

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

ORIGINAL APPLICATION NO. 88 OF 2025

IN THE MATTER OF:

Devidas Khatri

...Applicant

Versus

Union of India and Ors.

...Respondents

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Anub

(Anoop Agarwal, Advocate)
230 Lawyers Chambers,
E-Block Rajasthan High Court, Jaipur
Mobile-9462001295
Email:- adv.anoop10@gmail.com

Place: Delhi
Date : 11.04.2026

Devidas Khatri

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**REJOINDER ON BEHALF OF THE APPLICANT IN RESPONSE TO THE
REPLY AFFIDAVIT FILED BY RESPONDENT NO. 10**

MOST RESPECTFULLY SHOWETH:

1. That the content of para 1 of the reply being matter of record needs no reply.
2. That the content para 2 of reply are not admitted as stated.
3. That the contents of para 3 and 4 of the reply are not admitted in the manner stated by the respondent. The objection raised by the respondent alleging misjoinder of parties is misconceived and not maintainable. The present matter does not involve any misjoinder of parties. As respondent no 9 and 11 is concerned, both the respondents are two separate and distinct entities, each independently registered under different areas. The name of the unit may be same but the facilities are different, therefore, they are impleaded as respondents. Similarly, respondent no. 8, being registered recycler unit is also a necessary party to the present proceedings.
4. That the content of para 5 of the reply are not admitted in the manner stated by the respondent and are reiterated as stated in para 1 and 2 of the grounds of the Original Application.
5. That the contents of para 6 of the reply are not admitted in the manner stated by the respondent. It is submitted that as the present matter pertains to the increasing number of unorganised e-waste collection/recycling units operating in small localities without having any pollution control measures or basic requirement as provided by the CPCB in its SOP for operation of e-waste recyclers and issuance of registration to such unorganised e-waste recycling units without proper physical verification. So, the issue primarily concerns the execution and

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implementation of the E-waste (Management) Rules, 2016 and the SOPs for E-waste Recyclers. Therefore, this Hon'ble Tribunal has jurisdiction to adjudicate the present matter.

6. That the content of para 7 of the reply are not admitted in the manner stated by the respondent. It is submitted that the action taken report/inspection report submitted by the UPPCB clearly indicates that non-compliance by two of the business units. Further, the provisions of the E-waste (Management) Rules, 2022 and SOP's (Standard Operating Procedures) for E-waste Recycler are not implemented and complied in letter and spirit.
7. That the content of para 8 of the being matter of record, need no reply.
8. That the contents of para 9 to 11 of the reply are replied in terms that the E-waste (Management) Rules, 2016 and SOP's (Standard Operating Procedures) for E-waste Recycler under the aforesaid E-waste (Management) Rules, 2022 with respect to the 'Information Required for Registration of E-waste Recycler on the Portal' provides for the verification and audit by the Central Pollution Control Board by itself or through designated agency. However, Respondent no 8 has merely made vague assertions in its reply that random inspections and periodic audits, as referred to hereinabove, have been carried out, without placing on record any details, documents, or inspection reports to substantiate such claims. This clearly shows that the prerequisite conditions of verification to be carried out by the CPCB have not been complied with.
9. That the para 12 and 13 of the reply have already been replied to in the preceding paras.
10. That the contents of para 14 of the reply are replied in terms that the Rule 5 (iii) of SOPs for E-Waste Recycler annexed in the Original Application as **(Annexure A/2)** clearly provides that,

"5.0 Target Time and Modality of Granting Registration

XXXXXXX

iii. CPCB shall conduct verification of the recycling facility within three months of granting the registration on the portal either through physical or video conferencing mode. The physical verification will be for confirming the information provided by the applicant recyclers."

Thus, it is evident that, after the grant of registration by the CPCB, it is mandatory to conduct verification within a period of three months, either through physical inspection or video conferencing, to ensure that the information provided by the

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recycler is correct. However, the respondent has failed to place on record any information with respect to the such verification. This clearly indicates that, no such verification was conducted after the grant of registration to the Respondent, as no specific details, records, or verification report have been provided. It is further submitted that no verification was ever conducted by the CPCB within the stipulated period of three months form the date of online registration, which is a mandatory prerequisite for the grant of registration to recyclers.

11. That the contents of para 15 of the reply has already been replied to in the preceding para.
12. That the contents of para 16 of the reply need no reply.
13. That the contents of para 17 of the reply are replied in terms that respondent has claimed that, under the provisions of Section 18(1) of the Water (Prevention and Control of Pollution) Act 1974 and Air (Prevention and Control of Pollution) Act 1981, inspections of their unit was carried out by the State Pollution Control Board as well as the Central Pollution Control Board. However, they have failed to place on record any details, documents or inspection reports to substantiate such claims.
14. That the contents of para 18 to 20 of the reply have already been replied in preceding paras.
15. That the para 21 of the reply are not admitted in the manner stated by the respondent. The action taken report of UPPCB clearly indicates non-compliance by the concerned business units, and therefore, the question of misjoinder does not arise. It is further submitted that the absence of any verification records or report clearly indicates that the provisions of E-waste (Management) Rules, 2022 and SOP's (Standard Operating Procedures) for E-waste Recycler have not been implemented or complied with in letter and spirit.

Devdas Khatri

Humble Applicant

Through Counsel

Anoop

(Anoop Agarwal, Advocate)
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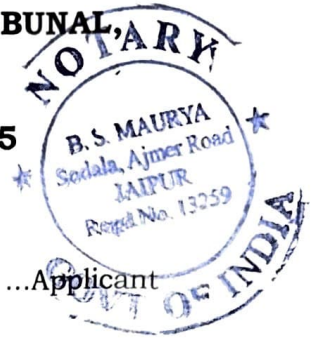
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AFFIDAVIT

I, Devidas Khatri S/o Shri Nand Kishore Khatri, aged about 50 years, R/o 239, Laxmi Nagar, Behind Mangori Walon Ki Bagichi, Brahmpuri, Jaipur, do, hereby take oath and state as under:-

1. That I am Applicant and well conversant with the facts of the case and thus competent to depose this affidavit.
2. That the accompanying rejoinder has been drafted by mem counsel under my instructions and the same are based on the records and has been read over by me and I have understood the same.
3. That all the contents of rejoinder are true and correct to my personal knowledge.

Devidas Khatri

Deponent

Verification

I, the above-named deponent, do hereby solemnly affirm that the contents of para no. 1 to 3 of the above affidavit are true to my personal knowledge. Nothing has been concealed in it. No part of it is false. So help me God.

ATTESTED

[Signature]

B. S. MAURYA

Notary (Govt. Of India)

Sodala Aimer Road, Jaipur

11 APR 2026

Devidas Khatri

Deponent