

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 285 OF 2025

IN THE MATTER OF:

SHIV KUMAR DUBEY

.....APPLICANT

Versus

UNION OF INDIA & Ors.

.....RESPONDENTS

INDEX

S.NO.	PARTICULARS	PAGE NO.
1.	RESPONSE ON BEHALF OF THE MOEF & CC.	1-5

Place: New Delhi

Date: 11.08.2025



Narender Pal Singh

Advocate

On Behalf of MOEF & CC

K-18 Level 1, Green Park Main,

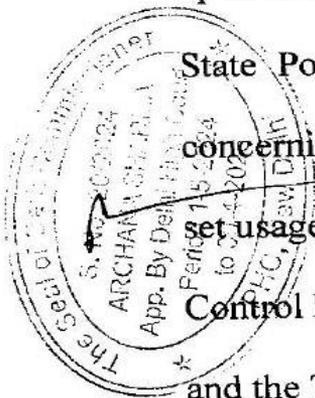
New Delhi-110016

Mob:9311010090

Email: danubeconsulting@gmail.com

pollution-causing commercial activities over the land bearing khasra nos. 446/1/1, 446/1/1/3, 458, 459, and 460 are located near Hamilton Court, Galleria Market Road, Sector 27, Gurugram ("Subject Land").

3. That Answering Respondent is engaged in, inter alia, policy formulation for abatement, control, and prevention of pollution and prescribing environmental standards to be implemented through the Central Pollution Control Board (CPCB) and State Pollution Control Boards (SPCBs)/ Pollution Control Committees (PCCs). Besides, the concerned State Pollution Control Boards/Pollution Control Committees are empowered under relevant statutes to take all such measures as are deemed necessary or expedient for the purpose of protection and improving the quality of the environment as well as prevention, control, and abatement of environmental pollution.
4. That the Answering Respondent submits that enforcement of environmental norms through issue of consent to establish and consent to operate at the local level primarily fall within the purview of the respective State Pollution Control Board (SPCB). Direct regulatory enforcement concerning construction without approvals, sewage discharge, illegal DG set usage, and local pollution sources lies with the Haryana State Pollution Control Board (HSPCB), the Municipal Corporation of Gurugram (MCG), and the Town & Country Planning Department of Haryana.



M3alodw

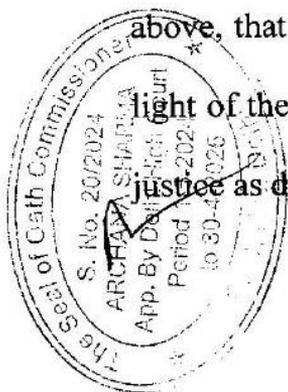
5. The Answering Respondent is not the authority competent to grant Change of Land Use (CLU) permissions, building layout approvals, or trade licenses. These matters fall under the jurisdiction of the State Town & Country Planning Department and local municipal bodies. However, such developments must comply with environmental safeguards under the Air (Prevention and Control of Pollution) Act, 1981, Water (Prevention and Control of Pollution) Act, 1974, and the Environment (Protection) Act, 1986.
6. That, it is respectfully submitted that the operation of DG sets, improper handling of solid and liquid waste, and absence of sewage treatment raise serious concerns under the Air (Prevention and Control of Pollution) Act, 1981, the Water (Prevention and Control of Pollution) Act, 1974, and the Environment (Protection) Act, 1986. The HSPCB is the designated authority to issue or cancel consents to establish and operate and to take penal action against violators under applicable laws.



The Answering Respondent submits that Commission for Air Quality Management in National Capital Region and Adjoining Areas (CAQM) time to time issues directions/advisories to SPCBs for control of vehicular emissions, dust pollution, and regulation of construction activities, including air quality management.

M. Saleem

8. The Answering Respondent respectfully submits that environmental violations of the nature alleged in the present matter are of serious concern. The directives issued by the Hon'ble NGT time to time in various air and water pollution matters, the Ministry remains committed to supporting State Governments in taking effective action.
9. That Answering Respondent respectfully submits, the Hon'ble Tribunal may be pleased to issue necessary directions to the concerned local authorities, the State Government of Haryana, Municipal Corporation of Gurugram, HSPCB, and Dakshin Haryana Bijli Vitran Nigam (DHBVN) to take appropriate action in accordance with applicable laws and guidelines.
10. That, thus, in light of the above submissions, the present response is being filed, without prejudice to the right of substantiating the stand further on behalf of the answering respondent or as directed by this Hon'ble Tribunal during the course of the present proceedings.
11. It is, therefore, humbly prayed in view of the submissions made herein



above, that this Hon'ble Tribunal may kindly pass appropriate orders, in light of the facts and circumstances of the present case, in the interest of justice as deemed appropriate by this Hon'ble Tribunal.

M. Balodhi

DEPONENT
 (मुकेश बलोधी)
 (MUKESH BALODHI)
 वैज्ञानिक 'ई'/Scientist 'E'
 पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
 Min. of Environment, Forest and Climate Change
 भारत सरकार, नई दिल्ली
 Govt. of India, New Delhi

VERIFICATION

- 8 / 8 / 2025

Verified at New Delhi on this day of ___ August, 2025 that the contents of the above affidavit are true and correct to my knowledge and as per official records maintained in the routine course of business. No part of the above affidavit is false and nothing material has been concealed there from.

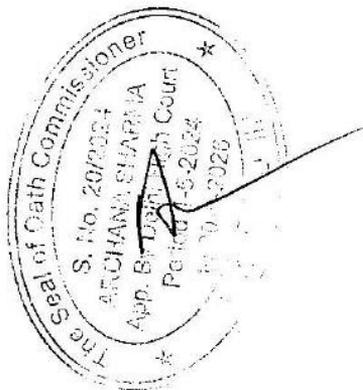
Signed / put T.I. in my presence

M Balodhi
DEPONENT

(मुकेश बलोधी)
(MUKESH BALODHI)
वैज्ञानिक 'ई' / Scientist 'E'
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
Min. of Environment, Forest and Climate Change
भारत सरकार, नई दिल्ली
Govt. of India, New Delhi

Certified that the foregoing statement was declared on solemn affirmation before me which has been read over to the deponent who has admitted

It as correct Oath Commissioner, New Delhi



Certified that the foregoing statement was declared on solemn affirmation before me which has been read over to the deponent who has admitted

- 8 / 8 / 2025

