

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

Original Application No. 515/2022

IN THE MATTER OF:

Dharamvir

....Applicant

Versus

State of Haryana and Others

....Respondents

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**Place: - Ambala
Date: - 12.03.2023**

**Executive Engineer
Water Services Division
Ambala
(on behalf of Respondent No. 3)**

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

Original Application No. 515/2022

IN THE MATTER OF:

Dharamvir S/O Sh. Om Parkash, R/o House No. 521/13, Milk Road,
Krishna Colony, Naraingarh, Tehsil Naraingarh, District Ambala,
Haryana.

....Applicant

Versus

1. State of Haryana through Chief Secretary, Government of Haryana
2. State of Himachal Pradesh through Chief Secretary, Government of Himachal Pradesh
3. Ministry of Jal Shakti, Haryana
4. Ministry of Jal Shakti, Himachal Pradesh
5. CPCB
6. Haryana State PCB
7. Himachal Pradesh PCB
8. District Magistrate, Ambala
9. District Magistrate, Kurukshetra
10. District Magistrate, Sirmour

....Respondents

Reply/response on behalf of Respondent No. 3 i.e Ministry of Jal Shakti, Haryana.

Respectfully Showeth:

PRELIMINARY SUBMISSIONS:

1. That an applicant named Sh. Dharamvir has preferred to file complaint dated 23.04.2022 before this Hon'ble National Green Tribunal which is registered as OA No. 515/2022. The applicant prayed for directions to the Respondents to stop releasing polluted water of industries situated at Kala Amb in river Markanda.
2. That the matter was listed for hearing on 01.09.2022, when this Hon'ble Tribunal after hearing the matter constituted a joint committee comprising of representatives of Additional Chief Secretaries/Principal Secretaries, Department of Jal Shakti, Environment and Industry and PCBs of both the State of Himachal Pradesh and Haryana and Deputy Commissioner, Nahan (Himachal Pradesh), Ambala and Kurukshetra (Haryana) and further directed that the Pollution Control Boards of State of Himachal Pradesh and Haryana will be Nodal Agencies for coordination and compliance.
3. That in compliance to the order of Hon'ble Tribunal, the joint committee inspected the site and formed joint inspection report, which has been filed before this Tribunal on 23.11.2022. The Joint Committee inspected the entire stretch of the Nallah till its ultimate confluence into river Markanda and Joint Committee did not found any illegal drain in the name of "Kaimi drain" which goes into River Markanda as alleged. It is further submitted that Markanda River is entering in Haryana at Kala Amb. A nallah

namely Jatton Wala Nallah is coming from industrial area, Himachal Pradesh meeting Markanda River at Kala Amb. Detailed factual position has already been placed on record by Respondent No. 6.

4. That Regional Officer, Haryana State Pollution Control board, Ambala had filed the detailed reply before this Hon'ble Tribunal. The replying Respondent No. 3 hereby adopt the reply filed by Respondent no. 6, for sake of brevity and mere repetition.

REPLY ON MERITS:

1. That it is respectfully submitted that Joint Committee inspected the entire site and found that there is no illegal drain exists in the name of "Kaimi Drain" which polluted the River Markanda as alleged by the applicant. It is further submitted that as per joint inspection report, only treated industrial water is discharged into River Markanda, hence contents of para are wrong and denied. It is further submitted that Markanda River is entering in Haryana at Kala Amb. A nallah namely Jatton Wala Nallah is coming from industrial area, Himachal Pradesh meeting Markanda River at Kala Amb. Detailed factual position has already been placed on record by Respondent No. 6.
2. That the contents of this para 2 of the complaint are wrong and denied in view of the preliminary submissions and Joint Inspection Report submitted by the Nodal Agency.

In view of facts and circumstances explained above this Hon'ble Tribunal may kindly consider and appreciate that the complaint filed by the applicant are based on the conjecture and surmises and have no legal grounds and thus has no cause to file and maintain the present

original application which deserves to be dismissed and the same may kindly be dismissed in the interest of justice.

Place: - Ambala
Date: - 12.03.2023


Executive Engineer
Water Services Division
Ambala
(on behalf of Respondent 3)

VERIFICATION

Verified that the contents of preliminary submissions of para 1 to 4 and reply on merits para 1 and 2 of the above reply are true and correct to my knowledge and information derived from the official. No part of it is false and nothing material has been concealed therefrom.

Place: - Ambala
Date: - 12.03.2023


Executive Engineer
Water Services Division
Ambala
(on behalf of Respondent 3)