

प्रेषक,

कहकशां नसीम
अपर सचिव,
उत्तराखण्ड शासन।

सेवा में,

Registrar General,
National Green Tribunal,
Faridkot House, Copernicus Marg,
New Dehli-110001.

पर्यावरण संरक्षण एवं जलवायु परिवर्तन अनुभाग देहरादून: दिनांक: 06 अप्रैल, 2024

विषय:—मा.राष्ट्रीय हरित प्राधिकरण में योजित मूल आवेदन संख्या-420/2023 राजू सैनी बनाम उत्तराखण्ड राज्य व अन्य के संबंध में।

महोदय,

उपर्युक्त विषयक मूल आवेदन संख्या-420/2023 में मा.प्राधिकरण द्वारा दिनांक 28.11.2023 में पारित आदेशों का संदर्भ ग्रहण करने कष्ट करें। पारित आदेशों के अनुपालन में प्रमुख सचिव, पर्यावरण संरक्षण एवं जलवायु परिवर्तन विभाग, उत्तराखण्ड शासन की ओर से Response Affidavite संलग्न है।

2— अतः अनुरोध है कि कृपया संलग्न Response Affidavite को मा.राष्ट्रीय हरित प्राधिकरण के समक्ष प्रस्तुत करने का कष्ट करें।

संलग्नक:—यथोक्त।

भवदीया,



(कहकशां नसीम)
अपर सचिव।

संख्या एवं दिनांक—तदैव।

प्रतिलिपि:—सदस्य सचिव, उत्तराखण्ड प्रदूषण नियंत्रण बोर्ड, देहरादून को इस आशय से प्रेषित कि कृपया शासन द्वारा अनुमोदित Response Affidavite को मा0 प्राधिकरण में समयबद्ध रूप से दाखिल किये जाने हेतु अग्रेत्तर आवश्यक कार्यवाही करना सुनिश्चित करें।

(कहकशां नसीम)
अपर सचिव।

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IN THE NATIONAL GREEN TRIBUNAL, NEW DELHI

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In

Response Affidavit on behalf of the

Principal Secretary

Environment Conservation & Climate Change,

Government of Uttarakhand

in

Original Application No. 420 of 2023

Raju Saini & Ors.

Applicants

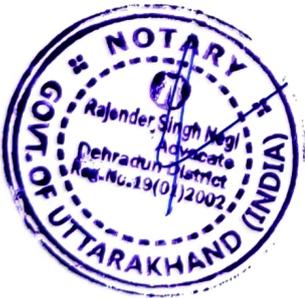
Versus

State of Uttarakhand & Ors.

Respondents

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Dated: April , 2024



Advocate
(Counsel for the State)

IN THE NATIONAL GREEN TRIBUNAL, NEW DELHI

Response Affidavit on Behalf of the
Principal Secretary
Environment Conservation & Climate Change,
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Respondents



Affidavit of Kahkashan Naseem, aged about 43 years, D/o Shri Abdul Sattar Ansari Presently posted as Additional Secretary, Department of Environment Conservation & Climate Change, Government of Uttarakhand at Dehradun.


Deponent

I, the above-named deponent does hereby solemnly affirm and state on oath as under: -

- 1) That the deponent is presently posted as the Additional Secretary, Department of Environment Conservation & Climate Change, Government of Uttarakhand and is duly authorised to sign and swear the instant response affidavit on behalf of

Principal Secretary, Department of Environment Conservation & Climate Change, Government of Uttarakhand and is well acquainted with facts and circumstances of the case.

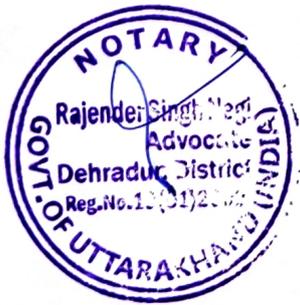
- 2) That the above noted O.A. was listed for hearing on 28.11.2023, wherein the Hon'ble National Green Tribunal was pleased to issue the following directions:

“....

8. In view of the averments in the application and observations in the report of the Joint Committee, we consider it appropriate to have response of (1) State of Uttarakhand through Principal Secretary, Environment, Government of Uttarakhand, (2) District Magistrate, Haridwar, (3) UKPCB and (4) the Project Proponent- M/s Ultratech Cement Limited Unit-Roorkee Cement Works, who stand impleaded as respondents No. 1 to 4. The Registry is directed to prepare and attach memo of parties to the application.

....”

- 3) That in response to the aforesaid direction, it is humbly stated that in compliance of orders passed by the Hon'ble Tribunal, inspection of the Unit i.e. M/s Ultratech Cement Limited (Unit-Roorkee Cement Work) located at Village Nalhera Dehviran, Puhana-Iqbalpur Road, Bhagwanpur, District Haridwar was carried out by the Joint Committee on 19.08.2023, 26.08.2023, 21.10.2023, 30.10.2023, 26.12.2023 and 28.12.2023. The report of the Joint Committee has been submitted before the Hon'ble Tribunal for consideration. The Joint Committee had Division



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Forest Officer, Haridwar Division, Joint Magistrate, Roorkee and Regional Officer, Uttarakhand Pollution Control Board, Roorkee as its member.

- 4) That from perusal of reports submitted by the Joint Committee, it is evident that the unit is complying with conditions of Consolidated Consent & Authorization (CCA) granted by Uttarakhand Pollution Control Board and environmental clearance has been granted by the competent authority. Therefore, the State is in agreement with the reports submitted by the Joint Committee.
- 5) That it is pertinent to mention that Uttarakhand Pollution Control Board is a statutory body to ensure compliances of environmental norms in the industrial units located in the State of Uttarakhand. Inspections of industrial unit are made time to time for verification of compliance status.
- 6) That the deponent is a responsible Government servant having the highest regard for the Hon'ble Tribunal and orders passed by them. The deponent has always made his sincerest efforts to carry out the orders passed by this Hon'ble Tribunal in its letter and spirit and shall continue to do so in the future.




Deponent



Verification: -

I,, Advocate, do hereby declare that the person making this affidavit and alleging himself to be is

the same person who is known to me from the papers produced by him before me in this case.

.....
Advocate
 Enrol. No.

Solemnly affirmed before me on this day of 6 April, 2024 at Dehradun at about 11^{am} AM/PM by the deponent who has been identified by the aforesaid person. I have satisfied myself by examining the deponent who understood the contents of this affidavit. The person has signed in my presence on the affidavit.

Notary



This affidavit is sworn before me by
 Shri. ²⁰²⁸ *Rajender Singh Negi*
 who is identified by Shri
 at Dehradun on.....

Rajender Singh Negi
 (Rajender Singh Negi)
 Advocate & Notary, Dehradun