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**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH AT NEW DELHI**

ORIGINAL APPLICATION NO. 81 OF 2025

IN THE MATTER OF:

SATISH KUMAR GOYAL

...APPLICANT

Versus

STATE OF HARYANA & ORS.

...RESPONDENTS

NDOH: 20.01.2026

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FILED BY:



HARSH GATTANI

Gattani & Co.

(Counsels for the Respondent No. 6)

A-86, LGF, Defence Colony, New Delhi – 110024

Contact: +91-7415314431 | Email: harshgattani@outlook.com

PLACE: NEW DELHI

DATE: 19.01.2026

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH AT NEW DELHI**

ORIGINAL APPLICATION NO. 81 OF 2025

IN THE MATTER OF:

SATISH KUMAR GOYAL

...APPLICANT

Versus

STATE OF HARYANA & ORS.

...RESPONDENTS

**OBJECTIONS TO THE COMPLIANCE AFFIDAVIT DATED 17.10.2025
FILED BY MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE
CHANGE (MoEF&CC) ON BEHALF OF RESPONDENT NO. 6 I.E. M/S.
TREHAN PROMOTERS & BUILDERS PVT. LTD.**

MOST RESPECTFULLY SHOWETH:

1. That the above-captioned Original Application being O.A. 81/2025 has been filed by Mr. Satish Kumar Goyal (hereinafter referred to as '*Applicant*') against the alleged illegal construction purportedly undertaken by the Respondent No. 6 i.e. M/s Trehan Promoters & Builders (hereinafter referred to as '*Answering Respondent*').
2. That vide order dated 28.02.2025, this Hon'ble Tribunal was pleased to appoint a Joint Committee comprising representatives of Member Secretary, Central Pollution Control Board (CPCB) and RO, MoEF&CC, Chandigarh in order to conduct an inspection of the Answering Respondent's project site and to submit a report of the same before this Hon'ble Tribunal.
3. That in compliance thereof, the Respondent No. 2 formulated a Joint Committee which conducted an inspection of the project site on 04.04.2025 and submitted its report before this Hon'ble Tribunal on 21.05.2025. The Answering respondent has duly put on record its objections to the report of the Joint Committee dated 20.05.2025.

4. That on 19.09.2025, Dr. S. Prabhu (Scientist-D, MoEF) had sought clarification from the Regional Office, MoEF Chandigarh regarding the violations of OM dated 29.03.2022. Subsequently, on 26.09.2025, the Joint Committee further re-inspected the site in order to provide its opinion and vide clarification dated 08.10.2025, the Joint Committee concluded that the Answering Respondent has violated the OM dated 29.03.2022.
5. That at the outset, it is submitted that the observations recorded in the Joint Committee Report as well as its conclusion do not fully reflect the compliance status of the Answering Respondent, and certain findings therein are based on erroneous assumptions and an incorrect assessment.
6. That the Answering Respondent had duly applied for the Environment Clearance for its Project which has a built-up area of 168060.56 sq. mtrs. on a plot area of 20558.36 sq. mtrs. The SEAC had recommended Environmental Clearance to the Answering Respondent, thus, there is no violation of EIA Notification, 2006 or any other provision of Environmental Protection Act, 1986.

**OBJECTIONS TO THE CLARIFICATION ON JOINT COMMITTEE
REPORT DATED 08.10.2025**

7. That the aforementioned re-inspection was conducted on 26.09.2025 and certain observations regarding construction initiated by the Answering Respondent without Environment Clearance and valid Consent to Establish are recorded in Paragraph 3 of the clarification. The Answering Respondent humbly submits that it had not undertaken any permanent construction at the Project site corresponding to the building plans of the Project as the building plans of the Project have not yet been approved by the concerned authority. Pertinently, the construction which had been undertaken by the Answering Respondent at the Project site corresponds to a '*Temporary Site Office*' which is about 1240.60 sq. mtrs. and is temporary in nature and is subject to demolition prior completion of the Project. The said temporary construction is not part of the main building, which is yet to be constructed by the Answering Respondent and is rather a perishable structure

which is destined to be demolished as it will only serve as a site office during the construction of the Project building.

True Copy of the conceptual plan of the main project building is annexed and marked herewith as ANNEXURE R-1

8. Further, as per the EIA Notification, no Environment Clearance is required for construction of the said '*Temporary Site Office*' for the following reasons namely:
 - a. The *Temporary Site Office* is a temporary structure and is bound to be demolished prior completion of the main Project building.
 - b. The *Temporary Site Office* is around 1240.60 sq. mtrs in built-up area and therefore not governed by the EIA Notification as there is no requirement of prior EC for structures less than 20000 sq. mts.
 - c. Construction of the *Temporary Site Office* is governed by local body laws and not by the EIA Notification.
9. That in order to secure the approval of the local body, the Answering Respondent had submitted the building plans of the '*Temporary Site Office*' to Haryana State Industrial and Infrastructure Development Corporation Ltd. (hereinafter referred to as "*HSI IDC*") for approval and the same were duly approved by HSI IDC on 10.01.2025. Further, even from a *prima facie* perusal of the building plans approved by the HSI IDC it is evident that the space of the '*Temporary Site Office*' is unattached from the Project building plan and is located on a vacant parcel of land and unrelated to the main Project. Hence, the construction undertaken by the Answering Respondent on the Project site pertaining to the '*Temporary Site Office*' is not unauthorised.
10. It is submitted that there exists no requirement for Consent to Establish under Section 25 of the Water (Prevention and Control of Pollution) Act, 1974 for the construction of the said '*Temporary Site Office*' as there will be no discharge of sewage or trade effluents during the construction of the said temporary structure. Similarly, there exists no requirement for Consent to Establish under Section 21 of

the Air (Prevention and Control of Pollution) Act, 1981 for the construction of the said 'Temporary Site Office' as the said construction do not fall within the definition of Section 21(1) of the Air Act, 1981. However, as per the specific conditions of the SEAC, the Answering Respondent will apply for the required permissions under the Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981 for the expansion Project, if any.

11. That in Paragraph 3 of the said clarification, Joint Committee had observed:

'a. Project site has carried additional construction work (use of RCC) for:

- i. Installation of water purification system.*
- ii. Platform for installation of DG set, which involves civil works using RCC.*

b. Unit has raised additional structure by use of steel pillars RCC etc.

c. Construction of sample flat, which includes RCC works, construction of pillars and brickworks are complete.

4. In view of the above, it is concluded that Project Proponent has violated the OM dated 29.03.2022.'

It is stated that the aforesaid observations are patently incorrect and unfounded for the following reasons:

- a. Firstly*, the water purification system which has been installed at the site is installed under the ambit of the OM dated 29.03.2022 as the OM categorically allows making provisions for temporary electricity and water supply for site office, therefore installation of water purification system is not violative of the OM dated 29.03.2022.
- b. Secondly*, the DG set have been installed to provide temporary electricity for the site office. The OM categorically allows making provisions for temporary electricity and water supply for site office, therefore installation of DG purification set is not violative of the

OM dated 29.03.2022. The DG set is installed inside a temporary iron shed structure with steel roof, open form all sides which again is allowed as the OM allows '*Construction of temporary shed using pre-fabricated/modular structure, for site office/guards and storing material and machinery*'. Therefore, installation of DG set in temporary iron shed do not violate OM dated 29.03.2022.

- c. *Thirdly*, no additional structure of permanent nature has been constructed by the Answering Respondent. The allegation that *Unit has raised additional structure by use of steel pillars RCC etc.* is incorrect. The iron structure is of temporary nature and is allowed as per the OM dated 29.03.2022.
- d. *Fourthly*, the iron pillars of the temporary iron structure rest on small concrete platform and the same is only to provide strength to the structure. The site is prone to high speed winds and in order to protect the structure from collapsing during heavy wind, storms and rains, it is mandatory that the pillars rest on solid surface as iron pillars cannot be directly mounted on loose soil. Further, if the iron pillars are not mounted on solid surface, the same could collapse which could lead to fatal accidents. Therefore, in order to ensure the safety of the workers, the iron structure is mounted on solid surface. However, the said solid platform do not *per se* change the nature of the structure as it still is a temporary structure which is pre-fabricated and modular in nature and will be demolished in near future.

Hence, in view of the above there is no violation of the OM dated 29.03.2022.

OBJECTIONS TO THE CONCLUSION OF JOINT COMMITTEE REPORT

12. That the Joint Committee at Paragraph 4 had concluded that the Answering Respondent has violated the OM dated 29.03.2022, however, the said finding is patently incorrect and has no basis whatsoever rather the same is contradictory to

the clarifications made under Para 2(c) by the Joint Committee in its report. That in Para 2(c) the Joint Committee has clarified that '*temporary shed are being used for site office and boundary wall of project site is made using steel sheets on iron pillars*'. Pertinently, construction of temporary sheds is allowed by the OM dated 29.03.2022. Hence, the conclusion that the Answering Defendant has violated the OM dated 29.03.2022, is unfounded and baseless.

13. It is further submitted that the OM dated 29.03.2022 deals with activities which can be undertaken prior to grant of Environmental Clearance. It is submitted that against the proposal of the Answering Respondent for grant of Environment Clearance, the SEAC on 10.01.2025 had recommended for grant of Environment Clearance under the EIA Notification and the time limit of 45 days as per Clause 8(i) ended on 24.02.2025. Hence, as on date, the Answering Respondent holds deemed Environment Clearance by virtue of Clause 8(iii) of the EIA Notification. Therefore, the OM dated 29.03.2022 is not at all applicable to the Answering respondent as the Answering Respondent holds deemed Environment Clearance as on date. Hence, under any circumstance whatsoever, the Answering Respondent has not violated the OM dated 29.03.2022 and the conclusion of the Joint Committee is *prima facie* incorrect, perverse and unfounded.
14. As previously stated, the construction undertaken by the Answering Respondent at the Project site corresponds to a 'Temporary Site Office' which is about 1240.60 sq. mtrs. on a vacant parcel of land and is temporary in nature and therefore not governed by the EIA Notification as there is no requirement of prior EC for structures less than 20000 sq. mts. Importantly, the construction of the Temporary Site Office is governed by local body laws which have been duly approved by HSIIDC on 10.01.2025.
15. The Answering Respondent had not undertaken any permanent construction at the Project site corresponding to the building plans of the Project as the building plans of the Project have not yet been approved by the concerned authority.
16. It is humbly submitted that, as on date, the Answering Respondent holds deemed Environment Clearance by virtue of Clause 8(iii) of the EIA Notification and has

not undertaken any permanent construction at the project site. That any adverse order based on the findings of the Joint Committee Report would have severe financial implications upon the Answering Respondent and shall cause significant operational disruptions to the Answering Respondent.

17. Therefore, in view of the above, the Answering Respondent humbly prays that the findings in the Joint Committee be reconsidered, as they are based on mere assumptions rather than the actual facts. The Answering Respondent submits that preventive measures for dust mitigation such as anti-smog guns, water sprinkling, covering of construction material etc. are already in place and operational, ensuring ongoing compliance with all applicable environmental laws.
18. That in light of the foregoing submissions, the Answering Respondent categorically denies undertaking any illegal construction and submits that the findings of the Joint Committee Report and the subsequent conclusion that the Answering Respondent has violated OM dated 29.03.2022 as non-factual. The Answering Respondent has consistently adhered to prescribed environmental norms, holds valid statutory permissions, and has taken proactive measures to ensure compliance of environment guidelines and norms in place.
19. The Answering Respondent remains committed to environmental sustainability, regulatory compliance, and responsible operations and humbly prays for a just and fair assessment of its compliance.
20. The Answering Respondent further reserves its right to file additional pleadings or affidavits, if necessary, in response to any subsequent developments in the present proceedings.

For Trehan Promoters & Builders Pvt. Ltd.


Director/Authorised Signatory

**M/S. TREHAN PROMOTERS & BUILDERS PVT. LTD./
RESPONDENT NO. 6**

FILED BY:



HARSH GATTANI

Gattani & Co.

(Counsels for the Respondent No. 6)

A-86, LGF, Defence Colony, New Delhi – 110024

Contact: +91-7415314431 | Email: harshgattani@outlook.com

PLACE: NEW DELHI

DATE: 19.01.2026

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Versus

STATE OF HARYANA & ORS.

...RESPONDENTS

AFFIDAVIT

I, Goutam Patra, S/o Late Shri Dhananjay Patra, aged about 35 years, Authorised Representative of Sky High Technobuild Pvt. Ltd., R/o J-4/30B, First Floor, DDA Flats, Kalkaji, New Delhi – 110019, do hereby solemnly affirm, state and declare as under:-

1. That I am the Authorised Representative of M/s Trehan Promoters & Builders Pvt. Ltd and am well conversant with the facts and circumstances of the case and hence competent to swear the present affidavit.
2. That I have read and understood the contents of the present Objections which has been drafted by the counsel under my instructions and I state that the facts stated therein are true and correct to my knowledge based on records, contents whereof are not repeated for the sake of brevity and may be read as part and parcel of this affidavit. No part of it is false and nothing material has been concealed therefrom.



For Trehan Promoters & Builders Pvt. Ltd.


Director/Authorised Signatory
DEPONENT

VERIFICATION:

Verified at New Delhi on this **19 JAN 2026** day of January, 2026 that the contents of paragraphs stated above are true and correct to my knowledge. No part of it is false and nothing material has been suppressed or concealed therefrom.

[Handwritten signature]
D/268/2019
I identified the deponent who has signed in my presence

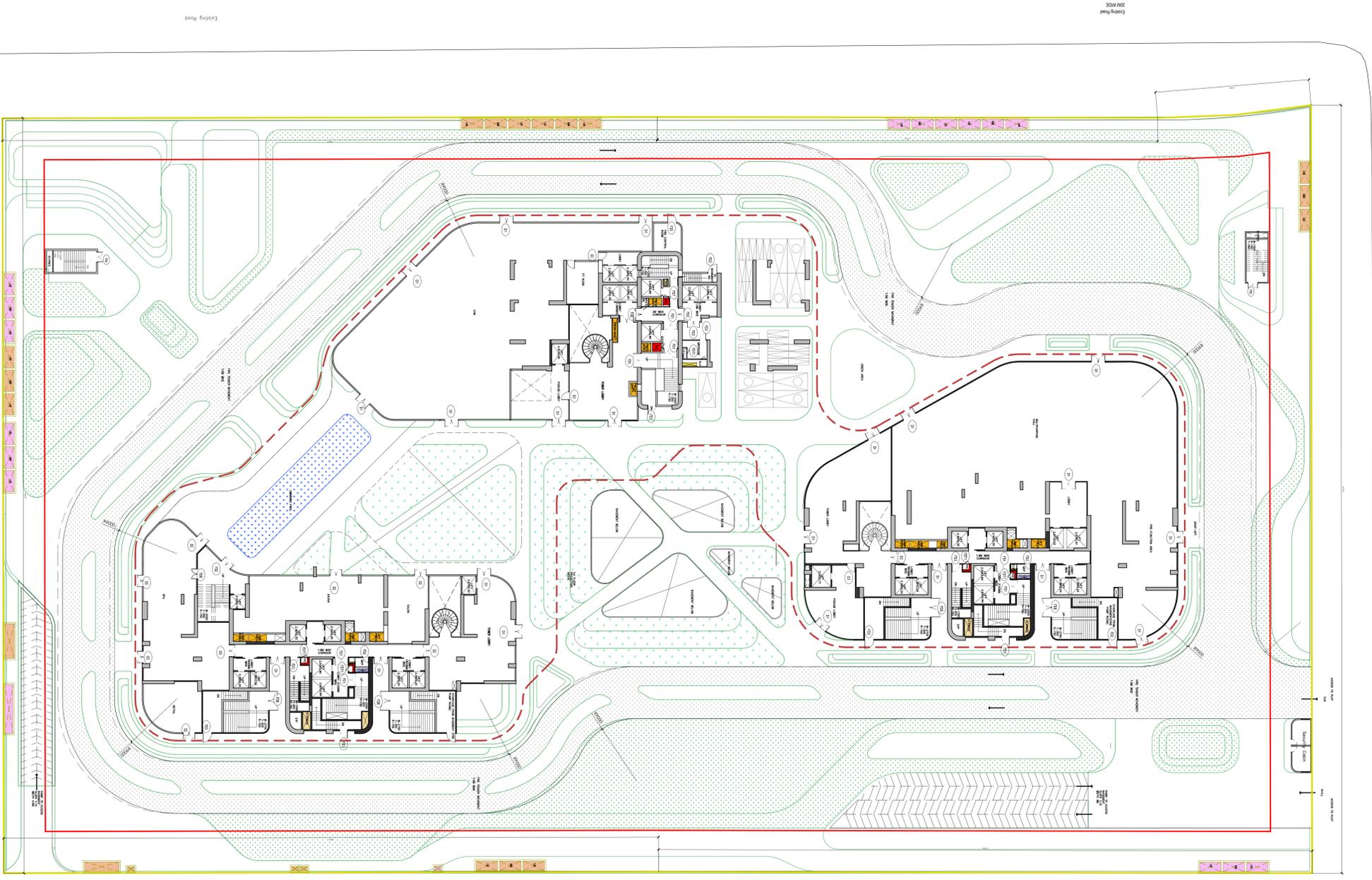


For Trenan Promoters & Builders Pvt. Ltd.

[Handwritten signature]
Director/Authorised Signatory
DEPONENT

ATTESTED
[Handwritten signature]
NOTARY PUBLIC
(INDIA)

19 JAN 2026



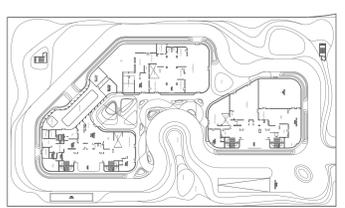
AREA STATISTICS	
PLANNED AREA	20000.00
NET AREA	17500.00
COVERED AREA	17500.00
OPEN AREA	5500.00
TOTAL AREA	23000.00
PLANNED FLOOR AREA	20000.00
NET FLOOR AREA	17500.00
COVERED FLOOR AREA	17500.00
OPEN FLOOR AREA	5500.00
TOTAL FLOOR AREA	23000.00

Sl. No.	ROOM TYPE	NO. OF ROOMS	AREA (sq. ft.)	TOTAL AREA (sq. ft.)
1	APARTMENT	100	17500.00	17500.00
2	COMMON AREA	100	5500.00	5500.00
3	LANDSCAPE	100	5500.00	5500.00
4	ROAD	100	5500.00	5500.00
5	WATER BODY	100	5500.00	5500.00
6	UTILITY	100	5500.00	5500.00
7	STAIR	100	5500.00	5500.00
8	LIFT	100	5500.00	5500.00
9	MEP	100	5500.00	5500.00
10	OTHER	100	5500.00	5500.00
11	TOTAL	1000	23000.00	23000.00

ROOM NO.	FLOOR PLAN	AREA	NO. OF ROOMS	TOTAL AREA
1	APARTMENT	17500.00	100	17500.00
2	COMMON AREA	5500.00	100	5500.00
3	LANDSCAPE	5500.00	100	5500.00
4	ROAD	5500.00	100	5500.00
5	WATER BODY	5500.00	100	5500.00
6	UTILITY	5500.00	100	5500.00
7	STAIR	5500.00	100	5500.00
8	LIFT	5500.00	100	5500.00
9	MEP	5500.00	100	5500.00
10	OTHER	5500.00	100	5500.00
11	TOTAL	23000.00	1000	23000.00

FLOOR NO.	ROOM NO.	AREA	NO. OF ROOMS	TOTAL AREA
1	APARTMENT	17500.00	100	17500.00
2	COMMON AREA	5500.00	100	5500.00
3	LANDSCAPE	5500.00	100	5500.00
4	ROAD	5500.00	100	5500.00
5	WATER BODY	5500.00	100	5500.00
6	UTILITY	5500.00	100	5500.00
7	STAIR	5500.00	100	5500.00
8	LIFT	5500.00	100	5500.00
9	MEP	5500.00	100	5500.00
10	OTHER	5500.00	100	5500.00
11	TOTAL	23000.00	1000	23000.00

- GENERAL NOTES -**
- All dimensions are to be read and not to be scaled.
 - Contractor must verify all dimensions as per site before commencement of any work.
 - The drawing must fully Architect of all the discrepancies in the drawing.
 - Drawing must be read in conjunction with other services: Drawing of HVAC, Electrical, Plumbing and Fire fighting.
 - Separate structure drawings must be read along with the architectural drawings.



REVISIONS

REV.	DATE	REVISION DESCRIPTION
01	06.11.2024	ISSUED FOR TENDER

PROJECT ARCHITECT
ARCOP Associates
 A-15, PAMPOSH ENCLAVE
 GREEN KALUSH
 NEW DELHI, INDIA
 Ph. +91-11-26442050
 Email: purnima@arcop.co.in

STRUCTURE
BAIDRIDGE & ASSOCIATES STRUCTURAL ENGINEERING PVT. LTD.
 406 Saket east, B/S Gurunarak School,
 40/17 Tarsai-Daneshwar
 Ring Road Vardodra
 390009, Gujarat, India
 Ph. 0265-2981813
 Website: www.basengr.com



CLIENT
TREHAN PROMOTERS & BUILDERS PVT LTD
TREHAN RESIDENCE SEC 80

VERTICAL TRANSPORT
TAK CONSULTING PVT. LTD.
 A303, Galleria Hiranandani Garden, Powai
 Mumbai 400078, INDIA
 Tel. No. + 91 2225707498

LANDSCAPE
ORACLES
 G 98 Kalkaji New Delhi 110 019
 Tel. No. + 91 11 2648 1630
 Email: admin@oracleslandscape.in

MEP CONSULTANT
CLANCY GLOBAL
CONSULTING ENGINEERS
 Unit No 170 A&B, Tower B1
 Spaze Tech Park, Sohna Road,
 Sec-49 Gurgaon
 Tel. No. +91 124 4253925
 Website : www.clancyglobal.com

DRAWING NO. TR-80GH-MP-SD-DRG-01110
SCALE 1:250
REV. AO
DATE 06.11.2024
CHECKED BY RAJESH KUMAR
DRAWING TITLE MASTER PLAN
DRAWING STATUS - SUBMISSION DRAWING