

155

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

PRINCIPAL BENCH, NEW DELHI

ORIGINAL APPLICATION NO. 25 OF 2020

IN THE MATTER OF:

VIKRANT TONGAD

...APPLICANT

VERSUS

UNION OF INDIA AND ORS.

...RESPONDENTS

INDEX

| S. No. | Particulars | Page No. |
|--------|--|----------|
| | REJOINDER TO COUNTER AFFIDAVIT OF RESPONDENT NO. 7 DATED 27.08.2025 ON BEHALF OF THE APPLICANT | 1-5 |

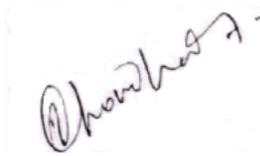
proof of service

6

Through



RITWICK DUTTA



RAHUL CHOUDHARY



SHREEPURNA DASGUPTA

ADVOCATES

COUNSEL FOR THE APPLICANT

N-73, Lower Ground Floor, Greater Kailash-1,

New Delhi-110048

Email id:- Litigation@dclawchambers.com

Place:- Delhi

Dated:- 01.12.2025

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 25 OF 2020**

IN THE MATTER OF:

VIKRANT TONGAD

...APPLICANT

VERSUS

UNION OF INDIA AND ORS.

...RESPONDENTS

**REJOINDER TO COUNTER AFFIDAVIT OF RESPONDENT NO. 7 DATED
27.08.2025 ON BEHALF OF THE APPLICANT**

MOST RESPECTFULLY SHOWETH:

1. That the Applicant had filed the above-titled Original Application with the concern that the Noida Golf Course was extracting ground water illegally without NOC from CGWA for nondrinking purposes in 'over-exploited' region and in violation of guidelines laid down by the CGWA in the year 2015.
2. That the Respondent No. 7- M/s NOIDA Golf Course Society filed its Counter Affidavit dated 27.08.2025. The Applicant through this present Rejoinder seeks to file its reply and objections to the contentions made by Respondent No. 7. At the outset, the Applicant denies all the contentions and averments made in the above-mentioned Reply dated 27.08.2025 unless expressly admitted or are a part of matter of record.

PRELIMINARY SUBMISSIONS:

3. That the Project Proponent has not provided any evidence regarding bills or receipts showing purchase of STP treated water from NOIDA. there are

no details regarding installation of any flow meter to determine the water usage, and the bills generated by the NOIDA authority. The Project Proponent has only annexed details of the letters to NOIDA authority in 2019 requesting for STP treated water. Therefore, response of Respondent No. 5- NOIDA is necessary for further adjudication.

4. That it is also submitted that the NOIDA Golf Course is a popular spot for hosting weddings, parties, etc. For those purposes, it is not clear as to from where the water supply is being procured by the Project Proponent.

REJOINDER TO COUNTER AFFIDAVIT DATED 27.08.2025:

5. That the contents of Para C, Preliminary Submissions is denied. It is submitted that the Applicant being concerned about the environment and ecology of the area had filed this present Application on bona fide grounds raising illegal borewells being used by Respondent No. 7. This was reiterated by the Action Taken Report dated 25.02.2020 filed by the Respondent No. 4 on 17.06.2020 as well and signed by the representative of CGWA, UPPCB and CPCB. The relevant portion is reproduced below:

"CGWA has taken the cognizance that the NGC does not have a valid NOC for ground water abstraction, show cause notice has been issued vide letter no-21-4/No-NOC/Noida Golf Course/UP/2020-579 dated 20-02-2020 and the reply has been sought within 07 days. (Copy enclosed as Annex No.3)"

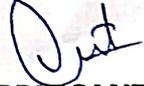
6. That the Respondent No. 7 has claimed that they were not issued notice before this Hon'ble Tribunal while the matter was pending herein. It is submitted that vide order dated 5.05.2025, this Hon'ble Tribunal was pleased to issue notice to all the respondents including Respondent No. 7. Hence, this argument of the Respondent No. 7 has become redundant, and need not be pursued any further.

7. That the Respondent No. 7 has further claimed that they switched to STP treated water supply immediately after the letter received from NOIDA authority (Para 3.F, Counter). However, it is important to observe that till that time period, they were regularly using groundwater for irrigation purposes. At no point before the filing of the Original Application, did the Project Proponent make changes to switch despite complaints sent by the Applicant to the authorities. Therefore, in the present case, past violations cannot be overlooked, and environment compensation with respect to past violations are needed to be calculated and imposed on the Project Proponent.

8. That the Respondent No. 7 has claimed that the NOIDA Golf Course was developed in 1989, much prior to the current CGWA guidelines. However, as per the directions of the Hon'ble Supreme Court in ***M.C. Mehta v. Union of India & Ors. [(1997) 11 SCC 312]*** dated 10.05.1996, the CGWA was established with the aim of urgent need for regulating the indiscriminate boring and withdrawal of underground water in the country. Hence, since the inception of CGWA Guidelines, 2015 it was the responsibility of the Project Proponent to obtain NOC for groundwater abstraction. However, the Project Proponent failed to do so, and hence, environment compensation is required to be levied on the Project Proponent.

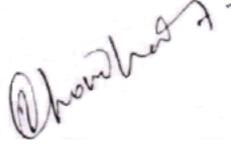
9. That therefore, this Hon'ble Tribunal may consider the above-mentioned submissions on behalf of the Applicant for further adjudication of the matter.

10. Pass any other orders as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the instant case.


APPLICANT

THROUGH







Ritwick Dutta Rahul Choudhary Shreepurna Dasgupta

ADVOCATES

COUNSELS FOR THE APPLICANT

N-73, LOWER GROUND FLOOR,

GREATER KAILASH-I,

NEW DELHI-110048

MOBILE NO: 9312407881

Email: litigation@dclawchambers.com

Place: New Delhi

Date: 29.11.2025

VERIFICATION:

Verified by Vikrant Tongad, s/o Baljeet Singh, aged about 35 years, R/o Plot No. 431, Bhanota, Greater Noida, U.P.- 201311 that the contents of Paragraphs 1 to 10 are true to my personal knowledge and nothing material has been concealed therefrom.


APPLICANT

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH AT NEW DELHI
ORIGINAL APPLICATION NO. 25 OF 2020



IN THE MATTER OF:

VIKRANT TONGAD

.....APPLICANT

VERSUS

UNION OF INDIA & ORS

.....RESPONDENTS

AFFIDAVIT

I, Vikrant Tongad, s/o Baljeet Singh, aged about 35 years, R/o Plot No. 431, Bhanota, Greater Noida, U.P.- 201311, do hereby solemnly affirm and declare as under:

1. That I am the Applicant in the above titled Original Application and conversant with the facts and circumstances of the case and competent to swear this affidavit.
2. That the contents of the accompanying Rejoinder are true and correct and nothing material has been concealed therefrom.

Dt
DEPONENT

VERIFICATION

Verified on this 29 day of Nov., 2025 that the contents of the present affidavit are true and correct to my knowledge and belief and nothing material has been concealed therefrom.

Dt
DEPONENT



ATTESTED
Dt
Dharampal Singh
Notary Advocate
Reg. No. 2317
Distt. Gautam Budh Nagar



161

6

Litigation . <litigation@dclawchambers.com>

Rejoinder on behalf of the Applicant in OA No. 25 of 2020 Vikrant Tongad Versus. Union of India & ors.

1 message

Litigation . <litigation@dclawchambers.com>

Mon, Dec 1, 2025 at 1:00 PM

To: daleepdhayani@yahoo.co.in, Vishnu Sharma <sharmavishnu0818@gmail.com>, "noida@noidaauthorityonline.com" <noida@noidaauthorityonline.com>, pradeepmisra@yahoo.com

Dear Sir/madam,

Please find attached-Rejoinder on behalf of the Applicant in OA No. 25 of 2020 Vikrant Tongad Versus. Union of India & ors.

Thanks & Regards
Counsel for the Applicant

2 attachments **Rejoinder to counter R-7 on behalf fo the Applicant.pdf**
1383K **Rejoinder to reply R-4 on behalf of the Applicant.pdf**
1091K