

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
O.A. No. (C) No. 910 of 2022

IN THE MATTER OF:

Brig Pradeep Kumar Upmanyu ...Applicant
Versus
Union of India & Ors. ...Respondent

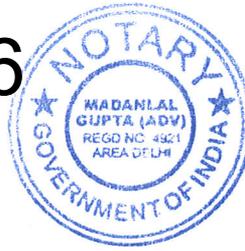
INDEX

S. No.	Particulars	Page No.
1.	Short Affidavit on behalf of Delhi Cantonment Board, Respondent	1-6
2.	Vakalatnama	7-8

Dated:23.02.2023
Place: New Delhi

Through


Tarveen Singh Nanda & Ankur Mishra
Advocates
Legal Cell Delhi Cantonment Board
Delhi Cantt. 110 010



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**SHORT AFFIDAVIT ON BEHALF OF RESPONDENT,
DELHI CANTONMENT BOARD**

MOST RESPECTFULLY SHOWETH:

I, Gyanendra Pal Singh, aged about 34 years, S/o Sh. V.P. Singh, presently holding charge of Sanitation Branch at Delhi Cantonment Board having its office at Sadar Bazar, Delhi Cantonment, New Delhi-110010 do hereby solemnly affirm and state as under:

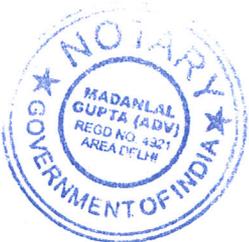
1. That I am duly authorized to represent the Respondent Board in the captioned matter. I am well acquainted with the facts and circumstances of the present case. I am competent to swear this affidavit.
2. That the Respondent is hereby filing the instant Short Affidavit, in compliance of the order dated 20.12.2022, passed by this Hon'ble Court in the instant Petition and craves the leave of this Hon'ble Court to file a detailed para wise Affidavit in case this Hon'ble Court may deem fit and proper in the facts and circumstances of the present case or may otherwise direct so.





3. That the embodied contents of present Short Affidavit have been drafted under my specific instructions given to my counsel which has been repeatedly read over and also elaborately explained to me, which are true and correct as per my knowledge and belief and on the basis of records available. Those of the paras as to legal submissions have also been elucidated to me in detail of which I believe are true and correct.

4. It is informed that Delhi Cantonment Board has installed 20 TPD capacity 'Sorting cum Composting' machine in Delhi Cantt. and the said machine has been working optimally, since July 2022. The technology employed by the machine is unique in that the machine is capable of handling mixed (unsegregated) as well as segregated municipal solid waste, without generating foul smelling leachate. The machine handles raw unsegregated municipal waste by sorting and segregating the plastic and other non-biodegradable components which are converted into bales for ease of transportation and further disposal. The organic fractions of the municipal waste are subjected to bacteriological treatment in the bio-digester, leading to their conversion into compost which is being used for maintenance of green belts in Delhi Cantt. The technology of the machine which employees the unique 'Sorting cum Composting' technology has been recommended by the office of PSA (Principal Scientific





Advisor to Government of India).

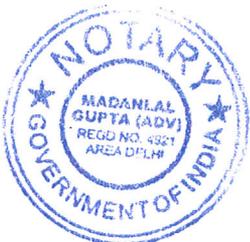
5. The representation mentions that the said plant/machine is in the vicinity of a Gurudwara and a Mandir and that citizens are inconvenienced by foul smell. In this context, it is submitted that following steps have already been taken to avoid inconvenience to citizens:
 - a. The machine is housed in a large closed shed of size about 660 Square meter, located within a properly walled compound, cutting it off from the rest of the area, at the extreme end of eastern flank of Sadar Bazar, Delhi Cantt. This facility is being operated and maintained by M/s XAPER Waste Solutions Pvt. Ltd.
 - b. A separate entry and exit has been created so as not to cause any inconvenience to the citizens.
 - c. To avoid occurrence of any foul smell, de-odorizers are being used regularly during the processing of waste by the machine.
 - d. A dedicated anti-smog gun has been installed for spraying de-odorizers along the adjacent road to ensure there is no particulate pollution arising out of the site.
 - e. Periodical inspection of the site is carried out by the officials of the Board and the premises are maintained hygienically





without spill over at any place.

- f. To ensure the vehicles carrying the municipal waste do not enter the Sadar Bazar Road, a separate ingress/egress has been created on Tigris Road. No vehicle carrying waste to the machine site plies on Sadar Bazar Road.
6. It is submitted that, as per the direction of Delhi Pollution Control Committee (DPCC), the Respondent Board has already decided to shift this machine to some other suitable location/site. In this regard, the Respondent Board has identified an area in Kirby Place to shift this machine for which infrastructural requirements are being planned so that shifting of this machine can be executed at the earliest. It is pertinent to mention that Kirby Place is located on Defence Land and the Respondent Board would require reasonable time for seeking formal approval for the utilization of this land at different levels on various aspects such as construction of approached road, sheds and associated facilities to meet the requirements of electrification, water and rest shelters for the crew. In view of these requirements, the Respondent Board has requested the DPCC to grant 08 months' time for shifting this facility.
7. The Board is committed to provide a clean and hygienic environment to the residents of the Cantt and to implement the mechanisms for proper municipal waste handling and ensuring that all municipal solid waste generated in the Cantt is





processed and converted into useful products and reduce burden on the environment. The commissioning of this plant is a step in the above mentioned directions and achievement of 'Zero Waste' scenario in Delhi Cantt. The Board is also committed to ensure that no inconvenience is caused to the citizens due to any of the initiatives taken up in municipal solid waste management.

8. In respect of widening of Sadar Bazar road, it is submitted that average width of Sadar Bazar road is approx. 11 meter. Sadar Bazar road passes through notified bazaar area of Sadar Bazar for which on both sides of the bazaar sub-road and pedestrian path ways have been provided, thus, leaving no room as such for widening of Sadar Bazar road. Further, on the road berms many services viz. water lines, sewerage lines, OFC cables, HT cables (overhead), LT cables (underground), rainwater harvesting system and other services etc have been provided. On footpaths the street lighting poles have been provisioned and on both sides of the road numerous old trees exist in large number and cutting of huge number of old green trees for widening of road is not considered feasible.
9. The Board had taken up a case study of Road Safety Audit and planning for safe mobility in Delhi Cantonment in terms of directions issued by the Hon'ble Supreme Court of India with regard to Writ Petition (C)No.295 of 2012 through one of the prestigious institute of India i.e. School of Planning &





Architecture (SPA), "An Institute of National Importance" under an Act of Parliament (Ministry of Human Resource Development, Govt. of India) who have submitted their road audit report in which the institute has not recommended widening of Sadar Bazar road whereas the institute has recommended modification to road junction, installation of road safety devices, remodeling of tri-junctions and provisioning of cycle track 2.5 mtr wide on the road berms wherever feasible.

10. For easement of traffic congestion regular exercise of removing road side carts and encroachments on the pavements is undertaken. Unauthorised parking of vehicles is also being checked in close liaison with traffic police to ensure smooth flow of traffic, further, a few dedicated parking spaces have been developed in the bazaar area for preventing traffic congestion on the road..

Gyarenderh
DEPONENT

VERIFICATION

I, the deponent herein, do hereby verify that the contents of paragraph from 1 to 8 of the above affidavit are true and correct to my knowledge based on official records. Verified at New Delhi on this the 23rd day of February, 2023.

Gyarenderh
DEPONENT



ATTESTED
[Signature]
NOTARY PUBLIC
DELHI (INDIA)

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KNOW all to whom these presents shall come that We, I, Gyanendra Pal Singh, aged about 34 years, S/o Sh. V.P. Singh, presently holding charge of Sanitation Branch at Delhi Cantonment Board, Sadar Bazar, Delhi Cantt. 110010 and Sher Singh, Peon at Delhi Cantonment Board, Sadar Bazar, Delhi Cantt. 110010 in the present matter do hereby appoint Mr. Tarveen Singh Nanda (D 2129/2009 and Mr. Ankur Mishra (D/2179/2014) and hereinafter called the Advocates to be Advocates for the Delhi Cantonment Board, in the above-noted case and authorize him-



To act, appear and plead in the above-noted case in this Court, or in any other Court in which the same may be tried or heard and also in the appellate Courts including High Court.

To sign, file, verify and present pleadings replications, appeals cross-objections, or petitions for executions, review, revision, restoration, withdrawal, compromise, or other petitions, replies, objections, or affidavits or other documents as may be deemed necessary or proper for the prosecution of the said case in all its stages.

To file and take back documents.

To withdraw, or compromise said case or submit to arbitration any difference or disputes that may arise touching or in any manner relating to the said case.

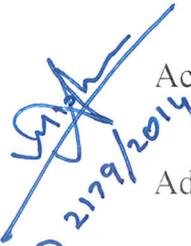
To take out execution proceedings.

To deposit, draw and receive moneys, cheques and grant receipts therefore, and to do all other acts and things which may be necessary to be done for the progress and in the course of the prosecution of the said case.

To appoint and instruct any other Legal Practitioner, authorizing them to exercise the power and authority hereby conferred upon the Advocate whenever he may think fit to do so and to sign the Power of Attorney on my/our behalf.

And I the undersigned do hereby agree to ratify and confirm acts, done by the Advocates or his substitutes in the matter as my/our own acts as if done by me/us to all intents and purposes.

IN witness whereof I do hereunto set my/our hands to these presents, the contents of which have been understood by me this 23rd day of February, 2023.


Accepted
D 21/79/2014
Advocate


Gyanendra Pal Singh
OIC Sanitation