

DISTRICT

113

MAGISTRATE

GHAZIABAD.

Ref: 1993/ NGT-181/2023

Dated 15/01/2024

To,

The Registrar,
The National Green Tribunal,
Principal Bench,
New Delhi
E-mail- judicial-ngt@gov.in & ngt.filling@gmail.com

**Sub: Reply in compliance of Hon'ble National Green Tribunal, New Delhi
Order dated 24-11-2023 in Original Application No-482/2023 Anuj
Sharma Versus State of U.P. & Ors.**

Respected Sir,

With reference to the above-mentioned subject, reply on behalf of
~~District magistrate, Ghaziabad in compliance of Hon'ble National Green~~
Tribunal, New Delhi Order dated 24-11-2023 in Original Application No-
482/2023 Anuj Sharma Versus State of U.P. & Ors. is hereby annexed for kind
perusal and further necessary action and directions.

Enclosure: As above.

Yours Sincerely


(Rakesh Kumar Singh)
District Magistrate
Ghaziabad.

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

ORIGINAL APPLICATION NO. 482 OF 2023

IN THE MATTER OF:-
ANUJ SHARMA

.....PETITIONER

VERSUS

STATE OF U.P. & ORS.

....RESPONDENTS

REPLY ON BEHALF OF DISTRICT MAGISTRATE,
GHAZIABAD

I, Rakesh Kumar Singh, S/o Shri Bhoolan Singh, aged about 58 years, District Magistrate, Ghaziabad, U.P. do hereby solemnly affirm and declare as under:-

1. That the above noted case came up for hearing on 24.11.2023 when this Hon'ble Tribunal has passed the following order.

"2. Now the joint committee has filed the report on 22.11.2023. A perusal of the report reveals that in addition to above two members, the third member was also included by the joint committee on its own without any direction or permission of the Tribunal and the said third member i.e. City Health Officer,



Nagar Nigam, Ghaziabad has also signed the joint report. The report also mentions that the inspection of the site was done 11.11.2023 by the three member Committee. The Tribunal fails to understand under which authority the third member was included in the Committee when only two member Joint Committee was appointed by the Tribunal.

3. Learned Counsel appearing for the Municipal Corporation, Ghaziabad referring to page no. 102, has informed that the City Health Officer, Municipal

Corporation, Ghaziabad was included in the joint committee and he had done the inspection on the instruction of District Magistrate, Ghaziabad. Hence, we issue notice to District Magistrate, Ghaziabad to explain his conduct of violating to the order of the Tribunal and acting contrary to it by including the third member in the Committee though the Committee of only two members was formed. Let the reply be filed by the District Magistrate, Ghaziabad within 4 weeks.”

2. That pursuant to the said direction the present reply is being filed.
3. That the deponent in compliance of order dated 09.08.2023 passed by this Hon'ble Tribunal has the



deponent on 16.08.2023 has nominated City Magistrate, Ghaziabad as the member the Committee.

4. That however in the meantime on receipt of order dated 09.08.2023, Additional District Magistrate, City, Ghaziabad vide letter dated 11.08.2023 has directed Municipal Commissioner, Nagar Nigam, Ghaziabad, Secretary, Ghaziabad Development Authority and Regional Officer, U.P. Pollution Control Board for compliance of the order dated 09.08.2023 passed by this Hon'ble Court.

5. That as the matter relates to Municipal Solid Waste, hence to identify the site, quantity of waste, a representative of Nagar Nigam has also been included at the time of inspection and preparation of report.

6. That for aforesaid Act the deponent tenders unconditional apology and assures this Hon'ble Tribunal that in future such a mistake will not be repeated.


DEPONENT

VERIFICATION:

I, the above noted deponent do hereby verify that the contents of above affidavit are true to my knowledge and belief. No part of the same is false and nothing material has been concealed there form.

VERIFIED ON THIS DAY THE DAY OF DECEMBER, 2023
AT GHAZIABAD.


DEPONENT