

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI  
ORIGINAL APPLICATION NO. 61 OF 2025

IN THE MATTER OF

Narender Sirohi

...APPLICANT

Versus

Central Pollution Control Board & Ors.

...RESPONDENTS

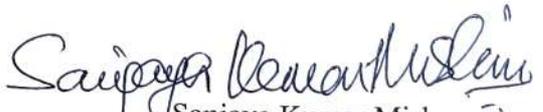
REJOINDER ON BEHALF OF THE APPLICANT TO THE REPLY OF  
RESPONDENT NO. 17 (NANAK FORGE)

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Place: Gurugram  
Date: 16.12.2025

File By:

  
Sanjaya Kumar Mishra  
Advocate for the Applicant  
O-1047/2011  
Contact No. 9818326647, 9310326647  
Email: sanjayakmishra@gmail.com

**IN THE MATTER OF:**

**Narender Sirohi**

**...APPLICANT**

**Versus**

**Central Pollution Control Board & Ors.**

**...RESPONDENTS**

**REJOINDER ON BEHALF OF THE APPLICANT TO THE REPLY OF  
RESPONDENT NO. 17 (NANAK FORGE)**

**MOST RESPECTFULLY SHOWETH**

1. That the Applicant respectfully submits this rejoinder to the reply filed by Respondent No. 17 (Nanak Forge) and denies the contents thereof in toto, as the reply is misleading, incorrect, evasive, and contrary to the material on record.
2. At the outset, the Respondent has failed to address the core issues raised in the Original Application (hereinafter "OA"), namely: **(i)** illegal industrial operations in non-conforming agricultural areas; **(ii)** functioning without statutory Consent-to-Establish and Consent-to-Operate from the HSPCB; **(iii)** use of banned / polluting fuels; **(iv)** environmental degradation and public health impact; **(v)** complete inaction by the responsible State authorities. The reply attempts to deflect from these statutory violations and does not establish compliance with any environmental law.

3. The Applicant further submits that the Respondent has attempted to mislead this Hon'ble Tribunal by claiming that its unit is "closed since long." his assertion is false, unsubstantiated, and contradicted by evidence. Records from the [Goods & Services Tax \(GST\) | Services](#), portal show that the industrial unit "NANAK FORGE," located at Plot No. 33, 33 Feet Road, Saroorpur Industrial Area, Faridabad, Haryana, 121004, filed GSTR-1/IFF on 06.12.2025, confirming its continued active status and operations. Proof of the GST record is submitted as *Annexure A/9*.
4. The Respondent's reply is self-contradictory. To support the claim of closure of the allegedly violating industrial unit, the Respondent has produced no documentary evidence such as: (A) closure intimation to HSPCB, (B) surrender, amendment, or cancellation of GST registration, (C) proof of electricity disconnection, (D) labour disengagement records, or (E) any affidavit of cessation of business submitted to a government office. In the absence of such evidence, the claim of being "closed since long" is a bald assertion and cannot absolve continuing environmental liability.

**POINT-WISE COUNTER TO PRELIMINARY OBJECTION:**

5. The Applicant respectfully submits that the preliminary objection to maintainability is baseless. The OA is filed in accordance with law, and procedural objections cannot preclude this Hon'ble Tribunal from addressing the substantive environmental violations.
6. That Para 6 of the Respondent's objection on maintainability is misconceived and unsustainable. This OA concerns the illegal establishment of the industrial unit on agricultural land, continued violations of the Air (Prevention & Control of Pollution) Act, 1981, absence of statutory consents under the provisions of

Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981, and the ongoing air pollution. The inaction of authorities and the continuing environmental harm constitute a continuing cause of action under well-settled environmental jurisprudence. Each day of non-compliance and pollution gives rise to a fresh cause of action. Therefore, Section 14(3) of the NGT Act is not attracted, and the limitation plea is an impermissible attempt to evade scrutiny.

7. Para 7 of the Respondent's reply, relying on *Windsor Realty Pvt. Ltd. v. Secretary, MoEF* (Bombay High Court, W.P. No. 594 of 2015, decided on 09.06.2016), is **misplaced and wholly distinguishable**. That case concerned a **completed construction project** with valid Consent-to-Establish and Environmental Clearance, whereas the present OA involves **ongoing illegal industrial operations, unlawful land use, continued air pollution, and persistent regulatory inaction**. Further, the judgment does not deal with violations under the **Air Act, 1981**, including absence of statutory consents, which are central to the present OA. Therefore, the OA is **clearly maintainable and within limitation**, and the reliance on *Windsor Realty* is inapplicable.
8. That the Applicant respectfully submits that Respondent's Objection No. 8 is misconceived. The reference to the Applicant's residence in Sector 55, NIT Faridabad is irrelevant and does not affect the maintainability or limitation of the OA. The cause of action is continuing, arising from ongoing illegal industrial operations, unlawful land use, absence of statutory consents under the Air and Water Acts, and persistent air pollution. Air pollution is a subject matter of not only Faridabad city, but also for the entire NCR. Each day of non-compliance constitutes a fresh cause of action, making the OA clearly within limitation under Section 14 of the NGT Act. Further, this Hon'ble Tribunal, in its

Judgment pronounced on 11.12.2025 in MA Nos. 155/2024 and 1/2025 (in OA No. 802/2024), Para 16 (pp. 19-20), held that the absence of objection until 2017 is **immaterial**. Hence, the Respondent's objection is baseless.

9. That in Para 9, the Respondent's reliance on the Applicant's tweets from 2022 to allege "delay" is misconceived. The tweets merely reflect persistent grievances and highlight that the illegal industrial operations and pollution have continued uninterrupted, despite regulatory inaction. Continuous environmental violations do not get cured by the passage of time. The OA is filed in the interest of protecting the fundamental right to a healthy environment, including clean air and water, and is therefore clearly within limitation.

#### **POINT-WISE COUNTER TO REPLY ON MERITS**

10. That the Para 10 is general, and unsupported denial by the Respondent, which carries no evidentiary value. The Respondent has not produced a single permissible document to demonstrate compliance with environmental laws or proof of lawful establishment.
11. That the Respondent's claim in Para 11 that the unit is "closed since long" is unsubstantiated and contrary to facts. Temporary closure during inspection does not prove permanent shutdown, and as submitted in **Para 4** of this Rejoinder, the Respondent has furnished no evidence of actual closure. On the contrary, as submitted in **Para 3**, the **industrial unit filed GSTR-1/IFF on 06.12.2025**, confirming its continued active status and operations. In the **absence of proof of closure**, the claim cannot be accepted.
12. That the Respondent's averment in Para 12 is wholly unsupported by any documentary evidence of valid Consent-to-Establish, Consent-to-Operate, or groundwater withdrawal permission. A bare denial is inconsequential, and the

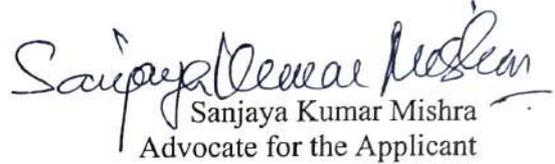
failure to produce such documents itself demonstrates violation of environmental laws and regulations.

13. That the Respondent's claim in Para 13 of being a closed unit and not in operation is **contradicted by the facts** submitted in this Rejoinder. Accordingly, this assertion cannot rebut the Applicant's allegations.
14. That Para 14 of the Respondent is misleading, as the OA clearly details specific statutory violations—including illegal operation on agricultural land, absence of statutory consents, unregulated emissions, and regulatory inaction—and the Respondent's claim that the allegations are general and vague is unsupported, baseless, and does not absolve it of liability under environmental law.
15. That in Para 15, the Respondent's reliance on the Joint Committee report stating "unit found closed" **does not establish permanent closure**. The Committee could not conduct substantive verification or compliance assessment due to the temporary closure of the unit for unknown reasons, whereas **GST records (Annexure A/9) confirm ongoing manufacturing operations**. Accordingly, the Applicant's allegations are genuine and evidence-based, negating the Respondent's claim and highlighting the limited credibility of the joint Committee inspection.
16. That with respect to Para 16, the Respondent is rightly impleaded based on its location, operational history, statutory violations, and contribution to environmental degradation. Temporary closure does not absolve it of liability for past violations, environmental compensation, or restoration costs. The plea for dismissal is therefore **wholly baseless**. The Order relied upon by the Respondent reinforces that **environmental rights under the Environment (Protection) Act, 1986 must be protected** and violators cannot escape accountability.

17. In the light of the above submissions, the Respondent's objections are **factually incorrect, legally unsustainable, and contrary to established environmental jurisprudence**. The OA is fully maintainable, within limitation, and supported by continuing pollution, statutory violations, and regulatory failure. The Respondent cannot escape liability through unsubstantiated denials or objections.

Place: Gurugram  
Date: 16.12.2025

THROUGH

  
Sanjaya Kumar Mishra  
Advocate for the Applicant

O-1047/2011

Contact No. 9818326647, 9310326647

Email: sanjayakmishra@gmail.com

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI  
ORIGINAL APPLICATION NO. 61 OF 2025

IN THE MATTER OF:

Narender Sirohi

...Applicant

Versus

Central Pollution Control Board & Ors.

...Respondents

AFFIDAVIT

I, Narender Sirohi, S/o Badle Ram, R/o House No. 5, Gali No. 2, Village Kureshipur, NIT Faridabad-121004, Haryana, do hereby solemnly affirm and state as under:

1. That I am the Applicant in the above-mentioned Original Application and am fully conversant with the facts of the case. I am competent to swear this Affidavit.
2. That the contents of the accompanying Rejoinder, may be read as part and parcel of this Affidavit and are not repeated herein for the sake of brevity. That I have read and understood the contents of the accompanying Rejoinder, which are true and correct to the best of my knowledge and belief and have been drafted under my ins-

*Narender Sirohi*

VERIFICATION:

DEPONENT

Verified at \_\_\_\_\_ on this \_\_\_\_\_ Day of December 2025 that the contents of the above Affidavit are true and correct to the best of my knowledge and nothing material has been concealed there from.

*Narender Sirohi*  
DEPONENT

This document has been registered  
at Sr. No. 436...Book No. 71.....  
Page No. 87.....Dated.....16..DEC.2025



ATTESTED

*Ram Niwas Malik*

RAM NIWAS MALIK, ADVOCATE  
NOTARY, DELHI (HR.) / INDIA

# Goods and Services Tax

Government of India, States and Union Territories

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Home > Search Taxpayer > Search by GSTIN/UIN

## Search Taxpayer

• indicates mandatory fields

GSTIN/UIN of the Taxpayer•

Search Result based on GSTIN/UIN : 06BMKPS8491L1Z3

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### Legal Name of Business

AVTAR SINGH

### Trade Name

NANAK FORGE

### Effective Date of registration

01/07/2017

### Constitution of Business

Proprietorship

### GSTIN / UIN Status

Active

**Taxpayer Type ⓘ**

Regular

**Administrative Office**

(JURISDICTION - STATE)

State - Haryana

Range - Faridabad

District - Faridabad (West)

Ward - Faridabad (West) Ward 7

**Other Office**

(JURISDICTION - CENTER)

State - CBIC

Zone - PANCHKULA

Commissionerate - FARIDABAD

Division - FARIDABAD WEST

Range - RANGE -10

**Principal Place of Business**

PLOT NO-33 , 33 FEET ROAD, SAROORPUR INDUSTRIAL AREA, FARIDABAD,  
Faridabad, Haryana, 121004

**Whether Aadhaar Authenticated?**

Yes

(On 10/12/2024)

**Whether e-KYC Verified?**

Not Applicable

**Additional Trade Name**

View

Nature Of Core Business Activity ^

Manufacturer

Nature of Business Activities	<b>144</b>	^
1. Factory / Manufacturing		

### Dealing In Goods and Services

Goods		Services	
HSN	Description	HSN	Description
72141090	OTHER		

**HSN:** Harmonized System of Nomenclature of Goods and Services

SHOW FILING TABLE

SHOW RETURN FILING FREQUENCY

Financial Year •

2025-2026 v

SEARCH

Search Result based on GSTIN/UIN : 06BMKPS8491L1Z3

### Filing details for GSTR3B

Financial Year	Tax Period	Date of filing	Status
2025-2026	October	22/11/2025	Filed
2025-2026	September	09/11/2025	Filed
2025-2026	August	26/09/2025	Filed
2025-2026	July	26/08/2025	Filed
2025-2026	June	06/08/2025	Filed
2025-2026	May	27/06/2025	Filed
2025-2026	April	26/05/2025	Filed

Filing details for GSTR-1/IFF



Financial Year	Tax Period	Date of filing	Status
2025-2026	November	06/12/2025	Filed
2025-2026	October	09/11/2025	Filed
2025-2026	September	08/10/2025	Filed
2025-2026	August	08/09/2025	Filed
2025-2026	July	08/08/2025	Filed
2025-2026	June	09/07/2025	Filed
2025-2026	May	10/06/2025	Filed
2025-2026	April	09/05/2025	Filed

Filing details for GSTR1A

Financial Year	Tax Period	Date of filing	Status
2025-2026	September	16/10/2025	Filed



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**Service of Advance Notice in OA No. 61/2025 in the matter of Narender Sirohi v. Central Pollution Control Board & Ors.**

1 message

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**Sanjaya Kumar Mishra** <sanjayakmishra@gmail.com>

17 December 2025 at 17:38

To: Advocate Rahul Khurana &lt;rkhuranalegal@gmail.com&gt;, gaurav@grvlegal.in

Sir,

Please find attached Applicant's Rejoinder to reply submitted by Respondent No. 17 in OA No. 61/2025 in the matter of Narender Sirohi v. Central Pollution Control Board & Ors.

Thanks and Regards,

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**Sanjaya K. Mishra, Advocate** **Mobile:** +91-98183 26647, 9310326647 **Email:** sanjayakmishra@gmail.com

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 **Rejoinder Affidavit to Reply of R-17 in OA 61-2025.pdf**  
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