

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

PRINCIPAL BENCH, NEW DELHI

Original Application No. 558/2025

IN THE MATTER OF

Sunil Kumar Nigam & Ors.

.... Applicant

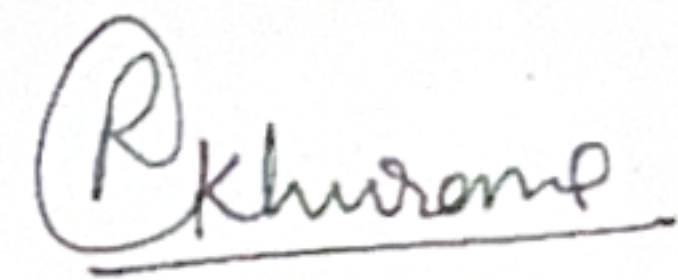
Versus

State of Haryana & Ors.

....Respondent

Index

Sr. No.		Page No
1	REPLY ON BEHALF OF RESPONDENT NO 7 i.e. HARYANA STATE POLLUTION CONTROL BOARD	1-4



Rahul Khurana, Advocate
Counsel for Respondent No.7
Haryana State Pollution Control Board

Dated: 14.07.2026

Place: Gurugram

9811894060
rkhuranalegal@gmail.com

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

Original Application No. 558/2025

IN THE MATTER OF

Sunil Kumar Nigam & Ors.

.... Applicant

Versus

State of Haryana & Ors.

.... Respondent

**REPLY ON BEHALF OF RESPONDENT NO 7 i.e. HARYANA
STATE POLLUTION CONTROL BOARD****MOST RESPECTFULLY SHOWETH:**

1. That the present Original Application has been filed by the Applicant alleging that Respondent No. 8 (Project Proponent) is violating the conditions of the Environmental Clearance (EC) dated 27.12.2012, particularly the mandatory requirement of maintaining 30% green area (20% for tree plantation and 10% for landscaping). It was further contended that the Project Proponent is erroneously claiming that only 15% green area is required to be maintained, contrary to the EC conditions. It is also alleged that the HSD tank, which was required to be constructed underground, has been constructed overground by encroaching upon the designated green area.
2. That the answering respondent is a statutory authority constituted under the provisions of the Water (Prevention and Control of Pollution) Act, 1974 and entrusted with implementation of the Water Act, Air (Prevention and Control of Pollution) Act, 1981, Environment (Protection) Act, 1986 and Rules framed thereunder within the State of Haryana. The jurisdiction of the answering respondent is confined to enforcement of environmental laws relating to prevention and control of pollution, grant of Consent to Establish (CTE), Consent to Operate (CTO), Authorization under applicable Rules, monitoring of pollution control systems and initiation of action against violators under the applicable environmental statutes. The allegations regarding

encroachment upon green areas, construction deviations and other matters relating to development permissions fall primarily within the jurisdiction of the Department of Town & Country Planning (DTCP) and other competent statutory authorities.

3. That the officer of the Haryana State Pollution Control Board conducted inspection of the project on 02.07.2026 and samples were collected from inlet & outlet of STP and as per analysis report issued by Board's analyst, Gurugram vide no. 801-802 dated 09.07.2026, parameters found within prescribed limits. During inspection, following deficiencies relating to environmental compliance were noticed:-

- i. The project proponent has failed to establish and/or operate the compost plant for processing biodegradable waste as stipulated under the Environmental Clearance conditions. Consequently, the biodegradable waste generated from the project is not being managed in accordance with the approved Environmental Management Plan and the provisions of the Environment (Protection) Act, 1986 and the rules framed thereunder
- ii. Not installed separate water supply meter to different residential unit & different utilities.
- iii. Neither installed any emission control mechanism strictly subject to compliance of emission standards on DG sets of capacity 1010 KVA, 1500 KVA X 3 nor provided any emission test reports of DG set last 3 months
- iv. Not maintained copy of logbook for last 03 months maintained for operation of STP for the record of energy and chemical consumption, quantity of effluent at inlet and outlet of STP.
- v. Operating without obtaining valid CTO and authorization under HOWM Rules, 2016 for DG Set.

Accordingly, answering respondent Board thereafter issued a Show Cause Notice vide No. I/292814/2026 dated 06.07.2026 proposing closure, prosecution and levy of Environmental Compensation under the Water Act, Air Act, Environment (Protection) Act, 1986 and Board Policy dated 22.12.2021 and further action will be taken after expiry of

show cause notice period or on receipt of reply from the project proponent whichever is earlier.

In view of the above stated facts and circumstances mentioned herein above, it is prayed to take on record the present reply. It is undertaken to comply with the directions passed by Hon'ble Tribunal.

Date 14.07.2026
Place: Gurugram



Regional Officer HSPCB
Gurugram Region (North)

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

Original Application No. 558/2025

IN THE MATTER OF:-

Sunil Kumar Nigam & Ors.

.....Applicant(s)

Versus

State of Haryana & Ors

.....Respondent

AFFIDAVIT

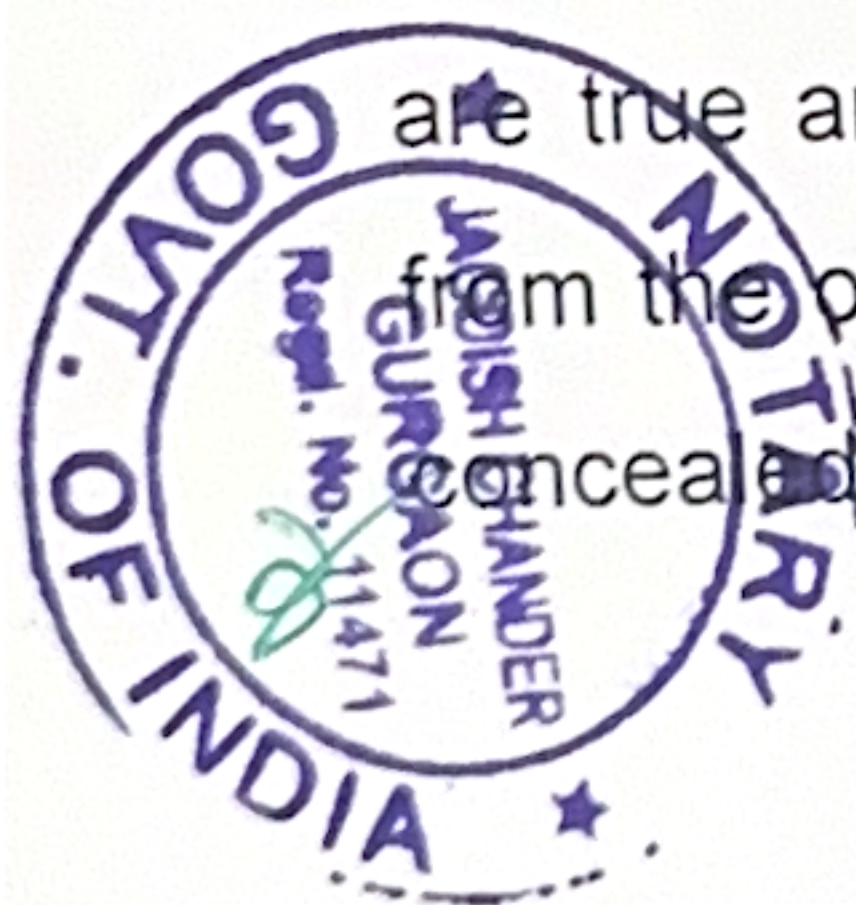
I, Akansha Tanwar, Regional Officer, Haryana State Pollution Control Board, Gurugram (North) aged about 36 years do hereby solemnly affirm and state as under:-

1. That in the aforesaid official capacity, I am well conversant with the facts and circumstances of the case, therefore, I am competent to swear this affidavit.
2. That I have gone through the contents of accompanying reply which has been drafted under my instructions.
3. That Annexure are true copy of their originals.

Deponent

Verification:

Verified at Gurugram on 14th day of July, 2026 that the contents of affidavit are true and correct to my knowledge and on the basis of information derived from the official record which I believe to be true and no material fact has been concealed therein.



Deponent

ATTESTED

JAGDISH CHANDER
Advocate & Notary Public
Distt. Courts, Gurugram