

BEFORE THE NATIONAL GREEN TRIBUNAL, PRINCIPAL  
BENCH AT NEW DELHI  
O.A. No. 68/ 2022

IN THE MATTER OF:

RAMAN SHARMA ...Applicant

Versus

State of Haryana & Ors. ....Respondents

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Filed By:

Date: 10.01.2023

Place: New Delhi



Adv. Noopur Singhal  
Counsel for Respondent no.5

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**REPLY ON BEHALF OF RESPONDENT NO. 5, HARYANA  
SHEHRI VIKAS PRADHIKARAN**

1. That the grievance in the present application is regarding running of 10 DG sets in the green belt of Integrated Residential Colony of Malibu Town, Gurugram, Haryana by M/S Malibu Estate Pvt. Ltd., Malibu Town, Sohna Road, Gurgaon(North), Haryana without any approval of Haryana State Pollution control Board and regarding flouting the directions and provisions of C & D Waste Management Rules, 2016 and also carrying out the construction in violation of the Air and Water Pollution Act despite the refusal of consent to operate by the Haryana state Pollution Control Board.
2. That this Hon'ble Tribunal vide order dated 02.02.2022 constituted a joint committee for submission of factual action taken report in the matter.
3. That the joint committee submitted an interim action taken report on 05.09.2022 and Compliance Report on 10.10.2022 before this Hon'ble Tribunal.

*mm*

4. That thereafter this Hon'ble Tribunal vide order dated 11.10.2022 directed as under:

*"In view of the averments in the application and observations/recommendations in the report of the Joint Committee, we consider it appropriate to have response of (1) State of Haryana through Chief Secretary, Government of Haryana, (2) State PCB, (3) Municipal Corporation, Gurugram, (4) Director, Department of Town and Country Planning, Government of Haryana (5) Estate Officer, Haryana Shehri Vikas Pradhikaran, (6) District Magistrate, Gurugram and (7) Project Proponent-Malibu Federation through Mr. Niranjana Yadav, Chairman, RWA, Office Opposite PKD 12, Malibu Town, Gurugram, who stand impleaded as respondents No. 1 to 7. The Registry is directed to prepare and attach memo of parties to the application and issue notices to respondents No. 1 to 7 requiring them to file their reply/response to the averments made in the application and observations/recommendations made in the report of the Joint Committee within two months..."*

5. That it is humbly submitted that the issue in the present matter is in respect of running of 10 DG sets in the green belt of Integrated Residential Colony of Malibu Town, Gurugram, Haryana and raising of constructions by M/S Malibu Estate Pvt. Ltd., Malibu Town, Sohna Road, Gurgaon (North), Haryana in violation of environmental norms. It is submitted that the green belt of this Integratedresidential Colony of Malibu Town does not fall

*nm*

under the jurisdiction of the answering Respondent i.e Haryana Shehri Vikas Pradhikaran. It is submitted that the site in question is a private colonization area under a license issued by Town and Country Planning Department, State of Haryana.

6. That it is therefore humbly submitted that the answering Respondent has no role and control over the site in dispute.

In view of the submissions made above it is humbly submitted that present OA may kindly be dismissed qua the answering respondent.

Date

Place: 10/1/2023

  
Estate Officer  
Haryana Shehri Vikas Pradhikaran  
Gurugram  
Respondent No.5  
**Estate Officer-II**  
**HSVP, Gurugram**

VERIFICATION

Verified at Gurugram on \_\_\_ day of January, 2023 that the contents of the above reply are true and correct to my knowledge and belief derived from the official records.

  
Estate Officer  
Haryana Shehri Vikas Pradhikaran  
Gurugram  
Respondent No.5  
**Estate Officer-II**  
**HSVP, Gurugram**

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**AFFIDAVIT**

I, Jitender Kumar working as Estate Officer, Haryana Shehri Vikas Pradhikaran, Gurugram, do hereby solemnly affirm and state as under:

- 1. That I am the Respondent no.5 in the present matter and in my official capacity as stated above, I am well conversant with the facts and circumstances of the present matter and am capable to state as under.
- 2. That the accompanying reply has been drafted on my instructions I have read and understood the contents of the reply filed. The facts stated therein are true and correct to the best of my knowledge.

*[Signature]*  
**Estate Officer-II  
HSVP, Gurugram**

DEPONENT

VERIFICATION:

Verified on 10<sup>th</sup> day of January, 2023 at Gurugram that the contents of para No.1 & 2 of my affidavit are true and correct based on the information derived from the official record which I believe to be correct. No part of it is false and nothing has been concealed therein.

DEPONENT

*[Signature]*  
**Estate Officer-II  
HSVP, Gurugram**

**ATTESTED**  
*[Signature]*  
RAM NIWAS MALIK, ADVOCATE  
NOTARY, GURUGRAM (HR.) INDIA

