

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL**

**PRINCIPAL BENCH AT NEW DELHI**

IN

Original Application No. 596 of 2025

**IN THE MATTER OF:**

NATIONAL MEDIA CENTRE CO-OPERATIVE

HOUSE BUILDING SOCIETY LTD. & ORS.

...APPLICANTS

VERSUS


STATE OF HARYANA & Ors.

...RESPONDENTS

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New Delhi  
Dated:06.04.2026

Filed By  
  
(DR. ABHISHEK ATREY)  
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**COUNTER AFFIDAVIT ON BEHALF OF THE RESPONDENT NO.5 i.e.,  
COMMISSION FOR AIR QUALITY MANAGEMENT IN NATIONAL  
CAPITAL REGION AND ADJOINING AREAS**

I, Shivendra Chaturvedi aged about 58 Years, s/o Shri D.N. Chaturvedi, working as Director in the Commission for Air Quality Management in National Capital Region and Adjoining Areas, New Delhi (hereinafter referred to as 'Commission') having office at 17<sup>th</sup> Floor, Jawahar Vyapar Bhawan, STC Building, Tolstoy Marg, New Delhi – 110001, do hereby, in my official capacity, solemnly affirm and state as under:

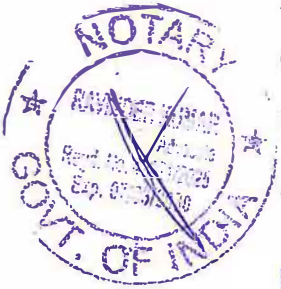
1. That I, in the capacity of Director of the Commission for Air Quality Management in National Capital Region and Adjoining Areas, am fully conversant with the facts of the case and competent to swear this affidavit on behalf of respondent no. 5.



शिवेन्द्र चतुर्वेदी / Shivendra Chaturvedi  
निदेशक / Director  
राष्ट्रीय वायु गुणवत्ता प्रबंधन आयोग  
Commission for Air Quality Management in NCR & Adjoining Areas  
भारत सरकार / Government of India  
17वीं मंजिल, जवाहर व्यापार भवन (एस.टी.सी. बिल्डिंग), टॉलस्टॉय मार्ग,  
17th Floor, Jawahar Vyapar Bhawan (STC Building), Tolstoy Marg,  
नई दिल्ली / New Delhi-110001

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निदेशक / Director  
राष्ट्रीय वायु गुणवत्ता प्रबंधन आयोग  
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17वीं मंजिल, जवाहर व्यापार भवन (एस.टी.सी. बिल्डिंग), टॉलस्टॉय मार्ग,  
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नई दिल्ली / New Delhi-110001

2. That in the present matter the applicant is aggrieved with the construction, relocation and proposed installation of 24 high-capacity DG sets (totalling 67,500 KVA) and a cooling tower by the Respondent No. 8 i.e. M/s DLF Limited, alleging violation of the mandatory conditions of the Environmental Clearances dated 06.05.2019 and 09.04.2023.
3. That the applicant has further alleged that the said DG sets and cooling tower are being set up/constructed adjacent to the Mousari Avenue Rapid Metro Station and adjoining to the Applicant's Society and there are pre-primary school, day-care and community center located in the vicinity.
4. That the applicant has approached this Hon'ble Tribunal seeking relief against the Respondent No. 8 i.e. M/s DLF Limited, that ongoing construction for installation and operation of 24 DG sets be declared in violation of the EC dated 06.05.2019 and 09.04.2023, as the same are illegal. Further, initiate proceedings under the EC dated 09.04.2023 and under the Environment (Protection) Act, 1986 against Respondent No. 8 for concealment, misrepresentation and non-compliance in statutory reporting. Furthermore, cancel the EC dated 06.05.2019 and 09.04.2023 for the violations of the conditions as mentioned in the EC.
5. At the outset, it is humbly submitted that the Central Government in exercise of the powers conferred under Section 3 of the CAQM Act, 2021, has constituted the Commission for Air Quality Management in National Capital Region and Adjoining Areas for better coordination, research, identification and resolution of problems surrounding the air quality index and for matters connected therewith or incidental thereto.



शिवेन्द्र चतुर्वेदी / Shivendra Chaturvedi  
 निदेशक / Director  
 राष्ट्रीय राजधानी क्षेत्र और निकटवर्ती क्षेत्रों में वायु गुणवत्ता प्रबंधन आयोग  
 Commission for Air Quality Management in NCR & Adjoining Areas  
 भारत सरकार / Government of India  
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 राष्ट्रीय राजधानी क्षेत्र और निकटवर्ती क्षेत्रों में वायु गुणवत्ता प्रबंधन आयोग  
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 नई दिल्ली

6. That the contents of the application are admitted to the extent borne out from the records and the answering respondent disputes and denies all the contentions, allegations, claims and averments contrary to anything stated or submitted in this affidavit. Nothing in this application may be deemed to have been accepted or admitted by the answering respondent. Further, the answering respondent craves leave of this Hon'ble Tribunal to make additional submissions, if required, during the course of proceedings.

7. That the answering respondent is filing the present affidavit with a view to enabling this Hon'ble Tribunal to appreciate the correct perspective of the matter.

8. That the answering respondent, since its inception has been working towards the prime objective of abatement of air pollution in the NCR and adjoining areas. To this end, the answering respondent has all along adopted a collaborative, collective and participative approach for efforts to be made for abatement of air pollution in the entire region including formulation of a comprehensive Policy to Curb Air Pollution in the National Capital Region detailing out targeted short / medium / long term action plans and identifying various agencies responsible for implementation, enforcement and monitoring of the same.


9. It is most respectfully submitted that the relief sought by the applicant pertain to the alleged non-compliance with the conditions of the EC, which has been granted under the provisions of the Environment (Protection) Act, 1986 and the rules/notifications framed thereunder. It is further submitted that no relief, either direct or indirect, has been sought against the answering Respondent. The answering Respondent has neither any statutory role nor any regulatory or enforcement authority in relation to



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 निदेशक Director  
 राष्ट्रीय राजधानी क्षेत्र की वायु प्रदूषण नियंत्रण आयोग  
 Commission for Air Quality Management in NCR & Adjoining Areas  
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 नई दिल्ली / New Delhi-110061


the grant, monitoring or alleged violation of the said Environmental Clearance.

10. That in view of the aforementioned facts and circumstances, this Hon'ble Tribunal may kindly be pleased to pass any appropriate order(s) as this Hon'ble Tribunal may deem fit.

  
**DEPONENT**  
 शिवेन्द्र चतुर्वेदी / Shivendra Chaturvedi  
 निदेशक / Director  
 राष्ट्रीय राजधानी क्षेत्र और निकटवर्ती क्षेत्रों में वायु गुणवत्ता प्रबंधन आयोग  
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 नई दिल्ली / New Delhi-110001

#### VERIFICATION

Verified at New Delhi on this 6<sup>th</sup> day of April, 2026 that the contents of the above affidavit are true and correct to my knowledge and as per official records maintained in the routine course of business. No part of the above affidavit is false and nothing material has been concealed there from.

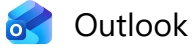
  
**DEPONENT**  
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 निदेशक / Director  
 राष्ट्रीय राजधानी क्षेत्र और निकटवर्ती क्षेत्रों में वायु गुणवत्ता प्रबंधन आयोग  
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06 APR 2026

**ATTESTED**

NOTARY PUBLIC  
GOVT. OF INDIA



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**Fw: Counter Affidavit on behalf Respondent No.5 - CAQM in O.A. No.596 of 2025 - National Medial Centre Cooperative Housing Building society Ltd. & Ors. vs. State of Haryana & Ors.**

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**From** Faheem Ahmad <ansari\_faheem47@hotmail.com>

**Date** Mon 4/6/2026 2:34 PM

**To** shubham@eldfindia.com <shubham@eldfindia.com>

 1 attachment (914 KB)

National media counter.pdf;

Madam /Sir,

Kindly accept the service in the above subject matter on behalf of CAQM from Dr. Abhishek Atrey Advocate.

Faheem Ahmad

From Office of Dr. Abhishek Atrey, Advocate  
Chamber No.D-202, New Additional Building Complex,  
Supreme Court of India, New Delhi  
Email: abhishekatreya@gmail.com  
Mobile No.9810047556