

N.D.H.:23.10.2024

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

ORIGINAL APPLICATION NO. 852 OF 2024

IN THE MATTER OF :

SUMIT SAINI

...APPLICANT

VERSUS

KUNJAN WOOD INDUSTRIES

.....RESPONDENT

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Place: New Delhi

Date: 21.10.2024


FILED BY:
(GAURAV AGARWAL)
Advocate for Respondent No.1

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BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

ORIGINAL APPLICATION NO. 852/2024

IN THE MATTER OF :

SUMIT SAINIAPPLICANT
VERSUS

KUNJAN WOOD INDUSTRIESRESPONDENT

REPLY/OBJECTION ON BEHALF OF THE RESPONDENT
AGAINST THE DETAILED REPORT FILED BY THE
HARYANA STATE POLLUTION CONTROL BOARD

1. That by an order of this Tribunal dated 18.04.2024, HSPCB was directed to conduct an inspection and verify the factual compliance status qua all relevant aspects and to inform the Hon'ble Tribunal with the specific queries put to the HSPCB.
2. That the Respondent is Partnership established in 2003 and has been engaged in the plywood industry and is amongst those 28 industries which were named in the order.
3. That it is incorrectly stated in the report of HSPCB that Respondent is generating fly ash. As the fuel used is wood waste hence it generates only wood ash which is approx. 20-45 kg depending upon the type of wood waste. The wood ash generated in the process is taken away by the local and farmers for filling and levelling purpose. Hence, the wood ash is disposed accordingly.
4. That as the wood ash generated is not usable by the Respondent herein, the same is stored in gunning bags which comes to approximately 45 Kg/day from around 3000 kg of


wood waste burning. The said bags are thereafter, taken away by locals and farmers after due verification by the Respondents. However, as the same is not a saleable product, separate/individual record is not kept of it's disposal to the locals. A copy of agreement with respect to disposal of ash generated dated 12.07.2022 is **ANNEXURE R-1**.

5. So far as the NOC from the State Ground Water Authority is concerned, the Respondents have the NOC valid up to 17.10.2023. However, the Respondent's applied for it's renewal on 04.10.2023 vide Application No. HWRA/IND/R/2023/1232, dated 04.10.2023 which is pending disposal and there is no objection/defect notified in the said application.
6. That with respect to the nature and adequacy of plantation carried out it is submitted that the Respondents have planted abundant trees/plants in the premises. The HSPCB is not correct in submitting in the report that adequate plantation is not done A copy of set of photographs from the unit dated NIL is **ANNEXURE R-2**
7. That it is further submitted that there are rain water harvesting systems installed in the said unit and are in regular use during rain.
8. That the Respondent is a manufacturing unit engaged in the present industry since past more than 21 years. The Respondent has always complied and followed each and every rule and law scrupulously. However, the Respondents states that in the event any further direction, if any is passed by this

Tribunal, Respondent shall be obliged to follow the same as well. It is lastly submitted that considering the fact of compliance by the Respondent and the fact that Respondent is a source of livelihood to huge section of society who are directly and indirectly engaged with the Respondent, this Tribunal may be pleased to dismiss the O.A with heavy cost to the Applicant.

Om Prakash
Partner, Kunjan Wood Industries
Respondent

Through


(GAURAV AGARWAL)
Advocate for Respondent No.1
GRV LEGAL
Advocates and Legal Consultants
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BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

ORIGINAL APPLICATION NO. 85/2/2024

IN THE MATTER OF :

SUMIT SAINI

.....APPLICANT

VERSUS

KUNJAN WOOD INDUSTRIES

....RESPONDENT

AFFIDAVIT

I, OM PRAKASH, aged about 67 years, S/o Sadhu Ram Saini, R/o House No. 157, Workshop Road, Harbanspura Colony, District Yamunanagar, Haryana 135001, do hereby state on solemn affirmation as under:

1. That the deponent is the Partner of the Respondent in the present Original Application as such I am well conversant with the facts and circumstances of the present case and hence, competent to swear this affidavit.
2. That I have gone through the accompanying Reply from para 1 to 8 and say that the contents thereof are true and correct to the best of my knowledge and belief and I believe the same to be true.
3. That the Annexures R-1 and R-2 to the reply are true copy of the photographs.

Solemnly affirmed on this day of 17 Oct, 2024 at Yamunanagar, Harayana.

Omprakash

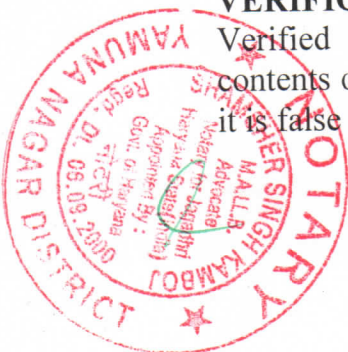
DEPONENT

VERIFICATION

Verified at Yamunanagar, Harayana on this day of 17 Oct, 2024 that the contents of my above affidavit are true and correct to my knowledge and no part of it is false and nothing material has been concealed therefrom.

Omprakash

DEPONENT



.....ATTESTED
Shamsheer Singh Kamboj
SHAMSHEER SINGH KAMBOJ
M.A.L.L.B.
Advocate
12/10/24
NOTARY PUBLIC

ANNEXURE R-1इकरारनामा

Om Parkash S/o Sh. Sadhu Ram Partner of M/s Kunjan Wood Industries, Dudhla Road, Damla, Distt. Yamuna Nagar

---प्रथम पक्ष ---

Rajesh Sharma S/o Sh. Rattan Lal Prop. of M/s Amba Bhatta Company, Village Bani, Ladwa, Distt. Kurukshetra, Haryana

---द्वितीय पक्ष ---

हम दोनों पक्ष निम्न इकरार करते है कि:-

1. यह कि प्रथम पक्ष M/s Kunjan Wood Industries, Dudhla Road, Damla, Distt. Yamuna Nagar का Partner है ।
2. यह कि प्रथम पक्ष की फैक्टरी में जो बायलर लगा हुआ है उसकी जो राख निकलती है उसको द्वितीय पक्ष बिना किसी लाभ व राशि के अपने भट्टे पर लेकर जाएगा ।
3. यह कि द्वितीय पक्ष उपरोक्त राख को अपने भट्टे पर ले जाने के लिए अपने परिवहन का इस्तेमाल करेगा जिसका खर्चा द्वितीय पक्ष खुद उठाएगा ।

लिहाजा यह इकरारनामा दोनों पक्षों की आपसी रजामंदी से वा उनके कहने मुताबिक लिख दिया है। जिसको हर फरीकैन ने पढ सुन व समझ लिया है। रूबरू गवाहान अपने अपने हस्ताक्षर कर दिये है। ताकि सब्द रहे और वक्त जरूरत काम आवे। मौरखा तिथि 12.07.2022

गवाह शुद्ध

प्रथम पक्ष
For Kunjan Wood Industries
Om Parkash
Partner

द्वितीय पक्ष
For Amba Bhatta Company
Rajesh Sharma
Proprietor

गवाह शुद्ध



