

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI
Original Application No. 163 OF 2025
(I.A. No. 296/2025)

IN THE MATTER OF:

Dinesh Goyal & Anr.

Applicants

Vs.

Ganesh Aggarwal & Ors.

Respondents

INDEX

S No.	Particulars.	PageNos.
1.	Reply on Behalf of Respondent No. 21, Central Pollution Control Board (CPCB) in compliance to Hon'ble NGT order dated 22.04.2025 in I.A No. 296/2025.	
2.	Annexure I- A Copy of Hon'ble NGT Order dated 22.04.2025 in OA No 163/2025.	
3.	Annexure-II- A copy of letter dated 03.07.2025 issued by CPCB to UPPCB.	



Filed by Advocate Saurabh Balwani
On behalf of Central Pollution Control Board

Place: Delhi

Dated: 31.07.2025

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI
Original Application No. 163 OF 2025

IN
I.A No. 296 OF 2025

IN THE MATTER OF:

Dinesh Goyal & Anr.

Applicants

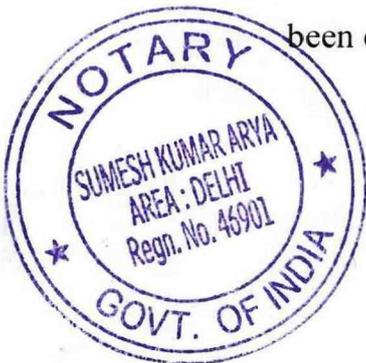
Vs.

Ganesh Aggarwal & Ors.

Respondents

REPLY ON BEHALF OF RESPONDENT NO. 21, CENTRAL
POLLUTION CONTROL BOARD (CPCB)

1. That, Hon'ble NGT vide order dated 22.04.2025 has sought the response of Central Pollution Control Board (hereinafter referred as CPCB) in the instant matter. Thereby, the responses/replies are made in the instant Interlocutory Application No. 296 of 2025 (hereinafter referred as IA) in Original Application No. 163 of 2025 titled Dinesh Goyal & Anr. Versus Ganesh Aggarwal & Ors. in succeeding paragraphs.
2. That, at the outset, the answering respondent deny all claims, contentions, allegations and averments against answering respondent CPCB in the referred OA contrary to anything stated or submitted in this reply. Nothing in the OA may be deemed to have been accepted or admitted by the answering Respondent for want of a specific denial or on the ground of non-traverse, save and except any averment which has been expressly admitted hereinafter.



3. That, CPCB is constituted under The Water (Prevention and Control of Pollution) Act, 1974. It performs the functions under The Water (Prevention and Control of Pollution) Act, 1974, The Air (Prevention and Control of Pollution) Act, 1981, and The Environment (Protection) Act, 1986.
4. The issues raised by the applicant in the Application under reference are about filling up and encroachment of a well existed in a heritage Mandir belonging to Arhaeological Survey of India at the back of Sadar Police Station, Meerut Cantt, Uttar Pradesh. Encroachment by making shop, open burning of garbage, etc. at the site are mentioned in application.

PRELIMINARY SUBMISSIONS: -

5. In context of generation and management of construction and demolition waste from construction/building materials, it is submitted that, the Construction and Demolition Waste Management Rules, 2016 (hereinafter referred to as “C&D WM Rules, 2016”) have been notified in March, 2016 by the Central Government. In the said Rules, duties of the various Stakeholders are prescribed for effective implementation of the Rules.

- a. As per Sub-rule (!) of Rule 8 of the C& W M Rules ,2016, State Pollution Control Board or Pollution Control Committee shall monitor the implementation of these rules by the concerned local bodies.
- b. In pursuant to the sub-rule 1(a) of Rule 10 of the C&D W M Rules, 2016, the guideline titled “Environmental Management of C & D Wastes” was prepared by CPCB in March, 2017 and the copy was uploaded on the Website of CPCB, available at



<https://cpcb.nic.in/openpdffile.php?id=UmVwb3J0RmlsZXMvNTUyXzE1MTEyNjQwMTVfbWVkaWFwaG90bzQ2OTAucGRm.>

6. That, Ministry of Environment, Forest & Climate Change has notified the Solid Waste Management Rules, 2016 vide notification dated April 8, 2016. The duties and responsibilities of various stakeholders have been delineated in the SWM rules.

- a. That, as per Rule 11(1) d of the said rules, Urban Development Department in the State or Union territory **Department of Urban Development, Uttar Pradesh**, in this case shall ensure implementation of provisions of these rules by all local authorities;
- b. That, as per rule 15 of the said rules, the concerned local body in this case **Meerut Nagar Nigam** is responsible for segregation, collection, storage ,transportation , processing & disposal of municipal solid waste in accordance with provisions of SWM Rules, 2016 .Further as per Rule 15 (g), local authority to direct waste generators not to litter ,throw or dispose , burn or burry waste on streets, open public spaces, drains & water bodies and hand over the segregated waste to waste collectors authorised by the local body.

That Rule 16 (1) (a) of the said rules, mandate that implementation of the rules through local bodies in their respective jurisdiction lies with concerned State Pollution Control Boards/Committees, **Uttar Pradesh Pollution Control Board in this case.**



7. That, Central Pollution Control Board vide letter dated July 03, 2025 has requested Uttar Pradesh Pollution Control Board for examining the matter and taking necessary action in the matter and communicate action taken report to CPCB. *A Copy of the Letter dated 03.07.2025 issued to UPPCB is enclosed herewith as Annexure – II. Reply in this regard is awaited.*

PARAWISE REPLY: -

8. That, the averments made in Paragraph Nos. 1 to 6 under the heading “MOST RESPECTFULLY SHOWETH’ are about the filing of corresponding original application in the matter. Applicant raised the issues about filling up and encroachment of a well existed in a Mandir namely Bilweshwar Nath Mahadev Mandir at the back of Sadar Police Station, Meerut Cantt, Uttar Pradesh by the Respondents Nos. 1 to 12. It is also alleged that, the said respondents 1 to 12 are involved in formation of a trust and thereafter in support of some other respondents they are involved in illegal construction, open burning of garbage, etc. at the site which is claimed as heritage site and falls under the purview of Archaeological Survey of India. Applicants further provided information about all the respondents, actions initiated and communications/interactions made by the applicants in the matter. In this regard, the submissions made at paragraph nos. 5,6, and 7 of this instant reply affidavit are reiterated and not repeated for the sake of brevity. It is further humbly submitted that, violations, if any, under the concerned Acts/Rules are to be dealt by the respective agency as per provisions stipulated under such Acts/Rules.

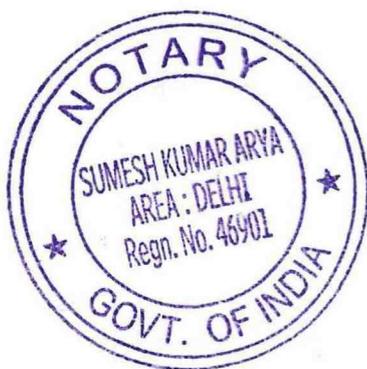


9. That, the averments made in Paragraph No. 7 under the heading "MOST RESPECTFULLY SHOWETH" and Paragraphs under the heading "PRAYER" are about relief prayed in favour of the applicants and actions sought against the respondent No. 1 to 12 which are to be adjudicated by the Hon'ble Court. Hence, need no comments from this answering respondent.
10. That, this Answering Respondent craves leave of this Hon'ble Tribunal for filing additional reply, if required, in future.
11. That, in light of the above submissions, this Answering Respondent No. 21-i.e. CPCB shall abide by any order(s) or direction(s) passed by this Hon'ble Tribunal in the present Application.



(Sharandeep Singh)
Scientist 'E'

Central Pollution Control Board



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

Original Application No. 163 OF 2025

IN

I.A No. 296 OF 2025

IN THE MATTER OF:

Dinesh Goyal & Anr.

Applicants

Vs.

Ganesh Aggarwal & Ors.

Respondents

AFFIDAVIT

I, Sharandeep Singh, aged about 45 years in the capacity of Scientist-E, having office at the Delhi, Central Pollution Control Board, Parivesh Bhawan, East Arjun Nagar, Delhi, do hereby solemnly affirm and sincerely state on oath as follows: -

1. That, I, the deponent herein is the authorized representative to represent the Respondent CPCB in the present case, and as such, I am well conversant with the facts and circumstances of the present case on the basis of the information derived from the official records, and hence, I am competent to verify, sign and swear this affidavit on behalf of the Respondent CPCB.

2. That, the accompanying reply may be read part and parcel of the present affidavit.

3. That, the accompanying reply has been drafted and filed under my instructions and authority the contents thereof are true and correct on the



basis of the records maintained during ordinary course of business of CPCB and available records and documents and the contents of the same are read over and explained to me and are not repeated herein for the sake of brevity.

Sharandeep

DEPONENT

शरणदीप सिंह / Shara.ndeep Singh
वैज्ञानिक 'ई' / Scientist 'E'
केंद्रीय प्रदूषण नियंत्रण बोर्ड
Central Pollution Control Board
(पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार)
(Mo Environment, Forest & Climate Change, Govt. of India)
परिवेश भवन, पूर्वी अर्जुन नगर, दिल्ली-110032
Parivesh Bhawan, East Arjun Nagar, Delhi-110032

VERIFICATION

I, Sharandeep Singh, working as Scientist 'E' in Central Pollution Control Board, Parivesh Bhawan, East Arjun Nagar, Delhi-110032, the Respondent No. 21 herein does hereby verify that the contents of the above paragraphs are true and correct to the best of my knowledge, information and belief.

31 JUL 2025

Verified at New Delhi on this the Day of July, 2025.

Sharandeep

DEPONENT

शरणदीप सिंह / Shara.ndeep Singh
वैज्ञानिक 'ई' / Scientist 'E'
केंद्रीय प्रदूषण नियंत्रण बोर्ड
Central Pollution Control Board
(पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार)
(Mo Environment, Forest & Climate Change, Govt. of India)
परिवेश भवन, पूर्वी अर्जुन नगर, दिल्ली-110032
Parivesh Bhawan, East Arjun Nagar, Delhi-110032



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

31 JUL 2025

Item No. 06

Court No. 1

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

Original Application No. 163/2025
(I.A. No. 296/2025)

Dinesh Goyal & Anr.

Applicant(s)

Versus

Ganesh Aggarwal & Ors.

Respondent(s)

Date of hearing: 22.04.2025

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Applicant: Ms. Rashi Sharma, Adv. for Applicant

ORDER

1. In this Original Application (OA), the applicant pleads that an ancient well existed in a mandir named Shree Bilveshwar Nath Mahadev Mandir, which was situated at the back of Sadar Police Station, Meerut Cantt, Uttar Pradesh.
2. Further plea of the applicant is that property is a heritage property and well itself was 100 years old and a part of the heritage property.
3. The applicant alleges that the well is being filled up, and some of the respondents are attempting to encroach upon it and raise construction in that area. The applicant alleges that certain persons with criminal minds intend to make shops on the well and sell it for commercial gain.
4. The applicant has also alleged about open burning of garbage, causing air pollution. In support of such a plea, Learned Counsel for the applicant has referred to photograph on page no. 103 to show that well has

been filled up and also photographs on page nos. 105, 106 and 107 in support of the plea of open burning of the garbage.

5. OA raises substantial issue relating to compliance of environmental norms.

6. Issue notice on OA and IA No. 296/2025 to the respondents for filing their responses/replies by way of affidavit at least one week before the next date of hearing through e-filing. If any respondent files the reply directly without routing it through their advocate, then that respondent must be present virtually to assist the Tribunal. The Applicant is directed to serve the respondents and file an affidavit of service at least one week before the next date of hearing.

7. List on 01.08.2025.

Prakash Shrivastava, CP

Dr. A. Senthil Vel, EM

April 22, 2025
Original Application No. 163/2025
(I.A. No. 296/2025)
JG..



278

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.

No: CM-13011/69/2025-LAW-HO-CPCB-HO/2803

July 03, 2025

To,

The Member Secretary,
Uttar Pradesh Pollution Control Board,
Building.No. TC-12V Vibhuti Khand,
Gomti Nagar, Lucknow- 226010

Subject: Hon'ble NGT O.A No. 163/2025 & I.A. No. 296/2025 titled Dinesh Goyal & Anr. Vs. Ganesh Aggarwal & Ors.

Ref.: Hon'ble NGT (PB) order dated April 22, 2025 in above said matter.

Sir,

This is in reference to above stated Hon'ble NGT order (Copy enclosed) in Original Application No. 163/2025 & I.A No.296/2025 titled, Dinesh goyal & Anr. Vs. Ganesh Aggarwal & Ors. The issues raised by the applicant in the Original Application under reference are about filling up and encroachment of an well existed in a Mandir named Shree Bilveshwar Nath Mahadev Mandir at the back of Sadar Police Station, Meerut Cantt, Uttar Pradesh. It is also alleged that, activities like construction, open burning of garbage etc. are carried out at the site under reference.

It is requested that the matter may please be examined at appropriate level and action as deemed fit, may please be taken. Further, an action taken report may please be provided to this office at the earliest.

Encl.: As above

Yours faithfully,

Sharandeep
03.07.2025
(Sharandeep Singh)

Additional Director & Divisional Head-UPC-I

केन्द्रीय प्रदूषण नियंत्रण बोर्ड
निर्गत.....
दिनांक.....

64/10/2025/2025
03/07/2025

'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