

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

## INDEX

IN

## RESPONSE AFFIDAVIT

(on Behalf of Respondent No.2)

IN

Original Application No. 1319 of 2024

Hemant Singh Gonja and others. ....Petitioners

VERSUS

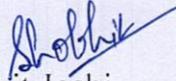
State of Uttarakhand through Secretary, Environment, Government  
of Uttarakhand and others. ....Respondents.

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Date:-April,2025

  
Shobhit Joshi  
Advocate  
Counsel for Respondent No.2

Email- [shobhitjoshi98@gmail.com](mailto:shobhitjoshi98@gmail.com)

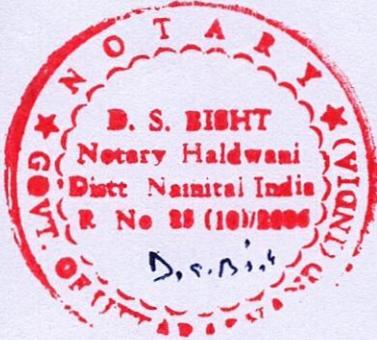
Mobile No. – 7906689557

Address- Chamber No. 15,

Advocate Chamber Building,

Uttarakhand High Court,

Nainital.



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BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
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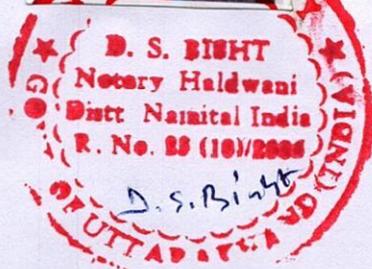
VERSUS

1. State of Uttarakhand through Secretary, Environment, Government of Uttarakhand.
2. Municipal Corporation, Haldwani through Municipal Commissioner.
3. District Magistrate, Nainital.
4. Uttarakhand Pollution Control Board through Member Secretary.
5. Central Pollution Control Board through Member Secretary.

.....Respondents

AFFIDAVIT

Affidavit of Smt. Richa Singh, Aged about 45 years, W/o Shri Bhuwan Mohan Dwivedi, presently posted as Municipal Commissioner, Nagar Nigam



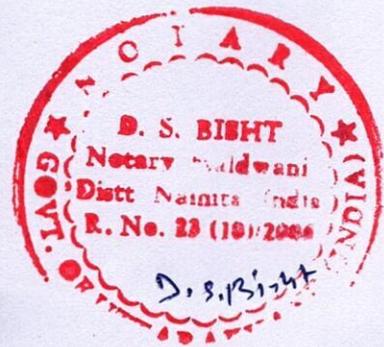
15/

Haldwani- Kathgodam, Haldwani,  
District Nainital.

.....(Deponent)

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

- 1) That the deponent is presently posted as Municipal Commissioner, Nagar Nigam Haldwani- Kathgodam, Haldwani, District Nainitaland she is authorized to swear and sign this affidavit as she is fully conversant with the facts of the case deposed herein below.
- 2) That the above noted case was listed on 06-03-2025 before the Hon'ble court and on that date the Hon'ble court vide its order was pleased to implead the answering respondent as respondent no.2 in the present petition amongst other respondents and had further directed to file responses in the case.
- 3) That in compliance to the order dated 06-03-2025 passed by this hon'ble court, the answering respondent is filing the present response affidavit. It is stated here that the committee which was constituted under the direction of this hon'ble tribunal has submitted its report on 29-11-2024 and has given some observations and remedial measures in the said report, for the compliance of the joint report, the answering respondent is giving the parawisereply of the said report.
- 4) That the contents of para no.1 of the Joint Inspection Report dated 29-11-2024 (*hereinafter referred as 'report'*) need no comment.



.....

- 5) That in reply to the contents of para no.2 of the Report it is stated here that presently 06 compost pits have been constructed for the disposal of wet waste. It is stated here that an office letter dated 26-09-2024 was issued for E-tender notice for the work of Legacy Waste Disposal (Bioremediation, Waste Clearance, Resource Recovery, and Scientific Disposal Services in Compliance with the Legacy Waste Management Rules, 2019 and the SWM Rules, 2016 at Haldwani (Nainital) Uttarakhand. The financial bid was opened on 12-12-2024 and the tender has been awarded to the Lowest Bidder (L1) i.e. M/s Environmental Techno, G-7, Shanti Niketan Apartment Church Road, Lajpat Kunj, Agra-282002 (U.P), India, and the work order has been issued vide letter no. 107/SWM dated 27-01-2025 and the said agency has also started the work in pursuance to the tender. A photocopy of the work order dated 27-01-2025 is being annexed as **Annexure No. A-1** to this affidavit.

It is stated here that after the completion of the disposal work of legacy waste as mentioned above, further action will be undertaken in accordance with the Memorandum of Understanding (M.O.U.) dated 30-11-2023 signed between the Municipal Corporation Haldwani-Kathgodam and the N.T.P.C. Vidyut Vyapar Nigam Limited for setting up SWM Plant/Development of Municipal Solid Waste to Torrefied Charcoal Plant Facility (Capacity-500 TPD). A photocopy of the M.O.U. is being annexed as **Annexure No. A-2** to this affidavit.

- 6) That in reply to the contents of para no.3 of the Report it is stated here that a new measuring instrument is being installed by the Municipal Corporation Haldwani-Kathgodam. The photographs of



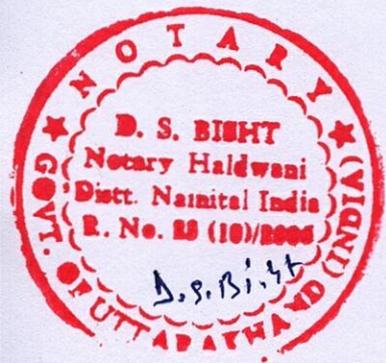
the new measuring instrument is being annexed as Annexure No. A-3 to this affidavit.

- 7) That in reply to the contents of para no.4 of the Report it is stated here that presently 06 compost pits have been constructed for disposal of organic waste, in which compost is being made from organic waste and presently non-organic waste is being segregated through rag pickers and legacy waste disposal (Bioremediation, Waste Clearance, Resource Recovery, and Scientific Disposal Services in compliance with the Legacy Waste Management Rules, 2019 and the SWM Rules, 2016 at Haldwani (Nainital) Uttarakhand). The financial bid was opened on 12-12-2024 and the tender has been awarded to the Lowest Bidder (L1) i.e. M/s Environmental Techno, G-7, Shanti Niketan Apartment Church Road, Lajpat Kunj, Agra-282002 (U.P), India, and the work order has been issued vide letter dated 27-01-2025 and the said agency has also started the work in pursuance to the tender.

It is stated here that after the completion of the disposal work of legacy waste as mentioned above, further action will be undertaken in accordance with the Memorandum of Understanding (M.O.U.) dated 30-11-2023 signed between the Municipal Corporation Haldwani-Kathgodam and the N.T.P.C. Vidyut Vyapar Nigam Limited for setting up SWM Plant/Development of Municipal Solid Waste to Torrefied Charcoal Plant Facility (Capacity-500 TPD).

It is stated here that the Municipal Corporation Haldwani-Kathgodam, in order to ensure that there is no foul smell at the

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disposal site, chemical and bio-culture spray is being done at the trenching ground time to time as per requirement. The photographs showing the spraying of chemical and bio-culture spray at the disposal sites being annexed as Annexure No. A-4 to this affidavit.

8) That in reply to the contents of para no.5 of the Report it is stated here that the Municipal Corporation Haldwani-Kathgodam is planning to install the SLF and collect the leachate and so far as the trommel machines which have been installed are operational as on date. The photograph of the operating trommel machines is being annexed as Annexure No. A-5 to this affidavit.

9) That in reply to the contents of para no.6 of the Report it is stated here that the Green belt is being developed in the Joint Waste Disposal Site and tender has been invited by the Municipal Corporation Haldwani-Kathgodam for the construction of the boundary wall. A photocopy of the e-tender notice dated 15-04-2025 is being annexed as Annexure No. A-6 to this affidavit.

10) That in reply to the contents of para no.7 of the Report it is mentioned in the report that 1.39 Lakh Metric Tonne of legacy waste is lying on the site. In reply to that it has already been mentioned in the preceding para that the tender has already been awarded to the M/s Environmental Techno and the work order has already been issued on 27-01-2025 and the said company has started their work.



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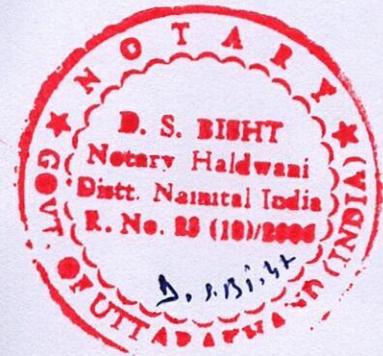
- 11) That in reply to the contents of para no.8 of the Report it is stated here that for the disposal of the Legacy waste the procedure for renewal of the conditional operating consent is under process with Uttarakhand State Pollution Control Board.
- 12) That in reply to the contents of para no.9 of the Report it is stated here that the Municipal Corporation Haldwani-Kathgodam installed the Online centralized system CCTV at the legacy waste disposal site.
- 13) That the contents of para no.10 and 11 of the Report need no comments.
- 14) That it is humbly prayed before the hon'ble court to kindly be pleased to take this response affidavit on record.

Verification

I, the above named deponent named above do hereby solemnly affirmed and state on oath and verify that the contents of para nos. .... of this affidavit are true to my personal knowledge, those of para nos.....of this affidavit are based on records, those of para nos.....of this affidavit are as per the legal advice received, those of para nos. .... of this affidavit are as per the information received which all I believe to be true. That no part of this affidavit is false and nothing material has been concealed. So Help Me God.

  
Deponent.





I, Manoj Joshi, posted as Assistant Clerk, Nagar Nigam Haldwani-Kathgodam, do hereby identify the deponent is known to me on the basis of the Aadhar Card (bearing no. 9662 2700 1584..... ) and I am satisfied that she is the same person as alleged by her.

Manoj  
IDENTIFIER



Solemnly affirmed before me today, the....21....day of April, 2025 at 8.....am/pm by the deponent who has been identified by the aforesaid person.

I have satisfied myself by examining the deponent that she understands the contents of this affidavit, which have been read over and explained to her.

Notary

Certified that Smt. Richa Singh  
the deponent identified by Manoj Joshi  
scanned & verified the contents of the  
affidavit at Haldwani  
on date 21/4/2025 time 8 P.M.  
Diwan Singh Bishi  
Advocate  
Notary, Haldwani  
Distt Nainital UK, India D. S. Bishi  
21/4/2025

7/1

हल्द्वानी-रुद्रपुर क्लस्टर SWM सोसाइटी (HRCSWMS)  
(नगर निगम हल्द्वानी-काठगोदाम)

पत्रांक-107/SWM

दिनांक-27/01/2025

## कार्यदेश

MS Environmental Techno ,  
G-7,Shanti Niketan Apartment ,  
Church Road ,Lajpat Kunj ,  
Agra-282002(U.P.),India

Bioremediation, Waste Clearance, Resource Recovery, and Scientific Disposal Services in Compliance with the Legacy Waste Management Rules of 2019 and the SWM Rules of 2016 at Haldwani (Nainital) Uttarakhand कार्य हेतु कार्यालय पत्रांक 105 दिनांक 30/11/2024 द्वारा जारी E-Tender Notice (tender reference No. 100/2024-25 SWM RFP , Tender ID - 2024\_MCNNK\_76409\_2 .) के क्रम में दिनांक 09/01/2025 को खोली गई वित्तीय निविदाओं में आपके (MS Environmental Techno BID ID-349982) द्वारा प्रस्तुत दर रु. 495/- ( धनराशि 68805000/-) न्यूनतम होने से आपकी निविदा स्वीकार की जाती है ।

अतः आप इस हेतु आवश्यक परफोर्मेंस गारंटी इस कार्यालय में 07 दिवसों के भीतर उपलब्ध कराते हुए रजिस्टर्ड अनुबंध की कार्यवाही कर अपनी सेवाए प्रदान किया जाना सुनिश्चित करे ।

नगर आयुक्त,नगर निगम हल्द्वानी-काठगोदाम  
सदस्य सचिव, एकजीक्युटिव कमेटी,HRCSWMS

- प्रतिलिपि-1 - निदेशक शहरी विकास निदेशालय उत्तराखंड देहरादून ।  
2- प्रशासक महोदया नगर निगम हल्द्वानी- काठगोदाम/जिलाधिकारी नैनीताल ।  
3-वरिष्ठ नगर स्वास्थ्य अधिकारी /सहायक लेखाधिकारी / सहायक अभियंता नगर निगम हल्द्वानी-काठगोदाम को आवश्यक कार्यवाही हेतु ।

नगर आयुक्त,नगर निगम हल्द्वानी-काठगोदाम  
सदस्य सचिव, एकजीक्युटिव कमेटी,HRCSWMS





"Party" shall mean NVVN or NNHK individually. "Parties" shall mean NVVN and NNHK collectively.

**This MOU between Nagar Nigam Haldwani-Kathgodam (NNHK) and NVVN is for setting up a Municipal Solid Waste (MSW) to Torrefied Charcoal Plant Facility in Haldwani, Uttarakhand.**

**WHEREAS;**

1. NNHK expressed its interest in setting up a MSW to Torrefied Charcoal Plant facility based on Torrefaction technology at Haldwani to dispose of the carbonaceous component of MSW.
2. NVVN shall develop a MSW to Torrefied Charcoal plant on Build Own Operate (BOO) basis at a land allocated by NNHK free of cost.
3. NVVN shall have the ownership and right to sell all the products generated from the said plant.
4. NVVN shall have the right to use the Site for "Setting up a 500 TPD, MSW to Torrefied Charcoal plant facility" and its ancillary facilities including rooftop solar plant to meet the power requirement of the plant.
5. The other agreements like MSW Supply Agreement and Land Use Agreement between NVVN and NNHK shall be signed later on with major obligations summarized as under:

**A. Obligations of NNHK:**

- I. NNHK shall provide approx. 10 acre suitable land free of cost for the project along with boundary wall. The land should be free from water logging, above high flood level, and free from encumbrance.
- II. NNHK shall ensure delivery of preferably pre-segregated Municipal Solid Waste (MSW) at designated Waste Tipping Floor of plant premises free of cost.
- III. NNHK shall ensure that at least 500 MT preferably segregated MSW is delivered daily to the plant.
- IV. The delivered MSW shall not include inerts and prohibited items specifically mentioned in Annexure-I so as to ensure a minimum GCV of 2000 kcal/kg. NNHK shall provide preferably segregated dry waste to the extent possible.
- V. NNHK shall also provide other basic amenities at the project site like All-weather approach road from existing road to plant boundary of minimum width 7.0 m, street lighting on approach road and outside plant premises, sewer line, Right of Way, drainage outside plant premises, and other basic facilities, etc.



नगर आयुक्त  
नगर निगम, हल्द्वानी-काठगोदाम

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- VI. NNHK shall provide water supply connection for drinking water usage during plant construction and operation period. Additionally, NNHK shall provide ~50 KLD of preferably treated STP water for construction activities and ~200 KLD of preferably treated STP water for process application during the O&M period, within the plant battery limit.
- VII. NNHK shall provide power connection of ~2 MVA (min. 11 kVA) and ~150 kW for Construction Power within plant battery limit. The plant machinery shall be powered by this connection on a pay-per-use basis.
- VIII. Development and maintaining of green belt (as applicable) other than 10 acre for plant facility shall be in the scope of NNHK.
- IX. Diversion of any Electric Line passing through the proposed project site, cutting down the trees existing on the proposed site (if any) and their disposal and diversion of Forest Land (if any) before handing over the site to NVVN shall be done by NNHK.
- X. NNHK shall obtain Environment Clearance (if applicable).
- XI. NNHK shall take back the unutilized contents of MSW (Inert and process rejects) for safe disposal at its own cost.
- XII. Development and maintaining Scientific Land Fill facility (as applicable) shall be in the scope of NNHK. The Scientific Land Fill should not be in an adjacent area of the said MSW project.
- XIII. The concession period of the project shall be 30 years initially. This may be extended further on similar terms and conditions with mutual consent of both the parties.

#### B. Obligations of NVVN:

- I. NVVN shall set up a MSW to Torrefied Charcoal Plant on Build Own Operate (BOO) basis at a land allocated by NNHK.
- II. EPC of MSW to Torrefied Charcoal Plant Facility including installation and commissioning.
- III. Smooth Operation & Maintenance of plant through deployment of third-party O&M contractor for 25 years.
- IV. Utilization of approx. 500 MT per day of MSW everyday while complying with CPCB guidelines.
- V. Generating High Calorific Value Fuel similar to the nature of Mineral Coal for Co-firing in thermal power plants or nearby process industries.



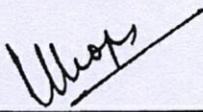
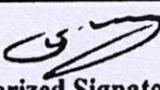
*Ushor*

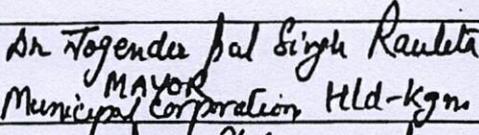
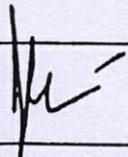
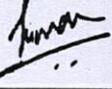


*[Signature]*  
 नगर आयुक्त  
 नगर निगम, हल्द्वानी-काठगोदाम  
 1/2

- VI. NVVN shall have the ownership and right to sell all the products and by-products generated from the said plant including revenue from Carbon Credits, if any.
- VII. The proposed plant shall comply with the latest environmental norms.

The above is a non-binding MOU. However, both NVVN and NNHK shall enter into a legally binding agreement, subject to the approval of the respective management.

For and on behalf of :- NVVN Limited, New Delhi	For and on behalf of :- Nagar Nigam Haldwani-Kathgodam
Authorized Signatory 	Authorized Signatory  नगर आयुक्त नगर निगम, हल्द्वानी-काठगोदाम
Name: Ms. Renu Narang	Name: Sh. Pankaj Kumar Upadhaya
Designation: Chief Executive Officer	Designation: Municipal Commissioner
Contact Address: 5th Floor, EOC Complex, NTPC Ltd., A-8A, Sector 24, Noida, Uttar Pradesh 201307	Contact Address: Nagar Nigam , Nainital Road , Haldwani, Uttarakhand 263139

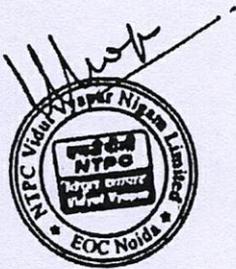
Witnesses	
1.  An Jogendra Pal Singh Rautela MAYOR Municipal Corporation Hald-Kgm	
2. Himanshu Phuleoria 	Engineer - NI(WTE) NVVN Ltd.



## Annexure-I

## List of Banned Items in the Waste:-

- Construction & Demolition Waste
- Anatomical Hospital Waste
- Asbestos
- Bio Hazardous Waste
- Electronic Scrap / E Waste
- Battery Waste
- Explosives
- Waste free from Trace Elements and Heavy Metals i.e. Cyanide, Arsenic etc.
- Mineral Acids
- Radioactive Waste



नगर आयुक्त  
नगर निगम, हल्द्वानी-काठगोदाम

12



गिरगा शिवाजी शाळा फो (29/1/11)

Annexure No-4-3

D. S. BHATT  
 Notary, Haidwar  
 Dist. Nainital, India  
 R. No. 25 (19/09/06)

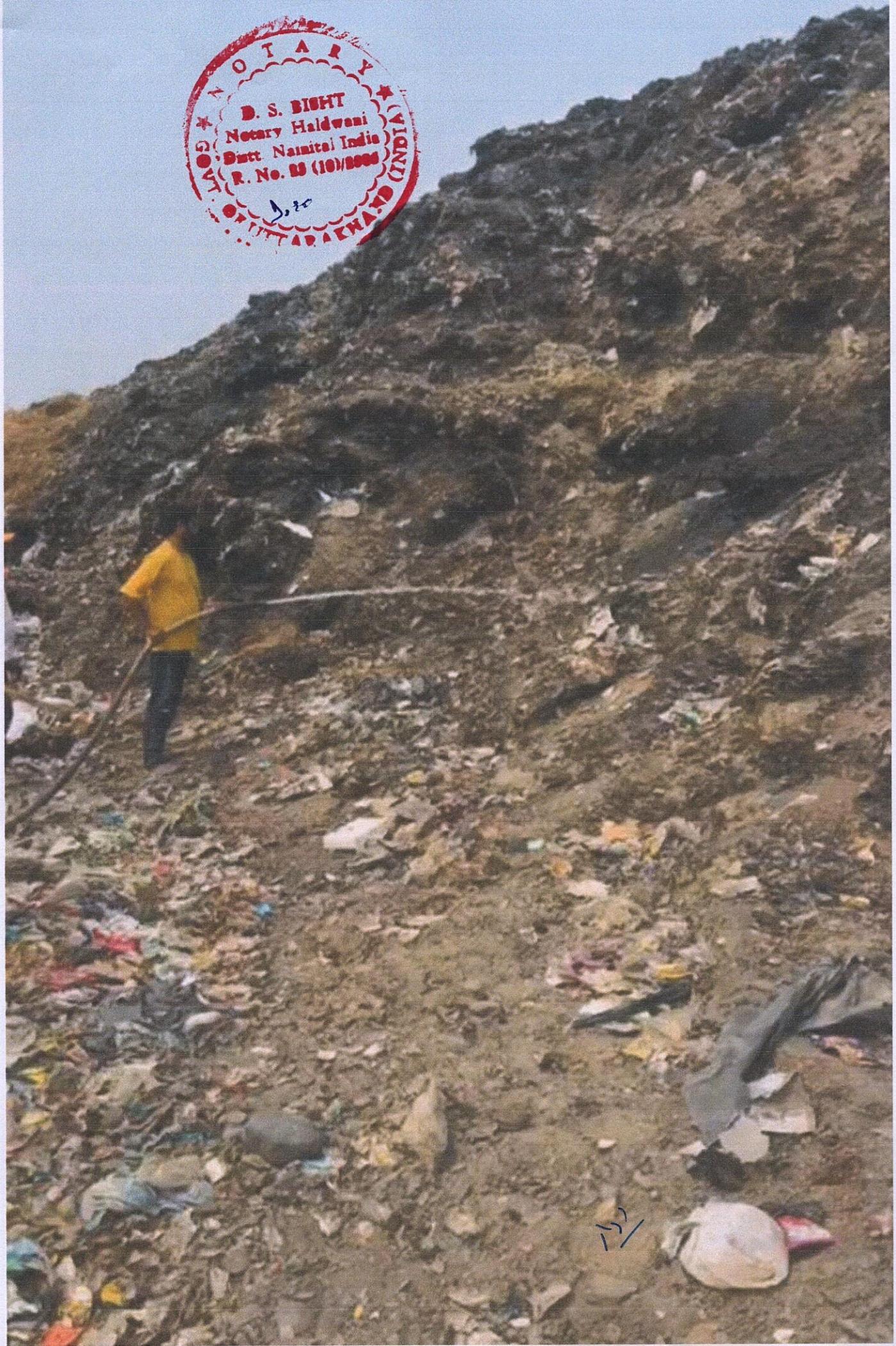
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Annexure No A-4

17



15/

डिप्टी सेक्टर डायरेक्टर

Amrapur No A-5

18



15/11

553



150

डिप्टी कमिश्नर  
राज्य परिवहन  
दिल्ली





# कार्यालय नगर निगम हल्द्वानी-काठगोदाम

नैनीताल रोड, हल्द्वानी पिन कोड- 263139

(www.Nagarnigamhaldwani.in)toll free no- 8882610000

E-Mail- haldwaninagarnigam@gmail.com दूरभाष- 05946-220035

पत्रांक :- 78-1

/2025-26/

दिनांक :- 15.04.2025



## ई-निविदा सूचना

नगर निगम हल्द्वानी-काठगोदाम क्षेत्रान्तर्गत निम्न कार्य हेतु ई-निविदा आमंत्रित की जानी है, निविदा के सम्बन्ध में समस्त शर्तें एवं सूचनाएँ <http://www.uktenders.gov.in> पर दिनांक 19-04-25 को अपरान्ह 2.00 बजे से दिनांक 02-05-25 को सायं 05 बजे तक उपलब्ध रहेगी।

क्र० सं०	कार्य का नाम	अनुमानित लागत (रु० लाख में)	कार्य की जमानत राशि	निविदा फार्म का मूल्य	कार्य पूर्ण करने की अवधि	निविदा की वैधता
1	गौला रोखड़ स्थित नगर निगम कूड़ा स्थल (ट्रन्चिंग ग्राउण्ड) की क्षतिग्रस्त चहारदीवारी के पुर्ननिर्माण/मरम्मत का कार्य	66.79	1,34,000.00	5000+18% G.S.T	03 माह	45 दिन
2	वर्कशॉप लाईन में वेन्डिंग जोन का निर्माण का कार्य।	472.66	9,50,000.00	5000+18% G.S.T	12 माह	45 दिन

नगर आयुक्त

नगर निगम हल्द्वानी-काठगोदाम।

प्रतिलिपि:- निम्नलिखित को सूचनार्थ एवं कार्यवाही हेतु :-

- वरिष्ठ वित्त अधिकारी, नगर निगम हल्द्वानी (सदस्य निविदा समिति नगर निगम) को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।
- अधिशासी अभियन्ता, निर्माण खण्ड, लोक निर्माण विभाग हल्द्वानी (सदस्य निविदा समिति नगर निगम) को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।
- सम्पादक Indian Express व Economics Times NCR (Edition) समाचार पत्र को उक्त निविदा सूचना का प्रकाशन कम से कम साईज में प्रकाशित करते हुए समाचार पत्र की 04 प्रतियां सहित बिल प्रस्तुत करने हेतु।
- नोटिस बोर्ड चस्पा हेतु।

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महापौर

नगर निगम हल्द्वानी-काठगोदाम।



नगर आयुक्त

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