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BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

PRINCIPAL BENCH, NEW DELHI

Original Application No. 68 of 2025

In the matter of:

Sanjay Kumar Mishra

Applicant

Vs.

Central Pollution Control Board & Anr.

Respondents

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1.	Reply on behalf of Respondent No. 1, CPCB, to the rejoinder filed by the applicant dated 07.11.2025 in Original Application No. 68/2025.	



Filed by Adv. Suman Arora
On behalf of Central Pollution Control Board

Place: Delhi

Dated:28.01.2026

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**REPLY ON BEHALF OF CENTRAL POLLUTION CONTROL BOARD,
TO THE REJOINDER FILED BY THE APPLICANT DATED 07.11.2025**

1. That the answering respondent no. 1, Central Pollution Control Board (hereinafter referred to as "CPCB") has been constituted under the Water (Prevention and Control of Pollution) Act, 1974 (hereinafter referred to as "the Water Act, 1974"). It performs functions as prescribed under the Water Act, 1974, 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, it is further submitted that the State Pollution Control Boards/Pollution Control Committees (hereinafter referred to 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 territories falling in their respective territorial Jurisdiction.
3. That, at the outset, the answering respondent denies all claims, contentions, allegations and averments against it in the subject Rejoinder contrary to



anything stated or submitted in this reply. Nothing in the Rejoinder 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 averment which has been expressly admitted hereinafter.

PARAWISE REPLY:

1. That the contents of Para 1 of the Rejoinder of the applicant pertains to Hon'ble NGT order dated 20.08.2025, requiring no reply from this answering respondent no. 1 being matter of records.
2. That the contents of Para 2 of the Rejoinder of the applicant warrant no reply by this answering respondent no.1.
3. That with respect to the reply of Point 3 of Rejoinder, it is humbly submitted that during the inspection, the data sheet verified were in controlled format to maintain the traceability with test reports. The controlled format referred in para 3 of the rejoinder dated 7.11.2025 pertains to datasheets of the said test results mentioned in the complaint. The term *controlled* has been mentioned to indicate the traceability of field data sheets with said test reports and same has been maintained by respondent no. 2.

The first formal difference of *controlled format* in the additional reply of respondent no. 1 dated 05/08/2025 is only clarificatory and not any afterthought, to mention that traceability of field data sheets and test reports is maintained.

4. That with respect to the reply at Point 4 of the rejoinder it is humbly submitted that the field data sheets mentioned in the Rejoinder were thoroughly checked by the inspection team of CPCB and same has been



mentioned at point no. 1 of the inspection report attached with the reply of OA 68/2025, dated 15.05.2025. It is further submitted that all the records and registers were duly checked and verified during the inspection by the team and were found to be in order and maintained by the laboratory.

It is submitted that a Joint Committee is to be constituted to perform the routine surprise inspection only as mandated in para 8 of SO 2340(E) dated 16.06.2021 whereas the current inspection under reference was over a complaint. Thereby, the inspection report not being an inspection report of the joint committee, does not require to be uploaded on CPCB website under the said provisions of aforesaid Notification. In the present matter, it is humbly submitted that the competent officers of CPCB were deputed for inspection of the laboratory. It is re-iterated that the inspection that has been carried out was on the basis of complaint received by CPCB against respondent no. 2 thereby it is a separate and distinct process. Such complaint -based inspection is neither mandated nor regulated by Joint Committee constituted under SO-2340(E) dated 16/06/2021.

5. That with respect to the reply of para 5 of the rejoinder, it is humbly submitted that during the inspection, field data sheets mentioned in the Rejoinder were thoroughly checked by the inspection team of CPCB and same has been mentioned at point no. 1 of the inspection report submitted with the reply of OA no. 68/2025 dated 15.05.2025.
6. That with respect to the reply of para 6 of the rejoinder, the submissions made at sub para 11B & 11D of para wise reply to the rejoinder of applicant dated 11.08.2025 are re-iterated and are not repeated herein for the sake of brevity.



Additionally, the reference of 'Examination' of information associated with the test reports mentioned in the submissions made by CPCB previously is with respect to the process adopted for verifying the records and information submitted by any applicant on the web portal seeking recognition of Lab.

7. That the contents of Para 7 of the Rejoinder of the applicant warrant no reply by the answering respondent no.1.
8. This is respectfully submitted that CPCB has not neglected the mandatory provisions of the Notification dated 16.06.2021 and has duly complied with all legal requisites required in the instant matter.

PRAYER:

In the light of the reply above made, it is prayed to this Hon'ble Tribunal that the present application may be dismissed outrightly with heavy costs qua the allegations put against the answering respondent CPCB.

Any other order(s)/direction(s) in favour of the answering respondent CPCB may be passed in the interest of justice.

The answering respondent is bound down to abide by any order or direction issued by this Hon'ble tribunal.



Namita Mishra
(Namita Mishra)
Scientist 'E'
Central Pollution Control Board

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I, **Namita Mishra** in the capacity of Scientist 'E', having office at the Delhi, Central Pollution Control Board, Parivesh Bhawan, East Arjun Nagar, Delhi, do hereby solemnly affirm and sincerely state on oath as follows:

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.
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 records 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.

Namita Mishra
DEPONENT

नमिता मिश्रा / Namita Mishra
वैज्ञानिक 'ई' / Scientist 'E'
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)
परिवेश भवन, पूर्वी अर्जुन नगर, दिल्ली-110032
Parivesh Bhawan, East Arjun Nagar, Delhi-110032

VERIFICATION:

Verified at Delhi on this day of 22 JAN 2026 2026 that the contents above 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.



ATTESTED
R.L. Chaudhary
 NOTARY PUBLIC
 GOVT. OF INDIA
 22 JAN
 22 JAN 2026

Namita
DEPONENT

नमिता मिश्रा / Namita Mishra
 वैज्ञानिक 'ई' / Scientist 'E'
 केंद्रीय प्रदूषण नियंत्रण बोर्ड
 Central Pollution Control Board
 (स्वास्थ्य, एवं एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार)
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