

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

IA No. 252 of 2026
IN
O.A No. 444 of 2023

PARYAVARAN VIKAS SANGH

...APPLICANT

VERSUS

STATE OF HARYANA AND OTHERS

...RESPONDENTS

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Date: 15.07.2026


Karan Singh
Under Secretary
Haryana Water Resources Authority
Respondent No.5

Filed Through:



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...RESPONDENTS

REPLY ON BEHALF OF RESPONDENT
NO. 5 (HARYANA WATER RESOURCES
AUTHORITY) TO IA NO. 252 OF 2026
FILED BY RESPONDENT NO. 7

MOST RESPECTFULLY SHOWETH:

PRELIMINARY SUBMISSIONS:

1. That the present reply is being filed by Respondent No.5 i.e. Haryana Water Resources Authority (HWRA) in compliance with the order dated 01.04.2026 passed by this Hon'ble Tribunal in IA No.252 of 2026, whereby the concerned parties were granted liberty to file their response to the Interlocutory Application filed by Respondent No.7 seeking permission to place certain additional documents on record.
2. That at the outset, it is submitted that the answering Respondent has no objection if this Hon'ble Tribunal, in its discretion, permits Respondent No.7 to place the documents annexed with the present application on record, subject to their proof, admissibility, relevancy and evidentiary value in accordance with law.
3. That, however, the present interlocutory application is not confined merely to placing certain documents on record. Under the guise of filing additional documents, Respondent No.7 has sought to advance extensive factual

assertions and legal submissions regarding the jurisdiction of the Haryana Water Resources Authority, validity of the Notification dated 17.03.2022, legality of the environmental compensation imposed by the Authority, alleged violation of principles of natural justice and interpretation of various judgments of the Hon'ble Supreme Court and the Hon'ble Punjab & Haryana High Court. These issues go to the root of the merits of the Original Application and are liable to be examined only at the stage of final adjudication after appreciation of pleadings, statutory provisions and evidence.

4. That the answering respondent specifically disputes each and every legal contention, factual assertion and inference sought to be drawn by Respondent No.7 from the documents annexed with the present application. Mere production of documents neither proves the contents thereof nor establishes the legal propositions sought to be canvassed.
5. That it is respectfully submitted that pursuant to the directions issued by this Hon'ble Tribunal vide order dated 03.10.2024, the Haryana Water Resources Authority discharged its statutory obligations and, after following due process under the Haryana Water Resources (Conservation, Regulation and Management) Authority Act, 2020 and the Regulations framed thereunder, passed consequential orders dated 28.04.2025 and 27.06.2025. The legality and validity of those proceedings cannot be adjudicated in the present Interlocutory Application.
6. That Respondent No.7 had challenged the consequential orders before the Hon'ble Punjab & Haryana High Court. However, the Hon'ble High Court neither stayed nor set aside the order dated 03.10.2024 passed by this Hon'ble Tribunal nor adjudicated upon the merits of the controversy. The writ petition was disposed of by relegating Respondent No.7 to avail its remedy before this Hon'ble Tribunal. Therefore, Respondent No.7 cannot derive any substantive

advantage from the said proceedings nor can the observations made therein be construed as determination of the issues pending before this Hon'ble Tribunal.

7. That the present application deserves to be considered only for the limited purpose of deciding whether the additional documents may be taken on record. The admissibility, evidentiary value, applicability and legal effect of those documents are distinct questions which necessarily fall for consideration at the stage of final hearing of the Original Application.

REPLY ON MERITS

1. That the contents of paragraph No.1 of the application are matters of record to the extent that the above-captioned Original Application is pending adjudication before this Hon'ble Tribunal and Respondent No.7 is one of the project proponents arrayed therein. However, the remaining averments, insofar as they seek to justify the present application or suggest that the documents sought to be produced have any determinative bearing upon the issues involved in the Original Application, are denied.
- k. 2. That the contents of paragraph No.2 are matters of record to the limited extent that Respondent No.7 has filed certain pleadings before this Hon'ble Tribunal from time to time. However, it is specifically denied that the filing of previous pleadings by Respondent No.7 entitles it to the relief claimed in the present application or that the documents now sought to be produced establish the correctness of the stand taken by Respondent No.7.
3. That the contents of paragraph No.3 are admitted only to the extent that this Hon'ble Tribunal, while disposing of Review Application No.36 of 2025, observed that Respondent No.7 would be at liberty to place on record such documents as had been filed in the Review Application and which may have a direct bearing on the issues involved in the Original Application. However, the

said liberty merely permits production of documents and cannot, by any stretch of imagination, be construed as acceptance of their admissibility, correctness, evidentiary value or legal consequences. All objections available to the answering Respondent in respect of such documents are expressly reserved.

4. That the contents of paragraph No.4 merely enumerate the documents sought to be brought on record. The answering Respondent has no objection if the documents are taken on record, subject to proof, admissibility, relevance and evidentiary value in accordance with law. However, every legal submission, factual assertion and inference sought to be drawn from those documents is specifically denied and disputed. Mere filing of documents does not amount to proof of their contents nor can the same be treated as conclusive evidence of the facts sought to be asserted by Respondent No.7.
5. That the contents of paragraph No.5 are wrong, misconceived and hence denied. It is specifically denied that the order dated 28.08.2025 passed by the Hon'ble Punjab & Haryana High Court in CWP No.25244 of 2025 lends support to the legal contentions advanced by Respondent No.7. The Hon'ble High Court consciously refrained from examining the merits of the controversy and merely relegated Respondent No.7 to avail its remedy before this Hon'ble Tribunal in view of the pendency of the Original Application. The Hon'ble High Court neither stayed nor set aside the order dated 03.10.2024 passed by this Hon'ble Tribunal, nor did it record any finding regarding the jurisdiction of the Haryana Water Resources Authority or the validity of the consequential proceedings undertaken pursuant thereto. Therefore, the reliance placed by Respondent No.7 upon the said order is wholly misplaced.
6. That the contents of paragraph No.6 are wrong, misconceived and hence denied. It is specifically denied that the Notification dated 17.03.2022 issued by the Haryana Water Resources Authority is either beyond the scope of the

k. Haryana Water Resources (Conservation, Regulation and Management) Authority Act, 2020 or otherwise without authority of law. The Notification has been issued by the competent statutory authority in exercise of powers conferred under the provisions of the Act and forms part of the regulatory framework governing groundwater abstraction within the State. It is further submitted that the legality, validity and scope of the said Notification are substantive questions of law, which are required to be examined on their own merits after considering the statutory provisions, legislative intent and the rival submissions of the parties. Such issues cannot be finally adjudicated in an interlocutory application filed merely for bringing documents on record. The answering Respondent further submits that Respondent No.7 is attempting to obtain findings on the legality of the Notification without any substantive challenge before this Hon'ble Tribunal in accordance with law. Such an exercise is wholly impermissible. Without prejudice to the above, it is respectfully submitted that the Notification dated 17.03.2022 enjoys a presumption of legality and validity unless declared otherwise by a competent Court or Tribunal. Therefore, the allegations made by Respondent No.7 are specifically denied.

7. That the contents of paragraph No.7 are partly matters of record to the extent that Respondent No.7 has placed on record a clearer copy of the Environmental Clearance dated 26.11.2014. However, the answering Respondent submits that the filing of a clearer or more legible copy of an already existing document neither alters the factual position nor advances the case of Respondent No.7 in any manner. It is respectfully submitted that the grant of Environmental Clearance does not confer immunity from complying with subsequent statutory requirements under the environmental laws or the Haryana Water Resources (Conservation, Regulation and Management) Authority Act, 2020. Every

project proponent remains under a continuing obligation to comply with all applicable statutory provisions, permissions, approvals and regulatory requirements throughout the life cycle of the project. Therefore, no legal consequence as sought to be projected by Respondent No.7 can be drawn merely from placing a clearer copy of the Environmental Clearance on record.

8. That the contents of paragraph No.8 are informative that Respondent No.7 claims to have submitted an application dated 08.01.2026 before the State Environmental Impact Assessment Authority seeking extension of the validity of the Environmental Clearance. The answering Respondent respectfully submits that mere submission or pendency of an application before a statutory authority neither creates any vested right in favour of the applicant nor amounts to grant of approval. It is further submitted that until any competent authority passes an order in accordance with law, Respondent No.7 cannot claim any benefit merely because an application is pending consideration. Therefore, the pendency of the application for extension of Environmental Clearance has no bearing upon the legality of the proceedings undertaken by the Haryana Water Resources Authority pursuant to the directions issued by this Hon'ble Tribunal. The averments made in the said paragraph are accordingly denied insofar as they seek to derive any legal advantage from the pendency of the said application.

9. That the contents of paragraph No.9 are partly matters of record to the extent that Respondent No.7 has filed clearer copies of the Consent to Establish granted by the Haryana State Pollution Control Board. However, it is respectfully submitted that the existence of Consent to Establish merely evidences that such consent had been granted subject to specific statutory conditions. The same neither establishes complete compliance with all environmental laws nor absolves Respondent No.7 from complying with the

provisions of the Haryana Water Resources (Conservation, Regulation and Management) Authority Act, 2020, the directions issued by this Hon'ble Tribunal or any other applicable law. It is further submitted that the rights and liabilities arising under one environmental statute cannot automatically override or nullify obligations imposed under another independent statutory enactment. Accordingly, the legal inferences sought to be drawn by Respondent No.7 from the said documents are specifically denied.

10. That the contents of paragraph No.10 are wrong, misleading and hence denied.

k. It is submitted that Respondent No.7 has deliberately withheld the complete factual background relating to the application for grant of No Objection Certificate (NOC) and has selectively placed only such facts as suit its case. In fact, Respondent No.7 had initially submitted an application dated 21.11.2023 seeking permission, however, the said application was found to be incomplete and deficient. Accordingly, various objections were raised by the Haryana Water Resources Authority from time to time and Respondent No.7 was repeatedly called upon to remove the deficiencies and furnish the requisite information and documents. Despite repeated reminders and adequate opportunities, Respondent No.7 failed to remove the objections and the application remained incomplete. Subsequently, Respondent No.7 itself realized that the application had been erroneously submitted for groundwater abstraction instead of the permission actually required and, therefore, at its own instance, amended the application on 26.04.2025 by seeking permission for dewatering. The aforesaid facts, along with the relevant correspondence and supporting documents, have already been elaborately recorded in the Enquiry Report submitted before this Hon'ble Tribunal. Respondent No.7 has, however, deliberately suppressed these material facts and has attempted to create an impression as if a valid and complete application had been pending throughout.

Such selective disclosure amounts to suppression of material facts and misleading this Hon'ble Tribunal. The present Interlocutory Application is nothing but an attempt to divert the attention of this Hon'ble Tribunal from the real controversy involved in the Original Application and to reopen issues already forming part of the record. The averments made in the said paragraph are, therefore, specifically denied.

K. 11. That the contents of paragraph No.11 are wrong and denied. The reliance placed by Respondent No.7 on the judgment of the Hon'ble Supreme Court in *Triveni Engineering & Industries Ltd. v. State of Uttar Pradesh & Ors.* is wholly misconceived and distinguishable on facts. The applicability and effect of the said judgment in the present proceedings are matters to be considered at the stage of final adjudication after appreciation of the facts and circumstances of the case. Hence, the averments made in the said paragraph do not advance the case of Respondent No.7 and are liable to be rejected.

12. That the contents of paragraphs No.12 are wrong and denied. Respondent No.7 has sought to rely upon the judgment dated 04.08.2025 and subsequent orders passed by the Hon'ble Supreme Court in *Delhi Pollution Control Committee v. Lodhi Property Co. Ltd.* It is respectfully submitted that the observations made by the Hon'ble Supreme Court regarding the formulation of appropriate regulatory mechanisms for assessment of environmental compensation cannot be read in isolation or construed as declaring all existing statutory actions invalid. The answering Respondent further submits that the proceedings undertaken by the Haryana Water Resources Authority were initiated under the statutory framework governing groundwater regulation in the State and in compliance with the directions issued by this Hon'ble Tribunal. The questions regarding applicability, interpretation and effect of the aforesaid judgment are issues to be considered at the stage of final adjudication after hearing all

parties. The reliance placed upon the subsequent orders passed by the Hon'ble Supreme Court is equally misconceived. Accordingly, the legal propositions sought to be advanced by Respondent No.7 on the basis of the aforesaid judgments are specifically denied.

13. That in reply to the contents of paragraphs No.13 it is submitted that the submissions made in the foregoing para no 12 are reiterated here for the sake of brevity.

k. 14. That the contents of paragraph No.14 are wrong and denied. The reliance placed by Respondent No.7 on the judgment dated 05.09.2025 passed in CWP No.26208 of 2025 (M/s BPTP Ltd. v. Union of India & Others) is wholly misconceived and misplaced. The said judgment was rendered on the peculiar facts of that case, where the Hon'ble High Court found that the petitioner had already applied for a No Objection Certificate and the authorities had proceeded under the misconception that no such application had been submitted, besides directing a fresh inspection before proceeding further. In the present case, however, Respondent No.7 had submitted an incomplete application dated 21.11.2023, failed to remove the deficiencies despite repeated reminders, and subsequently amended its own application on 26.04.2025 after realizing that it had erroneously sought permission for groundwater abstraction instead of dewatering. These facts, along with the supporting documents, already form part of the Enquiry Report. Therefore, the reliance placed upon the aforesaid judgment is wholly misplaced and the present application is nothing but an attempt to divert the attention of this Hon'ble Tribunal from the real issues involved in the Original Application.

15. That the contents of paragraph No.15 are wrong and emphatically denied. It is specifically denied that the documents sought to be produced establish the legal or factual position asserted by Respondent No.7. The answering Respondent

submits that the questions regarding jurisdiction of the Haryana Water Resources Authority, legality of the consequential proceedings, interpretation of statutory provisions and applicability of judicial precedents constitute the principal issues arising in the Original Application itself and cannot be prejudged while considering the present Interlocutory Application. The answering Respondent therefore reiterates that although it has no objection to the documents being taken on record subject to proof and admissibility, every legal contention sought to be founded upon those documents is specifically disputed.

16. That the contents of paragraph No.16 are denied insofar as they suggest that no prejudice would be caused by allowing the present application without appropriate safeguards. The answering Respondent respectfully submits that while it does not object to the documents being placed on record, any observation touching upon their correctness, evidentiary value or legal consequences at this stage would seriously prejudice the rights and contentions of the answering Respondent during final adjudication. It is therefore necessary that all objections regarding admissibility, relevance, proof and legal effect of the documents be expressly kept open.

17. That the contents of paragraph No.17 are wrong and denied. The answering Respondent submits that the present application appears to have been drafted not merely for placing documents on record but also for inviting findings on several disputed legal issues which arise directly for consideration in the Original Application. Such an exercise is beyond the scope of the present Interlocutory Application and is liable to be rejected. The answering Respondent accordingly reiterates that the documents, if permitted to be taken on record, shall remain subject to proof, admissibility, relevance and

evidentiary value and that none of the legal submissions contained in the application deserve acceptance at this interlocutory stage.

It is, therefore, most respectfully prayed that this Hon'ble Tribunal may be pleased to take the present Reply on record and, in the event IA No. 252 of 2026 is allowed, clarify that the additional documents sought to be placed on record by Respondent No. 7 shall be subject to their proof, admissibility, relevance and evidentiary value in accordance with law, and that the legal submissions, factual assertions and inferences sought to be drawn therefrom shall not be treated as admitted or accepted, leaving all rights, contentions and objections of the answering Respondent open for consideration at the time of final adjudication of the Original Application, and pass such other or further orders as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the present case in the interest of justice.

Place: Panchkula

Dated: 15.07.2026


Karan Singh
Under Secretary
Haryana Water Resources Authority
Respondent No.5

VERIFICATION:

Verified that the contents of Para No. 1 to 7 of preliminary submissions and para 1 to 17 of the reply on merits of my above reply are true and correct to my knowledge and belief and based upon the information derived from official record, which I believe to, be true and correct. No part of it is false and nothing has been concealed therein.

Place: Panchkula

Dated: 15.07.2026


Karan Singh
Under Secretary
Haryana Water Resources Authority
Respondent No.5

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...APPLICANT

VERSUS

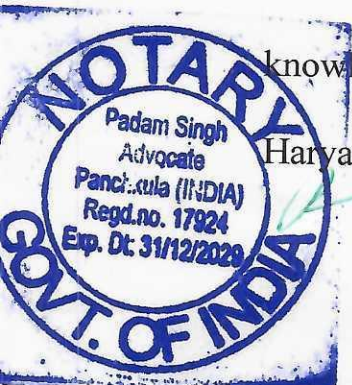
STATE OF HARYANA AND OTHERS

...RESPONDENTS

AFFIDAVIT

I, Karan Singh, presently working as Under Secretary, Haryana Water Resources Authority, Panchkula, being the authorised officer and competent to swear this affidavit on behalf of Respondent No.5, do hereby solemnly affirm and state as under:

1. That I am the Under Secretary of the Haryana Water Resources Authority, Respondent No.5 in the above-captioned matter, and am well conversant with the facts and circumstances of the case from the official records. I am duly authorized and competent to swear the present affidavit.
2. That I have read and understood the contents of the accompanying Reply on behalf of Respondent No.5 to IA No.252 of 2026 in O.A. No.444 of 2023 comprising Preliminary Submissions, Reply on Merits, Prayer and this Affidavit. The contents of the reply to the application may be read as part and parcel of this Affidavit
3. That the contents of the accompanying Reply are true and correct to my knowledge and belief based upon the official records maintained by the Haryana Water Resources Authority.



15 JUL 2026

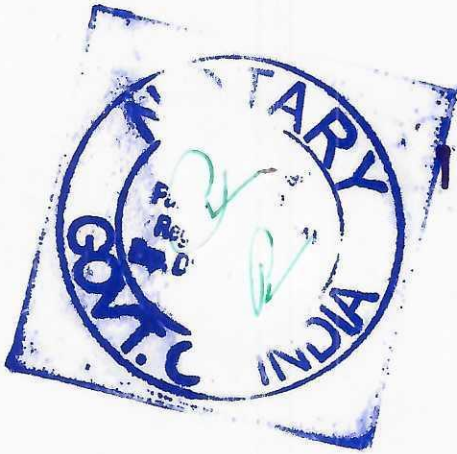
4. That no part of the accompanying Reply is false and nothing material has been concealed therefrom.

DEPONENT

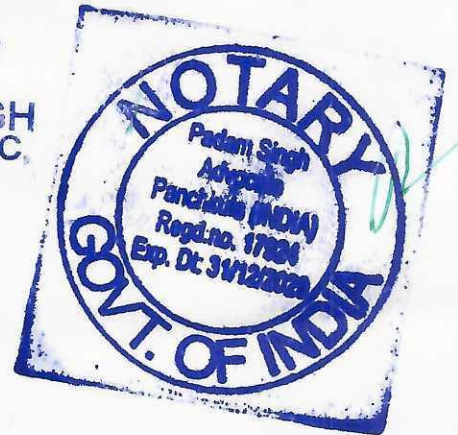
VERIFICATION

Verified at Panchkula on this 15 day of July, 2026 that the contents of the above affidavit are true and correct to my knowledge and belief based on the official records, and nothing material has been concealed therefrom.

DEPONENT



ATTESTED
PADAM SINGH
NOTARY PUBLIC
PANCHKULA





Rahul Khurana <rkhuranalegal@gmail.com>

Service of reply to IA No. 252 of 2026 in OA No. 444 of 2023 titled 'Paryavaran Vikas Sangh Versus State of Haryana & Ors.'

1 message

Rahul Khurana <rkhuranalegal@gmail.com>

15 July 2026 at 19:33

To: sanjay@eldfindia.com

Dear Sir,

Please find attached the reply on behalf of Respondent No. 5 (HWRA) to the IA No. 252 of 2026 in OA No. 444 of 2023 titled 'Paryavaran Vikas Sangh Versus State of Haryana & Ors.'

This email may kindly be treated as due service.

Thanking you,

Regards,
Rahul Khurana,
Advocate-on-Record
Supreme Court of India
Mobile No. 9811894060



reply in I.A. No.252 of 2026 in O.A. No.444 of 2023 final.pdf
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