

N.D.H.:23.10.2024**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

ORIGINAL APPLICATION NO. 872/2024

IN THE MATTER OF :

SUMIT SAINIAPPLICANT

VERSUS

JAGDAMBA DWELLINGRESPONDENT

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Place: New Delhi**Date:** 21.10.2024

FILED BY:

**(GAURAV AGARWAL)**

Advocate for Respondent No.1

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ORIGINAL APPLICATION NO. 872 OF 2024

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SUMIT SAINI	VERSUSAPPLICANT
JAGDAMBA DWELLING	RESPONDENT

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 a Private Limited Company established in the year 2015 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 the wood ash generated is not used by the Respondent, hence the same is stored in gunning bags. 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 its disposal to the locals.

5. That in the report, the HSPCB alleges, with respect to the management and disposal of fly ash generated, that fly ash is being collected in bags but no record of ash generation and disposal is provided by the unit. Further, the representative of the unit has submitted that the fly ash is being used by locals and farmers for filling their plots. Upon this it is pertinent to mention that no fly ash is being generated and it is only wood ash that is being generated. Also, it is pertinent to note that the said ash is being collected in bags and is used by locals and farmers in their plants.
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
7. That so far as the NOC from the State Ground Water Authority is concerned, the Respondents have the NOC valid up to 14.12.2023 and the renewal of the same has already been applied for. However, the said application is pending disposal and there is no objection/defect notified in the said application.

8. That it may be pertinent to mention that the Respondent is a manufacturing unit engaged in the present industry since past more than 9 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.

Sapna Gupta
Director, Jagdamba Dwelling
Respondent

Through


(GAURAV AGARWAL)
Advocate for Respondent No.1

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AFFIDAVIT

I, SAPNA GUPTA, aged about 61years, W/o Sri Anil Gupta, R/o House NO. 1129, HUDA, Jagadhri, District Yamunanagar, Haryana 135001, do hereby state on solemn affirmation as under:

1. That the deponent is the Director 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.

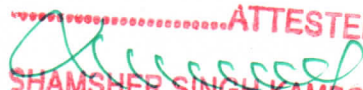
Solemnly affirmed on this 15th day of Oct., 2024 at Yamunanagar, Haryana.


DEPONENT

VERIFICATION

Verified at Yamunanagar, Haryana on this 15th day of 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.


DEPONENT

.....ATTESTED

SHAMSHER SINGH KAMBOJ
15/10/24 M.A.LL.B
Advocate
NOTARY JAGADHRI
YAMUNA NAGAR

