectfully prayed that this Hon'ble Tribunal may kindly be pleased to:-

- a) Direct the formal amendment of the memo of parties, thereby directing the applicant Rohit Wason to be taken on record as Respondent No.7 being the owner of Industrial Plot No.G-54, Industrial Area Phase-I, Massori Gulavti Road, Dasna, Hapur, U.P.;
- b) Grant leave to inspect the records of the Tribunal to the counsel for the applicant;
- c) Direct copy of the complete court proceedings including amongst other the complaint dated 04.12.2021, joint inspection report dated 14.10.2022 and other documents of the parties to the proceedings for enabling the applicant to file its reply at the earliest;

- d) Grant such other relief, which this Hon'ble Tribunal may deem fit and proper under the facts and circumstances of the case and in the interest of justice, equity and fair trial.

Delhi

Dated:31.03.2023

Applicant

Through

(Rajeev Saxena & Siddhant Luthra)
Advocates
708, Lawyers Chambers Block-III,
Delhi High Court, New Delhi
Mobile No.9810811180
Email: saxsonslawco@gmail.com

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL, NEW DELHI
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 97 OF 2022**

IN THE MATTER OF :-

SALMAN MIYA ... APPLICANT
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STATE OF UP & ORS. ... RESPONDENTS

AFFIDAVIT

I, Rohit Wason (aged 39 years) S/o Late Shri Subhash Wason R/o D-10, Preet Vihar, Delhi-110092, do hereby solemnly affirm and declare as under:-

1. That I am one of the Respondents in the captioned matter being the owner of Industrial Plot No.G-54, Industrial Area Phase-I, Massori Gulavti Road, Dasna, Hapur which has been arrayed as a defaulting unit in the above mentioned proceedings, and am well conversant with the facts with locus to depose.
2. That the accompanying application has been drafted by my instructions by my counsel and the statement of facts contained therein are verified to be true and correct to my knowledge and records and the same are part and parcel of this affidavit which are not being repeated herein for the sake of brevity and avoiding repetition.

DEPONENT

VERIFICATION:-

Verified at Delhi on this 31st day of March, 2023 that the contents of the above affidavit are true and correct to my knowledge, no part of it is false and nothing material has been concealed willfully there from.

DEPONENT



Annexure D

LETTER OF COMFORT

OFFICE OF THE DEPUTY COMMISSIONER INDUSTRY, DISTRICT INDUSTRY &
ENTERPRISE PROMOTION CENTRE, HAPUR.

TEL. --- 05732-235047, EMAIL- gmdicbsr@gmail.com

S.L.No.- 620

No. 6069...../D.I.&E.P.C./BSR/2018-19

Dated- 26-02-2019

Name of the Unit : M/S ROHIT WASON

Address of proposed unit : G- 54, INDUSTRIAL AREA, M.G. ROAD,
HAPUR.

1- Product/Activity : SCREW & ELECTRONICS PARTS

2- Proposed date of Commencement : 04-10-2019
of Activity

3- Employment : 08

4- Investment in plant/machinery : 05.00 (LACS)

5- Category of unit : MICRO

6- Detail of Proprietor/Partner/Director: SH. ROHIT WASON

7- Type of Organization : PROPRIETOR

A- Residential Address : D- 10, PREET VIHAR, DELHI.

B- Mobile No. : 9667896902

C- I.D./PAN NO. : 0(ADHAR CARD)

The above information is accepted for his proposed unit. This letter is issued as per request of applicant & on the basis of information and document submitted by the entrepreneur. This Comfort letter does not bestow of any legal right. For any wrong information unit will be responsible.

Date: 26-02-2019



Deputy Commissioner Industry
District Industry & Enterprise Promotion Centre
Hapur.

1084
Amrapur-E

उद्योग निदेशालय, उ०प्र०

जिला उद्योग एवं उद्यम प्रोत्साहन केन्द्र, हापुड़।

No. 6070 /D.I.&E.P.C./hapur/P.CONT.

DATED: 26-2-2019

SUBJECT :-NO OBJECTION CERTIFICATE FOR POLLUTION ANGLE FOR NONHAZARDOUS & ABNOXIOUS SMALL SCALE INDUSTRIES.

M/s- ROHIT WASON

G-54, INDUSTRIAL AREA, M.G. ROAD,
HAPUR. (U.P.)

PROP/DIREC/PARTNER- SH. ROHIT WASON

Please refer to your application Dated 26-02-2019 on the subject noted above and subsequent correspondence in this regard the No Objection Certificate in respect of Pollution Control, Angle is hereby issued to you for production of the following items :-

Bolts, nuts, screws (machining only) (at Serial No- 381 of 220 Non-Polluted Industries)
POLLUTED ITEMS NOT ALLOWED

Work at- G- 54, INDUSTRIAL AREA, M.G. ROAD, HAPUR.

SUBJECT TO STRICT COMPLIANCE OF FOLLOWING CONDITIONS :

- 1- Land Use/No Objection Certificate in case the unit is established in prescribed industrial area of in area confirming to the prescribed, as may be.
- 2- In propose activity will not cause ambient to violate the prescribed standard.
- 3- In case of modification, extension or addition in industrial process of operations resulting in generation of any trade of effluent or air pollutant, you will be required to obtain the consent/N.O.C. to established the unit from the pollution control Board before establishment as per provisions of the (prevention and Control of Pollution) Act 1981.



/DIC/SWS/P.Cont.

Copy forwarded for Information & Necessary Action :-

- 1- RO, U.P.P.C.B., Ghaziabad

Dated:

Deputy Commissioner Industry
Distt. Industry & Enterprises Promotion Centre
Hapur.

Deputy Commissioner Industry
Distt. Industry & Enterprises Promotion Centre
Hapur.

To

The Regional Manager,
U.P. State Industrial Development Corporation Ltd.,
Regional Office, R-13/112, Raj Nagar,
Ghaziabad (U.P)

Sub : ALLOTMENT OF INDUSTRIAL PLOT NO. G-54 AT GHAZIABAD SITE
M.G. Road AREA MEASURING 462 SQ. MTRS.

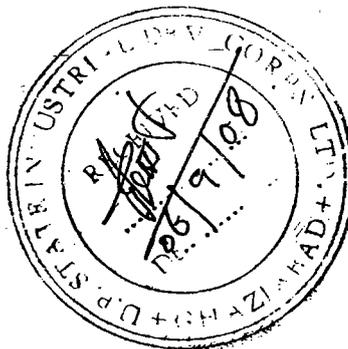
Dear Sir,

This is with reference to your letter No. 5037/side/Roe/IA/MGR/Plot.No-G-54/
dated 29/08/08 I have sold our above
mentioned plot to Mrs. Shashi Wason w/late Sh. Subhash Wason
R/ D-10 Preet Vihar New Delhi. Hence, this is the
confirmation for your record.

Thanking you,

Yours faithfully,

[Handwritten Signature]



ENCLOSURE

Allotment letter in favour of SOKINDER AROKA



Annexure F

ACKNOWLEDGEMENT

OFFICE OF THE DEPUTY COMMISSIONER INDUSTRY, DISTRICT INDUSTRY & ENTERPRISE PROMOTION CENTRE, HAPUR

TEL. - 05732-235047, EMAIL- gmdicbsr@gmail.com

No. 5899 /D.I.&E.P.C./BSR/UAN/2017-18/Dated- 27/01/2020

This is to certify M/S R3 ENTERPRISES (Director/-Proprietor/Partner (SH. ROHIT WASON) plot No.- G-54, MASURI GULAWATHI ROAD INDUSTRIA AREA, HAPUR and office communication Address PLOT NO.- G-54, MASURI GULAWATHI ROAD INDUSTRIA AREA, HAPUR has submitted following information:-

1-	Udyog Aadhar No.	:	UP76A0003941
2-	IFSC CODE	:	PSIB0000878
3-	Bank Account No.	:	08781000006689
4-	Product	:	1- MFG. OF METAL FATENERS (NAILS, RIVTS, TACKS, PINS, STAPLES, WASHERS AND SIMILAR NON-THREADED PRODUCTS AND NUTS, BOLTS, SCREWS AND OTHER THREADED PRODUCTS) 2- MFG OF OTHER ELECTRONIC COMPONENT n.e.c.
5-	Date of production	:	12-07-2019
6-	Employment	:	08
7-	Investment plant & machinery	:	05.00 (LACS)
8-	Category of Unit	:	MICRO
9-	Unit constitution	:	PROPRIETARY
10-	Major Activity	:	MANUFACTURING
11-	Name of Entrepreneur(GPA Holder)	:	SH. ROHIT WASON
A-	Pan Card No.	:	AARPW3423A
B-	Mobile No.	:	9910074363
C-	Email ID	:	r3enterprises18@gmail.com

The above information is accepted for the unit. This letter is issued on the request and the basis of information and documents provided by the entrepreneur. The unit will obtain Consent from Pollution control board.

This letter does not bestow of any legal right. For any wrong information unit will be responsible.

Date - 27-01-2020



Deputy Commissioner Industry
District Industry & Enterprise Promotion Centre
Hapur



पश्चिमांचल विद्युत वितरण लिमिटेड, मेरठ

विद्युत परीक्षण/नगरीय परीक्षण खण्ड..... Meerut

मीटर सीलिंग प्रमाण पत्र Light & Fan/Power (होल करंट मीटर)

Annex G

पुस्तक सं० Com/05(s)/18-19..... 31356 क्रमांक..... दिनांक 15/07/2020

परीक्षणशाला..... PLI सहा० अभि०(मी०)/45अभि० (मी०)मोबाईल नम्बर.....

- उपभोक्ता का नाम एवं पता.....
M. Rohit Kharsan Baw. Star. Rohit Kharsan
ईमेल/मोबाईल नं०..... G-54, UPSIDC, M G Road, Meerut
- निकटतम लैण्ड मार्क/चर्चित स्थान..... 703345
- स्वीकृत भार..... 8 KW ग्रुप सं०..... बुक सं० 750 संयोजन सं०..... विद्या :
- उपखण्ड का नाम..... सबस्टेशन/फीडर का नाम..... परिवर्तक का युनिक कोड/पोल सं०.....
कृत-कार्यवाही का विवरण..... New Connection

विवरण	नया/पुराना मीटर	पुराना मीटर	टिप्पणी
मीटर मेक/वर्ष/नं०	<u>4186054</u>		
मीटर विभागीय संख्या	<u>00013183</u>		
मीटर की क्षमता Date/Real Time	<u>324510-60A</u>		
KWH (Imp)	<u>60</u>		
KVAH (Imp)			
KVARH Imp. Lag)			
KVARH (Imp. Lead)			
MD IN KW/KVA (JC)			
No. of Bill			
CMD KVA/KW Imp.			
Voltage			
line Current L.1, L.2, L.3			
मीटर बांडी सील मूल निर्माता	प्लास्टिक सील होलोग्राफिक सील		
मीटर बांडी सील परीक्षणशाला	प्लास्टिक सील होलोग्राफिक सील	<u>19426150</u> <u>0010357754</u>	
टी०पी० सील	प्लास्टिक सील होलोग्राफिक सील	<u>000492705</u> <u>0010357755</u>	
बॉक्स सील	प्लास्टिक सील होलोग्राफिक सील	<u>000492736/37</u> <u>0010357756/57</u>	
एम०आर०आई० कार्ड	प्लास्टिक सील होलोग्राफिक सील		
अन्य सीलें			

1. Site Attended in ref.. to E.E./SBO (D)
इण्डेन्ट नं० 816
दिनांक 10/07/20
मीटर को लोड पर प्रत्येक फेस पर घला कर देखा, ठीक पाया
3. मीटर, बॉक्स इत्यादि को नियमानुसार सील किया गया
New 3 phase kWh meter installed on new connection. New meter sealed properly.
"राष्ट्रहित में बिजली बचायें"

1. प्रमाणित करता हूँ कि टर्मिनल कवर/टी०पी० मीटर बक्से पर उपयुक्त सील उपभोक्ता के सामने लगाई गयी। मीटर पर लगी सीलों की सुरक्षा का दायित्व उपभोक्ता का है, अतः इनके टूटने/टेम्पर का पूर्ण दायित्व उपभोक्ता का है। 2. पुराने मीटर की एवं उसे पर लगी सीलों की दशा के बारे में परीक्षणशाला में सहायक अभियन्ता (मी०) द्वारा दी गयी जांच रिपोर्ट मान्य होगी। पुराने/उतारे गये मीटर की जांच दिनांक..... को परीक्षणशाला में की जायेगी। उपभोक्ता को सलाह दी जाती है कि जांच तिथि को परीक्षणशाला..... में उपस्थित होकर स्वयं अपने सामने जांच करा लें। अगर उपभोक्ता उपस्थित नहीं होता है तो जांच उपभोक्ता की अनुपस्थिति में करा दी जायेगी। 3. उक्त सीलिंग प्रमाण-पत्र की प्रति उपभोक्ता को प्राप्त करा दी गयी। उपभोक्ता/प्रतिनिधि/

मोबाईल सं०..... ला०मैन (वि) अवर अभि० (वि०) मीटर परीक्षक (पो) अवर अभि० (पो)

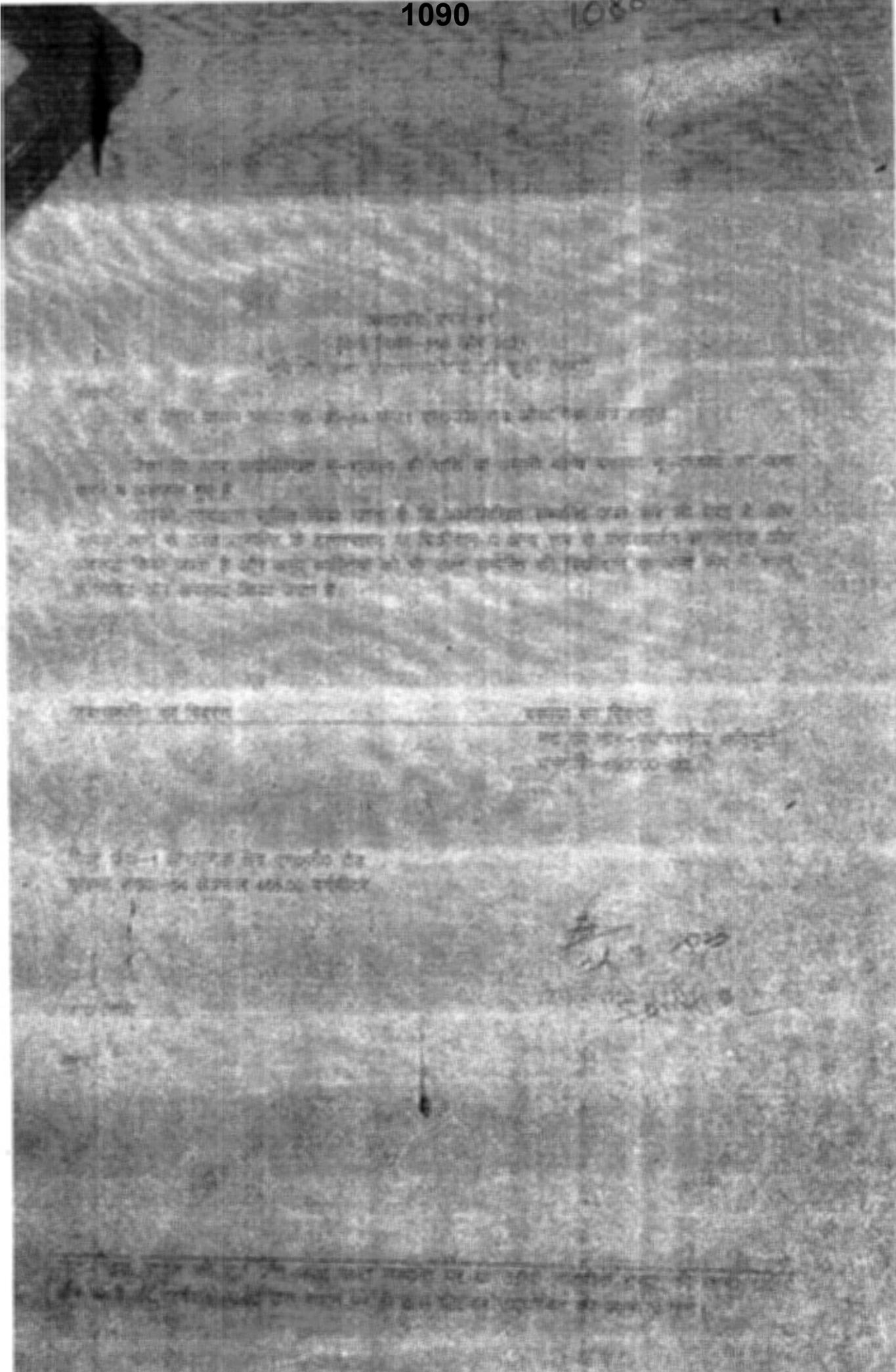
परीक्षणशाला में पुराने मीटर की जांच के बाद रिपोर्ट

विवरण	KWH	KVAH	MD-1	MD DATE	CMD	मेक	NO OF BILLS
1. वर्तमान पठनांक एम०डी०							
2. डायल सील							
3. मीटर की दशा							
4. मीटर मूल उपभोक्ता/निगम द्वारा देय है							
5. टिप्पणी/संज्ञक निर्धारित							

उपभोक्ता/प्रतिनिधि मीटर परीक्षक. अवर अभियन्ता (मी०) सहायक अभियन्ता (मी०)

1090

1088



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