

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 1047 OF 2024**

In the matter of: -

News Item Titled "Sewage Overflowing Contaminating Drinking Water in Gurgaon's Sushant Lok" Appearing in The Times of India Dated 29.07.2024.

Index

Sr. No.	Particular's	Page No.
1.	Reply on behalf of Central Pollution Control Board (CPCB) i.e. Respondent No. 1 in compliance to Hon'ble NGT order dated 05.08.2024 in O.A No. 1047/2024.	1-5
2.	Annexure- I A copy of letters dated 21.10.2024, 07.10.2024 and 06.09.2024 issued by CPCB to HSPCB.	6-8
3.	Annexure- II A copy of letters dated 21.10.2024, 07.10.2024 and 06.09.2024 issued by CPCB to Haryana Shehri Vikas Pardhikaran.	9-11
4.	Annexure- III A copy of letters dated 21.10.2024, 07.10.2024 and 06.09.2024 issued by CPCB to Gurugram Metropolitan Development Authority.	12-14
5.	Annexure- IV A copy of Hon'ble NGT order dated 05.08.2024, in OA No. 1047/2024.	15-17

Srinivas Vishven

**Filed by Adv. Srinivas Vishven
(On behalf of Central Pollution Control Board)**

**Place: Delhi
Dated: 10.11.2024**

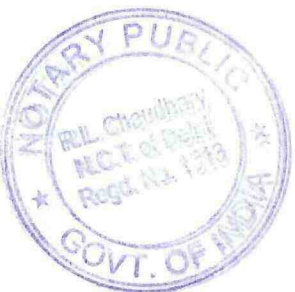
**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 1047 OF 2024**

In the matter of

News Item Titled "Sewage Overflowing Contaminating Drinking Water in Gurgaon's Sushant Lok" Appearing in The Times of India Dated 29.07.2024

**REPLY ON BEHALF OF CENTRAL POLLUTION CONTROL BOARD
(CPCB) i.e. RESPONDENT NO. 1**

1. That, Hon'ble NGT vide order dated 05.08.2024 and vide advance notice dated 22.08.2024 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 Water Act, 1974 and Air Act, 1981 to perform the functions and implement the provisions of these Acts in respect of their territorial Jurisdiction.



4. That, the present matter is related to the alleged overflow of sewer lines in the area of Sushant Lok 1, Gurgaon due to non-desilting of sewer lines causing wastewater to backup and to overflow on to streets across the colony and the residents also suspect the mixing of sewage with drinking water supply which is raising concerns about contamination.
5. That, in compliance with Hon'ble NGT order dated 05.08.2024 passed in instant matter, CPCB has taken up the case with Haryana State Pollution Control Board, Haryana Shehri Vikas Pradhikaran and Gurugram Metropolitan Development Authority seeking the status report/ action taken report in the matter via letter dated 06.09.2024, 07.10.2024 and 21.10.2024. A copy of the letters is enclosed as **Annexure I-III**.
6. That, the status report/ action taken report of the matter is awaited from the concerned authorities by the answering Respondent.
7. That, it is humbly submitted that as the subject matter relates to the proper desilting of the sewer lines in the area of Sushant Lok 1, Gurgaon and the proper availability of good quality of drinking water which squarely comes under the purview of local bodies and state specific agencies such as Haryana State Pollution Control Board, Haryana Shehri Vikas Pradhikaran and Gurugram Metropolitan Development Authority. Thereby no response is offered over the same from Respondent No. 1 due to non-receipt of status report /action taken report from aforesaid agencies, thereby, it is prayed that the Hon'ble Tribunal may consider the response filed by state agencies for adjudication of the instant matter.



8. That, the answering respondent craves leave of the Hon'ble Tribunal to file additional reply, if required, in future.

9. 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.




(Vishal Gandhi)
Scientist 'E'
Central Pollution Control Board

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 1047 OF 2024**

In the matter of:

News Item Titled "Sewage Overflowing Contaminating Drinking Water in Gurgaon's Sushant Lok" Appearing in The Times of India Dated 29.07.2024

AFFIDAVIT

I, **Vishal Gandhi** working as Scientist 'E' in Central Pollution Control Board, Parivesh Bhawan, East Arjun Nagar, Delhi, the Respondent No. 1 in the above matter, do hereby solemnly affirm, declare on oath and state as under :-

1. That I, the deponent herein is 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 and authorized 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


विशाल गांधी / Vishal Gandhi
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

06 NOV 2024

Verified at New Delhi on this day of _____ 2024 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

विशाल गांधी / Vishal Gandhi
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


NOTARY PUBLIC
GOVT. OF INDIA

06 NOV 2024

06 NOV 2024



Speed Post /Email

Reminder-II

F. No. A-14011/2024-WQM-I/ (OA No 1047 of 2024) /693

Dated: 21.10.2024

To

The Member Secretary
Haryana State Pollution Control Board
Board C-11, Sector-6, Panchkula
Haryana - 134109

Sub: Compliance of Hon'ble NGT (PB) order dated 05.08.2024 in the matter of OA No. 1047/2024; News item titled "Sewage Overflowing Contaminating drinking water in Gurgaon's Sushant Lok1"

Reference: (i)CPCB letter no F. No. A-14011/2024-WQM-I/ (OA No 1047 of 2024) dated 06.09.2024

(ii)CPCB letter no F. No. A-14011/2024-WQM-I/ (OA No 1047 of 2024) dated 04.10.2024.

Sir,

Kindly refer to our earlier letters dated 06.09.2024 and 07.10.2024 wherein it was requested to provide the status report/ action taken report in the matter of OA No. 1047/2024; News item titled "Sewage Overflowing Contaminating drinking water in Gurgaon's Sushant Lok1". However, the response is still awaited.

In this context, it is further requested to provide the status report/ action taken report in the said matter at earliest.

This may be treated as URGENT.

Yours faithfully

(Vishal Gandhi)

Scientist -E, WQM-I

Encl: As above

'परिवेश भवन' पूर्वी अर्जुन नगर, दिल्ली-110032

Parivesh Bhawan, East Arjun Nagar, New Delhi - 110032

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



Speed Post /Email

Reminder-I

F. No. A-14011/2024-WQM-I/ (OA No 1047 of 2024) / 689

Dated: 07.10.2024

To

The Member Secretary
Haryana State Pollution Control Board
Plot C-11, Sector-6, Panchkula
Haryana - 134109

Sub: Compliance of Hon'ble NGT (PB) order dated 05.08.2024 in the matter of OA No. 1047/2024; News item titled "Sewage Overflowing Contaminating drinking water in Gurgaon's Sushant Lok1"

Reference: (i)CPCB letter no F. No. A-14011/2024-WQM-I/ (OA No 1047 of 2024) dated 06.09.2024

Sir,

Kindly refer to our earlier letter dated 06.09.2024 wherein it was requested to provide the status report/ action taken report in the matter of OA No. 1047/2024; News item titled "Sewage Overflowing Contaminating drinking water in Gurgaon's Sushant Lok1". However, the response is still awaited.

In this context, it is further requested to provide the status report/ action taken report in the said matter at earliest, preferably by 12.10.2024.

This may be treated as URGENT.

Yours faithfully


(Vishal Gandhi)

Scientist -E, WQM-I

Encl: As above

'परिवेश भवन' पूर्वी अर्जुन नगर, दिल्ली-110032

Parivesh Bhawan, East Arjun Nagar, New Delhi - 110032

दूरभाष/Tel: 43102030, 22305792, वेबसाईट/Website : www.cpbc.nic.in



Speed Post /Email

F. No. A-14011/2024-WQM-I/ (OA No 1047 of 2024) /677

Dated: 06.09.2024

To

The Member Secretary
Haryana State Pollution Control Board
Board C-11, Sector-6, Panchkula
Haryana - 134109

Sub: Compliance of Hon'ble NGT (PB) order dated 05.08.2024 in the matter of OA No. 1047/2024; News item titled "Sewage Overflowing Contaminating drinking water in Gurgaon's Sushant Lok1"

Sir,

Enclosed please find a copy of Hon'ble NGT (PB) order dated 05.08.2024 in the matter of OA No. 1047/2024; News item titled "Sewage Overflowing Contaminating drinking water in Gurgaon's Sushant Lok1".

In this regard, it is requested to provide the status report/ action taken report in the said matter at earliest.

Yours faithfully

(Vishal Gandhi)

Scientist -E, WQM-I

Encl: As above

'परिवेश भवन' पूर्वी अर्जुन नगर, दिल्ली-110032

Parivesh Bhawan, East Arjun Nagar, New Delhi - 110032

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



Speed Post /Email

Reminder-II

F. No. A-14011/2024-WQM-I/ (OA No 1047 of 2024) /693

Dated: 21.10.2024

To

The Chief Engineer I
Haryana Shehri Vikas Pradhikaran
HSVP Office Complex, C – 3, Sector 6, Panchkula
Haryana - 134109

Sub: Compliance of Hon'ble NGT (PB) order dated 05.08.2024 in the matter of OA No. 1047/2024; News item titled "Sewage Overflowing Contaminating drinking water in Gurgaon's Sushant Lok1"

Reference: (i)CPCB letter no F. No. A-14011/2024-WQM-I/ (OA No 1047 of 2024) dated 06.09.2024

(ii)CPCB letter no F. No. A-14011/2024-WQM-I/ (OA No 1047 of 2024) dated 04.10.2024.

Sir,

Kindly refer to our earlier letters dated 06.09.2024 and 07.10.2024 wherein it was requested to provide the status report/ action taken report in the matter of OA No. 1047/2024; News item titled "Sewage Overflowing Contaminating drinking water in Gurgaon's Sushant Lok1". However, the response is still awaited.

In this context, it is further requested to provide the status report/ action taken report in the said matter at earliest.

This may be treated as URGENT.

Yours faithfully

(Vishal Gandhi)

Scientist –E, WQM-I

Encl: As above

'परिवेश भवन' पूर्वी अर्जुन नगर, दिल्ली-110032

Parivesh Bhawan, East Arjun Nagar, New Delhi - 110032

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



Speed Post /Email

F. No. A-14011/2024-WQM-I/ (OA No 1047 of 2024) /689

Reminder-I

Dated: 07.10.2024

To

The Chief Engineer I
Haryana Shehri Vikas Pradhikaran
HSVP Office Complex, C – 3, Sector 6, Panchkula
Haryana - 134109

Sub: Compliance of Hon'ble NGT (PB) order dated 05.08.2024 in the matter of OA No. 1047/2024; News item titled "Sewage Overflowing Contaminating drinking water in Gurgaon's Sushant Lok1"

Reference: (i)CPCB letter no F. No. A-14011/2024-WQM-I/ (OA No 1047 of 2024) dated 06.09.2024


Sir,

Kindly refer to our earlier letter dated 06.09.2024 wherein it was requested to provide the status report/ action taken report in the matter of OA No. 1047/2024; News item titled "Sewage Overflowing Contaminating drinking water in Gurgaon's Sushant Lok1". However, the response is still awaited.

In this context, it is further requested to provide the status report/ action taken report in the said matter at earliest, preferably by 12.10.2024.

This may be treated as URGENT.

Yours faithfully


(Vishal Gandhi)
Scientist –E, WQM-I

Encl: As above

'परिवेश भवन' पूर्वी अर्जुन नगर, दिल्ली-110032

Parivesh Bhawan, East Arjun Nagar, New Delhi - 110032

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



Speed Post /Email

F. No. A-14011/2024-WQM-I/ (OA No 1047 of 2024) /677

Dated: 06.09.2024

To

The Chief Engineer I
Haryana Shehri Vikas Pradhikaran
HSVP Office Complex, C – 3, Sector 6, Panchkula
Haryana - 134109

Sub: Compliance of Hon'ble NGT (PB) order dated 05.08.2024 in the matter of OA No. 1047/2024; News item titled "Sewage Overflowing Contaminating drinking water in Gurgaon's Sushant Lok1"

Sir,

Enclosed please find a copy of Hon'ble NGT (PB) order dated 05.08.2024 in the matter of OA No. 1047/2024; News item titled "Sewage Overflowing Contaminating drinking water in Gurgaon's Sushant Lok1."

In this regard, it is requested to provide the status report/ action taken report in the said matter at earliest.

Yours faithfully

(Vishal Gandhi)
Scientist –E, WQM-I

Encl: As above

'परिवेश भवन' पूर्वी अर्जुन नगर, दिल्ली-110032

Parivesh Bhawan, East Arjun Nagar, New Delhi - 110032

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



Speed Post /Email

Reminder-II

F. No. A-14011/2024-WQM-I/ (OA No 1047 of 2024) /693

Dated: 21.10.2024

To

The Chief Executive Officer
Gurugram Metropolitan Development Authority
Plot No. 3, Sector 44, Near Huda City Centre Metro Station
Gurugram, Haryana - 122003

Sub: Compliance of Hon'ble NGT (PB) order dated 05.08.2024 in the matter of OA No. 1047/2024; News item titled "Sewage Overflowing Contaminating drinking water in Gurgaon's Sushant Lok1"

Reference: (i)CPCB letter no F. No. A-14011/2024-WQM-I/ (OA No 1047 of 2024) dated 06.09.2024

(ii)CPCB letter no F. No. A-14011/2024-WQM-I/ (OA No 1047 of 2024) dated 04.10.2024

Sir,

Kindly refer to our earlier letters dated 06.09.2024 and 07.10.2024 wherein it was requested to provide the status report/ action taken report in the matter of OA No. 1047/2024; News item titled "Sewage Overflowing Contaminating drinking water in Gurgaon's Sushant Lok1". However, the response is still awaited.

In this context, it is further requested to provide the status report/ action taken report in the said matter at earliest.

This may be treated as URGENT.

Yours faithfully

(Vishal Gandhi)

Scientist -E, WQM-I

Encl: As above

'परिवेश भवन' पूर्वी अर्जुन नगर, दिल्ली-110032

Parivesh Bhawan, East Arjun Nagar, New Delhi - 110032

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

Speed Post /Email

F. No. A-14011/2024-WQM-I/ (OA No 1047 of 2024) /687

Reminder-I

Dated: 07.10.2024

To

The Chief Executive Officer
Gurugram Metropolitan Development Authority
Plot No. 3, Sector 44, Near Huda City Centre Metro Station
Gurugram, Haryana - 122003

Sub: Compliance of Hon'ble NGT (PB) order dated 05.08.2024 in the matter of OA No. 1047/2024; News item titled "Sewage Overflowing Contaminating drinking water in Gurgaon's Sushant Lok1"

Reference: (i)CPCB letter no F. No. A-14011/2024-WQM-I/ (OA No 1047 of 2024) dated 06.09.2024

Sir,

Kindly refer to our earlier letter dated 06.09.2024 wherein it was requested to provide the status report/ action taken report in the matter of OA No. 1047/2024; News item titled "Sewage Overflowing Contaminating drinking water in Gurgaon's Sushant Lok1". However, the response is still awaited.

In this context, it is further requested to provide the status report/ action taken report in the said matter at earliest, preferably by 12.10.2024.

This may be treated as URGENT.

Yours faithfully


(Vishal Gandhi)

Scientist -E, WQM-I

Encl: As above

'परिवेश भवन' पूर्वी अर्जुन नगर, दिल्ली-110032

Parivesh Bhawan, East Arjun Nagar, New Delhi - 110032

दूरभाष/Tel: 43102030, 22305792, वेबसाईट/Website : www.cpbc.nic.in



Speed Post /Email

F. No. A-14011/2024-WQM-I/ (OA No 1047 of 2024) /677

Dated: 06.09.2024

To

The Chief Executive Officer
Gurugram Metropolitan Development Authority
Plot No. 3, Sector 44, Near Huda City Centre Metro Station
Gurugram, Haryana - 122003

Sub: Compliance of Hon'ble NGT (PB) order dated 05.08.2024 in the matter of OA No. 1047/2024; News item titled "Sewage Overflowing Contaminating drinking water in Gurgaon's Sushant Lok1"

Sir,

Enclosed please find a copy of Hon'ble NGT (PB) order dated 05.08.2024 in the matter of OA No. 1047/2024; News item titled "Sewage Overflowing Contaminating drinking water in Gurgaon's Sushant Lok1."

In this regard, it is requested to provide the status report/ action taken report in the said matter at earliest.

Yours faithfully

(Vishal Gandhi)

Scientist -E, WQM-I

Encl: As above

'परिवेश भवन' पूर्वी अर्जुन नगर, दिल्ली-110032

Parivesh Bhawan, East Arjun Nagar, New Delhi - 110032

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

Item No. 08

Court No. 1

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

Original Application No. 1047/2024

News item appearing in The Times of India dated 29.07.2024 titled "Sewage Overflowing Contaminating drinking water in Gurgaon's Sushant Lok1"

Date of hearing: 05.08.2024

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

Applicant: None appeared

ORDER

1. This original application is registered *suo motu* on the basis of the news item titled "Sewage Overflowing Contaminating drinking water in Gurgaon's Sushant Lok1" appearing in the Times of India dated 29.07.2024.

2. The news item relates to the problem of overflowing sewer lines for the past two years in the Sushant Lok 1 colony of Gurgaon. The article alleges that the sewer lines were not desilted, causing wastewater to back up and overflow on to streets across the colony. As per the article, the stench of sewage on roads is nauseating and stagnant water is becoming a breeding ground for mosquitoes.

3. The news item states that the Municipal Corporation of Gurgaon allotted Rs. 30.7 lakhs for desilting of sewer lines with the help of a bucket machine yet no work has been done on the ground. The article claims that the RWA has repeatedly complained about the problem but no action has been taken by MCG. Moreover, residents suspect that the sewage is mixing with the drinking water and contaminating it, even the

devotees are being forced to navigate through dirty water to get to the colony temple.

4. The news item raises substantial issue relating to compliance of the environmental norms, especially compliance of Water (Prevention and Control of Pollution) Act, 1974, the Water (Prevention and Control of Pollution) Cess Act, 1977 and the Environment (Protection) Act, 1986.

5. Power of the Tribunal to take up the matter *suo-motu* has been recognized by the Hon'ble Supreme Court in the matter of "*Municipal Corporation of Greater Mumbai vs. Ankita Sinha & Ors.*" reported in 2021 SCC Online SC 897.

6. Hence, we implead the following as respondents in the matter:

- (1). The Central Pollution Control Board, through its member secretary, Parivesh Bhawan, East Arjun Nagar, Shahdara, Delhi-110032.
- (2). Haryana Pollution Control Board, through its member secretary, C-11, Sector-6, Panchkula, Haryana – 134109.
- (3). District Magistrate, Gurgaon, 1286, Old Delhi Gurgaon Rd, Kapas Hera Extension, Kapas Hera Estate, New Delhi, Delhi 110037.
- (4). Ministry of Environment, Forest and Climate Change, Through its Regional Office, Regional Office (NZ), Bays No. 24-25, Sector 31 A, Dakshin Marg, Chandigarh-160030.
- (5). Municipal Corporation of Gurgaon, through its additional commissioner, Community Centre, Sector 42, Gurugram-122002.

7. Issue notice to the above respondents for filing their response at least one week before the next date of hearing.

8. List on 12.11.2024.

Prakash Shrivastava, CP

Arun Kumar Tyagi, JM

Dr. A. Senthil Vel, EM

August 05, 2024
Original Application No. 1047/2024
SN