

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL**PRINCIPAL BENCH, NEW DELHI****Appeal No. 19/2025**

In the matter of: -

Rajeev Ranjan

Appellant

Vs.

MoEF & CC Ors.

Respondents

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1.	Reply on behalf of respondent no. 5 i.e, Central Pollution Control Board, (CPCB) in compliance to the Hon'ble National Green Tribunal order dated 02.09.2025 in Appeal No. 19/2025.	



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

Place: Delhi**Dated:27.10.2025**

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

Appeal No. 19/2025

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Rajeev Ranjan

Appellant

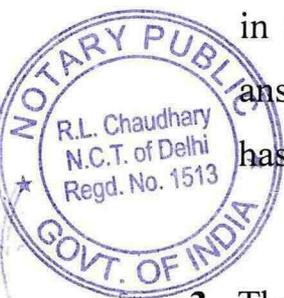
Vs.

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Respondents

REPLY ON BEHALF OF RESPONDENT NO. 5 CENTRAL POLLUTION CONTROL BOARD PARIVESH BHAWAN, EAST ARJUN NAGAR, DELHI-110032.

1. That, Hon'ble NGT vide order dated 02.09.2025 has sought the reply of the respondents. The Central Pollution Control Board is the respondent no 5 (hereinafter referred to as "CPCB") in the instant matter. Thereby, the response is made in this instant Appeal in succeeding paragraphs.
2. That, at the outset, the answering respondent denies all claims, contentions, allegations, and averments against the answering respondent CPCB in the referred Appeal contrary to anything stated or submitted in this reply. Nothing in the Appeal may be deemed to have been accepted or admitted by the answering Respondent for want of a specific denial, save 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. That, the Appeal under reference was filed by the appellant challenging the Environmental Clearance (hereinafter referred to as “EC”) dated 13.01.2025 granted by the Expert Appraisal Committee, MoEF & CC to the Respondent No. 3 i.e. M/s RR Texknit LLP for the construction of a Group Housing Project located at Khasra No. 1230/2 Sector-B, Pocket - 1 Vasant Kunj numbering 138 units, comprising 3 towers containing 3 basements + Stilt + 9 floors (3B + S + 9). Further, Interlocutory Applications having I.A. No. 146/2025 and I.A. No. 147/2025 had also been file by the appellant in the matter.
5. Being respondent no. 5 in the matter, CPCB received Hon’ble NGT Notice dated 22.03.2025 alongwith order dated 05.03.2025 vide which Hon’ble NGT directed as follows:
- “...Issue notice on I.A. No. 146/2025 to the respondents. ...”
- Accordingly, CPCB filed its reply and following statement was made therein.
- “It is humbly submitted that the Hon’ble Tribunal in its discretion may allow the instant appeal and the answering respondent has no objections to offer over the same.”*
6. Thereafter, Hon’ble NGT granted permission to the respondents to file response to the Appeal vide order dated 02.09.2025.

PRELIMINARY SUBMISSIONS: -

7. That, in context of requirement of Environmental Clearance (hereinafter referred to as “EC”), it is submitted that, the Clause 2 of the Environmental Impact Assessment Notification, 2006 (hereinafter referred to as EIA Notification, 2006) provides for the requirements of prior EC and as per the above mentioned clause, the projects or activities which are falling under the category ‘A’ of the



Schedule of the EIA Notification, 2006; the project proponent shall obtain the EC from the Ministry of Environment, Forest and Climate Change (hereinafter referred to as 'MoEF&CC') and the projects which are falling under the 'B' category of the Schedule of the EIA Notification, 2006; the project proponent shall obtain EC from the State Environment Impact Assessment Authority (hereinafter referred to as 'SEIAA') before commencement of any construction work, or before start of land preparation, or before start of any expansion and modernization, as stipulated therein.

8. That, in context of consent required to be obtained by the said project, it is also humbly submitted that, State Pollution Control Boards/Pollution Control Committees are the concerned authorities to grant Consent (Consent to Establish/Consent to Operate) under the Water Act, 1974 and the Air Act, 1981 in their respective jurisdiction of State/Union Territory and to ensure the compliance of conditions of consent and prescribed environmental standards.
9. That, in the context of pollution due to construction activity and construction & demolition waste management, 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, the duties of the various Stakeholders are prescribed for effective implementation of the Rules. The relevant portion of the Rules with regard to management of C&D waste is given below:

As per Rule 4 (1), "Every waste generator shall prima-facie be responsible for collection, segregation of concrete, soil and others and storage of construction and demolition waste generated, as directed or notified by the concerned local authority in consonance with these rules."

As per Rule 6 (4), the local authority "shall make arrangements and place appropriate containers for collection of waste and shall remove at regular



intervals or when they are filled, either through own resources or by appointing private operators.”

As per Rule 8 (1), “State Pollution Control Board or Pollution Control Committee shall monitor the implementation of these rules by the concerned local bodies and the competent authorities.”

That, in pursuance to 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>

SECTION VII of CPCB Guidelines titled – “Guidelines on Environmental Management of C & D Wastes” deals with Noise Management at C&D sites, which is comprised of following guidelines:

- a. Noise abatement - Machinery deployed in construction/demolition activities.
- b. Noise abatement - Genset noise,
- c. Noise abatement - due to vehicle movement,
- d. Noise abatement measures - Other area.



Further, CPCB has prepared Guidelines on DUST mitigation measures in handling Construction material & C&D wastes, which is available at <https://cpcb.nic.in/openpdffile.php?id=UmVwb3J0RmlsZXMvNTYxXzE1MTE5MzMzMzJfbWVkaWFwaG90bzEyNjcxLnBkZg==>

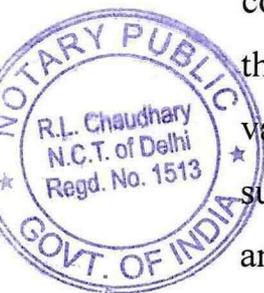
10.In the context of noise management at a construction site, it is submitted that, as per Rule 5A (3) of the “Noise Pollution (Regulation and Control) Rules, 2000”

notified by the Central Government, "Sound emitting construction equipment shall not be used or operated during night time in residential areas and silence zones."

It is submitted that, Rule 3(5) of the Noise Pollution (Regulation and Control) Rules, 2000 stipulates that *"An area comprising not less than 100 metres around hospitals, educational institutions, and courts may be declared by the State Government as silence area/zone for the purpose of these rules. Provided that, an area shall not fall under a silence area or zone category, unless notified by the State Government in accordance with sub-rule (2)."*

PARAWISE REPLY: -

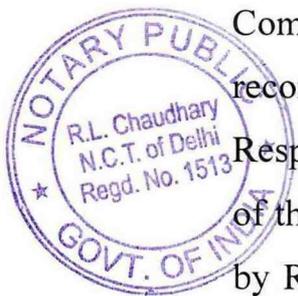
11. That, the averments made in Paragraph Nos. 1 to 3 under the heading "Most Respectfully Showeth as under" of the Appeal are about the appellant and his parents, cause of filing of Appeal under reference by the appellant i.e. Environmental Clearance (EC) dated 13.01.2025 granted by the Expert Appraisal Committee, MoEF&CC to the Respondent No. 3 i.e. M/s RR Texknit LLP for the construction of a Group Housing Project located at Khasra No. 1230/2 Sector-B, Pocket - 1 Vasant Kunj numbering 138 units, comprising 3 towers containing 3 basements + Stilt + 9 floors (3B + S + 9), adverse consequences of the construction activity carried out by the Respondent no. 3 on the health of the appellant and his family, appellant's representation to the various Government Departments regarding the matter, etc. In this context, submissions made at paragraph nos. 7 to 10 of this instant reply are reiterated, and the same are not repeated for the sake of brevity.



12. That, the averments made in Paragraph No. 4 under the heading "Most Respectfully Showeth as under" of the Appeal are about the Respondents and

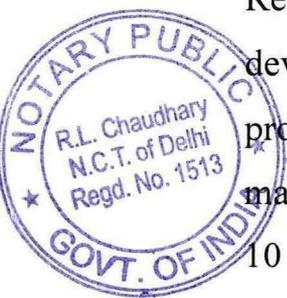
their function in the matter. In this context, submissions made at paragraph no. 3 of this instant reply are reiterated, and the same are not repeated for the sake of brevity.

13. That, the averments made in Paragraph No. 5 under the heading “Most Respectfully Showeth as under” of the Appeal are about the statements made by the appellant regarding submission of the facts. Hence, no comments are needed from this Answering Respondent.
14. That, no comments are offered by the answering respondent herein over the averments made in Paragraph Nos. 6 to 7 under the heading “BRIEF FACTS” of the Appeal wherein the execution of the sale deed of the site, the resolution for applying EC, and engagement of a consultant, etc. have been provided.
15. That, the averments made in Paragraph No. 8 under the heading “BRIEF FACTS” of the Appeal are about the approval of the building plan with some conditions, including measures for the prevention of pollution from construction, etc. In this context, submissions made at paragraph nos. 9 and 10 of this instant reply are reiterated, and the same are not repeated herein for the sake of brevity.
16. That, the averments made in Paragraph Nos. 9 to 28 under the heading “Most Respectfully Showeth as under” of the Appeal are about the submission of various documents by the Respondent No. 3 to the State Level Expert Appraisal Committee (hereinafter known as SEAC), clarification sought by SEAC, the recommendation made by SEAC for granting EC, transferring of the proposal of Respondent No. 3 to Respondent No. 1 i.e. MoEF&CC due to temporary absence of the SEIAA Delhi, clarification sought by Respondent No. 1 and reply given by Respondent no. 3 incorporating reference of a filed petition (W.P.(C) No. 11283/2024) by the RWA of B-1, Vasant Kunj seeking revocation of the layout and sanction plan pending before the Delhi High Court, Counter Affidavit filed



by the MCD in that matter, reference of another Court matters i.e. O.A. 1171 of 2024, WP (C) 352 of 2025, LPA 92 of 2025 etc; the appellant's concern on the effect of the construction project under reference on the nearby residents and school going children and representation of the appellant before MoEF&CC; Central Empowered Committee; MCD; DDA; Department of Forests and Wildlife, Delhi, raising his concerns, MOEF&CC's observations & queries, submission of respondent no. 3 in that context, issuing of the impugned EC dated 13.01.2025 by Respondent No. 1 to Respondent No. 3, etc. In this regard, it is humbly submitted that the submissions made at paragraphs no. 7 to 10 of this instant reply stands reiterated here, and the same are not repeated herein for the sake of brevity.

17. That, the averments made in Paragraph Nos. 29 to 102 and 104 to 110 of the Appeal are about considerations/non-considerations for the proposed project by EAC in context of provisions of noise Rules, traffic congestion, consequent air pollution, existence of nearest water body i.e. B-1 pond, water requirement, nearest habitation, and vulnerable Groups, initiation of construction prior to grant of Environmental Clearance, several permissions for the project not in Respondent No. 3's name, carrying capacity, Principles of sustainable development, precautionary principle, inter and intra generational equity of the proposed project, impact of construction on nearby institutions, environmental management plan etc. In this context, submissions made at paragraph nos. 7 to 10 of this instant reply are reiterated here, and the same are not repeated for the sake of brevity.



18. That, the averments made in Paragraph no. 103 of the Appeal are about alleged air pollution levels in Delhi and about alleged pollution due to C&D activity being carried out near the school. In this regard, it is submitted that a revised Graded Response Action Plan (GRAP) has been issued by the Commission for

Air Quality Management in the National Capital Region and Adjoining Areas in December 2024 to respond to situations of deteriorating air quality in Delhi-NCR. Various actions are prescribed under different stages of GRAP, which are invoked by a sub-committee constituted by CAQM for the implementation of revised GRAP based on the AQI level of Delhi. These actions include intensified enforcement of dust control measures at C&D sites and even a ban on C&D activities. Further, CAQM has also issued directions for the Control/Prevention of Air Pollution from Construction and Demolition activities, which prescribe various dust control/ mitigation and monitoring measures that are to be implemented. Besides, it has also issued directions for the deployment of Anti-Smog Guns, in proportion to the area of the construction, to tackle the issue of air pollution due to construction sites.

19. That, the averments made in Paragraph No. 111 & 112 of the Appeal are about the appellant's declaration about the jurisdiction of Hon'ble Tribunal in the matter under reference and about the Limitation clause, thereby, need no comments from this Answering Respondent.

20. That, the averments made under Paragraph No. 113 under the heading "GROUNDS" of the Appeal are about the grounds for filing the Appeal. In this context, submissions made in the preceding paragraph of this instant reply are reiterated, and the same are not repeated herein for the sake of brevity.

21. That, no comments are offered over the averments contained under the Heading "PRAYER" clause of the appeal and the same may be adjudicated by the Hon'ble Tribunal.



22. That, in light of the above submissions, this Answering Respondent No. 5, that is CPCB, shall abide by any order(s) or direction(s) passed by this Hon'ble Tribunal in the present Original Application.



A handwritten signature in blue ink, appearing to be "Chandra Kant Dixit".

(Chandra Kant Dixit)

Scientist 'D'

Central Pollution Control Board

27.10.2025

डॉ. सी. के. डी. डी. | Dr. C. K. Dixit
Scientist 'D'
केन्द्रीय प्रदूषण नियंत्रण बोर्ड
Central Pollution Control Board
(पर्यावरण, वन एवं जलवायु परिवर्तन विभाग, भारत सरकार)
(Ministry of Environment, Forest & Climate Change, Govt. of India)
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Nehru Park, East Anand Nagar, Delhi-110032

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AFFIDAVIT

I, **Chandra Kant Dixit**, in the capacity of Scientist-D, 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 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.




DEPONENT
डॉ. सी. के. दीक्षित / Dr. C. K. Dixit
 वैज्ञानिक 'घ' / Scientist 'D'
केन्द्रीय प्रदूषण नियंत्रण बोर्ड
Central Pollution Control Board
 (पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार)
 (M/o Environment, Forest & Climate Change, Govt. of India)
 परिवेश भवन, पूर्वी अर्जुन नगर, दिल्ली-110032
 Parivesh Bhawan, East Arjun Nagar, Delhi-110032

VERIFICATION

Verified at Delhi on this day of 27 OCT 2025 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

डॉ. सी. के. दीक्षित / Dr. C. K. Dixit
वैज्ञानिक 'D' / Scientist 'D'
केंद्रीय प्रदूषण नियंत्रण बोर्ड
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(Ministry of Environment, Forest & Climate Change, Govt. of India)
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Parivesh Bhawan, East Arjun Nagar, Delhi-110032

ATTESTED

NOTARY PUBLIC
GOVT. OF INDIA

27 OCT 2025