

179

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

Execution Application No. 19/2025

In

Original Application No. 679/2023

Nishant Singh

Applicant

Vs.

Annapurna Hostel & Ors.

Respondents

Index

| Sr. No. | Particulars | Page no. |
|--------------------|---|-----------------|
| 1. | Reply by way of affidavit on behalf of respondent no. 45 (CPCB) in compliance to Hon'ble NGT order dated 28.03.2025 in E.A No. 19/2025 & O.A No. 679/2023. | |
| 2. | Annexure –I A copy of letters dated 19.05.2025 and 09.06.2025 issued by CPCB to UPPCB. | |

Rajkumar

**Filed by Adv. Rajkumar
On behalf of Central Pollution Control Board**

Place: Delhi

Dated:29.07.2024

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Nishant Singh

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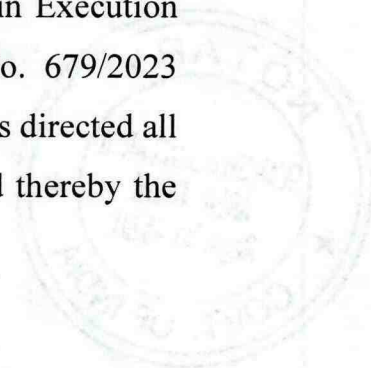
Annapurna Hostel & Ors.

Respondents

**REPLY AFFIDAVIT ON BEHALF OF CENTRAL POLLUTION
CONTROL BOARD, RESPONDENT NO. 45**

I, **Nazimuddin**, working as Scientist 'F' in Central Pollution Control Board, (hereinafter referred as CPCB) office at Parivesh Bhawan, East Arjun Nagar, Delhi- 110032, do hereby solemnly affirm and declare as under:-

1. I am fully conversant with the facts of the case on the basis of records maintained in the ordinary course of business at CPCB, I am competent to depose and swear the present affidavit in my official capacity.
2. That, the Hon'ble NGT vide order dated 28.03.2025 in Execution Application No. 19/2025 In Original Application No. 679/2023 titled as Nishant Singh vs. Annapurna Hostel & Ors. has directed all the respondents to file response in the said matter and thereby the response is made in succeeding paragraphs.



3. That, CPCB is a statutory Board constituted under The Water (Prevention and Control of Pollution) Act, 1974 (hereinafter referred to as “the Water Act, 1974”). It performs the functions under the Water Act, 1974, The Air (Prevention and Control of Pollution) Act, 1981 (hereinafter referred to as “the Air Act, 1981”) and The Environment (Protection) Act, 1986 (hereinafter referred to as “the E(P) Act, 1986”).
4. That earlier, the Hon’ble NGT vide order dated 06.11.2023 in OA No. 679/2023, disposed of OA No. 679/2023 by noticing that the UPPCB had already initiated the action by issuance of notice to the concerned hostels which were violating the norms. Further, it was directed to RO Greater Noida, UPPCB to conclude the pending proceedings and submit action taken report within 6 months.
5. That the EA 19/2025 has been filed by the applicant before the Hon’ble NGT for seeking compliance of the order dated 06.11.2023 passed in O.A. No. 679/2023 alleging that the aforesaid direction has not been complied with and even the report as required within six months is not filed before the Registrar General of the Tribunal.

DIRECTIONS OF HON’BLE NGT ORDER DATED 28.03.2025

6. The Hon’ble NGT in view of aforesaid background of the matter has issued further directions vide order dated 28.03.2025 in EA No. 19/2025 in OA No. 679/2023 which are as follows:



.....*Para 5: Issue notice to the respondents for filing the compliance report by way of affidavit. Applicant is directed to serve the respondents and file the affidavit of service at least one week before the next date of hearing.*

COMPLIANCE TO THE DIRECTIONS OF HON'BLE NGT:

7. That the allegation of the applicant was, that the large number of private hostels and PGs were operating illegally in Knowledge park area of Greater Noida without Consent to Establish (hereinafter referred as CTE) and Consent to Operate (hereinafter referred as CTO) issued by UPPCB) and also without installing Sewage Treatment Plant (hereinafter referred as STP) in premises for last 5 years (approx.). The claim of the applicant is that these private hostels and PGs in the name of accommodation were running illegal business without any approval/ license and also the hostels were running in over exploited area where the extraction of the ground water for commercial purpose has been completely banned and no extraction can be made without permission from the competent authority i.e. Central Ground Water Authority (hereinafter referred as CGWA). The present matter is related to the allegation of the applicant regarding the alleged violation of The Water Act, 1974.
8. That further, in Execution Application it is submitted by applicant in the Para 11 that the RO Greater Noida, Uttar Pradesh Pollution Control Board (hereinafter after referred as UPPCB) issued notices dated 15.06.2023 to several hostels of Greater Noida to provide the data regarding the CTE and CTO.



It is humbly submitted by CPCB that the subject matter comes under the purview of local bodies and UPPCB. CPCB vide letter dated 19.05.2025 has requested UPPCB to provide the status report/ action taken report in the said matter. A reminder letter dated 09.06.2025 has been communicated to UPPCB. The status report/ action taken report is awaited from UPPCB. Therefore, no specific information regarding the subject matter is available with the Respondent No. 45 at present. Copy of the letters dated 19-05-2025 and 09-06-2025 are annexed herewith as ANNEXURE-I.

9. That the present EA is execution for the order dated 06-11-2023, and in the order dated 06-11-2023 the directions were issued to the UPPCB, therefore, the order under execution has to be executed and the report has to be filed by the UPPCB providing the appropriate action taken in the instant matter.
10. That it is prayed that the Hon'ble Tribunal may consider the response, if any, filed by UPPCB for adjudication of the instant matter.
11. That, the answering respondent craves leave of the Hon'ble Tribunal to file additional reply, if required, in future.
12. That, in the light of the above submissions, it is respectfully submitted that this Answering Respondent, i.e., CPCB, shall abide by any order(s) or direction(s) passed by this Hon'ble Court in the instant OA.



VERIFICATION

29 JUL 2025

Verified at Delhi on this.....day of _____, 2025 that the contents of the above reply affidavit are correct and true on the basis of the record of the case as maintained in the day-to-day affairs of the CPCB. Nothing has been concealed therefrom or mis- stated.



ATTESTED
[Signature]
NOTARY PUBLIC, DELHI
GOVT. OF INDIA
29 JUL 2025

DEPONENT

[Signature]
नाज़िमउद्दीन / Nazimuddin
वैज्ञानिक 'एफ' / Scientist 'F'
केंद्रीय प्रदूषण नियंत्रण बोर्ड
Central Pollution Control Board
(पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार)
(M/o Environment, Forest And Climate Change, Govt. of India)
परिवेश भवन, पूर्वी अर्जुन नगर, दिल्ली-110032
Parivesh Bhawan, East Arjun Nagar, Delhi-110032



केन्द्रीय प्रदूषण नियंत्रण बोर्ड

CENTRAL POLLUTION CONTROL BOARD

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार.

MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE, GOVT. OF INDIA.

Speed Post/ E-mail

Dated: 19.05.2025

F. No. A-14011/2025-WQM-I/147

To

The Member Secretary,
Uttar Pradesh Pollution Control Board
Building. No. TC-12V
Vibhuti Khand, Gomti Nagar
Lucknow-226 010 (Uttar Pradesh)
ms@uppcb.in

Sub: Compliance of Hon'ble NGT (PB) order dated 28.03.2025 in the matter of EA No. 19/2025 in OA No. 679/2023; Nishant Singh Vs. Annapurna Hostel & Ors.

Sir,

Enclosed please find a copy of Hon'ble NGT (PB) order dated 28.03.2025 in the matter of EA No. 19/2025 in OA No. 679/2023; Nishant Singh Vs. Annapurna Hostel & Ors., wherein the Hon'ble NGT in Para 3 and Para 4 has observed as under:

Para 3. The Tribunal had disposed of the O.A. (No. 679/2023) by order dated 06.11.2023 directing as under: -

"3. On perusal of the records, it is noticed that UPPCB has already initiated action by issuance of notice to the concerned hostels which are violating the norms. Copies of the notices issued to these hostels by UPPCB have been collectively filed as annexures A-1. Since the action has already been initiated by the competent authority, therefore, at this stage, no further direction in the original application is required except directing the authorities to take appropriate action in accordance with law and in pursuance to the notices already issued. If the proceedings in this regard are still pending, the competent authority i.e. Regional Officer, UPPCB Greater NOIDA will conclude the same within six months from the date of receipts of a copy of this order and will file an action taken report before the Registrar General of the Tribunal. If found necessary, the matter will be placed before the Court for consideration."

Para 4. Submission of learned counsel for the applicant is that the aforesaid direction has not been complied with and even the report as required within six months is not filed before the Registrar General of the Tribunal

It is requested to provide the status report/ action taken report in the said matter at earliest for CPCB's appropriate reply in EA No. 19/2025.

Yours faithfully

(Nazimuddin)

Divisional Head, WQM-I

Encl.: As above

‘परिवेश भवन’ पूर्वी अर्जुन नगर, दिल्ली - 110032.

Parivesh Bhawan, East Arjun Nagar, Delhi - 110 032.

दूरभाष /Tel : 43102030, 22305792, वेबसाइट/Website: www.cpcb.nic.in



186

केन्द्रीय प्रदूषण नियंत्रण बोर्ड
CENTRAL POLLUTION CONTROL BOARD
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE, GOVT. OF INDIA

Speed Post/ E-mail

F. No. A-14011/2025-WQM-I/ 168

Reminder-I

Dated: 09.06.2025

To

The Member Secretary,
Uttar Pradesh Pollution Control Board
Building. No. TC-12V
Vibhuti Khand, Gomti Nagar
Lucknow-226 010 (Uttar Pradesh)
ms@uppcb.in

Sub: Compliance of Hon'ble NGT (PB) order dated 28.03.2025 in the matter of EA No. 19/2025 in OA No. 679/2023; Nishant Singh Vs. Annapurna Hostel & Ors.

Reference: Letter no. F. No. A-14011/2025-WQM-I/147 dated 19.05.2025.

Sir,

Kindly refer to CPCB's letter dated 19.05.2025, wherein it has been requested to provide the status report/ action taken report in the above matter. (Copy enclosed for ready reference)

In this context, it is once again requested to kindly provide the aforesaid information at the earliest.

Yours faithfully

(Nazimuddin)

Divisional Head, WQM-I

Encl.: As above

'परिवेश भवन' पूर्वी अर्जुन नगर, दिल्ली-110032

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