

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 249 OF 2025**

IN THE MATTER OF:

Narendra Kushwaha

Applicant

Versus

Union of India & Ors.

Respondent(s)

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|----------------|------------------------------------------------------------------------------------------------------------------------------|-----------------|
| 1. | Reply on behalf of Central Pollution Control Board (CPCB) in compliance of order dated 21.05.2025 in OA No. 249/2025. | |
| 2. | Annexure-I A copy of CPCB letter dated 13.06.2025, 08.07.2025, 05.08.2025 to UPPCB. | |

Srinivas Vishven

**Adv. Srinivas Vishven
On behalf of Central Pollution Control Board**

Date: 23.09.2025

Place: Delhi

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 249 OF 2025

IN THE MATTER OF:

Narendra Kushwaha

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REPLY ON BEHALF OF CENTRAL POLLUTION CONTROL
BOARD (CPCB) i.e RESPONDENT NO. 2

MOST RESPECTFULLY SHOWETH:



1. That, Hon'ble NGT vide order dated 21.05.2025 has sought the reply of Central Pollution Control Board (hereinafter referred as CPCB) in the instant matter. Thereby, the reply is made in succeeding paragraphs.
2. That, CPCB is a statutory Board constituted under Section 3 of The Water (Prevention and control of Pollution) Act, 1974. It performs the functions under The Water (Prevention and control of Pollution) Act 1974 (hereinafter Water Act), The Air (Prevention and control of Pollution) Act, 1981 (hereinafter Air Act) and The Environment (Protection) Act, 1986.
3. That, it is humbly submitted that the State Pollution Control Boards /Pollution Control Committees (hereinafter referred as SPCBs/PCCs) have been constituted in States / Union Territories under the Water Act and Air Act, are empowered to perform the functions and

implement the provisions of these Acts in respect of territories falling in their territorial Jurisdiction.

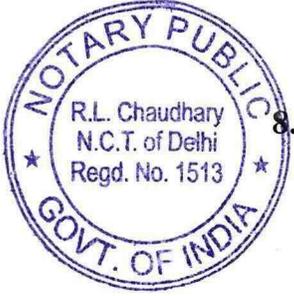
4. That, the issues raised in the present matter is that in the district Barabank, in the State of U.P there are wetlands namely- 'Saraibara' and 'Sara' lakes in Tehsil Ram Sanehi Ghat, 'Bhaghar' and 'Natkauli' lakes in Fatehpur, 'Chakaura' and 'Bhitri' lakes in Haudergarh, 'Vangaon' and 'Khurdmau' lakes in Ramnagar, 'Bainatikahar' 'Salarpur' lakes in Deva, Kamrava lake in Barabank, and 'Saddullahpur' lake in Harakh. The grievance of the Applicant is that waterbodies/ wetlands have been encroached upon and permanent concrete constructions have been raised thereon.



5. That, in compliance with Hon'ble NGT's order dated 21.05.2025 passed in the instant matter, the, Answering Respondent has taken up the case with Uttar Pradesh Pollution Control Board (UPPCB), vide letter dated 13.06.2025, 08.07.2025 and 05.08.2025 seeking the comments/ status in the matter. Copies of the letters are annexed herewith as **Annexure-I**. The comments/ status in the matter is awaited from the UPPCB.
6. That, it is humbly submitted that the Ministry of Environment, Forest & Climate Change (MoEF&CC) has notified the Wetland (Conservation and Management) Rules, 2017 vide Notification No. G.S.R. 1203(E) dated 26.09.2017 vide which certain activities for the notified wetlands have been prohibited including encroachment of any kind, construction of permanent structure, solid waste dumping, discharge of untreated wastes and effluents from industries, cities, towns, villages and other human settlements etc. as stipulated therein.

Further, the said notification also provides for the constitution of a Wetlands Authority for effective implementation of the Rules.

7. That, it is submitted that the subject matter comes under the purview of local bodies and state specific agencies such as UPPCB and State Wetland Authority. Thereby, response from UPPCB in this regard may be important for adjudication of the instant matter.



8. The answering respondent No. 2 craves leave of this Hon'ble Tribunal for filing additional reply, if required, in future.
9. That, in light of the above submission, 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 tribunal in the instant OA and render justice.

(Nazimuddin)
Scientist- 'F'

Central Pollution Control Board
22.09.2025

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 249 OF 2025

IN THE MATTER OF:

Narendra Kushwaha

Applicant

Versus

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Respondent(s)

AFFIDAVIT

I, **Nazimuddin** working as Scientist 'F' & Divisional Head, WQM-I in Central Pollution Control Board, Parivesh Bhawan, East Arjun Nagar, Delhi, the Respondent No. 2 in the above matter, do hereby solemnly affirm, declare on oath and state as under: -



1. That I, the deponent herein is 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 as I am competent to swear this 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 record 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.

DEPONENT

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

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VERIFICATION 22 SEP 2025

Verified at New Delhi on this day of 22 SEP 2025 that the contents of the above reply are correct and true on the basis of the records of the case as mentioned in the day-to-day affairs of the CPCB. Nothing has been concealed therefrom or mis- stated.



DEPONENT

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

ATTESTED
NOTARY PUBLIC
GOVT. OF INDIA

22 SEP 2025



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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

Reminder-II

Dated: 05.08.2025

F. No. A-14011/2025-WQM-I/1167

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 21.05.2025 in the matter of OA No. 249/2025 titled as Narendra Kushwaha vs. Union of India & Ors.

Reference: CPCB letter no. F. No. A-14011/2025-WQM-I/187 dated 13.06.2025 and F. No. A-14011/2025-WQM-I/202 dated 08.07.2025.

Sir,

Kindly refer to our earlier letters dated 13.06.2025 and 08.07.2025, wherein, it was requested to provide the status in reference to the issue raised in the matter of OA No. 249/2025 titled as Narendra Kushwaha vs. Union of India & Ors.

It is requested to kindly provide the aforesaid information at the earliest.

Yours faithfully

(Handwritten signature)

(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



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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/

187

Dated: 13.06.2025

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 21.05.2025 in the matter of OA No. 249/2025 titled as Narendra Kushwaha vs. Union of India & Ors.

Sir,

Enclosed please find a copy of Hon'ble NGT (PB) order dated 21.05.2025 in the matter of OA No. 249/2025 titled as Narendra Kushwaha vs. Union of India & Ors., wherein the Hon'ble NGT in Para 1 has observed as under:

Para 1. In this Original Application (OA) the plea of the applicant is that in Janpath, Barabanki, Tehsil Ram Sanehi Ghat in the State of UP there are wetlands namely Saraibarai and Sarahi, in Fatehpur Bhaghar and Natkauli, in Haidergarh Chakaura and Bhitri, in Ramnagar Vangaon Khurdmau, in Deva Bainatikahar and Salarpur, in Barabanki Kamrava and in Harkh Saddullahpur. The grievance of the applicant is that these waterbodies/wetlands have been encroached upon and permanent concrete constructions are constructed on all these wetlands.

The details of the waterbodies/ wetlands are tabulated in the OA as well as in the Para 2 of the Hon'ble NGT order for reference.

It is requested to provide the comments/ status in the said matter at earliest for CPCB's appropriate reply in OA No. 249/2025.

Yours faithfully

(Nazimuddin)

Divisional Head, WQM-I

Encl.: As above

'परिवेश भवन' पूर्वी अर्जुन नगर, दिल्ली - 110032.

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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

Reminder-I

Dated: 08.07.2025

F. No. A-14011/2025-WQM-I/202

To

The Member Secretary,
Uttar Pradesh Pollution Control Board
Building. No. TC-12V
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Sir,

Kindly refer to our earlier letter dated 13.06.2025, wherein, it was requested to provide the comments/ status in the matter of OA No. 249/2025 titled as Narendra Kushwaha vs. Union of India & Ors.

It is requested to kindly provide the aforesaid information at the earliest.

Yours faithfully

(Nazimuddin)

Divisional Head, WQM-I

Encl.: As above

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