

IN THE NATIONAL GREEN TRIBUNAL, NEW DELHI

INDEX

IN

RESPONSE AFFIDAVIT ON BEHALF OF
UTTARAKHAND POLLUTION CONTROL BOARD

Original Application No. 467/2022

Alok Aggarwal

Applicant

Versus

Urban Local Bodies Dehradun and Anr.

Respondents

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Dated: June, 2023

Advocate
(Counsel for the respondent)

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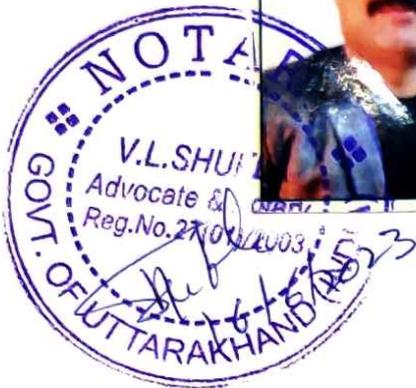
Urban Local Bodies Dehradun and Anr.

Respondents



AFFIDAVIT of Dr. Raj Kumar Chaturvedi, aged about 50 years, S/o Shri Ram Swaroop Chaturvedi. Presently posted as Regional Officer, Uttarakhand Pollution Control Board, Regional Office, Dehradun.

RKC
Deponent



I, the above-named deponent does hereby solemnly affirm and state on oath as under: -

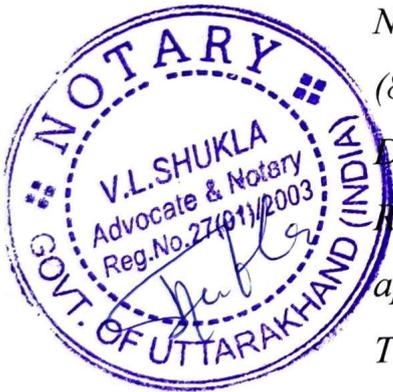
- 1) That the deponent is presently posted as the Regional Officer, Uttarakhand Pollution Control Board, Regional Office, Dehradun and is authorized competent to sign and swear the instant affidavit.

RKC

- 2) That the deponent has gone through the contents of the above-noted Application filed by the applicant and has fully understood the contents thereof and is in a position to reply to the same.
- 3) That the above noted O.A. was listed for hearing on 01.12.2022, wherein the Hon'ble National Green Tribunal was pleased to issue the following directions:

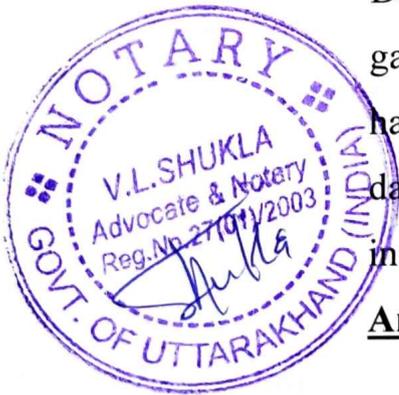
“

4. *In view of the averments in the application and observations in the report of the Joint Committee, we consider it appropriate to have response of (1) State of Uttarakhand through Chief Secretary, Government of Uttarakhand, (2) Uttarakhand Environment Protection and Pollution Control Board, (3) Commissioner, Municipal Corporation, Dehradun, (4) District Magistrate, Dehradun, (5) M/s Farman Dairy, Milan Vihar, G.M.S Road, Dehradun, (6) Mr. Rakesh Saxena son of Mr. Ramnath Dairy, Milan Vihar, G.M.S Road, Dehradun, (7) M/s New Rahat Welding Shop, Milan Vihar, G.M.S Road, Dehradun, (8) M/s Doon Repairing Shop, Milan Vihar, G.M.S Road, Dehradun, who stand impleaded as respondents No. 1 to 8. The Registry is directed to prepare and attach memo of parties to the application. Respondent no. 2 is already represented before this Tribunal. The registry is directed to issue notices to respondents No. 1 and 3 to 8 requiring them to file their reply/response within two months at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF.*



Riv

- 4) That in compliance of the aforesaid directions contained in paragraph 4 of the said order, the instant response affidavit is being filed before the Hon'ble NGT.
- 5) That in compliance of the aforesaid directions the UKPCB through its Regional Officer conducted a site inspection on 09.05.2023 in furtherance of show cause notices dated 07.11.2022 vide ref. no. UKPCB/HO/Con/Gen-183-581/2022/33 and UKPCB/HO/Con/Gen-183-581/2022/34 issued to M/s Doon Repairing Shop and Shri Ramnath Dairy, respectively.
- 6) That vide the said inspection it has been revealed that at M/s Doon Repairing Shop, work with respect to only repairing and maintenance of two to three two-wheelers per day is being performed and all the equipment with respect to cleaning and washing of vehicles has been removed.
- 7) That in addition to the above, during the inspection, Shri Ramnath Dairy was found to be closed and on basis of the information gathered from the neighbours it has been revealed that the dairy has been non-operational and also no animals were found at the dairy site. In this connection, report of the Regional Officer of the inspection dated 09.05.2023 is being marked and filed as **Annexure No.1** to this affidavit.
- 8) That the deponent is a responsible Government servant having the highest regards for the Hon'ble Tribunal and orders passed by them. The deponent has always made his sincerest efforts to carry

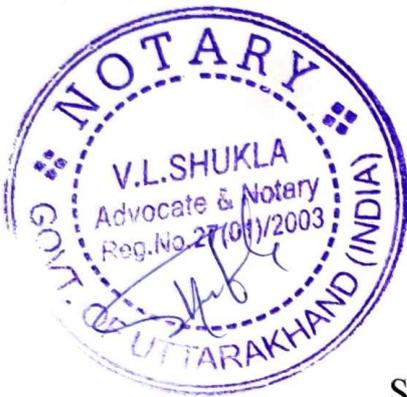


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out the orders passed by this Hon'ble Tribunal in its letter and spirit and shall continue to do so in the future.

Riu
Deponent

I, D.N. Tripathi Advocate, do hereby declare that the person making this affidavit and alleging himself to be deponent is the same person known to me from the perusal of the Aadhar Card No. 4872 99426476 of deponent which he produced before me in this case.



Riu
Advocate
(D.N. Tripathi)
Enroll. No. UK-74/2013

Solemnly affirmed before me on this 16th day of June, 2023 at about 11:45 AM by the deponent who has been identified by the aforesaid advocate.

I have satisfied myself by examining the deponent who understood the contents of this affidavit, which has been read over and explained to him.

The person of the photograph has signed the photograph in my presence on the photograph.

SN. 364/2023 Notary
this affidavit is sworn before me by
Shri Dy. Raj Kumar Chaturvedi
who is identified by Shri D.N. Tripathi
at Dehradun on 16/6/2023 Ad.

Smt Vijay Laxmi Shukla
Advocate & Notary
Riu

Riu

Annexure-1

मा0 राष्ट्रीय हरित अधिकरण में योजित वाद (मूल आवेदन संख्या-467/2022) के संदर्भ में मै0 दून रिपेयरिंग सेन्टर, मिलन विहार, जी.एम.एस. रोड, देहरादून एवं श्री राकेश सक्सेना द्वारा संचालित डेयरी की निरीक्षण आख्या।

उपरोक्त विषयक मा0 राष्ट्रीय हरित अधिकरण में योजित वाद संख्या 467/2022 पर दिय गय निर्णय के अनुपालन में उपरोक्त को प्रेषित कारण बताओ नोटिस पत्रांक UKPCB/HO/Con/Gen-183-581/2022/33 Date: 07-11-2022 व UKPCB/HO/Con/Gen-183-581/2022/33 Date: 07-11-2022 के अनुपालन की अद्यतन स्थिति के सम्बंध में इस कार्यालय द्वारा दिनांक 09.05.2023 को स्थलीय निरीक्षण किया गया। जिसकी निरीक्षण आख्या निम्नवत् है:-

1. दून रिपेयरिंग सेन्टर:-

- (i) दून रिपेयरिंग सेन्टर में प्रतिदिन 02 से 03 दो पहिया वाहनों की मरम्मत का कार्य किया जा रहा है।
- (ii) निरीक्षण के दौरान वाहनों की धुलाई आदि का कार्य होता नहीं पाया गया तथा धुलाई सम्बंधी उपकरण हटा दिये गये हैं।

2. श्री राकेश सक्सेना की डेयरी:-

- (i) निरीक्षण के समय डेयरी उपरोक्त स्थल पर बंद पायी गयी।
- (ii) निरीक्षण के दौरान आस-पास पूछताछ में पाया गया कि डेयरी संचालित नहीं हो रही है व कोई पशु भी नहीं है।

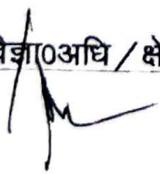
उपरोक्त की फोटोग्राफ्स संलग्न कर निरीक्षण आख्या अग्रिम आवश्यक कार्यवाही हेतु सादर प्रस्तुत है।

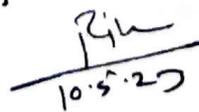


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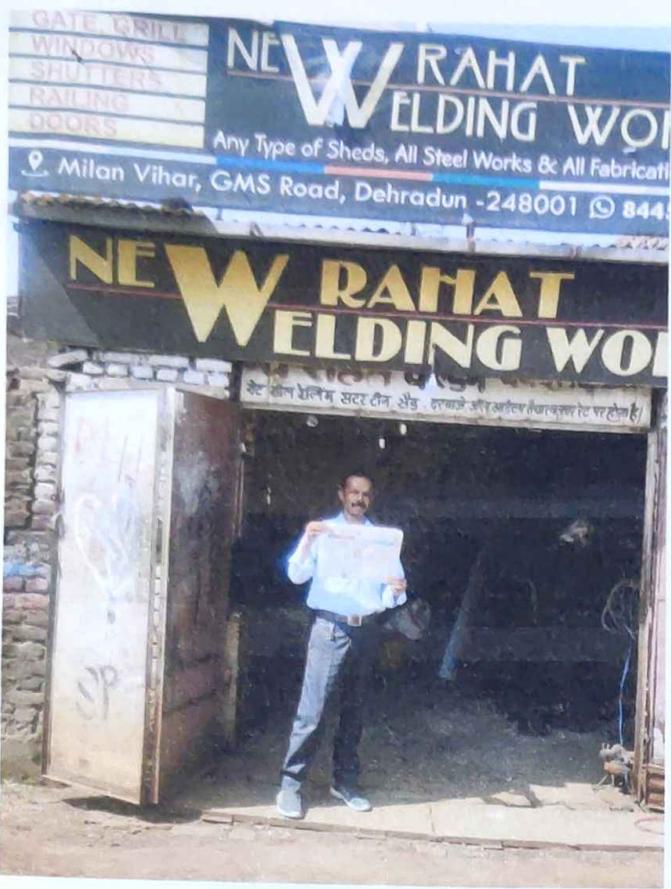
सहा0वैजा0अधि/क्षेत्रीयअधिकारी(प्र0)




10.5.23







Rm

