

IN THE HON'BLE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION No. 434 of 2022

Gurudwara Manak Tabra Prabandhan Committee
Through its President Petitioner(S)

Versus

State of Haryana and Others Respondents

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Place: Chandigarh

Date: 20.01.2024

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

IN ORIGINAL APPLICATION NO. 434 OF 2022

IN THE MATTER OF:

M/s Gurudwara Manak Tabra Prabandhan Committee
through its President Petitioner(S)

Versus

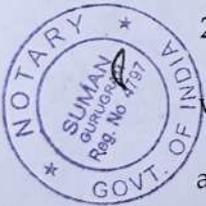
State of Haryana & Others Respondents

**Reply by way affidavit of Director General, Environment and
Climate Change Department, Haryana on behalf of
Respondent No. 1.**

MOST RESPECTFULLY SHOWETH:

1. That deponent is well conversant with the facts and circumstances of the present Original Application and is dully authorized and competent to file the present reply on the basis of material available in the office record. The answering respondent craves liberty to file detailed/additional reply, if and when required, with the permission of this Hon'ble Tribunal.

2. That in instant application, the grievance of the applicant is regarding violation of notification dated 10.03.2016 issued by Answering Respondent and illegally operating screening plants by Respondents No. 5 to 7 without obtaining valid CTE/CTO from the Respondent No. 02. The Applicant has alleged that the screening plants are being operated by Respondents No. 5 to 7 in violation of citing criteria issued through Notification dated 10.03.2016, as the minimum distance required for operating screening plants from the tourist complex is 1 km.



[Handwritten Signature]

3. That before proceeding further, it is pertinent to mention here that the Answering Respondent has been made a party to the present application merely on the basis of the Notification, providing citing criteria for establishing of screening plants in State of Haryana, being issued by the answering respondent.

4. That it is further pertinent to submit here before this Hon'ble Tribunal that no constitutionality or validity of the alleged Notification has been contested against by the applicant in the present application. Only the implementation of the same has been contested against and for the same Respondent No. 02 i.e. Haryana State Pollution Control Board is competent and appropriate Agency. It is humbly submitted that compliance status of Notification has been submitted by the Joint Committee as per directions of this Hon'ble Court and latest report is also being filed by the Haryana State Pollution Control Board in terms of Order dated 11.10.2023 passed by this Hon'ble Tribunal.

5. That vide notification dated 10.03.2016, parameters for operating screening plants in Haryana were notified by the Answering Respondent, in suppression of earlier issued citing norms, for providing amended citing criteria for Screening Plants in State of Haryana along with providing emission control norms and pollution control measure requirements. In Schedule 1, appended to Notification dated 10.03.2016, minimum distance, required to be maintained from various prescribed locations is provided, wherein at Sr. No. 7, minimum distance from Nearest Tourism Complex has been provided as 1.00 Km.



for

6. That Haryana Tourism Corporation Ltd. was requested, vide letter no. HSPCB-150004/13/2021-Reunion Panchkula dated 26.07.2022, to provide factual status of averments made by Applicant in its application. Haryana Tourism Corporation Ltd., vide its letter no. HTC-22/EE/2178 Dated 31.08.2022, clarified that as per record of Tourism Department, Haryana, Guru Dwara Manak Tabra, Raipur Rani is not a Tourist Complex, as declared by Tourism Department, Haryana. Assuch, alleging non-compliance of Notification of 2016 on the ground of siting criteria w.r.t. Tourist Complex is not tenable. In case of non-compliance of other parameters, Haryana State Pollution Control Board is to take action in accordance with law.

Copy of letter dated 31.08.2022 is hereby marked and annexed as

Annexure R-1/1.



Prayer:-

Keeping in view the submissions made above, it is humbly prayed that the submissions made above may kindly be taken on record in the interest of justice and present application may kindly be disposed of qua the answering respondent.

IDENTIFIED

Place: Chandigarh

Page No. 124 Date:

Notary Register Entry No. 1449

Date 20/01/2024

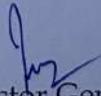

Director General,
Environment & Climate Change Department
Haryana

Verification:

Verified that the contents of Para No. 1 to 6 of above reply are correct and true to my knowledge and belief. No part of it is false and nothing material has been concealed therein.

Place: Chandigarh

Date:


Director General,
Environment & Climate Change Department
Haryana

ATTESTED AS IDENTIFIED


SUMAN
ADVOCATE & NOTARY
DISTT. COURT, GURGAON

20 JAN 2024



Haryana Tourism Corporation Limited

(a state government undertaking)

CIN : 45202CH19748GC003437

Regd. Office : S.C.O. 17-18-19, Sector 17-D, Chandigarh-160017



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HTC-22/EE-2

Mark

To

The Regional Officer,
Haryana State Pollution Control Board,
Regional Office, Panchkula.
(email ID: hspcbropkl@gmail.com)

No.: HTC-22/EE/ 2178

Dated: 31/8/22

SUBJECT: SILTING PARAMETERS OF THE SCREENING PLANTS ESTABLISHED IN MANAK TABRA, RAIPUR RANI, PANCHKULA.

Reference: Your mail letter File no.HSPCB-150004/13/2021-Region Panchkula-HSPCB, dated 26.07.2022 (received on 30.08.22), on the subject.

As requested by you vide your mail letter under reference, it is intimated that there are following 4 Tourist Resorts in Distt. Panchkula:

1. Red Bishop Tourist Complex, Panchkula.
2. Yadvindras Garden Tourist Complex, Pinjore (Panchkula).
3. Tourist Complex at Morni (Panchkula).
4. Tourist Complex at Tikkartaal (Panchkula).

It is further clarified that as per record of Tourism Deptt., Haryana, Guru Dwara Manak Tabra, Raipur Rani is not a Tourist Complex declared by Tourism Department, Haryana.

This is for your kind information, please.

Paul
Executive Engineer,
HTC Chandigarh.

Dated: 31/8/22

Endstt. No. HTC-22/EE/ 2179

A copy is above is forwarded to the following for information, please:

1. Managing Director, HTC, Chandigarh w.r.t. the Regional Officer, Haryana State Pollution Control Board, Regional Office, Panchkula mail letter under reference.
2. Joint Director, Tourism Haryana, Chandigarh w.r.t. his note dated 31.08.2022

Paul
Executive Engineer,
HTC, Chandigarh.

Dated: 31/8/22

R. Manil