

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL, PRINCIPAL  
BENCH, FARIDKOT HOUSE, COPERNICUS MARG, NEW DELHI-110001.

ORIGINAL APPLICATION NO. 294 OF 2023

IN THE MATTER OF:-

PRASOON PANT & ANR.

APPLICANTS

VERSUS

UTTAR PRADESH POLLUTION CONTROL

BOARD & ORS.

RESPONDENTS

N.D.O.H.: 12/03/2024

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PLACE: - NEW DELHI

DATED:- 05/03/2021

RESPONDENT NO. 57

THROUGH



COUNSEL

ASK PARTNERS

ANIL KUMAR GUPTA, SANDEEP VISHNU & ASHOK KUMAR, ADVOCATES

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CH. NO. 248, G.F. WESTERN WING, TIS HAZARI COURTS, DELHI-110054.

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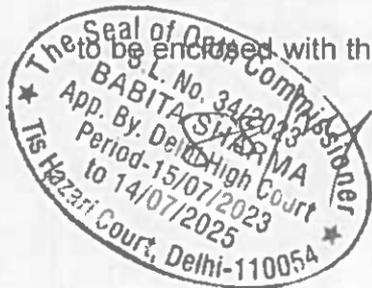
RESPONDENTS

N.D.O.H.: 12/03/2024

SHORT COUNTER-AFFIDAVIT FOR & BEHALF OF RESPONDENT NO. 57.

I, Deepank Agrawal, son of Shri Damodar Agrawal, resident of A-502, Pearls Gateway Towers, Sector-44, Noida, Gautam Buddha Nagar, Uttar Pradesh-201301, presently at Delhi do hereby solemnly affirm and declare as under:-.

1. That I am one of Partners of M/s Hotel Genx Lecrescent, arrayed as Respondent no. 57 in the present OA. The knowledge of the orders passed in the present O.A. from time to time has been derived from the website of this Hon'ble Tribunal.
2. That being one of the Partners of the answering Respondent, I am well conversant with the facts stated in the present Affidavit and as such competent to swear this Affidavit on oath for & on behalf of the Respondent no. 57.
3. That the answering Respondent has been served with the Notice dated 04/01/2024 but without any copy of any order, report and or petition as stated to be enclosed with the said Notice and, therefore, the answering Respondent



most humbly prays that the same may please be provided to the answering Respondent.

4. That however, without prejudice the rights and contentions of the answering Respondent, it is most humbly submitted that the answering Respondent has all the requisite permissions to run a Hotel including a Consolidated Consent to Operate and Authorization (CCA) (Consolidated Consent & Authorization) (Fresh) u/s. 25 of the Water (Prevention & control of Pollution) Act, 1974 and u/s. 21 of the Air (Prevention & control of Pollution) Act, 1981 issued by the Uttar Pradesh Pollution Control Board (UPCCB) vide Authorization Letter no. 192982/UPPCB/Ghaziabad(UPPCBRO)/CTO/both/GHAZIABAD/2023 dated 30/09/2023 for the period from 30/09/2023 to 31/07/2028. True Copy of the said (Consolidated & Authorization) (Fresh) dated 30/09/2023 is annexed as Annexure-A.
5. That the answering Respondent has been complying with all the conditions required to be complied with under CCA (Consolidated Consent & Authorization) (Fresh) dated 30/09/2023.
6. That the answering Respondent has also obtained all the permissions/NOCs/clearances from the other concerned government departments and has been functioning by abiding strictly with the laws of the land. It is submitted that the answering Respondent has all the requisite permissions/clearances to operate as a Hotel and has registered itself under the Sarai Act, 1867 applicable to the State of Uttar Pradesh. True Copy of the Registration Certificate under the Sarai Act, 1867 is annexed as Annexure-B.



7. That the answering Respondent reserves its right and seeks permission of this Hon'ble Tribunal to file a detailed Affidavit on receipt of a copy of the Petition and other annexed documents and applications.

8. That in view of the above facts, it is most humbly submitted that the answering Respondent is neither a necessary nor a proper party in the application in which it has been summoned and hence the proceedings against the answering Respondent may please be dropped.

**For G. R. Enterprises**

Identify the deponent who was signed in my presence

*(Anshu Gupta) A.W.*

*Anshu Gupta*  
Authorised Signatory  
DEPONENT

VERIFICATION:-

Verified at Delhi on this 5 day of MAR, 2024 that the contents of this Affidavit are true and correct to the best of my knowledge and belief and nothing material has been concealed therefrom.

**For G. R. Enterprises**

*Anshu Gupta*  
Authorised Signatory  
DEPONENT

CERTIFIED THAT THE DEPONENT  
Shri/Smt./Km.....  
Do W/o R/o.....  
Identified by *Anshu Gupta*  
was solemnly sworn at  
Delhi on 5 MAR 2024  
that the Contents of the Affidavit which has  
been read and explained to him are true and  
correct to his knowledge.



STATE OF DELHI



**FORM 1  
CONSOLIDATED CONSENT & AUTHORIZATION**

Application for consent for discharge/continuation of discharge under section 25/26 of the Water (Prevention and Control of Pollution) Act, 1974 and for emissions/continuation of emission under section 21 of the Air (Prevention and Control of Pollution) Act, 1981 and for grant/renewal of authorisation for generation or collection or storage or transport or reception or recycling or reuse or recovery or pre-processing or co-processing or utilisation or treatment or disposal of hazardous and other waste under Hazardous and other waste (Management and Transboundary Movement) Rules 2016 read with Environment (Protection) Act 1986.

From,  
HOTEL GENX LECRESCENT, 14/1, AHINSA  
KHAND PART-2, INDIRAPURAM,  
GHAZIANAD, GHAZIABAD,  
City:  
Block: Razapur  
District: GHAZIABAD

Dated  
14/09/2023

To,  
The Member Secretary,  
U. P. Pollution Control Board,  
Lucknow.

Sir,

I/We apply for Consolidated Consent to Operate and Authorization under section 25/26 of the Water (Prevention and Control of Pollution) Act, 1974, under Section 21 of the Air (Prevention and Control of Pollution) Act, 1981 and Hazardous and other Waste (Management and Transboundary Movement) Rules 2016 noted under Environment (Protection) Act 1986 to make discharge, emission, disposal of hazardous and other waste from

CHIRAG for a period upto 5 years

2. The annexure, appendices other particulars and plans in triplicate are attached herewith.
3. I/We further declare that the information furnished in the Annexure, appendices and plans is correct to the best of my/our knowledge.
4. I/We hereby submit that in case of change either of the point or the quantity of discharge or its quality, a fresh application for CONSENT shall be made and until such CONSENT is granted no change shall be made.
5. I/We hereby agree to submit to the Board and application for renewal of consent one month in advance of the date of expiry of the consent period.
6. I/We undertake to furnish other information within one month of its being called by the Board.

M  
**TRUE COPY**



### Uttar Pradesh Pollution Control Board

Building. No TC-12V Vibhuti Khand, Gomti Nagar, Lucknow-226010

Phone:0522-2720828,2720831, Fax:0522-2720764, Email: info@uppcb.in, Website: www.uppcb.com

192982/UPPCB/Ghaziabad(UPPCBRO)/CTO/both/GHAZIABAD/2023

Date: 30/09/2023

To,

M/s

**HOTEL GENX LECRESCENT**

14/1, AHINSA KHAND PART-2, INDIRAPURAM,  
GHAZIANAD,GHAZIABAD,

Application Id-  
22792491

**Consolidated Consent to Operate and Authorisation hereinafter referred to as the CCA (Consolidated Consent & authorization) (Fresh) under Section-25 of the Water (Prevention & Control of Pollution) Act, 1974 and under Section-21 of the Air (Prevention & Control of Pollution) Act, 1981**

CCA is hereby granted to **HOTEL GENX LECRESCENT** located at 14/1, AHINSA KHAND PART-2, INDIRAPURAM, GHAZIANAD,GHAZIABAD,. subject to the provisions of the Water Act, Air Act and the orders that may be made further and subject to following terms and conditions :-

1. This CCA HOTEL GENX LECRESCENT granted for the period from 30/09/2023 to 31/07/2028 and valid for manufacturing of following products.

S No	Product	Quantity	Unit
1	HOTEL-42 ROOMS	42	Numbers/Day

2. Conditions under Water(Prevention and Control of Pollution) Act -1974 as amended :-

(i) The daily quantity of effluent discharge (KLD) :-

Kind of Effluent	Quantity(KLD)	Treatment facility	Discharge point
Domestic	8	Sewar Line	Sewar Line

(ii) Trade Effluent Treatment and Disposal :-The applicant shall operate Effluent Treatment Plant consisting of primary/secondary and tertiary treatment as is required with reference to influent quantity and quality.

In case of stoppage of functioning of ETP, production has to be stopped immediately and this Board has to be intimated by fax/phone/email with a report in this regard to be dispatched immediately.

(iii) The treated effluent shall be recycled to the maximum extent and should be reused within the premises for gardening etc. Quality of the treated effluent shall meet to the following general and specific standards as prescribed under Environment (Protection) Rules, 1986 and applicable to the unit from time-to-time :-

#### Industrial Effluent Quality Standard

S.No.	Parameter	Standard
1	COD	250 mg/l
2	BOD	30 mg/l
3	OIL & GREASE	10 mg/l

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(iv) Sewage Treatment and Disposal :- The applicant shall provide comprehensive STP as is required with reference to influent quantity and quality. In case of stoppage of functioning of STP, production has to be

stopped immediately and this Board has to be intimated by fax/phone/email with a report in this regard to be dispatched immediately.

(v) The treated sewage shall be reused in gardening as far as possible. The STP shall be maintained continuously so as to achieve the quality of the treated sewage to the following standards.

S No.	Parameters	Standards
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**3. Conditions under Air (Prevention and Control of Pollution) Act -1981 as amended :-**

i) The applicant shall use following fuel and install a comprehensive control system consisting of control equipment as required with reference to generation of emissions and operate and maintain the same continuously so as to achieve the level of pollutants to the following standards.

**Air Pollution Source Details**

S No.	Air Pollution Source	Type of fuel	Stack no	Control Device	Height of Stack
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**Emission Quality Standards**

S No.	Stack no	Parameters	Standards
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In case of stoppage of functioning of air pollution control equipment, production has to be stopped immediately and this Board has to be intimated by fax/phone/email with a report in this regard to be dispatched immediately

(ii) The unit will not use any type of restricted fuel.

iii) Noise from the D.G. Set and other source(s) should be controlled by providing an acoustic enclosure as is required for meeting the ambient noise standards for night and day time as prescribed for respective areas/zones (Industrial, Commercial, Residential, Silence) which are as follows :-

Day time : from 6.00 a.m. to 10.00 p.m., Night time: from 10.00 p.m. to 6.00 a.m.

Standards for Noise level in db(A) Leq	Industrial Area		Commercial Area		Residential Area		Silence Zone	
	Day Time	Night Time	Day Time	Night Time	Day Time	Night Time	Day Time	Night Time
	75	70	65	55	55	45	50	40

**4. Essential documents to be submitted by the Industry/Unit as Applicable :-**

(i) Environment Statement in Form-V of Environment (Protection) Rules, 1986.

(ii) Quarterly compliance report of the CCA, photograph of ETP/APCs/Waste Storage Area.

5. Competent Authority reserves the right to change/modify/add any time any condition of this CCA.

6. Unit has to comply with the following specific & general conditions. Non compliance of any provision of this CCA and provisions of the Water Act, Air Act and Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 will result in legal action under the aforesaid Acts and Rules.

7. In compliance to the G.O 1011/81-7-2021-09 (Writ)/2016 dated.13.10.2021 issued by Department of Environment, Forest and Climate Change, Uttar Pradesh. You are directed to develop Miyawaki Forest as per the SOP available at URL:-<http://www.upecp.in/TrainingSession.aspx> for ensuring timely compliance of this direction, you are hereby directed to submit a bank guarantee with minimum validity of one year of the amount equivalent to the sum of initial consent fees (Air and Water) or Rs. 50,000/- (Rs. Fifty Thousand Only) whichever is more, within 30 days from the date of issuance of this certificate. In case of non-

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compliance of this direction, your consent will be revoked by the Board.

8. If the unit uses the ground water and requires the permission from SGWA/CGWA for water abstraction then the industry will have to obtain No objection certificate for abstraction of ground water. It will be the responsibility of the industry to comply with the various conditions of the NOC obtained from the competent authority and submit to the Board, within 3 months time failing which CTO will be revoked.

**General Conditions:-**

1. The applicant shall get analysed the samples of effluent/emission/hazardous wastes at least once in a three month from the laboratory recognized by the MoEF and shall report to the UPPCB.
2. The applicant shall however, not without the prior consent of the Board bring into use any new or altered outlet for the discharge of effluent or gases emission or sewage waste from the unit.
3. Treated Industrial waste water and domestic waste water shall be disposed jointly at one disposal point. The applicant shall provide discharge measurement equipment at final disposal point.
4. The applicant shall strictly comply with conditions of this CCA and submit compliance report of stipulated conditions within 30 days of receipt of this CCA. If at any point of time, it is found that the industry is not complying with stipulated conditions or any further direction/instruction issued by the Board, legal action shall be initiated against the applicant.
5. The applicant shall maintain good house keeping. All valves/pipes/sewer/drains etc. must be leak-proof
6. The industry shall provide uninterrupted entry to the STP/ETP inlet and outlet points, Air Pollution Control equipment and stack for smooth sampling/monitoring of efficiency of pollution control systems.
7. The industry shall provide Inspection Book at the time of inspection to the Board's officials.
8. Whenever due to any accident or other unforeseen act or event, such emission occurs or is apprehended to occur in excess of standards laid down, such information shall be reported to the Board's offices and all other concerned offices. In case of failure of pollution control equipment, the production process connected to it shall be stopped with immediate effect.
9. The industry shall operate in a manner so that all emissions be emitted through designated chimney/stack only.
10. In case of any damage to the agriculture productivity, human habitation etc. by the operation of industry, it shall be imperative to stop production in the industry with immediate effect and such information shall be reported to Board's offices. The industry shall be liable to pay compensation also in such cases as decided by the Competent Authority.
11. The applicant shall apply before the 60 days of expiry of CCA or any change in production types/ production capacity/manufacturing process/capacity enhancement etc. or any change in effluent discharge point or emission point
12. The Board reserves the right to revoke/add/modify any stipulated condition issued along with CCA, as may be necessary.

**Specific Conditions:-**

1. This CTO is valid for operation of HOTEL-42 ROOMS only
2. Unit should be operated in such a manner that it does not adversely affect the environment and the solid waste generated should be disposed in Eco friendly manner.
3. Any source of emission other than that mentioned in the Air consent seeking application will not be permitted by the Board.
4. Unit should ensure the operation of the air pollution control system (APCS) in such a manner that the air emission conforms with the standards prescribed under the E.P Act 1986 as amended.
5. This consent is valid only for products and quantity mentioned above. Industry shall obtain prior approval before making any modification in product/ process /fuel/ plant machinery failing which consent would be deemed void.

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6. Unit shall abide by orders / directions issued by Hon'ble Supreme court Hon'ble High Court, Hon'ble National Green tribunal, Central Pollution Control Board and U.P Pollution Control Board for protection and safe guard of environment from time to time.
7. Unit shall submit quarterly monitoring reports of all stacks and ambient air quality from a certified / approved laboratory under E.P. Act 1986.
8. Unit shall comply with various provisions of Air (Prevention and Control of Pollution) Act 1981 as amended, Water (Prevention and Control of Pollution) Act 1974 as amended and all other applicable rules notified under E.P. Act 1986.
9. If the CPCB or UPPCB issues the Closure order against the industry this consent order stands automatically suspended for that period.
10. The unit shall obtain prior consent in the event of any addition of new emission generation sources such as- Boiler/ Furnace/ Heaters/ D.G. Sets or alteration of existing emission sources in accordance with section 21/22 of air Act 1981 (as amended respectively).
11. For the development of the green belt the guidelines issued vide Board office order no. H10405/220/2018/02 Dt. 16-02-2018 shall be complied.
12. Unit shall submit the compliance of conditions within 01 month from receipt of this letter.
13. The board have right to modify any condition as & when require in compliance of any change in environmental guidelines and Hon'ble courts orders passed time to time.
14. Unit shall comply with various Waste Management Rules as notified by Moef & CC i.e.. Plastic Waste Management Rules, 2016, Solid Waste Management Rules, 2016, Hazardous and Other Wastes (Management and Trans boundary) Rules, 2016, E-waste (Management) Rules, 2016.
15. Industry shall not install any borewell without prior NOC of UPGDW.
16. Unit shall comply with direction issued under Graded Response Action Plan (GRAP) time to time by Hon'ble Supreme Court & Commission for Air Quality Management in NCR and Adjoining Areas (CAQM).
17. The consent fee submitted to this office shall be verified by account section, if inadequate shall be submitted within one week, failing which this consent shall be deemed void.
18. Operation and maintenance of APCS shall be done in such a way that the emission generated from stacks is always within prescribed norms of the Board.
19. Unit shall comply with the CAQM (Commission for Air Quality Management in NCR and Adjoining Areas) directions and other directions issued time to time regarding use of cleaner fuel.
20. Unit shall comply with the CAQM (Commission for Air Quality Management in NCR and Adjoining Areas) directions regarding DG sets.
21. Unit shall comply with office Memorandum dated 27-02-2020 regarding stringent norms for abatement of pollution in CEPI areas.
22. Unit shall comply with all the direction passed by Hon'ble NGT in OA No. 294/2023/2018 Prason Pant & Anr V/s. Uttar Pradesh Control Board & Ors.
23. Environmental Compensation will be imposed for the period during which your unit was operate by without obtaining consent to operate.



**TRUE COPY**

Copy to:

CEO-1, UPPCB, LUCKNOW.

Vikas Mishra  
Digitally signed  
by Vikas Mishra  
Date:  
2023.09.30  
18:52:16 +05:30'

**REGIONAL OFFICER, GHAZIABAD.**

Vikas Mishra  
Digitally signed  
by Vikas Mishra  
Date:  
2023.09.30  
18:52:50  
+05:30'

**REGIONAL OFFICER, GHAZIABAD.**



**मिशन LIFE - पर्यावरण के लिए जीवन शैली**  
(Lifestyle For Environment)  
**जनसहभागिता का सन्देश**



- स्वच्छता -- देशभर में अपने परिवेश की स्वच्छता हेतु अपना सक्रिय योगदान मनिश्रित करें
- संकल्प लें - गृह उपयोग प्लास्टिक उत्पाद जैसे कप, तश्तरी, चम्मच, स्ट्रॉ, ईयरबड्स आदि का उपयोग न हो एवं पर्यावरण अनुकूल विकल्पों जैसे कागज/पत्तों से बने दोने या कटलरी को प्राथमिकता दी जाय |
- गृह उपयोग प्लास्टिक उत्पाद के प्रयोग को रोकने एवं प्लास्टिक बैग के बजाय कपडे के थैले का उपयोग करने मात्र से 375 मिलियन टन ठोस (प्लास्टिक) कचरे का उत्सर्जन बचाया जा सकता है
- चक्रीय अर्थव्यवस्था (सर्कुलर इकोनॉमी) का समूचित कार्यान्वयन वर्ष 2030 तक लगभग 14 लाख करोड़ रुपये की अतिरिक्त बचत उत्पन्न कर सकता है | वेस्ट/अपशिष्ट फेकने के पूर्व सोचें, ये किमी का संसाधन तो नहीं ...?
- अनुपयोगी इलेक्ट्रिक / इलेक्ट्रॉनिक उत्पाद को कचरे में फेकने से रकें | इसके उपयुक्त निस्तारण हेतु इसे प्राधिकृत ई-वेस्ट संग्रहालय में दें | सर्किलर इकोनॉमी के अंतर्गत अनुपयोगी इलेक्ट्रिक / इलेक्ट्रॉनिक उत्पाद को देने मात्र से 0.75 मिलियन टन तक ई-कचरे का पुनर्चक्रण किया जा सकता है एवं ई-कचरे के विषम पर्यावरणीय दुष्प्रभाव से बचा जा सकता है
- बाहर जाने समय - सोचें कि क्या आपको वास्तव में परिवहन की आवश्यकता है - वह भी क्या व्यक्तिगत रूप से ? छोटी दूरी के लिए पैदल चलना पसंद करें, अथवा सम्भव हो तो कार पूल के रूप में संसाधन को साझा करें अथवा सार्वजनिक परिवहन पर विचार करें
- घरेलू स्तर पर कम से कम ठोस अपशिष्ट का उत्सर्जन करें और इनका प्रभावीकरण करें
- उपयोगी शेष खाद्य सामग्री आपके स्वयं प्रयास अथवा निकटस्थ सक्रिय स्वयं सेवी संस्थाओं की महायत्ना से समाज के वंचित वर्ग तक पहुंचाई जा सकती है | वहीं अनुपयोगी भोजन /खाद्य सामग्री को कंपोस्ट (वर्मी कंपोस्ट) करने से 15 अग्र टन भोजन को नष्ट होने से बचाया जा सकता है
- ध्यान रखें - उपयुक्त तल और शावर के उपयोग से पानी की खपत को 30 - 40% तक कम किया जा सकता है। एवं उपयोग में न होने पर तलों को बंद रखने मात्र से 9 ट्रिलियन लीटर पानी बचाया जा सकता है
- ट्रेफिक लाइट/ग्लव ब्रेकिंग पर कार/स्कूटर के इंजन बंद करने मात्र से 22.5 विलियन kWh तक ऊर्जा की बचत हो सकती है
- परम्परागत बल्ब के स्थान पर CFL का उपयोग बिजली की खपत में प्रभावी कमी लाते हैं | उपयोग में न होने पर बिजली उपकरणों को बंद करें | स्टार रेटेड विद्युत उपकरणों के उपयोग को प्राथमिकता दें

हमारे द्वारा अपनी जीवन शैली की प्राथमिकताओं का उचित और पर्यावरण अनुकूल पुनर्निर्धारण समाज और पर्यावरण के प्रति हमारा दायित्व है।

  
**TRUE COPY**

**कार्यालय जिलाधिकारी गाजियाबाद।**  
**पंजीकरण प्रमाण पत्र**  
**( प्रमाण पत्र संख्या -227 /312/2023)**

प्रमाणित किया जाता है कि प्रतिष्ठान मैसर्स होटल लीकिसेन्ट (यूनिट ऑफ जीआर इण्टरप्राइजेज ) स्थित 14/ए मॉल रोड अहिंसा खण्ड-2 इन्दिरापुरम के संचालक/स्वामी श्री उत्तम सिन्हा पुत्र श्री जामिनी मोहन सिन्हा निवासी 793-794 ए न्यायखण्ड-2 इन्दिरापुरम गाजियाबाद के द्वारा प्रस्तुत प्राथम्य पत्र/आवेदन पत्र के क्रम में विभिन्न विभागों की प्राप्त अनापत्तियों/आख्याओं/आवेदक/प्रतिष्ठान स्वामी जी ओर से प्रस्तुत सूचनाओं/अभिलेखों/क्षप्य पत्र के आधार पर उपरोक्त प्रतिष्ठान का पंजीकरण संख्या संख्या-1867 के अधीन निम्न प्रकार किया जाता है।

- 1-प्रतिष्ठान का नाम मैसर्स होटल लीकिसेन्ट (यूनिट ऑफ जीआर इण्टरप्राइजेज )
- 2-प्रतिष्ठान का पता स्थित 14/ए मॉल रोड अहिंसा खण्ड-2 इन्दिरापुरम गाजियाबाद।
- 3-प्रतिष्ठान के स्वामी श्री विराग गर्ग पुत्र श्री नीरज गर्ग निवासी बी-751 सै-सी अहिंसा खण्ड-2 इन्दिरापुरम।
- 4-प्रतिष्ठान के संचालक/प्रबन्धक श्री उत्तम सिन्हा पुत्र श्री जामिनी मोहन सिन्हा निवासी 793-794 ए न्यायखण्ड-2 इन्दिरापुरम गाजियाबाद
- 4-प्रतिष्ठान का दूरभाष सं० 0120-4554513
- 5-प्रतिष्ठान में कार्यरत कर्मियों की संख्या (05)
- 6-प्रतिष्ठान के कर के सम्बन्ध में। नियमानुसार जी0एस0टी कर अदा किया जायेगा।
- 7-प्रतिष्ठान में कमरों की संख्या/ कमरों के दरजों की तमगह/ का विवरण। (42) बयालिस कमरे।
- 8-पंजीकरण का दिनांक 18-04-2023
- 9-अन्य विवरण यह पंजीकरण प्रमाण पत्र इस कार्यालय से जारी पत्र संख्या 226/वी0आई0पी/2023 दिनांक 18-04-2023 में उल्लिखित शर्तों/ प्रतिबन्धों के अधीन रहेगा। यह प्रमाण पत्र प्रतिष्ठान की भूमि/भवन के स्वामित्व/अधिभोग/ निर्माण/वैचि/नक्शे को प्रमाणित नहीं करता है।



अपर जिलाधिकारी नगर  
कृते जिलाधिकारी  
गाजियाबाद ।

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