

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

Execution Application No. 31/2025

In

Original Application No. 176/2015

Shailesh Singh

Applicant

Vs.

Hotel Holiday Regency & Ors.

Respondents

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1.	Reply on behalf of, Central Pollution Control Board, (CPCB) in Execution Application No. 31/2025 in Original Application No. 176/2015.	
2.	Annexure –I A copy of letter dated 11.03.2022 issued by Head Office CPCB to Regional Directorate Lucknow, CPCB.	
3.	Annexure-II A copy of letter dated 29.03.2022 issued by CPCB to CGWA and Uttar Pradesh PCB.	
4.	Annexure-III A copy of Hon'ble Supreme Court of India order dated 19.05.2022 in Civil Appeal No. 2901/2022	

Srinivas Vishven

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

Place: Delhi

Dated:10.09.2025

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**REPLY FOR AND ON BEHALF OF CENTRAL POLLUTION
CONTROL BOARD (CPCB).**

1. 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 referred to as the "Water Act"), The Air (Prevention and Control of pollution) Act, 1981 (hereinafter referred to as the "Air Act) 1981 and the Environment (Protection) Act, 1986.
2. That at the outset, the answering respondent denies all claims, contentions, allegations, and averments against the answering respondent, CPCB in the above OA, contrary to anything stated or submitted in this reply. Nothing in the OA may be deemed to have been accepted or admitted by the answering respondent for want of a specific denial or on the ground of non-traverse, save any averments which has been expressly admitted hereinafter.
3. The present matter pertains to Execution Application (EA) No. 31/2025, filed by the applicant seeking compliance with paragraphs 47 to 49 of the order dated **25.02.2022**, passed by the Hon'ble



National Green Tribunal (NGT) in Original Application (OA) No. 176/2015.

4. That the sub paragraphs (g) and (h) quoted in paragraph 47 of the judgement dated 25.02.2022 of the Hon'ble NGT in OA 176/2015 referred in the present EA pertain to the constitution of a Joint Committee to conduct survey in State of UP and prepare data of various categories drawing ground water for commercial purposes. These were reproduced from sub paragraph 381 (e) and (f) of the judgment of the Hon'ble NGT of the same date i.e. 25.02.2022 in OA No. 69/2020.
5. That in compliance with the NGT's orders dated 25.02.2022 regarding constitution of a Joint Committee, the answering Respondent herein issued a letter dated 11.03.2022 (**Annexure-I**) to the Regional Directorate (RD), Lucknow, nominating CPCB Regional Director, Lucknow as a member of the Joint Committee constituted in accordance with the order dated 25.02.2022. CPCB also issued a letter dated 29.03.2022 to the Uttar Pradesh Pollution Control Board (UPPCB), as UPPCB was designated as the nodal agency, and the Central Ground Water Authority (CGWA) (**Annexure-II**), conveying the directions of the Hon'ble NGT.
6. That subsequent stay was granted by the Hon'ble Supreme Court, vide its order dated 19.05.2022 (**Annexure-III**), whereby the operation of the NGT's order dated 25.02.2022 in OA No. 69/2020 was kept in abeyance, and no communication was received from the



nodal agency - UPPCB regarding the constitution of the joint committee.

7. That the answering Respondent herein craves the leave of this Hon'ble Tribunal for filing additional reply, if required, in future.
8. That in the light of the submissions, it is respectfully submitted that this answering Respondent i.e., CPCB shall abide by the any order(s)/direction(s) passed by the Hon'ble Tribunal in the instant matter.

(Nazimuddin)
Scientist 'F'

Central Pollution Control Board
10.09.2025



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PRINCIPAL BENCH, NEW DELHI**

Execution Application No. 31/2025

In

Original Application No. 176/2015

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Vs.

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Respondents

AFFIDAVIT

I, **Nazimuddin** working as Scientist 'F' in Central Pollution Control Board, Parivesh Bhawan, East Arjun Nagar, Delhi, do hereby solemnly affirm and declare on oath and state as under:

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 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
 नाजिमउद्दीन / Nazimuddin
 वैज्ञानिक 'एफ' / Scientist 'F'
 केंद्रीय प्रदूषण नियंत्रण बोर्ड
 Central Pollution Control Board
 (पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार)
 (Min. Environment, Forest And 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 10 SEP 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

नाज़िमउद्दीन / Nazimuddin
वैज्ञानिक 'एफ' / Scientist 'F'
केंद्रीय प्रदूषण नियंत्रण बोर्ड
Central Pollution Control Board
(पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार)
(Mo Environment, Forest And Climate Change, Govt. of India)
परिवेश भवन, पूवी अर्जुन नगर, दिल्ली-110032
Parivesh Bhawan, East Arjun Nagar, Delhi-110032



ATTESTED

NOTARY PUBLIC, DELHI
GOVT. OF INDIA

10 SEP 2025



Annex I

केन्द्रीय प्रदूषण नियंत्रण बोर्ड
CENTRAL POLLUTION CONTROL BOARD
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

File No. CM-13011/43/2022-WQM-I-HO-CPCB-HO

Speed Post/E-mail

F. No. A-14011/1/2022-WQM-I

11/03/2022

To

14402
The Regional Director
Regional Directorate, Lucknow, CPCB
PICUP Bhawan, Vibhuti Khand, Gomti Nagar,
Lucknow - 226 010
(e-mail: cpcb.lucknow@gmail.com ; rsingh1962@rediffmail.com)

Sub: Hon'ble NGT order dated 25/02/2022 in OA No. 69/2020 in the matter of Sushil Bhatt Vs Moon Beverages Ltd.

Sir,

This has reference to Hon'ble NGT order dated 25/02/2022 passed in OA No. 69/2020 on the above captioned subject. Hon'ble NGT vide aforesaid order, constituted a Joint Committee comprising of CPCB, CGWA, UPGWD and UPPCB to "conduct survey in State of U.P. and prepare data of various categories drawing ground water for commercial purposes, study impact assessment, suggest ways and modes to reduce ground water extraction in OCS areas, and how ground water level can be improved. The Committee may induct any other expert as it may find necessary. The District Magistrate of concerned district where Committee would visit, shall also be a member of the Committee". Uttar Pradesh Pollution Control Board shall be nodal authority.

In this connection, it is to inform that 'Regional Director, Regional Directorate (North), Central Pollution Control Board, Lucknow' has been nominated as member of the Joint Committee constituted by Hon'ble NGT to represent CPCB.

In view of the above, it is requested to take necessary action for ensuring timely compliance to the Hon'ble NGT directions.

Yours faithfully,

(A.Sudhakar)

Director & DH, WQM-I Division

NGT MATTERBy Speed Post

March 29, 2022

File No: CM-13011/119/2021-LAW-HO-CPCB- HO/ 14805

To

The Member Secretary,
Uttar Pradesh Pollution Control Board,
Building. No. TC-12V,
Vibhuti Khand, Gomti Nagar
Lucknow - 226 010

Sub: Compliance of Hon'ble NGT order dated 25.02.2022 in O.A No. 69/2020 in the matter of Sushil Bhatt Versus Moon Beverages Ltd.

Sir,

This has reference to your office letter no. H72585/C-1/OA No-69/2020/2022, dated 09.03.2022 on the subject matter. The Hon'ble NGT in its order dated 25.02.2022 has directed the following:

(e) We also constitute a joint Committee of CPCB, CGWA, UPGWD and UPPCB to conduct survey in State of U.P. and prepare data of various categories drawing ground water for commercial purposes, study impact assessment, suggest ways and modes to reduce ground water extraction in OCS areas, and how ground water level can be improved. The Committee may induct any other expert as it may find necessary. The District Magistrate of concerned district where Committee would visit, shall also be a member of the Committee. UPPCB shall be nodal authority.

In this regard, Regional Director or his nominated officer from CPCB, Regional Directorate, Lucknow shall represent CPCB in the Committee towards compliance of the Hon'ble NGT order.

This is for information and to ensure coordination and compliance of said Hon'ble NGT order please.

Enc: As above

Yours faithfully,

(PK. MISHRA)

Divisional Head -IPC-III

Copy to:

1. The Regional Director,
Central Pollution Control Board,
Regional Directorate-Lucknow, PICUP
Bhawan, Vibhuti Khand, Gomti Nagar, Lucknow-
226010
2. Divisional Head-Law Division
3. PS to MS

:For information and to
compliance of said Hon'ble
NGT order pl.

: For information of MS pl.

(PK. MISHRA)

केन्द्रीय प्रदूषण नियंत्रण बोर्ड

दिनांक N Singh

दिनांक 29/03/2022

o/c

NGT MATTER**By Speed Post**

March 29, 2022

File No: CM-13011/119/2021-LAW-HO-CPCB- HO/14804

To

The Member Secretary,
Central Ground Water Authority
18/11, Jamnagar House, Man Singh Road
New Delhi-110011

Sub: Compliance of Hon'ble NGT order dated 25.02.2022 in O.A No.69/2020 in the matter of Sushil Bhatt Versus Moon Beverages Ltd.

Sir,

Your kind attention is invited on the Hon'ble NGT order dated 25.02.2022 (copy enclosed) in O.A No. 69/2020 in the matter of Sushil Bhatt Versus Moon Beverages Ltd wherein Hon'ble NGT has directed the following:

(d) The aforesaid environmental compensation, received from PPs, shall be utilized for recharge of ground water, restoration of environmental damage, etc. For this purpose, we constitute a joint committee comprising, MOEF&CC, MOJS, CPCB, CGWA, UPGW and District Magistrates of concerned districts. CPCB and CGWA shall be nodal authorities. Committee shall prepare restoration plan within 2 months, execute the same in next 6 months and submit compliance report to Registrar General, NGT, Principal Bench, New Delhi.

In this context, it is to request you to take further action to ensure timely compliance of the said Hon'ble NGT direction and kindly hold required meetings of the said joint committee at an early date.

This may be treated as 'URGENT' please.

This issue with the approval of the Member Secretary, CPCB

Yours faithfully

(PK. MISHRA)

Divisional Head -IPC-III

o/c

Enc: As above

Copy to:

1. Divisional Head-Law Division, CPCB
2. PS to MS : For information of MS pl.

(PK. MISHRA)

29/03/22

केन्द्रीय प्रदूषण नियंत्रण बोर्ड

दिनांक 29/03/22

दिनांक 29/03/22

o/c

Annexure- III

1

ITEM NO.2 COURT NO.5 SECTION REVISED XVII

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Civil Appeal No(s). 2901/2022

MOON BEVERAGES LIMITED & ANR.

Appellant(s)

VERSUS

SUSHIL BHATT & ORS.

Respondent(s)

(IA No.55236/2022-EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT and IA No.55235/2022-STAY APPLICATION

WITH

C.A. No. 2907/2022 (XVII)

(IA No.55583/2022-EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT and IA No.55587/2022-EX-PARTE STAY and IA No.55585/2022-
EXEMPTION FROM FILING O.T. and IA No.56528/2022-EXEMPTION FROM
FILING O.T. and IA No.55584/2022-PERMISSION TO FILE LENGTHY LIST OF
DATES and IA No.56527/2022-PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES)

Date : 19-05-2022 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE L. NAGESWARA RAO
HON'BLE MR. JUSTICE B.R. GAVAI
HON'BLE MR. JUSTICE A.S. BOPANNA

For Appellant(s)

Mr. Mukul Rohatgi, Sr. Adv.
Mr. R. Jawahar Lal, Adv.
Mr. Siddharth Bawa, Adv.
Mr. Anuj Garg, adv.
Mr. Mohit Sharma, Adv.
Mr. Mayank Kshirsagar, AOR

Mr. Kapil Sibal, Sr. Adv.
Dr. Abhishek Manu Singhvi, Sr. Adv.
Mr. Bishwajit Bhattacharyya, Sr Adv.
Mr. Suhaan Mukerji, Adv.
Mr. Sanjay Basu, Adv.
Mr. Vishal Prasad, Adv.
Ms. Chitralkha Das, Adv.
Mr. Amit Bhandari, Adv.
Mr. Adit Subramaniam Pujari, Adv
Mr. Abhishek Manchanda, Adv.
Mr. Sayandeep Pahari, Adv.

Mr. Pinaki Misra, Sr. Adv.

Ms. Ruby Singh Ahuja, Adv.
Ms. Aakriti Vohra, Adv.
Mr. Ashutosh P. Shukla, Adv.
Mr. Jappanpreet Hora, Adv.
M/S. Karanjawala & Co., AOR

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

IA No.55235/2022 AND IA No.55587/2022

There shall be stay of operation of the
impugned judgment and order dated 25.02.2022 passed
by the National Green Tribunal, Principal Bench, New
in Original Application No.69 of 2020.

I.As. stand disposed of.

(Geeta Ahuja)
Assistant Registrar-cum-PS

(Anand Prakash)
Assistant Registrar

ITEM NO.2

COURT NO.5

SECTION XVII

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Civil Appeal No(s). 2901/2022

MOON BEVERAGES LIMITED & ANR.

Appellant(s)

VERSUS

SUSHIL BHATT & ORS.

Respondent(s)

(IA No.55236/2022-EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT and IA No.55235/2022-STAY APPLICATION

WITH

C.A. No. 2907/2022 (XVII)

(IA No.55583/2022-EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT and IA No.55587/2022-EX-PARTE STAY and IA No.55585/2022-
EXEMPTION FROM FILING O.T. and IA No.56528/2022-EXEMPTION FROM
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Mr. Mukul Rohatgi, Sr. Adv.
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Mr. Anuj Garg, adv.
Mr. Mohit Sharma, Adv.
Mr. Mayank Kshirsagar, AOR

Mr. Kapil Sibal, Sr. Adv.
Dr. Abhishek Manu Singhvi, Sr. Adv.
Mr. Bishwajit Bhattacharyya, Sr. Adv.
Mr. Suhaan Mukerji, Adv.
Mr. Sanjay Basu, Adv.
Mr. Vishal Prasad, Adv.
Ms. Chitralkha Das, Adv.
Mr. Amit Bhandari, Adv.
Mr. Adit Subramaniam Pujari, Adv.
Mr. Abhishek Manchanda, Adv.
Mr. Sayandeep Pahari, Adv.

Mr. Pinaki Misra, Sr. Adv.
Ms. Ruby Singh Ahuja, Adv.

Ms. Aakriti Vohra, Adv.
Mr. Ashutosh P. Shukla, Adv.
Mr. Jappanpreet Hora, Adv.
M/S. Karanjawala & Co., AOR

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

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by the National Green Tribunal, Principal Bench, New
in Original Application No.69 of 2020.

I.A. stands dispose of.

(Geeta Ahuja)
Court Master

(Anand Prakash)
Assistant Registrar